

**MARSHALL TOWNSHIP BOARD OF SUPERVISORS  
525 PLEASANT HILL ROAD  
WEXFORD, PA 15090**

**MINUTES  
November 7, 2016 7:00 PM**

---

The following persons were present:

SUPERVISORS: Thomas Madigan, Chairman (arrived at 7:10 p.m.)  
Philip Troy, Vice Chairman (Absent)  
Anthony (Jack) Candek  
Jason Bragunier  
Robert (Bob) Edwards

MANAGER: Neil D. McFadden

ENGINEER: Art Gazdik, P.E.

SOLICITOR: Larry Baumiller, Babst Calland

SECRETARY: Sheryl Snyder

OTHER(S): Heidi Hawk, Adelman Reporters and six others

---

1. Call to Order - The meeting was called to order at 7:02 p.m.
2. Pledge of Allegiance - All rose to recite the Pledge of Allegiance.
3. Public Comment – None.
4. Consent Agenda
  - 4a. Minutes

Regular Meeting (October 10, 2016) – Mr. Edwards noted under 4a under Manager's Report, it needs to be clear in the minutes that the Board did not approve any agreement. Mr. McFadden responded we definitely did not approve the Financial and Administrative Support Agreement and will correct the minutes to make it clear that no agreement was approved.

Agenda Meeting (October 24, 2016) – No corrections or additions were made.
  - 4b. Expenditures

Month of October 2016 – No corrections or additions were made. Mr. Candek indicated that the expenditure report look cleaner. Mr. Bragunier agreed.
  - 4c. Announcements – Mr. McFadden noted that the Pittsburgh Post Gazette posted the polling places for all Allegheny County municipalities in their publication on Friday and for Marshall Township, the voting address for Districts 2 and 4 was incorrect. The Post Gazette has been notified and we are hoping to get a retraction printed. The polling places are as they were for the last election with 2 and 4 voting at the municipal building.

Mr. Madigan arrived at 7:10 p.m.

#### 4d. Reports

Police - Report forthcoming.

Police Board Liaison – Mr. Candek stated the police hiring eligibility list was approved. It runs from October 26, 2016 thru October 26, 2017. From that list, we approved the hiring of Adam Greco, pending a polygraph test, effective January 1, 2017. We also approved the appointment of Officer Durzo to the position of Detective. That entails a 4% increase in his base salary and this will be effective January 1, 2017 also.

Firemen - Written report submitted.

Fire Company Liaison – Nothing to report at this time.

Public Works Director - Written report submitted.

Zoning Officer - Written report submitted.

Building Inspector, O.E.M. - Written report submitted.

Recreation Director - Written report submitted.

Recreation Liaison – Mr. Edwards indicated at their meeting there was discussion about Altmyer and review of some potential other projects that are on the horizon for the future of the playground in Knob, along with several of the programs that are underway.

Northland Library Board - Report forthcoming.

MTMSA Liaison – Mr. Candek mentioned there is nothing to report at this time other than the ongoing discussions with Cranberry.

COG Liaison - Nothing to report at this time.

ACATO - Nothing to report at this time.

Police Pension Board - Nothing to report at this time.

#### 4e. Manager's Report

- Brush Creek Road Right Turn Lane. Status Report – Mr. McFadden stated that the concrete curbing and asphalt surfacing are in place for the turning lane. There is a signal pole that is impeding the construction of the turn lane. The construction of the turn lane can't be fully accomplished until the utility pole is moved, which requires coordination with Penn Power. It is expected that the pole will be moved within the week. The work on the signal, which is an entire rebuild of the signal, won't be completed until the end of December. A side note, the Township has \$350,000 in grant money for this project. The Township will front approximately \$225,000 during the remainder of this year for reimbursement through the grant by the County and then the balance, \$125,000 will be fronted by the Township and reimbursed in 2017. This has been budgeted accordingly.
- Financial and Administrative Support Agreement between MTVFD and Marshall Township. Status – Mr. McFadden noted this agreement has been drafted and what we hope to be final form. That draft agreement has been distributed to some key personnel in the fire company for an additional review. This agreement, in final form, is expected to be before the Board for consideration in December.
- Household Hazardous Waste Collection Event, Saturday, October 8, 2016 Final Report – Mr. McFadden indicated this event was tremendously successful. The Township

collected 8.62 tons of household hazardous waste materials: 916 lbs of universal waste, 6.83 tons of CRT containing electronics, 5,000 lbs of miscellaneous electronics, and 2.51 tons of Freon containing devices. An enormous collection; the largest one that ECS&R has had. The Township's cost was \$29,909.36. Mr. McFadden suggested to the Board that the Township should consider doing this on an annual basis and continue to be funded out of the Municipal Waste Fund should the Board desire to hold another event. It was hugely successful.

- 2017 Budget. Status Report. Motion to Advertise for December 12, 2016 Adoption – Mr. McFadden indicated that the 2017 Budget is ready for a motion to advertise. The Budget requires a 20-day period of public advertisement before it can be considered by the Board. The target date for consideration by the Board is December 12, 2016. Mr. McFadden briefed the Board on the Recap of All Funds, along with the side funds. Mr. McFadden then discussed with the Board a 5-year projection of capital expenditures, which include distribution of funds via supplemental appropriations over the next five years. Mr. Madigan made a motion to advertise the 2017 Budget. Mr. Edwards moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

Mr. Madigan requested a motion to approve all items on the Consent Agenda as submitted/amended. Mr. Candek moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

#### 5. Engineer's Report

- Bond Status
  - Venango Trails Phase 4, Reduction Request No. 1 – Mr. Gazdik stated this reduction request amount is for \$366,253.86, which would leave a remaining balance of \$963,747.95. Mr. Gazdik certified that all the work has been completed as per the plans and is satisfactory. Mr. Madigan made a motion to approve reduction request no. 1 for Venango Trails Phase 4 pursuant to Mr. Gazdik's memo of November 7, 2016 subject to the conditions therein. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].
- 2016 Road Project(s) – Mr. Gazdik reported that the majority of work is done other than the line stripping on Knob Road, which will be done tomorrow. Overall, the project came in under budget and even including additional work that we had added into the project. Mr. McFadden stated that Northgate Drive is a remarkable improvement with the curbs, sidewalk and now asphalt in place.

#### 6. Legal Matters

6a. Proposed Amendment to the Zoning Ordinance Creating the Conditional Use of 'School Recreation Facility' in the SR Zoning District – Mr. Baumiller stated there have been some minor tweets to the amendment. One was the increase for maximum building height to 60

feet and the second was the changing the hours of operation to begin at 5:00 a.m. If the Board chooses to, the Board could accept these changes and authorize sending the proposed ordinance to the County and the Marshall Township Planning Commission, which are steps that are required before the Board could consider the ordinance for adoption. Mr. McFadden suggested, at this point in time, given the stage of negotiation, recommends the Board take no action at this time. Mr. Madigan requested having a brief executive session on this matter at the end of the meeting.

7. Unfinished Business

7a. "Option F" Proposed Renovations to the Altmeyer Park Barn Facility. Discussion. – Mr. McFadden stated we requested that the Architect prepare "Option F." Mr. Gazdik explained that "Option F" is a simplified design that has a seasonal use upper level for the barn, so it would be improved for public use on the upper level, but seasonal without a non-condition space. There would be an addition of an accessible bathroom from inside and out. The exterior of the building would be done in the same manor that it had been shown earlier where there would be the board and baton finish, there would be cultured stone cladding, new windows and doors throughout both levels, the lower level would not be improved for public space, but it could be used for storage of materials and used by staff. There would still be the sanitary sewer extensive electrical improvements to support the building, but again, it would be a non-condition space. There is a deck addition out to the west as previously discussed. With that deck, a retaining wall system is then needed where we would develop some sort of patio space abutting the north side of the barn. The side that is facing away from 910 and that would be our entry side. The overall costs architecturally are estimated at \$528,046. The estimated total site cost was kept at \$902,000, so the total project cost would be \$1.4M dollars. Mr. Gazdik stated this is concept. When the schematic design process is reached, work on specific details such as operable windows will be discussed, but we do want to not preclude the improvements of the barn for future renovations. Mr. Madigan stated he would like to look at a park like space with some landscaped gardens and what those costs involved. Mr. Gazdik indicated he will to try to accommodate that.

8. PLANS

8a. Fast Track - Fairmont Square 2<sup>nd</sup> Amendment (lot 202r) Revised; SUB-FIN 16-22 [Subdivision]; Fairmont Drive, plans dated 9/12/2016; **deadline: 12/13/2016** – Ms. Zimsky indicated the proposed plan is a subdivision along the party walls of the NRV (Heartland Home) Townhomes being constructed on Lot 202 - R of the Fairmont Square Development. Mr. Madigan made a motion to approve subject to conditions in Ms. Zimsky and Mr. Gazdik's memo dated November 3, 2016. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

8b. Fast Track - Village at Marshall Ridge Lot 26 Revised; SUB-FIN16-23 [Subdivision]; Bell Drive, plans dated 9/17/2016; **deadline: 12/29/2016** – Ms. Zimsky stated the proposed plan is a subdivision along the party walls of the Ryan Townhouses being constructed on Lot 26 (New Lots 922, 924, 926) of the Village at Marshall Ridge Development. Mr. Madigan

made motion to approve subject to conditions in Ms. Zimsky and Mr. Gazdik's memo dated November 3, 2016. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [4-0].

8c. Venango Trails Revised Phase 4; SUB-FIN16-19 [Subdivision]; plans dated 11/11/2014; plans received by the Township on 08/22/2016; deadline: 11/20/16 – Ms. Zimsky mentioned that the proposed plan reconfigures lots in Phase 4 of the Venango Trails Development to meet market demand. The proposed lot line adjustments are to accommodate a housing unit with a first floor master bedroom. The proposed lot line adjustments do not change the number of lots (units) in the plan or the road configuration. A small amount of open space is gained with this proposed adjustment. The areas of change are outlined in thick dashed lines on the plan. All proposed changes fall within the scope of the original Venango Trails approval. Mr. Eric Newhouse, Project Manager for Venango Trails approached the Board to explain in a more descriptive detail the changes for this revised Phase 4. Mr. Madigan made a motion to approve Venango Trails Revised Phase 4 Plan of Lots subject to conditions in Ms. Zimsky & Mr. Gazdik's memo dated November 3, 2016. Mr. Edwards moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

## 9. New Business

9a. Public Hearing - Proposed Ordinance for the Vacation of a Portion of Old Perry Highway. Consideration – Mr. Madigan opened a public hearing at 8:50 p.m. Heidi Hawk swore in those wishing to testify. Mr. Baumiller included for the record Exhibit 1 - the vacation plan prepared by The Waters; as Exhibit 2 - the transmission letter dated September 13, 2016 transmitting the vacation plan and proposed ordinance to both the Township Planning Commission and to the Allegheny County DCED; Exhibit 3 - The September 27, 2016 written notice to the adjoining property owners, which was sent certified along with the returned green cards; and Exhibit 4 - the October 4, 2016 Published Notice of this hearing.

The following is a summary of the hearing. Transcript of hearing to be provided by Adelman Reporters and placed in file for future reference.

It has been determined that a portion of Old Perry Highway located on Allegheny County Tax Parcel I.D. No. 1824-C-1 is useless, inconvenient, and/or burdensome to the Township to maintain and is a threat to the public health, safety and welfare. This portion of Old Perry Highway is currently not utilized by the traveling public and is a dead end onto private property. The Township has approved a senior living facility on this property and believes it will provide great utility to the Township as a whole. Mr. Baumiller stated that the vacation was noted in the approved land development plans for The Waters Senior Living facility. The Township has been aware that in order for this facility to be installed that this vacation would occur. It was contemplated in the plans. Mr. Gazdik noted this was actually a condition of Township's approval. Mr. Madigan closed public hearing at 9:02 p.m.

Consideration - Mr. Madigan made a motion to approve Ordinance No. 444 vacating a portion of Old Perry Highway as contemplated by the approval of The Waters development plan. Mr. Edwards moved to approve, seconded by Mr. Candek; vote in favor was unanimous [4-0].

- 9b. Thorn Hill Associates Plan (Brush Creek Rd. Hotels); Request for Amendment of the Site Plan Eliminating the Requirement for Installation of Right Turn Lane. Discussion. – Thorn Hill Associates Plan (Brush Creek Rd. Hotels); Request for Amendment of the Site Plan Eliminating the Requirement for Installation of Right Turn Lane. Discussion. – Mr. McFadden explained that Thorn Hill Associates proposed two hotels on Brush Creek Road and that site plan was approved by the Board of Supervisors. The developer is now reducing the number of rooms. In the proposal to reduce number of rooms, this will drop the number of trips under the threshold of a traffic study that required them to build turning lanes on Brush Creek Road. Mr. McFadden mentioned Trans Associates did the study to determine that the turning lanes were warranted in the first instance and then the developer did two things. One, on their one hotel site, they went with a Suites hotel, which had a different trip generation and, on the other hotel site, they actually lowered the number of hotel rooms that dropped the trip generation putting them under the threshold. When the developer recently submitted a traffic signal plan for their entrance and wanted municipal signature, which is required by PennDOT, staff refused to sign because the turning lanes were no longer on the plan or drawings. It is staff's recommendation to the Board that in order for the developer to make this amendment that they would have to submit a new plan for approval to the Board. The Board concurred, indicating that they would like to have the opportunity to review the proposed changes and ask questions regarding these changes. Mr. McFadden mentioned staff will let the applicant know.
- 9c. Designation of Official Advertising Circulation. Motion. – Mr. McFadden noted at the end of this month the Tribune Review will no longer publish in paper form. He suggested designating the Pittsburgh Post Gazette as the Township's advertising circulation. A motion is required for this change. Mr. Madigan made a motion to change from Tribune Review to Pittsburgh Post Gazette for publishing publications for the Township. Mr. Candek moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].
- 9d. Resolution Allowing the Township to Become a PennDOT Business Partner for the Purpose of Authorizing Electronic Access to PennDOT Systems and to Designate a Signator for same. Consideration – Mr. McFadden stated this is the Township's signal amendment at Cole Road, Route 910 and the Altmeyer entrance. The Township now has to pass a resolution allowing the Township to become a PennDOT business partner for the purpose of authorizing electronic access to PennDOT's systems. This is a new requirement. Mr. Madigan made a motion to adopt Resolution No. 898 allowing the Township to become PennDOT business partner for the purpose of authorizing

electronic access to PennDOT Systems and to designate signature authority to the Township Manager. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [4-0].

9e. Zoning Hearing Board Appeal #1069 – NRPD, LLC, Property Located in the Planned Office, Research, Business Park(PORBP) Zoning District - Ms. Zimksy indicated the applicant is seeking the following variances for relief from the Marshall Township Zoning Ordinance:

- Relief from the maximum building height of forty-five (45) feet with no habitation above thirty-five (35) feet. [Section 208-303.]; and
- Relief from the requirement for a twenty-four (24) foot wide, 2-way drive aisle, with ninety (90) degree parking. [Section 208-1901.F.1.(a).].

After a brief discussion, the Board expressed considerable concerns over the adequacy of the size of the parking garage.

10. Correspondence – None.

11. Seminars – None.

12. Executive Session - The Board convened a brief executive session to discuss one real estate matter.

ADJOURN – Upon return to public session and since there was no further business to come before the Board, at 10:00 p.m. the meeting adjourned. Motion by Mr. Bragunier, second by Mr. Candek. Vote in favor was unanimous [4-0].

Respectfully submitted,

Sheryl Snyder  
Township Secretary