

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

**Minutes  
September 6, 2016 7:00 PM**

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The following persons were present:

SUPERVISORS: Thomas Madigan, Chairman (Absent)  
Philip Troy, Vice Chairman (Absent)  
Anthony (Jack) Candek (Acting Chairman)  
Jason Bragunier (Acting Vice Chairman)  
Robert (Bob) Edwards

MANAGER: Neil D. McFadden

ENGINEER: Art Gazdik, P.E.

SOLICITOR: Larry Baumiller, BCCZ

TWP. SECRETARY: Sheryl Snyder

OTHERS: 9 Others

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1. Call to Order - The meeting was called to order at 7:00 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 (August 1, 2016) - No corrections or additions were made.

Agenda Meeting (August 29, 2016) – Mr. Ed Tanner approached the Board and indicated that on August 29, 2016 he had given four reasons objecting location of the dumpster. One, location is unsafe; two, dumpster is not centrally located; three, it would be a cost savings for the developer; and four, the proposed location lessens a negative visual impact. In the minutes, it came out that the present location of that dumpster was never approved prior to the construction. Mr. Edwards made a motion that the third reason be changed in the minutes to reflect Mr. Tanner's comments, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].
  - 4b. Expenditures

Month of August 2016 - No corrections or additions were made.
  - 4c. Announcements - None.
  - 4d. Reports

Police – Report forthcoming.

Police Board Liaison – Mr. Candek stated the Police Board passed a motion to approve moving Officer Lucas Sickafuse from probationary status to full-time status effective August 3, 2016. As

of Oct 23, 2016, Officer Paul Hughes will be retiring and will be entering the DROP pension program. New officer candidates will be interviewed on October 1, 2016 starting at 9:00 a.m. There are approximately 30 applicants. Also, the yearly financial audit was approved.

Firemen - Written report submitted.

Fire Company Liaison – Mr. Candek noted that the fire company is purchasing a new 2018 rescue truck. The cost is \$644,000. The old rescue truck will be sold for \$80,000 to another municipality.

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 reminded the Board of the public meeting on Sept. 13, 2016 at 7:00 p.m. for the Altmeyer Park concept.

Northland Library Board – Written report submitted.

MTMSA Liaison – Mr. Candek stated there is an ongoing discussion with Cranberry regarding the rates.

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 a meeting was held with the contractor on site. The contractor has had a number of their requisition requests reviewed and approved by the Engineer, so they are prepared to start the project as early as next week.
- Installation of Traffic Signal, Northgate at Warrendale Bakerstown. Status Report – Mr. McFadden noted that this is a project will be funded in part by traffic impact fees, but a \$100,000 contribution has been secured from the developer that is developing the two adjacent corners of that intersection. That agreement also calls for installation of the signal to occur in 2017. Mr. McFadden presented a proposal from Trans Associates for a scope of services that includes traffic surveying traffic signal design, preparation of bidding documents and oversight during the bidding and construction period. Mr. McFadden recommended that the Board authorize Trans Associates to begin that scope of services so that installation in 2017 is made. Mr. McFadden requested a motion for that expenditure. Mr. Bragunier made a motion to approve the expenditure for Trans Associates, seconded by Mr. Edwards; vote in favor was unanimous [3-0].
- Hiring of Finance Director. Motion for Supplemental Appropriation – Mr. McFadden reported an offer was extended and accepted. The Finance Director's tentative start date is September 19, 2016. Therefore, Mr. McFadden requested a supplemental appropriation from the Board in the amount of \$18,750.00 for the balance of year 2016. Mr. Edwards made a motion to approve the supplemental appropriation, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].
- Status of Knob Road/Pleasant Hill Road – Mr. Bragunier questioned the status of the utility work being done on Pleasant Hill Road and Knob Road. Mr. McFadden responded all the cuts from the water line have now been paved with base and we do have agreements in place for funding for resurfacing of the road to occur late this Fall. Mr. Candek questioned if that is both lanes. Mr. McFadden responded yes, a full two-lane resurface.

Mr. Candek recommended a motion to approve all items on the Consent Agenda as submitted/amended. Mr. Edwards moved to approved, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].

## 5. Engineer's Report

- Bond Status
  - Mailing Services of Pittsburgh, Request for Full Reduction of LOC. – Mr. Gazdik has certified that the work for the period for which the security reduction has been requested has been satisfactorily completed and recommends approval of this request in the amount of \$269,180.50 contingent upon completion of the following items: 1. The remaining site landscaping along the north boundary (Amount withheld \$10,000.00); and 2. The installation of two remaining street lights (Amount withheld \$6,000.00). It is also recommended that the LOC reduction be approved contingent upon the payment of all current fees owed to the Township or its Agents. Additionally, the Developer's Agreement requires the following payments to the Township prior to the final release of the Performance Security. This is included in this letter only as a place holder, so that these items are addressed prior to the final Performance release: Stormwater Maintenance Security - \$3,800.00. This reduction request would leave a remaining balance of \$16,000.00. Mr. Candek made a motion to approve reduction as outlined with contingencies noted in Mr. Gazdik's memo dated September 6, 2016. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].
  - Venango Trails, Phase 1, Request for Full Release of Maintenance Bond (LOC). – Mr. Gazdik certifies that the work for this period for which the LOC reduction has been requested has been satisfactorily completed and recommends approval of this request in the amount of \$131,410.05 contingent upon the payment of all current fees owed to the Township or its Agents. This reduction request would leave a remaining balance of \$0.00. Mr. Candek made a motion to approve release of bond as noted in Mr. Gazdik's September 6, 2016 memo. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].
  - Venango Trails, Phase 3A, Request for Release of Bond. – Mr. Gazdik certified that the work for this period for which the security reduction has been requested has been satisfactorily completed and recommends approval of this request in the amount of \$27,500.00 contingent upon the following items: 1. Posting of Maintenance Security for the sections of the storm sewer to be kept in place for a period of eighteen (18) months after these facilities are adopted by the Township; and 2. Payment of all current fees owed to the Township or its Agents. This reduction request would leave a remaining balance of \$71,839.63. The current reduction has to do with trail installation primarily which they had done. The trail has been installed over the property that is actually owned by the Allegheny Land Trust and through the site. Mr. Candek made a motion to approve reduction as noted in Mr. Gazdik's September 6, 2016 memo adding that it does not only apply to the storm sewer maintenance security, but potentially the trail maintenance if needed. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].
- 2016 Road Project(s)
  - 2016 Paving Program. Status. Mr. Gazdik noted that Stonegate has been completed along with Ridge and Scenic. They are working on Northgate, which of course is a big

project. Two thirds of it is being addressed now and the contractor is going to mill the remainder down to the Red Belt and add the curbs where they can. It is a complicated project with lots of details, but they are doing a good job. They will be reclaiming Williamsburg starting tomorrow. We will also be seal coating Innovation and Global View. Sunny Hill is scheduled for a seal coat. Mr. McFadden stated that the Northgate connection to Route 19 is now paved. Shields Paving was asked to leave the road closed signs in place until the more intense work was completed on Northgate Drive. That intersection also needs some signage before it can open and that is per the PennDOT permit.

- Northgate Bridge over Brush Creek - Status. – Mr. Gazdik stated that there was a bid opening held for the Northgate Bridge Improvement Project. There were a number of people on the list who received bid packets, but because time of the year and their workload, no bids were received for this project. The Township will go out for bid again in the Spring for this project.

6. Legal Matters - None.

7. Unfinished Business

7a. Marshall Crossing Site Plan. Relocation of Trash Enclosure. – Mr. McFadden indicated this discussion was left at a point where Mr. Tanner had raised a question regarding the status of the original site plan approval. Mr. Troy responded that the Board was without legal counsel, which we were at the Agenda meeting, and that a legal opinion would be sought before pursuing any further consideration. The Township has since secured that legal opinion. The opinion is that with the motion to amend and then the rescinded motion that the plan approval reverts to the original site plan approval. So, in terms of legal status, the plan is an approved plan with a dumpster location indicated on that original approved plan. That dumpster location does in fact comport to the zoning regulations relative to set back. Mr. Hammel had asked the Board for an additional consideration and that was to move that location forward by approximately 10 feet because the location is located directly over a sanitary sewer easement, which is acceptable. Mr. McFadden questioned Mr. Hammel if he wished to seek relief from the Board to move it off the sewer easement. Mr. Hammel responded "No." Mr. McFadden questioned if he is proposing a masonry enclosure or a wooden or fenced enclosure. Mr. Hammel responded a wooden/stockade enclosure. Mr. McFadden stated that the legal opinion is that the dumpster can be located per the original site plan approval and the developer has indicated acceptance of that location. Mr. Candek stated the dumpster location will revert to the approved plan. Mr. Candek stated that building a masonry enclosure around the dumpster over the sewer line is probably a bad idea. Mr. Tanner approached the Board to state that is probably the worst location he has ever seen for a dumpster. Ms. Tammy Zubasic, owner North Fitness, approached the Board and indicated that Kathy Goss misrepresented their business to them.

8. PLANS

8a. J.F. McCallen 2nd Revised Plan of Lots; SUB-FIN (16-16) [Fast-Track]; Mingo Road, plans dated 7/11/2016; deadline: 10/10/2016. – Mr. McFadden stated this plan proposes a minor lot line adjustment to remedy an existing encroachment of a neighboring property. The property is located in the Conservation Residential (CR) Zoning District. Mr. Candek made a motion to approve conditioned upon the comments in Ms. Zimsky's and Mr. Gazdik's joint memo dated September 1,

2016. Mr. Edwards moved to approve, seconded by Mr. Bragunier; vote in favor was unanimous [3-0].

8b. Venango Trails 18th Amendment; SUB-FIN(16-17) [Fast-Track]; Osona Lane, plans dated 8/1/2016; deadline: 10/31/16. – Mr. McFadden noted this proposed plan is a subdivision along the party walls of the NRV (Heartland Homes) Townhomes being constructed on Lots 224, 225, and 226 of the Venango Trails Development. This process will be repeated for each of the townhouse lots at Venango Trails. Mr. Candek made a motion to approve conditioned upon the comments in Ms. Zimsky's and Mr. Gazdik's joint memo dated September 1, 2016. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].

8c. Venango Trails 19th Amendment; SUB-FIN(16-18) [Fast-Track]; Oneida Circle, plans dated 8/1/2016; deadline: 10/31/16. - Mr. McFadden mentioned this plan is also a subdivision along the party walls of NRV (Heartland Homes) paired unit being constructed on Lots 447R, and 448R of the Venango Trails Development. This process will be repeated for each of the multi-family lots at Venango Trails. Mr. Candek made a motion to approve conditioned upon the comments in Ms. Zimsky's and Mr. Gazdik's joint memo dated September 1, 2016. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].

9. New Business

9a. Report on Bid Opening: Northgate Bridge Improvements. Possible Motion to Award. - Mr. McFadden indicated this was discussed under the Engineer's report.

9b. Thorn Hill Associates A., LP; Motion to Refresh Mylar for Recording Purposes. – Mr. McFadden indicated that a Motion to Refresh is needed for the approval of Thorn Hill Associates plan for recording purposes. Mr. Candek made motion to approve. Mr. Bragunier moved to approve, seconded by Mr. Edwards; vote in favor was unanimous [3-0].

10. Correspondence

10a. Memo regarding 2017 Budget. Status. - Mr. McFadden stated that memos have gone out to staff and requests are due back on September 26, 2016. Proposed adoption is scheduled for December 12, 2016.

11. Seminars - None.

ADJOURN. – Since there was no further business to come before the Board, at 7:56 p.m., the meeting adjourned. Motion by Mr. Bragunier, seconded by Mr. Edwards; vote in favor was unanimous [3-0].

Respectfully submitted,

Sheryl Snyder  
Township Secretary