

REGULAR MEETING MINUTES
REGULAR MEETING OF THE
UPPER BURRELL SUPERVISORS
WEDNESDAY, JULY 1, 2020
MEETING ROOM, 3735 - 7TH STREET ROAD

Board of Supervisors, Chairman, Ross Walker, called the regular meeting of the Upper Burrell Township Supervisors to order at 7:00 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL: The following members of Council responded to roll call:

Present: **Ross G. Walker, III, Chairman**
 Michael P. Conley, Vice Chairman
 Kenneth R. Slahtovsky , Absent

Also present: David Kerchner, Engineer
 Melissa A. Cortileso, Secretary
 Stephen Yakopec, Solicitor

OPENING OF BIDS – None

OPEN TO THE FLOOR – None

APPROVAL OF THE MINUTES

Motion made by Walker, second by Conley to approve the minutes of the June 3, 2020 regular meeting.
Motion passed 2-0.

CORRESPONDENCE

Chairman Walker asked Mrs. Cortileso, to review the correspondence from the month. Mrs. Cortileso reviewed the items that were listed on the agenda.

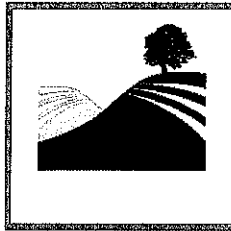
ROAD REPORT – Supervisor Conley reported that for the month of June time was spent mowing, patching and cutting branches. Will finish mowing and then move over to Whitten Hollow, Hunter Hill and Lower Drennen area and at that time will clean out and cut back.

POLICE REPORT –

Sgt. Speer reported there were 133 calls for the month of June.

Dan Hosac stated that with the road work going on Greensburg Road, the traffic along Myers Drive has become a race track.

Chester Lockwood, 4425 – 7th Street Road, stated that the police are more than welcome to use his lower driveway along Route 780 run traffic control.



EMC REPORT – None

ENGINEERS REPORT – Dave Kerchner reported the following:

All the bid documents for the paving projects have been sent out just waiting for the Contractor's to sign and execute the documents he does expect them back any day.

Lincoln Beach project has to be rebid due to certain stipulations and language being left out in the bid advertisement. This language needs to be included due to using CDBG funds to pay for the project.

A motion was made by Walker second by Conley to rescind the awarding of Contract #20-6 to Tresco Paving and give permission to Bankson Engineers to re-advertise the paving project at no cost to Township. No public comment given. Motion passed 2 – 0.

Conley commented will this paving project still get down in 2020. Kerchner stated that yes there should be plenty of time to get this completed.

Kerchner stated he did look at Menk Road as requested and feels that the road is not slipping. Kerchner feels the same is happening as last time, there is no sign of subsidence or void, seems more like a sinkhole. Kerchner recommended using the same method as before by rolling in millings and keeping a watch on it.

PLANNING COMMISSION

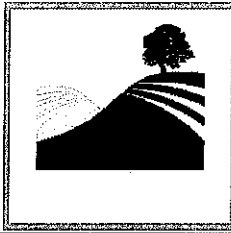
Miller Lot Line Revision

Shane Miller and Nicole Clause presented a plan to eliminate a lot and create a new 10.08 acre lot No. 1R adjacent to Myers Drive and Willyard Lane. The remainder of the property would be Lot No. 2R with an area of 75.35 acres. A number of issues regarding the plan were discussed that will require plan modifications as follows:

- The plan should be referred to as a Subdivision and not a Lot Line Revision.
- Road names on the Vicinity Map need to be made larger.
- On page 1 of 2, the seal for the Municipal Engineer/Township Manager should be removed.
- Showing existing utility lines on sheet 2 of 2.
- Label Willyard Lane on Sheet 2 of 2

Scott Chermak in a review letter dated June 16, 2020, indicated;

- Setbacks need to be shown on sheet 2 of 2 for both lots.
- Lot 2R only has a 50 foot frontage on Myers Drive while 125 feet is required.



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- Since access road for Lot 2R runs through Lot 1R an access easement will be needed.
 - Suitable site for sewage system needs to be met for each individual lot.

Dave Kerchner of Bankson Engineers in a review letter date June 16, 2020, indicated;

- In addition to similar comments made by Scott Chermak, the Surveyor's seal should also be place on sheet 2 of 2.

After a discussion, the Commission suggested eliminating the 50 foot corridor from Lot 2R and shifting the Lot 1R southern property line to include Willyard Lane. Then a private access drive would be required for Lot 2R to access Myers Drive.

At the recommendation of Bankson Engineers, George Richard moved to approve the plan contingent on the above items being addressed, seconded by Rick Ryan and all were in favor.

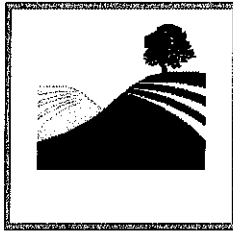
Revision to C-1 Neighborhood Service District Zoning Ordinance

Daniel J. Hewitt of Avolio Law Group, indicated that their client proposed to construct a Dollar General Store along Route 780 in the vicinity of Dewey Drive. The current zoning ordinance for C-1 does not include provisions for a 10,000 square foot store. They were requesting an amendment to the C-1 district that includes, Store, General Merchandise (Local) and provided wording for the amendment in his letter dated May 28, 2020. The Commission members questioned the need for such a store along Route 780 and were also concerned about such a stores impact on the business of the Little Store which is in close proximity. Since this is just a preliminary discussion, the Commission members had no major objections to their proposal, however, a public meeting would be required after a formal submission to the Township.

Chairman Walker stated they are asking for the Township to amend our Ordinance to allow for a store over 10,000 square feet to be allowed in the C1 Zoned District.

Solicitor Yakopec stated this is more so a policy issue than a legal issue. The requestor can also ask for a curative amendment, which they must prove that something is legally wrong with the Ordinance. Yakopec feels this will be difficult to do since this is allowed in the C2 zoning district.

Dan Myers, 200 Barnview Drive, stated why not have them file for a variance. This way a hearing can be held and let the residents speak as to how they feel about a Dollar Store coming into the Rural Community if they can't meet the criteria then don't grant the variance. Walker agreed and directed Solicitor Yakopec to let them know this.



Dan Hosac, stated why not amend the C2 district and move the square footage down in size rather than amending the C1 district to increase the size. By amending the C1 district you would allow all C1 to be opened up to this. Mr. Hosac stated that the Township does not have the certain amount of residents in the geographical area to meet Dollar General standards.

Supervisor Conley stated he was worried this could be considered spot zoning.

SOLICITORS REPORT

Solicitor Yakopec reported that the Westmoreland County Conservation District sent over a copy of a model Stormwater Ordinance. It is required for all counties and municipalities to adopt this Ordinance.

A motion was made by Walker second by Conley to give permission to the Solicitor and the Engineer to review and fill in the areas where needed on the proposed Stormwater Ordinance sent over by the Westmoreland County Conservation District. Motion passed 2 – 0.

Supervisor Conley stated that for a while now they have been fighting the roof that houses the Township Building and believes it will not make it thru another winter. Conley stated that he has been getting quotes for the roof replacement. Conley stated he would like to have permission to continue with soliciting quotes for a new roof and investigate the matter further.

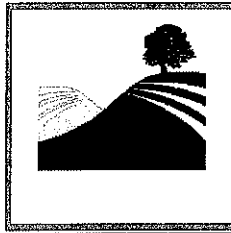
A motion was made by Walker second by Conley to have Supervisor Conley continue getting quotes for a new roof on the Township Building and investigating the matter further. Motion passed 2 – 0.

Supervisor Conley stated that a few years back he recommended to Pete Dombroski that the Township Road Department Vehicles should have Insta Chains installed on the International and Peterbuilt trucks. There is a lot of down time for Pete in the winter time when he has to get out of the truck and put the chains off and on it is about a 45 minute process each time. Supervisor Conley would like to purchase a set of Insta Chains for each truck at the cost of \$5348.00 total.

A motion was made by Walker second by Conley to make the purchase of the Insta Chains in the amount of \$5348.00. Motion passed 2 – 0.

NEW BUSINESS

- A. A motion was made by Walker second by Conley to grant the 2020 allocation/donation request to the Upper Burrell Township Volunteer Fire Company in the amount of \$20,000.00.
Motion passed 2 – 0.
- B. A motion was made by Conley second by Walker to pay and ratify all the bills and accept the financial report for the month of June 2020.
Motion passed 2 - 0.



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- C. A motion was made by Walker second by Conley to hire Dennis Lynch as a Part Time Patrolman.
Motion passed 2 – 0.

OPEN TO THE FLOOR –

Dan Myers, 200 Barnview Drive, stated that side road area on Whitten Hollow and Turkey Ridge is high. Mr. Myers asked what maintenance is needed to be done on the Township's behalf to be ready when the paving project begins.

Supervisor Conley stated that this week they will be finishing up the Rich Hill area and the Ross Plan and then plan next week to come over to this area of Turkey Ridge and Whitten Hollow. Conley stated at that time they will address the high grass, culvert cleaning and branch cutting. Kerchner stated that cleaning of the area was not included in the bid package. The contractor would have looked at the area prior to bidding and if there were any concerns it is up to the contractor to point this out. Kerchner stated for the paving the contractor will just follow the current contour of the road.

Dan Hosac, 1301 Menk Road, asked about the candlelight illuminators that are coming off of the signs in the Township. Mr. Hosac stated that at nighttime it is very difficult to see on Myers Drive due the PSNK LED sign and also the advertising signs in the Woodpecker's parking lot. Mr. Hosac also state there is a residential home along Route 780 that at night the lights from the home are shining right in your eyes when traveling down the road.

Chairman Walker stated they will have the police look into the issues to determine if this area on Myers Drive is an unsafe condition.

ADJOURNMENT

Motion made by Walker, second by Conley to adjourn, meeting adjourned at 7:40 p.m.

Minutes Submitted by: Melissa A. Cortilesio,

Note*** Next monthly meeting, will be held on September 2, 2020, beginning at 7:00 p.m.