



REGULAR MEETING MINUTES
REGULAR MEETING OF THE
UPPER BURRELL SUPERVISORS
WEDNESDAY, OCTOBER 7, 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, Supervisor

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

OPENING OF BIDS – None

OPEN TO THE FLOOR –

Amy Beestrice Cromie, 108 Dewey Drive, read a letter stating why a Dollar General Store is not a good fit for the community. Mrs. Cromie stated that a Dollar General Store is out of scale for the location and these stores are decimating small businesses. Supervisor Walker stated that if the proposed store meets all the criteria set forth in the zoning for the C1 location the Township cannot do anything. Walker suggested that the residents mount a campaign/petition and send it to the owner of the property along with Dollar General. Solicitor Yakopec stated if the Township tried to stop this we could be sued.

Betty Beestrice, 108 Dewey Drive, stated she believed that Dollar General did not just happen to drive by this area and decide this was a good location. She believes that possibly the owner of the property may have made contact with Dollar General and suggested this. Beestrice stated there is plenty of other property available, why here. Mrs. Beestrice stated what if she wanted to contact Sheetz and have them put up a store on her property on Milligantown Road. Walker stated as long as the property was zoned to allow it, there is not much that could be done to stop it.

Engineer Kerchner stated that he has been copied on some emails. Kerchner stated that there were some issues with the perc testing and a soil scientist was needed and also the driveway permit they applied for thru PennDot has been approved. Kerchner stated they will still have some hurdles to get thru but so far officially they have not applied yet.



Dan Hosac, 1031 Menk Road, stated he did some research and stated he recommend that the residents get a petition together and submit it to Dollar General.

Diane Chabal, 134 Dewey Drive, stated in the worst case scenario, what the township can do to help protect Mrs. Beestrice. Can they help with asking for more of a buffer zone, asking that the refuse not be picked up at odd hours of the night and also make certain that the lighting follows the zoning guidelines and also that the traffic is not using Dewey Drive. Kerchner stated that the driveway permit applied for thru PennDot does indicate only 1 driveway with access from Route 780 no access on Dewey Drive.

Amy Beestrice Cromie commented on the site plan stating that it looks as if the proposed site will run right thru the sewer and wetland area. Supervisor Conley stated that it may also be possible that the right of way with PennDot may still be affect he is not certain if that has ever changed and PennDot has a larger right of way coverage than the township.

Chester Lockwood, 4425 – 7th Street, asked if a stop light is needed who will pay for that.

Allen Uhler, 2213 Turkey Ridge Ridge Road, asked if there was buffer zone for certain. Cromie replied there is.

Nancy Scuccimarri, 120 Dewey Drive, also asked about what can be done to help with the refuse pick up and controlling all the refuse around the building and also making certain they follow the zoning guidelines when it comes to lighting.

APPROVAL OF THE MINUTES

Motion made by Walker, second by Slahtovsky to approve the minutes of the September 2, 2020 regular meeting.

Motion passed 3-0.

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 Slahtovsky reported that for the month of August time was spent patching on Menk and Rich Hill Road. The berm on Turkey Ridge and Whitten Hollow was cut before the paving was done. Slahtovsky stated that once the material is settled they will come back and address the deep ditches and add some rip rap. Uhler asked if this paving will require seal coating before winter. Kerchner replied no.



POLICE REPORT –

Sgt. Speer reported there were 128 calls for the month. The police department did attend 2 DUI checkpoints. Speer reported that once again the spam phone calls are starting, please do not give out any personal information over the phone.

EMC REPORT – None**ENGINEERS REPORT –** Dave Kerchner reported the following:

Last year around this time the township did apply thru PennDot for a guiderail grant. The township did not receive the grant. Kerchner stated this grant is now available again and wanted permission to reapply. Kerchner stated that along with the application at the November meeting a resolution would need to be passed and a letter of support from the Planning Commission and with the funding commitment from the township. Slahtovsky asked if the location of the guiderails could be changed. Kerchner replied he believes that could be done. Dan Myers also stated that maybe the township also needs to consider doing this on their own because the guiderails are needed.

A motion was made by Walker second by Slahtovsky to have the Engineer reapply to PennDot for the Multi Modal Transportation Grant. Motion passed 3 – 0.

Conley stated there are also guiderails along Milligantown Road that need replaced. Conley stated he asked the Engineer when this work is getting done if they could also look into the area at the bottom of Turkey Ridge. Uhler asked what the cost of the guiderails would be. Kerchner replied around \$24.00 a foot plus hardware at a cost of around \$1,300 a section.

Kerchner reported that currently the Chapeldale and Dove Drive work is at an impasse. Washington Township wants a road bond their section of the road that the contractor will be traveling on. Kerchner stated the contractor is working on getting the surety.

Supervisor Conley stated that some additional work is needed in that area on storm drains. Conley stated there are some areas that they cannot plow over. Kerchner stated that the risers need addressed, they need cut out and replaced and then paved.

Kerchner reported that the Lincoln Beach Paving Project deadline is October 31, 2020, and as of date he has not received any returned calls back from the contractor. Conley asked if there are any consequences if the contract is breached. Kerchner replied a \$500/day penalty could be imposed until the completion of the project. Dan Myers asked if the funds will be lost if the project is not completed. Kerchner replied he will have to discuss this with the County, he would hope they would give some leeway.

Kerchner reported that he is done with this review of the proposed Storm Water Ordinance that the County is requiring to be adopted. He will get his comments to Steve for review and mentioned to Steve about the advertising deadline.

Kerchner reported that the 2021-2023 CDBG application has been submitted to the County. They still need to get the remaining income surveys completed and submitted. Dan Hosac stated that the area



talked about last month on Menk Road is still subsiding. Conley stated that when Pete returns back from vacation they will get millings and get this area tamped down along with the area along Irwin Road and then get it patched.

PLANNING COMMISSION - None

SOLICITORS REPORT –

Solicitor Yakopec replied in regards to the advertisement of the proposed Stormwater Ordinance that it cannot be advertised 7 days before or more than 60 days.

NEW BUSINESS

- A. A motion was made by Walker second by Conley to transfer the police capital purchase line item from the General Fund into the Capital Fund in the month of October 2020. Motion passed 3 – 0.
- B. A motion was made by Walker second by Slahtovsky to transfer the Highway & Street capital purchase line item from the General Fund into the Capital Fund in the month of October 2020. Motion passed 3 – 0.
- C. A motion was made by Walker second by Conley to transfer the highway repair paving line item from the General Fund into the Capital Fund in the month of October 2020. Motion passed 3 – 0.
- D. A motion was made by Walker second by Slahtovsky to transfer \$100,000 from the General Fund line item 01-310-100, Real Estate Transfer Taxes to the Capital Fund Line Item, 30-438-000, Reserved for Future Maintenance and Repairs of Roads, to pay for the 2020 paving projects. Motion passed 3 – 0.
- E. A motion was made by Walker second by Slahtovsky to pay Freedom Systems at the discounted rate of \$1595.00 to process the 2020 year end services. Motion passed 3 – 0.
- F. A motion was made by Walker second by Conley to approve and ratify the CPA contract with DeBlasio & DeBlasio Associates. Motion passed 3 – 0.
- G. A motion was made by Walker second by Conley to advertise the Township's intent to appoint DeBlasio & DeBlasio Associates to audit the 2019- 2021 township accounts instead of using the elected auditors. Motion passed 3 – 0.



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- H. A motion was made by Walker second by Slahtovsky to hold the 2020 Clean Up Days on Saturday, November 7, 2020 from 8:00 a.m. – 2:00 p.m. Motion passed 3 – 0.
 - I. A motion was made by Walker second by Slahtovsky to grant the address request of John & Lauren McCullough as per Westmoreland County 9-1-1 recommendation, 3369 Milligantown Road. Motion passed 3 – 0.
 - J. 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 September 2020. Motion passed 3 – 0.
 - K. A motion was made by Walker second by Conley to grant the address request from Sheri Flower, Steckbeck Engineering and Surveying, Inc. for the proposed Dollar General. As per Westmoreland County 911 recommendation, 4500 – 7th Street Road. Motion passed 3 – 0.
 - L. A motion was made by Walker second by Slahtovsky to hire Brian Bartug as a Part Time Patrolman. Motion passed 3 – 0.

OPEN TO THE FLOOR –

Nolan Greenwald, 199 Lower Drennen Road, asked the Township for some help with his neighbor who resides at 201 Lower Drennen Road. Mr. Greenwald stated that the resident has several dogs he houses in a dwelling on the property. At one time there were 13 dogs/puppies. Mr. Greenwald stated that the older dogs do run loose and continually bark. Greenwald stated he has spoken to the police several times on this issue and the township does not have a dog ordinance. Sgt. Speer stated that he has Ordinances from other communities if they would like to look at it. Sgt. Speer stated that Hoffman Kennels also stated that without an Ordinance this not much they can do. Could the new proposed Ordinance also state the number of animals permitted. Walker stated we will look into this.

George Richard, 350 Hunter Hill Road, asked if the missing stop sign at the intersection of Lower Drennen Road and Hunter Hill Road was turned in. Conley stated they will get it up tomorrow and will be over that way next week to do some patching.

Paul Schwan, 831 Merwin Road, asked again about the area along Merwin Road caving. He asked if the Township could please speak with the State to get this fixed. Mr. Schwan stated it is getting worse and the township will have a hard time plowing.

Bruce Saye, 136 Lower Drennen Road, stated the area around his residence is washing out again. The cross drain before the Moon residence needs fixed.



Allen Uhler, 2213 Turkey Ridge Road, stated a beautiful paving job was done on Turkey Ridge Road. Uhler asked if the area above his parents' home at the cross drain, will there be a catch basin. The area right above Dan Myer's driveway is very deep. Slahtovsky stated the area will be cleaned up and rip rap will be placed.

Amy Beestrice Cromie, stated about a possible Ordinance limiting the amount of Dollar Stores within a certain square mile radius. Yakopec stated that the Ordinance would have to be a reasonable basis, a lot of research would be needed on this. Cromie also asked if at the bottom of Dewey Drive on her side if the township could address the water run off issue. Conley replied yes.

Allen Uhler, Chester Lockwood, Bruce Saye, commented on the water run off along Route 780 and there are around at least 3 catch basins/drains that are not working. Conley replied they will get in contact with PennDot.

ADJOURNMENT

Motion made by Walker, second by Conley to adjourn, meeting adjourned at 8:18 p.m.

Minutes Submitted by: Melissa A. Cortilesio,

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