

**REGULAR MEETING OF THE
UPPER BURRELL SUPERVISORS
WEDNESDAY, NOVEMBER 3, 2021
MEETING ROOM, 3735 - 7TH STREET ROAD**

Board of Supervisors, Vice Chairman, Michael Conley, 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, Absent**
 Michael P. Conley, Vice Chairman
 Kenneth R. Slahtovsky, Supervisor

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

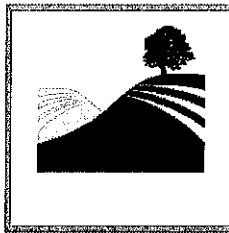
OPENING OF BIDS – None

OPEN TO THE FLOOR –

Dan Myers, 200 Barnview Drive, asked about the major modification notice received from Olympus Energy. Myers asked will this have to go back in front of the Planning Commission. Dave Kerchner replied they will need to submit revised drawings due to increasing the square footage then originally asked for.

Solicitor Yakopec stated that the soil and erosion is state law not township ordinance and would not be necessary to go back to the Planning Commission. Myers stated originally saw 1 well now it is a major modification and now a valve site. Kerchner stated that 75' x 75' needs a revised grading permit and if something is planning to be erected (structurally) then yes they would have to go back to the Planning Commission and Yakopec agreed.

Dan Hosac, 1301 Menk Road, asked what is the Rogers Compress Station and where will it be located. Conley replied this will be located at the Calliope Well Site off of White Cloud Road and not the Selene Well Pad as previously indicated. Hosac stated when Olympus first approached the Planning Commission why not at that time spell out the whole plan. Hosac stated this is bad relations. Conley stated we have to take it in stride and there are certain steps that have to be taken. Yakopec stated you cannot speculate on what the plan might be. Myers stated a compressor station is permanent thing you will now be adding noise. Myers stated industry that big know they are doing that.



Chester Lockwood, 4425 – 7th Street Road, stated he is a member of the Planning Commission and stated at the meeting the Commission did ask if there would be a compressor station and at that time Olympus Energy stated no but if that would change they would come back to the Planning Commission at that time.

Amy Cromie, 3752 Milligantown Road, stated you can always say no. Conley replied you cannot if it's allowed. Yakopec stated you must meet the requirements of the Ordinance and get permission. Myers stated do not grant on conditions. Yakopec stated you cannot do that, it is illegal. Yakopec quoted state law that concluded that outside permits that need to be obtained cannot stop the granting of the conditional use request.

APPROVAL OF THE MINUTES

Motion made by Conley, second by Slahtovsky to approve the minutes of the October 6, 2021 regular meeting and the October 22, 2021 Budget Workshop Meeting. Motion passed 2-0.

CORRESPONDENCE

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

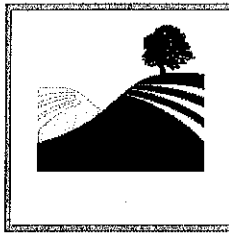
ROAD REPORT – Supervisor Slahtovsky reported that most of the time spent patching Whitten Hollow, Pleasant Valley, Menk, Hartge, Delberta and Michael Drive. There was a lot of storm clean up. Slahtovsky stated that he and Vice Chairman Conley met in the field to discuss the condition of Rich Hill Road. It was determined that the road will get milled down and 3" layer will be added in the area of the valve pad down to Oak Lake Road and the other parts of Rich Hill Road will also be addressed.

POLICE REPORT – 117 total calls. Chief Pate stated they have been attending the mandated state updates and will soon be doing the firearm qualifications. Chief stated they did pass out candy on Halloween and once again the Chief reminded residents whether the call is important or not please always call 911, it could be hours before anyone returns to the station to retrieve messages.

Dan Hosac, 1301 Menk Road asked why there is such a turn over with the Part Time Patrolman and can anything be done about this. Chief Pate replied most officers are leaving for full time positions that offer benefits. Hosac stated you never know who the patrolman are anymore. Chief replied this is happening everywhere, no one wants to be a policeman.

Devin Moore, 308 McCargo Street, stated that things are cool at the beach and wanted to know about why there are all the calls for dumping and burning. Moore stated that police badgered him about burning. Chief stated no badgering was done and Moore was told a permit was needed and that the burning should be contained.

Moore asked if at one time if there was a park in Lincoln Beach at the top of Mosaic Blvd. Conley stated that back in 1991 the residents in that area decided they wanted to make it a park again and they did that but eventually it fell apart. Conley stated he believed that township still owned that property. Conley stated next week they will be down to address the water run-off issue on Mosaic Blvd. Dan



Hosac stated he thought that sometime back someone sent a letter asking if the township would like to purchase that property. Conley stated that was for the property that surrounded that area.

EMC REPORT – None

ENGINEERS REPORT –

Dave Kerchner stated they received phone calls from Governor Casey's office about applying for grants and asked to provide a list of projects. Kerchner stated they did that addressing the slide issues on Lower Drennen Road. Casey's office called and asked if they could combine 2 of the applications into 1 single application. Kerchner stated they did this but it does come with some stipulations, the township could receive \$184,000 but must come up with 25% share which would be around \$61,000, if you want to proceed with the application then the township must come up with funds and must be submitted by November 19, 2021. Dan Myers asked what the outcome is if you did not take advantage of this opportunity. Kerchner replied he did not think anything since this was sprung on at the last minute. Conley stated he says all these communities getting funding and Upper Burrell Township gets nothing. Kerchner stated back in 2020 the township did get the guiderail grant but again must come up with \$26,000.

A motion was mad by Slahtovsky second by Conley to add this item to the Agenda and have Engineer submit the Federal Appropriations no later than November 19, 2021. Motion passed 2 - 0.

The reason for the motion is to be able to meet the November 19, 2021 deadline.

Dan Hosac stated this is just to send the commitment letter, so if you cannot come up with the funding there would be no loss. Kerchner stated with all the continuing changes this program could also get cut.

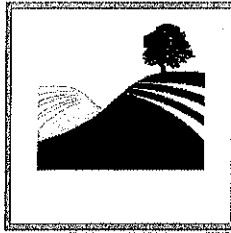
Kerchner stated the CFA Multi Modal Grant for the run-off on Lower Drennen Road has now added a new stipulations that the run-off must be completely coming from Route 780 and can no longer include the run-off from the Fire Department. Kerchner stated they are no longer applying for this funding. Kerchner stated that possibly the American Recovery Funds could be used for the the local share or use it to address the upper portion of Lower Drennen Road.

Kerchner repeated his assertion that the meets and bounds were submitted by Dollar General as part of the review process. Kerchner stated he spoke with Dollar General today and they now know what is needed to submit the revised drawings.

PLANNING COMMISSION -

Dollar General Discussion with Amy Cromie

Amy Cromie indicated that she had her surveyor locate the iron pins for her mother's property that indicates that a portion of the property is beyond the right of way from Dewey Drive and on the Dollar Store property. After a discussion, the Commission suggested a field meeting at the site with Dave Kerchner of Bankson Engineers and Commission members to review the located property corner.



On Friday, October 22, 2021, the field meeting was conducted and measurements determined that a portion of Amy Cromie's mother's property (Beestrice) was about 5 feet beyond the Dewey Drive right of way line and into the Dollar General property. This area was in the vicinity of the proposed storm water retention pond. After a discussion with Mike Lusaitis the site engineer to discuss this matter, Mike Lusaitis indicated that their surveyor could not locate the iron pins but will now go to the field and locate these iron pins. The plan will be revised to change the property line as well as the site design to stay off the Beestrice property.

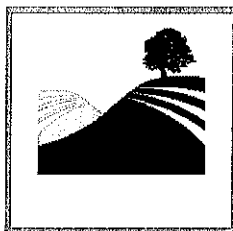
SOLICITORS REPORT – None

NEW BUSINESS

- A. A motion was made by Conley second by Slahtovsky to accept with regrets the resignation of Part Time Patrolman, Hunter Tackett.
- B. A motion was made by Conley second by Slahtovsky to authorize the advertisement of the 2022 General Budget and that the Budget is available for inspection.
- C. A motion was made by Conley second by Slahtovsky to advertise the sale of the 2006 Ford F-550 XL Super Duty, 1 Ton Dump Truck with plow and salt spreader.
- D. A motion was made by Conley second by Slahtovsky to advertise for the position of Sewage Enforcement Officer.
- E. A motion was made by Conley second by Slahtovsky to pay and ratify all the bills and accept the financial report for the month of October 2021.
- F. A motion was made by Conley second by Slahtovsky to approve all items A thru E.
Motion passed 2 – 0.

OPEN TO THE FLOOR

Amy Cromie, 3752 Milligantown Road and 108 Dewey Drive, asked if the new survey submitted by Dollar General will show the Beestrice property line, where the retention pond should be and the correct buffer area. Kerchner stated that when the revised plans are submitted he will receive copies along with Scott Chermak and the Planning Commission and will be addressed. Kerchner stated he will share her comments. Cromie asked what can be done about the trucks trespassing on that piece of property. Chief Pate stated that she needs to post No Trespassing signs, the drivers have no idea when it comes to property lines. Chief stated he also talked with the contractor about the trucks crossing over her property. Cromie asked what about the delivery trucks using Dewey Drive for deliveries. Kerchner stated he believed there is a 10 ton limit on the road.



Chief Pate stated that he believes this would be allowed due to making local deliveries. Kerchner stated he believed that is correct is they are making deliveries that do not need to meet the required tonnage. Cromie asked if the construction trailer parked there is within the setback guidelines. Kerchner stated she needs to address this issue with Scott Chermak. Cromie also asked if there are any limits on the time that work can be done, again Kerchner suggested she discuss this issue with Scott Chermak.

Howard Clement, 413 Davis Street asked again about the drainage issue. Conley stated that this pipe is located on private property and the township cannot go on to private property to fix this. The township will look into this to see if this was abandoned.

It was asked about the property located at the Mosaic Blvd., would this then be considered abandoned. Conley replied he was always told to go to the telephone pole and no further. It was asked then would this property then go back 50/50 to the adjoining property owners. Again the issue was discussed about the blocked pipe on private property and Conley again stated the township cannot go onto to private property to address this issue.

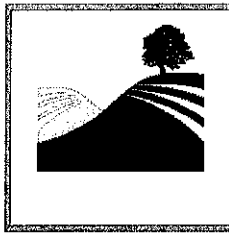
William Johnson asked about building permit application, he was told that as long as all requirements were met a permit would be issued.

Mr. Davis asked about the paving project, Kerchner replied the application has been submitted to Westmoreland County and have not been answered yet.

Sigrid Moore, 308 McCargo Street, stated that tree is very low and she did call around to the utility companies asking about the lines. She does plan to have this tree cut down. Moore also stated she will apply for a demolition permit. Moore also asked about how to slow the traffic down when having events in that area for the children.

Dan Myers, 200 Barnview Drive, asked if there was any update on the budget meeting that was held. Conley replied that the 2022 budget has been balanced and will include a 2 mill tax increase. Conley stated the board feels bad about the increase but due to inflation and the cost of everything going up the board felt this was the best way. Conley stated that back in 1991 when he came on the board the millage at that time was 5 mills in 30 years the millage has only gone up by 5 mills.

Joyce Ewing, 201 Stoney Hill Road, asked if the Supervisor's met prior to the Budget Workshop Meeting. Ewing asked if it was a workshop meeting how was the meeting done in 45 minutes. Conley stated that the Secretary prepares the budget and then at the meeting they review the revenues and expenses. Ewing also reminded residents



that next Wednesday, November 10, 2021, at 6:30 p.m., there will be a meeting at the fire department about the department financing a new fire truck. Conley stated that he discussed this issue with the Fire Chief to let the Chief know that the township is planning to raise taxes for township issues and if something in the future does not work out for the fire department to be able to finance this purchase, to not come to the township for a tax increase for funding.

Mike Zanella, 642 Knorr Lane, asked why the answer is a definite “No” in helping the fire department. Conley stated that you cannot put this on the taxpayers of the township to fund the purchase of a new truck. Conley also stated that he would not let the township go without fire and ambulance protection.

One resident asked if it possible to get speed limit signs placed in Lincoln Beach. Stating that the driver’s center uses this area for testing. Kerchner believed that if there is no change in the current speed limit, then yes signs can be placed. If the speed were to be changed that is a different story and study would need to be conducted.

Adjournment

A motion was made by Conley second by Slahtovsky to adjourn, meeting adjourned at 8:44 p.m.

Minutes Submitted by: Melissa A. Cortilesio,
Note*** Next monthly meeting, will be held on Wednesday, December 1, 2021, beginning at 7:00 p.m.