

---

**REGULAR MEETING OF THE  
UPPER BURRELL SUPERVISORS  
WEDNESDAY, MAY 1, 2024  
MEETING ROOM, 3735 - 7<sup>TH</sup> 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**

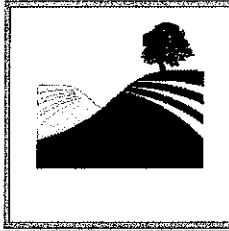
**Also present:** Michael Moore, Engineer  
                              Melissa A. Cortilesio, Secretary  
                              Stephen Yakopec, Solicitor

**OPENING OF BIDS –**

Bids for the following were opened and read aloud on Friday, April 26, 2024 at 11:00 a.m. 11 bids were received.

ALL BIDDERS DID PROVIDE 10% BID BOND EXCEPT FOR ONE

|                           |                              |
|---------------------------|------------------------------|
| BREX ENTERPRISES          | \$ 334,310.18                |
| D & M CONTRACTING, INC.   | \$ 214,000.00                |
| DUN RITE CONSTRUCTION     | \$ 155,437.00                |
| CARL P. FEKULA, INC.      | \$ 244,360.00                |
| TIM FOUSE EXCAVATING, LLC | \$ 146,900.00                |
| RON GILLETTE INC.         | \$ 216,410.58                |
| GRAHAM CONSTRUCTION       | \$ 219,690.00                |
| HILES EXCAVATING          | \$ 189,500.00 ( NO BID BOND) |
| KUKURIN CONTRACTING, INC. | \$ 242,424.00                |



---

M. O'HERRON COMPANY                      \$ 203,000.00

WEST PENN PAVING/NAGY CONST.        \$ 152,250.00

**OPEN TO THE FLOOR –**

Clint Craft, 1520 Menk Road, came to ask the supervisors for help in building his new home on Menk Road. Craft stated he purchased the home 2018 and it at the time it had 2 homes on it, in 2020 Mr. Craft stated he tore one of the homes down. Craft stated he was told that he was grandfathered in and could always have 2 houses on the property. Craft stated he was denied his zoning permit and wanted to know why. Solicitor Yakopec stated he can rebuild but would have to stay on the same foot print he cannot make it any bigger or move it. Craft stated he later decided that it did not make sense to him to renovate the home. Yakopec stated that what Scott Chermak told him would be correct that he would need to seek a variance in from the Zoning Hearing Board. After several minutes of discussion about the re-zoning of the property and a court case quoted from the solicitor the solicitor stated Mr. Craft needs to take the steps with Scott and do what Scott says. Yakopec stated he is not changing his opinion on this.

Supervisor Walker stated glad to have a meeting with Scott but Mr. Craft is leaving for a week and he stated he cannot afford any more delays. Yakopec stated the Zoning Hearing Board is the Quasi Governing Body which would interpret the law. Some discussion of subdividing came up, Mr. Craft stated he would then have to pay taxes on 2 parcels of property.

Greg Kiss, 4416 – 7<sup>th</sup> Street Road, asked about the Lower Drennen Road Drainage Project. Mr. Kiss is concerned about the corner of his property by the side driveway saying that it is being torn apart and there is also a ditch there. Engineer Moore stated this is PennDot property and he will try to reach out to them and see if the township can fix it or what else can be done.

Dan Myers, 200 Barnview Drive, asked permission if he could comment on items as they come up during the meeting. Supervisor Walker replied yes.

**APPROVAL OF THE MINUTES -**

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

**CORRESPONDENCE -**

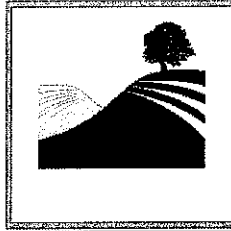
Chairman Walker asked Mrs. Cortileso, to review the correspondence from the month.

**ROAD REPORT -**

Clean Up Days will be held on Saturday, May 18, 2024, from 8:00 a.m. – 2:00 p.m.

Must be a resident, ID is required, there is a charge for tires, and will not accept:

Construction material, shingles, batteries, gasoline, oils, fluids, paints, pesticides, hazardous materials, appliances containing freon and electronics



---

Supervisor Slahtovsky also reported most of the time was spent prepping the roads for the upcoming seal coat and paving projects. Slahtovsky reported the new mower did come in and he is hoping it will same time.

**POLICE REPORT -**

Chief Pate reported there were 72 calls for the month of April. Chief Pate stated they will be doing online training this month where the department did receive a grant from NTOA for a 12 hour training course. Chief reported that lines have been painted on Milligantown Road Greensburg Road.

Dan Myers asked has there been any update on the police regionalization. Chief replied he believed there is an upcoming meeting on Monday. Myers asked out of the 72 calls how many did the State Police answer. The Chief replied 8. Myers asked the nature of the calls, the Chief replied he did not know.

Chester Lockwood, 4425 – 7<sup>th</sup> Street Road, stated please paint lines near his home. Chief Pate replied he would need permission from Mr. Lockwood to be able to sit in his driveway.

Marcella Moore, Lincoln Blvd., stated the 15 mph sign is missing. Chief Pate stated he will reach out to see if he can find out where it went to. Moore also asked about getting lines painted in the area of Lincoln Blvd. to Mosaic Blvd. Moore stated a lot of people just don't stop. Chief Pate stated if he can find "slow" stencils he will try to get that done. Supervisor Slahtovsky stated the township probably has a 15 mph sign to replace the missing one.

**EMC REPORT –**

Dave Knox reported that the County and State are currently working on updating the Hazardous Mitigation Plan and are meeting out at the Latrobe Airport.

**ENGINEERS REPORT –**

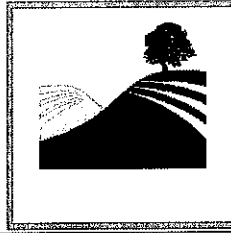
Mike Moore read the Bankson Engineer letter dated April 26, 2024, in regards to the Lower Drennen Road Drainage Project, Contract #24-5 and the bids that were received and their recommendation to award the project.

Moore stated the township did receive \$20,000 for improvements to the upper portion of Turkey Ridge Road. Moore stated they will move on that and get the survey work done.

**PLANNING COMMISSION –**

**Gary Schoepke Zone Reclassification Request**

Attorney Frank Kasin and property owner Gary Schoepke presented their request to change 20.81 acres adjacent to Oak Lake Road that is a portion of the previous Oak Lake Golf Course property from RA to Industrial. Mr. Schoepke is currently storing equipment including trucks and paving machines on this 20.81 acre property which is currently a non-conforming use for the RA zone. Mr. Schoepke previously requested a variance from the Zoning Hearing Board for his current use, but was denied. He is now



---

requesting the Planning Commission entertain changing the zone from RA to I. Nearby property owners including, Mrs. Gloria Butler were present and were not in favor of the zoning change and storage of all the equipment in plain sight of their property.

Mr. Schoepke indicated he plans to plant vegetation adjacent to Oak Lake Road to screen his property from the road. The Commission pointed out that an adjacent portion of his property just east of the 20.81 acres and along Oak Lake Road is in the I zone already and could be used for storage of his equipment. Mr. Schoepke argued that not only would be expensive but would require moving a large number of trees and additional earth grading. The Commission pointed out that Oak Lake Road is posted at 10 tons and a site moved to the I zone portion of his property would be better access to White Cloud Road for his heavy equipment. The Commission members indicated that additional information is needed including a field trip to the site. George Richard moved to table the reclassification request until after the field view, seconded by Dennis Matto and all were in favor.

#### Dan Myers

Dan briefly discussed the Zoning Hearing Board's decision to deny the variance.

Dan Myers, 200 Barnview Drive stated that the Planning Commission does not have the authority to change the zoning. Mr. Schoepke had a 30 day appeal period and choose to not respond. Solicitor Yakopec stated that the Planning Commission can't make the change but can make recommendations.

#### **ZONING HEARING BOARD – None**

#### **SOLICITORS REPORT –**

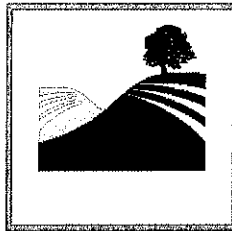
Solicitor Yakopec stated that the sale of the Lincoln Beach property has not been advertised yet. Yakopec stated they township will receive sealed bids, must be paid in full within 60 days and the minimum bid will start at \$6,000.00.

Milton Pitts, Arnold, PA, asked why the property is not being sold with the mineral rights. Slahtovsky stated the township has decided to keep them.

Dan Myers, 200 Barnview Drive, asked if there is an agent involved with the sale of the property. Myers asked who he would contact to view the property. Yakopec stated you would have to do your own research. Myers stated the property has been surveyed. Engineer Moore stated yes the main property has been surveyed but the 2 small lots were not.

Marcella Moore, Lincoln Blvd., stated so the bids will be sealed. It was replied yes, that way no one can see who bid and what price.

George Richard, 350 Hunter Hill Road, asked about the properties mentioned in the gas lease. Richard asked are these township owned properties.



---

Dan Hosac, 1301 Menk Road, also asked the properties mentioned in the gas lease and where they are located.

Dan Myers, 200 Barnview Drive, asked what the township got per acre, Supervisor Slahtovsky replied he believed \$3,000.00. Myers stated use those monies for a PA system for the meeting room. Supervisor Conley replied he is working on it.

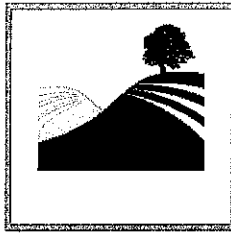
Joe Dynys, 572 Oak Lake Road, asked about the royalty on the gas lease. Slahtovsky replied 17% and \$2,500.00/per acre. Non surface lease, no pad. Dynys stated he thought the percentage was good but the acreage was low. Slahtovsky stated the prices have gone down.

### **NEW BUSINESS**

- A. A motion was made by Walker seconded by Slahtovsky to grant the address request of Sara Gardone, as per 911 Addressing Agency as 6191 Schafer Drive.  
Motion passed 3 – 0.
- B. A motion was made by Walker seconded by Conley to enter into an oil and gas lease with Olympus Energy for Township owned properties known as Tax Parcel Number(s) 62-07-04-0-064, 62-07-04-0-063, 62-07-04-0-062, 62-05-00-0-044 and 62-05-00-0-061, containing 12.8734 acres, more or less.  
Motion passed 3 – 0.
- C. A motion was made by Walker seconded by Conley to award Contract #24-5, Lower Drennen Road Drainage Improvements, to the lowest, responsible bidder, Tim Fouse Excavating, LLC in the amount of \$ 146,900.00  
Motion passed 3 – 0.
- D. 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 April 2024. Motion passed 3 – 0.

### **OPEN TO THE FLOOR**

Clint Craft, 1520 Menk Road, apologized for storming out earlier during the meeting. Craft stated that he does not want to move and it is beyond him why he is being blocked from building his new home. Walker stated that in the past it was not done the right way and the township has gotten into trouble for this. After some residents input it was discussed about the rezoning issue, subdividing and the cost of the variance hearing.



---

## **Adjournment**

A motion was made by Walker second by Conley to adjourn, meeting adjourned at 8:01 p.m.

Minutes Submitted by: Melissa A. Cortilesio,

Note\*\*\* Next monthly meeting, will be held on Wednesday, June 5, 2024, beginning at 7:00 p.m.