

PUBLIC BOARD MEETING MINUTES

February 23, 2023

Chairman Harlacher called the meeting to order at 7:00 p.m.

ATTENDANCE:

Supervisors Present:

Steven Harlacher – Chairman
Ronald Ruman – Vice Chairman
Dave Markel – Supervisor

Staff Present:

Kelly Kelch – Township Manager
Lori Trimmer – Parks & Recreation
Keith Whittaker – Finance
Clif Laughman – Fire Chief
John Snyder – Police Chief
Rainer Neidoroest – Engineer
Rachelle Sampere – Zoning & Codes
Andy Herrold – Solicitor
Rich Shaw – Public Works
Laura Mummert – Stenographer

CALL TO ORDER:

A. The Pledge of Allegiance was recited.

EXECUTIVE SESSION:

Chairman Harlacher announced there was an executive session held prior to tonight's meeting to discuss personnel matters. He also announced executive sessions were held on February 16th and 17th for personnel matters.

PUBLIC COMMENT:

A. Randy Drais, 1860 Hayward Road, thanked the Board and Township staff for updating the stormwater/sewer projects on the website. However, he commented on the fact that the website it still hard to navigate and is lacking a search bar. Manager Kelch told him that would be addressed later in the meeting as staff is looking into a new website, and a new company to provide that. Mr. Drais addressed Engineer Neidoroest with regards to the sewer projects taking place in his neighborhood. Engineer Neidoroest answered his questions. Mr. Drais also asked why these projects weren't being published in the newsletter, and Manager Kelch said it will be addressed. Mr. Drais also inquired why the company doing sewer work in his area mentioned manholes being paved over and if the Township was aware. Mr. Drais asked Engineer

Neidoroest to reach out to him with the total number that had been paved over. Engineer Neidoroest said he would find out and be in touch.

B. Randy Zmolek, 1980 Baker Road, came to the meeting to follow-up on his on-going issues with accidents around the bend of where he lives. Public Works Director Rich Shaw informed him that he has the item in his road projects for the spring/summer to be bid out for resurfacing of this area. But until the bid is awarded and the weather is warmer, they cannot do anything to the road. Road signs were moved closer to the turn as promised from the January meeting.

APPROVAL OF MINUTES:

- A. The minutes of the January 26, 2023, Public Board Meeting were provided for approval. Motion to approve the Public Meeting Minutes of January 26, 2023, as presented.

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

OPEN FLOOR DISCUSSION:

None

OLD BUSINESS:

- A. T-872 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PROPOSED RETAIL BUILDING AND DRIVE-THRU/FAST FOOD RESTAURANTS FOR WEST MANCHESTER TOWN CENTER: This request is tabled as staff is still awaiting a traffic study and other outstanding comments to be completed.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

NEW BUSINESS:

- A. ORDINANCE 23-02 AMENDMENT OF FIREWORKS CODE: Motion to approve Ordinance 23-02, amending the fireworks code by deleting and repealing Chapter 71 thereof entitled "Fireworks" and replacing it with a new Chapter 71 which provides regulation of fireworks.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- B. UPDATE TO NON-UNIFORM EMPLOYEE PERSONNEL AND POLICY MANUAL: Motion to approve the provided update to the non-uniform employee Personnel and policy manual regarding the addition of family sick leave.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- C. RESOLUTION 23-08 DESTRUCTION OF RECORDS: Motion to approve Resolution 23-08 destruction of police administrative records per the memo from the police department office manager.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- D. T-873 PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PROPOSED INDUSTRIAL FACILITY FOR 3625 MIA BRAE, LP FOR NORTH ZARFOSS DRIVE-LOT 4B AND ESTABLISH FINANCIAL SECURITY: Mr. Neil Metzger from Site Design Concepts was present to give the Board an overview for the proposed facility. Mr. Metzger asked the Board for four (4) waivers and for a financial security estimate associated with the project in the amount of \$147,151.40.

Motion to approve the four (4) waivers:

MOTION: R. Ruman
SECOND: S. Harlacher

Motion to approve the financial security estimate as presented:

MOTION: R. Ruman
SECOND: S. Harlacher
BOTH MOTIONS PASSED UNANIMOUSLY

- E. T-865 SURETY REDUCTION FOR WESTGATE CAMPUS PHASE 1: Motion to approve a request from Doug Gosik of Williams Site Civil, LLC on behalf of BAM Westgate Three, LLC to reduce the financial security for Westgate Campus Phase 1 from \$623,061.45 to \$55,671.55. Dawood Engineers has reviewed the request, inspected the project and provided their recommendation memo to the Board for review. The engineer recommends the requested release in the amount of \$567,389.90.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- F. FIREFIGHTER TAX CREDIT: Discussion by the Board about the proposed draft tax credit for volunteer firefighters. Chairman Harlacher and Vice-Chairman Ruman discussed their opinions with whether to do a \$500 cap or to give up to 50% to qualified volunteers. A motion was made to draft and advertise the ordinance as it was originally presented by Chief Laughman. Vice-Chairman Ruman voiced his concern that going this route could potentially be inequitable in the future. The Ordinance will then be added to the agenda for action by the Board at its March meeting.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- G. NO PARKING REQUEST: Motion to deny the No Parking request submitted by a resident for Spring Street due to issues with garbage trucks needing to back out of the road. Sergeant Sefchick completed a road study and recommended the Board deny the request based on his findings.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- H. COMP PLAN/ZONING ORDINANCE: The Board decided to table this item until questions can be answered, and Dawood Engineers can give their input from the interviews held with potential consultants to update the Township comprehensive plan.

- I. BAKER ROAD PROPERTY: Motion to approve closing the investigation on the dangerous barn and allow the Solicitor to take the next appropriate steps which will involve having a public hearing before the March 23rd Board meeting.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- J. HVAC MAINTENANCE AGREEMENT: Motion to approve renewing a one (1) year HVAC maintenance agreement with HB McClure for \$5,135.00.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- K. TOWNSHIP ADMINISTRATION OFFICE IMPROVEMENTS: Motion to approve Office improvements of new carpet and flooring that was budgeted for 2023. Embee & Sons was the lowest quote at \$22,045.00.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- L. T-876 BAE STORMWATER IMPROVEMENTS WAIVER REQUEST: Motion to approve a waiver request from BAE Systems from the following sections of Stormwater Management Ordinance: §113-17.I.5 Stormwater systems to convey the 25 year storm event; §113-17.H.2 flooded roads or driveways shall not exceed 8 feet in spread for the 10-year storm even located at 1100 Bairs Road at its intersection with Smith Drive.

MOTION: S. Harlacher

SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- M. MR. REHAB CHANGE ORDER #1: Motion to approve Mr. Rehab to repair minor issues to the Township sewer system. This project will help reduce I&I from the system and have a measurable impact in addressing the back-ups. The cost of this project is \$96,625.00. This money is already available in the budget.

MOTION: R. Ruman
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- N. MR. REHAB CHANGE ORDER #2 (ADDITIONAL INSPECTIONS): Motion to approve Mr. Rehab to conduct inspections from Hayward to Derry Road and from the “Gems” development to Derry Road. Mr. Rehab provided an additional quote to add this item as a change order to the existing project. The cost for the two (2) projects would be \$147,250.50. Engineer Neidoroest did express this rate is even better than two years ago.

MOTION: S. Harlacher
SECOND: D. Markel
MOTION PASSED UNANIMOUSLY

- O. RESOLUTION 23-09 AMENDMENT TO THE 2022 BUDGET: Motion to approve Resolution 23-09, amendment to the 2022 General Fund budget to more accurately reflect the needs of the Township. Director Whittaker provided information to the Board supporting his request.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- P. APPLICATION FOR PAYMENT REQUEST: Motion to approve application for final payment to PSI Pumping Solutions Inc. for the Adams Street Pump Station in the amount of \$2,429.15.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

- Q. PURCHASE OF PORTABLE RADIOS: Motion to approve the purchase of 93 portable radios from B. Moyer Radio in the amount of \$255,987.84 for the fire and police departments.

MOTION: R. Ruman
SECOND: S. Harlacher
MOTION PASSED UNANIMOUSLY

- R. WEBSITE UPDATE DISCUSSION: Discussion was had by the Board and Manager Kelch on the option to update the Township website by using a new provider called ProudCity. Staff met with the team of ProudCity in the past and were impressed with their expertise and what they could offer. The Board was in agreement that an updated website was needed, and asked Manager Kelch to reach out to ProudCity to see if he could negotiate a better price and if other options existed than a year-to-year contract. The Board motioned to approve to move forward with the contract with either outcome.

MOTION: S. Harlacher

SECOND: R. Ruman

MOTION PASSED UNANIMOUSLY

- S. FIRE CODE ORDINANCE: Discussion by the Board on a proposed Fire Code Ordinance recommendation that was provided by Chief Laughman. Chief Laughman spoke on how the Township currently does not have a fire code, and by implementing one could offer better protection to businesses and rental apartments. He recommends that buildings would need to have smoke detectors and a knox box to allow firefighters access to keys to get into a burning building. Vice-chairman Ruman voiced his concern for the Township's small businesses and how he has been told by a few this would be a big expense for them. Vice-Chairman Ruman recommended that any new construction of commercial buildings or new ownership of a business the Township could enforce these provisions. Chief Laughman explained we would allow businesses 18 months to purchase the knox box and smoke detectors. The Board asked Solicitor Herrold to work on updating the draft ordinance, and Solicitor Herrold asked for a month to work on.

ADMINISTRATIVE REPORTS:

- A. RECREATION DIRECTOR: Director Trimmer's report was reviewed. Trimmer updated the Board about the upcoming bingo and thanked all donors so far. No further questions.
- B. FINANCE DIRECTOR: Director Whittaker's report was reviewed. Director Whittaker thanked the Board for their approval of working with Univest. No further questions.
- C. FIRE CHIEF: Chief Laughman's report was reviewed. Chief mentioned the appreciation banquet that will be taking place soon for the firefighters. No further questions.
- D. POLICE CHIEF: Chief Snyder's report was reviewed. No further questions.
- E. TOWNSHIP MANAGER: Manager Kelch's report was reviewed. Manager Kelch informed the Board and residents that UPMC had reached out to begin a farm-to-hospital initiative at its complex. He also mentioned that someone is interested in purchasing the lot where Mr. Q's skate complex was, but that he would need to file a variance as the one Mr. Q had obtained was expired. Manager Kelch also made a shoutout to Parks & Recreation assistant Kristi Swartz, commending her for the great job she does. No further questions.
- F. ENGINEER: Engineer Niederoest report was reviewed. Engineer Neidoroest updated the Board on the Haviland Road project and that it will soon be completed. He also announced that the Hayward Rd area project was progressing. Chairman Harlacher

asked how much allotted money was left for these projects in the ARPA fund. Engineer Niederoest mentioned he thought it was close to being depleted. Director Whittaker also said that he could investigate it and provide an overall breakdown to the Board by the next meeting. No further questions.

- G. ZONING OFFICER: Officer Sampere's report was reviewed. No further questions.
- H. SOLICITOR: Solicitor Herrold's report was reviewed. No further questions.
- I. PUBLIC WORKS DIRECTOR: Director Shaw's report was reviewed. Director Shaw mentioned that the road salt he ordered for this winter is still at capacity considering the winter we have had. No further questions.

STORMWATER MANAGEMENT/MS4

Zoning Officer Sampere noted that the Township's MS4 Storm Water Inspector is available Monday thru Friday 8 a.m. to 4:30 p.m. to answer any questions related to storm water management.

BILLS: Motion to pay bills as presented:

<u>FUNDS</u>	<u>CHECK NO.</u>	<u>AMOUNT</u>
General Fund	33337-33452	\$ 566,026.55
Liquid Fuels	1264-1277	\$ 9,787.36
Sewer Fund	5578-5608	\$ 4,324,499.07
Payroll #3 Pay Ending 01/28/23	Paytime Vouchers	\$ 120,702.40
Payroll #4 Pay Ending 02/11/23	Paytime Vouchers	\$ 119,254.48

MOTION: D. Markel
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY

ADJOURNMENT:

Motion to adjourn the regular meeting at 8:32 p.m.

MOTION: S. Harlacher
SECOND: R. Ruman
MOTION PASSED UNANIMOUSLY