

RICHLAND TOWNSHIP
BOARD OF SUPERVISORS

JULY 16, 2008

PUBLIC MEETING

The Richland Township Board of Supervisors meeting held at the municipal building on Wednesday, July 16, 2008 was called to order at 6:30 PM. by Vice Chairman Raymond P. Kendrick. There were approximately one hundred people present in the audience. The Officials present were:

Raymond P. Kendrick, Vice Chairman
George P. Allen, Supervisor
Brian M. O'Malley, Supervisor
John A. Pasquinelli, Supervisor
Dean E. Bastianini, Township Secretary

Jeffrey Walzer, Building/Zoning Officer
Tina L. Shaw, Recording Secretary
Charles Means, Esquire
Carolyn Yagle, EPD

PUBLIC HEARING - COMPREHENSIVE REVISION TO THE RICHLAND TOWNSHIP ZONING ORDINANCE AND ZONING DISTRICT MAP; CHAPTER 27 OF THE RICHLAND TOWNSHIP CODIFIED CODE OF ORDINANCES.

Mr. Kendrick opened the public hearing. Mr. Means explained that the purpose of the public hearing was to receive comments from the public on the proposed comprehensive amendment to the zoning ordinance, including a comprehensive rezoning, prior to the amendment's consideration for adoption by ordinance. Mr. Means administered an honesty oath to all persons wishing to present testimony. The following persons spoke:

Mr. Vernon Frey, 5540 N. Montour Road. Mr. Frey spoke in opposition to the zoning regulations prohibiting gas wells on residential properties

Mr. Ronald Guzell, 508 Revere Court. Mr. Guzell spoke in opposition to the inclusion of a track of St. Barnabas property located adjacent to his property in the Wedgewood Plan, within the Planned Campus Overlay District.

Mr. Denis Ranalli, 3633 Crestview Drive. Mr. Ranalli, speaking on behalf of St. Barnabas, stated his opinion that it did not make sense to exclude a portion of St. Barnabas's property from the Planned Campus Overlay District.

Mr. Gary Eichler, 213 Haymont Drive. Mr. Eichler expressed concern about the possibility that Haymont Drive could be used as access for development on the former Pittsburgh Cut Flower property.

Mr. Ashwani Chaddha, 115 Applewood Drive. Mr. Chaddha spoke in opposition of the Route 8 Overlay District. He expressed concern about exacerbating traffic safety problems, introducing "commercial creep" in a residential neighborhood and criticized the public officials for not acting in accordance with the opinion of the residents opposed to the Route 8 Overlay District.

Mr. Jeffrey Meyers, Esquire, 7021 Crider Road, Suite 201, Mars, PA. Mr. Meyers stated he was representing the Orchard Park Residents Association. He presented a petition containing 528 names of residents who are opposed to the Route 8 Overlay District. Mr. Meyers expressed his opinion that there had been a lack of communication, and urged the Supervisors to table further consideration of the zoning amendment ordinance so that the residents' concerns could be addressed.

Ms. Mary Jean Dyer, 606 Greenspring Drive. Ms. Dyer stated her opposition to the Route 8 Overlay District due to safety issues. She asked the Board to consider televising public meetings to accommodate the residents who are unable to attend.

Ms. Annette Robinson, 108 Applewood Drive. Ms. Robinson asked whether proper notification was given to the neighbors and property owners within areas of proposed zoning changes. She also questioned the propriety of the Planning Commission meeting of May 19, 2008 and expressed concerns about the impact the Route 8 Overlay District would have on safety along Route 8, the impact on the Orchard Park neighborhood due to light pollution, noise and water issues. She closed by criticizing the Township for knowing the Orchard Park residents' feelings about the commercial uses on property within the proposed Overlay District and not dealing with it in a straight forward manner.

Mr. James Sutter, 3647 Gibsonia Road. Mr. Sutter who owns property at 4209 E. Ewalt Road expressed a willingness to work with the Supervisors and the neighboring residents in order to make the property commercial. He expressed his opinion that the required buffer areas would protect the adjoining properties.

Ms. Peggy Lisac, 124 Applewood Drive. Ms. Lisac stated that her property bordered the Sutter property and that she was negatively impacted by noise and lights from the Orchard Park Plaza.

Ms. Mary Jean Dyer, 506 Edgehill Drive. Ms. Dyer asked if there are plans for widening Route 8. Mr. Bastianini responded to Ms. Dyer's question. He explained that the Township's Highway Capital Improvement Plan contained a project to install left-hand turn lanes at the Route 8/Ewalt/East Ewalt intersection. The addition of the turn lanes represents the only planned widening.

Mr. Bastianini entered the following documents into the record:

- 1) A letter from Annette Robinson, 108 Applewood Drive, dated July 11, 2008,.
- 2) A letter from Mr. Larry and Mrs. Mary Baden, 4211 E. Ewalt Road, Gibsonia, PA, dated July 14, 2008.
- 3) Two letters and a set of review comments dated July 14th and July 15th, 2008 from Ms. Kay Pierce, Manager, Planning Division, Allegheny County Department of Economic Development.

Since no one else came forward Mr. Allen made a motion to close the public meeting. Mr. Pasquinelli seconded the motion and it was approved by all. Mr. Dankmyer entered the meeting room. The regularly scheduled meeting was called to order.

Mr. Allen made a motion to approve Ordinance No. 430 adopting a comprehensive amendment, including rezoning, to the Richland Township Zoning Ordinance and Zoning District Map, Chapter 27 of the Richland Township Code of Ordinances as presented.. Mr. Pasquinelli seconded the motion. Mr. Kendrick called for a voice vote. Messrs. Allen, O'Malley, Pasquinelli and Kendrick voted "Yes". Mr. Dankmyer recused himself from voting due to the fact that he is an employee of St. Barnabas Health Systems. The "yes" votes were unanimous with one abstention. The motion was approved and Ordinance No. 430 as presented, was formally adopted.

PUBLIC HEARING: PIZZA DADDIES, INC. PROPOSED LIQUOR LICENSE TRANSFER

Mr. Dankmyer opened the Public Hearing on the request by Pizza Daddies, Inc. to transfer restaurant liquor license No. R-13110 from Heidelberg Oasis Corporation to 5560 William Flinn Highway, Gibsonia, PA 15044. Mr. Means conducted the hearing.

Ms. Holly L. Guna, Caputo & Caputo addressed the Board. Ms. Guna explained that Tom and Bernadette Thornton are the sole shareholders of Pizza Daddies, Inc. an Italian style restaurant which has operated in Richland for 12 years. Pizza Daddies is looking to enhance their business by adding a liquor license which will primarily serve beer and wine. The restaurant will be renovated to provide table service for up to 32 patrons. The hours of operation will remain the same; closing at 10 p.m.

Mr. O'Malley asked if they would be selling six pack beers to go? Ms. Guna replied that they would. Mr. Bastianini asked what percentage of their sales would be from alcohol? Mr. Thornton responded that he didn't know. Mr. Means asked if there would be outdoor consumption of the alcohol? Ms. Guna responded "Not at this time". Mr. Thornton agreed to present the building renovation plans to Mr. Walzer. Since no one in the audience came forward speak, Mr. Dankmyer closed the public hearing.

Mr. Kendrick made a motion to approve Resolution No. 13 of 2008 approving the transfer of liquor license No. R-13110 from Heidelberg Oasis Corporation to Pizza Daddies Inc., 5560 William Flinn Highway, Gibsonia, PA 15044. Mr. O'Malley seconded the motion and it was approved by all.

PUBLIC MEETING

Mr. Kendrick made a motion to approve the minutes from the Supervisors' meeting of June 18, 2008. Mr. O'Malley seconded the motion and it was approved by all.

Mr. Bastianini presented the Board with a mid-year financial report. He also updated them on the number of building permits issues for new construction and the amounts owed to the contractors

who worked on the new municipal building. At the conclusion of the discussion Mr. Kendrick made a motion to purchase additional furniture, under State Contract, from Continental Office Environments for \$12,882.52. Mr. Allen seconded the motion and it was approved by all.

Mr. Allen made a motion to accept the Treasurer's Report and approve the bills payable. Mr. Kendrick seconded the motion and it was approved by all.

CORRESPONDENCE

Karl Kimmich, 5636 N. Montour Road

A letter expressing his appreciation for the improvements being made to North Montour Road. Mr. Kimmich also requested that Consolidated Gas Company be approached about the possibility of extending their retaining wall

Barbara Tommasone, RTMAAC, Office Administrator

A letter notifying the Township that the Water Authority plans to replace approximately 1000 feet of waterline on Community Center Drive between Route 8 and Route 910, as well as, constructing a new line on Ridgemont and Georgiann Drives consisting of approximately 2100 feet. The work should be completed by October 2008.

Keith Sendall, Senior Vice President, Field Sales, ICMA-RC

A letter offering a new investment management service titled "Guided Pathways" for members of the employees pension plan.

Mr. Kendrick made a motion authorizing the Chairman to execute an amendment to the pension plan to permit eligible employees to participate in the Managed Accounts Services program. Mr. Allen seconded the motion and it was approved by all.

Joseph Juliano, 3839 Grove Road

A letter requesting a sewer bill credit for water used to refill an outdoor swimming pool.

The Supervisors took no action on the request. Credit for external water use is granted provided the customer purchases a deduct meter.

James R. Risoleo, Allegheny County Elections Division Field Service Manager

A letter thanking the Supervisors for allowing voters in Richland's 3rd Electoral District to use the new Richland Township Municipal Building Gallery Room as a polling site.

PLANNING COMMISSION MINUTES - JUNE 16, 2008

Tractor Supply Company/The Keith Corporation - Zottola Property - Preliminary and final land development plans for the construction of a Tractor Supply Store on property situate at 6080 William Flinn Highway, Oak Ridge Plan of Lots No. 2, Parcel A-2, Lot & Block No. 2190-H-25, plans dated May 26, 2008.

Mr. Robert McCollim , R.A. Smith National and Ms. Wendy Fulton, Keith Corporation presented the plans. Mr. McCollim stated that all of the items in Mr. Shoup's review letters dated May 14, 2008 and June 6, 2008 had been addressed.

A length discussion ensued regarding: a) the items for sales at the store, b) the conditions recommended by the Planning Commission for Special Exception approval and c) noise levels. At the conclusion of the discussion, Mr. Kendrick made a motion to grant preliminary and final land development approval for the plans as presented with the following conditions: 1) compliance with all of the conditions and recommendations established by the Planning Commission and Zoning Hearing Board, 2) payment of a Transportation Impact Fee in the amount of \$42,160.00 and 3) upon opening of the store additional noise testing shall be required to confirm that noise from the premises does not exceed 50 decibels at the property lines. Mr. Allen seconded the motion and it was approved by all.

UNFINISHED BUSINESS

A request from Consolidated Communication to install communication cabinets on Township property situate Forestwood Drive, Lot & Block No. 1665-S-343.

The Secretary reported that since the last meeting he and Mr. Kendrick had visited the site. Mr. Means has also spoken to representatives of the telephone company regarding the possibility of a lease agreement rather than sale of a right-of-way. The Supervisors tabled the consideration pending additional information from Consolidated Communications.

NEW BUSINESS

Mr. Kendrick made a motion to authorize the Chairman to execute "Certificates of Substantial Completion" for the Plumbing and HVAC contractors for the new Municipal Building. Mr. Pasquinelli seconded the motion and it was approved.

Mr. Pasquinelli made a motion to adopt Resolution No. 14 of 2008 authorizing participation in the PACC (PA Capital City) Automotive and Equipment Contract, which is administered by the City of Harrisburg. Mr. Allen seconded the motion and it was approved by all.

Mr. Kendrick made a motion authorizing the purchase of a New Holland Skid Steer Loader, Model L-185 with a Bradco 24 Hydraulic Cold Planer from F & S Supply Company under the PACC Automotive and Equipment Contract for \$51,357.00. Mr. Allen seconded the motion and it was approved by all.

SECRETARY'S REPORT

Community Day is scheduled for Saturday, August 9, 2008. Festivities will begin at 3:00 p.m. and end with fireworks. The introduction of Public Officials is scheduled for 7:00 p.m..

Mr. Joe Pillart has performed a hazardous waste assessment on the old municipal building and determined that there is no asbestos in the roof.

Mr. Kendrick made a motion granting the Richland Volunteer Fire Department permission to use the roof of the old municipal building for rope and ladder descent training, provided there is no entry into the building. Mr. O'Malley seconded the motion. Messrs. O'Malley, Allen, Kendrick and Dankmyer voted "yes", Mr. Pasquinelli voted "no". By majority vote the motion was approved.

Mr. Dan Hughes, an Eagle scout candidate from Troop #150 asked the Supervisors to approve a trail improvement project. Mr. Hughes stated that he would like to make several improvements to the trails including: the installation of drains to alleviate water problems, new signs and clearing and reconfiguration of the trail in the vicinity of the 465 year old Penn White Oak tree. At the conclusion of the discussion Mr. Allen made a motion authorizing the public works department employees, equipment and materials to be used on the project with a financial cap of \$7,000. Mr. Pasquinelli seconded the motion and it was approved by all.

Mr. Bastianini requested an executive session following the public meeting to discuss a matter of potential litigation.

COMMENTS FROM THE BOARD

Mr. Allen complimented Mr. Reichart and the public works department employees for responding to an erosion problem which affected one of the constituents in his district.

COMMENTS FROM THE FLOOR

Mr. Keally, Bauer Drive, asked when the traffic signals at Turner Road/Route 910 and Meridian and Bakerstown Road would be placed in operation. The Secretary responded that they are both very close to being operational.

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Mr. Thomas Simon, 323 Ramsgate Drive, reported that his property has been flooded twice; once in September of 2004 and again this past June. He attributed the first flood Tropical Storm Ivan, however, Mr. Simon attributed the second storm to the inefficiency of the storm drains and the development of Grandview Estates. He told the Board that Mr. Bastianini responded to his request for assistance by having Mr. Scott Shoup, Township Engineer evaluate the situation. Although Mr. Shoup's report has not been completed the public works department did install a "bee hive" grate on one of the catch basins. Mr. Simon said that the flooding left him and his wife uneasy and said that any assistance from the Township would be greatly appreciated.

Mr. Robert Tegge, 5653 Meridian Road, asked what the plans were for the western portion of Dickey Road? The Secretary reported that the sewer line extension work is almost complete, and that the gas company is installing new gas lines. The Township plans to include the street in next year's road resurface and improvement contract..

There being no further business the public meeting adjourned at 9:00 p.m. The Supervisors went into an executive session.

Respectfully submitted,