

Borough of New Stanton
Borough Council
New Stanton Council Chambers
August 3, 2021
Minutes of Meeting

Attendance

Council members: Joshua Bennett, Alex Brown, Linda Echard, Ray Strosko, Tom Theis and Edwina Zack. Mayor Scott Sistik. Absent: Todd Bartlow.

Also in attendance: Borough Solicitor John Campfield, Borough Engineers Steve Eby and Tony Sadaka, and Borough Manager Jeffrey McLaughlin.

Prayer

Linda recited a prayer.

Pledge of Allegiance

The Pledge was recited.

Call to Order

President Ray Strosko called the regular August 3, 2021 council meeting to order at 5:30 PM.

Approval of Bills

Josh made a motion seconded by Edwina to approve the bills in the amount of \$38,516.19. Motion passed unanimously.

Approval of Minutes of July 6, 2021 Meeting

Josh made a motion seconded by Josh to approve the July 6, 2021, meeting minutes. Motion passed unanimously.

Guests

Jeff said that all of those in attendance were there to address items on the agenda.

Opportunity for Public Comment -- Items Not on the Agenda

No Comments.

Council Additions to Agenda

As part of agenda item number 4, Jeff said that he was going to ask council to consider a motion to hire Henninger Accounting Services to perform an audit of the tax collector's borough receipts in light of him resigning, effective August 18th 2021.

Opportunity for Public Comment -- on Agenda Items Only

Tom Smith mentioned several possible uses for the proposed warehouse that have been mentioned to him by residents in New Stanton. Jeff responded that the developer is SunCap Property Group and the facility is a warehouse and distribution center.

Agenda

1. M/V to Enter into Developer's, Stormwater and Road Escrow Agreements with Broadview Estates, LP

Jeff and John stated that the outstanding issues regarding this development have been met: the developer has provided the road bond and we have evidence that the \$1 million in site improvements installed to date have been completed and the contractor has been paid.

Alex asked about the subdivision plan. John and Jeff stated that the developer has agreed to add a note to the subdivision plan, with language satisfactory to the borough, regarding the street trees, lampposts and sidewalks being the responsibility of the home builder.

Alex made a motion seconded by Josh approving the Developer's, Stormwater and Road Escrow Agreements and the Subdivision Plan. Motion passed unanimously.

2. Status of SunCap Property Group Proposed Distribution Facility

Keith Gindelsperger from HF Lenz presented the land development and subdivision plan for the SunCap Property Group. Keith said that they are proposing a 1,050,000 square foot warehouse and distribution center. The original site is 134 acres. They purchased an additional 10.25 acres. There will be two new driveways off Glenn Fox Road. One driveway will be for employees, which will access a 560-space parking lot and the other driveway will be for tractor trailers, accessing a 300-space parking lot. There also will be parking for delivery trucks. He said that they plan on rebuilding Glenn Fox Road from the bridge over the turnpike to the Hempfield Township line, with two 12' travel lanes and 2' wide shoulders on both sides.

Keith reported that they have submitted the stormwater and landscape plans to the Westmoreland Conservation District.

Keith also reported that Jeff shared with them a letter that the borough had received from Hempfield Township listing three concerns: the first one requested that light pollution across property lines be avoided. Keith stated that the photometric plan shows that this is not a concern; the second was dealing with landscaping and buffering along the property line, Keith said that the plan calls for earthen berms for buffering. The third concern asks the developer to have construction vehicles avoid using Glen Fox Road in Hempfield Township. Keith said that this will be addressed as well.

Alex asked about the cemetery on the property and preserving its historic nature. Keith said that they will provide a buffer around the cemetery. There will be access to it from Siebe Dr.

Keith said that there was a Phase I historical evaluation done and they notified the state historic preservation office of the cemetery.

Alex also asked about the stormwater system. Mr. Gindlesperger stated that the point of the retention ponds is to *flatten the curve* so that the water does not empty into the creek immediately, but, rather, gradually over a longer period of time. Mr. Gindlesperger stated that the DEP and Westmoreland Conservation District both review the designs and he said that New Stanton's stormwater ordinance is very restrictive compared to other municipalities in the area.

Jeff asked about the DEP and Army Corps of Engineers submittals. Mr. Gindlesperger stated that they have submitted a joint permit to both of them for stream and wetland mitigation. It will take 8-12 months for approval.

Jeff asked about the need for a vapor barrier to address the environmental concerns that were mentioned in the *Tribune Review* article. Ben said that they are not impacting the area mentioned in the article.

Jeff asked if the plan calls for sidewalks. Keith said that they are presently proposing to grade for the possible installation of sidewalks.

Josh asked about the number of guard houses. Keith said that there will be 2.

Linda asked if a statement can be issued about the user of the property. Matt Virgin speaking on behalf of the SunCap Property Group, stated that the end user is a Fortune 500 company.

Brian Heveker, 263 Glenn Fox Rd., Hempfield, PA

Mr. Heveker asked how many trucks would visit the site on a daily basis and expressed concern about GPS systems directing the trucks through Hempfield.

Matt Virgin stated that there would be a 180 trucks daily.

Harry Brady, 252 Seanor Church Rd.

Mr. Brady said in addition to his home on Seanor Church Rd., he also owns land on Glenn Fox Rd. He suggested that the developer put up a bond in case there is any damage caused to the adjacent properties. There should be no left-hand turn signs installed at the bottom of the driveways that intersect with Glenn Fox Rd. He also stated that the line of site at the Glenn Fox Rd. intersection should be 150 feet. He also expressed concern about the weight limit on the Glenn Fox Bridge.

Keith stated that the developer will bond everything that it is required to by ordinance. They will prepare a cost estimate upon which the financial surety will be based as per borough requirements. Keith said that Glenn Fox would be totally reconstructed.

Gerald Smith 206 Glenn Fox Rd., Hempfield Twp.

Mr. Smith expressed concern about the condition of Glenn Fox Road in Hempfield and its ability to handle truck traffic which he said will be directed there by the drivers' GPS.

Todd Libengood, 215 Glenn Fox Rd., Hempfield Twp.

Mr. Libengood asked if traffic had been counted for the intersection of Glenn Fox and Arona Road. He expressed concern about the visibility at the intersection when pulling out from Glenn Fox. He expressed concern about the length of the turning lane from Arona Road onto Center Avenue. He stated that he assumed that the engineer's stormwater numbers were correct, but he expressed concern as to whether the ponds would be maintained, long-term.

Keith said that they are providing more than what is required for site distance at the intersection of Glenn Fox and Arona Rd. Ben said that the DEP and Westmoreland Conservation District requires regular maintenance of the pond. Keith said that the developer's agreement will allow the borough to inspect the stormwater facilities as well.

Tom Theis stated that the Mr. Libengood raised a good point about the stacking of trucks at Arona and Center.

Chris Prisk from Langan said that the traffic study showed that the queuing at that intersection will not be a problem.

Jarrod Smith 190 Glenn Fox Rd., Hempfield Twp.

Mr. Smith questioned the accuracy of the traffic study being done during the pandemic.

Bill Bretz, 257 Glenn Fox Rd.

Mr. Bretz said that even though their homes are within one mile of the Turnpike and the Robertshaw facility, they have been able to maintain a rural character. He said that that the developer has the right to develop their property. He said that there are five concerns: stormwater, traffic, light, noise, and environmental. He asked that the developer and the borough listen to the concerns presented. He stated that the borough has traditionally been very sensitive the neighborhood's concerns, for example regarding the developments on Broadview Road.

Chris Wagner, 291 Glenn Fox Rd.

He asked why the borough would be willing to let this happen. He stated that he lived on Glenn Fox for 45 years and that the road had only been tarred and chipped, never paved.

Executive Session

Ray suggested that council go into Executive Session.

Jeff stated that the Executive Session would be for information sharing. He pointed out that a committee of council met to discuss a letter submitted by Langan Engineering and the rest of the council needs to be made aware of the discussion.

Josh made a motion seconded by Tom to go into Executive Session for the purposes of information sharing with council at 6:30. Motion passed unanimously.

Linda made a motion seconded by Alex to come out of Executive Session at 7:16 PM.
Motion passed unanimously.

Gerald Smith 206 Glenn Fox Rd., Hempfield Twp.

Mr. Smith stated that he did not feel that the traffic study was done at the right time.

Chris Prisk, Langan Engineering

Chris Prisk reviewed the process and requirements of performing the traffic study. He stated that even though none of the intersections had traffic that warrant mitigation, the developer is willing to address the existing site issue at Arona and Glenn Fox Rd. and to set funds aside for upgrades at the Arona and Center intersection if upgrades are necessary in the future.

Scott asked when the traffic study was done. He said that without a date there is no way of knowing if the traffic was done during a Covid shutdown. He said that the people inquiring about the project want to know how much traffic they are going to see.

Chris said that the count was done on Tuesday, March 23, 2021. There was a question about the method of counting. Chris said that cameras were used.

Alex stated that considering the information received from the developer and the engineers and the audience comments, it would be best to consider this matter further.

Alex made a motion seconded by Josh to table consideration of the SunCap subdivision and land development plan until the September meeting so that further engineering comments can be exchanged to address these issues. Motion passed unanimously.

3. M/V to Advertise 2021 Paving Project: Base Bid Woodmere Dr. / Alternate: Widening Section of Broadview Rd.

Ray asked Steve for an estimate on the cost of the paving. Steve estimated a total of \$32,000.

Alex made a motion seconded by Josh to advertise the 2021 Road Paving Project: seeking a base bid for Woodmere Avenue and an alternate for the widening a portion of Broadview Rd. Motion passed unanimously.

4. Discussion Regarding Tax Collector Position

Jeff stated that Bob Bury has submitted a letter of resignation from the position of Tax Collector effective August 18, 2021. Jeff stated that John put together some memos that were presented to council regarding the filling of the position. Council is responsible for appointing someone for the balance of Bob's position. Jeff stated that Bob had endorsed a candidate for the position and that person also submitted a letter of interest.

Tom suggested that we advertise the position.

Linda stated that residents probably aren't aware that the tax collector is resigning and that is council's obligation to see if there is any other interest in the position.

John stated that the borough has 30 days after the date of the resignation to fill the position. The candidate has to: be a resident of the borough, pay \$200 for training through the DCED, pass a test and a criminal background check and take an oath before they can be seated. That person can also decide to have their name placed on the ballot.

He suggested that the borough have an audit done.

Alex asked if the decision could wait until the September 7, 2021 council meeting to allow for people interested in the position to step forward. John said that from the date of the resignation on August 18th, council would have 30 days to make a decision. If it goes beyond that it goes to the vacancy board for 15 days and if nothing occurs during that period the court will have to be petitioned to have a tax collector appointed.

There was a discussion on the election of a tax collector to the 4-year term as well.

Alex made a motion seconded by Josh to advertise for applicants for the position of Tax Collector. All applications are due on August 17, 2021. Motion passed unanimously.

5. M/V to Approve Handicapped Parking Space at 549 Woodmere Dr. Building 17 Unit 5

Jeff stated that John B. checked out the proposed location of the space and that it is feasible to be located there.

Josh made a motion seconded by Alex to approve the creation of a handicapped space in front of 549 Woodmere Dr. Building 17 Unit 5. Motion passed unanimously.

6. Hire Henninger Accounting Services to Perform an Audit of the Borough Real Estate Tax Collection in Light of the Resignation of Tax Collector Robert Bury

Jeff stated that a proposal was received from Henninger Accounting Services to perform a closeout audit with the resignation of Mr. Bury. He also pointed out that this may be a good time to review the office accommodations and pay scale for the tax collector. John said the changes would have to take place prior to the appointment.

Linda made a motion seconded by Edwina to hire Henninger Accounting Services in the amount of \$1,800 to perform an audit from January 1st through August 18th of the borough real estate tax collection in light of the resignation of Tax Collector Robert Bury. Motion passed unanimously.

Reports

Administrative Planning Commission

Jeff reported that at its July 14, 2021 meeting, the Planning Commission recommended to council approval of the preliminary subdivision and land development plan for the SunCap Property Group distribution facility. He also reported that the Pennsylvania Turnpike Commission's land development application for the installation of a solar farm at their office building will be on the agenda for the September Planning Commission meeting.

Borough Manager

Jeff reviewed his report: He stated that:

- The borough has received half of the stimulus grant in the amount of \$107,809.29 and will be getting the balance shortly.
- The borough is in receipt of the first \$1,000 loan payment from the Yukon Fire Department for the fire truck.
- The wi-fi has been installed at the park and a committee of Ray, Josh, Edwina and himself met at the park to discuss the location and number of cameras to be installed.
- Ray asked him to get quotes on spraying the knotweed at the park. He reported that he contacted two companies and is to meet one on August 4, 2021.
- West Penn Power's Line Standards Group is still exploring the options on the Christmas lights. He stated that he suggested to Mr. Omatick, his contact at West Penn, various options to address the situation including tying the lights into the street light dusk-to-dawn timers and trying plug in timers. Jeff reported that Mr. Omatick responded saying that he would look into both suggestions. Jeff stated that he asked for another meeting between West Penn representatives and members of council. The meeting is to be held the week of August 16th.
- The Safety Committee and Staff meetings were held on July 27, 2021.

Linda asked about the light pole that was hit in the roundabout. Jeff stated that he was having trouble getting three quotes for the replacement of the pole because the estimate exceeded the state threshold of \$11,200 at which point 3 quotes are required. Jeff thought he may be able to write up a memo for the file explaining that an attempt was made to get three quotes but sufficient bidders were not available. Ray asked if the pole was ordered. Jeff stated that it was not because he was trying to get 3 quotes. Linda said that perhaps Steve could help. She said that this needs moved on.

Josh asked about the poles lying in the grass along Route 119. Jeff stated that he believes that project is done and that the poles should be moved.

Code Enforcement

No report.

Solicitor's Report

John reviewed the memos he provided to council regarding the changes to the state law on the posting of meeting agendas. The act was passed on June 30th and will become law in 60 days. The agenda will have to be posted and shown on the web site. Jeff said items would need to be given to him by no later than the Friday before the meeting.

John also mentioned that he provided council with a memo on the Small Wireless Facilities Deployment Act. He said it too was adopted on June 30th and will become law in 60 days. He said that the borough will have to review the ordinance adopted several years ago regarding these types of facilities to determine if changes need to be made.

Engineer's Report

Steve reported that:

- The gas company paving is continuing. He addressed the concern of a resident on Cherry St. who thought the paving would be higher than her driveway.
- He has reviewed the PA Turnpike Commission's land development submittal application for the solar panels.
- The Broadview Estates developer is installing sewer lines.
- UPS has almost completed work on the stormwater retention pond.
- He reviewed the Turnpike's Commission's land development plan.
- He introduced himself to Sheetz's representative handling the project.

Fire Department Liaison

Josh reviewed the report that was included in the agenda packet.

Council President

No report.

Mayor

The mayor wanted to make residents aware that there have been two reported black bear sightings in the Stanton Heights development.

Personnel/HR

Linda stated that the Personnel Committee will be looking into the tax collector position and the handbook.

Public Works/MS4 & Parks

Ray reported that the guys have been doing well and he also mentioned that the backhoe is going to be needing serviced including possibly new tires.

Special Events

No report.

Building and Real Estate

No report.

Safety Committee

Jeff stated that the committee had a meeting at the end of July.

Finance Report

Josh reported that as of July 28, 2021, there was a checking balance of \$707,079.86; the total of all savings accounts was \$1,668,332.31 and the taxes remitted from June 28, 2021 was \$10,842.67.

Public Comment

There were no comments.

Announcements

There were no announcements.

Adjournment

Edwina made a motion seconded by Alex to adjourn the meeting at 8:25 PM. There were no objections.

Respectfully submitted,

Jeffrey McLaughlin
Secretary