

WILKINS TOWNSHIP BOARD OF COMMISSIONERS

SECOND STATED MEETING MONDAY, JANUARY 25, 2016

The Second Stated Meeting of Monday, January 25, 2016 was brought to order at 7:00 PM by President Sylvia J. Martinelli. A quorum was present as follows:

Mrs. Martinelli                      Ms. Criner  
Mr. Boyd                                Mr. Costa                      Mr. Wells

(38-16) MOVED COSTA-BOYD to approve the minutes of the Reorganization Meeting and the Regular Meeting of January 4, 2016. The motion was adopted by unanimous roll call vote.

Presentation:

Mr. Paul Padula, President of VFC #3, presented Mr. Richard Voeltzel a plaque in honor of his 32 years of service to the department. Mr. Voeltzel was recently forced to retire from the Fire Department due to personal circumstances beyond his control. The members of the Department and the Board of Commissioners applaud Mr. Voeltzel for his dedication and years of service to the Township.

Citizens' Comments:

Mr. and Mrs. Allen Schwartz of 14 Curry Street commended the members of the Road Department for the excellent job they did over the weekend with snow removal.

Mr. Dan Cella of 1009 Elizabeth Street commended the police department for making NIXLE available to the residents of the community and expressed his concern about entering into an agreement with the Turtle Creek COG for a Joint Property Maintenance Code Board of Appeals. The cost to residents of the Township to make an appeal before the COG Board of Appeals will be significantly more than the current cost and there is a possibility that none of the members of the Appeals Board will be residents of the Township, while right now all of the members of the Appeals Board are residents of the Township.

(39-16) MOVED CRINER-BOYD to approve the payment of the schedule of bills in the amount of \$322,362.71. The motion was adopted by unanimous roll call vote.

Old Business:

**ORDINANCE NUMBER 1058**

**AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA AMENDING THE WILKINS TOWNSHIP CODIFIED BOOK OF ORDINANCES PART II, GENERAL LEGISLATION, CHAPTER 144, STREETS AND SIDEWALKS, ARTICLE I, SIDEWALK CONSTRUCTION AND MAINTENANCE**

(40-16) MOVED COSTA-CRINER to read Ordinance Number 1058 for the first time by title only.

(41-16) MOVED WELLS-COSTA to accept the first reading of Ordinance Number 1058.

(42-16) MOVED CRINER-BOYD to read Ordinance Number 1058 for the second time by title only.

(43-16) MOVED CRINER-COSTA to adopt Ordinance Number 1058.

Motions 40-16 to 43-16 inclusive were adopted by unanimous roll call vote.

**ORDINANCE NUMBER 1059**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE WILKINS TOWNSHIP CODIFIED BOOK OF ORDINANCES, PART II, CHAPTER 173, ZONING, ARTICLE I, SECTION 173-4, ZONING MAP, BY REZONING LOT/BLOCK NUMBER 542-C-250 FROM ZONING DISTRICT RESIDENTIAL 3 TO ZONING DISTRICT COMMERCIAL 1**

(44-16) MOVED BOYD-COSTA to read Ordinance Number 1059 for the first time by title only.

(45-16) MOVED BOYD-COSTA to accept the first reading of Ordinance 1059.

(46-16) MOVED WELLS-CRINER to read Ordinance Number 1059 for the second time by title only.

(47-16) MOVED COSTA-WELLS to adopt Ordinance Number 1059.

Motions 44-16 to 47-16 inclusive were adopted by unanimous roll call vote.

**ORDINANCE NUMBER 1060**

**AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE WILKINS TOWNSHIP CODIFIED BOOK OF ORDINANCES, PART II, GENERAL LEGISLATION, CHAPTER 173, ZONING, ARTICLE II, DEFINITIONS AND WORD USAGE, SECTION 173-7, DEFINITIONS; ARTICLE III, DISTRICT REGULATIONS, SECTION 173-11, CONDITIONAL USES, PARAGRAPH G, MANUFACTURING DISTRICT; ARTICLE VI, CONDITIONAL USES, SECTION 173-49, PARAGRAPH L, GAS AND OIL WELL DRILLING**

(48-16) MOVED COSTA-BOYD to read Ordinance Number 1060 for the first time by title only.

(49-16) MOVED COSTA-BOYD to accept the first reading of Ordinance Number 1060.

(50-16) MOVED BOYD-WELLS to read Ordinance Number 1060 for the second time by title only.

(51-16) MOVED CRINER-WELLS to adopt Ordinance Number 1060.

Motions 48-16 to 51-16 inclusive were adopted by unanimous roll call vote.

**ORDINANCE NUMBER 1061**

**AN ORDINANCE OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, AMENDING THE WILKINS TOWNSHIP CODIFIED BOOK OF ORDINANCES, PART II, GENERAL LEGISLATION, CHAPTER 82, EXPLOSIVES TO PROVIDE FOR THE REGULATION OF GEOPHYSICAL SEISMIC TESTING**

(52-16) MOVED CRINER-BOYD to read Ordinance Number 1061 for the first time by title only.

(53-16) MOVED WELLS-COSTA to accept the first reading of Ordinance Number 1061.

(54-16) MOVED WELLS-CRINER to read Ordinance Number 1061 for the second time by title only.

(55-16) MOVED COSTA-WELLS to adopt Ordinance Number 1061.

Motions 52-16 to 55-16 inclusive were adopted by unanimous roll call vote.

New Business:

(56-16) MOVED CRINER-COSTA authorizing the Manager to advertise a proposed ordinance which would authorize the Township to enter into an intergovernmental cooperation agreement with the Turtle Creek Valley Council of Government for the establishment of a Property Maintenance Code Joint Board of Appeals.

**RESOLUTION NUMBER 4-2016**

**A RESOLUTION OF THE TOWNSHIP OF WILKINS, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING THE ALLEGHENY COUNTY 2015 HAZARD MITIGATION PLAN AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE TOWNSHIP OF WILKINS AND DIRECTING THE APPROPRIATE OFFICIALS TO IMPLEMENT THE RECOMMENDED ACTIVITIES ASSIGNED TO THEM**

(57-16) MOVED COSTA-BOYD to adopt Resolution #4-2016. The motion was adopted by unanimous roll call vote.

(58-16) MOVED COSTA-BOYD to accept the recommendation of the Planning Commission:

- 1) Granting preliminary and final approval to the BMW Pittsburgh East Plan of Lots proposed subdivision conditioned upon the following:
  - a) That the plat include a notice stating "A highway occupancy permit is required pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428) known as the "State Highway Law" before driveway access to a State highway is permitted."
  - b) That the Applicant completes the Shared Access / Parking Easement for the shared driveway indicated on the plan and that the same be recorded with the Sales Agreement and deed for the property and provided to the Township.
- 2) Granting preliminary and final approval to the BMW Pittsburgh East Land Development conditioned upon the following:
  - a) The Applicant agrees to follow all of the recommendations outlined in the Subsurface Investigation Report prepared by Construction Engineering Consultants, incorporated on October 2, 2015, including that the project be developed with deep foundations drilled down to competent rock and the presence of a geotechnical engineer on site during the excavation and foundation work.
  - b) The Applicant must enter into an Operations and Maintenance Agreement with the Township for stormwater management and sewer facilities.
  - c) The Applicant must enter into a Developer's Agreement with the Township.
  - d) The Applicant must as co-permittee with the Township on the Highway Occupancy Permit for the Storm Sewer facilities, if required by PennDOT.
  - e) The Applicant must provide evidence of all required permits and other documents, including the Highway Occupancy Permit, if required and an NPDES Permit for construction.
  - f) The Applicant must provide evidence that the project is in conformance with all requirements of the Wilksburg-Penn Joint Water Authority (WPJWA) for water service.
  - g) The Applicant must obtain the requested rezoning of the portion of the property from R-3 to C-1.
  - h) The Applicant must agree to comply with additional review and comments from the Township Municipal Engineer, Rob Arnold, regarding the latest revisions from the Applicant dated January 20, 2016 (post construction stormwater management).
  - i) The Applicant must complete the Shared Access/Parking Easement for the shared driveway indicated on the plan and the same must be recorded with the Sales Agreement and deed for the property and provided to the Township.
  - j) The Board of Commissioners approves the requested modification to the land development plan eliminating the sidewalk from the northeastern edge of the property to the Hall Station Bridge. Roll Call of Votes: Costa – Yes; Boyd – Yes; Criner – Yes; Wells – Yes; Martinelli – Yes

(59-16) MOVED BOYD-COSTA authorizing the Manager to advertise for a hearing for public comments on a requested modification to the development plan of FF property Holdings which would eliminate the requirement at §148-28(B) and §173-26(1) for the construction of a sidewalk, as recommended by the Planning Commission.

(60-16) MOVED COSTA-CRINER accepting the recommendation of the Manager entertaining entering into an agreement with the Turtle Creek Valley Council of Governments for the application of funding from Allegheny County Economic Development in the amount of \$50,000 on behalf of the Township of Wilkins, the Borough of Churchill and the Municipality of Monroeville with funds to be used (with required match) to procure a consultant to perform a Multi-Municipal Comprehensive Plan.

(61-16) MOVED BOYD-CRINER authorizing the submission of an application for CITF funding for Phase I of the Master Site Plan for Lions Park.

(62-16) MOVED COSTA-BOYD accepting the request by Mr. Porado and exonerating him from the collection of unpaid 2016 Real Estate Taxes in the amount of \$79,251.78, which were turned over to Jordan Tax Service as of January 15, 2016.

(63-16) MOVED COSTA-BOYD accepting the recommendation of the Manager to allocate the anticipated revenue from real estate transfer tax on the sale of Penn Center in the amount of \$292,225 in the following manner:

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1. Allocating an additional \$150,000 to line-item 438.210 (Paving) to be used to mill, perform base repair and pave Kingston Drive from Frazier Drive to William Penn Highway, to microseal Gardenia to Saw Mill, including the Municipal Parking Lots, microseal Hawthorne Drive from William Penn Highway to Jefferson Heights Road, and pave George Lane in-house.
2. Authorizing the Engineer to immediately complete design, specification and bid packets and place the projects out to bid for an anticipated March bid opening.
3. Allocating an additional \$145,225 to reserve Fund Balance.

(64-16) MOVED COSTA-BOYD approving Lisa McCann's request to borrow 25 art screens for a student education contest at East Catholic School in Forest Hills.

(65-16) MOVED BOYD-WELLS authorizing up to two Commissioners to attend the Allegheny League of Municipalities 43<sup>rd</sup> Annual Spring Educational Conference at Seven Springs Resort from April 7<sup>th</sup> – 10<sup>th</sup>.

(66-16) MOVED BOYD-COSTA authorizing the Manager and Public Works Superintendent to attend the Pennsylvania Water Environment Association (PWEA) Stormwater Essentials Workshop being held on February 18, 2016 from 8:00 AM until 4:00 PM at the Cranberry Township Public Safety Building at a cost of \$115 per attendee.

(67-16) MOVED COSTA-BOYD authorizing the Manager to write to the Honorable Jay Costa and the Honorable Paul Costa strongly urging them to pass legislation which would permit Townships of the First Class to enact Stormwater Fees without requiring the formation of a separate authority to do so.

Motions 59-16 to 67-16 inclusive were adopted by unanimous roll call vote.

Commissioners' Comments:

Mr. Boyd stated that he is glad to be done with Ordinance Number 1060. Wilkins is a small community with a small industrial base and it was challenging to provide a place for gas and oil well drilling in the community without impacting the residential area. Mr. Boyd requested that the Manager send a copy of the ordinance to Churchill Borough and urge them to consider adopting similar legislation.

Mr. Costa congratulated Mr. Voeltzel on his award from the fire department this evening.

Mr. Wells also congratulated Mr. Voeltzel and thanked the Public Works employees for a job well done over the weekend with snow removal.

Mrs. Martinelli stated the Recreation Advisory Board will meet on February 2<sup>nd</sup> and the Board of Commissioners will meet again on February 8, 2016.

(68-16) MOVED CRINER-BOYD to adjourn. The meeting adjourned at 8:17 PM. The motion was adopted by unanimous roll call vote.

Respectfully submitted,

Rebecca Bradley  
Secretary