

**TOWN OF McCANDLESS  
MINUTES - COUNCIL'S REGULAR BUSINESS MEETING  
FEBRUARY 22, 2016**

**CALL TO ORDER**

The meeting was called to order at 7:34 p.m. by President Aufman, with the following in attendance: Council Members Zachary, Mertz, Walkauskas and McKim; Also present, Town Attorney Ries, Town Manager Cordek, Assistant Town Manager Ebner, Police Chief Anderson, Zoning Officer Betty, Public Works Superintendent Sabina, Marie Haller, Administrative Assistant and citizens as per the sign-in sheet. Excused: Council Members Powers and LeDonne.

**INVOCATION**

The invocation was given by Councilwoman Zachary and was followed by the Pledge of Allegiance.

**MINUTES APPROVED**

Motion was made by Councilman McKim and seconded by Councilwoman Zachary to approve Council's Regular Business Meeting Minutes of January 25, 2016 and Council's Special Meeting Minutes of January 15, 2016, as submitted to each member of Council.

Motion passed unanimously.

**BILLS APPROVED**

Motion was made by Councilwoman Powers and seconded by Councilman Walkauskas to approve all bills on List #2, dated January 26, 2016 through February 22, 2016, totaling \$806,562.28, as submitted to each member of Council and posted on the bulletin board.

Motion passed unanimously.

**ORDINANCE No. 1456  
AMENDMENT TO PLANNING AND ZONING CODE  
C-2 NEIGHBORHOOD SHOPPING DISTRICT**

Motion was made by Councilman McKim and seconded by Councilman Walkauskas to adopt Ordinance No. 1456, an ordinance proposing to amend the Town of McCandless "Planning and Zoning Code" to permit restaurants in the Town's C-2 Neighborhood Shopping District under certain standards and criteria as per the request of Dillon McCandless King Coulter & Graham, LLC on behalf of Viola Food Stores, Inc.

An overview of the proposed amendment was provided. The ordinance was recommended for approval by the Planning Commission and Zoning Hearing Board and reviewed in depth by Town Council at the January Zoning Committee. This ordinance has been advertised in accordance with the Town regulations and State law.

Motion passed unanimously.

**RESOLUTION No.3 of 2016  
MULTIPLE SCLEROSIS PROCLAMATION**

Motion was made by Councilman Walkauskas and seconded by Councilwoman Zachary to approve Resolution No. 3 of the 2016 Series, a resolution proclaiming March 7-13, 2016 as Multiple Sclerosis Awareness Week in the Town of McCandless.

Motion passed unanimously.

**RESOLUTION No. 4 of 2016  
ALLEGHENY COUNTY HAZARD MITIGATION PLAN**

Motion was made by Councilman McKim and seconded by Councilman Walkauskas to approve Resolution No. 4 of the 2016 Series, a resolution adopting the Allegheny County 2015 Hazard Mitigation Plan as the official Hazard Mitigation Plan of the Town of McCandless.

Rita Martin, 10585 Grubbs Road, asked if this resolution would be incorporated into the Town's Comprehensive Plan. Town Manager Cordek clarified the County's Hazard Mitigation Plan is a FEMA requirement and is not related to the Town's five to ten year Comprehensive Plan.

**RESOLUTION No. 5 of 2016  
CABLE TV AGREEMENT WITH  
NASD FOR EG CHANNEL**

Motion was made by Councilman Walkauskas and seconded by Councilwoman Zachary to approve Resolution No. 5 of the 2016 Series, a resolution authorizing an extension of the Town's Educational-Governmental Channel Cable TV Agreement with North Allegheny School District through June 30, 2020.

Georgiana Likar, 10150 Grubbs Road, asked if there is any cost will be incurred by the Town for this agreement, Town Manager Cordek confirmed there is not. She also asked about a previous discussion pertaining to the possibility of recording and broadcasting Town meetings or the Town's utilization of the bulletin or announcement segments broadcasted on the EG Channel. Mr. Cordek acknowledged this was discussed at a recent committee meeting and suggestions made will be reviewed by the North Allegheny School District. He also commented the Town currently utilizes the bulletin board/announcement segment on a limited basis.

**REJECTION OF BIDS  
RENTAL OF EXCAVATOR WITH OPERATOR**

Motion was made by Councilman Aufman and seconded by Councilman Walkauskas to reject all bids for the rental of one cubic yard or larger excavating machine with operator. It was reported clarification pertaining to the bid speculations will be needed. New bid documents are being prepared and will be advertised and resent accordingly.

Motion to reject all bids passed unanimously.

CONSTRUCTION MATERIALS  
(LIMESTONE, RIP-RAP STONE MATERIAL)

Motion was made by Councilman Aufman and seconded by Councilman Walkauskas to award a contract for various sizes of construction limestone material and rip-rap stone material, under the Pennsylvania COSTARS pricing system (Contract No. 561-015).

Motion passed unanimously.

CITIZEN'S COMMENTS

Mark Donatelli, 9753 Griffith Road, confirmed with Town Manager Cordek that the bridge on Blazier Drive and Route 19 was built and is owned by the Town. He expressed concern that Wal-Mart will be using this bridge funded by the Town. Mr. Donatelli referred Alcosan's ten-year clean-up plan and suggested costs would be reduced if the Town purchased property on Blazier Drive. He also shared various reports of potential environmental clean-up and remarked that Wal-Mart should be required to follow all environmental laws. He expressed concern regarding stormwater run-off and the Town's infrastructure.

Georgiana Likar, 10150 Grubbs Road, asked if the Town will be apprised of any required remediation to the Rave property. She asked if anyone from the Pennsylvania Department of Environmental Protection (PADEP) will be onsite when the property is excavated. She also asked who would be responsible if a new spill or contamination would occur during the excavation.

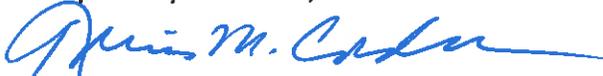
Town Manager Cordek explained remediation of any necessary environmental cleanup would be between the PADEP and the applicant. Inspection of the site is under the auspices of the PADEP. Attorney Ries confirmed that the responsible party of new spill or contamination would have unlimited liability according to the law, therefore would be under the jurisdiction of the PADEP and the Environmental Protection Agency (EPA).

Councilwoman Zachary asked if a letter could be sent requesting the PADEP apprise the Town of any remediation required. Town Attorney Ries confirmed a letter may be sent, but noted the Town does not have jurisdiction over the PADEP, therefore a response would be considered a courtesy to the Town.

ADJOURNMENT

There being no further business, motion was made by Councilman McKim to adjourn the meeting. The motion was seconded by Councilman Walkauskas and passed unanimously. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Tobias M. Cordek  
Town Manager

/mah