

**SALEM TOWNSHIP BOARD OF SUPERVISORS
MEETING MINUTES**

August 21, 2024

7:00p.m.

23608

- ⌘ Call the meeting to order Bob Zundel, Kenneth Trumbetta and Kerry Jobe
Atty. Falatovich and Secy. Otto
- ⦿ Pledge of Allegiance
 - ⦿ Prayer
 - ⦿ Introduction
 - ⦿ Public discussion from residents and taxpayers taken during the course of the meeting, as each item is brought up for motion
 - ⦿ Announcements: No smoking during the meeting;
 - : Residents please give your name when addressing Supervisors
 - : Please turn off all cell phones

1. ADMINISTRATION

- 1A. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve the Minutes of the Regular Meeting of July 17, 2024.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion.
Motion passed unanimously.

- 1B. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve expenditures for the month as follows, noting those disclosures filed of record with the Township Secretary, by Supervisors of their routine business dealings with certain of those vendors whose invoices may be paid pursuant to this Motion:

General Fund	\$42,223.82
Payroll Fund	\$46,790.93
Liquid Fuels	\$10,893.32
Street Lights	\$394.86
Machinery	\$1,141.48
Park Initiative	\$1,978.00
Sewer Revenue	\$ 19,582.67
TOTAL	\$123,005.08

Resident and Forbes Road Volunteer Fireman, Adam Bayura inquired about a streetlight to be installed across the street from the Fire Department to light the parking lot. The Township has called First Energy a couple times and they have it on the schedule.

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Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion.
Motion passed unanimously.

- 1C. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve the renewal of the existing agreement with Primepay for the administration of payments and reimbursements under the Township Employees' HRA Account. The agreement is set to renew on November 1, 2024 at a monthly rate of \$69.96.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1D. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve Resolution No. 20-2024 entitled;

**A RESOLUTION OF THE TOWNSHIP OF SALEM, COUNTY OF WESTMORELAND,
COMMONWEALTH OF PENNSYLVANIA APPROVING AN
INTERGOVERNMENTAL COOPERATION AGREEMENT WITH THE FRANKLIN
TOWNSHIP MUNICIPAL SANITARY AUTHORITY FOR THE INSTALLATION OF A
VARIABLE FREQUENCY DRIVE AT THE TOWNSHIP'S
CLOVERLEAF PUMP STATION**

Resident Eric Hageder asked what it will cost. The grant is for approximately \$34,000. There was a discussion about installing a basket strainer.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1E. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve Resolution No. 21-2024 entitled;

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
SALEM, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA
APPROVING A PLANNING MODULE FOR THE KIFER NO. 2 PLAN OF LOTS**

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

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- 1F. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve Resolution No. 22-2024 entitled;

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
SALEM, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA
APPROVING A PLANNING MODULE FOR THE SHAW BROTHERS PLAN OF LOTS**

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1G. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve Resolution No. 23-2024 entitled;

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
SALEM, COUNTY OF WESTMORELAND, COMMONWEALTH OF PENNSYLVANIA
APPROVING A PLANNING MODULE FOR THE GETTYSBURG LAND AND CATTLE
COMPANY, INC. PLAN OF LOTS**

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1H. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve Resolution No. 24-2024 entitled;

**A RESOLUTION OF THE TOWNSHIP OF SALEM, COUNTY OF WESTMORELAND,
COMMONWEALTH OF PENNSYLVANIA APPROVING A MUNICIPAL BENEFITS
SERVICES JOINDER AGREEMENT WITH "MUNICIPAL BENEFITS SERVICES" TO
PROVIDE CERTAIN BENEFITS FOR TOWNSHIP EMPLOYEES CONSISTENT WITH
THE TERMS OF THEIR EMPLOYMENT**

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1I. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve Resolution No. 25-2024 entitled;

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
SALEM, COUNTY OF WESTMORELAND, COMMONWEALTH OF
PENNSYLVANIA AUTHORIZING THE SUBMISSION OF A "BROADBAND READY
COMMUNITIES APPLICATION" TO DESIGNATE THE TOWNSHIP OF SALEM AS
A BROADBAND READY COMMUNITY**

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Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

Resident Lisa Segina asked what this provides. Bob Zundel said this is the beginning stages of the process to provide broadband services in the township where there isn't any. Kerry Jobe explained that Salem has been identified as 1 in 20 municipalities in Westmoreland County that needs Broadband. This resolution says that we are going to follow certain requirements to be in the program, so we are ready when the money is ready to be allocated. Some of the requirements are announcing the program in public meetings, managing the permitting for easements, and adopting resolutions. All this information regarding the Broadband Ready Program will be on the website. \$1.6 Billion dollars has been given to the State from the Federal Government several years ago under the American Rescue Plan Act.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1J. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve appointing Tim Kozinko to the Recreation Board to fill the vacancy left by Robin Savage.

Rec. Board President Kathy Hamilton spoke on behalf of the rec. board stating that he will be a great asset to the Board. He is the VP of the Delmont area athletic assoc., baseball coach, Forbes Road Volunteer Firefighter, he grew up in Salem Township and lives in Slickville. He has his clearances for working with children. He has been coming to the meetings and has been involved.

Kerry Jobe stated that The Recreation and Parks ordinance will be amended soon. The Greensburg Salem School District had two appointments on the Rec. Board. We talked about removing that for years. We received a letter from the School Board stating that they don't want to make those appointments anymore. All 7 members of the rec board will be appointed by the Board of Supervisors.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1K. Motion made by Ken Trumbetta and seconded by Kerry Jobe to advertise for the Salem Township Road Crew position.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

- 1L. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve the request of Gettysburg Land and Cattle Company, Inc to subdivide parcel number 57-15-00-0-068 containing approximately 160 acres into a proposed commercial lot for an event center

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and one existing single family residential lot. Approval is subject to the following conditions being met:

1. As per Section 502.H.4, amend the address of Gettysburg Land and Cattle Company in Note No. 16 to read:

Gettysburg Land and Cattle Company, Inc.

Registered Address

1607 Hanover Road

Gettysburg, PA 17325

Mailing Address

56 Flick Road

Hadley, PA 16130

2. A "Statement of Purpose" must to be added to the Plan to reference the proposed "event center" on the newly subdivided Lot 1 (Section 307.A.8).
3. The acreage must be shown on the Plan as Pre- and Post-acreage of the existing and subdivided parcels (Section 307.D.1).
4. A letter needs submitted to the Township for their approval to remove the parcel being subdivided from the Agricultural Security Area (Section 307.D.8).
5. The following sentences should be added to the end of Note 20 on the Plan (Section 307.E.1&10):

"By recording of this Plan, Owner, Robert W. Schlemmer, Jr. & Judith G. Schlemmer hereby create a permanent easement, over, upon, in and through Lot 2 in the Robert W. Schlemmer, Jr.

Plan of Lots recorded with the Recorder of Deeds of Westmoreland County at Instrument No.

201408150025914 for the construction, alteration, upkeep, maintenance, repair and replacement of the sanitary sewage conveyance system to service Lot 1 in the area shown on the plan. This easement shall burden the aforesaid Lot 2 in the Schlemmer Plan and benefit Lot 1 in the Gettysburg Land and Cattle Company Plan herein."

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6. The Certification of Title should be revised to add the following sentence (Sections 307.E.1&10):

“This plan requires an easement for sanitary sewage facilities to be provided on an adjoining parcel of land identified as Lot No. 2 in the Robert W. Schlemmer, Jr. Plan of Lots recorded with the Recorder of Deeds of Westmoreland County at Instrument No. 201408150025914, owned by Robert W. Schlemmer, Jr and Judith G. Schlemmer. Robert W. Schlemmer Jr. and Judith G. Schlemmer execute this plan solely for purpose of confirming and conveying the sanitary sewage easement referenced herein.”

7. A forty (40) foot front setback line off Route 22 for Lot 1 and Lot 2 needs shown on the plan (Sections 412.B, 307.E.5).
8. A fifteen (15) foot side and rear setback line for Lot 1 and Lot 2 needs shown on the Plan (Sections 412.D, 307.E.5).
9. As per Section 502.H.22, the following need amended:
- a. Remove from the Plan the first “Township Certification” that states: “Having satisfied the requirements of Salem Township Subdivision and Land Development Ordinance...etc.”. The second nomenclature stating: “APPROVED by the Board of Supervisors of Salem Township...etc.” is sufficient.
 - b. Amend the signature nomenclature for the Westmoreland County Planning Department as follows:

“This subdivision was reviewed and approved by the Westmoreland County Planning Department this ____ day of _____, 2024”

Attest : _____
Director, Westmoreland Planning Department

10. The Certification to be signed by the Officer of Gettysburg Land and Cattle Company, Inc. must be revised to eliminate the language dedicating streets and other improvements to the Township;

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11. The individual who will sign the plan for Gettysburg Land and Cattle Company, Inc. must be identified by their name and title on the Plan;
12. Robert W. Schlemmer and Judith G. Schlemmer must sign off on the plan for purposes of creating and confirming the proposed easement on their property;
13. A Planning Module for Lot 1 has been signed by the SEO. Township and DEP approvals are still required.
14. A Statement by the SEO needs submitted to the Township to be included with the Planning Module regarding how the approval of the *proposed* sanitary sewer facilities on Lot 2 in the adjacent Schlemmer Plan will impact Lot 2 and the *existing* on-lot sanitary sewage facility locations that appear on Lot 2 in the recorded Schlemmer Plan.
15. Note 3 has been added to the Plan addressing the HOP permit required prior to development of Lot 1 for access from Route 22.
16. A Statement must be added to the Plan to address the Solar Farm Lease of approximately 40 acres along Bowman Road on Lot 2 as per Instrument Number 202403250006959 indicating that no permits may be issued for the construction of the solar farm unless and until a land development application is filed and approved for same.
17. A Revision Number and Date must be shown the Plan.
18. Additional Solicitor's Comments - Add the following note to the Plan:

"Nothing in the Township's approval of this plan constitutes an approval for the development of the site. The Owner/Applicant acknowledges that the Site cannot be developed for an "event center", and no permits can be authorized for same, unless a land development plan is submitted to the Township and approved by the Board of Supervisors consistent with the Township's Subdivision and Land Development Ordinance."

Solicitor Falatovich clarified that this motion is for the subdivision only. A separate application will need to be submitted for the Land Development for the development of the event center.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

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1M. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve the request of Dorothy D'Aurora to remove .1787 acres from parcel 57-09-00-0-113 to create a side lot addition to parcel 57-09-00-0-104 owned by Jonathan & Brooke Russick. Approval is subject to the following conditions being met:

1. A Non-Buildable Waiver for Parcel A must be signed and submitted to the Township;
2. A "Statement of Purpose" must be added to the Plan (Section 307.A.8);
3. The subdivision name should be changed to "D'Aurora – Russick Side-Lot Addition Plan" on both Sheet 1 and Sheet 2 (Section 502.H.1);
4. The Name and Address of the Surveyor must be added to the Plan (Section 502.H.4);
5. The front "Building Setback Line" should be identified as thirty (30) feet off Kaufman Road (Sections 412.A and 502.H.11);
6. A Revision Number and Date must be shown on the Plan.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

1N. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve the request of Lisa Domke to subdivide parcel 57-09-00-0-139 into two separate lots identified as lot 3 and 4 on the plan. Approval is subject to the following conditions being met:

1. As per Section 502.H.4, the Name(s) and Address of the "Subdividers" in Note 20 on the Plan should be amended to read:

Lisa Domke, Frank Klasterka & Katelyn Klasterka – Owners
Daniel H. Kifer & Nancy M. Kifer – Life Tenants
c/o Lisa Domke
172 Valley Field Drive
Pittsburgh, PA 15239

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2. As per Section 502.H.7, all easements and the purpose for which the rights of way or easements have been established must be shown on the Plan, and the following statements should be added:

- a. The following sentences should be added to the end of Note 10 on the Plan:

“By recording of this Plan, Owners and Life Tenants hereby create a permanent easement, over, upon, in and through Lot 4 for the construction, alteration, upkeep, maintenance, repair and replacement of the sanitary sewage conveyance system to service Lot 3 in the area shown on the plan. This easement shall burden Lot 4 and benefit Lot 3.”

- b. The following additional “bullet point” must be added to Note 12 on the Plan:

“By recording this Plan, the Owners and Life Tenants hereby create a Permanent Easement over and through Lot 4 for ingress, egress and regress for Lot 3 to Porter Run Road in the area depicted on the Plan. Such easement shall burden Lot 4 and benefit Lot 3.”

3. The setback lines on Lot 4 need extended to show a thirty (30) foot front setback off Porter Run Road and a ten (10) foot side setback between Lot 4 and Lot 3 (Sections 412.A, 502.H.11).
4. The rear setback on Lot 3 needs amended to show ten (10) feet (Section 502.H.11).
5. A Planning Module for Lot 3 and Lot 4 has been signed by the SEO. Township and DEP approvals are still required.
6. According to the Owner's deed, Daniel H. Kifer and Nancy M. Kifer retained “life estates” in the property subject to this plan and must sign off under a separate Owner's Dedication as “life tenants on the real estate”.
7. As per Section 502.H.22, the Owner's Certifications need amended on the Plan to read:

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"Title to the real estate is recorded in the names of the aforesaid Owners and Life Tenants at Instrument No. ... (etc).

8. A Revision Number and Date must be shown on the Plan.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

10. Motion made by Ken Trumbetta and seconded by Kerry Jobe to approve the request of John Randall Koenig to create lot 4 (8.4801 acres) from the lands of John Randall Koenig bearing tax map no: 57-09-00-0-110. Approval is subject to the following conditions being met:

1. The "Statement of Purpose" needs amended to provide more information as follows:

"The purpose of this Plan is to create one (1) new buildable Lot (Lot 4) containing 8.4801 acres from the lands of John Randall Koenig (Map No: 57-09-00-0-110) for storage purposes only".

2. The following Note must be added to the Plan:

"Owner certifies that, although Lot 4 on the Plan is intended to be used or developed for commercial purposes, it is currently vacant and used only for storage. Any future use or occupancy of Lot 4 for any commercial purpose will be subject to Land Development Plan approval by the Township of Salem under its Subdivision and Land Development Ordinance prior to the issuance of any permits for construction upon or occupancy of same. Such approvals may include, but may not be limited to (1) Erosion & Sedimentation/NPDES Plan approval, (2) Stormwater Management Plan Approval, (3) SEO/DEP approval of the adequacy of sanitary sewer facilities, (4) PennDOT approval or confirmation of a Highway Occupancy Permit for the Property, and (5) Final Land Development Plan approval from the Board of Supervisors of Salem Township."

3. Label "Falcom Lane" as a private lane on the Plan (Section 502.H.12).
4. Verification from the SEO must be received by the Township as to the current status and use of the existing sewage facilities.

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5. A Revision Number and Date must be shown on the Plan.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

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- 1P. Motion made by Kerry Jobe and seconded by Ken Trumbetta to approve the request of Jeff Shaw to create 1 new building lot from tax map No. 57-14-00-0-397 and instrument number 2024012400001890 with the residue having an existing house and septic. Approval is subject to the following conditions being met:

1. The location of the private driveway to the existing dwelling must be labelled on the Plan (Section 502.H.12).
2. The following Note should be added to the Plan:

"The cul-de-sac shown on the plan extending from Otts Road into the property of Jeffrey Shaw was created by the "Ott and Shaw Plan" recorded with the Recorder of Deeds of Westmoreland County at Instrument No. 202311210030106 and is intended to encroach upon both the properties of Jeffrey Shaw and the Lot 2 Residual Tract in the areas depicted on the Plan to provide access from Otts Road to the Property of Jeffrey D. Shaw".

3. Lot 1 does not meet the two-hundred (200) foot minimum frontage requirement (Section 414.A.i):
 - a. A request for a Modification must be made in writing and approved by the Supervisors.

If granted, the following Note must be added to the Plan:

"By approval of this Plan the Board of Supervisors approves and grants a modification of the 200 foot minimum frontage of Section 414.A.i of the Subdivision and Land Development ordinance for Lot 1 in the Plan."

4. A Planning Module for Lot 1 has been submitted to the Township and signed by the SEO. Township and DEP approval is still required.

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5. Because proposed sanitary sewage facilities for Lot 1 are located on the Lot 2 Residual Tract, the following Note must be added to the Plan:

“By execution of this plan the Owners create an easement on, in under, over and through the “Lot 2 Residual Tract” for the construction, maintenance, repair and/or replacement of the “Sewage Disposal and Conveyance Facilities for the Primary and Back Up Sanitary Sewer System to Service Lot 1” in the area depicted on the Plan. Such easement shall burden the Lot 2 Residual Tract and benefit Lot 1. Such easement may be vacated and removed by agreement of the owners of Lot 2 and the Lot 2 Residual Tract in the event appropriate sewage facilities for Lot 2 are approved by the DEP within the boundaries of Lot 2.”

6. A Revision Number and Date must be shown on the Plan.

Solicitor Falatovich noted references to lot 2 in note 5 is a typo and it should be lot 1. Lot 2 Residual tract remains the same.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

2. COMMUNITY DEVELOPMENT –

Resident Eric Hageder asked for an update on Crabtree Sewage. The Supervisors responded by saying nothing is finalized but they are working to see what it will cost. Engineers have put together a review of the costs

for what areas will get sewage and which will not. The Engineers are putting together a presentation for the public and other stakeholders who need to make decisions to help fund this project. The presentation should be available by the next meeting.

3. SEWAGE

4. COMMITTEE REPORT

4A. Solicitor's Report -

1. Amendments to SALDO –

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Solicitor Falatovich – We are at the point where proposed changes to the SALDO can be referred to the Planning Commission for review. There are 5-6 different proposed changes to the SALDO. One of the changes is to establish escrow accounts to cover Solicitor and Engineer fees for land developments. Solicitor Falatovich requested Supervisor approval to forward the proposed changes to the Planning Commission to start the review process.

2. Lighting Ordinance discussion

The law changed with respect to billboards a couple years ago. The court system declared billboards are not a land development as we have been treating them. You can do a stand-alone lighting ordinance for billboards and signs in the township whether they are tied to a land development or not. The suggestion was made by Solicitor Falatovich to review the model ordinance along with the proposed changes to the SALDO

3. Request for comment on Zundel 2-acre subdivision in Ag Security Zone

The Westmoreland County Agricultural Land Preservation is giving the Township the opportunity to comment on Bob Zundel's request for a 2-acre subdivision of preserved land. Ag Security Zone can't be removed if in the preservation. You are permitted to subdivide one two-acre parcel for a family member or "worker" on preserved land – one time. Ag security is not attached to the owner, it is attached to the property. If it were sold, it would still be in the Ag Security Zone. Zundel sold his development rights in 2001. Nobody can ever build on it except for this one time. A resident asked if a planning module will be needed, Zundel stated it has already been perced. Septic has already been approved. Solicitor Falatovich mentioned that it will have to follow the Subdivision and Land Development Process.

Residents Debbie Perino and Lisa Segina expressed concerns with residents building in the township without permits.

- 4B. Treasurer's Report - submitted for the month ending July 31, 2024
- 4C. Park Initiative Report

4. OLD BUSINESS

Lisa Segina discussed whose responsibility it is to mow along the intersection of Rt 819/Boggs Hollow. The state says the mowing is the Townships responsibility because if the township road wasn't there, it wouldn't be a problem.

6. NEW BUSINESS

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7. ADJOURNMENT

7. Motion made by Ken Trumbetta and seconded by Kerry Jobe to adjourn meeting with the next meeting being a regular meeting to be held on September 18, 2024, at 7:00 P.M. at the Salem Township Municipal Building.

Vote: Bob Zundel, Ken Trumbetta and Kerry Jobe voted for the motion. Motion passed unanimously.

Time of adjournment: 8:30pm

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kelly Otto", enclosed within a dashed-line rectangular box.

Kelly Otto