I. OPENING PROCEDURES

A. Call to Order by President Smith at 7:07 p.m.

B. Roll Call

Council Members Present: Robert John Smith, President of Council; Charles A. Vogel, Vice-President of Council; Bart E. Bodkin, At-Large; Mark F. Rothert, Second Ward; Scott Frankowski, Third Ward; John R. Denny, Jr., Fourth Ward; Alan C. Templin, Fifth Ward

Also Present: Benjamin Kotys, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Brock McCandless, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Loren R. Kephart, Public Service Superintendent; James R. Farringer, Police Superintendent; Cathy Bubas, Manager’s Secretary

II. ANNOUNCEMENT

A. Executive Session of Tuesday, April 2, 2013 – Legal Matter

President Smith announced for the record that Council met at 7:00 p.m. on Tuesday, April 2, 2013 to conduct an Executive Session, during which time a proposed lease and operating agreement for the new community center was discussed. The Executive Session adjourned at approximately 8:00 p.m.

III. APPROVAL OF MINUTES

A. Council Workshop – March 5, 2013

B. Council Regular Meeting – March 12, 2013

C. Council Workshop – March 12, 2103

President Smith noted clarifications to the March 12, 2013 Workshop minutes.

Motion by Mr. Frankowski to approve the subject minutes as corrected was seconded by Mr. Templin and carried unanimously.
IV. **FINANCE**

A. Receipts and Expenditures Records – February 2013

Motion by **Mr. Rothert** to approve the February 2013 Receipts and Expenditures Records as presented was seconded by **Vice President Vogel** and carried unanimously.

B. Vouchers – March 2013

Motion by **Mr. Bodkin** to approve the March 2013 Vouchers as presented was seconded by **Mr. Templin** and carried unanimously. The Vouchers totaled $313,802.61.

C. Treasurer’s Report

**Treasurer Kotys** reviewed the Governmental Fund and Sanitary Sewer Fund revenue and expenditures and compared the activity to the same time the prior year.

V. **REPORTS**

A. Other Organizations and Agencies Reports

**Mr. Frankowski** presented a dividend check in excess of $42,000.00 received from Municipal Risk Management for workers’ compensation insurance. **Manager Jakubec** explained O’Hara Township participates in two municipal pools for insurance. Dividends are paid dependent upon claims submitted.

**Mr. Frankowski** recalled an informative presentation by Allegheny County Emergency Management during the Allegheny League of Municipalities (“ALOM”) Annual Conference at Seven Springs Resort. **Vice President Vogel** noted discussions concerning sewers during the conference and indicated the Township’s Feasibility Study is due July 1st. He also recalled ‘Ruth Ann’ from Gateway Engineers conducted a presentation regarding sewers and ran out of pamphlets. **Vice President Vogel** had requested the pamphlet to be forwarded to his email address. **Mr. Steinert, Jr., P.E.** indicated the Township is on schedule to have the Feasibility Study completed by July 1st.

**Vice President Vogel** noted a “Banner Community” program through ALOM, which the **Manager** indicated she would research.

B. Monthly Departmental Reports

**Mr. Bodkin** requested an update regarding a meeting with representatives of the Mattress Firm which **Mr. Steinert, Jr., P.E.** explained.

**Mr. Bodkin** inquired about responses to the new Waste Management recycling containers that had been delivered to residences. **Manager Jakubec** stated overall the new containers have been well received, though some elderly residents have expressed concerns. A meeting is being
coordinated with Waste Management and other municipalities to discuss the issues. In the meantime, the elderly may use the smaller, 18-gallon bins.

Mr. Bodkin requested an update regarding projects of interest through ARTEZ (“Allegheny River Towns Enterprise Zone”) which the Manager explained. Mr. Frankowski noted the new Director of ARTEZ is Iris Witworth.

President Smith inquired about the number of plumbing repair permits issued, which the Manager indicated she would clarify with the Code Official.

C. Manager’s Report

No comments.

VI. NEW BUSINESS

A. Ordinance – Introduction for First Reading

(1) Regulating the Keeping of Dogs and Cats and Providing for B-23-2013
Seizure, Impounding, Detention, and Related Costs for Said Actions

Manager Jakubec stated the Township’s current Ordinance No. 287, which prohibits dogs and cats from running at large, was adopted October 25, 1956. It is recommended that the ordinance be repealed in its entirety and a new ordinance enacted that reflects the State Dog Law. She indicated staff has recently received several calls with regard to cats being a nuisance and about leash laws. The Manager noted several websites recommend a six-foot length leash in order to keep a dog under control.

Vice President Vogel noted the current law treats dogs and cats the same. He did not support limiting the leash length to six feet and outlawing retractable leashes. He also referenced an organization that traps, neuters/spays the feral cats, and then releases the cats. It was noted cats are not required to have a license. Mr. Rothert questioned whether animals detained would be fed on weekends.

The consensus of Council was to table the proposed ordinance for further review.

B. Resolutions

(1) Granting Preliminary Planned Residential Development B-7-2013
Approval to Project V Located Along Saxonburg Boulevard

Manager Jakubec referenced a request received by Hampton Technical Associates on behalf of the applicant to table action on the plan pending discussion with the fire departments. President Smith read the letter. It was noted a meeting would be coordinated with the property owner,
Pleasant Valley Volunteer Fire Company, Parkview, Middle Road and Shaler Villa Volunteer Fire Departments.

(2) Medmen, 121 Freeport Road – Application for Conditional Use Approval

The Manager stated the application proposes the use of the existing building for medical offices. The Township Planning Commission reviewed the application at its March 11th scheduled meeting and has recommended Council approve the application. As required, a Public Hearing was conducted prior to this meeting to receive public comment.

Motion by Mr. Denny, Jr. to approve resolution Bill No. B-24-2013 was seconded by Mr. Frankowski and carried unanimously.

(3) Ashford Partners / O’Hara Capital Partners, O’Hara Commons – Application for Minor Subdivision

Manager Jakubec noted the application proposes the subdivision of Parcel 291-J-23 into two lots. As proposed the lots meet the minimum requirement for lot area. The Township Planning Commission completed its review of the Plan at the March 11th meeting and has recommended that Council approve the Plan subject to one condition.

Motion by Mr. Bodkin to approve resolution Bill No. B-25-2013 was seconded by Mr. Rothert.

Mr. Robert McCullin, Engineer for the project was in attendance. He explained the Township’s requirement of one building per lot is what spurred the subdivision. He noted a parking variance was granted by the Zoning Hearing Board.

On roll call, the motion carried unanimously.

(4) Ashford Partners / O’Hara Capital Partners, O’Hara Commons – Application for Preliminary Land Development

The Manager stated the application proposes the construction of a 52,920 square foot 3-story office building, parking accommodations, landscaping, lighting and stormwater management controls on the newly created lot. The Township Planning Commission completed its review of the Plan during its March 11th meeting and has recommended to Council that Preliminary Land Development approval be granted subject to thirteen (13) conditions.

Motion by Mr. Frankowski to approve resolution Bill No. B-26-2013 was seconded by Mr. Bodkin.

Vice President Vogel stated he is very familiar with the site and the majority of the newly created lot is hillside.
Mr. McCullin stated the new building will be built on pylons and the parking deck at the rear of the building will slope downward. It will be on a structural slab, with underground parking provided.

It was noted the hill has a 2:1 slope and the northern corner of the building will be approximately 40’ off the ground. Mr. McCullin indicated a lot of feasibility studies have gone into this project. He also stated the property owner has need for the office space. Mr. Steinert, Jr., P.E. did not believe the new building would be higher than the six-story office building in RIDC.

Vice President Vogel noted substantial erosion has occurred in the valley, and the concrete ditch is deteriorating. He strongly recommended Council visit the site. Mr. McCullin indicated Allegheny County Conservation District had been consulted. Mr. Steinert, Jr., P.E. stated all geotechnical information will be required when applying for the building permit.

On roll call, the motion carried unanimously.

(5) Authorizing the Request for Proposals to Design the Brownshill Road Bridge

Manager Jakubec referenced a memo from Township Engineer Chuck Steinert requesting authorization to request proposals for the engineering and design of a new Brownshill Road Bridge. The design will include widening the bridge.

Motion by Mr. Templin to approve resolution Bill No. B-27-2013 was seconded by Mr. Rothert.

It was noted the Township currently has the funds to engineer and design the new bridge. Construction costs would most likely be included with the Saxonburg Boulevard Sanitary Sewer bond issue.

Mr. Frankowski suggested using the Calmwood Bridge design. Mr. Steinert, Jr., P.E. indicated the design would be based on the Calmwood Bridge design, but would include two 12-foot widen lanes, but no sidewalks.

On roll call the motion carried unanimously.

(6) Appointing the Township’s Delinquent Earned Income Tax Collector and Authorizing Execution of Contract for Tax Collection Services

The Manager explained the resolution appoints Jordan Tax Service, Inc. as the Township’s delinquent earned income tax collector and authorizes the execution of a contract for said services. Currently Jordan Tax Service, Inc. collects delinquent earned income tax only from 2006 forward, for the Township. She noted concerns with Berkheimer, and stated Berkheimer decided not to be the Township’s delinquent tax collector without notifying the Township. The delinquent tax collector may change to Keystone Collections Group in the future, after the consolidation and standardization transition issues are resolved.
Motion by Mr. Frankowski to approve resolution Bill No. B-28-2013 was seconded by Mr. Bodkin.

The consensus of Council was to modify the resolution to appoint Jordan Tax Service, Inc. as the Township’s delinquent tax collector for a three-year period.

On roll call the motion carried unanimously.

VII. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Ms. Inga Miller, resident of Fox Chapel Mews, asked if the Township had received any paperwork from Blawnox regarding putting a sign in O’Hara Township. Manager Jakubec indicated the Township had not received any paperwork from Blawnox.

Mr. Tom Powers, Powers Run Road, questioned the purpose of the sign. Mr. Frankowski explained the sign as an entranceway “Welcome to Blawnox”.

Mr. Powers inquired about progress with ALCOSAN and asked if Shaler Township residences would have a chance to connect with the Township’s sewer line along Saxonburg Boulevard. Mr. Steinert, Jr., P.E. indicated a few homes in Shaler Township would have an opportunity to connect. Manager Jakubec indicated Senator Toomey had responded to the letter she had sent to ALCOSAN. She recalled ALCOSAN’s flow model was incorrect, and ALCOSAN is not tying another project to the Saxonburg sewers.

VIII. REVIEW AND DISCUSSION

A. Proposed Amendments to the Landlord Regulation Ordinance

Manager Jakubec recalled prior discussion concerning the proposed amendments to the ordinance and indicated she had researched the internet for other communities with such an ordinance. Based on prior discussion an appeal process has been added to the ordinance, and the checklist was reviewed and language added to address light bulb wattage.

Mr. Frankowski questioned the Township’s rental unit inspection fees, which the Manager explained to be based on time studies. The time studies are reviewed monthly.

President Smith recommended leaving the checklist to the discretion of the Code Enforcement Official, and inspections to occur once every two years. Mr. Templin indicated people that have rental properties and pass the inspection would prefer inspections to occur every four years. However, three years is a long time between inspections for a landlord that does not comply. Vice President Vogel preferred inspections to occur every two years with a possible extension to four years if the property passes inspection. Mr. Denny, Jr. agreed with Mr. Templin.

President Smith questioned how complaints from a tenant would be addressed. The Manager indicated the Code Official could investigate a complaint. If the landlord disagrees with the Code Official, the landlord could appeal to the Uniform Construction Code Board of Appeals.
The consensus of Council was to include the ordinance for consideration in May.

B. Update on ALCOSAN Issues

Previously discussed.

C. Solicitor’s March 6, 2013 Invoice

No comments.

IX. CONCERNS OF COUNCIL

Mr. Frankowski indicated the neighbors adjacent to the house that was recently demolished along Ravine Street are very happy. He verified a neighbor would be eligible to acquire the property through the Allegheny County Vacant Property Recovery Program.

Vice President Vogel commented that other members of Council did not attend the McDonald’s ground breaking.

X. CONCERNS OF STAFF

Manager Jakubec requested Council to remain after the meeting for an Executive Session to discuss potential issues involving the Public Utility Commission (“PUC”), the former Guyasuta Volunteer Fire Department, and the Community Center Association.

XI. ADJOURNMENT

Motion by Mr. Templin to adjourn the meeting was seconded by Vice President Vogel and carried unanimously. The meeting adjourned at 8:37 p.m.

Cathy Bubas, Manager’s Secretary

Attachment(s): Sign-In Sheet(s)