

**TOWNSHIP OF O'HARA  
COUNCIL REGULAR MEETING MINUTES  
NOVEMBER 14, 2017**

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I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:00 p.m.
- B. Pledge of Allegiance led by President Smith.
- C. Roll Call

Council Members Present: Robert John Smith, President; Charles A. Vogel, Vice President, Mark F. Rothert, Second Ward; Scott Frankowski, Third Ward; Allison Garcia, Fourth Ward; Cassandra Eccles, Fifth Ward

Absent: John R. Denny, Jr., At-Large

Also Present: Ted Curran, MBA, CMA, Treasurer, Julie A. Jakubec, CPA, CGMA, Township Manager; Daniel Garfinkel, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; James R. Farringer, Police Superintendent; Loren R. Kephart, Public Service Superintendent; Cathy Bubas, Manager's Secretary

II. RECOGNIZING EMPLOYEES WITH 20 YEARS OF SERVICE

- A. Ronald Heisel

President Smith noted Mr. Heisel was not in attendance. The consensus of Council was for President Smith to sign the letter to Mr. Heisel.

Ms. Eccles inquired about Mr. Heisel's job duties, which the Manager and Mr. Kephart explained.

III. APPROVAL OF MINUTES

- A. Council Combined Regular Meeting and Workshop – October 10, 2017

Motion by Ms. Eccles to approve the subject minutes as presented was seconded by Vice President Vogel and carried unanimously.

IV. FINANCE

- A. Vouchers – October 2017

Motion by Mr. Rothert to pay the subject vouchers as presented was seconded by Vice President Vogel and carried unanimously. The vouchers total \$380,721.04.

B. Receipts and Expenditures Records – September 2017

Motion by Mr. Frankowski to accept the subject receipts and expenditures records as presented was seconded by Mr. Rothert and carried unanimously.

C. Treasurer's Report

Mr. Curran stated the Township finances look good; revenue is in check to cover projects, such as emergency pump station work. Revenue is up by 1% and expenses are well controlled.

Manager Jakubec informed Council that the Township received AA rating from Moody's, which should be helpful when pursuing a bond for the Saxonburg Sewer Project.

The Manager also noted the fund balance is currently 10% and the proposed budget does not include any tax increases.

V. REPORTS

A. Other Organizations and Agencies Reports

None.

B. Monthly Departmental Reports

Vice President Vogel inquired about the purpose of the East Little Pine Creek pipe bursting. Manager Jakubec explained grant money that was expiring was used for the project. Mr. Steinert, Jr., P.E. stated 120 feet of 8" and 10" pipe was replaced in Lower Road. The project was completed.

Mr. Steinert, Jr., P.E. informed Council that the St. Mary's Cemetery Mausoleum proposal would be reviewed by Planning Commission next Monday. Manager Jakubec added that staff met with members of St. Mary's Cemetery last week and provided additional recommendations. She noted a proposal for a new Kerr Elementary School would also be formally reviewed by Planning Commission on Monday.

Ms. Eccles recalled a request for consideration of solar panels on the school. Mr. Steinert, Jr., P.E. noted the solar panels are not proposed at this time. The Manager stated a variance was requested from Zoning Hearing Board for setback, which was tabled pending comments from Planning Commission. Discussion continued with regard to slope, stormwater and parking. It was noted a Public Hearing would be scheduled to receive comments for conditional use approval.

Mr. Steinert, Jr., P.E. noted the school district indicated they had met with the residents. Manager Jakubec was not sure if the final plans were presented to residents. She expressed concern of exterior lights being an issue. Mr. Steinert, Jr., P.E. noted as proposed the lights do not have cutoffs.

Mr. Frankowski noted Allegheny County is losing population and asked is enrollment numbers were provided. Staff indicated enrollment was not provided. Mr. Frankowski acknowledged parents are home schooling children, which would decrease enrollment. Residents in the audience

recalled discussion topics with school district officials. Manager Jakubec stated she had shared with school officials that development is anticipated along Saxonburg Boulevard due to the sanitary sewer project.

Ms. Eccles noted O'Hara Elementary School is also increasing its footprint. Manager Jakubec noted new programs for the schools.

President Smith asked if the municipal building addition had begun. Mr. Steinert, Jr., P.E. confirmed and indicated the concrete slab would be poured this week or next.

C. Manager's Report

No comments.

VI. OLD BUSINESS

A. Ordinance – Second Reading and Adoption

- (1) Amending the Township Civil Service Rules and Regulations B-51-2017

Manager Jakubec stated the Township Civil Service Commission reviewed the Rules and Regulations and has offered recommendations to expedite the process to create an Eligibility List and modernize the regulations. The recommendations have been incorporated into the ordinance.

Motion by Mr. Rothert to adopt ordinance Bill No. B-51-2017 was seconded by Vice President Vogel and carried unanimously.

VII. NEW BUSINESS

A. Ordinances – Introduction for First Reading

- (1) Adopting the Township Budget for the Year 2018 B-55-2017

The Manager noted the ordinance adopts the proposed year 2018 Township budget of \$17,081,929. The proposed budget will be reviewed by Council during a special workshop scheduled for November 21<sup>st</sup>, and will most likely be changed before final adoption. She added no tax increases are anticipated; the proposed budget is 2.3% more than last year.

Motion by Vice President Vogel to introduce for first reading ordinance Bill No. B-55-2017 was seconded by Mr. Rothert and carried unanimously.

- (2) Enacting the Real Estate Tax Levy for the Year 2018 B-56-2017

Manager Jakubec stated the ordinance establishes the year 2018 Township real estate tax rate at 1.725 mills per the proposed year 2018 Township budget, which is the same millage rate as in 2017.

Motion by Mr. Frankowski to introduce for first reading ordinance Bill No. B-56-2017 was seconded by Ms. Eccles and carried unanimously.

President Smith questioned why the tax ordinances are introduced prior to Council's review of the budget, which Manager Jakubec explained. She also stated as of November 1<sup>st</sup> the budget document was on display for review per the Home Rule Charter. Mr. Frankowski noted the budget was not posted to the Township website. The Manager explained because Council has not officially reviewed the proposed budget yet.

- (3) Enacting the Earned Income Tax Levy Under Act 62 for the Year 2018 B-57-2017

The Manager noted the ordinance establishes the year 2018 earned income tax levy under Act 62 at .3%, the same rate as in 2017 and for the past fifteen years. Act 62 requires that the earned income tax levied under the Act be enacted each year. The Township also levies an earned income tax of .5% under Act 511, which does not have to be enacted each year.

Motion by Vice President Vogel to introduce for first reading ordinance Bill No. B-57-2017 was seconded by Mr. Rothert and carried unanimously.

- (4) Enacting the Real Estate Transfer Tax Levy Under Act 62 for the Year 2018 B-58-2017

Manager Jakubec stated the ordinance establishes the year 2018 real estate transfer tax levy under Act 62 at .5%. Act 62 requires that the transfer tax levied under the Act be enacted each year. The Township also levies a real estate transfer tax of .5% under Act 511, which does not have to be enacted each year.

Motion by Ms. Eccles to introduce for first reading ordinance Bill No. B-58-2017 was seconded by Ms. Garcia.

Manager Jakubec noted the Township budgets very conservatively, but when buildings in RIDC sell, Township revenues does very well.

The motion carried unanimously.

- (5) Establishing a Real Estate Tax Rebate Program for the Year 2018 B-59-2017

The Manager explained per Act 77 of 1993, as amended, the Township established a real estate tax rebate program for the last several years. The attached ordinance establishes the same program in 2018 as we had this year. Research has not produced a program that would be more beneficial to Township residents, as the laws are limited. The program as proposed allows for an eligible resident to receive a rebate of 25% of the increase in 2018 Township real estate taxes paid over the amount of taxes paid in 2017. She noted rebates rarely occur because the Township has not raised taxes.

Motion by Vice President Vogel to introduce for first reading ordinance Bill No. B-59-2017 was seconded by Mr. Rothert.

Vice President Vogel questioned if the referendum on the November 7<sup>th</sup> election ballot would affect tax rebates. Manager Jakubec stated the referendum amends the State Constitution. The

referendum could eliminate property taxes levied by local governments and school districts. Mr. Frankowski noted the State Legislature has to vote on the referendum yet and if it passes they have to find a way to replace that revenue. Manager Jakubec explained if the referendum is approved by the State Legislature, the State would decide on other sources of revenue to fund municipalities and school districts.

Ms. Eccles questioned the benefit of the referendum. Vice President Vogel stated it provides the ability to start changing property taxation.

The motion carried unanimously.

#### B. Resolutions

- (1) Establishing the 2018 Employee Contribution Rate for the Police Pension Plan B-60-2017

The Manager stated the resolution establishes the employee contribution to the police pension plan in 2018 at 3.0% of compensation. Without this action by Council, the employee contribution rate would be 5% of compensation as mandated by State law. She noted the police pension plan is fully funded, and the last distressed rating from the state was zero.

Motion by Mr. Rothert to approve resolution Bill No. B-60-2017 was seconded by Vice President Vogel and carried unanimously.

#### C. Motion

- (1) Approving the 2018 Council Meeting Dates and Time

Manager Jakubec referenced a corrected list of proposed 2018 Council meeting dates and time. She explained with the way the New Year's holiday falls, the Organizational Meeting changed from Tuesday to Wednesday, January 3<sup>rd</sup>.

Motion by Mr. Rothert to approve the 2018 Council meeting dates and time was seconded by Ms. Eccles and carried unanimously.

- (2) Amending the Recreational Fire Policy

The Manager referenced a copy of the Township's Annual Recreational Fire Permit Application with changes redlined based on information provided by Allegheny County Health Department. She recalled Council had approved a Recreational Fire Policy in May of 2008.

Motion by Vice President Vogel to adopt the amended Recreational Fire Policy was seconded by Mr. Rothert and carried unanimously.

- (3) Appointment to Township Civil Service Commission

Manager Jakubec stated Mr. James Stahl submitted his resignation from the Commission, creating a vacancy. She recalled Council had conducted interviews in September of Township residents

that had expressed an interest in serving on the Civil Service Commission. It is suggested that Council consider appointing Edward Joyce to fill the Civil Service Commission vacancy.

Motion by Mr. Frankowski to appoint Edward Joyce to the Township Civil Service Commission to fill the unexpired term of Mr. Stahl, was seconded by Vice President Vogel and carried unanimously. The term of office will expire the first Monday in 2022.

(4) Reappointment to the Fox Chapel Authority Board

The Manager stated Mr. Richard Sikon, representative on the Fox Chapel Authority Board, has requested Council to consider his reappointment to serve another five-year term.

Motion by Mr. Rothert to reappoint Mr. Sikon to serve a five-year term on the Fox Chapel Authority Board was seconded by Ms. Eccles and carried unanimously.

(5) Appointment to the Fox Chapel Authority Board

Manager Jakubec requested Council to table the subject motion to appoint Ms. Nancy Snider to the Fox Chapel Authority Board, as staff has been unable to contact Ms. Snider to confirm interest in serving on this Board. The consensus of Council was to table the motion until staff is able to confirm Ms. Snider is acceptable to the appointment.

## VIII. COMMUNICATIONS

### A. Citizens

Mr. George Stewart informed Council about the political divide and racial slurs by students on the Dorseyville buses. Vice President Vogel questioned if the buses have video cameras, which Ms. Eccles confirmed, as she has had to review a few of the videos. The Manager suggested Mr. Stewart contact Police Superintendent Farringer or herself to discuss.

### B. Council

Ms. Garcia informed staff about the Allegheny League of Municipalities' "Member Market Place", which is a new platform to post jobs, bids, meeting announcements, etc.

Manager Jakubec stated the Banner Community application was submitted.

Ms. Eccles noted recent news stories concerning sexual harassment and questioned if training for such issues was necessary for employees. Manager Jakubec did not think training to be necessary, as it is not tolerated.

Mr. Frankowski recalled paving work being done in his ward. Mr. Steinert, Jr., P.E. explained the contractor took on too many projects and with the low pricing, municipalities added more roads. He indicated the contractor would be paving on Saturday to try to get the work done.

Mr. Curran inquired about the quality of the new paving mix. Mr. Steinert, Jr., P.E. stated the paving material is a warm mix and has fibers in it. Manager Jakubec noted Woodshire Drive was done with a defective material and was redone with money from the bond.

Mr. James Zaenger, Greyfriar Drive, questioned the purpose of the fibers, which the Manager and Mr. Steinert, Jr., P.E. explained.

Ms. Eccles asked if the old In and Out Market had an apartment above the store that was grandfathered. The Manager was not aware of an apartment. Ms. Eccles requested staff to monitor the situation.

President Smith questioned how to address the RIDC Alliance requests. Manager Jakubec stated Council is scheduled to review the proposed budget next week, but the items are not programmed into the budget. The list of projects from RIDC Alliance would be reviewed during the budget review. The roads will be patched; extending the pedway from Freeport Road would have to be reviewed; extending the pedway to the mailbox is a possibility but a cost would need to be determined. She indicated at some point Council may want to consider installing sidewalks. Mr. Steinert, Jr., P.E. noted ADA compliance concerns with crossing roads. He stated two ramps were included for the pedway, which cost \$4,000 each, and are not exactly ADA compliant.

Ms. Garcia noted buses go into RIDC Park, but presumably people walking up from Freeport Road are also using the bus. She suggested inquiring about the bus route numbers riders are using, which may be interesting data for Port Authority. The Manager stated bus ridership numbers into RIDC Park have increased, but attributed it to new jobs. She was not aware of the bus routes that drop off people along Freeport Road. Vice President Vogel indicated it would be buses coming from Harmar. Other bus routes and drop-offs were discussed. Manager Jakubec stated the Solicitor has advised if the Township extends the pedway to be very mindful of ADA requirements.

President Smith stated RIDC is a good neighbor and recommended reviewing the RIDC Alliance's requests.

Ms. Eccles asked if the Township installed sidewalks in RIDC who would be responsible for maintaining the sidewalks. Manager Jakubec stated if the Township installs sidewalks the RIDC property owners would be assessed for the cost and they would be responsible for maintaining the sidewalk. The Township would be responsible for shoveling and salting sidewalks on Township property. The estimated costs for sidewalks in RIDC is \$2,000,000. She recalled the last time sidewalks were discussed with the Alliance, the business owners were not thrilled.

Vice President Vogel requested staff to obtain cost estimates for RIDC's list of projects. He also stated his walk to the bus stop is treacherous, but that is Penn D.O.T. Mr. Frankowski noted Penn D.O.T. has a new Executive Director and suggested staff contact the new Director.

Mr. Stewart stated concerning the high school communication issues, he reached out to other school districts but no response. He also contacted Dr. Freeman, Superintendent for the school district, but received no response. Manager Jakubec stated she has a meeting with school district officials tomorrow.

### C. Staff

Manager Jakubec requested Council to remain after the meeting for an Executive Session to discuss a potential legal matter.

IX. ADJOURNMENT

Motion by Vice President Vogel to adjourn the meeting was seconded by Ms. Eccles and carried unanimously. The meeting adjourned at 8:05 p.m. and following a short break Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary

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