

**TOWNSHIP OF O'HARA  
COUNCIL REGULAR MEETING MINUTES  
OCTOBER 15, 2019**

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I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:05 p.m.
- B. Pledge of Allegiance led by President Smith.
- C. Roll Call

Council Members Present: Robert John Smith, President of Council; Charles A. Vogel, Vice-President of Council; George H. Stewart, Second Ward; Scott Frankowski, Third Ward; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward; John R. Denny, Jr., At-Large

Also Present: Julie A. Jakubec, CPA, CGMA, Township Manager; Dan Garfinkel, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Scott K. Slagel, Police Superintendent; Loren R. Kephart, Public Service Superintendent; Cathy Bubas, Manager's Secretary

President Smith indicated the agenda is light. He also acknowledged State Representative Lori Mizgorski was in attendance.

II. FIRE PREVENTION WEEK

- A. Proclaiming October 6 – 12, 2019 as Fire Prevention Week

Manager Jakubec stated National Fire Prevention Week is acknowledged during the week of October 6<sup>th</sup> through October 12<sup>th</sup> this year. The 2019 Campaign Logo is "*Not Every Hero Wears a Cape. Plan and Practice Your Escape!*" She proceeded to read the Proclamation in its entirety.

Motion by Mr. Stewart to approve the Proclamation was seconded by Vice President Vogel and carried unanimously.

- B. Recognizing and Thanking the Township's Fire and Emergency Services Providers

Parkview Volunteer Fire Department/EMS	B-39-2019
Pleasant Valley Volunteer Fire Company	B-40-2019
Aspinwall Volunteer Fire Department	B-41-2019
Blawnox Volunteer Fire Company	B-42-2019
Fox Chapel Volunteer Fire Department	B-43-2019
Sharpsburg Volunteer Fire Department	B-44-2019

Motion by Mr. Frankowski to approve resolutions Bill Numbers B-39-2019 through B-44-2019, was seconded by Mr. Stewart and carried unanimously.

Each member of Council read the resolutions in their entirety. State Representative Mizgorski noted training available to volunteer fire fighters, as well as proposed legislation to provide certain benefits.

### III. BID OPENING

- A. Upper Powers Run Sanitary Sewer / Fox Chapel Interconnect and Village Drive / Dorseyville Road Sanitary Sewer Extension Projects

The Manager stated bids are scheduled for opening this evening for the subject contract.

Motion by Vice President Vogel to authorize the opening of bids received for the subject projects was seconded by Mr. Denny, Jr. and carried unanimously.

Township Engineer Chuck Steinert proceeded to open the bids. A bid tabulation sheet is attached to and made a permanent part of these minutes. Mr. Steinert, Jr., P.E. noted the budgeted allotment for the Powers Run Project is \$513,802 and \$186,305.80 for the Village Drive Project.

Treasurer Curran noted the last bid was the lowest in total, and questioned how the contract(s) would be awarded, which Mr. Steinert, Jr., P.E. explained.

President Smith advanced the agenda to address ordinance Bill No. B-37-2019, Authorizing the Refinancing of the Series 2014 Bonds, Issuing Series of 2019 Bonds and Incurring Additional Debt, to accommodate the representatives' schedules.

### VII. OLD BUSINESS

- A. Ordinance – Second Reading and Adoption

- (1) Authorizing the Refinancing of the Series 2014 Bonds, Issuing Series of 2019 Bonds and Incurring Additional Debt

Manager Jakubec stated the ordinance was prepared and submitted by Rob Brown, of Grogan Graffam, Bond Council. The ordinance authorizes the refunding of the Series 2014 bonds, refinancing the PennVest loans, the issuance of Series 2019 bonds, and incurring additional debt for various sewer projects. The blanks within the ordinance will be filled in once more details about the issue are known. She noted the additional debt of \$250,000 is primarily for the Cabin Lane Sewer Project.

Mr. Brown stated if Council approves the ordinance, the finance team will work toward the process of issuing 2019 Bonds and structure the bonds with flexibility to price. The ordinance establishes the legal requirements, which includes approval by the Department of Community and Economic Development.

Treasurer Curran noted the rates are low but the market is choppy, and questioned the strategy, which Mr. Antonio Masiti of PNC Capital Markets explained the purpose of the “not to exceed” clause.

Motion by Ms. Eccles to adopt ordinance Bill No. B-37-2019 was seconded by Mr. Stewart and carried unanimously.

IV. APPROVAL OF MINUTES

- A. Council Workshop – September 3, 2019
- B. Council Public Hearing – September 10, 2019
- C. Council Regular Meeting – September 10, 2019
- D. Council Special Workshop – September 17, 2019

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

V. FINANCE

- A. Vouchers – September 2019

Motion by Mr. Denny, Jr. to pay the subject Vouchers as presented was seconded by Mr. Stewart.

Mr. Stewart and the Township Treasurer presented questions which staff answered satisfactorily.

On voice vote the motion carried unanimously. The Vouchers total \$1,043,034.27.

- B. Receipts and Expenditures Records – August 2019

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

- C. Treasurer’s Report

Treasurer Curran stated overall finances look in line and did not pose any concerns. He noted the time and effort needed for shelter rental fees and refunds. Manager Jakubec stated no matter how the shelter rental fees are paid, it is a journal entry.

VI. REPORTS

- A. Other Organizations and Agencies Reports

Treasurer Curran reported the North Hills Council of Governments (“COG”) has scheduled a meeting for Thursday, as the Executive Director has retired. Interim measures will be taken. Manager Jakubec added that she would be stepping in to help with finances and the COG’s budget meeting.

Ms. Eccles inquired about the process to fill that position which the Manager explained.

Vice President Vogel recalled a Northern Basin Group meeting during which ALCOSAN, PA EPA, PA DEP and the Health Department discussed changes to the Administrative Consent Order (“ACO”). They are trying to accomplish having municipalities incorporate green infrastructure before storm water gets into the river. The ACO was extended ten more years. Manager Jakubec added that flow limits will be imposed on municipalities. O’Hara Township is ahead of the curve. The Township has had the sanitary sewer certification in place for years and has done flow monitoring twice.

Mr. Denny, Jr. questioned incentives for fee payers that do something to prevent it from going into the system. The Manager indicated the question is how is it getting in. Staff has discovered that some people have tied downspouts into the system.

Treasurer Curran suggested making broader information available to residents about water runoff and improvements. Manager Jakubec indicated she would search for public education information to include in the Newsletter.

Vice President Vogel referenced a letter received from Port Authority Transit (“PAT”) regarding changes to service in RIDC. They sent observers and decided to eliminate the P10 Route due to safety. He now has to drive to Harmarville to get the bus. Some people that work in RIDC depend on bus service. PAT made the changes without discussing with anyone.

State Representative Mizgorski suggested getting on the PAT Board Meeting agenda scheduled for the end of next week. She also indicated PAT would be coming to her office in a few weeks.

Vice President Vogel noted a lady he gets the morning bus with works at the Comfort Inn. PAT told her she could take another route which is longer and costs more. He recalled PAT claims people that take the bus park at the Comfort Inn. He stated his house is on the other side of the Comfort Inn so he walks through the parking lot. Vice President Vogel expressed concern of people losing their jobs if they cannot get transportation to work.

Mr. Denny, Jr. suggested the Township send a letter with the concerns to PAT. Manager Jakubec stated she provided copies of the letter with maps sent to PAT to State Senators and State Representatives. The map outlined a route for the P10 which made a loop and got back on Route 28. Vice President Vogel noted PAT said it would add too many miles and time. According to their data it would take four (4) minutes to make the loop.

State Representative Mizgorski stated she is on the Board and would not be in the audience. The information she was presented was mostly parking at the Comfort Inn.

Vice President Vogel indicated the people that work in RIDC will have to take the 91 to Freeport and wait for the 1 to come, and it only runs every half hour.

President Smith suggesting having Mr. Stewart and Ms. Berger keep working on it, as they are the Council representatives.

## B. Monthly Departmental Reports

Ms. Eccles commented about Police Officer Training.

Mr. Stewart inquired about a storm water facility in RIDC along Alpha Drive, which Mr. Steinert, Jr., P.E. explained.

Mr. Stewart asked if staff had found the source of the problem along Cabin Lane. Manager Jakubec stated the sanitary sewer pipe is undersized and needs to be upsized to 12”. Staff was trying to figure a solution for the storm water, which is not easy to retrofit.

President Smith asked if pipe bursting would help. Mr. Steinert, Jr., P.E. indicated they would pull 12” pipe through 8” line.

C. Manager's Report

Ms. Berger thanked the Manager for speaking with Waste Management about the truck breakdowns. The Manager noted it is a COG-wide problem. They are getting new trucks. She noted a liquid damages clause in the contract and would be enforcing it.

Mr. Denny, Jr. thanked staff for getting the Delafield Wall repaired.

VII. OLD BUSINESS

A. Ordinance – Second Reading and Adoption

- (1) Condemning Property Located at 911 Powers Run Road B-36-2019  
Under the Eminent Domain Code

Manager Jakubec stated negotiations to acquire property owned by Mary Kelly have not been successful. The Township is seeking to acquire the property in order to improve and maintain sanitary and stormwater sewer systems. She noted the house is no longer there and the parcel is not buildable. The parcel is located in a floodplain and is too small.

Motion by Mr. Stewart to adopt ordinance Bill No. B-36-2019 was seconded by Vice President Vogel and carried unanimously.

VIII. NEW BUSINESS

A. Resolutions

- (1) Acknowledging Receipt and Acceptance of the Revised B-45-2019  
Employees' Pension Plan Budget for the Year 2020

The Manager explained the Township pension actuary, Mockenhaupt Associates, has provided a revised appropriation for the employees' pension plan budget. The appropriation for 2020, referred to as the Minimum Municipal Obligation (MMO), for the employees' plan will be \$0 instead of the original \$18,119, according to the revised documentation. The pension plan is fully funded.

Motion by Mr. Denny, Jr. to approve resolution Bill No. B-45-2019 was seconded by Vice President Vogel and carried unanimously.

President Smith noted Council had previously discussed items on the agenda during a prior workshop.

- (2) Approving the Acquisition and Subsequent Disposition of B-46-2019  
Side Yard and Blighted Structure Application for Property  
Known as Lot and Block 291-R-19 Located Along Clifford  
Avenue

Manager Jakubec stated Raymond and Suzanne Johnston of Clifford Avenue are seeking to acquire dilapidated property adjacent to their property through the Allegheny County Vacant Property

Recovery Program. Mr. and Mrs. Johnston indicated the plan is to acquire the property to extend the side yard and maintain the property.

Motion by Vice President Vogel to approve resolution Bill No. B-46-2019 was seconded by Mr. Stewart.

Vice President Vogel stated this is the third property to be acquired under the County program. He recalled the County demolished the vacant house in the 1970's. The program allows for properties to get back on the tax rolls.

On roll call the motion carried unanimously.

- (3) Supporting a Citizens Commission for Legislative and Congressional Redistricting B-47-2019

The Manager recalled representatives of Fair Districts PA presented information to Council at the October 1<sup>st</sup> workshop with regard to fair voting districts and the formation of a citizen commission to oversee redistricting.

Motion by Ms. Eccles to approve resolution Bill No. B-47-2019 was seconded by Mr. Stewart.

Mr. Frankowski presented questions as to how the commission would be funded and a cost estimate, which Ms. Elizabeth Mullaugh, of Edgewood, explained. Mr. Frankowski indicated if there is a short-fall taxes would increase. He could not support something without knowing the cost.

Mr. Marco Attisano, Woodshire Drive, explained the resolution supports fair districts with having an 11-member commission to oversee redistricting and eliminate the politics. Fair Districts PA supports a process to be done in the public.

Mr. Frankowski questioned if the 11-members of the commission would be paid, which Ms. Mullaugh indicated a per diem is recommended.

Ms. Stacy Vernallis, Chapel Harbor, voiced her support of the resolution.

Vice President Vogel stated the resolution tells the legislature that the Township supports revising the current process.

Mr. Denny, Jr. asked if the legislation changes the Constitution. State Representative Mizgorski confirmed. She stated her role is to support Council, and she has supported this issue. However, her presence is not to pressure Council's decision.

Other items of discussion included how many municipalities have pass a resolution in support of the commission; and how are members of the commission selected. Mr. Frankowski was satisfied with the explanations.

Mr. Bart Bodkin, Fox Pointe, provided a copy of the House Bill to Council. He noted the seven Members of Council are telling the State what they want in the Township. He believed the issue

should be addressed through State Representatives. President Smith indicated initially he did not want to get involved, but Council is involved. He read the resolution in its entirety. On roll call the motion carried unanimously.

B. Motion

(1) Reappointments to Various Township Boards and Commissions

Bob Ward – Civil Service Commission  
Paul Iurlano – Fox Chapel Authority Board  
Joe Jablonski & Mary Lasher – Parks & Recreation Commission  
Chuck Bleil & Ed Crates – Planning Commission  
Don Lightner – UCC Board of Appeals

Manager Jakubec stated staff has contacted the Township resident volunteers currently serving on Township Boards and Commissions to determine continued interest in serving another term. All volunteers have responded favorably to serving another term.

Motion by Mr. Denny, Jr. to appoint the above-listed individuals to the respective Boards/Commissions, was seconded by Vice President Vogel and carried unanimously.

IX. OTHER BUSINESS

A. Solicitor's September 20, 2019 Invoice

Ms. Eccles presented questions regarding the subject invoice which staff answered satisfactorily.

X. COMMUNICATIONS

A. Citizens

No comments.

B. Council

Ms. Berger stated West 5<sup>th</sup> Street is subsiding in the middle of the road.

Mr. Frankowski inquired about the status of the mausoleum, which Mr. Steinert, Jr., P.E. indicated he would be meeting with the contractor tomorrow. The Manager noted an issue with the Certificate of Occupancy.

Ms. Eccles noted the old Kerr Elementary School Building is being demolished and asked if the school district hired another contractor. Staff was not sure if the school district hired a new contractor to demolish the old building.

C. Staff

Manager Jakubec recalled meeting with the fire companies prior to the meeting. The run cards will be revised through the County, and services will be excellent.

Vice President Vogel noted the O'Hara Fire Departments sat with County Emergency Services to review the run cards, which were subsequently presented to the other fire departments. A few tweaks were made and when everyone is happy the changes will be presented to the County.

Ms. Eccles expressed concern of the high school building being open at night time. Police Superintendent Slagel indicated he would be meeting with the School Director of Police and Security. He explained one of the issues is staffing and officers will be put on duty. He noted the high school sponsors lots of evening events.

President Smith asked if staff had sent a letter, which the Manager indicated not yet. She wished to discuss grinder pump options with Council. Manager Jakubec stated Chivers is agreeable to buying the grinder pumps with no markup cost. Residents could pay over time.

The consensus of Council was to have Chivers purchase the grinder pumps and allow residents to pay for the pumps over time.

#### XI. ADJOURNMENT

Motion by Mr. Stewart to adjourn the meeting was seconded by Vice President Vogel and carried unanimously. The meeting adjourned at 9:40 p.m. and following a short break Council entered into Executive Session to discuss a legal matter.

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Cathy Bubas, Manager's Secretary

Attachments: Sign-In Sheet  
Bid Tabulation