

**TOWNSHIP OF O'HARA**  
**COUNCIL REGULAR MEETING MINUTES**  
**JANUARY 14, 2020**

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I. OPENING PROCEDURES

A. Call to Order by Vice President Vogel at 7:20 p.m.

B. Roll Call

Council Members Present: Charles A. Vogel, Vice-President of Council; George H. Stewart, Second Ward; Scott Frankowski, Third Ward; Allison Garcia, Fourth Ward; Cassandra Eccles, Fifth Ward

Absent: Robert John Smith, President of Council; John R. Denny, Jr., At-Large

Also Present: Ted Curran\*, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Brendan Lucas, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Loren R. Kephart, Public Service Superintendent; Ben Wolfson, Police Sergeant; Cathy Bubas, Manager's Secretary

\* denotes late arrival

II. FINANCE

A. Vouchers – December 2019

Motion by Mr. Frankowski to approve the subject Vouchers was seconded by Mr. Stewart.

Ms. Eccles and Mr. Stewart presented questions which staff answered satisfactorily.

On voice vote the motion carried unanimously. The Vouchers total \$907,403.87.

B. Receipts and Expenditures Records – November 2019

Motion by Mr. Stewart to accept the subject Receipts and Expenditures Records was seconded by Ms. Eccles and carried unanimously.

C. Treasurer's Report

Treasurer Curran was not in attendance.

### III. REPORTS

#### A. Other Organizations and Agencies Reports

Mr. Stewart noted he and Ms. Berger have been working with the RIDC Business Alliance. The most recent concern is mud on the roads from the Alpha Drive and Freeport Road strip mall construction site. After he spoke with the contractor, the contractor informed him of plans to extend the rock at the entrance and add gravel throughout the site so trucks to not track mud off site. Mr. Steinert, Jr., P.E. and Mr. Kephart indicated they did not see mud on the road at 3:00 p.m. Mr. Stewart had seen mud on the road earlier in the day. Manager Jakubec stated the mud on the road must be cleared by the end of the day.

Mr. Steinert, Jr., P.E. asked if the roads are falling apart in RIDC, which Mr. Stewart noted pot holes on Alpha Drive. Mr. Steinert, Jr., P.E. stated the pot holes have been patched. Mr. Stewart suggested also doing some crack sealing. Manager Jakubec stated the issue with the roads is SuperPave. She also recalled talking with RIDC about crack sealing and patching.

Treasurer Curran arrived at 7:23 p.m.

Vice President Vogel stated he would not be available to meet next week with the Fire Funding Committee. Manager Jakubec indicated she would reach out to Chief Ed Michalowski about rescheduling the meeting, or possibly a Council replacement representative. Ms. Eccles volunteered.

#### B. Monthly Departmental Reports

Ms. Eccles referenced the Police Department Report and inquired about ‘drug equipment violations’, which Sergeant Wolfson explained.

Mr. Stewart inquired about the Keystone Street paving, which the Manager noted the Township participated with Shaler Township since the one side of the road is located in Shaler Township and the other side of the road is located in O’Hara Township.

Mr. Stewart inquired about the HVAC boxes at Kerr Elementary School. Manager Jakubec indicated it needed to be addressed as part of the Temporary Certificate of Occupancy, and was clearly communicated to the School District. She also was on site for the inspection.

Mr. Stewart asked Mr. Steinert, Jr., P.E. about the status of RedZone. Mr. Steinert, Jr., P.E. noted a lot of sewer rehabilitation work has been done. RedZone inspects the sewer lines and provides video to show the work has been done.

Mr. Stewart questioned why the grant application submitted for Powers Run was not granted. Mr. Steinert, Jr., P.E. stated the grant application was for stream bank restoration. No reasons are given when grants are denied. Manager Jakubec added that Lennon Smith Souleret is investigating options to stabilize the stream bank. She also indicated staff would apply for other grants.

Mr. Stewart inquired about the status of the Squaw Run Watershed study. Manager Jakubec indicated Lennon Smith Souleret has done the study and the report should be available by May or June.

C. Manager's Report

No questions or comments.

Vice President Vogel noted the arrival of Treasurer Curran and requested the Treasurer's Report.

Treasurer Curran indicated it appears revenue is coming in on schedule.

Vice President Vogel explained the following agenda items were previously discussed at a prior workshop.

IV. OLD BUSINESS

A. Ordinance – Second Reading and Adoption

- (1) Adopting the Amended and Restated Township Zoning Ordinance B-48-2019

Motion by Mr. Stewart to adopt ordinance Bill No. B-48-2019 was seconded by Ms. Eccles.

Manager Jakubec recalled the Township Planning Commission, Council and staff have worked to update and incorporate amendments to the Township Zoning Ordinance. Comments received from Allegheny County Economic Development's review of the proposed ordinance were also reviewed and implemented accordingly. The proposed ordinance has been posted to the Township website for public review, and updated as subsequent changes/revisions occurred. A Public Hearing was conducted this evening to receive public comments on the proposed ordinance.

On roll call the motion carried unanimously.

V. NEW BUSINESS

A. Ordinance

- (1) Accepting Dedication of Property Along Field Club Ridge Road B-1-2020

Motion by Mr. Stewart to introduce ordinance Bill No. B-1-2020 was seconded by Mr. Frankowski.

The Manager explained the ordinance authorizes the execution of documents related to accepting a Deed of Dedication of the hammerhead constructed by the Township and reimbursed by Massucci for the Field Club Estates Plan of Lots.

On roll call the motion carried unanimously.

B. Resolutions

- (1) Granting Conditional Use Approval to the Pringle Duplex Plan B-2-2020

Motion by Mr. Frankowski to approve resolution Bill No. B-2-2020 was seconded by Mr. Stewart.

Manager Jakubec recalled the Township Planning Commission completed its review of the subject Conditional Use Application and has recommended to Council that the conditional use be approved. A Public Hearing to receive public comments was conducted this evening to receive public comments.

On roll call the motion carried unanimously.

- (2) Granting Final Land Development Approval to the Chick-fil-A Plan B-3-2020

Motion by Mr. Frankowski to approve resolution Bill No. B-3-2020 was seconded by Ms. Berger.

The Manager recalled the Township Planning Commission completed its review of the subject application at its December 16<sup>th</sup> meeting and has recommended to Council that the plan be approved subject to six remaining conditions as noted in the attached proposed resolution.

Ms. Eccles acknowledged two traffic studies have been done, but she does not believe the study results. She questioned the representatives of Chick-fil-A Restaurant that were in attendance if the Township finds in two years that the restaurant has caused an issue with traffic, would they be willing to do something to help remediate the issue, which Mr. David DiGioia, Traffic Engineer of McMahan Associates, and Mr. Rob Garvin, Attorney representing Chick-fil-A, indicated they would. She noted her concern is cars on Freeport Road.

Mr. DiGioia stated the study was approved by Penn D.O.T. since Freeport Road is a State road. Any impact that is not anticipated would be studied to determine if it could be caused by Chick-fil-A and not another development. Mr. Garvin stated if a problem arises on or off site as a result of the Chick-fil-A Restaurant, they would be willing to sit down with staff and work something out.

Mr. Stewart and Vice President Vogel encouraged the Chick-fil-A Restaurant to eliminate the Styrofoam, or make sure it ends up in the receptacles.

Treasurer Curran inquired of any luck on getting a supermarket to occupy space in the Plaza. Mr. Alex Condron, property owner, stated he continues to negotiate with two potential businesses, of which one is food-based. He has prepared letters of intent. The food-based business would be different than the traditional supermarket. He advised people to go to their favorite food market and suggest they consider opening a store in the Plaza.

Mr. Cliff Mattson of Chick-fil-A, referenced a study on Styrofoam around the country, which indicates guests do prefer Styrofoam cups. It will be up to the Chick-fil-A owner to eliminate or

continue using the Styrofoam cups. Manager Jakubec requested Chick-fil-A to notify the Township when they know who the new owner will be.

Mr. Stewart inquired about the availability of gluten-free foods at Chick-fil-A Restaurants. Mr. Mattson stated the restaurants have several fryers for French fries, which are cooked in peanut oil. The French fries do not have any contact with breading.

On roll call the motion carried unanimously.

Mr. Garvin complimented staff for their willingness to work with them to resolve concerns or issues.

## VI. COMMUNICATIONS

### A. Citizens

Mr. Richard Heath, Fox Pointe Place, recalled a discussion about revising traffic lights along Freeport Road through Blawnox, Aspinwall and Sharpsburg. Manager Jakubec stated Penn D.O.T. will begin revising the traffic signals in Harmar Township.

Mr. Tom Powers, Powers Run Road, presented items that are more than 100 years old, noting Fox Chapel Road was called Squaw Run Road. He referenced a County proposal from 1911 to put Fox Chapel Road on its current course, and put out for bid. The project was completed in 1913. Mr. Powers continued to explain the history of Fox Chapel Road and Squaw Run Road. Vice President Vogel recalled at one time the County and State maps did not agree. Mr. Powers and Council continued down memory lane.

Ms. Alex Paul, a representative on behalf of the U.S. Census Bureau, explained she is in charge of the census tract for O'Hara. She is in need of census takers, particularly in the Powers Run Road area. She noted flexible hours up to 35 hours a week and pay of \$23.00 an hour. People interested can apply on line. Ms. Paul also asked if Council had any suggestions to assist in obtaining census takers. Vice President Vogel suggested talking with the Lauri Ann West Community Center, Manager Jakubec suggested contacting Senator Lindsey Williams' office, volunteer fire departments and the school district as graduating seniors may be interested in summer work. Ms. Eccles indicated she would post information on the Falconhurst neighborhood website.

### B. Council

No comments.

### C. Staff

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

VII. ADJOURNMENT

Motion by Ms. Eccles to adjourn the meeting was seconded by Ms. Berger and carried unanimously. The meeting adjourned at 8:12 p.m. and following a short break Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary