

**TOWNSHIP OF O'HARA
COUNCIL WORKSHOP
SEPTEMBER 5, 2023
7:00 P.M.
AGENDA**

I. Opening Procedures

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

II. Visitor

- A. Representatives from Cooper Siegel Library

III. Citizen Comments Concerning Non-Agenda Items

IV. Review and Discussion

- A. Request for Transfer of Liquor License into the Township (a)

Attached is a letter dated August 30, 2023 received from Caputo Law Office on behalf of Viva La Vida Restaurant, LLC requesting an inter-municipal transfer of restaurant liquor license No. R-5655 from Virk Yilmaz, LLC, 5440 Center Avenue, Pittsburgh, PA 15232 to Viva La Vida Restaurant, LLC, 1141 Freeport Road, Pittsburgh, PA 15238. Also attached is a proposed resolution approving the liquor license transfer. A Public Hearing is scheduled for September 19, 2023 prior to the Special Council Workshop to receive public comments concerning the request. If acceptable, the attached proposed resolution will be included on the September 19th Special Workshop Agenda for consideration.

- B. Discussion of General Concept of Residential Meadows (a)

Township resident Sanford Leuba has requested discussion with Council concerning front yard meadows. Attached is information Mr. Leuba has provided.

- C. Request from Pashek to Allow Working with RIDC (a)

Attached is an email from Jenni Easton of Pashek MTR indicating RIDC has requested them to prepare a scope of tasks and fees for a Park Master Plan. Council would need to grant permission for Pashek MTR to work with RIDC.

- D. Opting to Participate in Community Development Block Grant Funding (a)

Under federal regulations, the Township has a choice to opt-out or opt-in to the Community Development Block Grant Funding programs. It is recommended that the Township opt-in to not only provide grant funding opportunities, but also for eligible Township residents to apply for low-interest home-improvement programs. Due to time constraints, Council

is requested to consider action on the attached proposed resolution this evening. If acceptable, a motion will be needed to approve resolution Bill No. B-29-2023 followed by a second to the motion and a **roll call vote**.

E. Requesting Authorization to Execute an Agreement with the Commonwealth of Pennsylvania for Winter Road Maintenance (a)

Information was received from Penn D.O.T. regarding reimbursement to the Township for winter road maintenance of State roads, which include Kittanning Pike, Dorseyville Road from Kittanning Pike to Sharpshill Road, Sharpshill Road, Seifried Lane, Kirkwood Drive and Powers Run Road from Freeport Road to the Fox Chapel Borough border. Attached are the agreement with the Commonwealth of Pennsylvania Department of Transportation and a proposed resolution authorizing the execution of the agreement. If acceptable, the resolution will be included on the September 12th regular meeting agenda for consideration.

F. Requesting Authorization to Award Contracts Through the North Hills Council of Governments for Sanitary Sewer Rehabilitation (a)

Per the Allegheny County Health Department Administrative Consent Order (“ACO”), the Township is required to maintain its sanitary sewer lines. The North Hills Council of Governments received bids for its annual sanitary sewer repairs contracts on August 24th. Township Engineer Chuck Steinert is requesting authorization to execute the necessary contracts on an as needed basis for sanitary sewer repairs in order to comply with the ACO. The estimated cost for repairs has been between \$200,000 and \$300,000 in past years. If acceptable, the attached proposed resolution will be included on the September 12th regular meeting agenda for consideration.

G. Employee Pension Plan Budgets for the Year 2024 (a)

The Township is required by law to establish an appropriation in each year’s budget for police and employee pension plans. The appropriation for 2024, referred to as the Minimum Municipal Obligation (MMO), will be \$0 for the non-uniform defined benefit plan, \$55,000 for the non-uniform defined contribution plan, and \$221,212 for the police plan according to the attached documentation received from our pension actuary, Mockenhaupt Associates. Pension aid money received from the state typically covers the MMO. The attached resolution acknowledges the receipt and acceptance of the 2024 budget appropriation for the employees’ pension plans. If acceptable, the attached proposed resolution will be included on the September 12, 2023 regular meeting agenda for consideration.

H. Establishing the 2024 Employee Contribution Rate for the Police Pension Plan (a)

The attached resolution establishes the employee contribution to the police pension plan in 2024 at 3.0% of compensation. Without this action by Council, the employee contribution rate would be 5% of compensation as mandated by State law. If acceptable, the attached proposed resolution will be included for consideration on the September 12th regular meeting agenda.

I. Designating Trick-Or-Treat Night in the Township

Staff will soon begin receiving phone calls inquiring about when Trick-Or-Treat is scheduled in the Township. Traditionally Trick-Or-Treat has been on Halloween between 6:00 and 8:00 p.m. If acceptable, a motion will be included for consideration on the September 12, 2023 regular meeting agenda.

J. Solicitor's July 19 and August 11, 2023 Invoices (a)

Attached are the subject invoices for review.

K. Proposed September 12, 2023 Regular Meeting Agenda (a)

Attached is the proposed September 12, 2023 Regular Meeting Agenda for Council's review and approval.

VI. Concerns of Council

VII. Concerns of Staff

VIII. Adjournment

IX. Executive Session – Labor and Legal Matters

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA COUNCIL
APPROVING THE TRANSFER OF RESTAURANT LIQUOR LICENSE
NO. R-5655 INTO THE TOWNSHIP OF O'HARA FROM THE CITY OF
PITTSBURGH**

WHEREAS, Act 141 of 2000 (the "Act"), which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of Restaurant Liquor Licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in the Township of O'Hara, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

WHEREAS, the Act requires the applicant to obtain from the receiving municipality a resolution approving the inter-municipal transfer of the liquor prior to an applicant's submission of an application to the Pennsylvania Liquor Control Board; and

WHEREAS, the Liquor Code stipulates that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to make comments regarding applicant's intent to transfer a liquor license into the receiving municipality; and

WHEREAS, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a liquor license into the receiving municipality.

NOW, THEREFORE, BE IT RESOLVED, that Viva La Vida Restaurant, LLC has requested the approval of the Township of O'Hara Council for the proposed transfer of a Pennsylvania Restaurant Liquor License No. R-5655, currently owned by Virk Yilmaz, LLC, 5440 Center Avenue, Pittsburgh, PA 15232 to Viva La Vida Restaurant LLC for restaurant facilities within the Township of O'Hara to be located at 1141 Freeport Road, O'Hara Township, Allegheny County, Pennsylvania with the understanding that the liquor license will be transferred to only that location. Further, said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

BE IT FURTHER RESOLVED, that the Township of O'Hara Council has held a properly advertised public hearing pursuant to the notice provisions of Section 102 of the Liquor Code to receive comments on the proposed liquor license transfer; and

BE IT FURTHER RESOLVED, that the Township of O'Hara Council approves, by adoption of this Resolution, the proposed inter-municipal transfer of restaurant liquor license No. R-5655 into the Township of O'Hara by Viva La Vida Restaurant, LLC; and

BILL NO. _____

RESOLUTION NO. _____

BE IT FURTHER RESOLVED that transfers, designations and assignments of licenses hereunder are subject to approval by the Pennsylvania Liquor Control Board.

DULY ADOPTED this ____ day of _____, 2023, by the Township of O'Hara Council, Allegheny County, Pennsylvania, in lawful session duly assembled.

ATTEST:

TOWNSHIP OF O'HARA

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

Adopted _____

PROPOSED - 9/15/2023

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA AUTHORIZING THE
TOWNSHIP'S INCLUSION IN THE ALLEGHENY COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME
INVESTMENT PARTNERSHIP PROGRAMS FOR THREE PROGRAM
YEARS - 2024, 2025 AND 2026**

WHEREAS, Title I of the Housing and Community Development Act of 1974, as amended, has established the Community Development Block Grant Program ("CDBG"); and

WHEREAS, the National Affordable Housing Act of 1990, as amended, has established the HOME Investment Partnerships Program ("HOME"); and

WHEREAS, the United States Department of Housing and Urban Development ("HUD"), has determined that the County of Allegheny (the "County"), has the powers to qualify as an "urban county" under the CDBG Program and the HOME Program; and

WHEREAS, the Attorney General of the Commonwealth of Pennsylvania has issued a legal opinion that the County can undertake essential community development and housing assistance activities within the jurisdiction of the Township of O'Hara (the "Municipality") only upon the consent of said Municipality; and

WHEREAS, the County, through its Department of Economic Development, has requested the Municipality give its consent for the County to undertake essential community development and housing assistance activities within the Municipality from annual CDBG grants and HOME funds for program years 2024, 2025, and 2026; and

WHEREAS, the Township of O'Hara is willing to give its consent for the County to undertake the aforementioned activities within its jurisdiction for program years 2024, 2025, and 2026, and to include the Township of O'Hara's population as part of the threshold population figure necessary to qualify the County as an "urban county".

NOW THEREFORE BE IT RESOLVED:

1. The Township of O'Hara is hereby authorized to enter into a Cooperation Agreement with Allegheny County for the County to undertake essential community development and housing assistance activities within the Township of O'Hara from annual CDBG grants and HOME funds received by Allegheny County from HUD for the program years 2024, 2025, and 2026.
2. The appropriate officers and officials of the Township of O'Hara are hereby authorized to take whatever actions are necessary to effectuate this Resolution.

BILL NO. _____

RESOLUTION NO. _____

RESOLVED this ___ day of _____, 2023 by Council vote of ___ to ___.

TOWNSHIP OF O'HARA

ATTEST:

Robert John Smith
President of Council

Julie A. Jakubec, CPA, CGMA
Township Manager

PROPOSED - 9/5/2023

Adopted: _____

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA, ALLEGHENY
COUNTY, PENNSYLVANIA, AUTHORIZING THE EXECUTION OF A
FIVE-YEAR WINTER MAINTENANCE AGREEMENT WITH THE
COMMONWEALTH OF PENNSYLVANIA**

BE IT RESOLVED, by authority of the Council of the Township of O'Hara, Allegheny County, and it is hereby resolved by authority of the same, that the Council of the Township of O'Hara authorizes and directs the Township Manager to execute the attached Agreement with the Commonwealth of Pennsylvania Department of Transportation on behalf of the Township of O'Hara Council.

RESOLVED by Council vote of ___ to ___ on _____, 2023.

TOWNSHIP OF O'HARA

ATTEST:

Julie A. Jakubec, CPA, CGMA

Robert John Smith
President of Council

(SEAL)

I, Julie A. Jakubec, Township Manager of the Township of O'Hara, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of the Council held the ___ day of _____, 2023.

DATE: _____

By: _____
Julie A. Jakubec, CPA, CGMA
Township Manager

Adopted _____

Attachment: Agreement



Township of O'Hara

325 Fox Chapel Road • Pittsburgh, PA 15238 • Telephone: 412-782-1400 • Fax: 412-782-4530

Township Council

Robert John Smith
President

Cassandra R. Eccles
Vice President

Richard S. Hughes
George H. Stewart
Michael F. Hammill
Olivia T. Payne
John R. Denny, Jr.

Township Manager

Julie A. Jakubec, CPA, CGMA

August 30, 2023

North Hills Council of Governments
300 Wetzel Road, Suite 201
Glenshaw, PA 15116

Dear Ms. Eklund:

Please find the attached the Tabulations of Bids for the 2023-2024 Sewer Rehabilitation Items.

The following is intended to serve as a general summary and comparison of costs received for 2023-2024.

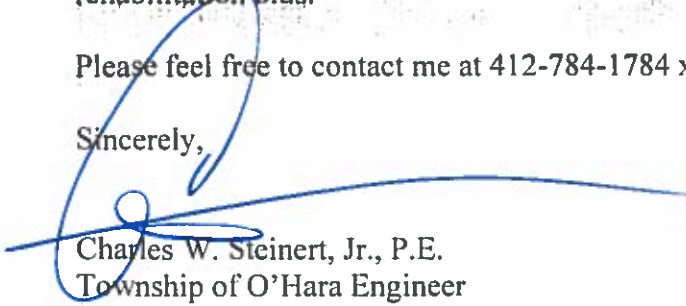
Contract A	Grouting	Same as 2022-2023
Contract B	Cured-in-Place	Minor increase over 2022-2023
Contract C	CCTV and Cleaning	Same as 2022-2023
Contract D	Sliplining	Same as 2022-2023
Contract E	Pipe Bursting	Same as 2022-2023
Contract F-1	Open Cut Daily Rate	Same as 2022-2023
Contract F-2	Open Cut Spot Installation	Same as 2022-2023
Contract F-3	Open Cut Pipe Replacement	Same as 2022-2023
Contract G	Trenchless Sectional Repairs	Same as 2022-2023
Contract H	Chemical Root Control	No 2022-2023 Bids to compare
Contract I	Manhole Rehabilitation	Same as 2022-2023

The Contracts have remained the same for Contract years 2023-2024. After reviewing the bids, I recommend that Contracts A, C, D, E, F-1, F-2, F-3, G and I be awarded to State Pipe Services, Contract B be awarded to Insight Pipe Contracting and Contract H be awarded to Dukes Root Control.

I hope the attached tabulation and summary provides an adequate evaluation of the sewer rehabilitation bids.

Please feel free to contact me at 412-784-1784 x 217 for any questions.

Sincerely,


Charles W. Steinert, Jr., P.E.
Township of O'Hara Engineer

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY, PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA AUTHORIZING THE
AWARD OF SANITARY SEWER REHABILITATION BIDS RECEIVED
BY THE NORTH HILLS COUNCIL OF GOVERNMENTS**

WHEREAS, the North Hills Council of Governments received bids on August 24, 2023 for sanitary sewer rehabilitation work, including slip-lining, testing and grouting of joints, trenchless technology repairs, manhole repairs, cleaning and CCTV work; and

WHEREAS, upon review of the bids, it has been determined that the bids received by the North Hills Council of Governments are the lowest and most responsible bidders.

NOW, THEREFORE BE IT RESOLVED that the bids received by the North Hills Council of Governments for sanitary sewer rehabilitation are awarded based on the attached list of bid unit prices.

RESOLVED BY Council vote of ___ to ___ on _____, 2023.

TOWNSHIP OF O'HARA

ATTEST:

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

Adopted _____

Attachment

BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA ACKNOWLEDGING
THE RECEIPT AND ACCEPTANCE OF THE ANNUAL POLICE AND
MUNICIPAL EMPLOYEE PENSION BUDGETS**

WHEREAS, the Municipal Pension Funding Standard and Recovery Act (ACT 205) requires submission of budgets for the Township Police and Municipal Employee pension plans to the elected legislative body each year; and

WHEREAS, the chief administrative officer presented the 2024 budgets to Council for action upon the receipt of financial data from the Township's actuarial consultants.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Township of O'Hara that the 2024 budgets, as attached, for the police and municipal employee pension plans are hereby acknowledged and accepted as to the minimum municipal obligations.

RESOLVED by Council vote of ___ to ___ on _____, 2023.

TOWNSHIP OF O'HARA

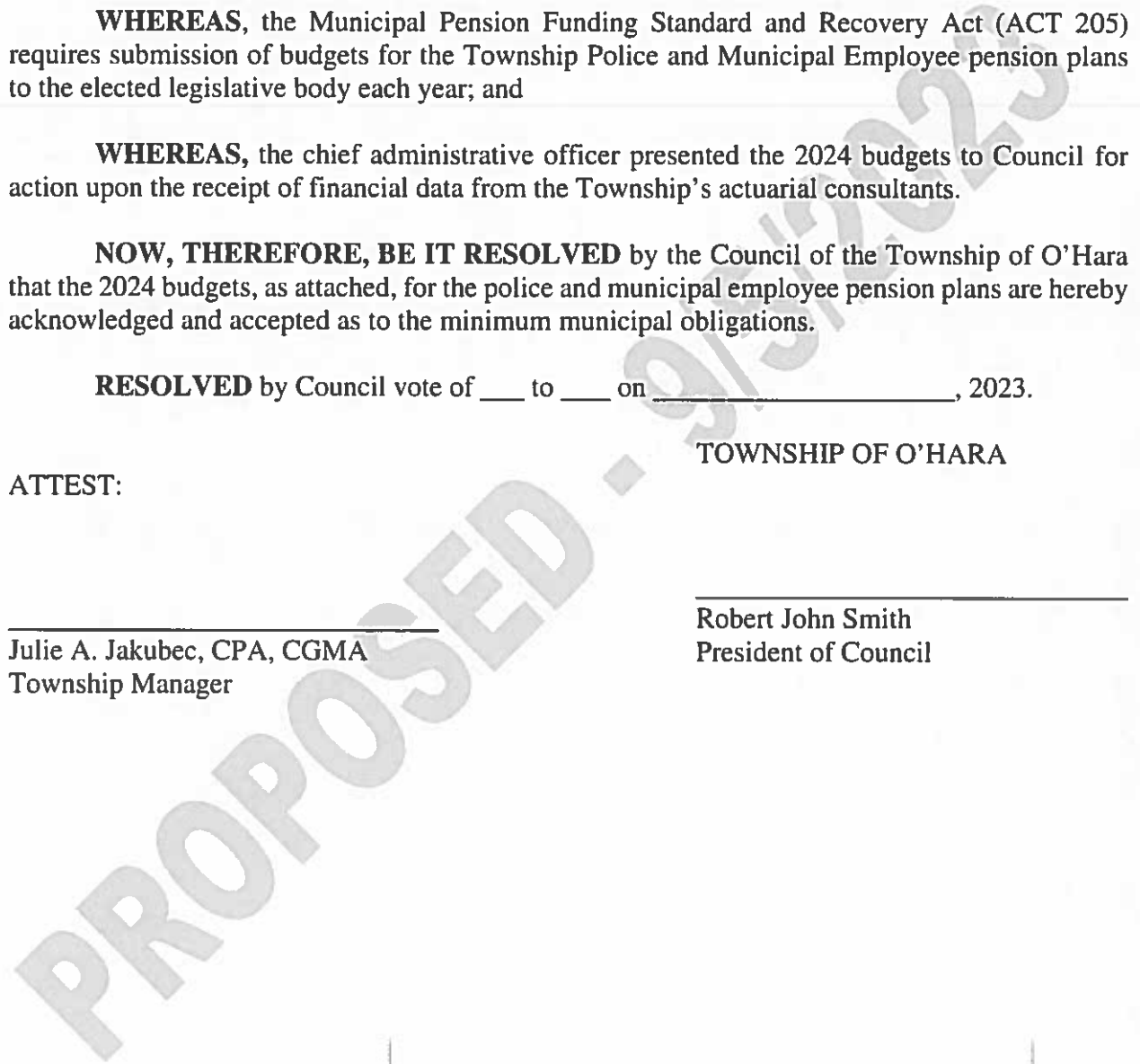
ATTEST:

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

Adopted _____

Attachments



BILL NO. _____

RESOLUTION NO. _____

**TOWNSHIP OF O'HARA
ALLEGHENY COUNTY PENNSYLVANIA**

**A RESOLUTION OF THE TOWNSHIP OF O'HARA REDUCING
PARTICIPANT CONTRIBUTIONS TO THE POLICE PENSION PLAN**

WHEREAS, the Township of O'Hara (the "Township"), has established a retirement plan for certain of its employees known as the **Township of O'Hara Police Pension Plan** (the "Plan"), which was adopted pursuant to Act 600; and

WHEREAS, the Township reserves the right to reduce or eliminate Participant Contributions below the mandated rate of five percent (5%) of compensation subject to certain conditions on an annual basis; and

WHEREAS, the Township has received confirmation from the Plan's Actuary with respect to the Participant Contributions and the actuarial soundness of the plan; and

WHEREAS, the Township is satisfied that the conditions have been met in order to reduce the contribution rate to 3% of compensation for the 2024 plan year.

NOW, THEREFORE, BE IT RESOLVED by the Township Council that, effective January 1, 2024, and continuing through and including December 31, 2024, the amount of Participant Contributions due shall be 3% of compensation. The obligation to pay Participant Contributions pursuant to Act 600 in the amount specified therein shall resume effective as of January 1, 2024.

RESOLVED by Council vote of ___ to ___ on _____, 2023.

ATTEST:

TOWNSHIP OF O'HARA

Julie A. Jakubec, CPA, CGMA
Township Manager

Robert John Smith
President of Council

Adopted _____

**TOWNSHIP OF O'HARA
COUNCIL REGULAR MEETING
SEPTEMBER 12, 2023
7:00 P.M.
PROPOSED AGENDA**

I. OPENING PROCEDURES

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call

II. REQUESTING A MOMENT OF SILENCE IN REMEMBRANCE OF THOSE WHO PERISHED DURING THE SEPTEMBER 11, 2001 TERRORISTIC ATTACKS ON THE UNITED STATES OF AMERICA

III. MINUTES

- A. Council Combined Workshop and Regular Meeting - July 11, 2023

IV. FINANCE

- A. Vouchers – July and August 2023
- B. Receipts and Expenditures Records – June and July 2023
- C. Treasurer's Report

V. REPORTS

- A. Other Organizations and Agencies Reports
- B. Monthly Departmental Reports
- C. Manager's Report

VI. OLD BUSINESS

- A. Ordinance - Second Reading and Adoption
 - (1) Authorizing the Grant of a Driveway Easement to Nicholas Ray and Brittany Rena Stahlnecker B-24-2023

VII. NEW BUSINESS

- A. Resolutions
 - (1) Authorizing Township Participation in Community Development Block Grant Funding
 - (2) Authorizing the Execution of an Agreement with the Commonwealth of Pennsylvania for Winter Road Maintenance

- (3) Authorizing Awarding Contracts Through the North Hills Council of Governments for Sanitary Sewer Rehabilitation
 - (4) Acknowledging Receipt and Acceptance of the Employee Pension Plan Budgets for the Year 2024
 - (5) Establishing the 2024 Employee Contribution Rate for the Police Pension Plan
- B. Motion
- (1) Designating Trick-Or-Treat Night in the Township

VIII. COMMUNICATIONS

- A. Citizens
- B. Council
- C. Staff

IX. ADJOURNMENT

X. EXECUTIVE SESSION – LEGAL AND LABOR MATTERS