

**TOWNSHIP OF O'HARA  
COUNCIL  
COMBINED WORKSHOP AND REGULAR MEETING  
MINUTES  
MAY 12, 2020**

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**I. OPENING PROCEDURES**

- A. Call to Order by President Smith at 7:04 p.m.
- B. 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: Ted Curran, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Daniel Garfinkel, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Loren R. Kephart, Public Service Superintendent; Scott K. Slagel, Police Superintendent; Cathy Bubas, Manager's Secretary

President Smith welcomed everyone to the virtual meeting. On behalf of Township Council, he thanked all essential service providers for their continued dedication during the pandemic.

**II. APPROVAL OF MINUTES**

- A. Council Combined Workshop and Regular Meeting – April 14, 2020

Motion by Mr. Denny, Jr. to approve the minutes was seconded by Mr. Stewart.

Mr. Stewart inquired about the community center's financial request which the Manager explained satisfactorily. Vice President Vogel noted a correction.

The motion was amended to approve the minutes as corrected and carried unanimously.

**III. FINANCE**

- A. Vouchers – April 2020

Motion by Mr. Stewart to pay the subject Vouchers was seconded by Vice President Vogel.

Mr. Denny, Jr. and Mr. Stewart inquired about particular Vouchers which the Manager answered satisfactorily. The motion carried unanimously. The Vouchers total \$859,859.31.

President Smith led Council and staff in the Pledge of Allegiance.

B. Receipts and Expenditures Records – March 2020

Motion by Mr. Denny, Jr. to accept the Receipts and Expenditures Records as presented, was seconded by Ms. Berger and carried unanimously.

C. Treasurer's Report

Treasurer Curran indicated he was comfortable with the overall finances, which he discussed with Manager Jakubec due to concerns of the COVID-19 Pandemic. Earned Income Tax and Real Estate Tax revenue are in line with 2019 so far. Treasurer Curran stressed the importance of moving forward with the storm water fee, recalling past storms. He also recalled working with staff to identify items which might not be necessary.

Ms. Eccles questioned what purchases might be able to be cut. Treasurer Curran indicated contractors are asked to sharpen their pencils on bids to reduce costs, an expensive yard gate and the road paving program are items that could be cut, among other things. Manager Jakubec stated they reviewed the capital projects and have suggestions to present to Council in June. She noted overtime is not permitted and no department head is to spend money. She was not sure of the effect the state closure will have on earned income and real estate taxes. The Manager indicated the road paving bid would be discussed in June, as there are problems that need to be worked out.

IV. REPORTS

A. Other Organizations and Agencies Reports

Vice President Vogel noted a storm water basin facility is holding water and vegetation needs to be cut. Mr. Steinert, Jr., P.E. stated the developer is working to get the facility back into compliance. He noted trees need to be cut out as well. Vice President Vogel stated the Township will not take ownership if it does not drain properly. Mr. Steinert, Jr., P.E. noted knotweed has taken over the storm water facility, but once it is cut they will be able to see what is going on.

B. Monthly Departmental Reports

Ms. Eccles inquired about a change order for the Village Drive/Dorseyville Road project. Mr. Steinert, Jr., P.E. explained the change order was due to a design correction to make the line available to the home owner to connect. It was noted the design engineer should be held accountable for the error. Manager Jakubec noted payment is being withheld.

President Smith inquired about the condition of the private portion of Berryhill Extension. Mr. Steinert, Jr., P.E. stated it had been paved and is better than before.

Mr. Stewart asked if Berryhill Road was open and Mr. Steinert, Jr., P.E. explained the contractor, Chivers, has some landscaping to finish prior to opening the road.

Ms. Eccles commented that the number of emergency calls are down.

Manager Jakubec had the secretary pull the Solicitor invoices and confirmed they included several months.

C. Manager's Report

No comments or questions.

V. REVIEW / DISCUSSION / POSSIBLE ACTION

- A. Requesting Authorization to File a Gaming Economic Development B-20-2020  
Tourist Fund (GEDF) Grant Application with the Redevelopment  
Authority of Allegheny County for the Powers Run Pollutant  
Reduction Plan Implementation Project

Manager Jakubec stated the resolution authorizes the filing of an application with the Redevelopment Authority of Allegheny County for a Gaming Economic Development Tourist Fund Grant in the amount of \$150,000. The purpose of the grant is to obtain funding to implement the Powers Run Pollution Reduction Plan. The total project cost is anticipated to be \$152,500.

Motion by Mr. Stewart to approve resolution Bill No. B-20-2020 was seconded by Vice President Vogel.

Mr. Denny, Jr. questioned why the Manager would need permission to apply for a grant. Manager Jakubec explained it is a grant requirement.

Vice President Vogel questioned what can be done to reduce pollution in storm water. Mr. Steinert, Jr., P.E. explained the need to get the Powers Run stream to where it should be. The other two grants are to reduce the amount of sediment and getting the water to flow to a detention pond and clean it. Vice President Vogel recalled playing in the stream catching crawfish, but they are probably dead now due to people using pesticides on lawns. Mr. Steinert, Jr., P.E. stated part of the MS-4 requirements is education. He noted Squaw Run is a high-quality stream and Powers Run stream should not be too far behind.

On roll call the motion carried unanimously.

The Manager noted a question from Cindy Harris, which she explained.

- B. Requesting Authorization to File a Gaming Economic Development B-21-2020  
Tourist Fund (GEDF) Grant Application with the Redevelopment  
Authority of Allegheny County for the Gamma Drive Pollutant  
Reduction Plan Implementation Project

The Manager noted the resolution authorizes the filing of an application with the Redevelopment Authority of Allegheny County for a Gaming Economic Development Tourist Fund Grant in the amount of \$237,384. The purpose of the grant is to obtain funding to implement the Gamma Drive Pollution Reduction Plan. The total project cost is anticipated to be \$239,884.

Motion by Mr. Stewart to approve resolution Bill No. B-21-2020 was seconded by Ms. Eccles.

Mr. Frankowski was hopeful the Township could get the funds as the casinos are closed and funds are drying up. Manager Jakubec stated State Representatives Lori Mizgorski and Anthony DeLuca, and Senator Lindsey Williams wrote letters of support.

On roll call the motion carried unanimously.

- C. Requesting Authorization to File a Gaming Economic Development Tourist Fund (GEDF) Grant Application with the Redevelopment Authority of Allegheny County for the Epsilon Drive Pollutant Reduction Plan Implementation Project B-22-2020

Manager Jakubec explained the resolution authorizes the filing of an application with Allegheny County Redevelopment Authority for a Gaming Economic Development Tourist Fund Grant in the amount of \$355,044. The purpose of the grant is to obtain funding to implement the Epsilon Drive Pollution Reduction Plan. The estimated total project cost is \$357,544.

Motion by Mr. Denny, Jr. to approve resolution Bill No. B-22-2020 was seconded by Mr. Stewart and carried unanimously.

- D. Authorizing Execution of Documents Related to Obtaining Financial Assistance from PEMA/FEMA B-23-2020

The Manager stated the proposed resolution authorizes the Township Manager to execute all required forms and documents on behalf of the Township for the purpose of obtaining reimbursement of certain costs associated with the COVID-19 Pandemic under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

Motion by Ms. Eccles to approve resolution Bill No. B-23-2020 was seconded by Mr. Stewart.

Mr. Denny, Jr. asked if the funds applied for have to be specifically for COVID-19 expenses. Manager Jakubec stated not at this point. Currently there is \$3,300 in expenses to apply for reimbursement, in addition to the cost for plexiglass and face masks.

Vice President Vogel noted PEMA is state and FEMA is federal emergency agencies. The Manager explained the state funds flow to the federal agency. She recalled the Governor's Office did not want 25% of expenses to fall on municipalities. She also noted a special "499" account was established for the extraordinary expenses.

Mr. Denny, Jr. asked if there are additional COVID-19 costs for the community center, since the Township owns the building, could the Township include those expenses. Manager Jakubec explained the Township would have to incur the expenses. She indicated she would discuss the matter with the community center Executive Director. Vice President Vogel noted operating expenses could not be included.

On roll call the motion carried unanimously.

E. Authorizing Township Participation in Community Development B-24-2020  
Block Grant Funding

The Manager explained 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.

Motion by Vice President Vogel to approve resolution Bill No. B-24-2020 was seconded by Mr. Stewart and carried unanimously.

F. Application for Banner Community Status (Proclamation Recognizing Local Government)

Manager Jakubec stated part of the requirements for the Township to be considered a “Banner Community” include promoting local government. The Township has provided various support resources and virtual activities for the public during the COVID-19 Pandemic, as well as the Township’s bi-annual collection of leaves and brush that promote local government.

Motion by Mr. Stewart to approve the Proclamation was seconded by Ms. Berger and carried unanimously.

G. Discussion of Saxonburg Boulevard Sewers

Manager Jakubec stated restoration work would begin tomorrow, and staff would be working with the contractor and residents to resolve issues. She noted some residents have inquired about extending the deadline to connect to the sewer line. Residents were given to mid-August to connect, but because of COVID-19, contractors can now begin working. The Manager suggested Council’s consideration of extending the deadline for residents to connect to the sewer line to mid-September. The consensus of Council was to extend the deadline for residents to connect to the sewer line to mid-September. Vice President Vogel added any reasonable request should be acceptable as well. Manager Jakubec indicated the residents would be notified.

Vice President Vogel inquired about a response to the Township not supporting a grant for Indiana Township. The Manager stated Deer Creek Basin Authority was not happy but understands the Township’s position. She had heard nothing else. Indiana Township residents have been calling, asking to tap into our sewer line. The Indiana Township residents are told to call Indiana Township, and then are referred to Deer Creek Basin Authority because the Authority knows what is required in order to connect.

H. Discussion of Proposed Storm Water Fee and Projected Time Line for Implementation

Manager Jakubec recalled representatives of Lennon, Smith, Souleret presented the results of their storm water user fee study in March 2020. Council was provided a copy of an Executive Summary of the Fee Study. This fee would be charged to all residents, commercial businesses, nonprofits and governmental agencies, including the Veterans’ Hospital H.J. Heinz Campus and Penn D.O.T., in the Township. The purpose of the fee would be to fund storm water specific expenses in a

dedicated fund with a dedicated funding stream. Due to the COVID-19 Pandemic, the initial implementation plan cannot occur. She recalled Council wanted to have a Town Hall meeting and questioned how Council would like to proceed.

It was noted the average resident would pay a fee of \$8.00 a month, based on a calculation formula. The fee for a larger property would be determined based on the actual impervious area. Mr. Steinert, Jr., P.E. explained 1 ERU is equal to 3,500 square feet. Properties in RIDC Park, and the school district will have eight to ten ERUs.

Mr. Denny, Jr. inquired about incentives for credit, which the Manager confirmed and indicated a packet of information on ways to reduce storm water, such as rain barrels and rain gardens, would be available.

Manager Jakubec noted the ordinance requires two readings. The proposed timeline to enact the ordinance includes one quarter of revenue, but she would like to include August as well.

Vice President Vogel did not know how Council could have Town Hall Meetings before beginning to collect the fee. He anticipated only a few people would 'attend' a virtual meeting. He suggested picking a date to start collecting the fee.

President Smith noted the Township's and residents' financial situations.

Ms. Berger preferred to provide an opportunity to have a virtual meeting, as it might be easier for people to accept.

Vice President Vogel preferred to have a meeting before starting to collect the fee, to which Mr. Denny, Jr. agreed.

Manager Jakubec suggested having representatives from Lennon Smith Souleret do a brief presentation followed by a question and answer session.

Mr. Denny, Jr. noted GlobalMeet allows for a limited number of people. Manager Jakubec indicated she would inquire about using Lennon Smith Souleret's platform with Zoom for the Town Hall Meeting, since she has trouble communicating with Zoom representatives.

Mr. Stewart suggested sending a letter about the fee. President Smith indicated there is too much information to put in a letter. If the fee is collected just for the last quarter, staff would have more time to inform the public. Manager Jakubec indicated once the Township is out of the 'yellow status' for COVID-19, a Town Hall Meeting could be scheduled at the Parkview Volunteer Fire Hall.

Mr. Denny, Jr. asked when voting on the ordinance would need to occur to implement in September. Manager Jakubec indicated first reading of the ordinance would need to occur in June or July, followed by adoption in August. Mr. Denny, Jr. suggested conducting a virtual Town Hall Meeting in June, and send a post card advertising the virtual meeting and explaining how residents

can participate. The Manager added the information would also be available on the Township website. Ms. Eccles suggested including the information in the Newsletter, but the Manager explained the spring Newsletter has been suspended.

The consensus of Council was to send a post card detailing the purpose of a Virtual Town Hall meeting and instructions on how to participate in the meeting.

#### I. Update on COVID-19 and Township

Manager Jakubec stated she has put into play all the safety recommendations per OSHA, the State, and County guidelines, and is preparing the process for opening the office, which she would provide to Council for review. She noted staff is receiving lots of questions about the parks. Based on recommendations from the Pennsylvania Recreation and Parks Society, during the ‘yellow phase’ parks are to remain closed. Upon entering the ‘green phase’ some, but not all, park amenities will be opened.

President Smith inquired about having recreational fires and if a permit is required. Manager Jakubec recalled Allegheny County Health and Emergency Services Departments have requested people to not burn during the COVID-19 Pandemic. She noted the Township requires a permit for all types of recreational fires.

Mr. Frankowski questioned if voting would be allowed in the Township building. Manager Jakubec stated she explained to the County Elections Division that the municipal building is not big enough for all five wards of the Township to vote and suggested they contact the School District. Mr. Denny, Jr. questioned who is responsible for notifying the residents that the voting place has been moved, which the Manager indicated the County is responsible. Vice President Vogel suggested the County use the high school gym for voting and Mr. Denny, Jr. suggested the community center conference room. It was noted the County was looking to consolidate voting in one place for all wards and districts in the Township. The Manager stated the community center is locked down and recommended the school gym as a better solution.

#### J. Solicitor’s February 11, March 31, and April 29, 2020 Invoices

A Zoning Hearing Board case was noted for appearing before the Board and denied, appealed to Common Pleas Court who deferred the case back to the Township Zoning Hearing Board, which was again denied, and appealed again to the next level court.

#### VI. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Ms. Harris stated it is great to have electronic meetings, but the tool is not great. She did not like not seeing Council Members. The Manager explained not everyone has the technology to be visible.

Ms. Harris stressed the need to contact people about the storm water fee. The Township will need a platform capable of a lot of people, and she suggested a full page of information about the storm water fee on the Township’s website.

## VII. CONCERNS OF COUNCIL

Ms. Eccles inquired about the status of the sewer line on Cabin Lane. Mr. Steinert, Jr., P.E. stated the sewer line was burst and three manholes need to be fixed. Ms. Eccles asked if issue with the lady with the basement problem was resolved. Mr. Steinert, Jr. stated the lady should not get sewage in her basement, but the work does not solve the storm water problem.

Vice President Vogel asked if the Township would be hiring any summer interns, which the Manager answered, “not at this point.”

## VIII. CONCERNS OF STAFF

Manager Jakubec requested Council to remain after the meeting for an Executive Session to discuss labor matters.

## IX. ADJOURNMENT

Motion by Vice President Vogel to adjourn the meeting was seconded by Ms. Eccles and carried unanimously. The meeting adjourned at 8:30 p.m. and Council proceeded into Executive Session.

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Cathy Bubas, Manager’s Secretary

Attachment: List of Virtual Attendees