

**TOWNSHIP OF O'HARA  
COUNCIL  
COMBINED WORKSHOP AND REGULAR MEETING MINUTES  
JUNE 9, 2020**

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The meeting was held at the Lauri Ann West Community Center, 1220 Powers Run Road, Pittsburgh, PA 15238 and virtually through GlobalMeet.

**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 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; Brendan Lucas, 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 thanked members in the audience for coming to the meeting. He also thanked the Laurie Ann West Community Center for hosting the meeting.

**II. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS**

Ms. Jessica Miller, Parkview Boulevard, and Ms. Shelley Marcussen, Spring Grove Road, questioned why the parks are still closed since Allegheny County has entered the 'green phase' of the COVID-19 Pandemic. Ms. Miller noted the benefits to children from playing outside and Ms. Marcussen stated her kids are depressed. They suggested the Township at least open the satellite parks.

Manager Jakubec stated Council approves the plan to open the parks. The current plan follows the Pennsylvania Recreation and Parks Society ("PRPS") recommendations, which includes staff enforcing the rules. The Manager stated the Township has one person maintaining all the parks. He cannot clean the restrooms and patrol all of the parks all of the time.

Mr. Denny, Jr. informed the women it was Council's decision and suggested Council revisit opening the parks or what could be done. He noted the big issue is lack of personnel.

Mr. Frankowski inquired about the number of new COVID-19 cases. The Manager stated the information is available on the County Health Department website, and last she checked there were 16 new cases. A map on the County website breaks down the cases by municipality.

Mr. Denny, Jr. acknowledge everyone has been struggling on the recent issues of racism and Police brutality. He introduced Mr. William Generett, III, founder and President of the Fox Chapel High School Black Student Union.

Mr. Generett, III greeted Council and the audience. He also thanked Mr. Denny, Jr. for inviting him to speak at the meeting. Mr. Generett, III stated he anticipates how race is viewed will change, post-George Floyd. He explained the school district needs to review how they talk about race and bring it into the classroom so kids are equipped when they enter the world; knowing how to talk to and about people of color. Based on social media, kids do not know how to talk about race. He encouraged Council to go to the Fox Chapel Area School District and make sure they are doing their part in teaching kids about race.

Mr. Generett, III then proceeded to read “Run”, an essay he wrote about the murder of Ahmaud Arbitrary, to help him cope with his emotions. He stressed how important it is to him, to recognize and teach kids about black history in school.

Mr. Denny, Jr. commented that in the Township, the Police engage with the students. Manager Jakubec stated she and Police Superintendent Slagel have been talking and are proposing to appoint a Community Relations Officer to start conversations on how the Police can do things better or differently.

Mr. Stewart was also open to the idea, but also suggested everyone self-reflect on how they treat all people; is there any bias when dealing with the public; and maybe discover a way to improve.

Ms. Megan Lorenz, Cabin Lane, stated her sewage problem has been fixed, but in the process of the Township correcting the storm water problem, she lost five white pine trees, which were to be replaced. She refused three spruce bushes from the Township because she wants white pine trees. Ms. Lorenz stated she was informed an ordinance passed in January does not allow white pine trees. The tree stumps were left. She also noted stakes with black plastic is hideous. Her house was being flooded and she is just trying to get it fixed.

Manager Jakubec explained she instructed staff to get the spruce trees. Planning Commission decided to plant native trees and did not include white pine trees in the ordinance. As for the storm sewer work, the contractor was working with reduced staff because of the COVID-19 Pandemic. A storm water study is being prepared and a copy would be provided when available to Ms. Lorenz.

President Smith noted the intent of the zoning ordinance was for new plantings.

Motion by Mr. Denny, Jr. to replace the five white pine trees was seconded by Mr. Frankowski.

Manager Jakubec explained the black plastic is silt fencing and is a requirement of MS-4. Mr. Steinert, Jr., P.E. stated the silt fencing will be removed when 75% of the grass grows in.

Ms. Eccles questioned why only three of the five trees were being replaced. Manager Jakubec explained only three trees were available, but two more trees would be provided.

Mr. Denny, Jr. suggested planting the five white pine trees in the fall, to which Ms. Lorenz indicated to be acceptable. The spruce trees would be planted somewhere else in the Township.

Ms. Lorenz noted a large tree on O’Hara Elementary School property was cut down and it blocked car lights from her property. Mr. Steinert, Jr., P.E. explained that tree was planted in the sewer right-of-way and had to be removed to provide access to repair the sewer line. The school district does not want to replace the tree, but he would request the school district to plant some small shrubs along the driveway property line to block the lights.

President Smith noted the Public Service employees would remove the tree stumps and plant the white pines in those holes at the same time.

Ms. Kelsey Denny, Woodshire Drive, stated she is a 2016 Fox Chapel High School Graduate and just graduated from Penn State. She informed Council about a petition circulating which advocates for Police racial training and asked each Council Member to sign the petition. Mr. Generett, III stated he already sent the petition to the school, but it would be powerful if Council would contact the school district. He noted more than 850 kids signed the petition.

Mr. Stewart indicated he was all in favor and would sign the petition. He recalled it had been discussed in detail at last night's school board meeting.

Ms. Cindy Harris, Fox Pointe, questioned the purpose of having to come out for a meeting after prior virtual meetings had been conducted. Manager Jakubec informed Ms. Harris that it was posted on the Township website that the meeting would be live-streamed and it is. She noted the Township Engineer is monitoring the chat box.

Treasurer Curran announced a protest scheduled for Thursday at Squaw Valley Park, which Manager Jakubec planned to attend. She also noted overflow parking is at the Township municipal parking lot.

President Smith noted it is not a Township protest. Manager Jakubec clarified she would attend the protest as an individual and not on behalf of the Township.

### III. APPROVAL OF MINUTES

#### A. Council Combined Workshop and Regular Meeting – May 12, 2020

Motion by Mr. Stewart to approve the minutes was seconded by Vice President Vogel.

President Smith noted under the Treasurer's Report, the storm water fee was referred to as a storm water 'tax'. Solicitor Lucas noted though it is similar to a tax, it should be referred to in the minutes as a 'fee'.

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

### IV. FINANCE

#### A. Vouchers – May 2020

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

Mr. Stewart inquired about the status of restoration work related to the Saxonburg Boulevard Sanitary Sewer Project, and the fee structure for Lennon Smith Souleret, which staff answered satisfactorily.

Ms. Eccles questioned an expense for the aerial engine, which the Manager explained.

On voice vote the motion carried unanimously. The Vouchers total \$660,917.01.

#### B. Receipts and Expenditures Records – April 2020

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

### C. Treasurer's Report

Treasurer Curran stated he and the Township Manager have been collaborating on Township finances. Currently expenses are in line. He extended kudos to staff for seeking better discounts and getting contractors to sharpen their pencils. Revenue projections are conservative due to uncertainty as a result of COVID-19. Treasurer Curran noted the Manager is projecting revenue at 85% of budget, and he is hoping for 90%. Treasurer Curran indicated the storm water fund is critical in the event of a major storm.

Mr. Stewart questioned the reason for a lag with money coming in for the sewer, which Manager Jakubec explained as a timing issue.

Treasurer Curran noted the Township is paying for future buildout on the Saxonburg sewer. The Manager indicated the sewer taps from the Chick-fil-A restaurant will be \$82,000. Discussion continued about traffic at other Chick-fil-A restaurants.

### V. REPORTS

#### A. Other Organizations and Agencies Reports

Treasurer Curran, as the delegate for the North Hills Council of Governments ("NHCOG"), reported that the search has begun for an Executive Director and the Township Manager is serving on that committee. Manager Jakubec recalled interviewing four or five of the candidates last week, and there is one other person to meet with. Treasurer Curran noted other NHCOG business included maintaining existing contracts.

#### B. Monthly Departmental Reports

Mr. Stewart presented questions to Mr. Kephart and Mr. Steinert, Jr., P.E., which were answered satisfactorily.

President Smith inquired about proposed improvements to regulated storm water facilities and if the Township will have to pay, which Mr. Steinert, Jr., P.E. explained and noted his intention to apply for grants to fund the projects. Manager Jakubec noted the grants provide 85% of the funding, and over time, there will be a storm water fee.

Ms. Berger inquired about Penn D.O.T. installing the adaptive traffic signals along Freeport Road, which Mr. Steinert, Jr., P.E. explained.

President Smith indicated Code Enforcement seems to be suffering. Manager Jakubec stated only critical issues have been addressed since the Code Enforcement Officer, Joe, was laid off during the pandemic. She noted Joe returns next week.

Mr. Stewart asked if new information was available about PNC Bank. The Manager noted a \$1,600.00 charge on a bank statement with no explanation. She has written a Request for Proposal for banking services, which will be circulated to Fox Chapel Borough and the NHCOG members.

### C. Manager's Report

Mr. Denny, Jr. commended the Manager Jakubec for the phenomenal amount of work over the last two months, while keeping Council in the loop, has been amazing! Manager Jakubec accepted the commendation, and acknowledged a supportive staff.

## VI. REVIEW / DISCUSSION / POSSIBLE ACTION

### A. Authorizing Participation in the North Hills COG Sodium Chloride Contract Option Year II

The Manager recalled the North Hills COG received and opened bids in May 2018 for the purchase of sodium chloride. This is Option Year II under the contract with Morton Salt, the lowest responsible bidder and the cost per ton is \$69.36, the same price as the 2019-2020 winter season.

Motion by Mr. Stewart to approve resolution Bill No. B-25-2020 was seconded by Vice President Vogel.

Mr. Kephart stated the Township met the minimum purchase requirements except on the State contract, but has until September to purchase the remaining 5,000 tons.

On roll call the motion carried unanimously.

### B. Proposed Scope for Development of Long Range Comprehensive Plans for the Township of O'Hara and Fox Chapel Borough

Manager Jakubec referenced a proposed Scope Agreement for the development of Long Range Comprehensive Plans for the Township and Fox Chapel Borough. The proposal outlines objectives for possible cooperative involvement with both municipalities, the establishment of a Steering Committee to oversee coordination and cooperation in preparing the Plans, public participation, finances and adoption of the Plans. She noted Fox Chapel Borough would meet later this month to consider the proposed agreement.

Ms. Harris stated she is on one of the committees and suggested the committee meet through Zoom and prepare the Request for Proposal. Manager Jakubec stated the Scope Agreement establishes how the Township and Fox Chapel Borough will collaborate in preparing the plans. Mr. Stewart indicated there is a lot of work for the group to talk about before having a contractor come in to work on the plan. The Manager explained the group will decide when to have the contractor come. She recalled applying for a LUPTAP Grant the last time the Plan was updated and intends to do so again. It was noted members of Council, Planning Commission and appointed Township residents would serve on the committee and Fox Chapel Borough will structure their group.

Mr. Stewart volunteered to serve on the committee. President Smith indicated Council would consider which Council Members would serve when they get that far.

Motion by Vice President Vogel to approve resolution Bill No. B-26-2020 was seconded by Mr. Stewart and carried unanimously.

### C. Update on Town Hall Meeting and Presentation of Storm Water Fee

The Manager recalled Council previously discussed conducting a Town Hall Meeting regarding the proposed storm water fee. The consensus of Council was to conduct a virtual Town Hall Meeting in June, and to mail postcards to all Township residents, businesses, non-profit organizations and governmental agencies with information about how to participate in the meeting. Based on Lennon Smith Souleret's availability to provide a short presentation explaining the fee, and in order to prepare and mail postcards, staff is suggesting scheduling the Town Hall Meeting on June 30, 2020. A different virtual platform provider is in the process of establishing the format needed by the Township for the Town Hall Meeting. Manager Jakubec stated in order to provide social distancing, the community center room can seat a

maximum of 35 people. She noted Facebook could live-stream the meeting and the virtual platform applied for is through Zoom, who is subcontracting to DGI. The Manager indicated she would reach out to John at DGI and try to keep the cost at \$1,200.00.

Ms. Eccles noted another virtual provider and is located in Greentree.

#### D. Presentation of Proposed Street and Zoning Maps for Review and Discussion

The Manager noted the Township Street and Zoning maps were updated. Street names were included on the street map. She noted color changes to the Zoning Map, the R-4 zoning district was added and the Mercurios restaurant property was changed from Suburban Manufacturing to Commercial.

If acceptable, the maps will be uploaded to the Township website, to which Council concurred.

#### E. Discussion of Berryhill Road

Manager Jakubec informed Council that residents have been calling the office about keeping Berryhill Road closed, and others about opening it. Police Superintendent Slagel recalled two accidents, when people went around the barriers.

Ms. Harris indicated there is not a lot of traffic; in the morning it goes one way and in the afternoon it goes the other way.

Manager Jakubec noted the concern is children in the area.

Vice President Vogel questioned Penn DOT's status of the road. Mr. Steinert, Jr., P.E. noted it is a local road, not a collector.

Manager Jakubec stated emergency services utilize the road for a quicker response time. Ms. Eccles stated the road should be open for that reason.

Mr. Stewart questioned if anything particularly dangerous could be posted with signage. Police Superintendent Slagel noted a pinch point that used to have a hump, but was removed. He indicated most people are aware. He has had the speed trailer positioned along Berryhill Road and the residents appreciate that. Police Superintendent Slagel noted everyone, including kids, are walking on the road. If/when the road is opened he would pay particular attention because people are not used to it being open.

President Smith noted the Indiana Township section of Berryhill Road is wider, but the O'Hara portion is standard width. He also stated a lot of people living off Middle Road use Berryhill Road.

The consensus of Council was to open Berryhill Road. Mr. Frankowski suggested Council revisit the matter if issues occur.

#### F. Discussion of Saxonburg Boulevard Sewers

Manager Jakubec stated people are beginning to tap into the new sanitary sewer line. Staff is working with all the residents to resolve issues. She had not received comments from Deer Creek Basin Authority or Indiana Township officials.

#### G. Discussion of Road Improvement Program

The Manager stated staff reached out to Tresco Paving, who was awarded the road paving contract. She indicated the Township Engineer would present a skinny contract in July for Council's consideration. Manager Jakubec explained every road was bid as an alternate due to the unknown impact of Earned Income Tax from COVID-19, and the Act 511 real estate tax due date has been extended.

Vice President Vogel recalled the Township's paving was to start earlier this year, and the other municipalities have the same unknowns. The Manager noted some municipalities rely on Real Estate Tax.

Vice President Vogel questioned how long the temporary asphalt curbs in RIDC may last. Mr. Steinert, Jr., P.E. indicated sometimes the curbs last a while. He explained the concrete curb is a separate contract.

Mr. Stewart asked if any of the roads scheduled for paving are in such a deplorable condition. The Manager stated those roads would be included on the skinny plan.

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

Manager Jakubec stated staff has emerged for the last two weeks and she planned to open the building to the public tomorrow. A limited area has been roped off and signs for social distancing posted. The park shelters are not currently being rented, and will be reviewed weekly.

Mr. Stewart stated a number of people feel the situation is over and are not following the state recommendations. He noted the Township has been doing things cautiously because it is warranted. Manager Jakubec stated she is following the Pennsylvania Recreation and Parks Society ("PRPS") guidelines. If the playgrounds are opened more people will be in the parks. Mr. Denny, Jr. asked if the issue is the Township does not have staff capacity to clean the parks. Manager Jakubec explained Gary is one person, maintaining all the parks. The PRPS guidelines include frequent cleaning. If people do not keep wearing masks and social distancing, the County could go back to yellow.

Ms. Harris agreed people seem to think 'green means go'. It takes two weeks for COVID-19 symptoms to show. She supported the Manager's caution.

Manager Jakubec stated she would type something for Council to review regarding the opening of parks. The only guidelines she received was from PRPS; nothing from the County Health Department. She also shared the PRPS recommendations with other municipalities.

Mr. Denny, Jr. questioned if Fox Chapel District Association could assist with enforcing the park guidelines.

Ms. Berger stated if the parks were to open tomorrow she would talk to her daughter about not getting too close to other kids, not touching her face, and using hand sanitizer before going to the park. She acknowledged the Township cannot have someone at every park policing social distancing.

Mr. Stewart noted concerns if someone needs to use the restroom.

Manager Jakubec suggested monitoring the COVID-19 statistics for a couple weeks and see how it goes. If the number of cases spikes, maintain the current course. If the parks were to open now they will have to be cleaned several times a day and on weekends in addition to social distancing in the shelters.

Mr. Denny, Jr. recommended informing residents that the Township will reevaluate the number of COVID-19 cases, and as the numbers go down some of the park amenities will be opened, but not the restrooms.

The Manager also noted solicitation permits have not been issued, but she would like something in writing from the Health Department and State to back up the reasons for not issuing the permits.

I. Financial Modeling of Township Budget and Effects from COVID-19

Manager Jakubec stated certain budget items have been cut, such as the sewer camera, Police drone, and the road program. The financial model reflects receiving 85% of last year's Earned Income Tax and 10% less of the budget's Real Estate Tax. Staff has worked with vendors to get more money off trucks, Police vehicles and ambulance purchases. No overtime is allowed unless absolutely necessary, and no discretionary expenses are allowed.

The Manager referenced a recent news article in the Tribune Review about the impact of COVID-19 on municipalities' tax revenue. Her financial projections are conservative and the Manager feels it best to hold off certain purchases.

Mr. Stewart indicated he thinks what Manager Jakubec is presenting is wise and he agrees.

J. Solicitor's May 16, 2020 Invoice

No comments.

VII. CONCERNS OF COUNCIL

Mr. Frankowski thanked staff for hanging his Dad's Hometown Heroes Banner. Manager Jakubec informed Council that she has not received the required permits from Duquesne Light Company to hang more banners. President Smith requested staff place his order so he could receive the smaller flag, even if the banner can't be hung yet.

VIII. CONCERNS OF STAFF

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

IX. ADJOURNMENT

Motion by Mr. Denny, Jr. to adjourn the meeting was seconded by Vice President Vogel and carried unanimously. The meeting adjourned at 9:20 p.m. and following a short break Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary

Attachment: Sign-In Sheet