

TOWNSHIP OF O'HARA
COUNCIL VIRTUAL REGULAR MEETING MINUTES
DECEMBER 8, 2020

I. OPENING PROCEDURES

A. Call to Order by President Smith at 7:10 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; 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

II. APPROVAL OF MINUTES

A. Council Virtual Combined Workshop and Regular Meeting – November 10, 2020

B. Council Special Workshop – November 17, 2020

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

III. FINANCE

A. Vouchers – November 2020

Motion by Mr. Denny, Jr. to pay the subject vouchers as presented was seconded by Ms. Berger.

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

On voice vote the motion carried unanimously. The vouchers totaled \$1,146,602.75.

B. Receipts and Expenditures Records – October 2020

Motion by Mr. Stewart to accept the receipts and expenditures records as presented was seconded by Mr. Denny, Jr. and carried unanimously.

President Smith advanced the agenda to New Business / Resolution Bill No. B-62-2020.

VI. NEW BUSINESS

B. Resolution

- (1) Granting Preliminary Land Development Approval to the B-62-2020
Miramar Landing Plan

Manager Jakubec stated the proposed Plan was reviewed by the Township Planning Commission on November 16th and Council on December 1st during regularly scheduled meetings. The Planning Commission has recommended to Council that the Plan be approved subject to 14 conditions as listed in the attached proposed resolution. As required by Article XIII of the Township Zoning Ordinance, a Public Hearing was conducted by Council prior to this meeting to receive public comments concerning the proposed development.

Motion by Vice President Vogel to approve resolution Bill No. B-62-2020 was seconded by Mr. Denny, Jr.

Mr. Stewart inquired about the status of negotiations with ALCOSAN and PWSA. Mr. Housley indicated the approval process has been initiated. Mr. Steinert, Jr., P.E. noted the applicant will need to submit an application for final approval, which he anticipated Planning Commission would review in January 2021, and be presented to Council for consideration in February 2021. Mr. Housley anticipated submitting the final approval application by December 18, 2020.

On voice vote the motion carried unanimously.

Council proceeded with agenda as outlined.

III. FINANCE CONTINUED

C. Treasurer's Report

Treasurer Curran indicated the vouchers, upon review, appear to be solid. He commended staff for managing expenses. He anticipated 2021 to be a challenge, though the Township is fortunate to have a few new retail developments and the real estate market remains very strong.

IV. REPORTS

A. Other Organizations and Agencies Reports

Nothing was reported.

B. Monthly Departmental Reports

Mr. Stewart inquired about the status of the Colquitt traffic. Mr. Steinert, Jr., P.E. stated temporary stop signs were installed and changes to the Traffic Calming Policy will be forthcoming for Council's review.

Council and staff also discussed the concrete curbs in RIDC as to responsibility for maintenance and repairs; long term issues related to a blown transformer at Delafield Road.

Mr. Stewart request a list of when road was last paved and roads recommended for the Road Improvement Program, which the Township Engineer indicated he would email.

Mr. Steinert, Jr., P.E. stated Kevin Brett, of Lennon Smith Souleret Engineers was in attendance to answer questions about the storm water fee. He noted some applications for storm water fee reductions had been received from businesses in RIDC and expected application from the school district. After the initial inspection of the storm water facilities, residential facilities will need to be inspected every two years and commercial facilities annually. Mr. Steinert, Jr., P.E. stated he had received a fee reduction application for Fox Hall, and was trying to determine the best way to approach the assessment reduction, as the storm water facility serves several units.

Ms. Berger noted the Township has 24 storm water management plans and questioned if the report could include the estimated cost to bring each plan up to standard. Mr. Brett stated it could be done and then they can add the construction permit cost. They intended to apply for grants and could track that information as well. Mr. Steinert, Jr., P.E. stated all the projects in the report are O'Hara's projects, though the Township would work with Fox Chapel Borough on some of the projects. The report is a basis for projects and a budget to do the projects. Each municipality is required to take on their own projects, one of which is Squaw Run. The Township can pick and choose which projects to do to satisfy the requirements of the permit.

President Smith questioned which projects relate to the Army Corps of Engineer study. Mr. Steinert, Jr., P.E. stated he has not received that report, as it has been delayed due to the pandemic. Mr. Brett noted once they receive the analysis they can insert the information into the model and project improvements that provide a big bang for the buck.

C. Manager's Report

Mr. Stewart inquired about any changes in the Covid-19 plan for the winter. Manager Jakubec noted the number of Covid-19 cases is spiking and anticipated a new order to be issued. In the event of a major winter storm, contingent planning would continue as well as working with the neighbors.

Ms. Eccles asked if the Public Service Department employees are still working in shifts. The Manager stated 'no', adding the employees get their truck and equipment and leave the building. Lunch room chairs have been removed to discourage co-mingling. Each employee is assigned a truck; they clean their own truck. Ms. Eccles asked how you can be sure they are doing what they are supposed to do as far as cleaning the truck. Mr. Kephart explained he is there and obtain the cleaning supplies from him.

V. OLD BUSINESS

A. Ordinances – Second Reading and Adoption

(1) Adopting the Township Budget for the Year 2021 B-51-2020

Manager Jakubec stated the ordinance adopts the proposed year 2021 Township budget of \$13,988,530. The proposed budget was reviewed by Council during a special workshop on November 17th. She noted included in Council's information packet are updated projects for the unassigned fund balance, which is 11.27% going into 2022. She added that LST cam in stronger than anticipated.

Motion by Mr. Stewart to adopt ordinance Bill No. B-51-2020 was seconded by Mr. Denny, Jr. and carried unanimously.

(2) Enacting the Real Estate Tax Levy for the Year 2021 B-52-2020

The Manager stated the ordinance establishes the year 2021 Township real estate tax rate at 2.1 mills per the proposed year 2021 Township budget. This is the same millage as in 2020.

Motion by Mr. Stewart to adopt ordinance Bill No. B-52-2020 was seconded by Vice President Vogel and carried unanimously.

(3) Enacting the Earned Income Tax Levy Under Act 62 for the Year 2021 B-53-2020

Manager Jakubec noted the ordinance establishes the year 2021 earned income tax levy under Act 62 at .3%, the same rate as in 2020 and for the past eighteen years. Act 62 requires that the earned income tax levied under the Act be enacted each year. The Township also levies an earned income tax of .5% under Act 511, which does not have to be enacted each year.

Motion by Ms. Eccles to adopt ordinance Bill No. B-53-2020 was seconded by Mr. Stewart and carried unanimously.

(4) Enacting the Real Estate Transfer Tax Levy Under Act 62 for the Year 2021 B-54-2020

Manager Jakubec stated the ordinance establishes the year 2021 real estate transfer tax levy under Act 62 at .5%. Act 62 requires that the transfer tax levied under the Act be enacted each year. The Township also levies a real estate transfer tax of .5% under Act 511, which does not have to be enacted each year.

Motion by Mr. Denny, Jr. to adopt ordinance Bill No. B-54-2020 was seconded by Vice President Vogel and carried unanimously.

(5) Establishing a Real Estate Tax Rebate Program for the
Year 2021

B-55-2020

The Manager noted per Act 77 of 1993, as amended, the Township established a real estate tax rebate program for the last several years. The attached ordinance establishes the same program in 2021 as we had this year. Research has not produced a program that would be more beneficial to Township residents, as the laws are limited. The program as proposed allows for an eligible resident to receive a rebate of 25% of the increase in 2021 Township real estate taxes paid over the amount of taxes paid in 2020.

Motion by Mr. Stewart to adopt ordinance Bill No. B-55-2020 was seconded by Ms. Eccles and carried unanimously.

(6) Amending and Restating the Township Nuisance Ordinance B-56-2020

The Manager stated the amendment to the Nuisance Ordinance provides a definition of ‘fireworks’ and provisions for setting off fireworks with regard to days and times based on Council’s comments.

Motion by Ms. Berger to adopt ordinance Bill No. B-56-2020 was seconded by Vice President Vogel.

Mr. Denny, Jr. questioned the cutoff time for setting off fireworks, which Ms. Berger stated 11:00 p.m. on July 4th.

On roll call the motion carried unanimously.

VI. NEW BUSINESS CONTINUED

A. Ordinance – Introduction for First Reading

(1) Authorizing the Execution of a Cable Franchise Agreement B-61-2020
with Verizon Pennsylvania LLC

Manager Jakubec stated the North Hills Council of Government has negotiated the attached cable franchise agreement renewal with Verizon as part of a joint project involving fifteen (15) of the member communities. The franchise fee percentage has been negotiated to match the same percentage as in the prior agreement.

Motion by Mr. Denny, Jr. to introduce ordinance Bill No. B-61-2020 was seconded by Ms. Berger.

President Smith noted the places that receive free cable service needs to be updated.

On voice vote the motion carried unanimously.

B. Resolution

(2) Recognizing the Services of Scott Frankowski

B-63-2020

The Manager stated Scott Frankowski has served on Council since November 2012. Traditionally Council has recognized the service of elected officials and volunteers.

Motion by Vice President Vogel to approve resolution Bill No. B-63-2020 was seconded by Mr. Stewart and carried unanimously.

C. Motions

(1) Certifying Volunteer Fire Fighters and EMS Personnel to Receive Act 172 Earned Income Tax Refund

Manager Jakubec noted Township volunteer fire departments will provide a list to the Township Manager of eligible volunteers for the Local Tax Credit in accordance with Act 172 of 2016. The maximum credit is \$300.00.

Motion by Mr. Denny, Jr. to certify the list of eligible volunteers for the Act 172 of 2016 Local Tax Credit was seconded by Ms. Berger and carried unanimously.

(2) Appointment to Council Third Ward Vacancy

The Manager recalled Council conducted interviews during a Special Workshop on Monday, December 7, 2020. Per the Township Home Rule Charter, Council shall appoint a Township resident of the same ward and same political affiliation to fill a vacancy.

Motion by Mr. Denny, Jr. to appoint Greg Caprara to fill the unexpired term of Scott Frankowski, Third Ward Council Member, was seconded by Mr. Stewart and carried unanimously.

VII. COMMUNICATIONS

A. Citizens

Ms. Ann Sokalski suggested as Council is preparing the ten-year plan, to try to have the best qualified people of both parties. Vice President Vogel explained it is a requirement of the Home Rule Charter and any change would have to go through the referendum process and be voted on by the residents. Mr. Denny, Jr. recalled the Charter was changed as to how the President and Vice President of Council are chosen. President Smith stated a change can be initiated by a number of residents or by Council.

Ms. Harris suggested including a broader review of the Home Rule Charter along with the Long Range Plan. Mr. Stewart asked if several changes are to be made to the Charter, would each change require a separate question, which Vice President Vogel stated would have to be separate questions.

B. Council

Mr. Stewart asked if the equipment had been activated at Kerr School. Mr. Steinert, Jr., P.E. confirmed. Mr. Stewart questioned how the grading changes in back, adjacent to the houses. Mr. Steinert, Jr., P.E. stated the fill is 3:1, and the slope is pushed closer to the corner to a 4.5:1 slope, where they will plant trees.

Mr. Denny, Jr. wished everyone a happy holiday.

Vice President Vogel believed a change to the Home Rule Charter requires 25% of the voters.

C. Staff

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

VIII. ADJOURNMENT

Motion by Vice President Vogel to adjourn the meeting was seconded by Mr. Denny, Jr. and carried unanimously. The meeting adjourned at 8:10 p.m. and Council proceeded directly into Executive Session.

Cathy Bubas, Manager's Secretary