

TOWNSHIP OF O'HARA
COUNCIL VIRTUAL REGULAR MEETING MINUTES
JANUARY 12, 2021

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:05 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; Gregory Caprara, 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; 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 Public Hearing – December 1, 2020
- B. Council Workshop – December 1, 2020
- C. Council Special Workshop – December 7, 2020
- D. Council Public Hearing – December 8, 2020
- E. Council Regular Meeting – December 8, 2020

Motion by Mr. Stewart to approve the subject Minutes as presented was seconded by Ms. Eccles and carried unanimously.

III. FINANCE

- A. Vouchers – December 2020

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

- B. Receipts and Expenditures Records – November 2020

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

C. Treasurer's Report

Treasurer Curran noted the annual audit would begin in March. He commended staff for managing expenses, leveraging pricing, and using local service providers. Treasurer Curran also noted practices are in place due to the uncertainty of revenue because of Covid-19.

IV. REPORTS

A. Other Organizations and Agencies Reports

Council Members had nothing to report.

B. Monthly Department Reports

Mr. Stewart inquired about Zoning Hearing Board procedures, which the Manager and President Smith explained.

C. Township Manager's Report

There were no comments or questions.

V. OLD BUSINESS

President Smith noted Council previously reviewed the following agenda items during a workshop.

A. Ordinance – Second Reading and Adoption

- (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 negotiated the 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. A Public Hearing was conducted prior to this meeting. The ordinance authorizes execution of the negotiated agreement with Verizon Pennsylvania LLC.

Motion by Mr. Stewart to approve ordinance Bill No. B-61-2020 was seconded by Ms. Eccles and carried unanimously.

VI. NEW BUSINESS

A. Resolutions

- (1) Amending the NHCOC Mutual Aid Agreement B-1-2021

The Manager explained the amendments are to an existing agreement among COG members and adds the language “including during times of public health emergencies” and updates the municipalities/authorities that have joined the COG since 2006.

Motion by Mr. Caprara to approve resolution Bill No. B-1-2021 was seconded by Vice President Vogel.

Mr. Denny, Jr. inquired about the added criteria for mutual aid services. Manager Jakubec stated the participating COG municipalities will be able to cross jurisdictions for snow removal services during times such as the COVID-19 Pandemic.

Mr. Stewart recalled a prior notice regarding if a municipality does not have someone with a CDL license to drive a vehicle, anyone could drive. Manager Jakubec stated all O’Hara Township Public Works employees have CDL licenses.

Ms. Eccles questioned if the municipalities’ Public Works Departments talk about how to provide services. Manager Jakubec stated the Public Service Directors meet through the COG, as do the Police, and have circulated route maps.

On roll call the motion carried 7 – 0.

(2) Recognizing the Services of Bruce Gay

B-2-2021

The Manager noted former Township Planning Commissioner Bruce Gay submitted an email resigning from the Commission effective at the end of his term, December 31, 2020. It has been past practice to recognize public servants for their contribution to the community.

Motion by Mr. Stewart to approve resolution Bill No. B-2-2021 was seconded by Mr. Denny, Jr. and carried unanimously.

(3) Recognizing the Services of Edward J. Joyce

B-3-2021

Manager Jakubec stated former Township Civil Service Commissioner Ed Joyce relocated outside of the Township in 2020. It has been past practice to recognize public servants for their contribution to the community.

Motion by Mr. Stewart to approve resolution Bill No. B-3-2021 was seconded by Vice President Vogel and carried unanimously.

(4) Recognizing the Services of Dianna Rizzo

B-4-2021

The Manager noted former Township Civil Service Commissioner Dianna Rizzo relocated outside of the Township in 2020. It has been past practice to recognize public servants for their contribution to the community.

Motion by Mr. Stewart to approve resolution Bill No. B-4-2021 was seconded by Mr. Caprara and carried unanimously.

(5) Authorizing the Execution of a Mutual Aid Agreement
With Participants in the North Hills Special Response
Team (NHSRT)

B-5-2021

Manager Jakubec explained participating agencies have determined there is a need for a Mutual Aid Agreement for the purpose of having Police Officers and/or Emergency Medical Service Personnel, employed by the signatory agencies, available for services throughout the territorial limits of their respective jurisdictions. She noted the Township has Police Officers that participate in the North Hills Special Response Team.

Police Superintendent Slagel noted the COG municipalities put the agreement together. Officers Benigni and Hill participate in NHSRT, which is similar to S.W.A.T. When called, the NHSRT responds to serious crises that require special tactics. Recently, the Officers were called to be on standby for riots.

Mr. Denny, Jr. questioned if Parkview EMS is included, which the Manager noted the NHSRT has combat medics.

Motion by Mr. Stewart to approve resolution Bill No. B-5-2021 was seconded by Ms. Eccles and carried unanimously.

B. Motions

(1) Granting Request for Abatement of Real Estate Taxes

Manager Jakubec referenced a Disabled Veterans Real Property Tax Exemption Certification dated April 9, 2019 received for Glenn P. Hofer, 351 Dorseyville Road. The Tax Exemption Certificate was received after the 2019 Township tax bills had been mailed. As a result, Jordan Tax filed a lien for the unpaid Township real estate taxes. The Department of Veterans Affairs has verified Mr. Hofer is totally and permanently disabled as a result of service-connected causes. Mr. Hofer is requesting Council's consideration to abate all 2019 real estate taxes and removal of the lien on the subject property.

Motion by Mr. Stewart to grant the Disabled Veterans Real Property Tax Exemption for Glen P. Hofer for 2019 and remove the lien on property located at 351 Dorseyville Road, was seconded by Mr. Denny, Jr.

Mr. Caprara asked if the request had gone through the entire process and met all the requirements, which the Manager affirmed.

Vice President Vogel questioned if it is a Federal or State program. Solicitor Lucas explained it is a Federal Program, but is regulated by the State.

The Manager noted information about the program would be included in the next Township Newsletter.

On voice vote the motion carried unanimously.

(2) Appointing Delegates to Various Boards and Agencies

The Manager noted Council Members serve on various Boards and Agencies as listed below. Council is requested to appoint Delegates/Representatives to serve on the respective Boards and Agencies.

North Hills Council of Governments Board of Delegates
Ted Curran, Delegate; Allison Berger, Alternate Delegate

Municipal Risk Management Board of Delegates
George Stewart, Delegate; John R. Denny, Jr., Alternate Delegate

Fire Funding & Safety Committee
Charles A. Vogel, Council Representative
Dempsey D. Bruce, III, Citizen Representative

Northern Basin Advisory Board
Charles A. Vogel, Council Representative

Community Center Association Board
Mark Rothert, Council Representative
Cassandra Eccles, Alternate Council Representative

RIDC Business Alliance
George Stewart, Council Representative
Allison Berger, Council Co-Representative

Motion by Mr. Stewart to appoint the above listed individuals to the respective Boards/Agencies was seconded by Mr. Denny, Jr. and carried unanimously.

VII. COMMUNICATIONS

A. Citizens

Mr. Tom Powers, Powers Run Road, explained he received a request for a 30-second video about the park historical information signs from Tawnya Panizzi, a reporter from *The Herald*, and was seeking Council's permission.

Mr. Denny, Jr. asked if Council had seen the signs. Manager Jakubec recalled Council had sent the project to the Parks and Recreation Commission. She hoped to have the signs installed late spring or early summer. She noted the Parks and Recreation Commission approved the signs, and are now going through the vetting of information process. Once done, the signs will be presented to Council for approval.

The consensus of Council was to allow Mr. Powers to provide a short video about the park historical information signs. Mr. Powers stated he would not show the signs.

Ms. Ann Sokalski, Fox Ridge Farms, recalled the Home Rule Charter requires the appointment of Council Members from the same political party, which she believes limits the pool of eligible residents. She suggested Council consider implementing a committee to form a question for Council to put on the election ballot as a referendum.

Mr. Denny, Jr. thought the rule was outdated and supported a committee to make a recommendation to Council, and then Council could decide if it should be a referendum. He announced as of last Friday he is no longer a registered Republican, but an Independent.

President Smith asked Mr. Denny, Jr. to chair the committee.

Vice President Vogel noted two ways to put a referendum on the ballot; 10% of the voters that voted in the last Gubernatorial Election could petition the court; or Council could request the referendum. He also indicated his intention to make a motion to put the question on referendum.

Mr. Denny, Jr. questioned how a future Council, if divided, would resolve the issue.

Discussion continued regarding qualifications of Council Members; references to 'he' throughout the Home Rule Charter; and other sections of the Home Rule Charter that would be affected.

Mr. Stewart suggested changing the appointment to fill a Council vacancy from 30 days to 60 days, but Ms. Eccles and Vice President Vogel disagreed.

Mr. Denny, Jr. questioned the number of changes allowed on one referendum and recommended avoiding too many changes at one time, as there is a greater chance for failure.

Solicitor Lucas stated there is a rule as to the number of questions on a referendum. He indicated there would have to be more than one question.

Ms. Cindy Harris, Fox Pointe, commended Council for their consideration and Ms. Sokalski for presenting the matter.

Ms. Harris recalled priorities previously set by Council and questioned how they decide it has been accomplished. President Smith stated in general, Council sets the goals and rely on the Township Manager to lead Council through. Ms. Harris suggested posting the goals to the website for Council to review at the end of the year. President Smith noted a lot of priorities are set by the budget.

Mr. Denny, Jr. indicated Council would need to vote on the goals instead of suggesting. He also noted some of the goals go back to the ten-year Long Range Comprehensive Plan, and not all of the current Plan's goals are completed. Projects included in the current Long Range Comprehensive Plan that had been completed were noted.

President Smith stated he has been sitting in and observing the Long Range Comprehensive Plan meetings, but could not determine who the O'Hara Township representatives are and did not remember seeing all of them at a meeting.

The names of the O'Hara representatives to the Long Range Comprehensive Plan Committee were noted, and Ms. Harris indicated they had all attended a meeting, and the meetings are documented. She noted the Fox Chapel Committee Chair took on the obligations of the Chair. Ms. Harris requested staff talk with Fox Chapel Borough about a rotating Chair, which Manager Jakubec indicated she would contact the Fox Chapel Borough Manager.

Ms. Eccles stated the O'Hara committee needs to have a Chair; a point-person to go to. President Smith indicated the committee should determine that and suggested getting a consultant on board. Ms. Eccles stated the committee is working on that now, and Ms. Harris noted the next step is to send out the Request for Proposals.

B. Council

Mr. Stewart stated a number of people on the Fox Chapel Long Range Plan Committee have read the Township's history book and noted glowing comments received.

Mr. Stewart inquired about the status of the issue with the sewer problem and insurance claim denial. Manager Jakubec stated she is working with the Township's representative from HDH. It will take about a week to go through the process.

Vice President Vogel asked when Chick-fil-A Restaurant will open, which Mr. Steinert, Jr., P.E. projected on February 18th. The Manager noted they are not opening the dining room at the Township's request.

President Smith questioned the status of the stop sign at Field Club Road and Colquitt Drive. Manager Jakubec noted a temporary Stop sign is in place. Staff is working on revisions to the Traffic Calming Policy.

Mr. Stewart noted the Kerr Elementary School property is still soggy. Mr. Steinert, Jr., P.E. stated he walked the property with John Milburn, a resident of Glengary Drive. He noted Mr. Milburn seemed satisfied with the revised grading.

Mr. Steinert, Jr., P.E. noted traffic counters have been placed on Powers Run Road to determine the need for a possible four-way Stop intersection with Field Club Road.

Vice President Vogel noted work has begun on Route 28 by the Highland Park Bridge.

Ms. Eccles questioned when the water authority would be done working on Cabin Lane. Manager Jakubec stated she is not happy with the movement or tidiness of the project. She hoped the project would be done by the end of the week. The Manager noted the Township Engineer has been in contact with the authority.

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 8:22 p.m. and Council entered into Executive Session.

Cathy Bubas, Manager's Secretary