

**TOWNSHIP OF O'HARA
COUNCIL VIRTUAL
REGULAR MEETING MINUTES
FEBRUARY 9, 2021**

Manager Jakubec read a statement regarding Virtual Meeting procedures.

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:01 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; Gregory Caprara, Third Ward; Allison Berger, Fourth Ward; John R. Denny, Jr., At-Large
 - Absent: Cassandra Eccles, Fifth Ward
 - Also Present: Ted Curran, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Dan 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

Manager Jakubec noted Ms. Eccles was unable to attend the meeting due to a work commitment.

II. APPROVAL OF MINUTES

- A. Council Workshop – January 5, 2021
- B. Council Public Hearing – January 12, 2021
- C. Council Regular Meeting – January 12, 2021

Motion by Mr. Denny, Jr. to approve the subject Minutes as presented was seconded by Mr. Caprara and carried unanimously.

III. FINANCE

- A. Vouchers – January 2021

Motion by Mr. Denny, Jr. to approve the subject Vouchers as presented was seconded by Mr. Stewart.

Mr. Stewart presented questions about certain items which staff answered satisfactorily.

On roll call the motion carried unanimously. The Vouchers totaled \$339,949.92.

B. Receipts and Expenditures Records – December 2020

Motion by Mr. Stewart to accept the Receipts and Expenditures Records as presented was seconded by Vice President Vogel and carried unanimously.

C. Treasurer's Report

Treasurer Curran stated he is comfortable with the finances, noting adjustments to revenue and cutting project expenses due to the pandemic. Treasurer Curran commended staff for controlling expenses.

IV. REPORTS

A. Other Organizations and Agencies Reports

Treasurer Curran stated the North Hills Council of Government ("COG") met January 21st and discussed the Morton Salt contract, equipment maintenance, increasing costs and the potential of sharing equipment. Manager Jakubec added that the COG is developing a ten-year capital plan.

Treasurer Curran noted the COG is working on a glass recycling pilot program in anticipation that glass will not be included in the next contract. Manager Jakubec indicated her intention to discuss a place for a glass recycling container with staff and Kathy Ulanowicz at Blawnox Borough.

Mr. Denny, Jr. questioned which municipalities were included in the COG. The Manager estimated 22 municipalities were members of the COG and noted a few municipalities. Mr. Denny, Jr. questioned how the COG is funded. Manager Jakubec explained the COG is funded by the member municipalities based on a three-tier system and population. She noted O'Hara Township's share is \$6,500.

Mr. Stewart stated he conveyed concerns of coal-tar-based sealcoats to a member of the RIDC Alliance.

B. Monthly Department Reports

Mr. Stewart inquired about the Police car cameras and body cameras. Manager Jakubec recalled receiving grant funds for the body cameras. She explained the new car cameras sync with the body cameras. Police Superintendent Slagel explained how the videos are stored.

President Smith inquired about the status of the 48" pipe on Powers run Road. Mr. Steinert, Jr., P.E. explained the Township obtained an emergency permit from the Department of Environmental Protection ("DEP") and work will begin when the weather improves.

President Smith questioned if Mr. Komora would submit a monthly report. The Manager noted Mr. Komora is transitioning to the position and working on obtaining certification, but would provide a Code Enforcement Monthly Report.

C. Township Manager's Report

No comments.

V. NEW BUSINESS

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

A. Ordinances – Introduction for First Reading

- (1) Relocating the Stop Sign on Parkview Boulevard at Kirkwood Drive B-6-2021

Manager Jakubec stated Mr. Steinert, Jr., P.E. reviewed traffic at the intersection of Parkview Boulevard at Kirkwood Drive and has recommended relocating the STOP sign from Parkview Boulevard to Kirkwood Drive, on the southbound approach with Parkview Boulevard. The existing STOP sign is positioned nearly 70 feet beyond the intersection, and traffic on Kirkwood Drive travels at a higher rate of speed. Relocating the STOP sign will create a safer intersection for motorists and pedestrians.

Motion by Mr. Denny, Jr. to introduce for first reading ordinance Bill No. B-6-2021 was seconded by Vice President Vogel and carried unanimously.

- (2) Replacing the Yield Sign on Weir Drive at Oakhurst Road with a Stop Sign B-7-2021

The Manager explained staff has been verifying authorized traffic signs by ordinance in connection with the Codification of Ordinances project. It was realized the YIELD sign, authorized by Ordinance No. 848 does not exist on Weir Drive at Oakhurst Road. Upon further investigation, staff is recommending a STOP sign on Weir Drive at Oakhurst Road instead of a YIELD sign.

Motion by Mr. Stewart to introduce for first reading ordinance Bill No. B-7-2021 was seconded by Mr. Caprara and carried unanimously.

B. Resolutions

- (1) Granting Minor Subdivision Approval to the Tara Villa Plan of Lots B-8-2021

Manager Jakubec stated James and Tara Kappernaros, owners of parcel 290-P-71, and Alexandra and Nishan Williams, owners of parcel 290-P-72, wish to revise the lot line between the parcels located along Tara Villa Place. The Planning Commission reviewed the application at its regularly scheduled meeting in January and has recommended to Council that approval be granted.

Motion by Mr. Denny, Jr. to approve resolution Bill No. B-8-2021 was seconded by Vice President Vogel and carried unanimously.

- (2) Granting Final Riverfront Unit Overlay Development to the Miramar Landing Plan Located Along River Road B-9-2021

The Manager recalled the Township Planning Commission reviewed the Final Riverfront Unit Overlay Development Plan at its regularly scheduled meeting in January and has recommended to Council that approval be granted subject to 11 conditions and 4 comparable departures, which are listed in the proposed resolution.

Motion by Mr. Stewart to approve resolution Bill No. B-9-2021 was seconded by Ms. Berger.

President Smith asked if the Developer was agreeable to the conditions of approval, which Mr. Dominic Ricciuti affirmed.

On roll call, the motion carried unanimously.

- (3) Authorizing Joint Bidding of the 2021 Road Improvement Program with Fox Chapel Borough B-10-2021

Manager Jakubec stated Mr. Steinert, Jr., P.E. has requested authorization to jointly bid with Fox Chapel Borough for the 2021 Road Improvement Program in order to realize economies of scale. The roads recommended for milling and resurfacing in the base bid are Kappa Drive, Meadow Heights Drive, Joanne Street (north and south), Alleyne Drive, Dowling Drive, Division Street, Weir Drive and Village Drive. Alternates include Davonshire Drive, Fairgrove Drive, Queens Court, Papercraft Avenue, Emily Drive and Fox Ridge Farms Drive.

Motion by Mr. Caprara to approve resolution Bill No. B-10-2021 was seconded by Mr. Stewart.

Mr. Stewart asked if any chip sealing was planned. Mr. Steinert, Jr., P.E. stated funds were not budgeted for chip sealing this year. He recommended paving the roads that were cut from the 2020 budget.

On roll call, the motion carried unanimously.

- (4) Authorizing the Sharing of Engineering Inspection Services Related to the 2021 Road Improvement Program with Fox Chapel Borough B-11-2021

The Manager noted Mr. Steinert, Jr., P.E. has recommended sharing engineering inspection services with Fox Chapel Borough for the 2021 Road Improvement Program in order to realize economies of scale.

Motion by Vice President Vogel, to approve resolution Bill No. B-11-2021 was seconded by Mr. Denny, Jr. and carried unanimously.

- (5) Authorizing Participation in the State Road Salt Contract for B-12-2021
the 2021-2022 Winter Season

Manager Jakubec recalled for the past several years the Township has shared contracts with the COG and the State for road salt to ensure needed tonnage and delivery, and maximize cost savings. Staff has recommended the Township continue to share the contracts for the upcoming 2021-2022 winter season. In order for the Township to continue participating in the State road salt contract, a new Salt Contract Participation Agreement must be executed and submitted to the Department of General Services.

Motion by Vice President Vogel to approve resolution Bill No. B-12-2021 was seconded by Mr. Caprara and carried unanimously.

- (6) Requesting Authorization to Apply for Redevelopment B-13-2021
Authority of Allegheny County CITF Grant Funds for
Greenwood Cemetery Stormwater Improvements Project

The Manager stated staff has requested authorization to apply for grant funding in the amount of \$250,000 through the Redevelopment Authority of Allegheny County (“RAAC”) CITF Program for the Greenwood Cemetery Project to reduce downstream flooding.

Motion by Mr. Stewart to approve resolution Bill No. B-13-2021 was seconded by Mr. Denny, Jr. and carried unanimously.

- (7) Requesting Authorization to Apply for Redevelopment B-14-2021
Authority of Allegheny County CITF Grant Funds for
Epsilon Drive PRP Implementation Project

Manager Jakubec noted staff has requested authorization to apply for grant funding in the amount of \$250,000 through the RAAC CITF Program for the Epsilon Drive PRP Implementation Project. The project includes a new stormwater facility to be located between Epsilon and Alpha Drives. Retaining stormwater from RIDC will help alleviate flooding issues and allow the Township to meet its goals in reducing sediment in streams.

Motion by Mr. Stewart to approve resolution Bill No. B-14-2021 was seconded by Vice President Vogel and carried unanimously.

- (8) Requesting Authorization to Apply for Redevelopment B-15-2021
Authority of Allegheny County CITF Grant Funds for
Gamma Drive PRP Implementation Project

The Manager explained staff has requested authorization to apply for grant funding through the RAAC CITF Program in the amount of \$220,000 for the Gamma Drive PRP Implementation Project. The project involves constructing a stormwater retention facility off Gamma Drive to retain stormwater from RIDC and meet the Township’s goals in reducing sediment in streams.

Motion by Mr. Stewart to approve resolution Bill No. B-15-2021 was seconded by Ms. Berger.

It was noted one project could be done without the other two projects, as each project is independent.

President Smith questioned if the matching grant funds would come from the stormwater fee revenue, which the Manager affirmed.

On roll call, the motion carried unanimously.

(9) Amending the Township Fee Resolution B-16-2021

Manager Jakubec explained as a result of various increased costs, it is recommended to amend the Township Fee Resolution to cover actual expenses.

Motion by Mr. Caprara to approve resolution Bill No. B-16-2021 was seconded by Vice President Vogel and carried unanimously.

(10) Naming Lauri Ann West Community Center as a Township Recreation Partner B-17-2021

The Manager recalled representatives of the Lauri Ann West Community Center requested the Township's partnership to provide summer programs in Township parks in 2021, in accordance with COVID-19 safety protocols.

Motion by Mr. Denny, Jr. to approve resolution Bill No. B-17-2021 was seconded by Mr. Caprara and carried unanimously.

(11) Naming Cooper Siegel Library as a Township Recreation Partner B-18-2021

Manager Jakubec stated representatives of Cooper Siegel Library have requested the Township's partnership to host story time in O'Hara Township Community Park near Melissa Kratsa's pergola, in accordance with COVID-19 safety protocols.

Motion by Mr Stewart to approve resolution Bill No. B-18-2021 was seconded by Ms. Berger and carried unanimously.

VI. COMMUNICATIONS

A. Citizens

Ms. Ann Sokalski, Fox Ridge Farms, recalled suggesting a change to the Home Rule Charter at the January 12th meeting with regard to replacing a member of Council in order to open opportunities for more candidates. She asked if Council had considered the suggestion.

Solicitor Garfinkel stated he is working on the questions raised concerning that issue. The process to have a question on the May ballot would be a rush. If Council decides to move forward, the question could be on the November ballot. The County requires an ordinance with the question to

be placed on the ballot, though the County could adjust the wording. Manager Jakubec noted the ordinance requires two readings.

Mr. Denny, Jr. believed there was general support of Council to move forward and questioned what was needed to get it on the November ballot. President Smith was not sure Council had decided on the question for the ballot, and recalled at least three other questions for the Solicitor to research. Solicitor Garfinkel anticipated having a recommendation on what is possible for Council's consideration next month.

Mr. Caprara questioned how Council would deal with the electors that chose the person based on that party; is Council disenfranchising their vote. Vice President Vogel did not believe people voted by party line at the municipal level and hoped people would vote for the person.

President Smith questioned the urgency of the issue. Mr. Denny, Jr. stated Council now has two members that are Independent and questioned how a replacement would be appointed. President Smith believed an appointment would have to be of the elected party.

Ms. Cindy Harris, Fox Pointe, stated the issue of disenfranchising votes does not matter at the local level and other levels of government have examples of how it works.

Mr. Stewart asked if other municipalities review their Home Rule Charter every ten years or so. Mr. Denny, Jr. compared the Home Rule Charter to the Constitution, noting if citizens want to petition to change it, they can. Solicitor Garfinkel noted there are six amendments to the Township's Home Rule Charter.

Ms. Megan Lorenz, Cabin Lane, requested transparency with regard to the storm water fee; how much money is being collected; and forming a committee so residents have a voice in how the funds are used. She recently learned from the Township Engineer that Council is not interested in forming a committee. Her home is one that gets flooded. She recalled Lennon Smith Souleret Engineering investigated her property situation and sent a letter with options to fix the problem. Ms. Lorenz stated options one through three do not fix the problem; option four puts the expense on O'Hara Township; and option five puts the expense on her, which she cannot afford. She noted a lack of cooperation through emails to Mr. Steinert, Jr., P.E. and Manager Jakubec and decided to reach out to Council.

President Smith informed Ms. Lorenz that Council is aware of all correspondence between her and Township staff.

Mr. Kevin Brett, of Lennon Smith Souleret Engineering, stated with each option the cost increases, and explained the effects each option would provide. He noted the cost of option four is approximately \$1,200,000 to address the 100-year storm event.

Ms. Lorenz stated the pipe is to handle a 20-year flood, which Mr. Steinert, Jr., P.E. corrected to be a 25-year flood event. Mr. Brett stated the storm events were north of a 100-year event, to which Ms. Lorenz agreed. Mr. Brett noted the industry standard for stormwater systems are the 10-year and 25-year events.

Vice President Vogel stated the Township needs permission to work on Ms. Lorenz's property. He noted option five would put most of the cost on the school district, as the school district would have to dig up the O'Hara Elementary School field. He asked if she had approached the school district about the issue. Ms. Lorenz stated she did not know who to talk to at the school district.

President Smith informed Ms. Lorenz the Township is not responsible for the flooding on her property. Council is responsible for spending taxpayers' money, and cannot spend taxpayers' money on private property. Ms. Lorenz stated the Township is responsible for the drain. Solicitor Garfinkel stated President Smith is correct.

Mr. Denny, Jr. stated sometimes we do not like to hear things. The Township has offered to help with two of the options. He believed the Township and Ms. Lorenz are at an impasse. Ms. Lorenz stated the options won't stop the flooding. Mr. Denny, Jr. stated it will lessen the amount of flooding. Ms. Lorenz suggested looking at other options. Mr. Denny, Jr. stated Council has beaten this matter to death and it is time to move on.

President Smith asked Mr. Brett about other things that could be done upstream that may help. Mr. Brett explained the effectiveness of doing something upstream would not justify the cost, and the area does not have a lot of vacant land to which the Manager agreed.

Vice President Vogel noted pipes installed to direct streams along Powers Run Road and Washington Boulevard and flooding still occurs. He noted people were trapped in vehicles and died when Washington Boulevard flooded.

President Smith informed Ms. Lorenz the Township is trying to help by offering solutions, even though the Township is not responsible for her property flooding.

Mr. Stewart stated many people have been flooded over the past three or four years. The Township is actively working to improve the problem.

Ms. Cindy Harris, Fox Pointe, provided an update on the Long Range Comprehensive Plan Committee's activities. She stated the Request for Proposals ("RFP") for a consultant has been consolidated. She noted the Manager and others are reviewing the RFP and then it will be sent to DEP for comment. Then it will be presented to Council. She inquired of Council's preference on presenting the RFP.

President Smith stated he did not receive the invitation for the meeting. Ms. Harris indicated she would add all of Council to the group email.

B. Council

Vice President Vogel noted the first History Lecture is scheduled for tomorrow evening. Manager Jakubec stated members of the Seneca Nations reached out and provided comments regarding the historical signs for the park.

Ms. Berger announced she has decided not to run for reelection. Vice President Vogel also announced he would not be seeking reelection, adding it is time to get some young blood on Council.

C. Staff

Manager Jakubec stated the Historic Lecture is scheduled for 7:00 p.m. tomorrow via zoom.com.

(1) Annual Whitetail Deer Management Program Report

The Manager referenced the subject report. Vice President Vogel questioned if the report reflected the entire season, which the Manager indicated she would inquire of the exact dates.

Manager Jakubec requested Council to remain after the meeting for a brief Executive Session to discuss a legal matter.

VII. ADJOURNMENT

Motion by Mr. Denny, Jr. to adjourn the meeting was seconded by Mr. Caprara and carried unanimously. The meeting adjourned at 8:25 p.m. and Council entered into Executive Session.

Cathy Bubas, Manager's Secretary

Attachment: Attendance List