

**TOWNSHIP OF O'HARA  
COUNCIL REGULAR MEETING MINUTES  
JUNE 11, 2019**

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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; Scott Frankowski, Third Ward; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward

Absent: 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; Scott K. Slagel, Police Superintendent; Cathy Bubas, Manager's Secretary

(\*) denotes late arrival

II. APPROVAL OF MINUTES

A. Council Workshop – May 7, 2019

B. Council Regular Meeting – May 14, 2019

Motion by Vice President Vogel to approve the minutes as presented was seconded by Ms. Berger and carried unanimously.

III. FINANCE

A. Vouchers – May 2019

Motion by Vice President Vogel to pay the subject vouchers as presented was seconded by Mr. Frankowski.

Ms. Eccles presented questions which the Manager answered satisfactorily.

The motion carried unanimously. The vouchers total \$1,737,383.53.

(\*) Mr. Stewart arrived at 7:08 p.m. and took his seat.

B. Receipts and Expenditures Records – April 2019

Motion by Vice President Vogel to accept the receipts and expenditures records as submitted was seconded by Mr. Stewart and carried unanimously.

C. Treasurer's Report

Treasurer Curran stated finances look good, noting expenses related to the Saxonburg sewer, electric charging stations, Movies in the Park program, equipment purchases and ALCOSAN.

IV. REPORTS

A. Other Organizations and Agencies Reports

Manager Jakubec recalled a North Hills Council of Governments (“COG”) meeting last week, and there has been no movement on Waste Management contract. For now, Waste Management will continue to collect glass and plastic.

The Manager noted a Supreme Court Ruling on Driving Under the Influence (“DUI”). The COG Solicitor is to draft an ordinance that will apply to DUI as well as the Drug Task Force and S.W.A.T.

Ms. Berger recalled attending the RIDC Business Alliance Meeting. The Alliance will be working on food service. They are also happy that some paving of the roads will be done.

Manager Jakubec recalled a prior conversation with Ms. Berger about scheduling a meeting with the Alliance officers, RIDC, Mr. Stewart, Ms. Berger, and staff to discuss long range/short-term planning. The Manager had also received a phone call from Melissa, who previously worked in Randy Vulakovich's office and now works for Port Authority. Her first focus is to get the Allegheny Flyer route changed and then work through the rest of our requests.

President Smith questioned what responsibilities RIDC has. Ms. Berger noted a RIDC representative is to attend the next Alliance meeting. The Manager noted RIDC still has a say in the types of businesses that are allowed. They have no say in roads or sidewalks.

Ms. Eccles stated the RIDC Cranberry has pedways off the busy streets and in the grass. Manager Jakubec noted issues related to ADA compliance, liability and maintenance.

President Smith indicated the Alliance needs to get more organized. Ms. Berger noted they have new members that are savvy and have started to grow.

Mr. Stewart stated he talked with bus riders and the 91 stops by the Comfort Inn for 20 to 30 minutes and suggested reducing the stop by a few minutes and making the loop. Manager Jakubec explained it is a union contract provision for their break. Getting the Flyer and Bus 1 to make a loop and getting the 75 to do a short loop into the park would provide a safer place to drop people off.

## B. Monthly Departmental Reports

Ms. Berger referenced the Engineer's Report concerning a Planning Commission conceptual review for River Road. Mr. Steinert, Jr., P.E. stated years ago there was an old marina, called Lighthouse Pointe. The owner passed away and the Plan expired. The son sold the old marina to a new group who plan to develop it. Manager Jakubec added the owner of Fox Chapel Village intends to have a plaque recognizing the history of River Road and the Montrose Hotel.

Mr. Stewart asked if Scott Chermak was a Township employee or contractor. The Manager stated Mr. Chermak is a third-party contractor for code enforcement, building inspections and zoning matters.

Ms. Eccles inquired about Powers Run and Section 14 of the Flood Control Act with regard to funding for streambank restoration. Ms. Eccles confirmed the Army Corps of Engineers would pay for the study. Manager Jakubec noted Mr. Steinert met with KLH today to do a survey of the entire area. The Township is still trying to get Mrs. Kelly's property. The Manager recalled having a conversation with Mrs. Kelly last week. Vice President Vogel inquired about the gas well, which the Manager stated the Township is receiving monthly royalties. Vice President Vogel questioned if the Township also has the mineral rights, which the Manager believed so. Solicitor Garfinkel stated the mineral rights have been leased out and the royalties is compensation.

Treasurer Curran asked if staff is happy with the new cleaning service provider. Manager Jakubec stated staff is very happy with the cleaning service provider and the new grass mowing services, but she needs to get them to address the landscaping and weeding.

President Smith complimented the Police Department Report, as he sees what is going on. Police Superintendent Slagel noted thanks to social media and Uber, people are aware of the DUI check points.

## C. Manager's Report

No comments.

## V. OLD BUSINESS

### A. Ordinances – Second Reading and Adoption

- (1) Proposed Amendment to the Township Zoning Ordinance Concerning Alternate Energy Facilities (Solar Roofing Shingles) B-16-2019

The Manager stated due to advancements in technology, it is suggested that the Township update the requirements for the installation of solar roofing shingles. When the ordinance was originally written a three-foot buffer was required around the roof edges. The new Tesla Solar Shingles have less volts and provide a safe-touch first row around the edge, which are non-solar shingles. A Public Hearing was conducted prior to this meeting to receive public comments.

Motion by Mr. Stewart to adopt ordinance Bill No. B-16-2019 was seconded by Vice President Vogel and carried unanimously.

- (2) Amending Ordinance No. 1272 Which Prohibits the Use of Tobacco in Certain Areas of Township Parks B-17-2019

Manager Jakubec noted TobaccoFreeAllegheny has notified the Township about the popularity of e-cigarettes growing among youth. The effects of vaping are harmful to the user, and expose risks associated with second-hand smoke.

Motion by Ms. Eccles to adopt ordinance Bill No. B-17-2019 was seconded by Mr. Stewart.

Mr. Frankowski asked if TobaccoFreeAllegheny would be providing signage. The Manager stated there are signs by the playgrounds.

Ms. Berger questioned the fine, noting ‘and costs of prosecution’, and if that verbiage is in all ordinances. It was noted ‘costs of prosecution’ are court costs. President Smith added that each day is also a separate offense.

On roll call, the motion carried unanimously.

- (3) Amending the Township Parks Rules and Regulations B-18-2019

Manager Jakubec explained as a result of various vandalism occurring in Township parks, and to provide regulations regarding the future installation of electronic vehicle charging stations, the Township Parks and Recreation Commission is recommending updates to the Park Rules and Regulations.

Motion by Mr. Stewart to adopt ordinance Bill No. B-18-2019 was seconded by Ms. Berger.

Ms. Berger reference page 10, item 4 of the ordinance related to Soliciting. The Manager explained the Township cannot regulate soliciting by non-profits. She added that shelter rental deposits are retained when a shelter is damaged, or not cleared of event items.

On roll call the motion carried unanimously.

## VI. NEW BUSINESS

### A. Resolutions

- (1) Granting Minor Subdivision Approval to the Freeport Retail Plan of Lots B-21-2019

Manager Jakubec stated the Township Planning Commission reviewed the subject application at its May 13<sup>th</sup> meeting and has recommended to Council that the Plan be approved. The proposed Plan, located at the intersection of Freeport Road and Alpha Drive consolidates parcel 227-S-202 with parcels located in Blawnox Borough. During the Land Development approval, a fee in lieu of agreement was approved to compensate the Township for additional vehicular traffic along

Alpha Drive. She noted an additional condition that mirrors the land development regarding the 'fee in lieu of'. Solicitor Garfinkel indicated he would provide appropriate verbiage.

Motion by Vice President Vogel to approve resolution Bill No. B-21-2019, was seconded by Mr. Frankowski.

Mr. Stewart questioned if the slow down when turning into the mall from Alpha Drive would create a traffic problem. Mr. Steinert, Jr., P.E. did not anticipate any problem.

On roll call the motion carried unanimously.

- (2) Authorizing the Advertisement to Request Bids for the Village Drive and Dorseyville North Sanitary Sewers B-22-2019

The Manager noted Township Engineer Chuck Steinert is requesting authorization to receive bids for the Village Drive and Dorseyville Road North Sanitary Sewer Extension Contract. This project will allow eleven homes to connect to the public sewer system.

Motion by Mr. Stewart to approve resolution Bill No. B-22-2019 was seconded by Ms. Berger.

Mr. Stewart asked if the affected people would have to pay an upfront fee to connect. Manager Jakubec explained the people will have to pay an assessment based on the cost.

On roll call the motion carried unanimously.

- (3) Amending and Restating the Township Fee Resolution B-23-2019

Manager Jakubec explained as a result of the exhaustion of the grant from the Fox Chapel District Association for the Hometown Heroes Banner Program, staff is recommending the continuation of the Hometown Heroes Banner Program to honor Veterans that have served our country, but at the applicant's expense. The fee for the Hometown Heroes Banner Program has been calculated at a cost of \$95.00, which includes one side of a 24" x 36" banner for display on utility poles and two 12" x 18" single sided banners for the family, shipping costs and pole attachment brackets.

Motion by Mr. Stewart to approve resolution Bill No. B-23-2019 was seconded by Vice President Vogel.

Ms. Eccles questioned how many more banners could be displayed on the utility poles. Manager Jakubec indicated several banners could be displayed, noting five utility poles are available on Kittanning Pike and also on Fox Chapel Road. She suggested cutting off accepting applications in July for his year. The banners would be taken down for Veterans' Day, as the banners do not weather well.

On roll call the motion carried unanimously.

## VII. COMMUNICATIONS

### A. Citizens

Mr. Tom Powers, Powers Run Road, noted banners of World War II veterans, and he has photos of several Civil War veterans. He indicated photos and information of the Civil War veterans would be provided. Manager Jakubec requested high resolution scans of the photos for banners.

### B. Council

Ms. Berger requested the Police walk the loop around the pond at Squaw Valley Park since it is so busy. Police Superintendent Slagel indicated it would be incorporated for each shift.

Treasurer Curran noted car vandalism occurring in Aspinwall Borough and asked if it had spilled over into O'Hara Township. Manager Jakubec stated she posts such warnings on social media and Police Superintendent Slagel noted bigger issues in O'Hara, but the car vandalism seems to be tapering off.

Mr. Stewart asked if the speed limit through all of RIDC Park is posted at 25 m.p.h., and if so, a lot of people are not following the speed limit.

Police Superintendent Slagel noted hot spots within RIDC Park, but indicated speeding will receive some additional attention.

Vice President Vogel stated Richard Citrin had called him to discuss concerns about the proposed Chick-a-Filet that will be going before Planning Commission for review.

Manager Jakubec explained the proposal has to go through the process, and the Township will control what is legally allowed. She noted the Township is having W.E.C. review the traffic study, as traffic is a concern. She noted a number of zoning variances may also be required.

Vice President Vogel referenced a recent article in the newspaper about a Harts Run Road property in Indiana Township. Development of the property had been approved for 198 units and Indiana Township is now looking at 150 units. Vice President Vogel was astounded because O'Hara Township officials were assured by more than one Indiana Township officials that they had never heard anything about any development in Indiana Township, meanwhile they just approved 198 units. He questioned where that sewage would go. Mr. Steinert, Jr., P.E. indicated the sewage would flow to the Bigler Drive pump station.

Mr. Frankowski noted it is a '55 and older community'.

President Smith noted a resident was denied acquiring a property through the Vacant Property Program. Mr. Steinert, Jr., P.E. explained the property exceeds the size limit, which has to be less than one acre. Manager Jakubec indicated staff is working with the County, and could force the property to Sheriff Sale. Though the resident could bid on the property, there is no guarantee he would get it. Mr. Steinert, Jr., P.E. indicated he would provide an update when he hears from the County.

President Smith noted the resident does not have to use the property as a side yard. He could build on the property.

Treasurer Curran exited the meeting at 8:06 p.m.

Mr. Steinert, Jr., P.E. added the resident could build an addition on his home. He also noted the school district does not want to force a sheriff sale because of the house on the property. Manager Jakubec stated the resident could work through a program with Jordan Tax.

C. Staff

The Manager announced the Pizza with Police event is scheduled for June 20 at the Laurie Ann West Community Center from Noon until 2:00 p.m.

Manager Jakubec also stated the Movies in the Park tonight will be shown on a new 17' screen.

The Manager 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 Ms. Berger and carried unanimously. The meeting adjourned at 8:10 p.m. and following a short break Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary

Attachment(s): Sign In Sheet(s)