

**TOWNSHIP OF O'HARA  
COUNCIL REGULAR MEETING MINUTES  
OCTOBER 12, 2021**

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I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:01 p.m.

Manager Jakubec read a statement explaining the virtual meeting procedures.

- 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; Cassandra Eccles, Fifth Ward

Absent: 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; Dave Kovac, Lennon Smith Souleret Engineers; Loren R. Kephart, Public Service Superintendent; Scott K. Slagel, Police Superintendent; Chris Komora, Code Enforcement / Storm Water Coordinator; Cathy Bubas, Manager's Secretary

Manager Jakubec noted Mr. Denny, Jr. was unable to attend the meeting due to a business conflict.

II. FIRE PREVENTION WEEK

- A. Proclamation Recognizing October 3 – 9, 2021 as National Fire Prevention Week

Motion by Mr. Stewart to read the subject Proclamation was seconded by Mr. Caprara. The Manager read the Proclamation in its entirety. On voice vote the motion carried unanimously.

- B. Resolutions Recognizing and Thanking the Township's Fire and Emergency Services Providers

Parkview Volunteer Fire Department/EMS	B-61-2021
Pleasant Valley Volunteer Fire Company	B-62-2021
Aspinwall Volunteer Fire Department	B-63-2021
Blawnox Volunteer Fire Company	B-64-2021
Fox Chapel Volunteer Fire Department	B-65-2021

President Smith noted no fire or emergency medical services representatives were in attendance.

Motion by Mr. Stewart to read the resolution recognizing Parkview Volunteer Fire Department and Emergency Medical Services, which represents the resolutions for the other volunteer fire companies/departments, was seconded by Vice President Vogel.

Mr. Stewart read the resolution in its entirety.

On roll call the motion carried unanimously.

### III. MS-4 TRAINING

Mr. Dave Kovac, of Lennon Smith Souleret Engineers (“LSSE”) was in attendance to provide the mandatory MS-4 Training to Council and staff. He presented an overview of the NPDES MS-4 Permit process and tasks required as part of the permit. He explained the Township is a separate storm sewer system community. The NPDES MS-4 Permit authorizes the Township to convey storm water into the Commonwealth waters. The primary goal of the permit is to protect water quality and limit stormwater pollution.

### IV. APPROVAL OF MINUTES

- A. Council Workshop – September 14, 2021
- B. Council Regular Meeting – September 21, 2021
- C. Council Special Workshop – September 28, 2021

Motion by Mr. Stewart to approve the subject minutes was seconded by Ms. Eccles.

Vice President Vogel noted a correction to the September 21, 2021 meeting minutes on page 7.

Mr. Stewart and Ms. Eccles amended the motion to approve the minutes as corrected and the motion carried unanimously.

### V. FINANCE

- A. Vouchers – September 2021

Motion by Vice President Vogel to pay the subject Vouchers was seconded by Mr. Stewart.

Mr. Stewart presented questions which staff answered satisfactorily.

The motion carried unanimously. The Vouchers total \$342,693.97.

- B. Receipts and Expenditures Records – August 2021

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 met with Manager Jakubec and the Township finances look good overall for 2021. He noted real estate and real estate transfer taxes are strong, but there is a shortfall with earned income tax. The shortfall should be offset by the other tax revenue. He noted key expenditures with regard to playground mulch, tree removal and a new server.

Mr. Stewart inquired about the status of storm water fee payments. Manager Jakubec noted Jordan Tax was sending follow-up letters to those that had not paid the fee.

Treasurer Curran stated if cash does not come in for that fund Council will have to make some decisions, noting the fee is critical to the health of the community.

The Manager indicated the storm water fee would be highlighted in the Newsletter.

## VI. REPORTS

### A. Other Organizations and Agencies Reports

Mr. Stewart noted discussion from the RIDC Alliance meeting, including a request to move a trash can on Alpha Drive to the other side of the road. The Manager explained it would be helpful if businesses that put out trash cans would have their maintenance staff empty the trash cans.

### B. Monthly Departmental Reports

Ms. Berger thanked Lennon Smith Souleret Engineers for reformatting the project table, noting it is very helpful.

Mr. Stewart questioned the number of Saxonburg Sewer residents that are not in compliance. Manager Jakubec stated ten people, noting at some point the County will send notices requiring they connect to the sewer line.

Mr. Stewart questioned the difference between a retention pond and detention pond, which Mr. Steinert, Jr., P.E. explained.

Mr. Stewart asked if residents could get a copy of the Squaw Run Watershed Report or if the report could be put on the Township's website. He noted some people did not appreciate the work on Margery Drive to help with flooding, as it is expensive. President Smith indicated residents would be concerned if they have to do the work themselves. Manager Jakubec stated the Army Corps report is on the Township website under 'stormwater'.

Mr. Stewart inquired about odor control for Pleasant Valley. Mr. Steinert, Jr., P.E. acknowledged an existing odor from Woodland Park to Lower Road and was trying to determine the cause. The amount of flow from the pump station should not cause an odor.

Mr. Stewart commented about the Police Report, noting a lot of medical emergencies. Police Superintendent Slagel stated the Police are available to EMS if needed on a call.

President Smith inquired about the status of traffic signal controls. Mr. Steinert, Jr., P.E. stated the adaptive signals for the Freeport Road corridor project has been put on a shelf. The City of Pittsburgh controls are not compatible. The Township may need to apply for a grant to implement the project. He noted work on the signals has started in Harmar.

Mr. Stewart noted digging on 7<sup>th</sup> Street in Sharpsburg has started in relation to the Ravine Street project. Mr. Steinert, Jr., P.E. indicated the contractor has been on site for the past three weeks.

President Smith asked if the Code Enforcement Officer would enforce disorderly conduct instead of the Police. Mr. Komora stated he could issue citations for ATVs, motorcycles, vicious dogs, and expired vehicle inspections if it is on private property. If it is on the street the Police would enforce.

Mr. Stewart inquired about a chicken ordinance. Manager Jakubec recalled reviewing recommendations from Penn State Extension and Minnesota Extension. Mr. Caprara questioned if the recommendations address issues related to an increased coyote population. The Manager stated coyotes are not a main predator of chickens, but raccoons and hawks are. A roof over the pen run is recommended and chickens should be in the coop at night. President Smith stated most municipalities say you either can or cannot have chickens; not what people have to do. Manager Jakubec noted attention to maintenance should be required, and recalled McCandless Township's ordinance has recommendations. President Smith asked if the Township would address ducks or other fowl. Manager Jakubec stated the ordinance says no farm animals. She has not been approached about other animals. She would reach out to Mr. Dan Meinert for suggestions since he has chickens. Ms. Eccles asked if roosters would be allowed. The Manager indicated roosters would not be allowed.

#### C. Manager's Report

No comments.

### VII. OLD BUSINESS

#### A. Ordinance – Second Reading and Adoption

- |     |   |           |
|-----|---|-----------|
| (1) | Ratifying the Public Service Department Employees Labor Agreement for the Years 2022, 2023, 2024 and 2025 and Authorizing Council President and Township Manager to Execute Said Contract | B-55-2021 |
|-----|---|-----------|

The Manager stated the ordinance ratifies the proposed Public Service Contract for the years 2022 through 2025. The union has already approved the contract.

Motion by Mr. Stewart to adopt ordinance Bill No. B-55-2021 was seconded by Ms. Eccles and carried unanimously.

## VIII. NEW BUSINESS

### A. Ordinance – Introduction for First Reading

- (1) Ratifying the Police Labor Agreement for the Years 2022, 2023, 2024 and 2025 and Authorizing Council President and Township Manager to Execute Said Contract B-67-2021

Manager Jakubec noted the ordinance authorizes the execution of a new Police Contract for the years 2022 through 2025. The union has already approved the contract.

Motion by Vice President Vogel to introduce for first reading ordinance Bill No. B-67-2021 was seconded by Ms. Berger.

President Smith noted Council previously reviewed and discussed the agenda items.

On voice vote the motion carried unanimously.

### B. Resolutions

- (1) Granting Minor Land Development Approval to the Industrial Testing Laboratory Services Plan B-68-2021

The Manager recalled the Planning Commission reviewed the application during the scheduled September 18<sup>th</sup> meeting. It has been proposed by Industrial Testing Laboratory Services, owner of the property located at 635 Alpha Drive, Pittsburgh, PA 15238, to construct a 3,136 square foot storage building. The Township Planning Commission has recommended to Council that approval be granted subject to the six conditions listed in the proposed resolution.

Motion by Mr. Caprara to approve resolution Bill No. B-68-2021 was seconded by Ms. Berger and carried unanimously.

- (2) Authorizing a Financial Contribution to Pennsylvania Department of Transportation for Repairs to the Kittanning Pike Sinkhole B-69-2021

Manager Jakubec stated the Kittanning Pike Sink Hole repairs are estimated to cost \$260,000. A Federal Grant has been awarded in the amount of \$130,000, Senator Williams is providing a \$65,000 grant, leaving \$65,000 to split between the Township and Penn D.O.T. Penn D.O.T. will hold the contract with Pugliano. As discussed during the October 5<sup>th</sup> workshop, since the Township has already expended funds toward the project, the Township will share the cost in an amount not to exceed \$30,000.

Motion by Mr. Stewart to approve resolution Bill No. B-69-2021 was seconded by Vice President Vogel.

Mr. Stewart inquired about a time line for the project. The Manager stated the pipe has been ordered and hoped to receive the pipe by October 31<sup>st</sup>.

On roll call the motion carried unanimously.

- (3) Authorizing the Execution of a New Allegheny County Department Health Administrative Consent Order Agreement B-70-2021

The Manager recalled during the October 5<sup>th</sup> Workshop Jason Stanton of Lennon Smith Souleret Engineers explained the Township's responsibilities related to the new Consent Order Agreement, which involves preparing a Sanitary Sewer Overflow Response Plan, continuing the Operation and Maintenance Program and the Sanitary Sewer Certification Program, disputing the 2008 overflow data, and post-construction monitoring. This Consent Order Agreement will expire December 31, 2029, and another Agreement will follow.

Motion by Mr. Stewart to approve resolution Bill No. B-70-2021 was seconded by Vice President Vogel and carried unanimously.

- (4) Authorizing the Purchase of Public Service Department Equipment B-71-2021

Manager Jakubec stated staff is requesting authorization to purchase a JPRO Diagnostic Toolbox to use on all diesel trucks and equipment. The purchase would reduce costs the Township currently incurs when equipment breaks down and has to be towed to Hunters Truck, including towing costs and employee's travel time.

Motion by Ms. Berger to approve resolution Bill No. B-71-2021 was seconded by Mr. Stewart and carried unanimously.

- (5) Authorizing the Filing of a Grant Application with the Redevelopment Authority of Allegheny County ("RAAC") for the Fox Chapel Road Retaining Wall Project B-72-2021

The Manager explained a gabion basket wall along Fox Chapel Road and the creek in O'Hara Township Community Park is sagging. This wall was rebuilt in 2006, but there were issues with the construction, and repeated heavy rainfalls has created stabilization problems. It is recommended to replace the wall with soldier pile and concrete lagging. The Township is required to monitor the wall after every rain per an agreement Pennsylvania Department of Environmental Protection. The Township is seeking a grant in the amount of \$500,000 to rebuild the wall.

Motion by Mr. Stewart to approve resolution Bill No. B-72-2021 was seconded by Vice President Vogel.

Mr. Stewart requested a comparison between the grant and total cost. Mr. Steinert, Jr., P.E. noted a grant application in the amount of \$500,000 was submitted. The project incorporates some of the recommendations in the Army Corps of Engineers Study. He did not know the actual project cost at this time because the preliminary design is not complete. He indicated the cost would be a match with the grant.

On roll call the motion carried unanimously.

- (6) Authorizing the Filing of a Grant Application with the B-73-2021  
Redevelopment Authority of Allegheny County (“RAAC”)  
for the Powers Run Road Sanitary Sewer Project

Manager Jakubec recalled this project was identified in the Feasibility Study that was submitted to ALCOSAN. This project will reduce surcharging in the Township’s sanitary sewer line. The Township is seeking a grant in the amount of \$300,000.

Motion by Mr. Stewart to approve resolution Bill No. B-73-2021 was seconded by Vice President Vogel.

Mr. Stewart questioned what is ‘surcharge’, which the Manager explained as overflows when excess water is in the line.

On roll call the motion carried unanimously.

- (7) Authorizing the Filing of a Grant Application with the B-74-2021  
Redevelopment Authority of Allegheny County (“RAAC”)  
for the Epsilon Drive PRP Improvements Project

Manager Jakubec stated the Epsilon Drive Pollution Reduction Plan determined that installing a stormwater retention facility between Epsilon and Alpha Drives would help to alleviate downstream flooding and allow the Township to meet its goals in reducing sediment in the creek that runs through O’Hara Township Community Park. Staff is seeking a grant in the amount of \$500,000 for the construction of the stormwater retention pond.

Motion by Mr. Caprara to approve resolution Bill No. B-74-2021 was seconded by Ms. Berger and carried unanimously.

- (8) Authorizing the Filing of a Grant Application with B-75-2021  
Pennsylvania Department of Transportation for a  
Multimodal Transportation Fund Grant for The Alpha  
Drive Sidewalk Improvements Project

The Manager stated the Township is considering adding concrete sidewalk along Alpha Drive from Freeport Road to Gamma Drive to provide safe travel for pedestrians. The Alpha and Gamma intersection will also be upgraded to meet ADA accessibility requirements. The Township is seeking a grant in the amount of \$750,000.

Motion by Mr. Stewart to approve resolution Bill No. B-75-2021 was seconded by Vice President Vogel and carried unanimously.

## IX. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Ms. Cindy Harris, Fox Pointe, inquired about when the Long Range Comprehensive Plan Committee would meet with the Consultant. The Manager indicated the first meeting will be in-person. She was checking dates for availability at the community center.

Mr. Mike Hammill thanked everyone for working really hard to resolve the Kittanning Pike sink hole.

#### X. CONCERNS OF COUNCIL

Ms. Berger noted residents are confused about the brush collection. She questioned why residents have to call to register ten days in advance to have brush collected. She suggested treating brush the same as the leaves collection. Mr. Kephart clarified Waste Management's summer collection requires ten days advance notice. The Township collects brush in the spring and fall during specific weeks. Manager Jakubec suggested Ms. Berger call her to discuss brush collection.

Mr. Stewart noted the Long Range Comprehensive Plan is kicking off and asked if the committee would reach out to the stakeholders. Manager Jakubec noted the kickoff is with Pashek and they would determine when the group would meet.

Mr. Stewart noted a 30" pipe under Greyfriar Drive and questioned if the 30" pipe was big enough to handle a 100-year storm. Mr. Steinert, Jr., P.E. stated no and explained it is not designed for that kind of flow. There is a 1% chance of having a 100-year storm every year.

Mr. Stewart inquired about a guiderail in Parkview. Mr. Steinert, Jr., P.E. clarified Mr. Stewart was referring to Keystone Street, and stated the guiderail has not been there. Residents have used the area for parking.

Mr. Stewart noted a number of people from the business community and RIDC Alliance are getting a meeting with Don Smith of RIDC to discuss rules and regulations of the RIDC. The uses now are different from the 1960's. There are a lot of vacant buildings.

#### XI. CONCERNS OF STAFF

The Manager noted Council has three scheduled meetings in November; the 3<sup>rd</sup>, 9<sup>th</sup> and 16<sup>th</sup>.

President Smith asked if the Township building still has a mask mandate. Manager Jakubec confirmed, noting more than 300 COVID-19 cases were reported today. Ms. Berger suggested conducting the Budget Meeting at the community center to allow for social distancing. Manager Jakubec indicated social distancing would be difficult. Vice President Vogel and Mr. Stewart agreed, noting a lot of break-through infections. President Smith noted the Council meetings have had more participation with Zoom.com than in-person meetings and was not in a big hurry to begin in-person meetings. Mr. Stewart asked if the meeting room could be set up so Council and staff could be socially distanced. Manager Jakubec indicated the meeting room is too tight. She also noted one more camera needs to be installed. The consensus of Council was to continue conducting Council meetings via Zoom.com.

Mr. Steinert, Jr., P.E. stated construction on the new bus shelter on Gamma Drive has begun.

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



XII. ADJOURNMENT

Motion by Vice President Vogel to adjourn the meeting was seconded by Mr. Stewart and carried unanimously. The meeting adjourned at 8:50 p.m. and Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary

Attachment: Attendance Sheet