

TOWNSHIP OF O'HARA
COUNCIL SPECIAL WORKSHOP MINUTES
SEPTEMBER 17, 2019
At the Pittsburgh North Moose Lodge #46

I. Opening Procedures

- A. Call to Order by President Smith at 7:10 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; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward

Absent: Scott Frankowski, Third Ward; John R. Denny, Jr., At-Large

Also Present: Julie A. Jakubec, CPA, CGMA, Township Manager; Dan Garfinkel, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Scott K. Slagel, Police Superintendent; Loren R. Kephart, Public Service Superintendent; Cathy Bubas, Manager's Secretary

Manager Jakubec informed Council that Mr. Frankowski and Mr. Denny were unable to attend due to work scheduling conflicts.

II. Administering Oath to New Police Sergeant

- A. Ben Wolfson

Manager Jakubec recalled on July 27, 2019 the Township Civil Service Commission administered the Police Sergeant Examination. After receiving the exam results, Police Officers with passing scores were interviewed by the Civil Service Oral Exam Board, followed by an interview session with the Township Manager and Police Superintendent. Police Officer Ben Wolfson has successfully satisfied the requirements and expectations for the position of Sergeant.

President Smith administered the Police Sergeant Oath to Ben Wolfson.

III. Review and Discussion

- A. Saxonburg Sewer Assessment and Payment Options

Manager Jakubec stated most of the pipe is in place. She expects the project to be complete by mid-November. She proposed discussion about how the residents would pay for the sewer line. The Manager explained residents could pay a benefit assessment, a front footage assessment, or a

Special Sewer District and conveyance fee which would be paid by current and future homeowners.

President Smith requested staff's recommendation and Mr. Stewart questioned other methods of payment, noting a lot of inequity. Manager Jakubec explained with the benefit assessment or front footage assessment, people that own several acres of land would be assessed, even though the land may never be developed. The special sewer district and conveyance fee would require everyone to pay the same amount and as homes are built, the owners would pay their fair share. President Smith noted the front footage assessment would go before the County Board of Viewers.

The consensus of Council was to use the Special Purpose Tap Fee and conveyance fee.

Manager Jakubec reviewed financial options based on what was done for the Crawford/Mission Lane sewer extension. She recalled everyone paid the same amount. She also referenced an Act 57 Calculation of project costs prepared by KLH Engineers. The Manager stated the numbers could change as a result of change orders. Currently the cost is \$13,752.03 plus the cost to connect to the sewer line and decommission the septic system. Some residents would pay less because they signed the easement agreement.

Manager Jakubec noted residents may be able to begin tapping into the system in December. She explained the County requires connection within 60 days; staff is recommending to Council to grant six months to connect based on potential weather conditions and there are just so many plumbers available.

The Manager noted various payment options available, including paying up front, PennVest low interest loans, and County low interest loans, as well as financing through the Township over five years. The amount due would be attached to the sewer bill. The national average interest rate is 5.75% and she proposed an interest rate of 5%. A lien would be placed on the house and the resident would pay over a five-year term. Some people on a fixed income may be able to tie to W.I.C. guidelines, whereby an agreement with the Township is executed, a lien is placed against the property, and the resident would pay a 2% interest loan to the Township over time. She requested any resident who feels they meet the W.I.C. requirements to contact staff. Manager Jakubec referenced sample loan amortization payment schedules.

Mr. Dave Schaffner, Calmwood Drive, inquired about the charge for use, which the Manager indicated would be whatever the sewer fees are.

Mr. Joe Frauenholz, Jr., 1239 Saxonburg Boulevard, asked if Hampton or Indiana Townships would be able to become a part of the Special Sewer District. Manager Jakubec stated anyone wishing to participate in the Special Sewer District would have to pay to buy into the line and pay an annual conveyance fee. Mr. Frauenholz, Jr. asked if the bridge replacement cost was included in the total sewer project cost. The Manager answered no, adding Fox Hall and Middlecrest were not part of the total sewer project cost because they belong to others. Anything not covered by assessments, the Township pays. Mr. Steinert, Jr., P.E. noted the percentage of use of the new pump station, plus the sanitary sewer construction and new line down Kirkwood Drive is what the Township is paying. The Manager added that the \$100,000 grant was used to reduce the residents' cost. Mr. Frauenholz, Jr. asked what capacity is available to Indiana and Hampton Townships after total build out. Mr. Steinert, Jr., P.E. stated the pump station can handle 1,000,000 gallons

and the pipe capacity is 400,000 gallons per day. Mr. Frauenholz, Jr. noted development occurring upstream in Indiana Township and believed Indiana Township would want to buy into the line at fair market value, which could return a profit to the Township. Manager Jakubec recalled how long the Township has been trying to get Indiana Township involved in the project. Mr. Frauenholz, Jr. expressed concern the PA DEP would force the Township to let Indiana Township connect to the sewer line. Manager Jakubec stated PA DEP does not set pricing; that would go before a Judge. The Township can show to the Judge all the efforts to get Indiana Township to participate since at least 1986. Mr. Frauenholz, Jr. requested staff to make the pump station capacity and the Township's share available to the public, so they can be sure Indiana Township would pay their fair share. Manager Jakubec understood, and recalled Council also reached out to Indiana Township Council, and they said no. Mr. Frauenholz, Jr. hoped if the Township did earn a profit that the residents would get some of the money returned.

Manager Jakubec informed the residents that copies of the information discussed was available.

Mr. Frauenholz, Jr. questioned the amount of excess capacity. Mr. Steinert, Jr., P.E. indicated there are about 200 EDUs now, but the Township did not want to give it away since the Township anticipates development and may need it.

Mr. Dan Parker, 1085 Saxonburg Boulevard, noted the grinder pumps would be an additional cost to some residents. Manager Jakubec stated there are two options for Council's review pending further discussion with the Solicitor. She hoped to have additional information by October. Staff is currently reviewing the EV1 grinder pump. President Smith added that six or seven properties will have to pump the sewage upstream.

A resident in the audience inquired about group purchasing the grinder pumps. The Manager indicated it is a possibility, but the Township would have to piggyback on a contract due to the cost. Ms. Staci Parker, 1085 Saxonburg Boulevard noted there are different sizes of grinders.

Mr. Nicholas Wittenstein, 1199 Saxonburg Boulevard, stated the contractor disconnected the water line because he had to go under the line. The contractor said he would reconnect the water line but hasn't. The Manager made note of the situation. It was also noted that Mr. Wittenstein has a very long driveway which is beyond the 300' requirement to connect. Mr. Steinert, Jr., P.E. stated Mr. Wittenstein could connect to the sewer line now or later.

Mr. Fred Neumeyer, 213 Country Club Lane, stated he currently has well water and asked if the Township would run a water line. Manager Jakubec indicated Hampton Shaler Water Authority could run a line. Mr. Neumeyer stated his property is also beyond the 300' and the cost to run a pipe to connect is \$57,000 plus the cost of a grinder pump. Mr. Steinert, Jr., P.E. stated there is a new line in the street and he would not have to run a separate line. He could connect with an executed agreement with the other property owner.

Mr. Jason Thomas, 179 – 181 Berryhill Road, stated he owns two properties that are all on one deed. He was told to put in two taps. Mr. Steinert, Jr., P.E. stated there are two homes.

Mr. Eric Laurenson confirmed since he signed an easement he would get a discount. Manager Jakubec stated the \$3,300 tap in fee would be waived and a \$500 credit would be issued.

Mr. Brian Alerton, 151 Berryhill Road, noted restoration work is to begin in the fall and questioned if the restoration work included paving Berryhill Road. Manager Jakubec stated Berryhill Road would be paved prior to Thanksgiving.

Mr. Dave Stewart, 185 Berryhill Road, asked if the paving included Berryhill Road Extension. Mr. Steinert, Jr., P.E. indicated Berryhill Road Extension would be restored to pre-construction condition. The road would be 18' wide.

Ms. Sandy Stewart noted a manhole cover had been moved. She suggested meeting at her house to investigate. Mr. Stewart recalled pictures of around the curve, where a lake just lays there. It has gotten worse since the storms and the house has flooded twice. Manager Jakubec indicated she would contact Chivers, the contractor, and tell them to restore the road to the way it was. Mr. Steinert, Jr., P.E. noted the water should sheet-flow off to the right. The Manager added when Berryhill Extension is milled, it will be restored. If it is not acceptable, the Townships will not pay the contractor.

Mr. Mike Rosewell, 187 Berryhill Road, asked how the other projects were funded. The Manager stated through assessments. She recalled Crawford and Mission Lane residents were assessed \$10,500 and the Township paid its fair share with bond funds.

Mr. Damian Blum, Berryhill Road, noted a man hole on Berryill is causing a big water issue. There used to be a curb which disappeared and there is no storm drain. Mr. Steinert, Jr., P.E. recalled four basins were checked. Mr. Stewart inquired about the possibility of putting a storm sewer at the intersection of Berryhill Road and Berryhill Road Extension. Mr. Steinert, Jr., P.E. stated there is a storm drain at the corner.

Mr. Richard Roberts noted seven residents will need grinder pumps and though it may be less costly to purchase as a group, those seven residents will have to pay more. President Smith stated those residents would have to have the grinder pump installed and maintain it. As for paying more, it depends. Manager Jakubec stated Council is reviewing the legalities.

Mr. Roberts also noted an issue with the sewer pipe between his property and across the creek, which the Manager indicated staff is working with the contractor.

Ms. Mary Zeis, 1193 Saxonburg Boulevard, confirmed anyone building three years from now would also have to pay for the sewer line.

Mr. Wittenstein asked if the fee would increase for developers in the future. Manager Jakubec explained a sewer study will be done and the fee would likely increase.

Mr. Frauenholz, Jr. inquired about the assessment and tap in fee structure. Manager Jakubec explained the assessment and tap in fee have to be structured legally as a special tap fee so if a developer comes in, they will have to pay for the sewer line as well. As an assessment, property owners would have to pay even if they never develop the property. Mr. Frauenholz, Jr. recalled the tap in fee would be waived and there would be a \$500 discount on the assessment. Manager Jakubec stated staff did not know at that time how the payment would work. The conveyance tap will be waived and the discount taken off the special tap. Mr. Frauenholz, Jr. requested the

information be made accessible to the public. The Manager indicated a summary would be posted and noted the numbers would change.

Mr. Dave Stewart, 185 Berryhill Road, confirmed Berryhill Road Extension would be paved, and was wondering if in the future a pothole develops if the Township would maintain the road. The Manager stated the Township will not maintain Berryhill Road Extension because it is not a Township-adopted road.

Mr. Stewart noted so many plumbers will be needed and could charge more. He questioned if there was a way to protect the residents from being charged more. The Manager recommended several residents get together and bundle the project; residents should get at least 3 quotes; ask neighbors about similar work; check Angie's List.

Mr. Alex Rhodes, 1157 Calmwood Road, noted the residents have six months to connect, at which time they will have to pay the fee and contractor. Manager Jakubec suggested residents communicate special circumstances with Township staff.

Mr. Stewart questioned what has to be done to the septic systems. The Manager stated the septic systems have to be decommissioned, which can be done by crushing it, filling it with gravel, or removal.

Mr. Rhodes questioned when additional information would be available. He explained that he moved to the neighborhood after the project began. Manager Jakubec anticipated to have final numbers mid-October or November, at which time residents would receive a letter.

Mr. Alan Meinert, 325 Dorseyville Road, stated if restoration work involves seeding after October 15th and we have a dry, cold winter, the seed will die.

Mr. Blum questioned how deep the line has to be, which Mr. Steinert, Jr., P.E. indicated six to eight feet. Mr. Blum noted concerns of settling, which Mr. Steinert, Jr., P.E. referred to specifications for laying sewer lines.

Mr. Meinert noted the manhole at Country Club Lane has sunk. Mr. Steinert, Jr., P.E. recalled it had been paved over and uncovered. The Manager requested staff to look at the manhole.

President Smith thanked the residents for coming to the meeting, and for their patience.

Council took a break from the meeting at 8:15 p.m. and reconvened at 8:30 p.m.

B. Review of Proposed Capital Improvements Plan

Manager Jakubec stated staff has prepared the 2020 - 2029 Capital Improvement Plan for Council's review this evening. She noted current projects and their progress; a summary by program area; park courts would be resealed; ball fields are open for fall ball; Meadow Park parking lot will have holes filled as needed; due to issues with SuperPave the road improvement program cost will most likely increase each year; a meeting is scheduled for next week to discuss the Ravine Street stormwater removal; staff continues to clean the retention ponds in accordance with MS-4 requirements; a proposal for a stormwater assessment fee will be obtained; the Upper

Powers Run Storm Sewer Project and Dorseyville Road East Project are out for bid; money has been set aside for pipe bursting for sanitary sewer rehabilitation; the sewer tractor camera needs to be replaced; Public Service is requesting the replacement of the 2013 Ford 550 Quad Cab Pick-up and 1998 backhoe which has been on reserve; Public Service is recommending a refit of the 2002 John Deere Highway Mower instead of replacement; Police are looking to replace two 2018 SUVs and most likely equipment because they redesigned the interceptors; grant applications have not been successful to purchase a drone which would be useful for missing persons, flooding and landslides, **not** surveillance. Manager Jakubec noted that Officer Sciacca is very close to certification as a drone pilot operator and has used her personal drone for two situations. She stated laws are changing with regard to Police bodycams. District Attorney Steven Zappala recommends every Police Officer have one and has funding available. O'Hara Police Officers are not opposed to bodycams, but a discussion with the FOP is needed. The Manager noted a lot of emergency vehicles can be retrofitted instead of replaced. She also informed Council that the yard gate is broken and a lot of equipment is stored in the yard. There is also more room in the back for secure police parking. Mr. Kephart explained the type of gate requested and the estimated cost is \$44,200. He noted the weight of the existing gate has loosened the posts and when the wind blows the eye does not line up for the fence to close. Manager Jakubec stated the phone server needs to be replaced as the existing server is no longer supported by the manufacturer. She also noted the Township website is in need of an overhaul.

The Manager noted she and Vice President Vogel would be attending a meeting with ALCOSAN concerning new Administrative Consent Orders.

Manager Jakubec requested Council to rate the projects and return to staff by October 1st. If Council has any questions, the Manager encouraged they call or email her.

President Smith inquired about the status of the Codification Project. Manager Jakubec recalled a lot of the cost has been paid, but the project is on hold pending adoption of the Restated Zoning Ordinance.

IV. New Business

A. Ordinance – Introduction for First Reading

- (1) B-36-2019: Condemning Property Located at 911 Powers Run Road Under the Eminent Domain Code

The Manager explained negotiations to acquire property owned by Mary Kelly have not been successful. The Township is seeking to acquire the property in order to improve and maintain sanitary and stormwater sewer systems. She stated Mrs. Kelly is elderly and does not remember talking with staff.

Motion by Vice President Vogel to introduce for first reading ordinance Bill No. B-36-2019 was seconded by Mr. Stewart and carried unanimously.

- (2) B-37-2019: Authorizing the Refinancing of the Series 2014 Bonds, Issuing Series of 2019 Bonds and Incurring Additional Debt

Manager Jakubec stated the agenda was amended because she just received the ordinance for the bond. She noted interest rates have ticked up, but will be monitored. The ordinance does not guaranty the Township will do the bond, but it sets the parameters in place in case the bond is pursued.

Motion by Ms. Eccles to introduce for first reading ordinance Bill No. B-37-2019 was seconded by Ms. Berger and carried unanimously.

B. Resolution

- (1) B-38-2019: Acknowledging Receipt and Acceptance of the Revised Police Pension Plan Budget

Manager Jakubec explained the Township pension actuary, Mockenhaupt Associates, adjusted the Police Pension Minimum Municipal Obligation (“MMO”) and provided a revised appropriation for the 2020 Police Pension Plan Budget. The revised MMO for the police plan is \$151,288 instead of the original \$104,829. The pension plan is fully funded.

Motion by Vice President Vogel to approve resolution Bill No. B-38-2019 was seconded by Ms. Eccles and carried unanimously.

V. Communications

A. Citizens

No comments.

B. Council

Ms. Berger verified the Township received \$100,000 in grant funds for the Saxonburg Sanitary Sewer Project. She noted the grant was not included on the **draft** tap in fee calculation.

Ms. Berger referenced an email she received from Doug Zaenger. Manager Jakubec explained typically Council does not advocate for residents to Zoning Hearing Board. She recalled Council had sent her to speak on their behalf on prior hearings. The Manager explained what Mr. Zaenger wants to do is difficult in his zoning district and may not work everywhere.

Vice President Vogel indicated he agreed with a lot of what was said by Mr. Zaenger; a lot of properties in his district are not compliant. President Smith stated people cannot do anything that makes it more nonconforming. Vice President Vogel stated Mr. Zaenger lives in the R-2 zoning district and 60% of the properties in his neighborhood are non-compliant.

Ms. Eccles inquired about an update on the Chick-fil-A. The Manager stated Planning Commission’s review has been pushed to October due to Penn D.O.T. comments. Ms. Eccles commented about the amount of cars at other Chick-fil-A restaurants and questioned why they

didn't go to RIDC. Mr. Steinert, Jr., P.E. stated Chick-fil-A would need conditional use approval. He added that Chick-fil-A will be either in O'Hara Township or at the Waterworks Mall. The Manager estimated Council could see the proposal in November.

C. Staff

There were no comments. The Manager stated she did not need an Executive Session.

VI. Adjournment

The Special Workshop adjourned at 9:10 p.m.

Cathy Bubas, Manager's Secretary