

**TOWNSHIP OF O'HARA
COUNCIL WORKSHOP MINUTES
MARCH 5, 2019**

I. OPENING PROCEDURES

- A. Call to Order by President Smith at 7:03 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; John R. Denny, Jr., At-Large

Absent: Scott Frankowski, Third Ward

Also Present: Ted Curran, Treasurer; Julie A. Jakubec, CPA, CGMA, Township Manager; Brendan Lucas, 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 noted Mr. Frankowski was unable to attend the meeting due to a personal commitment.

II. BID OPENING

- A. Grass Mowing, Landscaping and Related Services

Motion by Vice President Vogel to open the bids received for the subject services was seconded by Mr. Stewart and carried unanimously.

Manager Jakubec proceeded to open the bids submitted. The bid tabulation is attached and made a permanent part of these minutes.

President Smith requested staff to review the bids submitted and provide a recommendation for Council's consideration.

III. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Mr. Bart Bodkin, Fox Pointe, congratulated and thanked staff and Council for all their hard work to get the Saxonburg Boulevard Sanitary Sewer and Brownhill Bridge Projects started.

Mr. Bodkin requested placement of the speed monitoring device on Brownhill Road in anticipation of increased speeds due to the widened bridge.

IV. REVIEW AND DISCUSSION

A. Discussion of Governor Center for Local Government Services Regional Police Study and Results

Manager Jakubec stated the Governor Center for Local Government Services presented and provided copies of the Regional Police Study to the Township of O'Hara, Sharpsburg, Aspinwall and Blawnox Boroughs. She noted the study is a public document. In summary, the results of the study suggest it does not make sense at this time to regionalize Police Departments.

Treasurer Curran noted a specific recommendation with regard to Blawnox Police Department. Manager Jakubec indicated if Blawnox is interested, they will reach out.

Mr. Denny, Jr. questioned the revisions between the first draft and final report. Manager Jakubec stated Aspinwall Borough's assessed value and real estate tax collected were updated to 2018 and the Township's contracts and benefits costs were used in the revised study.

Mr. Denny, Jr. asked if there was any discussion among the communities about fire delivery service, which the Manager confirmed and noted the Fire Funding Committee meeting would also discuss.

Ms. Cindy Harris, Fox Pointe, recalled there would be no decrease in staff, but the study notes the number of employees required. Manager Jakubec explained the study did not include all types of calls that O'Hara Police Officers respond to. Vice President Vogel noted the study also proposes five officers to be scheduled for each shift to cover the entire area, to which he disagreed.

Manager Jakubec stated the communities would continue talking and work together such as in joint purchases.

Police Superintendent Slagel noted the Police Officers were involved with the study and the Union representative was also informed of each stage.

President Smith noted the importance of continuing to evaluate the information gathered by doing the study. He also stated that a similar fire department study is critical.

Vice President Vogel noted an upcoming benefit for a Blawnox Police Officer with health issues.

B. Requesting Authorization to Apply for a Business Partner Identification Number with Penn D.O.T.

Manager Jakubec explained in order to obtain a Highway Occupancy Permit with the Pennsylvania Department of Transportation, the Township must register as a Business Partner in order to be permitted electronic access to the Engineering and Construction Management System ("ECMS"). Staff is requesting authorization to execute the application for the Business Partner Identification Number. She noted the Township is not able to obtain the Highway Occupancy Permit ("HOP") without a Business Partner Identification Number.

Mr. Steinert, Jr., P.E. stated the Township would be installing a sewer line down Kirkwood Drive, which is a State road, in correlation with the Saxonburg Sanitary Sewer Project.

The consensus of Council was to include the resolution on the March 12th regular meeting agenda for consideration.

C. Appointment to Zoning Hearing Board Alternate Vacancy and Possible Appointments to Long Range Comprehensive Plan Committee

The Manager recalled prior to the February 12th combined workshop and regular meeting, Council interviewed residents that had expressed interest in serving on the Zoning Hearing Board as an Alternate member. The residents also expressed interest in serving on other boards or committees.

President Smith commented that O'Hara is a lucky community to have many knowledgeable volunteers. He questioned if a consultant would work with the committee. Manager Jakubec recalled a consultant worked with the prior review committee. She added that a Planning Commission representative would also serve on the committee.

Mr. Stewart stated the skillset for the committee is different from Zoning Hearing Board. He suggested advertising for more volunteers, which the Manager indicated a request for volunteers would be advertised.

D. Update on Saxonburg Sewers and Brownhill Bridge

Mr. Steinert, Jr., P.E. stated the installation of the force main is near completion. They are working by Brownhill to get the lines in so work can begin on the bridge. Manager Jakubec stated the contractor has been very mindful of mud and debris on the road. She also met with Mr. Aivaliotis to choose the brick for the pump station building.

Vice President Vogel and Mr. Steinert, Jr., P.E. continued discussion relative to the force main and direction of flows.

E. Discussion of Unadopted Roads and Potential Policy for Possible Township Adoption

Manager Jakubec stated Vice President Vogel requested the subject matter be included for discussion on the agenda.

Vice President Vogel stated Berryhill Extension is an unadopted road. A resident has asked for something to be done. He explained to the resident that the road has to be brought up to Township standards and recommended the resident talk with his neighbors. He also suggested they use the waived tap-in fee toward upgrading the road. He recalled residents of Fox Hall Homeowners Association put up some money to bring Fox Hall Drive up to standard.

Vice President Vogel stated the residents of Berryhill Extension pay taxes, which pays for the snow plows, but the snow plow doesn't treat their road. He noted at one point all roads in the Township were unadopted. Montrose Hill had all gravel roads and the Township paved the roads and took them over.

Mr. Denny, Jr. asked if the Township has a written policy. The Manager referred to the Township Subdivision and Land Development Ordinance. Based on the ordinance, Berryhill Extension would not be adopted due to the topography. She suggested establishing a policy that requires everyone abutting the road to agree to the Township adopting the road. The Township Engineer would then prepare cost estimates to bring the road up to standard, and the residents may have to put some money toward the upgrade.

Mr. Denny, Jr. questioned if there was a precedent since the Township did this 40-50 years ago. Solicitor Lucas explained there is no law requiring the residents to bring a road up to Township standards, but it presents liability. President Smith stated it is private property. Solicitor Lucas stated in Pennsylvania, the property owner is presumed to own to the middle of the road unless it is specified otherwise in the deed.

President Smith noted the people on Berryhill Extension pay less taxes because they are on a private road and have not had sewers. Ms. Eccles noted due to the installation of sewers their property values will increase.

Mr. Bart Bodkin, Fox Pointe, stated knowing what a private road needs to be adopted is one thing, but legally, private property is private. There may be easements or 'right to use', and suggested reviewing the deeds before taking on the project.

Mr. Denny, Jr. stated there is a benefit to the entire Township to be sewerred, and questioned if there is a benefit to have all roads in the Township owned and maintained by the Township. Manager Jakubec indicated it would be easier for emergency access.

Manager Jakubec noted Berryhill Extension may be more complicated, as it would need storm sewers and catch basins, for which the Township would be responsible. Mr. Steinert, Jr., P.E. stated the stormwater cannot be directed over the hill per MS-4 regulations.

Mr. Denny, Jr. asked if Berryhill Extension could be brought up to Township standards. Mr. Steinert, Jr., P.E. stated the road would not be wide enough. Manager Jakubec noted the Solicitor suggested Council only grant a waiver if a road could truly not be brought to meet Township standards. Mr. Steinert, Jr., P.E. also noted for consideration is if there is undeveloped land adjacent to a private road, and the road is paved and adopted by the Township, anyone can use that road.

President Smith suggested residents talk with staff and staff make a recommendation. Vice President Vogel noted the need for a policy to establish procedures for staff.

Solicitor Lucas recommended as a first step that the property owners sign a petition and present it to Council.

Ms. Cindy Harris, Fox Pointe, commented that the residents may have the interest to start the process but not see it through, resulting in a lot of costs to the Township. President Smith stated his concern is spending staff's time on private property.

Mr. Denny, Jr. stated the next step is up to the residents, and if they present a request, Council needs to be prepared and have a policy in place. Manager Jakubec indicated the Township

Solicitor, Buchanan Ingersoll Rooney PC has prepared such policies. She suggested reviewing the policies and drafting a policy for Council's review.

F. Solicitor's February 19, 2019 Invoice

No comments.

G. Proposed March 12, 2019 Regular Meeting Agenda

Vice President Vogel confirmed staff would verify the volunteers are willing to serve on the Long Range Comprehensive Plan Review Committee prior to appointment by Council.

V. CONCERNS OF COUNCIL

Ms. Berger inquired about the Fox Chapel School District Police authority. Police Superintendent Slagel explained the school police are court-appointed. Once they have all required certifications they can make summary offense arrests. Local Police would handle misdemeanors and felonies. Ms. Berger confirmed the High School still retains a School Resource Officer. She questioned if the School District Police are armed, which Police Superintendent Slagel confirmed.

Ms. Berger inquired about the status of radio communications. Police Superintendent Slagel stated antennae were installed in the school and the radios work.

Mr. Stewart asked if the School District security is fully staffed, which Police Superintendent Slagel explained the number of School District Police Officer in each school and where School Resource Officers are assigned. Ms. Eccles questioned Police staffing in the event one of the Officers calls off, which Police Superintendent Slagel indicated he would ask.

Ms. Eccles inquired about the status of a street light on Field Club Road. Manager Jakubec stated it is on Duquesne Light Company's project list. Mr. Kephart noted the pedway is usable along Field Club Road.

Vice President Vogel inquired about the status of the traffic signal by the Sunoco on Freeport Road. Mr. Kephart recalled a traffic accident took out the signal, which is owned by Sunoco. Mr. Steinert, Jr., P.E. indicated they are working to replace it.

Ms. Eccles noted a fallen tree almost all the way down along Powers Run Road. Mr. Kephart explained it is State maintained and the State will not do anything until the tree falls in the cartway.

President Smith stated he was contacted by Eric Schmidt requesting Council to waive the bond requirement for the Kerr Elementary School Land Development. President Smith explained the Township has reasons for requiring bonds; in the event of damage to Township infrastructure, the Township can repair the damage.

Manager Jakubec recalled talking with Dan Breitreutz who indicated it was talked about but no written request has been received. She noted an Improvement Guaranty and Maintenance Bond are required. The Manager stated the School District signed the Developer Agreement. The Township will not sign the agreement until the Improvement Guaranty is received.

Solicitor Lucas stated he worked with the school's Solicitor to prepare the Developer Agreement, but a waiver of the bond was never mentioned. He explained other options the School District could provide the Guaranty.

Ms. Eccles stated the School District is no different from anyone else. Mr. Denny, Jr. noted all the work that has begun.

Treasurer Curran presented a question related to the Guaranty and Bond which the Manager explained.

Vice President Vogel stated the Bond and Guaranty are requirements and saw no reason to waive the requirements. Ms. Berger recommended including a deadline for submitting the Guaranty.

It was the consensus of Council that the School District be required to comply with all Township regulations.

VI. CONCERNS OF STAFF

Manager Jakubec informed Council that once again the Township has received the Government Finance Officer Association award for the Comprehensive Annual Financial Report ("CAFR").

The Manager requested Council to remain after the workshop for an Executive Session to discuss a legal matter.

The workshop adjourned at 8:45 p.m. and following a short break Council entered into Executive Session.

Cathy Bubas, Manager's Secretary

Attachment(s): Sign-In Sheets
Grass Mowing Bid Tabulation