

**TOWNSHIP OF O'HARA  
COUNCIL WORKSHOP MINUTES  
APRIL 2, 2019**

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

Absent: John R. Denny, Jr., At-Large

Also Present: 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 Treasurer Curran was tending to a business matter, Mr. Denny, Jr. was not feeling well, and Ms. Eccles was addressing a family matter and may arrive later.

II. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

No comments.

III. REVIEW AND DISCUSSION

- A. Discussion of Saxonburg Sewer Project

Manager Jakubec referenced information provided to Council and recalled past history with regard to Indiana Township participating in the Project. President Smith read a statement, which is attached to and made a permanent part of these minutes.

Vice President Vogel noted the need for discussion to bring the current Council up to date. He recalled the project had been discussed for at least the past 20 years. Council and staff are receiving requests from Indiana Township residents to connect to the sanitary sewer, and the answer is "No." Vice President Vogel stated if Indiana Township is going to participate in the Project, they need to tell O'Hara Township now.

Mr. Frankowski recalled a discussion with Dan Anderson, Indiana Township Manager, when he first got on Council. He noted Mr. Anderson stated he would not work with O'Hara Township.

Vice President Vogel noted a recent meeting with Indiana Township officials and they were told they would have to pay upfront, and their engineer said it would not make sense.

Mr. Steinert, Jr., P.E. indicated he receives at least three requests a day from Indiana Township residents to connect to the sewer line, and the Manager noted two developers have also requested.

Mr. Joseph Frauenholz, Jr., Saxonburg Boulevard, asked if Indiana Township is under the position that they can do whatever they want and DEP would force the Township to allow Indiana to tap in. Mr. Frankowski recalled Mr. Anderson indicated they could go through Deer Creek Basin Authority and do not need O'Hara Township's sewer line.

Mr. Stewart stated he also attended the recent meeting with Indiana Township officials and it is apparent that they are not listening to their constituents.

Manager Jakubec recalled efforts to get their number of EDUs, which have fluctuated from 41 to 123 for 425. If Indiana is going to participate, the facility has to be able to handle the EDUs.

Mr. Frankowski stated Indiana Township wants to connect at no cost. He questioned if one of the developers was for the 'over 55' living facility. Mr. Steinert, Jr., P.E. believed so, and noted the pump station could not handle that much additional flow.

President Smith acknowledged concerns with DEP. Manager Jakubec stated per the Solicitor, DEP could not determine a cost and it would go to court. Mr. Frankowski noted potential court costs. Manager Jakubec indicated the estimated cost for a new septic system is \$25,000.

Manager Jakubec noted sending an email to Indiana Township and Mr. Steinert, Jr., P.E. had called Mr. Anderson about an unrelated matter, and neither received a response from Indiana.

B. Application for Minor Subdivision Approval - Frauenholz Lot Line Revision, 1241 and 1239 Saxonburg Boulevard

The Manager stated Joe Frauenholz has proposed to revise the lot lines among parcels 436-L-20, 426-L-100 and 436-L-110 located along Saxonburg Boulevard, Glenshaw, PA 15116. The Township Planning Commission reviewed the application during its scheduled March 18<sup>th</sup> meeting and has recommended that Council approve the Plan subject to one condition, adding the sanitary sewer easement to the Plan. Mr. Steinert, Jr., P.E. indicated a new drawing had been received.

Mr. Frauenholz explained the intent is to straighten the property lines.

The consensus of Council was to include a resolution for consideration on the April 9<sup>th</sup> regular meeting agenda.

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

President Smith deferred the subject matter to the end of the agenda.

D. Proposed Amendment to the Township Police Pension Plan

Manager Jakubec explained as a result of the 2018 negotiated Police Bargaining Unit Agreement, the Township agreed to provide a service increment for the pension plan for every full year worked after 25 years of service, with the increment maxing out at 30 years of service. The Plan must be amended to include the change.

The consensus of Council was to include an ordinance for consideration on the April 9<sup>th</sup> regular meeting agenda.

E. Requesting Authorization to Purchase Public Service Department Equipment

The Manager noted a memo from Public Service Superintendent Loren Kephart requesting authorization to purchase a 2019 Bomag BMP 8500 Remote Control Trench Roller through the CoStars Contract No. 4400020077 from Stephenson Equipment, 796 Unionville Road, Prospect, PA in the total amount of \$28,250.00, which includes \$1,600 for the trade in of the Wacker Remote Controlled Trench Roller. The budgeted allotment for the trench roller is \$30,000.00.

Mr. Stewart requested an explanation about the equipment which Mr. Kephart provided. The consensus of Council was to include a resolution on the April 9<sup>th</sup> regular meeting agenda for consideration.

F. Recommending Awarding of the 2019 Road Improvement Program Contract

Manager Jakubec referenced a letter received from Kevin Brett of Lennon Smith Souleret noting the results of the bids received by Fox Chapel Borough for the 2019 Road Improvement Program. It is recommended that the Township award the Base Bid in the amount of \$763,679.00 and Add Alternates No. 5 (Sigma Drive), No. 6 (Zeta Drive), and No. 7 (Field Club Road) in the total amount of \$248,385.50. The grand total for the 2019 Road Improvement Program contract is \$1,012,064.50. The 2019 budget allocation for the Road Improvement Program is \$1,100,000. The Manager indicated the excess funds in the budget would allow for concrete curbs in RIDC and any subbase repairs. It was noted work in RIDC would occur at night.

The consensus of Council was to include the resolution on the April 9<sup>th</sup> regular meeting agenda for consideration.

G. Proposed Proclamation Recognizing the Services of PA One Call

Manager Jakubec referenced an email received from Marcos R. Bernal of Pennsylvania One Call System, Inc. requesting Council's consideration of a proclamation recognizing the 47<sup>th</sup> year of continuous 811 service. The consensus of Council was to include a proclamation on the April 9<sup>th</sup> regular meeting agenda for consideration.

H. Presentation of Planning Commission 2018 Annual Report

President Smith noted the good work and attendance of the Planning Commission. He suggested staff prepare a letter of thanks to the Planning Commission.

I. Solicitor's Conflict of Interest – Tax Assessment Appeal Representation

Manager Jakubec referenced an email from Phil Weis, the Township's Solicitor, requesting the Township to waive a conflict of interest concerning representation of a tax assessment appeal. She explained the school district appealed a real estate assessment and Buchanan Ingersoll has been requested to represent the resident.

The consensus of Council was to include a motion on the April 9<sup>th</sup> regular meeting agenda for consideration.

J. Solicitor's March 20, 2019 Invoice

No comments.

K. Proposed April 9, 2019 Regular Meeting Agenda

The Manager indicated a Workshop would follow the Regular Meeting in order for Council to review a proposed zoning ordinance amendment concerning solar shingles.

Mr. Frankowski asked if Ms. Cindy Harris had signed a contract to install the solar roofing shingles. Ms. Harris confirmed and further explained the engineering and permit processes.

\*Ms. Eccles arrived at 7:43 p.m.

V. CONCERNS OF COUNCIL

Vice President Vogel inquired about a site people could search for delinquent school and municipal taxes. Manager Jakubec stated she has that information from Jordan Tax, the Township tax collector.

President Smith acknowledged Susan Crookston and Betty Monroe were in attendance to discuss the Aspinwall Riverfront Park.

Ms. Crookston informed Council about a State Department of Conservation and Natural Resources Grant available to purchase land for the riverfront trail. She could not borrow the funds needed to purchase the land because there would be no revenue generated from the trail. One of the conditions of the Grant is if she is unable to raise the money needed for the purchase she would not receive the Grant. Ms. Crookston referenced various foundations that have been very supportive. She was seeking a letter of support for the Grant from Council.

Mr. Stewart noted the value of the R-47 property has increased and indicated Ms. Crookston is profiting from the development. Ms. Crookston stated \$7,000,000+ has been received in grant funds in addition to funds contributed by Steve Mosites and a loan from the Allegheny Conference. The estimated cost for access from 19<sup>th</sup> Street is between \$14,000,000 and \$19,000,000. She hoped someday to profit from this venture. Mr. Stewart stated Ms. Crookston is applying for a grant to herself and it would be more palatable if it was to a fiduciary. Ms. Crookston explained she is not on the Board for the park, which is self-sustaining. She, as a limited partner, is not financially liable. Ms. Monroe stated this project is a way for Ms. Crookston's family to make the least profit.

Motion by Mr. Frankowski to write a letter of support for the grant.

President Smith confirmed the neighboring municipalities are not applying for the same grant.

Ms. Berger questioned the next step if the grant funds are awarded. Ms. Crookston explained what is there is good enough for dirt bikes. Thanks to a \$300,000 Pittsburgh Parks Conservancy Grant a planning study was performed and is open to the public.

Ms. Eccles seconded the motion. On voice vote the motion carried 4-1-1 with Mr. Stewart opposing and Ms. Berger abstaining. President Smith requested Manager Jakubec to prepare a letter supporting the grant application.

Ms. Berger stated she attended the RIDC Alliance Meet and Greet, during which time concerns were expressed about extending the pedway from the off ramp. The Manager indicated staff would review, noting it could be a tough build.

Ms. Berger also recalled concerns of a lack of food places within RIDC. She indicated a lack of communication between the Alliance and Township staff, and suggested appointing a liaison to attend the monthly RIDC Alliance meetings. Mr. Frankowski offered to attend the meetings if Ms. Berger was unable to attend and Mr. Stewart expressed interest in attending the meetings.

Manager Jakubec encouraged the Alliance to reach out to Township staff, and recalled responding to all of their emails. She noted the 'pedway' is not ADA compliant.

President Smith suggested appointing a liaison to attend the monthly RIDC Alliance meetings.

Mr. Stewart recalled speaking with Stacey about the setbacks for Chapel Harbor and the tunnel. Stacey would like to put up signs along Old Freeport Road. Manager Jakubec noted Old Freeport Road is a County maintained road.

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

President Smith stated he could not understand how the Township could spend tax payers' money on private property.

Manager Jakubec referred to a proposed policy she had written, which follows a policy adopted by Emsworth.

President Smith indicated the Township Engineer will have to go out to perform an inspection of the 19 roads, which is spending tax payer dollars. None of the roads contain any Township property or rights-of-way. Where there is a right-of-way there are no homes. A private road with one or two homes is a driveway. He stated Lawrence Avenue has five homes and a Township right-of-way, yet the residents never asked the Township to maintain. Vice President Vogel recalled Lawrence Avenue was gravel and when the Township paved it the residents asked why only one side of the road was paved.

President Smith understood the need for a policy, which he suggested include an application and everyone interested should provide the legal deeds. Then have the Engineer go out and assess.

Vice President Vogel noted Township tax dollars were spent to maintain the ball field in Parkview which was private property, and legal costs associated with the eminent domain legal process.

Solicitor Lucas suggested requiring a refundable deposit when a petition to adopt a road is filed.

President Smith stated the residents requesting the Township to adopt a road should pay the legal costs. He questioned if roads with no houses would be considered for adoption.

Manager Jakubec stated the only time the Township will treat a private road is for eminent life safety situations.

Mr. Stewart supported a policy to evaluate private roads for possible adoption.

Manager Jakubec indicated she was not sure all the residents on Berryhill Extension would agree to the Township adopting the road. All the residents would have to grant a right-of-way and execute a waiver if there is an impediment to bring the road up to standards. She also noted the topography which could be challenging.

President Smith stated none of the roads would be 50' wide. In reviewing the current road standards every road has to have a cul-de-sac for vehicles to turn around. Manager Jakubec did not think a lot of people would want to bring the road up to standards. President Smith indicated the roads do not have a significant amount of traffic. The Manager noted Country Club Lane could, if the properties are developed.

Manager Jakubec stated stormwater would need to be addressed as it is required per MS-4.

Vice President Vogel summarized items to be addressed in the policy, such as escrow funds, deeds, surveys, and reimbursing the Township up to \$1,000 or maybe more. President Smith stated the Township should be reimbursed for actual costs. Vice President Vogel stated these are residents that are paying staff's salary. Their tax assessments are lower but would increase if the road is adopted by the Township. President Smith noted not all properties about the road, and residents have legal rights.

Vice President Vogel noted a road with ten homes and the last resident on the road does not want to participate, the Township should be able to adopt the road before the last property. Manager Jakubec noted as long as a cul-de-sac can be provided. Mr. Stewart questioned why the last resident should have access to the road if they do not participate. He recommended the policy be universal, with no exceptions. The Manager indicated the road would need to be assessed to determine if it makes sense for the Township to adopt the road.

## VI. CONCERNS OF STAFF

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

VII. ADJOURNMENT

The workshop adjourned at 9:00 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)  
President's Statement