

**TOWNSHIP OF O'HARA  
COUNCIL VIRTUAL  
WORKSHOP MINUTES  
MARCH 2, 2021**

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Manager Jakubec read a statement regarding virtual meeting procedures.

**I. OPENING PROCEDURES**

- A. Call to Order by President Smith at 7:01 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; Gregory Caprara, Third Ward; Allison Berger, Fourth Ward; Cassandra Eccles, Fifth Ward; John R. Denny, Jr., At-Large

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

**II. PRESENTATION AND DISCUSSION**

- A. Presentation of Long Range Comprehensive Plan Request for Proposals for Consultant

Manager Jakubec acknowledged representatives of the Long Range Comprehensive Plan Review Committee in attendance to present the Request for Proposals ("RFP") for a Consultant.

Ms. Cindy Harris, Fox Pointe, stated the Committee has been working since September. The first task was to prepare the RFP. She referenced the Statement of Objectives on page three of the RFP, as well as tools, such as Miro, where Committee Members can post sticky notes. Ms. Harris informed Council that members of the Committee would provide updates on their progress over the next 12 to 18 months.

Mr. Fred Leech, a Committee Member of Fox Chapel Borough, indicated it has been a very collaborative process with great participation. He noted attributes the Committee is looking for in a Consultant. The RFP would be presented to Fox Chapel Borough Council on March 15<sup>th</sup>.

Ms. Harris requested Council to approve the RFP for the next Committee meeting.

Mr. Stewart questioned the number of firms the RFP would be sent. Ms. Harris stated the Managers of Fox Chapel Borough and O'Hara Township had recommended four consultants to receive the RFP.

Mr. Denny, Jr. and Mr. Caprara extended thanks to the Committee and noted the objectives and goals are really focused.

Vice President Vogel indicated from his first review, the document is very good. He questioned when proposals are to be returned, which Manager Jakubec noted in May, due to the extensive list of qualifications. She indicated the consultants would be interviewed and rated by the Committee, and a recommendation to Council would be provided possibly in June.

President Smith did not anticipate any issue passing the resolution next week. Mr. Stewart noted the importance of getting residents of both communities involved.

### III. REVIEW AND DISCUSSION

#### A. Requesting Authorization to Purchase Police Vehicles

Manager Jakubec stated Police Superintendent Scott Slagel is requesting authorization to purchase one 2021 Ford Police Interceptor Utility AWD and one 2021 Ford F150 4x4 Responder from Laurel Ford through the SHACOG Purchasing Alliance Program. The cost of the two vehicles is \$68,945, less trade in values of two (2019) Ford Police Interceptor SUV in the amount of \$14,000, and one 2014 Dodge Charger in the amount of \$4,000, for a total cost of \$50,945, plus the cost of new equipment needed for the vehicles. The 2021 budgeted allocation for the vehicles is \$92,000.

Police Superintendent Slagel explained the Ford Truck is 4-wheel drive, which will be great to have with snow storms, floods, and roads that are not paved. It is versatile to haul barricades or bicycles.

It was noted due to the new design of the vehicles new equipment would be needed. The pickup truck will have four doors, with half of the back seat for a prisoner and the other half for equipment.

The Manager noted difficulties in finding vehicles, and the regular meeting agenda may be amended if Public Service Department vehicles can be located.

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

#### B. Requesting Authorization to Enter into a Municipal Police Cooperative Agreement

Manager Jakubec noted Police officials from several area municipalities have recommended entering into an agreement to continue participating in the North Hills DUI Task Force, providing resources, and improve the ability to enforce DUI laws.

Police Superintendent Slagel added the agreement is a continuation of the DUI Task Force that the Township has been involved with since 2008. Training is provided through the DUI Association.

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

### C. Review of Solicitor's Memorandum Concerning Township Home Rule Charter

The Manager referenced a memorandum prepared by the Township Solicitor with regard to questions concerning possible changes to the Home Rule Charter previously discussed by Council at prior public meetings.

Solicitor Garfinkel further explained the four issues addressed in the memorandum. The first being appointment of a Council Member to fill a vacancy. An appointee would not have to be of the same political affiliation. The definition of 'Political Party' does not include the "Independent" party. In the event of a tie vote, six Council Members decide, which could create a deadlock, and could go before a Judge. An alternative would be to create a vacancy board to include Council and one resident, or the Treasurer could be the tie breaker.

Solicitor Garfinkel noted the next issue addressed is gender distinctions language, i.e. 'he' would be changed to 'the Manager' or 'the Council', etc.

Solicitor Garfinkel stated the removal of the registered voter requirement is unusual, as the Township would need to confirm the appointee is a resident of the Township. He did not recommend removal of the registered voter requirement.

President Smith inquired about the procedure to change the Home Rule Charter and the time table, as ordinances must be passed. Solicitor Garfinkel stated Council has until July to adopt the ordinances. The County will put the questions on the ballot. Manager Jakubec indicated first reading of the ordinance could occur in June, followed by adoption in July and submitting the ordinance to the County by August.

Mr. Denny, Jr. noted the four items are not inter-related and confirmed all four questions did not have to be on the ballot. Vice President Vogel questioned if there is a limit to the number of questions that can be on a ballot, which the Solicitor indicated he would check.

President Smith recalled possibly changing the 31 days to fill a vacancy. Ms. Eccles indicated Council could schedule a special meeting. Vice President Vogel noted people apply but are not available for the interviews. He recalled once Council did not appoint someone to fill a vacancy within the 31 days.

Vice President Vogel suggested including the removal of the party requirement and gender neutral changes on the ballot. Mr. Denny, Jr. suggested a tie breaker should go with the party. Vice President Vogel recalled Council has always worked through issues. He did not think removing the political party affiliation requirement would disenfranchise peoples' votes. As an example, he is a Republican in a ward that is 60% Democrat. The Democrats voted for him. Mr. Caprara stated people vote for who they like, but also what they represent.

Motion by Vice President Vogel to move forward with removal of the same political affiliation and updating the gender distinction language in the Home Rule Charter. Ms. Eccles questioned

the need of a ballot question to update the gender language in the Home Rule Charter. Solicitor Garfinkel explained any change to the Charter must be placed as a ballot question.

Mr. Denny, Jr. noted there is a process in the event of a tie. He also suggested leaving the time to appoint someone at 31 days, noting meetings can be done via Zoom.com, to which Vice President Vogel, Mr. Stewart and Ms. Berger agreed.

Manager Jakubec confirmed that the Solicitor is to prepare ordinances for two ballot questions.

#### D. Solicitors February 16, 2021 Invoice

Mr. Stewart inquired about an update on Woodland Drive. President Smith verified it was the Lin An Zoning Hearing Board case. Manager Jakubec stated the next move is up to Ms. An.

President Smith questioned the sewers and immunity statute. The Manager clarified the questioned is if people refuse to connect to the sanitary sewer on Saxonburg Boulevard. Vice President Vogel noted a County rule that people have to connect to a sanitary sewer if it is available. Solicitor Garfinkel noted somebody was unhappy about a sewage backup and suggested further discussion during Executive Session. Manager Jakubec stated Council is aware of the situation which has been resolved.

#### E. Proposed Agenda for the March 9, 2021 Regular Meeting

Manager Jakubec stated the only change would be if Mr. Kephart is able to get information on equipment he needs to purchase.

#### IV. CONCERNS OF COUNCIL

Vice President Vogel noted "Concerns of Citizens" was not included on the agenda.

Ms. Harris noted difficulty finding the agenda on the Township website and suggested putting the agenda on the calendar. The Manager noted the website is still under construction, but would ask.

Vice President Vogel inquired about the retention pond below the Comfort Inn, on Central Avenue, and how it would work with the pipe under Freeport Road. Mr. Steinert, Jr., P.E. explained there are two projects on Central Avenue; a project the Township is working with Penn D.O.T. and another project with Sunoco and the developer of Miramar Landing. The projects are going through the permitting process.

Mr. Denny, Jr. noted a sense of Police coverage for traffic at the Chick-fil-A and questioned how long the Police would provide traffic control. Police Superintendent Slagel explained Chick-fil-A hired the Police to be there Thursday, Friday and Saturday. The Police worked the center entrance to the plaza and Freeport Road. Traffic was not backing up on Freeport Road; traffic was contained in the plaza. Police Superintendent Slagel intends to keep a Police presence in the Plaza to monitor safe speeds, and ensure drivers are stopping at STOP signs.

Manager Jakubec stated she was there once and noted the Plaza owner is concerned with the traffic in the plaza. The owner is engaging a traffic consultant in an effort to improve traffic flows.

President Smith recommended painted directional signs, which the Manager indicated they would do in the spring.

Ms. Eccles noted traffic behind the plaza and the dumpsters. Manager Jakubec indicated staff is watching, and had talked with the plaza owner about painting the cartways. President Smith stated it took him a good half of an hour to get through the line.

Mr. Denny, Jr. suggested the Long Range Comprehensive Plan review also include public safety and how to address the dwindling number of volunteer firefighters. Ms. Harris stated the topic is on the Miro board along with Police and Ambulance services. She was not sure it would be included in the plan, but hoped for a spin-off group to spearhead.

Mr. Stewart stated residents are noticing additional problems before and after the sink hole on Kittanning Pike. He asked if there was anything that could be done before Kittanning Pike is no more. Manager Jakubec stated she reached out again to elected officials, but did not know if they would do anything. Penn D.O.T. is doing a study of the area for a larger fix. She believed Penn D.O.T. should fix the sink hole and then look globally.

#### V. CONCERNS OF STAFF

Manager Jakubec informed Council that the search for volunteers for the Civil Service Commission has not been successful and suggested extending the deadline to submit letters of interest to March 17<sup>th</sup>.

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

#### VI. ADJOURNMENT

The meeting adjourned at 8:15 p.m. and Council entered into Executive Session.

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Cathy Bubas, Manager's Secretary

Attachment: Attendance Sheet