

**TOWNSHIP OF O'HARA  
COUNCIL WORKSHOP MINUTES  
DECEMBER 3, 2019**

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**I. OPENING PROCEDURES**

A. Call to Order by President Smith at 7:08 p.m.

B. 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; Daniel Garfinkel, Township Solicitor; Charles W. Steinert, Jr., P.E., Township Engineer; Scott K. Slagel, Police Superintendent; Cathy Bubas, Manager's Secretary

(\*) denotes late arrival

**II. REVIEW AND DISCUSSION**

A. Application for Minor Subdivision – Mark & Carol's Hilltop Plan of Lots

Manager Jakubec stated Carol Zurawka and Mark Rimmel, owners of four parcels located along Meadow Park Lane, wish to consolidate the four lots into one lot. The Township Planning Commission reviewed the Plan at its November 18<sup>th</sup> regularly scheduled meeting and has recommended to Council that the Plan be approved as submitted.

Mr. Steinert, Jr., P.E. noted an unopened road on the plan between the lots. The applicants have owned the property for more than 21 years.

Attorney John Arch, representing the applicants, explained if a road is not opened for use by the public 21 years after the plan is dedicated, the road loses its nature as a public street and the owners on both sides of the paper street own to the middle of the street. When the property was acquired, the owners demolished an existing house and now intend to build a new home. Mr. Arch explained the goal is to have one lot and block number, and one tax bill for the parcel. Mr. Arch noted he had sent a letter to the Township requesting the Township to agree to one lot and block number, but was informed that is not Township Policy. He did not understand why it would not be Township Policy and it cost his clients additional engineering and legal fees.

President Smith requested clarification of the Township not agreeing to it. Mr. Arch explained when he approached the County to get the one lot and block assigned, the County employee informed him that he needed a letter from the Township stating the Township agrees to having one

lot and block number. He wrote a letter to Manager Jakubec and her response was the policy of the Township is not to do that. President Smith believed the Township would require the four lots to be consolidated.

Manager Jakubec explained the Township needs a survey of the existing four lots. She also noted there is a process for a reverse subdivision, and it has to go through Planning Commission for review.

Mr. Arch indicated the drawing of the property stays the same other than the lot lines and one lot and block number.

President Smith noted the setbacks would change. Mr. Arch disagreed because the zoning remains the same. Manager Jakubec stated it would depend on where the new structure will be put. President Smith noted there are four separate parcels and the setbacks could be different on each parcel.

Mr. Steinert, Jr., P.E. questioned if the property owners pursued the court process. Mr. Arch stated they have not because their ownership devolved as a matter of law when the 21 years passed. Solicitor Garfinkel confirmed they have not gone to the courts or verified title. They are just taking by adverse possession. Mr. Arch stated it is not adverse possession. When 21 years passed their property went to the middle of the paper street.

The consensus of Council was to include the resolution on the December 10<sup>th</sup> regular meeting for consideration.

### III. CITIZEN COMMENTS CONCERNING NON-AGENDA ITEMS

Ms. Megan Lorenze inquired about an update on the Cabin Lane flooding and sanitary sewer problems.

Manager Jakubec noted there are sags in the sewer line and the Township needs to order materials. Mr. Steinert, Jr., P.E. explained the line will be upsized from 8" to 12", and recalled sending Ms. Lorenze an email, which she claimed not to have received. Mr. Steinert, Jr., P.E. stated he would resend the email and suggested she check the spam folder.

Manager Jakubec noted Lennon Smith Souleret will be looking at potential places to hold more water.

Mr. Steinert, Jr., P.E. stated sanitary and storm water are two separate issues. The Manager indicated the storm water issue would take more time to determine possible solutions.

### II. REVIEW AND DISCUSSION CONTINUED

#### B. Recommending Awarding of the Powers Run Road – Fox Chapel Interconnect Sewer Extension Project

Manager Jakubec stated bids were received for the subject project at the October 15<sup>th</sup> regular Council meeting. Staff is recommending awarding the bid to W. A. Petrakis Contracting in the

amount of \$290,635.00. The proposed 2020 budget allocation for the project is \$400,000. She noted this is the project that the Township has a grant for and Fox Chapel Borough would be funding the required match.

Mr. Steinert, Jr., P.E. indicated he has not worked with the contractor but other municipalities have.

The consensus of Council was to include the resolution on the December 10<sup>th</sup> regular meeting agenda for consideration.

C.      Recommending Awarding of the Dorseyville Road – Village Drive Sanitary Sewer Extension Project

The Manager stated bids were received for the subject project at the October 15<sup>th</sup> regular Council meeting. Township Engineer Chuck Steinert is recommending awarding the bid to North Beaver Contracting, LLC in the amount of \$158,975.00. The proposed 2020 budget allocation for the project is \$225,000.

Mr. Steinert, Jr., P.E. indicated he has not worked with the contractor and has not found anyone that has.

The consensus of Council was to include the resolution for consideration on the December 10<sup>th</sup> regular meeting agenda.

D.      Recommending Awarding of the Kirkwood Drive Sanitary Sewer Project

Manager Jakubec stated bids were received for the subject project at the November 19<sup>th</sup> special workshop. Mr. Steinert, Jr., P.E. is recommending awarding the bid to Jet Jack, Inc. in the amount of \$274,302.00. This is part of the Saxonburg Sanitary Sewer Project.

Mr. Steinert, Jr., P.E. noted some people like working with this contractor, and some do not. It depends on the crew assigned to the job. The company recently acquired another company and the crew has expanded to 60 people. This is not a complicated job.

The consensus of Council was to include a resolution on the December 10<sup>th</sup> regular meeting agenda for consideration.

E.      Continued Review and Discussion of Proposed and Restated Zoning Ordinance

The Manager noted staff is suggesting Council review and discuss the proposed and restated zoning ordinance. Since the ordinance was introduced September 10<sup>th</sup> several changes and clarifications have been made as a result of comments received from Allegheny County Department of Economic Development, which are highlighted in the Draft #2 document. The proposed ordinance was reintroduced at the November 12<sup>th</sup> regular Council meeting.

Ms. Cindy Harris, Fox Pointe, referred to the ‘No Impact Home Based Business’ procedures, which she considered a lot of work, and questioned the intention. Manager Jakubec noted the intention is to limit the amount of traffic, i.e. deliveries, and parking per day. She stated the permit

fee is \$25.00 each year and allows the Township to collect earned income taxes, and know if a business ceases to exist.

Ms. Harris inquired about the recreational vehicle permit to allow parking in the driveway. The Manager stated the process is similar to a recreational fire permit and there is no cost. Ms. Harris verified if her neighbor complains about her travel trailer parked in her driveway, the Township will go out and look at where it is parked. Manager Jakubec stated if someone calls and it is permitted to be parked in the driveway, the caller will be informed it is permitted. Ms. Harris asked what would happen if a recreational vehicle is parked in a driveway but not within the permitted timeline. Manager Jakubec indicated staff would call to inquire how long the recreational vehicle would be parked in the driveway. If it will be removed in a week, the Manager did not foresee a problem.

Mr. Stewart noted someone was burning branches and leaves, supposedly in a fire pit. Manager Jakubec stated people are not supposed to burn yard waste. If the resident has a fire permit they are to call the Police in advance so the Police are aware.

Mr. Tom Powers, Powers Run Road, stated he has a home office and agreed it needs to be tracked.

Manager Jakubec indicated a Public Hearing to receive public comments concerning the proposed and restated zoning ordinance would be scheduled in January 2020, to which Council concurred.

#### F. Continued Review and Discussion of Proposed Township Year 2020 Budget

Manager Jakubec referenced an update to the proposed budget, noting \$10,000 in grant funds for the Police body cameras would be provided through District Attorney Stephen Zappala's office.

Mr. Denny, Jr. asked if additional funding for EMS was included in the numbers. The Manager stated the additional \$5,000 is not included in the proposed budget but is included in a document on her laptop computer.

Ms. Eccles inquired about other proposed purchases which staff answered satisfactorily.

Mr. Denny, Jr. believed the Township website overhaul would cost more and take more time than proposed. Mr. Stewart expressed concern about the process of modifying the website and suggested forming a group of people to determine what information should be easily available on the website. The Manager intended to use a base template and add information that most municipalities provide.

Ms. Harris stated she has designed websites for 25 years and suggested taking time to determine what the website should do for the Township.

Discussion continued relative to information to include on the website.

Treasurer Curran recalled expressing his concern of having a tax increase and implementing the storm water fee. He noted the projected revenue is very conservative.

Mr. Denny, Jr. questioned when the storm water tax would be implemented. The Manager explained Lennon Smith Souleret would have to do a study prior to implementing the tax.

President Smith stated in order to avoid a tax increase Council needs to cut \$200,000 from expenses or find \$200,000 in revenue. Manager Jakubec advised Council that unexpected events have drawn down the fund balance.

Mr. Stewart asked if it would be possible over the next five years to figure how to raise revenue. President Smith acknowledged the revenue included in the budget is the Manager's best estimate, and is not guaranteed. Manager Jakubec stated real estate and earned income tax are volatile, and the stock market tanked today.

President Smith noted \$100,000 was cut from paving. Mr. Stewart questioned why the Township is giving money to the community center.

Ms. Eccles did not want to have to raise taxes two consecutive years.

Mr. Denny, Jr. stated he could accept the proposed budget as is. He noted citizens feel O'Hara is a good place to live. He suggested the residents could pay for trash collection. Mr. Denny, Jr. stated it is a \$14,000,000 budget, but when you begin cutting services, it is a bad way to budget. He opposed cutting funds from Police or roads.

Manager Jakubec was hopeful a grant would be awarded for the Powers Run Project because ALCOSAN is going to partner in the project.

Ms. Eccles recalled wanting to raise taxes more last year, which could have prevented raising taxes this year. She questioned if anything could be cut. The Manager stated \$100,000 has already been cut from the paving program; Public Service is agreeable to holding off on replacing the backhoe, but not the truck because it is used for snow plowing. She noted the undesignated fund balance is used for snow plowing.

Mr. Denny, Jr. recalled at one time, fund balance was 21%. Manager Jakubec stated 15% is her comfort level.

President Smith verified the remainder of Council, except for Mr. Stewart, are willing to consider adopting the budget as is.

Mr. Denny, Jr. stated nobody likes to pay more, but sometimes people get stuck on taxes and forget about the programs. He does not like raising taxes, but he does like the projects. Manager Jakubec noted services that residents expect, such as emergency services and snow plowing.

Treasurer Curran noted the Saxonburg Sewer Project was a necessity, but the Township will be carrying the debt until some homes are built. The project was promised for the last 30 years. The Manager noted the first permit for a new home in the Saxonburg area was submitted.

Vice President Vogel noted taxes were not raised for 17 years. It is a good budget with services that are needed.

Treasurer Curran was willing to bet that salaries are \$100 more per head.

Manager Jakubec recalled a conversation with Mr. Arch about providing bus shelters in RIDC Park. She suggested Mr. Arch talk with Mr. Heffner about the shelter. She recalled Mr. Heffner provided the bus shelters along Freeport Road. It seems the businesses are reaching out further for employees. Discussion about bus routes followed.

Mr. Powers stated for the last few years the Township has gone through a building phase, and at some point you have to spend money or it will break down.

The consensus of Council was to include an ordinance for consideration on the December 10<sup>th</sup> regular meeting agenda.

G. Certification of Volunteer Fire Fighters and EMS Personnel to Receive Act 172 Earned Income Tax Refund

Manager Jakubec stated Township volunteer fire departments will provide a list to the Township Manager of Eligible Volunteers for the Local Tax Credit in accordance with Act 172 of 2016. She explained it is a \$300 tax credit to local fire fighters for their services.

The consensus of Council was to include a motion on the December 10<sup>th</sup> regular meeting agenda for consideration.

H. Proposed Amendment to the Township Fee Resolution

The Manager stated each year staff reviews the fees, and adjustments are recommended for the use of Township Police Officers and Public Service Employees addressing private property issues.

Mr. Denny, Jr. asked if the fee to use Police for private issues includes the football games. Manager Jakubec stated no.

President Smith noted increased fees for Public Service Employees, which the Manager explained is if the employees have to cut someone's grass, and a lien is placed against the property.

The consensus of Council was to include a resolution for consideration on the December 10<sup>th</sup> regular meeting agenda.

I. Update on Saxonburg Boulevard Sanitary Sewer Project

Mr. Steinert, Jr. stated the contractor, Chivers, has wrapped up work for the season, and will be back to finish in the spring. Though a lot of seed and straw was put down the grass will not grow.

Mr. Steinert, Jr., P.E. noted the new pump station has been in operation for the Village Drive and Brownhill pump stations. Quotes for removal of the old pump stations have been steep.

#### J. Proposed 2020 Goals

Mr. Denny, Jr. verified staff and the Township volunteer fire departments continue to cooperate and collaborate with other area fire companies in order to provide sustainable fire services. He also noted cost sharing of emergency medical services (EMS).

Vice President Vogel recalled telling Parkview that they will need to tell Council what equipment they need.

Manager Jakubec stated Parkview would like to be able to transport people further than their jurisdiction. She suggested possibly removing an ambulance from the Township's insurance, or if a rider is available that Parkview could pay.

Mr. Stewart stated he received comments from people about the Comprehensive Plan. It was suggested Council set guidelines/priorities and go through the Plan in an organized fashion. Manager Jakubec noted the Municipalities Planning Code requires the Plan to be updated every ten years. Ms. Eccles suggested sending a questionnaire to residents about things they would like. The Manager recalled a survey was done the last time, and a 'Busy Beaver' was requested the most. She noted Pearce & Associates assisted with the last update and funds are included in the budget if needed.

#### K. Solicitor's November 8, 2019 Invoice

Mr. Stewart commented that legal services have been used more over the last three to four months. Manager Jakubec noted legal matters that the Solicitor was involved with.

#### L. Proposed December 10, 2019 Regular Meeting Agenda

Council approved the proposed agenda.

#### IV. CONCERNS OF COUNCIL

Mr. Stewart recalled meeting with the Township Engineer and the Pringle's about Kittanning Pike and would convey to the Pringle's what has to be done. If the Township does not pay to do the work, the Township will need to pressure Penn D.O.T. to fix the problem by the fire hall.

Mr. Stewart stated the Township may need to get State funding to run a new 72" pipe in concrete through the Pringle property. The Manager stated Penn D.O.T. 's estimate to fix the entire problem is \$10,000,000. She indicated the problem will not be addressed unless the Township does it. In talking with State Representatives, money goes to the east of the State. She would contact Senator Williams' office tomorrow and request they email Penn D.O.T. again. Manager Jakubec recalled having suggested a Town Hall Meeting for everyone to attend. It is a State, County and Local problem. She stated Senator Williams will be meeting with the new nominee for the Secretary of Penn D.O.T. Mr. Stewart noted the issues are affecting people all around, as well as other municipalities.

V. CONCERNS OF STAFF

Manager Jakubec stated the North Hills Council of Governments has requested a list of what the Township would like them to work on. She initially thought about MS-4, Police and Joint Purchases. Mr. Stewart suggested a shared drone. Manager Jakubec recalled prior shared purchases, which did not work out very well.

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

VI. ADJOURNMENT

Council adjourned the workshop at 8:57 and following a short break entered into Executive Session to discuss a legal matter.

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Cathy Bubas, Manager's Secretary