

BOARD OF COMMISSIONERS MEETING MINUTES

August 1, 2016

The regular meeting and public hearings of the Board of Commissioners of the Township of Upper St. Clair, duly advertised and posted in accordance with law, was called to order at 7:30 PM on Monday, August 1, 2016 in the Board of Commissioners' Meeting Room, Township Municipal Building, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241. The Pledge of Allegiance was recited by all present.

PRESENT: Commissioner Christie President
 Commissioner Waller Vice President
 Commissioner Orchowski
 Commissioner Paoly
 Commissioner Pardini
 Commissioner Seitanakis

 Mark S. Mansfield Assistant Township Manager
 Mark P. Romito Director of Finance
 Adam A. Benigni Director of Community Development
 Gary Schafer Parks & Forestry Administrator
 Irving S. Firman Township Attorney
 Ruthann L. Omer, P. E. Township Engineer
 Diana Pifer Recording Secretary
 Shauna L. Haley Court Reporter, Pittsburgh Reporting Service

EXCUSED: Commissioner Del Re
 Matthew R. Serakowski Township Manager

PUBLIC: Approximately 9 people attended

Commissioner Christie announced that the public hearing Re. PLC16-1301 – Zoning Map Amendment for Rezoning of 1320 Mayview Road from C-1 Neighborhood Commercial District and R-L1 Low Intensity Residential District to R-3 Medium Density Residential District that was scheduled for this evening will be tabled until the September 6, 2016 Regular Meeting of the Board.

RECOGNITION

Commissioner Christie presented a Proclamation to David Corbin for attaining the rank of Eagle Scout and congratulated him on behalf of the Board for this accomplishment.

David explained that his Eagle Scout project was a service to the community for the benefit of Operation Troop Appreciation (OTA) where he expended 383 hours with 47 volunteers working with the local Veterans of Foreign Wars (VFW) and local businesses to collect supplies to fill 115 boxes to be sent to Army and Air Force troops in Jordan, Afghanistan, and South Korea. He also collected \$3,242.45 which was donated to OTA, some of which will help returning veterans readjust to civilian life.

REVIEW OF BOARD OF COMMISSIONERS REGULAR MEETING MINUTES OF JULY 5, 2016

Commissioner Orchowski moved to approve the Regular Meeting Minutes of July 5, 2016. This was seconded by Commissioner Waller and carried with a 6-0 voice vote.

PUBLIC COMMENTS

Mr. Pasquale B. DeBlasio, 447 Washington Avenue, Mayor of Bridgeville Borough, stated that he was here originally for the public hearing for the Rezoning of 1320 Mayview Road and decided to stay for the presentation of the Proclamation to David Corbin for his attainment for the rank of Eagle Scout. He provided comments regarding what an honor it is for the Township's Board, and for he, as Mayor of Bridgeville Borough, to recognize such wonderful young men like David Corbin.

Commissioner Orchowski also congratulated David Corbin for attaining the rank of Eagle Scout and thanked him for choosing the military as his Eagle Scout service project.

OLD BUSINESS**CONTINUED PUBLIC HEARING RE. PLC16-0004 – SIENA AT ST. CLAIR – OUTDOOR DINING PHASE I – CONDITIONAL USE APPROVAL**

Mr. Benigni stated that this is the continued public hearing Re. PLC16-0004 – Siena at St. Clair – Outdoor Dining Phase I – Conditional Use Approval to allow 950 square feet of outdoor dining at the Whole Foods Market located at 111 Siena Drive. He reviewed the recommended public hearing procedures.

Commissioner Christie asked if there were any individuals who wished to testify and needed to be sworn in and there were none.

Mr. Benigni entered Township Exhibits #14 & #15 into the record. He stated that the applicant is requesting approval of a Conditional Use in order to allow for outdoor dining in Phase I of Siena at St. Clair for the Whole Foods Market. The outdoor dining space is proposed at the front of the building, south of the entrance. The applicant is requesting a modification of the Township Code in order to allow for 950 square feet of outdoor dining. The total number of required parking spaces in Phase I of the development is 212 spaces. The total number of parking spaces provided is 223 spaces, which allows a surplus of 11 spaces. Mr. Benigni stated that provided no additional testimony is required, Staff recommends that the hearing be closed and action be taken to grant the Conditional Use Approval as requested which may be accomplished by a simple motion and roll call vote.

Mr. Benigni answered several questions from the Board.

Commissioner Christie asked if there were any additional comments from the Board or the public and there were none.

MOTION AND VOTE TO CLOSE THE PUBLIC HEARING

Commissioner Orchowski moved to close the public hearing Re. PLC16-0004 – Siena at St. Clair – Outdoor Dining Phase I – Conditional Use Approval. This was seconded by Commissioner Waller and carried with a 6-0 voice vote.

MOTION AND VOTE TO ADOPT BILL NO. 5-16

Commissioner Orchowski moved to adopt Bill No. 5-16 granting Conditional Use Approval for Siena at St. Clair – Outdoor Dining Phase I on property located at 111 Siena Drive, subject to one modification and condition. This was seconded by Commissioner Waller and carried with a 6-0 roll call vote.

CONTINUED PUBLIC HEARING RE. PLC16-0005 – SIENA AT ST. CLAIR – OUTDOOR DINING PHASE II – CONDITIONAL USE APPROVAL

Mr. Benigni stated that this is the continued public hearing Re. PLC16-0005– Siena at St. Clair – Outdoor Dining Phase II – Conditional Use Approval to allow for approximately 1,000 square feet of outdoor dining at The Porch restaurant located at 120 Siena Drive and 1,500 square feet of outdoor dining at 100 Siena Drive for mixed use office, retail, and a restaurant at Siena at St. Clair. Mr. Benigni then reviewed the recommended public hearing procedures.

Commissioner Christie asked if there were any individuals who wished to testify and needed to be sworn in and there were none.

Mr. Benigni entered Township Exhibits #11 & #12 into the record. He stated that the applicant is requesting Conditional Use Approval for Siena at St. Clair – Outdoor Dining Phase II to allow for approximately 1,000 square feet of outdoor dining at The Porch restaurant located at 120 Siena Drive and 1,500 square feet of outdoor dining between two locations at 100 Siena Drive. The Township Code requires that outdoor dining areas cannot exceed 750 square feet or twenty-five percent of the indoor seating area, whichever is less. He explained the modification that the applicant is requesting to this Code requirement. He added that the total number of required parking spaces in Phase II of the development is 434 spaces. The total number of parking spaces provided is 492 spaces, a surplus of 58 spaces. Mr. Benigni stated that provided no additional testimony is required, Staff recommends that the hearing be closed and action be taken to grant the Conditional Use Approval as requested which may be accomplished by a simple motion and roll call vote.

Mr. Gerard Cipriani, representing the developer, answered a question from Commissioner Paoly regarding the location of the outdoor dining area.

Commissioner Christie asked if there were any additional comments from the Board or the public and there were none.

MOTION AND VOTE TO CLOSE THE PUBLIC HEARING

Commissioner Orchowski moved to close the public hearing Re. PLC16-0005– Siena at St. Clair – Outdoor Dining Phase II – Conditional Use Approval. This was seconded by Commissioner Seitanakis and carried with a 6-0 voice vote.

MOTION AND VOTE TO ADOPT BILL NO. 6-16

Commissioner Orchowski moved to adopt Bill No. 6-16 granting Conditional Use Approval for Siena at St. Clair – Outdoor Dining Phase II on property located at 100 Siena Drive and 120 Siena Drive, subject to one modification and condition. This was seconded by Commissioner Seitanakis and carried with a 6-0 roll call vote.

NEW BUSINESS**PUBLIC HEARING RE. PLC16-1301 – ZONING MAP AMENDMENT FOR REZONING 1320 MAYVIEW ROAD FROM C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND R-L1 LOW INTENSITY RESIDENTIAL DISTRICT TO R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT**

Mr. Benigni stated that Staff is requesting that the Board table the public hearing regarding PLC16-1301 – Zoning Map Amendment for Rezoning 1320 Mayview Road from C-1 Neighborhood Commercial District and R-L1 Low Intensity Residential District to R-3 Medium Density Residential District to the September 6, 2016 Regular Meeting of the Board. He added that this can be accomplished by adoption of Resolution No. 1624 with a simple motion and roll call vote.

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1624

Commissioner Paoly moved to adopt Resolution No. 1624 to establish the public hearing date of September 6, 2016 for PLC16-1301 – Zoning Map Amendment for Rezoning 1320 Mayview Road from C-1 Neighborhood Commercial District and R-L1 Low Intensity Residential District to R-3 Medium Density Residential District. This was seconded by Commissioner Seitanakis and carried with a 6-0 roll call vote.

RECOMMENDATION RE. FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR 2017-2021

Mr. Romito stated that, in accordance with Chapter 25.2 of the Township Code, this was the public hearing for the Five-Year Capital Improvement Program (CIP) for 2017-2021. He added that this plan was reviewed by the Budget and Finance Committee of the Board of Commissioners on July 5, 2016 and it has been available for public review. He stated that Staff has prepared Resolution No. 1623 for adoption by the Board to update the Township's CIP for the years of 2017-2021.

Mr. Romito provided comments regarding the Township's process for preparing the Five-Year CIP. He explained that the CIP is a tool for prioritization of planning and does not imply approval of any specific projects or programs unless or until funding is appropriated as part of the budget process. Mr. Romito then presented a detailed PowerPoint presentation outlining the highlights of the CIP.

Mr. Romito, Mr. Mansfield, Mr. Benigni and Ms. Omer provided comments in response to the Board's questions regarding the projects and programs identified in the CIP for 2017-2021.

Commissioner Paoly, Chair of the Budget and Finance Committee of the Board, provided additional comments regarding the Five-Year CIP for 2017-2021 and reiterated that this is a planning document.

Mr. Romito stated that Staff recommends the Board's adoption of Resolution No. 1623 to update the Township's CIP for the years of 2017-2021 which may be accomplished by a simple motion and roll call vote.

Commissioner Christie asked if there were any additional comments from the Board or the Public and there were none.

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1623

Commissioner Waller moved to adopt Resolution No. 1623 adopting the Five-Year Capital Improvement Program for 2017-2021. This was seconded by Commissioner Paoly and carried with a 6-0 roll call vote.

RECOMMENDATION RE. APPROVAL OF CONTRACT

Commissioner Christie stated that Staff is recommending approval of the following contract:

R & B Contracting & Excavating, Inc. West Mifflin, PA	Perimeter Trail Installation – Boyce Mayview Park (Base Bid #1 – Southern Extension Trail; Base Bid #2 – Morton Trail; Alternate #1 – Reforestation of the Southern Perimeter Trail; Alternate #2 – Sign Installation)	\$1,400,714
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Mr. Schafer, Parks & Forestry Administrator, provided a detailed PowerPoint presentation regarding the proposed Perimeter Trail Installation – Boyce Mayview Park Project which includes the Southern Extension Trail, the Morton Trail, reforestation of the Southern Perimeter Trail, and sign installation. He mentioned the Department of Conservation & Natural Resources (DCNR) Grant in the amount of \$250,000 which was received by the Township for the Southern Perimeter Trail and the Department of Community & Economic Development (DCED), Greenways, Trails & Recreation Program (GTRD) Grant in the amount of \$200,000 which was received by the Township for the Morton Trail. He added additional comments regarding the Quality of Life Survey that was completed for the Township's 2015 Comprehensive Plan in which residents identified trail/walking facilities as a highest priority item in improving the Township's neighborhood park and recreation facilities. He also stated that the vision of the Township's 1999 Boyce Mayview Park Master Plan, which also had input from the community, was to develop an ADA accessible trail around the park linking the Township's sidewalk and path systems to the park and possibly a potential spur connection to the Montour Trail.

Mr. Schafer answered several questions from the Board regarding the proposed Perimeter Trail Installation - Boyce Mayview Park Project.

Mr. Mansfield provided comments regarding the grant funding for the Southern Extension Trail and the Morton Trail and the additional efforts that Staff will take to be awarded further grant monies to complete the final section of the Perimeter Trail.

Several members of the Board expressed their concerns regarding the cost and the short distance that the Perimeter Trail Installation - Boyce Mayview Park Project entails.

Commissioner Orchowski explained the reasons why he believed the Board should consider the Southern Extension Trail segment and the Morton Trail segment individually.

MOTION TO APPROVE A CONTRACT FOR THE SOUTHERN EXTENSION TRAIL ONLY

Commissioner Orchowski moved to approve a contract for the Southern Extension Trail only.

Mr. Schafer explained why the contract for the Southern Extension Trail only would be higher as there was a 2% reduction of the total combined awarded amount in the event the entire project was awarded to one bidder.

Discussion ensued among the Board regarding the grant monies for these trails, the concern with the expense of these trails when the money could be allocated to new sidewalks in the Township, and if Staff could provide the Board with an estimate of the cost for the final section that would connect the Perimeter Trail.

MOTION AND VOTE TO APPROVE THE PERIMETER TRAIL INSTALLATION – BOYCE MAYVIEW PARK PROJECT

Commissioner Seitanakis moved to approve a contract with R & B Contracting & Excavating, Inc. in the amount of \$1,400,714 for the Perimeter Trail Installation – Boyce Mayview Park Project which includes the Southern Extension Trail, the Morton Trail, reforestation of the Southern Perimeter Trail, and sign installation. This was seconded by Commissioner Waller and failed with a 3-3 roll call vote. Commissioners Orchowski, Paoly and Pardini cast the negative votes.

Commissioner Orchowski stated that he would like to request a second for his motion to approve a contract for the Southern Extension Trail only.

SECOND TO THE MOTION TO APPROVE A CONTRACT FOR THE SOUTHERN EXTENSION TRAIL ONLY

Commissioner Paoly seconded the motion to approve a contract for the Southern Extension Trail only.

Mr. Mansfield provided comments regarding the bid submitted for this project being effective through September 19th and asked if Staff could bring this matter before the Board again next month to allow for the Commissioner that was absent this evening to have an opportunity to vote.

Mr. Schafer provided additional comments regarding the grants that were received for these trails.

WITHDRAWAL OF MOTION AND SECOND TO APPROVE A CONTRACT FOR THE SOUTHERN EXTENSION TRAIL ONLY

Commissioner Orchowski withdrew the motion and Commissioner Paoly withdrew the second to approve a contract for the Southern Extension Trail only.

Additional discussion ensued among the Board.

Commissioner Christie confirmed that this matter will be brought before the full Board next month for reconsideration.

OTHER BUSINESS

Following a motion for adjournment by Commissioner Pardini and a second by Commissioner Seitanakis, which carried with a 6-0 voice vote, the meeting was adjourned at approximately 9:25 PM.

Diana Pifer
Recording Secretary
August 2016