The Informational and General Affairs Meeting 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 approximately 7:30 PM, Monday, November 26, 2018, in the Board of Commissioners’ Meeting Room, Township of Upper St. Clair Municipal Building, 1820 McLaughlin Run Road, Pittsburgh, PA 15241.

PRESENT: Commissioner Seitanakis  Vice President
Commissioner Del Re
Commissioner Logan
Commissioner Orchowski
Commissioner Paoly
Commissioner Pardini
Matthew R. Serakowski  Township Manager
Mark S. Mansfield  Assistant Township Manager
Mark P. Romito  Director of Finance
Adam A. Benigni  Director of Planning & Community Development
Irving S. Firman  Township Attorney
Jennifer Slagle, P.E.  Township Engineer
Michael Albright  Gateway Engineers, Inc.
Cynthia Kane  Recording Secretary

EXCUSED: Commissioner Christie  President

PUBLIC: Three public attended.

CITIZENS’ COMMENTS

Mr. John Despines, 2424 Willowbrook, stated that after learning that in 2019 Waste Management would not be picking up glass for recycling he prepared a proposal for food/beverage glass drop-off, which he distributed to the Board of Commissioners.

Mr. Despines has been in contact with two companies willing to accept food grade glass for recycling and this will give interested residents another option rather than throwing that glass in the trash. He/volunteers will unload cars and will be responsible for clean-up.

Discussion ensued among the Board members, staff, and Mr. Despines over issues such as safety, unmanned times near the distribution point, broken glass in the collection area, concern over market acceptance of glass, education to the public, and funds.

Mr. Despines answered that he has a good network of volunteers; donated funds would be used for safety items including vests, gloves, traffic cones, and goggles; he would be administrator but would also appoint someone to do so in his absence, and total cost for the year would be approximately $2400 which would be absorbed by donations.

Mr. Despines was encouraged to work with the Township staff regarding this proposal.
OLD BUSINESS

Continued Public Hearing Re. PLC18-0011 – 1120 Boyce Road – Crossroads United Methodist Church – Nonresidential – Conditional Use Approval

Mr. Benigni stated this hearing was continued from the November 5, 2018 public hearing. This application was filed by Patrick Roddy for Conditional Use Approval to permit Crossroads United Methodist Church to occupy the remaining half of the existing building located in the Special Business (SB) Zoning District at 1120 Boyce Road. This application was considered by the Planning Commission at its regular meeting on September 20, 2018 and recommended for approval subject to certain conditions. Provided no additional testimony is required, staff will recommend that the hearing be closed and action taken. A Bill granting approval will be prepared for consideration by the Board on December 3, 2018.

Continued Public Hearing Re. PLC18-0012 – 2575 Boyce Plaza Road – Southwood Psychiatric – Non-Residential – Amended Tentative and Final Approval of Boyce Plaza Complex Planned Office/Hospital Center

Mr. Benigni stated this hearing was continued from the November 5, 2018 public hearing. This application was filed by Roger Hartung for Amended Tentative and Final Approval to permit a 1,124 sq. ft. addition of administrative offices; 2,030 sq. ft. outdoor walled play area; landscaping and related site improvements on property located in the Planned Restricted Light Industrial (RM-P) Zoning District at 2575 Boyce Plaza Road. This application was considered by the Planning Commission at its regular meeting on September 20, 2018 and recommended for approval subject to certain conditions. Provided no additional testimony is required, staff will recommend that the hearing be closed and action taken. A Bill granting approval will be prepared for consideration by the Board on December 3, 2018.

NEW BUSINESS

Recommendation Re. PLC18-9901 – Amendment to Chapter 99 of the Township Code entitled “Public and Private Improvements” to Update the Requirements for Stormwater Management

Mr. Benigni stated that staff has recently completed a revision to Chapter 99, “Public and Private Improvements” of the Township Code to update the Township’s requirements for stormwater management in order to comply with the Allegheny County Act 167 Stormwater Management Plan. A Bill will be prepared for consideration by the Board on Monday, December 3, 2018.

Mr. Benigni, along with Mr. Michael Albright (Gateway Engineers), gave a presentation explaining the changes to Chapter 99 and compliance with Act 167. The new plan provides stormwater regulations for new development and redevelopment which improves water quality and aids flood prevention and mitigation.

Mr. Albright explained that any (re)development of less than 400 sq. ft. would have no required stormwater management if there are no previous impervious surface additions. From 400 sq. ft. to 2,500 sq. ft. (small project) detention storage would be required – approximately 499 gallons of detention storage for 400 sq. ft. and approximately 3,117 gallons of detention storage for 2,500 sq. ft. Over 2,500 sq. ft. would require compliance with the requirement of the Ordinance.

Mr. Albright continued that riparian buffer easements would be required and recorded as part of any subdivision or land development that encompasses a riparian buffer.
Additionally, prior to final approval of a Stormwater Water Management Site Plan, property owners would sign an Operation & Maintenance (O&M) Agreement, which will be recorded. Under the O&M, the owner must maintain the facilities in accordance with the Plan and maintenance schedule in the O&M agreement; the Township has the right to inspect periodically; and if the owner fails to maintain the facility, the Township may perform the necessary work and charge the Owner appropriate fees.

Recommendation Re. Establish Public Hearing Re. PLC18-1301 – Amendment to Chapter 130 of the Township Code entitled “Zoning” to Add Conditional Uses in the SB – Special Business Zoning District

Mr. Benigni stated this application was filed by Mr. Andy Schaer of Clair Boyce Associates, LP, to amend the SB Zoning District by adding “Personal Fitness Centers” and “Massage Therapy Establishments” to the list of conditional uses in the District. This amendment was reviewed by the Planning Commission on November 15, 2018 and recommended for approval. A Resolution establishing a public hearing on February 4, 2019 will be prepared for consideration by the Board on December 3, 2018.

Recommendation Re. PLC18-1251 – Amendment to Chapter 125 of the Township Code entitled “Vehicles and Traffic” to Update Schedule VII Regarding the Posting of Stop Signs and to Update Schedule XIV Regarding the Posting of No Parking Signs throughout the Township

Mr. Benigni stated that staff has recently completed a review of Chapter 125 of the Township Code entitled “Vehicles and Traffic” regarding the posting of stop signs throughout the Township. This ordinance amendment will update Schedule VII, which lists all posted stop signs in the Township, with any new stop signs that have been installed since the last amendment in 2016 and will also update Schedule XIV regarding the posting of No Parking signs throughout the Township. A Bill will be prepared for consideration by the Board on December 3, 2018.

OTHER AGENDA AND DISCUSSION ITEMS

Discussion Re. Adoption of the 2019 Budget

Mr. Romito stated a public hearing was held on November 5, 2018 to review the Township Manager’s 2019 Proposed Budget. This Proposed Budget holds the Real Estate Tax rate at 3.83 mills and the Earned Income Tax rate at 0.80%, and sets the sanitary sewer rate multiplier at 2.00. In accordance with Section 906 of the Township Charter, staff will prepare a Bill for the Board’s consideration of the 2019 Annual Budget as presented.

Mr. Romito continued that staff will recommend that the Board of Commissioners adopt the 2019 Annual Budget at its Regular meeting on Monday, December 3, 2018.

Continued Discussion Re. Deerfield Manor Pump Station – Service Area Modification Agreement

Mr. Serakowski stated that for several years and now over the last several months, the Township has been working with Peters Township Sanitary Authority (PTSA) and the Allegheny County Sanitary Authority (ALCOSAN) to finalize an agreement that would permit the elimination of the Deerfield Manor sanitary sewer pump station within Upper St. Clair. Through the elimination of the pump station, property currently served by ALCOSAN would be shifted into PTSA’s system and, conversely, areas within Peters Township requiring current and future service would shift into the ALCOSAN system. Approval is required by all parties through an amendment to the original Service Area Agreement. Staff will be prepared to recommend the Board of Commissioners approve the Agreement at the Regular meeting of December 3, 2018.
Discussion Re. Approval of Contract

- **USDA Wildlife Services – Special Use Culling Permit**
  Mr. Mansfield stated the Township has made great progress over the last twelve years reducing deer vehicle collisions by utilizing a “Special Use” culling permit issued by the PA Game Commission. USDA Wildlife Services performed the prescribe culling activities on behalf of the Township as part of a contractual arrangement.

  Mr. Mansfield continued that the 2018 program removed 72 animals that were processed and given to needy families and food banks. Deer vehicle collisions have been reduced to approximately 50-80 per year, down from over 250 when the program began. The annual culling program continued to keep the herd at a safe and healthy level and has significantly reduced Upper St. Clair’s Animal Control Services annual cost share.

  Staff will recommend that the proper Township Officials be authorized to enter into a contract with USDA Wildlife Services in an amount not to exceed $45,000 at the Regular Board meeting on December 3, 2018.

**GENERAL AFFAIRS**

Review of the Informational and General Affairs Meeting Minutes of October 29, 2018

Commissioner Orchowski moved to approve the Informational and General Affairs Meeting Minutes of October 29, 2018. This was seconded by Commissioner Paoly and approved by a 5-0-1 voice vote. Commissioner Logan abstained from the vote as she was not present at the October 29, 2018 meeting.

Consideration of the November 2018 Bill Sheet

Commissioner Paoly stated that the Bill Sheet has been sent to all Commissioners. He moved for approval of the November 2018 Bill Sheet which was seconded by Commissioner Pardini and approved by a 6-0 voice vote.

Acknowledge Receipt of Financial Statements for the Ten-Month Period ending October 31, 2018


Other

Commissioner Del Re stated he attended the November SHACOG meeting where the main topic of discussion was changes to recycling.

Mr. Mansfield added that John Despines was proactive regarding electronics recycling in the Township even before curbside electronic pickup was no longer allowed.

**ADJOURNMENT**

Commissioner Seitanakis announced that the Board will be meeting in Executive Session following this evening’s Informational and General Affairs Meeting to discuss legal and personnel matters.
Commissioner Pardini moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Orchowski. This was approved by a 6-0 voice vote and the meeting was adjourned at approximately 8:23 PM.

Cynthia Kane
Recording Secretary
LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
November 21, 2018

I. CASES WHERE TOWNSHIP IS PLAINTIFF

A. Township of Upper St. Clair v. Carol Ann Caporali - (No. CV-221-2014) (Magistrate Arnoni).


F. Township of Upper St. Clair v. Paul Day - No docket number assigned (Magistrate Arnoni):

II. CASES WHERE TOWNSHIP IS DEFENDANT NOT DEFENDED BY INSURANCE CARRIER

NONE.

III. CASES WHERE UPPER ST. CLAIR IS DEFENDANT AND INSURANCE COMPANY IS DEFENDING

A. Folino v. West Penn Power and Upper St. Clair Township, GD 15-11969

IV. OTHER LITIGATION INCLUDING BANKRUPTCY MATTERS

A. Andrew and Diana James - 11-27696

B. David A. Mackowick - 12-26163

C. Marc Wolkoff - 13-21084

D. Meghan E. Webb - 13-22643

E. Lance and Susan Falce - 13-23468

F. Norman and Barbara Swiech - 13-24404
G. David and Mary Conn - 14-22699
H. Penny Caswell - 17-21249
I. Raymond and Michele Champagne - 14-23668
J. Vincent Kelly - 16-24838
K. Robert and Adriene Bruno - 15-22160
L. Linda K. Rutter - 15-24427

V. LAND USE

VI. OTHER LEGAL MATTERS

A. REDINGER V. ALLEGHENY COUNTY HEALTH DEPARTMENT

B. UNITED STATES ENVIRONMENTAL PROTECTION AGENCY ACTION PURSUANT TO 33 U.S.C. §138

C. R&B CONTRACTING - ALLIED WORLD INSURANCE COMPANY BOND CLAIM

TADMS:5059915-1 024932-139860