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, August 26, 2019, in the Board of Commissioners’ Meeting Room, Township of Upper St. Clair Municipal Building, 1820 McLaughlin Run Road, Pittsburgh, PA 15241.

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

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
Gary Schafer Parks & Forestry Administrator
Irving S. Firman Township Attorney
Jennifer Slagle, P.E. Township Engineer
Laura Long Recording Secretary

PUBLIC: Approximately 8 people attended.

Announcements
Commissioner Christie shared congratulations to the Miracle League of South Hills, specifically Sean Casey, for a great use of the facility with the All-Star Weekend held August 16th.

CITIZENS’ COMMENTS

Mr. Howard Zelick, 2532 Shenandoah Drive, thanked the Township for capturing data points relating to average speeds on Morton Road. He asked if there was any additional feedback on the township’s findings and next steps to addressing the speeds on Morton Road. He also referenced USC Today articles relating to Public Works detention systems and inspections and inquired about the possibility of having this information readily available through the Township website.

Mr. Serakowski confirmed that the Police Department has run additional details and data collection to the area on Morton Road. He advised that this data is not available at the moment as it has been provided to the traffic engineer for further analyzation to develop a solution plan that would be presented to the Board and the public in the future. Mr. Serakowski shared that detention systems are inspected on an annual basis and corrections are made as needed. He shared that the reports are given to the homeownership groups responsible for the underground tanks.

Commissioner Christie thanked Mr. Zelick for his comments.
Commissioner Christie asked for any further comments from the public and there were none.

COMMUNITY DEVELOPMENT – OLD BUSINESS

Public Hearing Re. PLC19-0003 – Tuscany Point – Planned Residential Development – Amended Tentative Approval

Mr. Benigni stated that on August 15, 2019, staff received a withdrawal request from the applicant. The Board of Commissioners must act to accept the withdrawal of PLC19-0003 at the Regular Board Meeting on September 3, 2019.

Commissioner Orchowski asked if any feedback was provided on why the application was withdrawn. Mr. Benigni responded that the township may receive a new application with revisions at the end of September. Commissioner Christie asked if any of the neighborhoods affected had been informed of the withdrawal. Mr. Benigni confirmed that Community Development has been in contact with the residents surrounding the planned development to inform them of the withdrawal.

Commissioner Christie asked if there were any further comments from the Board and there were none.

Continued Public Hearing Re. PLC19-0005 – St. Clair Country Club – Unified Conditional Use / Preliminary and Final Land Development Approval

Mr. Benigni stated that this hearing was continued from the Monday, August 5, 2019 public hearing. This application was filed by The Hayes Design Group / St. Clair Country Club for Unified Conditional Use/Preliminary and Final Land Development Approval to permit an addition and renovation to the country club’s existing pool facilities and related site improvements located in the R-LI- Low Intensity Residential District at 2300 Old Washington Road. This application was reviewed by the Planning Commission on June 20, 2019 and was recommended that the hearing be closed and action taken. A Bill granting Unified Conditional Use/Preliminary and Final Land Development Approval will be prepared for consideration by the Board for September 3, 2019.

Commissioner Christie asked for an update on the related subject regarding resident concerns that have been presented concerning the country club’s driving range golf balls landing on surrounding properties. Mr. Benigni stated that earlier in the afternoon the Township received an application for a netting to stop the golf balls, which will be reviewed. He indicated that he would be meeting with the club manager the following afternoon to discuss operational progress since the last meeting and what their continued plans of improvement would be moving forward.

Commissioner Christie asked if there were any further comments from the Board and there were none.

COMMUNITY DEVELOPMENT – NEW BUSINESS

Public Hearing Re. PLC19-0001 – Ardolino Development Plan – Nonresidential Planned Development – Amended Final Approval

Mr. Benigni stated that this is the initial public hearing on an application filed by Rodney Ardolino for Amended Final Approval of a Planned Office Center Development to allow for the construction of a new restaurant located at 1131, 1141 Boyce Road and 2585 Maple Lane. This application was reviewed by the Planning Commission on July 18, 2019 and was recommended for approval subject
to certain conditions. Following the applicant’s presentation, Staff will recommend that the hearing be continued to Monday, October 7, 2019 for the purpose of taking Staff testimony.

Commissioner Christie noted that he along with Commissioner Seitanakis will be recusing themselves from this vote.

Commissioner Christie asked if there were any further comments from the Board and there were none.

Recommendation Re. Resolution Authorizing the Appropriate Township Officials to Execute and Submit Applications for Traffic Signal Approval to the Pennsylvania Department of Transportation
Mr. Benigni stated that as part of the PennDOT’s highway construction project on S.R. 0019 (Washington Road), PennDOT will be replacing all of the traffic signal equipment and adding an adaptive traffic signal system at the intersections of Fort Couch Road, Siena Drive/Concourse Drive, Village Drive/Fieldgate Drive and Devonwood Drive/Brookside Boulevard. PennDOT requires that the Board of Commissioners pass a Resolution that authorizes the appropriate Township Official to execute and submit the applications for traffic signal approval. Staff will prepare a Resolution authorizing the Township Manager to execute and submit the subject applications for traffic signal approval for consideration by the Board at the Regular Meeting of the Board on September 3, 2019.

Commissioner Pardini asked to revisit the PLC19-0003 – Tuscany Pointe topic. Conversation between Commissioner Pardini and Mr. Benigni ensued relating to the history of the application and the process for submitting a revised application.

Commissioner Christie asked if there were any further comments from the Board and there were none.

OTHER AGENDA AND DISCUSSION ITEMS

Discussion Re. Authorization of Contract for Storm Sewer Video Inspection
Mr. Mansfield stated that on Tuesday, August 6, 2019, the Township received one (1) bid from a pre-qualified vendor for the Storm Sewer Video Inspection project. Robinson Pipe Cleaning Company, Pittsburgh, PA, submitted a unit price bid for inspection of approximately 75,000 LF of storm sewer annually for the years 2019 – 2021.

This contract, along with various other efforts, allows the Township to meet the mandates of the Township Stormwater Management ordinance, Storm Sewer Operation & Maintenance Program, Pollutant Reduction Plan and MS4 guidelines.

Staff is recommending acceptance of the bid received from Robinson Pipe Cleaning Company for the Storm Sewer Video Inspection project. The bid price, in addition to video inspection, includes the cost for incidental cleaning, physically inspecting and GPS plotting the location and condition of existing storm sewer pipes, storm sewer manholes, inlets, headwalls/endwalls and out falls. The 2019 bid price compares favorably with the cost of the expiring contract. Bid pricing for 2020 increases by 3.7% and for 2021 by 5.4%.

Funding for this contracted service is allocated as a Storm Sewer Appropriation included as part of the Townships annual Capital Projects Fund.
Staff will recommend that the proper Township officials be authorized to enter into a contract with Robinson Pipe Cleaning Company for the Storm Sewer Video Inspection project for the years 2019 – 2021 in an annual amount as indicated on the attached bidding schedule at the September 3, 2019 Regular Meeting of the Board.

Members of the Board inquired about how the Township would handle the repairs required on the sewer system and if there was enough time to complete the contract work for 2019. Mr. Mansfield confirmed for Mr. Waller, that the Township would handle the sanitary repairs and he indicated that the contract would specify how sewer repairs would be conducted similarly to the sanitary sewer. Mr. Kostelich verified for Commissioner Orchowski, that there would be enough time based on the contract. Conversation ensued between Commissioner Orchowski, Mr. Kostelich and Mr. Mansfield relating to the bid pricing.

Commissioner Christie asked if there were any further comments from the Board and there were none.

GENERAL AFFAIRS

Presentation Re. Boyce Mayview Perimeter Trail – Final Phases
Commissioner Christie introduced the topic of the upcoming presentation relating to the Boyce Mayview Perimeter Trail and indicated that the purpose of this presentation would be to provide information to the Board and the public. He stated that no action would be taken as a result of the presentation and that residents would have the opportunity to share comments and questions.

Mr. Gary Schafer shared a public presentation of the Morton/Gardens Phase 2 Perimeter Trail consisting of topics including: 2015 Comprehensive Plan; 1999 Boyce Mayview Master Plan; Existing Perimeter Trail; Park Improvements pertaining to the trail; Morton/Gardens Phase 2 options; Budget; and Site Photos.

Commissioner Seitanakis asked how the tree coverage would be affected by the Morton/Gardens phase of the perimeter trail. Mr. Schafer responded that there would continue to be a tree backdrop; however, some trees would need to be removed due to the construction. He indicated that minimizing the amount of tree removal is a priority and part of the comprehensive plan.

Commissioner Logan asked if there would be an opportunity to plant more trees following the construction. Mr. Schafer responded that the trail will be right against the road so additional trees would not be planted in between the trail and the road.

Conversation between the Board of Commissioners and Mr. Shafer ensued relating to the measurements of the ravine section and the possibility of constructing a swinging bridge as opposed to shifting the road. Mr. Shafer referred to cost estimates of the proposed bridge and indicated that it would be more cost effective to shift the road as opposed to constructing a bridge.

Commissioner Orchowski shared support for finishing the perimeter trail due to the amount of work that it has taken to get to this final phase.

Commissioner Christie opened the floor to the public for citizens comments. He addressed that this would not be a question and answer session; however, it would be an opportunity for citizens to
share feedback. After all comments have been made there would be an opportunity for Township Staff to respond.

Mr. Rich Vrbonic, 72 Pond Ct S, Bridgeville, shared that he is a consistent trail user and expressed support for the project. He expressed concern with the conversation surrounding building a swinging bridge to complete the trail due to potential challenges for bicycles and various community members. He shared support in the idea of shifting the road to complete the trail.

Mr. Steve Jones, 2481 Morton Road, expressed safety concerns relating to how constructing guardrails on Morton Road would impact the residents, school buses, and fire trucks that frequently use the road. Mr. Jones offered the suggestion of constructing a sidewalk on the resident side of the road as opposed to shifting the road to complete the trail. He expressed concern relating to the number of trees that would need removed, the impact to the animal habitat of these trees, and the stability of the hill where the road will shift.

Commissioner Christie thanked Mr. Jones for his comments and shared that a sidewalk had been considered in the earlier phases of the Perimeter Trail Plan.

Mr. Howard Zelick, 2532 Shenandoah Drive, asked to review one (1) of the slides that depicted an image of the trail in its current state on Rostron Drive. He highlighted that there were patches in the sidewalk and inquired about what would have caused the need to make repairs at such an early stage. He also expressed concerns relating to the storm sewer at the bottom of Rostron Drive and inquired about how the Perimeter Trail would impact the storm water that flows through this area. He indicated that past storm waters have made this road impassible on multiple occasions and asked how erosion would be mitigated once the Perimeter Trail is constructed.

Mr. Zelick shared that he wanted to reiterate the point that Mr. Jones made regarding the narrowness of the road. He expressed concerns relating to how the potential increase of use and parking due to the trail would impact the safety of the road. He asked if it has been considered to widen the road by five feet to accommodate for the potential increase of usage.

Ms. Mary Winkler, 1413 Lattidome Drive, asked if the Township had considered building into the natural path where hikers currently hike in this section. She indicated that there are many hikers who use this section and asked if it would be a possibility to build upon the natural path.

Commissioner Christie thanked Ms. Winkler for sharing her suggestion and asked if there were any further comments from the public and there were none.

Commissioner Christie asked Mr. Schafer to address some of the comments made by the citizens who expressed concerns and shared suggestions. Mr. Schafer addressed Ms. Winkler’s question relating to the natural path on the opposite side of the ravine. He explained that the concept had been considered and upon review it was a considerably longer path and did not align with the Township’s master plan to keep the trail within the perimeter of the property. He shared that the approved master plan had addressed the importance of preserving the interior sections of the property and building upon the natural path would impact the interior sections of the property.

Commissioner Christie asked Mr. George Kostelich to address the suggestions made relating to constructing a sidewalk on the opposite side of Morton Road. Mr. Kostelich shared that this concept had been considered, but after review, multiple challenges were found including added
costs relating to the traffic engineering of crosswalks and right of way issues. Mr. Kostelich shared that it was determined that constructing sidewalks would not meet the spirit of the trail.

Commissioner Christie asked how homeowners would be impacted by winter maintenance if a sidewalk were to be constructed. Mr. Kostelich responded that homeowners would be responsible to clear the portions of sidewalk on their property lines.

Commissioner Christie asked Mr. Schafer and Mr. Kostelich to address the comment relating to the repairs needed on the trail at Rostron Drive. Mr. Schafer responded that the patches were a result of contaminated asphalt and that there was no issue with the base of the trail. He explained that the asphalt was contaminated with soil that was too close to the surface and as weather occurred the soil caused wearing and washed away portions of the asphalt. Mr. Schafer shared that the contractor responsible for this portion of the trail is no longer employed on the project. He stated that the patches were able to correct this error.

Mr. Kostelich addressed the concern of storm water drainage issues and shared that engineers are required to consider all of the storm water as the trail is built to accommodate any needs relating to storm water drainage.

Commissioner Christie shared that the Township has a committee in place that is working on potentially incorporating the Hastings community of South Fayette to tie-into the connection to the Montour Trail. He stated that the Township has been in contact with South Fayette and that more information would come as progress occurs.

Commissioner Christie welcomed Allegheny County Council Representative, Sue Means, and invited her to share any comments with the public. Ms. Means expressed support for the project.

Recommendation Re. Establish Public Hearing Date Re. PLC19-0008 – Defender Properties, LLC – 1140 Boyce Road – Nonresidential Planned Development – Tentative Approval

Mr. Benigni stated that this application for Tentative Approval of a Nonresidential Planned Development is to permit the conversion of an existing home into office space, add a parking lot, utilities and stormwater detention facility located in the SB – Special Business District at 1140 Boyce Road. This application was considered by the Planning Commission at its regular meeting on August 15, 2019 and recommended for approval subject to certain conditions.

He explained that a public hearing is required for applications for Tentative Approval of a Nonresidential Planned Development. Staff recommends that the public hearing be scheduled for Monday, October 7, 2019. This may be accomplished by a simple motion and voice vote.

Commissioner Christie asked if there were any questions from the Board and there were none.

MOTION AND VOTE TO ESTABLISH MONDAY, OCTOBER 7, 2019, AS THE PUBLIC HEARING DATE RE. PLC19-0008 – DEFENDER PROPERTIES, LLC – 1140 BOYCE ROAD – NONRESIDENTIAL PLANNED DEVELOPMENT – TENTATIVE APPROVAL

Commissioner Seitanakis moved to establish Monday, October 7, 2019, as the public hearing date Re. PLC19-0008 – Defender Properties, LLC – 1140 Boyce Road – Nonresidential Planned Development – Tentative Approval. This was seconded by Commissioner Paoly and approved by a 7-0 voice vote.
Status Report Re. C&RC FIT Committee Meeting of August 19, 2019
Commissioner Logan announced that a meeting of the C&RC FIT Committee was held at 7:00 pm on Monday, August 19, 2019. During this meeting, the committee set aside the contract discussion for pool improvements and focused on discussing the safety and security of the front desk; concerns expressed about locker rooms; and potential changes needed in reconfiguring exercise rooms for fitness classes.

Commissioner Paoly reported that one (1) member of the public attended the meeting and he encouraged community members to attend the next meeting on Monday, September 23, 2019 at 7:00 pm at the Community & Recreation Center.

Review of the Informational and General Affairs Meeting Minutes of July 29, 2019
Commissioner Pardini moved to approve the Informational and General Affairs Meeting Minutes of July 29, 2019. This was seconded by Commissioner Logan and approved by a 6-0 voice vote. Commissioner Orchowski abstained from voting.

Consideration of the August 2019 Bill Sheet
Commissioner Paoly stated that the Bill Sheet was reviewed. He moved for approval of the August 2019 Bill Sheet, which was seconded by Commissioner Pardini and approved by a 7-0 voice vote.

Acknowledge Receipt of Financial Statements for the Seven-Month Period ending July 31, 2019
Commissioner Paoly acknowledged receipt of the Financial Statements for the Seven-Month Period ending July 31, 2019.

ADJOURNMENT
Commissioner Christie 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 Logan moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Waller. This was approved by a 7-0 voice vote and the meeting was adjourned at approximately 8:48 PM.

Laura Long
Recording Secretary
August 2019
LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
August 22, 2019

I. CASES WHERE TOWNSHIP IS PLAINTIFF


D. Township of Upper St. Clair v. Georgia Knight - No. CV-175-2019 (Magistrate Arnoni)


F. Township of Upper St. Clair v. Renewal by Anderson - No Docket Number Assigned (Magistrate Arnoni)

G. Township of Upper St. Clair v. Eric Shultz - 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. David A. Mackowick - 12-26163

B. Marc Wolkoff - 13-21084

C. Meghan E. Webb - 13-22643
D. Lance and Susan Falce - 13-23468  
E. Norman and Barbara Swiech - 13-24404  
F. David and Mary Conn - 14-22699  
G. Penny Caswell - 17-21249  
H. Raymond and Michele Champagne - 14-23668  
I. Vincent Kelly - 16-24838  
J. Robert and Adriene Bruno - 15-22160  
K. 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  

D. TOWNSHIP OF UPPER ST. CLAIR V. SUJILIDA, S.A. NO. 19-000168  

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