

BOARD OF COMMISSIONERS MEETING MINUTES

December 2, 2019

The regular 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 7:31 PM on Monday, December 2, 2019 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 Seitanakis Vice President
Commissioner Logan
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 Community Development
Irving S. Firman Township Attorney
Jennifer J. Slagle, P. E. Township Engineer
Deborah A. Bakowski Recording Secretary

EXCUSED: Commissioner Christie President
Commissioner Orchowski

PUBLIC: Approximately 18 people attended

REVIEW OF BOARD OF COMMISSIONERS' REGULAR MEETING MINUTES OF NOVEMBER 4, 2019

Commissioner Waller moved to approve the Regular Meeting Minutes of November 4, 2019. This was seconded by Commissioner Logan and carried by a 5-0 voice vote.

RECOGNITIONS

Commissioner Seitanakis presented Certificates of Appreciation to the team members of the 2019 USC High School Girls' Varsity Golf Team. They were recognized for their Western Pennsylvania Interscholastic Athletic League (WPIAL) Class AAA Championship and for placing 2nd in the Pennsylvania Interscholastic Athletic Association (PIAA) State Championship.

Ms. Katy Loomis, Girls' Head Golf Coach and Dr. Kevin Deitrick, Athletic Director, were also in attendance.

Ms. Loomis stated that the normal schedule is practice four (4) days a week and three (3) matches. She commented that she is very proud of the team and all of the hard work that goes into getting ready for the season.

Dr. Deitrick commented that the Girls' Golf Team, for the second year in a row, were awarded the Academic Cup. The Academic Cup goes to the team with the highest GPA for the year.

Mr. Wayne Herrod, 89 Long Drive, stated that he was at the last Board of Commissioners meeting and was so impressed with the presentation by Mr. Romito regarding the 2020 Budget. He commented that it is so notable that again there will not be a tax increase without losing any services for the residents. He also congratulated the Township for 25 years of the Upper St. Clair TODAY magazine. He thanked Commissioner Waller, Commissioner Orchowski (although not in attendance) and Commissioner Pardini on running a reputable campaign.

Commissioner Seitanakis thanked Mr. Herrod for his kind words.

Mr. Serakowski stated that regarding Mr. Herrod's comments about the 25th Anniversary of the TODAY magazine, he wanted to mention that Mr. Mansfield and Ms. Kish, (whom is in attendance this evening), are long time TODAY Magazine Staff, along with the School District, and thanked them for all of the good work that goes into each issue.

Ms. Holly Spina, 208 Devonwood Drive, inquired if there was going to be lighting installed for the sports court that is being constructed on a property next to hers or if there is a possibility of lighting being installed in the future.

Mr. Benigni commented that the Board of Commissioners would need to amend the Township Code in order for that to happen and there has been no discussion relative to amending the Township Code in this regard.

Mr. Serakowski instructed Ms. Spina to contact Mr. Benigni if she has additional concerns.

Commissioner Seitanakis commented that three (3) of the Commissioners went for a walk with Mr. Jones to review the area of the proposed Perimeter Trail on Morton Road. He thanked Mr. Jones for his time.

Mr. Steve Jones, 2481 Morton Road, stated that he appreciated the three (3) Commissioners walking with him and listening to his point of view concerning the Perimeter Trail. He said the integrity of the Commissioners is a rarity today.

OLD BUSINESS

None.

NEW BUSINESS

RECOMMENDATION RE. PLC19-0011 – DEFENDER PROPERTIES, LLC – 1140 BOYCE ROAD – NONRESIDENTIAL PLANNED DEVELOPMENT – FINAL APPROVAL

Mr. Benigni stated that this application was reviewed by the Planning Commission on November 21, 2019 and was recommended for approval subject to certain conditions.

The applicant is proposing to convert the existing home at 1140 Boyce Road into office space, add a parking lot, utilities and stormwater detention. The Board of Commissioners adopted Decision No. USC-PD 2-2019 on November 4, 2019 granting tentative approval of this project.

Mr. Benigni stated that Staff recommends the Board of Commissioners grant Final Approval subject to the conditions outlined in Bill No. 11-19. This may be accomplished by a simple motion and roll call vote.

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

MOTION AND VOTE TO APPROVE BILL NO. 11-19

Commissioner Pardini moved to approve Bill No. 11-19 Re. PLC19-0011 – Defender Properties, LLC – 1140 Boyce Road – Nonresidential Planned Development – Final Approval. This was seconded by Commissioner Waller and carried with a 5-0 roll call vote.

RECOMMENDATION RE. PLC19-5702 – AMENDMENT TO CHAPTER 57 OF THE TOWNSHIP CODE ENTITLED “FEES”

Mr. Benigni stated that Staff has recently completed a revision to Chapter 57, “Fees”, of the Township Code to update the Township’s fee requirements related to building permits, zoning permits and stormwater management permits.

He stated that Staff recommends the approval of Bill No. 12-19.

Mr. Benigni stated that the approval of Bill No. 12-19 may be accomplished by a simple motion and roll call vote.

Commissioner Seitanakis asked if there were any comments from the Board or the public.

Mr. Benigni answered the Commissioners questions regarding how the fees will be calculated. He stated there has been no standard process regarding these types of fees so now the International Code Council per square foot cost will be used for the calculation.

MOTION AND VOTE TO APPROVE BILL NO. 12-19

Commissioner Logan moved to approve Bill No. 12-19 Re. PLC19-5702 – Amendment to Chapter 57 of the Township Code entitled “Fees”. This was seconded by Commissioner Waller and carried with a 5-0 roll call vote.

At this time, Commissioner Seitanakis welcomed Mr. Dante Plutko, Commissioner Elect, who will be his replacement in January 2020 representing Ward 1. He thanked him for attending the meeting.

RECOMMENDATION RE. ESTABLISH PUBLIC HEARING RE. PLC19-1301 – AMENDMENT TO CHAPTER 130 OF THE TOWNSHIP CODE ENTITLED “ZONING” TO ADD CONDITIONAL USES IN THE SB – SPECIAL BUSINESS ZONING DISTRICT

Mr. Benigni explained that Mr. Andy Schaer, Clair Boyce Associates, has submitted an application to amend Chapter 130 of the Township Code entitled “Zoning” which would create and add a definition of “Personal Fitness Center” to Section 130.3., “Definitions,” add “Personal Fitness Centers” and “Massage Therapy Establishments” to the list of conditional uses in the SB-Special Business Zoning District in Section 130.13.2.2. and to add parking requirements for “Personal Fitness Centers” and “Massage Therapy Establishments” in Section 130.13.3.1.6.

He commented that this amendment was reviewed by the Planning Commission on November 21, 2019 and recommended for approval. Mr. Benigni said that Staff recommends the Board of Commissioners establish the public hearing for February 3, 2020 by adoption of Resolution No. 1679. He stated this may be accomplished by a simple motion and roll call vote.

Commissioner Seitanakis asked if there were any additional comments from the Board or the

Public.

Commissioner Paoly asked if there was any verbiage that had been updated with Mr. Benigni responding that it is the same.

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1679

Commissioner Pardini moved to adopt Resolution No. 1679 Re. PLC19-1301 – Amendment to Chapter 130 of the Township Code entitled “Zoning”, to establish the public hearing for February 3, 2020. This was seconded by Commissioner Logan and carried with a 5-0 roll call vote.

RECOMMENDATION RE. RESOLUTION AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS TO EXECUTE ALL DOCUMENTATION WITH REGARD TO THE MAINTENANCE AGREEMENT FOR THE ROUNDABOUT AT SR 3004, MCLAUGHLIN RUN ROAD AND SR 3034 LESNETT ROAD/MCMILLAN ROAD

Mr. Benigni explained that as part of PennDOT’s highway construction project for the Roundabout at SR 3004, McLaughlin Run Road and SR 3034 Lesnett Road/McMillan Road, that PennDOT requires that the Board of Commissioners pass a Resolution that designates the appropriate Township Officials to execute all documentation with regard to the Maintenance Agreement.

Mr. Benigni further explained that Resolution No. 1680 designates the appropriate Township Officials to execute all documents with regard to the maintenance agreement for the roundabout between the Township of Upper St. Clair and PennDOT. He said that this Resolution may be adopted by a simple motion and roll call vote.

Commissioner Seitanakis asked if there were any additional comments from the Board or the public.

In response to the Commissioners’ questions, Mr. Benigni explained that funding is in place for this project, that the project will be going out to bid next month, and that the project will be completed through several phases. Mr. Benigni further commented that the proposed PennDOT timeline is for the project to be completed in 2022.

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1680

Commissioner Paoly moved to adopt Resolution No. 1680 authorizing the appropriate Township Officials to execute the Maintenance Agreement for the Roundabout at SR 3004, McLaughlin Run Road and SR 3034 Lesnett Road/McMillan Road. This was seconded by Commissioner Waller and carried with a 4-1 roll call vote. Commissioner Pardini cast the negative vote.

RECOMMENDATION RE. IMP19-0002 – ACCEPTANCE OF PUBLIC IMPROVEMENT IN PLC17-0013 – LAUREL PLACE

Mr. Benigni stated that Pinehurst Land Partners, LLC has requested acceptance of the public improvements in the Laurel Place PRD.

In accordance with the Township Code, Pinehurst Land Partners, LLC has requested that the Township accept the sanitary sewer system as a public improvement in the Laurel Place Planned Residential Development located on Mayview Road. The stormwater management system and road will remain privately owned and maintained by the Homeowners Association. The improvements have been inspected and all requirements for acceptance have been met.

Mr. Benigni stated that Staff recommends the approval of Bill No. 13-19 Re. IMP19-0002 – Acceptance of Public Improvement in PLC17-0013 – Laurel Place.

He stated that this may be accomplished by a simple motion and roll call vote.

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

MOTION AND VOTE TO APPROVE BILL NO. 13-19 RE. IMP19-0002 – ACCEPTANCE OF PUBLIC IMPROVEMENT IN PLC17-0013 LAUREL PLACE

Commissioner Pardini moved to approve Bill No. 13-19 Re. IMP19-0002 – Acceptance of Public Improvement in PLC17-0013 Laurel Place. This was seconded by Commissioner Waller and carried with a 5-0 roll call vote.

RECOMMENDATION RE. APPROVAL OF CONTRACT

Mr. Mansfield reviewed the following contract for the Board's approval in accordance with the Township Code:

USDA Wildlife Service Raleigh, NC	Special Use Culling Permit/Prescribed Activities	Not to exceed \$45,000
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Mr. Mansfield stated that a simple motion and voice vote will authorize the above action.

MOTION AND VOTE TO APPROVE THE ABOVE-MENTIONED CONTRACT WITH USDA WILDLIFE SERVICES

Commissioner Logan moved to approve the above-mentioned contract with USDA Wildlife Services. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

RECOMMENDATION RE. ADOPTION OF THE 2020 BUDGET

Mr. Romito stated that in accordance with Section 906 of the Township Charter, Staff has prepared Bill No. 14-19 for the Board's consideration in the adoption of the 2020 Budget. He explained that Bill No. 14-19 keeps the Real Estate Tax rate at 3.83 mills, the Earned Income Tax rate at .80%, the Local Services Tax at \$52 per year, and sets the Sanitary Sewer Multiplier at 2.00.

Mr. Romito stated that Staff recommends that the Board of Commissioners adopt Bill No. 14-19 and this may be accomplished by a simple motion and roll call vote.

Commissioner Seitanakis asked if there were any questions from the Board or the public and there were none.

Commissioner Seitanakis stated that fiscal responsibility has been the priority of the Board and after years of good fiscal management, the Township has been able to continue to operate at a high level with no tax increases. Commissioner Seitanakis commented that the Budget process began back in May and is a very lengthy process. He commented that it is greatly appreciated and was only able to be accomplished due to great management by Staff. Commissioner Seitanakis commended Mr. Romito for his great leadership and the fantastic job he and his Staff has done yet again.

MOTION AND VOTE TO ADOPT BILL NO. 14-19

Commissioner Paoly moved to adopt Bill No. 14-19 Re. Adoption of the 2020 Budget. This was seconded by Commissioner Logan and carried with a 5-0 roll call vote.

RECOMMENDATION RE. APPROVAL OF APPOINTMENTS TO VOLUNTEER TOWNSHIP BOARDS/COMMISSIONS

Mr. Serakowski explained that the following Board/Commission terms are due to expire on December 31, 2019. He stated that Staff recommends the Board of Commissioners approve the following reappointments which this may be accomplished by a simple motion and voice vote.

- *Building and Fire Codes Appeals and Advisory Board (3-year term)*
Michael P. McDonnell
Glenn Avick
- *Library Board (3-year term)*
Robert G. Ontolchik
- *Parks and Recreation Advisory Board (3-year term)*
Kelly B. Bakayza
Roger Hartung
- *Planning Commission (4-year term)*
Todd Burlingame
Jake Polochak (New Appointment, 2 Year Term expires 2022)
Rachelle Vopal (New Appointment, 1 Year Term expires 2021)

He stated that this may be accomplished by a simple motion and voice vote.

Commissioner Seitanakis commented that these candidates have been through the interview process and are very committed to serving. He stated that he is impressed with the level of talent of those that have submitted their Talent Bank forms.

MOTION AND VOTE TO APPROVE APPOINTMENTS TO VOLUNTEER TOWNSHIP BOARDS/COMMISSIONS

Commissioner Paoly moved to approve the appointment of Michael P. McDonnell and Glenn Avick to the Building Fire Codes Appeals and Advisory Board, Robert G. Ontolchik to the Library Board, Kelly B. Bakayza and Roger Hartung to the Parks & Recreation Advisory Board and Todd Burlingame, Jake Polochak and Rachelle Vopal to the Planning Commission. This was seconded by Commissioner Logan and carried with a 5-0 voice vote.

RECOMMENDATION RE. REAPPOINTMENT TO THE ZONING HEARING BOARD BY ADOPTION OF RESOLUTION NO. 1681

Mr. Serakowski explained that the Pennsylvania Municipalities Planning Code authorizes the Board of Commissioners to appoint residents of the municipality to the Zoning Hearing Board by Resolution. Therefore, Staff recommends the Board approve Resolution No. 1681 by a simple motion and roll call vote.

- *Zoning Hearing Board (3-year term)*
Dwight D. Ferguson

Commissioner Seitanakis asked if there were any questions or comments from the Board and there were none.

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1681

Commissioner Pardini moved to adopt Resolution No. 1681 Re. the reappointment of Dwight D. Ferguson to the Zoning Hearing Board of the Township of Upper St. Clair. This was seconded by Commissioner Paoly and carried with a 5-0 roll call vote.

OTHER BUSINESS

Commissioner Waller thanked Mr. Romito and his Staff for the great job on the 2020 Budget.

ADJOURNMENT

Following a motion for adjournment by Commissioner Pardini and a second by Commissioner Paoly, which carried with a 5-0 voice vote, the meeting was adjourned at approximately 8:16 PM.