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, July 29, 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 Committee
Commissioner Paoly Commissioner
Commissioner Pardini Commissioner
Commissioner Waller

Mark S. Mansfield Assistant Township Manager
Adam A. Benigni Director of Planning & Community Development
Mark P. Romito Director of Finance
Irving S. Firman Township Attorney
Jennifer Slagle, P.E. Township Engineer
Amy Y. Wiszczor Recording Secretary

EXCUSED: Commissioner Orchowski Township Manager
Matthew R. Serakowski

PUBLIC: There were (3) three people in attendance.

Announcements
Commissioner Christie congratulated Mr. Mark Mansfield for receiving the Joseph A. James Memorial Award. This award recognizes a municipal government appointed official in any local government, agency, or Council of Government for a lifetime of exemplary governance or management; improving professionalism in municipal government; making a significant contribution to municipal government services; providing an outstanding service or facility; innovation, or outstanding leadership in a local government. Commissioner Seitanakis commented that Mr. Mansfield is a great asset to the Township and to the County. He thanked Mr. Mansfield for his exceptional work and service over the past 31 years.

CITIZENS’ COMMENTS

Mr. William Warren, 1733 Hathaway Lane, stated he would like the Township to keep the road behind the golf course clean and clear. He stated that he has been clearing the road himself since 1977. He commented that he would like to see the tree limbs cleared and the weeds trimmed. He states there are 12 or 14 houses along Hathaway Lane. If the road is not cleared, the utility trucks cannot get up the road. Commissioner Christie stated it is the responsibility of the power company to keep the right of way of the utility line clear. Commissioner Christie advised that Township Staff will bring this issue to the attention of the Public Works Department to check on this road occasionally.
Mr. Warren also stated his concerns for bringing income into the township in addition to taxing the residents. He commented that he would like to see the property off Boyce Road, which is industrial, be developed so that the property/business brings money into the township instead of raising taxes. Commissioner Christie confirmed the Township does have a zoning plan in place, which is followed, to take advantage of commercial districts. Commissioner Seitanakis commented that the Township has refrained from raising taxes for 13 years.

Commissioner Christie thanked Mr. Warren for his comments.

Commissioner Christie asked for any further comments from the public and there were none.

**COMMUNITY DEVELOPMENT - OLD BUSINESS**

None.

**COMMUNITY DEVELOPMENT - NEW BUSINESS**

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

Mr. Benigni stated this is the initial public hearing on an application filed by Jeffrey Thomas for Amended Tentative Approval to permit the construction of a 179-unit apartment complex located in the RM – Restricted Light Industrial District and R4 – Low-rise Multifamily Residential District at 1500 McLaughlin Run Road. This application was considered by the Planning Commission on June 20, 2019 and was recommended for denial. Following the applicant’s presentation, Staff will recommend that the hearing be continued to Tuesday, September 3, 2019 for the purpose of taking Staff testimony.

Mr. Benigni answered several questions from the Board regarding the application.

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

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

Mr. Benigni stated this is the initial public hearing on an application 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 considered by the Planning Commission on June 20, 2019 and was recommended for approval subject to certain conditions. Following the applicant’s presentation, Staff will recommend that the hearing be continued to Tuesday, September 3, 2019 for the purpose of taking Staff testimony.

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

**Recommendation Re. PLC19-0007 – Chase Bank – Final Land Development Approval**

Mr. Benigni stated this application was reviewed by the Planning Commission on July 18, 2019 and was recommended for approval subject to certain conditions. A Bill granting Final Land Development Approval will be prepared for consideration by the Board on Monday, August 5, 2019.
Commissioner Christie asked if there were any questions from the Board and there were none.

**Recommendation Re. Adoption of a Resolution for a Revision to the Official Sewage Facilities Plan**

McLaughlin Run Road Roundabout – McMillan Road

Mr. Benigni explained as a result of PennDOT’s future roundabout project at the intersection of McLaughlin Run Road/Lesnett Road/McMillan Road, the Township must relocate and upgrade certain sanitary sewer facilities along McMillan Road. The Pennsylvania Department of Environmental Protection requires planning module approval for any new development in the ALCOSAN service area. The planning module for this project has been reviewed by the Township Engineer and has been found to be in good order. A Resolution adopting the planning module will be prepared for consideration by the Board on August 5, 2019.

Commissioner Christie questioned if any homes would be affected by this change. Mr. Benigni confirmed all changes are within the right of way.

**Items of Interest Report**

The Board reviewed the Items of Interest Report.

**OTHER AGENDA AND DISCUSSION ITEMS**

**Discussion Re. Five-Year Capital Improvement Program for 2020-2024**

Mr. Romito stated a public hearing for the Five-Year Capital Improvement Program for 2020-2024 has been scheduled for August 5, 2019. In accordance with Chapter 25-2 of the Township Code, Staff will prepare a Resolution for Board adoption of the presented Capital Improvement Program.

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

**Discussion Re. Authorizing the Township to Enter into a Multi-Year Agreement with the Pennsylvania Department of Transportation for Comprehensive Road Maintenance**

Mr. Mansfield stated for a number of years, the Township has entered into a Comprehensive Maintenance Agreement with the Commonwealth of Pennsylvania Department of Transportation for maintenance of State roads that run through the Township. These roads include Route 19, Boyce Road, McMillan Road, Lesnett Road, Fort Couch Road, the ramps of Route 19 at McLaughlin Run Road, McMurray Road, McLaughlin Run Road and Mayview Road. Under this Comprehensive Maintenance Agreement, which begins July 1 of each year, the Township is responsible for selective maintenance services.

Under the Comprehensive Maintenance Agreement, the Township Public Works Department performs various routine maintenance tasks and the costs are then billed back to the Commonwealth on a semi-annual basis. The Township performs the following tasks as part of the Comprehensive Maintenance program:

1. Mowing all berm areas and intersections with the Township's flail mower.
2. Street sweeping of roadways and paved road berms.
The Comprehensive Maintenance Agreement provides reimbursement for up to $22,668.40 annually based upon a prescribed line item unit cost.

By participating in this program, the Township ensures a more timely maintenance to roadways within its borders. Staff, therefore, will recommend that the Board of Commissioners authorize the proper Township Officials to enter into a renewal Comprehensive Maintenance Agreement with the Commonwealth of Pennsylvania Department of Transportation for comprehensive road maintenance.

A Resolution to accomplish the above will be prepared for the Board's approval at the Regular Board Meeting on August 5, 2019.

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

Discussion Re. FIT Committee – C&RC Aquatics Master Plan Proposal

Mr. Romito stated following up on the Community & Recreation Center (C&RC) Facility Assessment Report presented by Mr. Ken Ballard last fall, the C&RC Facilities Implementation Team (FIT Committee) has held three public meetings to discuss the report’s recommendations and work towards developing a prioritization plan.

One of the clear priorities is to explore potential options for enhancing the C&RC’s outdoor aquatics area. The committee feels the most responsible approach to this is to solicit assistance from an industry expert to develop an aquatic masterplan for the facility. Staff requested price quotes and qualifications from five firms, and reviewed the results with the FIT Committee. The Committee’s recommendation is to accept the proposal from Water Technologies, Inc. (WTI) for a fee of $30,925.00 plus travel and reimbursable expenses.

Under the contract, WTI would deliver up to three conceptual plans with costs, an operational analysis of each concept that will include usage estimates and revenue/expense projections, and a final report. WTI has proposed to include Mr. Ken Ballard on their team for this project to build off of the work he performed during his study in 2018. Staff expects that WTI would complete the majority of their work in approximately 4 months.

The cost of this contract is less than that which typically requires approval from the Board of Commissioners. However, since this is a recommendation of the Ad Hoc FIT Committee, Staff feels it is prudent to seek the Board’s approval to proceed. Therefore, Staff will recommend at the August 5, 2019 Regular meeting that the Board of Commissioners authorize the proper Township Officials to execute the necessary documents related to this proposal.

Discussion ensued between Mr. Romito and Commissioner Christie regarding funding, guidelines for the committee and the options given by the committee to WTI for this plan. The next committee meeting is scheduled in approximately three weeks. Commissioner Logan commented that the committee would obtain all the facts and information before moving forward and making any major decisions or recommendations.

Commissioner Christie asked if there were any further questions from the Board and there were none.
Discussion Re. Approval of Contract For 2019 – 2020 Rock Salt

Mr. Mansfield stated the SHACOG Purchasing Alliance recently opened bids for various winter commodities utilized in roadway maintenance. The lone bidder for rock salt was Cargill, Inc., North Olmsted, OH, at a price of $82.24 per ton (the 2018 season price was $70.93 per ton). The Township’s annual contracted tonnage is 6,500 tons.

SHACOG has informed us that due to industry wide limited salt supplies from continuing consequences from last year’s production issues that impacted all major vendors, caution is being taken from those vendors to take on new commitments. Significant increases to transportation costs have also impacted cost. Given these factors, as the dominant producer and the current provider, Cargill was apparently the only vendor in a position to submit a bid.

Staff will recommend that the proper Township officials be authorized to enter into a contract with Cargill, Inc. for the 2019 - 2020 rock salt season at a price of $82.24 per ton at the Regular Board Meeting on August 5, 2019.

Mr. Mansfield answered several questions from the Board regarding the requirements and obligations of the contract.

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

**GENERAL AFFAIRS**

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

Mr. Benigni stated this application for Amended Final Approval is to permit the construction of a 4,995 square foot restaurant and parking area located in the RM-P Planned Restricted Light Industrial District at 1131 Boyce Road, 1141 Boyce Road and 2585 Maple Lane. This application was considered by the Planning Commission at its regular meeting on July 18, 2019 and recommended for approval subject to certain conditions.

A public hearing is required for applications for Amended Final Approval. Staff recommends that the public hearing be scheduled for Tuesday, September 3, 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 TUESDAY, SEPTEMBER 3, 2019, AS THE PUBLIC HEARING DATE RE. PLC19-0001 – ARDOLINO DEVELOPMENT PLAN – NONRESIDENTIAL PLANNED DEVELOPMENT – AMENDED FINAL APPROVAL**

Commissioner Pardini moved to establish Tuesday, September 3, 2019, as the public hearing date Re. PLC19-0001 – Ardolino Development Plan – Nonresidential Planned Development – Amended Final Approval. This was seconded by Commissioner Logan and approved by a 5-0-1 vote. Commissioner Seitanakis abstained from voting.

Commissioner Seitanakis stated that he will not be participating in the deliberation of this hearing and recused himself from this matter as he is employed by the law firm representing the applicant.
Status Report Re. Public Works Committee of the Board of Commissioners’ Meeting of July 24, 2019.

Commissioner Waller, Chair, Public Works Committee of the Board of Commissioners, stated the Committee met on July 24, 2019 at 8:00 AM in the Board of Commissioners Conference Room with Committee Members Commissioner Orchowski and Commissioner Seitanakis. Township Staff also attended.

Commissioner Waller reported that the final Phase 2 of the Boyce Mayview Perimeter Trail was discussed. On August, 26, 2019 at the Board of Commissioners Informational and General Affairs Meeting there will be a Presentation to the Board and also an invitation to local citizens to elaborate on this final phase of the Boyce Mayview Perimeter Trail. This project will go out for bid in a few months. Commissioner Waller commented that the Township has applied for grant funding for this project. Mr. Mansfield and Ms. Bakowski lead this effort in obtaining funds from multiple grant funders.

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

Review of the Informational and General Affairs Meeting Minutes of June 24, 2019

Commissioner Paoly moved to approve the Informational and General Affairs Meeting Minutes of June 24, 2019. This was seconded by Commissioner Seitanakis and approved by a 4-0-2 voice vote. Commissioner Logan and Commissioner Waller abstained from voting, as they were not present at the meeting.

Consideration of the July 2019 Bill Sheet

Commissioner Paoly stated that the Bill Sheet was reviewed. He moved for approval of the July 2019 Bill Sheet, which was seconded by Commissioner Seitanakis and approved by a 6-0 voice vote.

Acknowledge Receipt of Financial Statements for the Six-Month Period ending June 30, 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 Pardini moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Paoly. This was approved by a 6-0 voice vote and the meeting was adjourned at approximately 8:11 PM.

Amy Y. Wiszczor
Recording Secretary
July 2019
I. CASES WHERE TOWNSHIP IS PLAINTIFF


C. Township of Upper St. Clair v. Greater Pitt Tree Service LLC - No. CV-024-2019 (Magistrate Arnoni)


G. Township of Upper St. Clair v. Laura Vincenti - No. CV-176-2019 (Magistrate Arnoni)

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


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

K. 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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