

## **BOARD OF COMMISSIONERS MEETING MINUTES**

**November 4, 2019**

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, November 4, 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 Christie                      President  
                 Commissioner Logan                      (Via Telephone)  
                 Commissioner Orchowski  
                 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  
                 Missy Fenster                      Court Reporter, Network Deposition Services

EXCUSED: Commissioner Paoly  
                 Commissioner Seitanakis                      Vice President

PUBLIC:                      Approximately twelve people attended.

Commissioner Christie commented that an Executive Session was held before this evening's meeting for the purpose of discussing legal matters.

### **REVIEW OF BOARD OF COMMISSIONERS' REGULAR MEETING MINUTES OF OCTOBER 7, 2019**

Commissioner Orchowski moved to approve the Regular Meeting Minutes of October 7, 2019. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

### **PUBLIC COMMENTS**

None.

### **OLD BUSINESS**

### **CONSIDERATION OF PLC19-0001 – ARDOLINO DEVELOPMENT PLAN – NONRESIDENTIAL PLANNED DEVELOPMENT – AMENDED FINAL APPROVAL**

Mr. Benigni stated that the applicant is requesting Amended Final Approval of Ardolino Development/Planned Office Center. He then entered Township Exhibit #37, Applicant Exhibit #32 and Citizen Exhibit #12 into the record.

Mr. Benigni stated that the hearing was closed at the Board of Commissioners' October 7, 2019 Regular meeting. He said that provided no additional testimony is required, Staff recommends action be taken to adopt Bill No. 10-19. Mr. Benigni commented that this may be accomplished by a simple motion and roll call vote.

Mr. Steven Wright, BR Associates, stated that BR Associates had submitted a few alternative suggestions and asked for these suggestions to be taken into consideration.

Commissioner Christie commented that he is recused from this matter.

#### **MOTION AND VOTE TO ADOPT BILL NO. 10-19**

Commissioner Pardini moved to adopt Bill No. 10-19 Re. PLC19-0001 – Ardolino Development Plan – Nonresidential Planned Development – Amended Final Approval. This was seconded by Commissioner Waller and carried with a 4-0-1 roll call vote. Commissioner Christie was recused from this matter.

#### **CONTINUED PUBLIC HEARING RE. PLC19-0008 – DEFENDER PROPERTIES, LLC – 1140 BOYCE ROAD – NONRESIDENTIAL PLANNED DEVELOPMENT – TENTATIVE APPROVAL**

Mr. Benigni stated that this is the continued public hearing Re. PLC19-0008 – Defender Properties, LLC – 1140 Boyce Road – Nonresidential Planned Development – Tentative Approval. Mr. Benigni reviewed the recommended public hearing procedures.

Those wishing to testify were sworn in by Commissioner Christie.

Mr. Benigni entered Township Exhibits #15 - #17 and Applicant Exhibits #13 - #17 into the record.

Mr. Benigni stated that the applicant is requesting the following modifications:

- 1.1. Section 130.13.3.1.2.4. requires a minimum site size of two (2) acres for all authorized uses.
  - *The applicant has requested a modification because the existing site size is 0.4577 acres and two (2) acres cannot be achieved.*
- 1.2. Section 130.13.3.1.5.1. requires the front, side and rear yards be fifty (50) feet.
  - *The applicant has requested a modification because the existing dwelling encroaches on the 50' side yards and is a preexisting condition.*
- 1.3 Section 130.7.18.13. requires all parking areas be illuminated for night use. Illumination of parking areas with fifty (50) or more parking spaces must be a minimum of one (1) foot candle.
  - *The applicant has requested a modification, noting that the law office will not operate in the evenings.*
- 1.4 Section 114.34.2. requires that sidewalks shall be located in the right-of-way along both sides of all local streets.

- *In lieu of construction of sidewalks along Boyce Road, Developer shall pay a fee to the Township in an amount equal to the cost of construction of a 5-foot wide, 100-foot long sidewalk, said amount to be subject to the approval of the Township Engineer.*

Relative to the requested modifications of the Township Code, Staff recommends approval as it has been determined there is no detriment to the public good and the modifications will not impair the intent and purpose of Chapter 130, Zoning or Chapter 114, Subdivision and Land Development or the desirable general development of the neighborhood and the community in accordance with the Township's Comprehensive Plan.

Mr. Benigni stated that provided no additional testimony is needed, Staff recommends that the public hearing be closed and that the Board of Commissioners grant approval subject to the conditions outlined in Decision No. USC-PRD 2-2019. This may be accomplished by a simple motion and roll call vote.

Commissioner Christie asked for questions from the public and the Board and there were none.

#### **MOTION AND VOTE TO CLOSE THE PUBLIC HEARING**

Commissioner Orchowski moved to close the Public Hearing Re. PLC19-0008 – Defender Properties, LLC – 1140 Boyce Road – Nonresidential Planned Development – Tentative Approval. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

#### **MOTION AND VOTE TO ADOPT DECISION NO. USC-PRD 2-2019**

Commissioner Orchowski moved to adopt Decision No. USC-PRD 2-2019. This was seconded by Commissioner Waller and carried with a 5-0 roll call vote.

#### **NEW BUSINESS**

#### **PUBLIC HEARING RE. 2020 PROPOSED BUDGET**

Mr. Romito reviewed the recommended Public Hearing procedures and stated the 2020 Proposed Budget was advertised and posted as required by law.

Those wishing to testify were sworn in by Commissioner Christie.

Mr. Romito reviewed the 2020 Proposed Budget information during a PowerPoint presentation. He explained how several major items would affect the 2020 Budget.

He reviewed the Township's 2020 Proposed Budget Highlights:

- Real Estate Tax remains at 3.83 mills – Remains the same and has not been increased since 2010
- Earned Income Tax Rate remains at 0.80% – Stays the same and has not been raised since 2007
- Sewer Usage Multiplier proposed to be set at 2.00
- General Fund Balanced at \$22,492,486
- All Other Funds Balanced at \$28,732,093

He also reviewed revenues and expenditures of various funds. Mr. Romito stated that Real Estate Tax (RET) & Earned Income Tax (EIT) continue to be the major revenue sources in the General Fund.

Mr. Romito explained that the largest programs, in terms of expenditures, are Public Safety (includes Police), Public Works (includes garbage, roads, snow / ice removal), Recreation (includes the Community & Recreation Center, Perimeter Trail), and Sanitary Sewer (includes ALCOSAN).

He reviewed the following sections of the 2020 Proposed Budget:

#### 2020 General Fund Revenues:

- Real Estate Tax and Earned Income Tax combined are about 80% of the total General Fund revenues

Mr. Romito stated that the Operating revenue is up 2.17% over the 2019 Budget.

#### 2020 General Fund: Earned Income Tax

- Averaged 2.5% annual increase over the last nine (9) years
- Estimated 2.0% growth in 2020

#### 2020 General Fund Expenditures:

- All expenditures up 2.17% from 2019 Budget
- Operating Expenditures proposed to go up 4.93% from the 2019 Budget

#### 2020 General Fund Notable Items:

- Police Minimal Municipal Obligation (MMO) increased by \$98,000 to \$386,944
- Public Works Minimal Municipal Obligation (MMO) increased by \$34,000 to \$189,463
- Rock Salt increased roughly \$100,000 or by 16%

#### 2020 Enterprise Funds: Community & Recreation Center (C&RC)

- Membership Revenue (2020 is budgeted to remain in line with projected 2019 revenue)
- Operating Expenses (Very little overall change)
- Capital Expenses (Indoor aquatics HVAC replacement in 2020, FIT Committee recommendations and annual routine equipment replacement program.)

#### 2020 Enterprise Funds: Sanitary Sewer

- Sanitary Sewer User Fee Multiplier Rate
  - ALCOSAN to increase rates again, increase will go up 7% in 2020
  - Township multiplier proposed to remain at 2.00
- Sanitary Sewer Expenditures
  - Wastewater treatment budgeted at \$4.3M (58% of operating costs)
  - Continued source reduction work budgeted at \$1.65M
- Looking Ahead

- Continued focus on source reduction
- Still uncertain about future requirements but anticipating that the Township will be mandated to undertake major Sanitary Sewer construction.
- Administrative Consent Order (ACO)
  - Interim ACO expired at the end of 2017. A new order has not yet been negotiated. Municipalities in the region remain unclear as to what regulatory requirements will be mandated in the future.

#### 2020 Capital Projects Fund:

- Funding for the Road Program increased to \$1.8 M
- Funding for Storm Sewer projects at \$500,000
- Budget for Perimeter Trail project carried over from 2019 is \$1.3M
- Traffic Signal improvements with PennDOT at 4 more intersections along Rt. 19
- Municipal Building renovation project budgeted at \$3.5M for 2020, with another \$3.5M anticipated in 2021

#### 2020 Fund Balance Projections:

- The General Fund's estimated Unassigned Fund Balance is projected at \$4,037,184 or 18% of estimated revenues
- GFOA recommends at least two (2) months of revenues
- This is sufficient to demonstrate the budgetary flexibility needed for the Township to maintain its AA+ Bond Rating

Commissioner Christie asked if there were any comments from the public and the Board.

Commissioner Orchowski asked which section of the budget document would the sidewalk projects be located.

Mr. Romito responded that Page 98 of the Proposed Budget shows the information related to sidewalk projects.

Commissioner Waller asked Mr. Romito to explain the \$100,000 decrease in the 2019 Street Improvement Program budget.

Mr. Romito commented that the 2018 Road Program was not completed during the 2018 calendar year, but were completed during 2019. This caused some associated expenses to be paid during 2019 which are reflected in the budget numbers.

Commissioner Christie thanked Staff for the hard work that goes into preparing the Proposed Budget and commented that the Budget project began in May and that the Budget and Finance Committee has met many times over the past few months.

Mr. Romito requested that the Public Hearing Re. the 2020 Proposed Budget be closed and stated that the adoption of the 2020 Budget is scheduled for the Board of Commissioners' Meeting on December 2, 2019 in accordance with the Home Rule Charter.

#### **MOTION AND VOTE TO CLOSE THE PUBLIC HEARING RE. 2020 PROPOSED BUDGET**

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Commissioner Orchowski moved to close the Public Hearing Re. 2020 Proposed Budget. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

**RECOMMENDATION RE. CONTRACTS**

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Mr. Mansfield presented the following contracts to the Board of Commissioners for their approval in accordance with the Township Code:

Glassmere Fuel Service, Incorporated Curtisville, PA	89 Octane Gasoline, Diesel Fuel and Winterized Diesel Fuel Additive	OPIS Daily Pittsburgh Average Index Plus Fixed Margin of \$.0319 on each gallon of 89 Octane Gasoline for the quantities required by the Township, a Fixed Margin Price for Diesel Fuel of between \$.0987 and \$.0319 on each gallon depending on order quantity and \$.035 on Winterized Diesel Fuel Additive on each gallon of Diesel Fuel.
Horizon Information Services Glenshaw, PA	Community & Recreation Center Security Camera System	\$105,940

Mr. Mansfield stated that a simple motion and voice vote would authorize the above action.

**MOTION AND VOTE TO APPROVE THE ABOVE-MENTIONED CONTRACTS**

Commissioner Pardini moved to approve the above-mentioned contracts. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

**RECOMMENDATION RE. PENSION FUNDS INVESTMENT MANAGEMENT ADVISORY SERVICES RFP**

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Mr. Romito stated that as previously communicated, the Township recently conducted a Request for Proposals (RFP) process for investment management advisory services for the Police and Non-Uniformed Defined Benefit Pension Plans. The Township received 17 responses, two (2) of which were disqualified on technical aspects required in the RFP. He commented that the remaining 15 responses had their references called, verified and a one-hour telephone interview conducted. Verification was also done to make sure that Act 44 criteria was met. Five (5) finalists were then chosen who then went through a lengthy, in person, interview process on Monday, October 21, 2019.

Mr. Romito said that a letter was received from Mr. Christopher Englebert of Englebert Financial Advisors, who served as the third-party independent consultant for the RFP. His letter summarizes key points of the RFP process (as mentioned above) and concludes with a recommendation that the Township accept the proposal from PNC Institutional Advisory Services to perform investment advisory and custodial services for the Township’s Police and Non-Uniform defined benefit pension plans. Mr. Romito commented that Staff concurs with Mr. Englerbert’s analysis and recommends that the Board of Commissioners accept the proposal from PNC Institutional Advisory Services to perform investment advisory and custodial services for the Township’s Police and Non-Uniform defined benefit pension plans. He stated that this may be accomplished by a simple motion and voice vote.

**MOTION AND VOTE TO ACCEPT THE PROPOSAL FROM PNC INSTITUTIONAL ADVISORY SERVICES TO PERFORM INVESTMENT ADVISORY AND CUSTODIAL SERVICES FOR THE TOWNSHIP'S POLICE AND NON-UNIFORM DEFINED BENEFIT PENSION PLANS**

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Commissioner Pardini moved to accept the proposal from PNC Institutional Advisory Services to perform investment advisory and custodial services for the Township's Police and Non-Uniform Defined Benefit Pension Plans. This was seconded by Commissioner Waller and carried with a 5-0 voice vote.

**OTHER BUSINESS**

Commissioner Christie stated that tomorrow is Election Day and to please take time and vote.

Commissioner Christie stated the Township would be holding an observance on Monday, November 11, 2019 at 9:30 AM, to honor Veterans of all branches of the U.S. Armed Forces. He commented that it is always a wonderful event and asked everyone to please plan on attending. Commissioner Christie said that the Veterans deserve our time to honor them.

Commissioner Waller applauded Mr. Romito and his department for a job well done with the proposed budget.

**ADJOURNMENT**

Following a motion for adjournment by Commissioner Pardini and a second by Commissioner Orchowski, which carried with a 5-0 voice vote, the meeting was adjourned at approximately 8:13 PM.

Deborah A. Bakowski  
Recording Secretary  
November 2019