

BOARD OF COMMISSIONERS MEETING MINUTES

APRIL 6, 2020

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, April 6, 2020 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 Paoly	Vice President (<i>present via audio conference</i>)
	Commissioner Logan	(<i>present via audio conference</i>)
	Commissioner Orchowski	(<i>present via audio conference</i>)
	Commissioner Plutko	
	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 (<i>present via audio conference</i>)
	Prudence Cooper	Recording Secretary

EXCUSED: Commissioner Pardini

PUBLIC: One person attended

Commissioner Christie began the meeting by expressing that it has been an unusual four to six weeks for our fellow citizens. He thanked the residents for their cooperation in following the guidelines of social distancing and their proper use of public facilities. He has witnessed that everyone seems to be cooperating with and supporting the guidelines.

Commissioner Christie also thanked Township management and all of the staff, including Public Works and Police because it has been an especially difficult time for them as they have needed additional patience when interacting with the public.

RECOGNITION

Commissioner Christie read a Proclamation honoring Helen Palascak, Department Director of the Library upon her retirement after 23 years of service to the Township.

Ms. Palascak could not be present this evening due to the social distancing guidelines, but Commissioner Christie extended the Board's congratulations to her.

REVIEW OF THE INFORMATIONAL AND GENERAL AFFAIRS MEETING MINUTES OF FEBRUARY 24, 2020

Commissioner Plutko moved to approve the Informational and General Affairs Meeting Minutes of February 24, 2020. This was seconded by Commissioner Paoly and carried with a 5-0-1 voice vote. Commissioner Waller abstained from voting as he was not present at the Informational and General Affairs meeting on February 24, 2020.

REVIEW OF BOARD OF COMMISSIONERS' REGULAR MEETING MINUTES OF MARCH 2, 2020

Commissioner Waller moved to approve the Regular Meeting Minutes of March 2, 2020. This was seconded by Commissioner Plutko and carried with a 6-0 voice vote.

PUBLIC COMMENTS

None.

OLD BUSINESS**CONTINUED 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 stated that this is the continued 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 reviewed the public hearing procedures.

Commissioner Christie confirmed that those wishing to testify were previously sworn in at the initial public hearing.

Mr. Benigni then entered Township Exhibit #21 into the record and stated that this public hearing was continued from the March 2, 2020 Board of Commissioners meeting for the purpose of taking Staff testimony.

Mr. Benigni explained that the applicant has proposed 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.

Mr. Benigni added that provided no additional testimony is required, Staff recommends that the hearing be closed and action taken to adopt Bill No. 2-20. This may be accomplished by a simple motion and roll call vote.

Mr. Benigni confirmed for Commissioner Waller that if this amendment for conditional uses is passed, future requests for conditional uses will be presented and voted on by the Board of Commissioners on a case-by-case basis.

Mr. Firman added that reasonable conditions can be made on future uses when presented to the Board of Commissioners.

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

MOTION AND VOTE TO CLOSE 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

Commissioner Orchowski moved to close the 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. This was seconded by Commissioner Waller and carried with a 5-0-1 voice vote. Commissioner Plutko abstained from voting.

MOTION AND VOTE TO ADOPT BILL NO. 2-20

Commissioner Waller moved to adopt Bill No. 2-20 Re. PLC19-1301 – Amendment to Chapter 130 of the Township Code entitled “Zoning” to add conditional uses in the SB – Special Business Zoning District. This was seconded by Commissioner Logan and carried with a 4-1-1 roll call vote. Commissioner Paoly cast the negative vote and Commissioner Plutko abstained from voting.

CONTINUED PUBLIC HEARING RE. PLC20-0001 – FROSTY VALLEY PROFESSIONAL BUILDING – AMENDED TENTATIVE AND FINAL APPROVAL

Mr. Benigni stated that this is the continued public hearing Re. PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval from the March 2, 2020 Board of Commissioner’s meeting.

Mr. Benigni reviewed the public hearing procedures.

Commissioner Christie confirmed that those wishing to testify were previously sworn in at the initial public hearing.

Mr. Benigni then entered Township Exhibit #15 into the record.

Mr. Benigni provided a brief history of this property by stating that the Frosty Valley Professional Building received approval in 1995 to operate a pro shop, golf course, restaurant and office space within the planned development. Over time, tenants have changed and it is necessary for the applicant to get approval to operate the proposed Massage Therapy Establishment and Photography Studio within the building. Since there is no land development on this property, parking requirements were then reviewed. Mr. Benigni referenced a chart on page three of the Staff Report and in Bill 6-20 detailing those requirements and that the parking needs of the property have been met.

Mr. Benigni indicated 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 Bill No. 6-20. This may be accomplished by a simple motion and roll call vote.

Mr. Benigni confirmed for Commissioner Orchowski that the revised plan of this property must

include the modifications approved in 1995 along with the updated parking modifications which will be included in the recorded plan.

At this time no public was in attendance so Commissioner Christie asked if there were any additional comments from the Board and there were none.

MOTION AND VOTE TO CLOSE PUBLIC HEARING RE. PLC20-0001 – FROSTY VALLEY PROFESSIONAL BUILDING – AMENDED TENTATIVE AND FINAL APPROVAL

Commissioner Logan moved to close Public Hearing Re. PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval. This was seconded by Commissioner Waller and carried with a 6-0 voice vote.

MOTION AND VOTE TO ADOPT BILL NO. 6-20

Commissioner Orchowski moved to adopt Bill No. 6-20 Re. PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval. This was seconded by Commissioner Logan and carried with a 6-0 roll call vote.

At this time, Commissioner Christie took the opportunity to explain that three (3) of the Commissioners and Staff are calling in to the meeting by phone this evening to follow social distancing guidelines

NEW BUSINESS

RECOMMENDATION RE. ADOPTION OF RESOLUTION FOR THE ACQUISITION OF REAL ESTATE PRESENTLY OWNED BY ROBERT C. JOMISKO AND DEBORAH A. JOMISKO AT 1625 PAINTERS RUN ROAD

Mr. Benigni explained that the Township of Upper St. Clair intends to purchase parcel 253-M-222, presently owned by Robert C. Jomisko and Deborah A. Jomisko, located at 1625 Painters Run Road. The total area of the parcel is approximately 0.25 acre. The Township has agreed to purchase the property for the sum of \$8,000.00.

Mr. Benigni stated that Staff recommends that the Board of Commissioners approve Resolution No. 1685 which authorizes the purchase of this property. He stated that this may be accomplished by a simple motion and roll call vote.

In response to Commissioner Christie's inquiry, Mr. Benigni stated that at this time, there is no intended use of this property but that it is located adjacent to other parcels owned by the Township including the Beadling soccer field. Therefore, the property will most likely be part of that athletic field.

Mr. Benigni confirmed for Commissioner Orchowski that this parcel is on the western side, and of the four (4) parcels, this is the second one owned by the Township.

Commissioner Logan asked if there are any right-of-way issues with this property. Mr. Benigni responded that there are no access issues, but it is adjacent to other parcels. The easement or right-of-way goes across the bridge up towards the parcels.

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

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1685

Commissioner Paoly moved to adopt Resolution No. 1685 authorizing the proper Township Officials to execute all documents with regard to the acquisition of 1625 Painters Run Road. This was seconded by Commissioner Plutko and carried with a 6-0 roll call vote.

RECOMMENDATION RE. DISPOSAL OF RECORDS

Mr. Mansfield stated that Staff has prepared Resolution No. 1686, which authorizes the disposal of various Township records in accordance with the Municipal Records Retention and Disposition Schedule referenced in Chapter 11.7. of the Township Code. He stated that Staff recommends the adoption of Resolution No. 1686, which may be accomplished by a simple motion and roll call vote.

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

MOTION AND VOTE TO ADOPT RESOLUTION NO. 1686

Commissioner Waller moved to adopt Resolution No. 1686 authorizing the disposal of various Township records in accordance with the Municipal Records Retention and Disposition Schedule referenced in Chapter 11.7. of the Township Code. This was seconded by Commissioner Plutko and carried with a 6-0 roll call vote.

RECOMMENDATION RE. APPROVAL OF CONTRACTS

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

Jeffrey Associates Indianola, PA	Clubhouse Playground Safety Surface	\$48,658
Lone Pine Construction. Inc. Bentleyville, PA	Brush Run Pump Station – Purchase and Installation of Watertight Flood Gates	\$48,645
State Pipe Services, Inc. Cranberry Township, PA	Spot Lining and Manhole Rehabilitation Services	\$153,825
Jet Jack, Inc. Oakdale, PA	Manhole to Manhole Lining	\$128,550
H. E. Neumann Company Triadelphia, WV	C&RC HVAC Rooftop Replacement	\$488,036

Mr. Mansfield added that the price of the Clubhouse Playground Safety Surface is actually at 50% of the contract price. The other 50% was covered under the original warranty for the playground surface.

Mr. Mansfield explained that the installation of the watertight flood doors should be the last piece of the renovations done to the Brush Run Pump Station.

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

Mr. Mansfield confirmed for Commissioner Christie that these contracts are all budgeted items and there have been problems with the HVAC system at the C&RC for a while. The HVAC system may take up to twelve (12) weeks to build and should be installed by early fall.

Commissioner Orchowski thanked the Staff for providing a cost breakdown of the bids for the manhole projects. He has no opposition to the playground surface since that playground is used so much and that 50% of the cost is covered under warranty.

Commissioner Logan asked if the performance of these contractors will be impacted by social distancing and non-essential business closures. Mr. Mansfield stated that the work required is permitted under the Governor's orders or the contractors have sought the proper waivers to work; however, State Pipe is currently working with limited staff. Furthermore, the Township is not on the schedule yet, so it may be several months before work would begin on these projects.

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

MOTION AND VOTE TO APPROVE THE ABOVE-MENTIONED CONTRACTS

Commissioner Plutko moved to approve the above-mentioned contracts. This was seconded by Commissioner Waller and carried with a 6-0 voice vote.

CONSIDERATION OF THE MARCH 2020 BILL SHEET

Commissioner Logan stated that the Bill Sheet was reviewed and everything is in order. There appears to be no impact on the Bill Sheet from the Governor's orders to close non-essential businesses.

In response to Commissioner Logan's request, Mr. Romito commented that it is difficult at this time of year to accurately forecast fiscally how the year will end. Staff is monitoring economically sensitive revenues like earned income tax, sales tax revenue, recreation program revenue, in addition to how the Township could be impacted by the closures and by the economic activity or lack thereof. A prediction cannot be accurately provided through March, as the key indicators are still positive. It may take until mid-late May before any significant impact is seen.

Mr. Serakowski added that from the expenditure side, Staff is closely monitoring expenses and capital expenditures in each department for the remaining part of the year and will continue to do so going forward.

Commissioner Logan moved for approval of the March 2020 Bill Sheet, which was seconded by Commissioner Waller and approved by a 6-0 voice vote.

ACKNOWLEDGE RECEIPT OF FINANCIAL STATEMENTS FOR THE TWO-MONTH PERIOD ENDING FEBRUARY 29, 2020

Commissioner Logan acknowledged receipt of the Financial Statements for the Two-Month Period ending February 29, 2020.

OTHER BUSINESS

Commissioner Christie thanked the Commissioners calling in and stated that this practice will be followed as long as it is required.

ADJOURNMENT

Following a motion for adjournment by Commissioner Waller and a second by Commissioner Plutko, which carried with a 6-0 voice vote, the meeting was adjourned at approximately 8:02 PM.

Prudence Cooper
Recording Secretary
April 2020