

**BOARD OF COMMISSIONERS INFORMATIONAL
AND GENERAL AFFAIRS MEETING MINUTES**

FEBRUARY 24, 2020

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, February 24, 2020, 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 Paoly	Vice President
	Commissioner Logan	
	Commissioner Orchowski	
	Commissioner Pardini	
	Commissioner Plutko	
	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
	Irving S. Firman	Township Attorney
	Jennifer Slagle, P.E.	Township Engineer
	Amy Wiszczor	Recording Secretary

EXCUSED: Commissioner Waller

PUBLIC: None.

CITIZENS' COMMENTS

None.

INFORMATIONAL ITEMS

COMMUNITY DEVELOPMENT - 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 this hearing was continued from the Monday, February 3, 2020 public hearing. This application was filed by Mr. Andy Schaer of Clair Boyce Associates, L.P. to amend the SB Zoning District by adding “Personal Fitness Centers” and “Massage Therapy Establishments” to the list of Conditional Uses in the SB District. This application was considered by the Planning Commission at its regular meeting on November 21, 2019 and recommended for approval. Provided no additional testimony is required, Staff will recommend that the hearing be closed and action taken. A Bill granting approval of the proposed text amendment will be prepared for consideration by the Board on March 2, 2020.

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

Continued Public Hearing Re. PLC19-0010 – Tuscany Pointe – Planned Residential Development – Amended Tentative Approval

Mr. Benigni stated that this hearing was continued from the Monday, February 3, 2020 public hearing after receiving a tabling request from the applicant on January 29, 2020. This application was filed by Mr. Jeffrey Thomas for Amended Tentative Approval to permit the construction of a 144-unit apartment complex located in the RM – Restricted Light Industrial District and R4 – Lowrise Multifamily Residential District at 1500 McLaughlin Run Road. This application was considered by the Planning Commission at its regular meeting on December 19, 2019 and was recommended for denial. Following the applicant's presentation, Staff will recommend that the hearing be continued to Monday, April 6, 2020 for the purpose of taking Staff testimony.

Commissioner Christie asked if there were any questions from the Board.

Commissioner Logan stated she will recuse herself from this matter due to a business conflict. In response to Commissioner Orchowski's question as to whether there were any significant changes to the application, Mr. Benigni confirmed there were none.

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

COMMUNITY DEVELOPMENT – NEW BUSINESS

Public Hearing Re. PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval

Mr. Benigni stated that this is the initial public hearing on an application filed by Mr. Joseph DeNardo, J.N.D. Properties, LLC for Amended Tentative and Final Approval of a Nonresidential Planned Development to permit the addition of two (2) conditional uses, Massage Therapy Establishment and Photography Studio, within the Frosty Valley Professional Building, located in the RM-P – Planned Restricted Light Industrial District at 2652 Hidden Valley Drive. This application was considered by the Planning Commission at its regular meeting on January 16, 2020 and recommended for approval subject to certain conditions. Following the applicant's presentation, Staff will recommend that the hearing be continued to Monday, April 6, 2020 for the purpose of taking Staff testimony.

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

Recommendation Re. Resolution Authorizing the Appropriate Township Officials to Execute all Documentation with Regard to the Reimbursement and Maintenance Agreement for Intersection and Pedestrian Improvements on SR19/Washington Road

Mr. Benigni explained that PennDOT requires the Board of Commissioners to pass a resolution that designates the appropriate Township Officials to execute the required Reimbursement and Maintenance Agreement for intersection and pedestrian facility improvements on State Route 19/Washington Road. A Resolution authorizing the proper Township Officials to execute all documents with regard to the project will be prepared for consideration by the Board on March 2, 2020.

Commissioner Christie asked if there were any questions from the Board.

Discussion between Commissioner Christie and Mr. Benigni entailed how the reimbursement is calculated.

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

Other

None.

OTHER AGENDA AND DISCUSSION ITEMS

Update Re. Public Works Committee of the Board of Commissioners’ Meeting of February 21, 2020

Commissioner Plutko advised he did attend the recent bid opening. Mr. Serakowski elaborated that the three (3) bids received for the Street Improvement Program and the street list were reviewed by the group during the meeting.

Discussion Re. Approval of Contracts for 2020 Street Improvement Program

Mr. Mansfield stated on Tuesday, February 18, 2020 three (3) pre-qualified vendors submitted bids for the Township's 2020 Street Resurfacing Program. Mele, Mele & Sons, Inc., Braddock, PA. was the best responsible bidder for the base street resurfacing contract in the amount of \$1,749,717.90. In addition to the base bid, Staff also recommends accepting Alternate #1 for milling, paving, color coating, and fencing for the Trotwood Park Tennis Court at an additional cost of \$37,370.00, for a grand total of \$1,787,087.90.

On the same date, two (2) pre-qualified vendors submitted a bid for the Township’s 2020 Street Crack Sealing Program. Russell Standard Corporation, Valencia, PA, bid the street crack sealing at a rate of \$0.42 per lineal foot for approximately 100,000 feet for a total cost of \$42,000.00.

Funding sources and recommended programming for the Township’s 2020 Street Improvement Program are listed below:

2020 Budget Appropriations

Street Program – Capital Fund	\$1,210,000.00
Street Program – Liquid Fuels Fund	650,000.00
Total Budget	<u>\$1,860,000.00</u>

2020 Resurfacing & Crack Sealing Bids

Street Resurfacing Base Bid	\$1,749,717.90
Alternate #1 – Trotwood Tennis Court	37,370.00
Crack Sealing	42,000.00
Total Bids	<u>\$1,829,087.90</u>

Available Balance \$ 30,912.10

Staff will recommend that the proper Township Officials be authorized to enter into a contract with Mele & Mele & Sons, Inc. for street resurfacing in an amount of \$1,787,087.90 based upon the unit pricing provided within their bid and Russell Standard Corporation for street crack sealing in the amount of \$42,000.00 at the March 2,2020 Regular Meeting of the Board.

Commissioner Christie asked if there were any questions from the Board.

Mr. Mansfield answered questions from Commissioner Christie and Commissioner Orchowski regarding funding and unit pricing for this program.

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

Discussion Re. Approval of Contract for Pesticide, Herbicide and Fungicide Spray Program Category 7

Mr. Mansfield stated Staff received two (2) proposals for a two (2) year contract with Commercial Turf Fertilization (CTF) for Pesticide, Herbicide and Fungicide Spray Program Category 7 for the Athletic Fields, 3-Hole Golf Course, and the Boyce Mayview facility as follows:

<u>Area</u>	<u>2020</u>	<u>2021</u>
Athletic Fields	\$21,079.00	\$21,992.00
3-Hole Golf Course	\$10,952.00	\$11,390.00
Boyce Mayview	\$18,398.00	\$19,133.00
Total	\$50,429.00	\$52,515.00

CTF has been providing these services at the above locations for the past eight (8) years. There is a \$2,400, or 5% increase from the year 2019 program to the year 2020 program, and a 4% increase from the year 2020 program to the year 2021 program. The proposal from the other vendor, Fairfield Landscaping, was approximately 12% higher than the CTF proposal.

Therefore, Staff will request approval for the proper Township Officials be authorized to enter into a contract with Commercial Turf Fertilization for Pesticide, Herbicide and Fungicide Spray Program Category 7 in the amount of \$50,529.00 for Year 2020, and \$52,515.00 for Year 2021, at the March 2, 2020 Regular Meeting of the Board.

Commissioner Christie asked if there were any questions from the Board.

Mr. Mansfield answered questions from Commissioner Christie regarding past pricing. He also confirmed for Commissioner Logan that the reduction of pesticide treatments was done for health and environmental reasons, as well as cost.

Discussion Re. Approval of Contracts for Architectural & Engineering Design Services and Project Management Services for Administration Building Phase 5 Renovations

Mr. Mansfield stated Staff is requesting the Board’s approval to enter into two (2) contracts with EPM Architecture relating to the Administration Building Phase 5 Renovations for the following services:

	<u>Amount</u>
Architectural & Engineering Design Services	Not to exceed \$442,282.00
Project Management Services	Not to exceed \$122,009.00

This phase of the building renovations includes two (2) floors formerly occupied by the School District, and the areas currently occupied by the departments of the Library, Police, Community Development, and Information Technology.

EPM Architecture, initially selected through the C&RC Request for Proposal (RFP) process, has also provided Architectural and Engineering Design Services and Project Management Services for the first four (4) phases of renovations to the Administration Building, the Tennis/Golf Administration Building, and the McLaughlin Activity Center (MAC) renovation.

Therefore, Staff will recommend that the proper Township Officials be authorized to enter into contracts for the above services with EPM Architecture in the amounts not to exceed \$442,282.00 and \$122,009.00 at the March 2, 2020 Regular Meeting of the Board.

Commissioner Christie asked if there were any questions from the Board.

Discussion ensued between Mr. Mansfield, Mr. Serakowski and the Commissioners regarding the building plan, placement of bathroom facilities, how daily business would be handled during construction and a request for a breakdown of the costs for the design services.

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

Discussion Re. Authorization of Contracts for Public Works Equipment

Mr. Mansfield stated Staff is seeking approval to purchase the following Public Works equipment in accordance with the Equipment Replacement Schedule:

<u>Equipment</u>	<u>Vendor</u>	<u>Bid/GSA</u>	<u>Amount</u>
One (1) Utility Body Upfit with Aerial Lift (for 2020 Ford F-550 Cab & Chassis*)	Sabre Equipment, Inc. Coraopolis, PA	COSTARS Contract #025-078	\$87,403.00
One (1) 10'6" Stainless Steel Dump Body with Salt Spreader and Hydraulics for Snow Removal (for 2020 International Cab & Chassis*)	Stephenson Equipment, Inc.	COSTARS Contract #025-021	\$69,788.00

*Previously ordered

The funding source for the Public Works equipment is allocated in the Township's 2020 Capital Projects Budget under Dump Trucks, and Other Trucks in an aggregate amount of \$387,000.

Staff will recommend that the proper Township Officials be authorized to enter into contracts with the above referenced vendors in the amounts indicated at the March 2, 2020 Regular Meeting of the Board.

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

Discussion Re. Approval for a Grant Application Through the Department of Education, Keystone Recreation, Park and Conservation Fund for the Renovation and New Construction of the Upper St. Clair Children's Library

Mr. Mansfield stated that the Township desires to apply for grant funding through the Pennsylvania Department of Education Keystone Recreation, Park and Conservation Fund in the amount of \$750,000 for the renovation and new construction of the Upper St. Clair Children's Library.

Staff will prepare the appropriate Resolution for the March 2, 2020 Regular Board Meeting to authorize Mark S. Mansfield, Assistant Township Manager, to file all applications, documents, and forms between the Township of Upper St. Clair and the Department of Education.

Staff will recommend that the Resolution be adopted at the March 2, 2020 Regular Meeting of the Board.

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

Discussion Re. Update to Pension Plan Investment Policy Statements

Mr. Romito advised in late 2019, the Board of Commissioners appointed PNC Institutional Advisory Solutions to perform investment management advisory services for the Township's Police and Non-Uniform Defined Benefit Pension Plans. As part of the transition, PNC and Township Staff have reviewed the Investment Policy Statement (IPS) for both plans, and worked together to prepare updated documents. Because the Non-Uniform Plan's assets were previously managed by Voya, several changes to that plan's IPS are necessary. Those changes include a new benchmark for performance monitoring, a narrowed range for equity investments (from a minimum of 40% of the portfolio to 55%), and an actual defined target allocation of 65% equities and 35% fixed income. Since PNC previously managed the Police Plan's assets, no material changes are needed for the Police Plan's IPS. However, an update is still recommended to provide a consistent format for both plans. Staff will recommend that the Board of Commissioners adopt a separate ordinance for each plan's IPS at the Regular Board meeting on Monday, March 2, 2020.

Commissioner Christie asked if there were any questions and there were none.

Discussion Re. Update to the General Employees' Pension Plan Document

Mr. Romito stated that Staff has prepared an update to the Plan Document for the General Employees' Pension Plan to reflect plan amendments that are already contained in the Teamsters 205 contract. The update will incorporate the terms agreed to between the Township and the Teamsters during the 2018 labor negotiations, including new multiplier levels through 2021, and the ineligibility of new entrants into the Defined Benefit Plan.

This is a housekeeping update that merely synchronizes the language in the two (2) documents (the Teamsters 205 contract and the Plan Document). This does not impact any operational aspect of the

pension plan. A draft Ordinance is attached, showing updates in Section 1.12, Section 2.01, and Section 4.02, as well as some minor clarifying updates throughout.

Staff will recommend the Board of Commissioners adopt the Ordinance amending the General Employee Pension Plan Document at its Regular Meeting on Monday, March 2, 2020.

Commissioner Christie asked if there were any questions from the Board.

Mr. Romito proceeded to answer questions from the Commissioners regarding the plan and employee contributions.

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

GENERAL AFFAIRS

Status Report Re. C&RC FIT Committee Meeting of February 12, 2020

Commissioner Paoly advised the meeting was on a Wednesday, instead of a Monday, so this may be why there was no public in attendance. The Committee reviewed proposed ideas and concepts for the Recreation Center. Mr. McCleaster is to go back to the consultant with the committee's comments and get additional information from the consultants on some of the ideas presented. The next FIT meeting has not been scheduled. Commissioner Logan advised the Committee is making progress, however there will be further discussions regarding the outdoor pool and priorities for the rest of the building.

Commissioner Christie asked if there were any questions from the Board.

In response to Commissioner Orchowski's question regarding obtaining a list of options that have been presented to the Committee, Mr. Serakowski advised it would be beneficial to allow the committee to proceed with their study. After the next FIT Committee meeting the committee can then give a report on the recommendations, and how they arrived at those recommendations, to the Board of Commissioners.

Commissioner Christie asked if there has been any public in attendance and the Committee advised there have been some attending. Mr. Serakowski confirmed the meetings are publicly advertised.

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

Review of the Informational and General Affairs Meeting Minutes of January 27, 2020

Commissioner Orchowski moved to approve the Informational and General Affairs Meeting Minutes of January 27, 2020. This was seconded by Commissioner Logan and approved by a 6-0 voice vote.

Consideration of the February 2020 Bill Sheet

Commissioner Logan stated that the Bill Sheet was reviewed. Commissioner Logan moved for approval of the February 2020 Bill Sheet, which was seconded by Commissioner Paoly and approved by a 6-0 voice vote.

Acknowledge Receipt of Financial Statements for the One-Month Period ending January 31, 2020

Commissioner Logan commented that the C&RC memberships were up and the program services revenue was up as well. The Public Works budget is doing well also due to the mild winter. Commissioner Orchowski questioned the Township's status on the minimum take or pay program on the salt supply. Mr. Serakowski advised they are reviewing this program. Commissioner Logan acknowledged receipt of the Financial Statements for the One-Month Period ending January 31, 2020.

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 Orchowski moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Plutko. This was approved by a 6-0 voice vote and the meeting was adjourned at approximately 8:04 PM.

Amy Wiszczor
Recording Secretary
February 2020

**LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
February 20, 2020**

I. CASES WHERE TOWNSHIP IS PLAINTIFF

- A. Township of Upper St. Clair v. James Hawk - Nos. CV-222-2016 & CV-223-2016)
(Magistrate Arnoni).
- B. Township of Upper St. Clair v. Carl Bellini et al. - No. CV 3-2020 (Magistrate Arnoni).
- C. Township of Upper St. Clair v. Floyd Schubert Jr. - Docket Number Unknown
(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 and Mary Conn - 14-22699
- B. Vincent Kelly - 16-24838

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