BOARD OF COMMISSIONERS MEETING MINUTES

March 2, 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, March 2, 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 Paoly Vice President
Commissioner Logan
Commissioner Orchowski
Commissioner Pardini
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 Firman Township Attorney
Jennifer Slagle, P. E. Township Engineer
Prudence Cooper Recording Secretary
Dillon Derrena Network Deposition Services (arrived at approximately 7:37 PM)

EXCUSED: Commissioner Christie

PUBLIC: Approximately 12 people attended.

REVIEW OF BOARD OF COMMISSIONERS’ REGULAR MEETING MINUTES OF FEBRUARY 3, 2020

Commissioner Plutko moved to approve the Regular Meeting Minutes of February 3, 2020. This was seconded by Commissioner Logan and carried with a 5-0-1 voice vote. Commissioner Orchowski abstained from voting as he did not attend the meeting on February 3, 2020.

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

Commissioner Paoly stated that this is the continued Public Hearing regarding 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 recommended public hearing procedures and entered Township Exhibit #20 into the record.
Commissioner Plutko stated that due to an ongoing business relationship, he will be recusing himself from this application.

Mr. Alan Sable, attorney with Sable and Sable, LLC, representing the applicant and property owner, Clair Boyce Associates, stated that due to Commissioner Christie’s unexpected absence from the meeting this evening, Commissioner Plutko’s recusal, and the duration of time this matter has taken, the applicant has requested that the vote on this Zoning Text Amendment be tabled until next month so that all Commissioners can participate and vote on this application.

In response to Commissioner Paoly’s question, Mr. Sable responded that if there is not a full Board attendance in April, it is possible that he will request that this matter be tabled until the following month.

Commissioner Orchowski stated that he will not be attending the Board meeting on April 6th, but he will be available by audio conference, if necessary.

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

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

Commissioner Waller moved to continue 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 to the Board of Commissioners’ Regular Meeting on April 6, 2020. This was seconded by Commissioner Pardini and carried with a 5-0-1 voice vote. Commissioner Plutko abstained from voting.

**CONTINUED PUBLIC HEARING RE. PLC19-0010 – TUSCANY POINTE – PLANNED RESIDENTIAL DEVELOPMENT – AMENDED TENTATIVE APPROVAL**

Commissioner Paoly stated that this is the Public Hearing regarding PLC19-0010 – Tuscany Pointe – Planned Residential Development – Amended Tentative Approval.

Mr. Benigni explained that on February 28, 2020, Staff received a withdrawal request from the applicant. He explained that the Board of Commissioners must act to accept the withdrawal of this application which may be accomplished by a simple motion and voice vote.

Commissioner Paoly asked for questions or comments from the public and the Board and there were none.

**MOTION AND VOTE TO ACCEPT THE WITHDRAWAL OF PLC19-0010 – TUSCANY POINTE – PLANNED RESIDENTIAL DEVELOPMENT – AMENDED TENTATIVE APPROVAL**

Commissioner Orchowski moved to accept the withdrawal of PLC19-0010 – Tuscany Pointe – Planned Residential Development – Amended Tentative Approval. This was seconded by Commissioner Waller and carried with a 5-0-1 voice vote. Commissioner Logan abstained from voting.
NEW BUSINESS

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

Commissioner Paoly stated that this is the Public Hearing regarding PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval.

Mr. Benigni reviewed the recommended public hearing procedures and stated that Staff recommends that the Board of Commissioners continue this Public Hearing to the Board of Commissioners’ Regular Meeting on April 6, 2020 for the purpose of taking Staff testimony.

Those wishing to testify were sworn in by Commissioner Paoly.

Mr. Benigni then entered Township Exhibits #1 through #14, and Applicant Exhibits #1 through #4, into the record and introduced Mr. Joseph DeNardo, on behalf of the applicant.

Mr. DeNardo, representing the applicant, Frosty Valley Professional Building, stated that he is seeking Conditional Use approval in the RM-P Planned Restricted Light Industrial Zoning District to amend the original approval to permit two (2) additional commercial uses for this site: a photography studio and a professional massage therapy establishment.

Mr. DeNardo continued that the RM-P Zoning District allows mixed commercial uses and that the requested uses are permitted uses within RM-P Zoning District. Mr. DeNardo is asking the Board to move on this formality to allow the two (2) businesses to continue to lease at Frosty Valley Professional Building.

In response to Commissioner Orchowski’s inquiry, Mr. DeNardo stated that he is part owner and developer of the property. Mr. DeNardo further confirmed that he is not seeking any modifications to the Zoning Code, and has submitted a parking analysis which complies with the parking requirement.

Commissioner Paoly asked for questions or comments from the public and the Board and there were none.

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

Commissioner Orchowski moved to continue Public Hearing Re. PLC20-0001 – Frosty Valley Professional Building – Amended Tentative and Final Approval to the Board of Commissioners’ Regular Meeting on April 6, 2020. This was seconded by Commissioner Plutko and carried with a 6-0 voice vote.

RECOMMENDATION RE. RESOLUTION AUTHORIZING THE APPROPRIATE TOWNSHIP OFFICIALS TO EXECUTE THE REIMBURSEMENT AND MAINTENANCE AGREEMENT FOR INTERSECTION AND PEDESTRIAN IMPROVEMENTS ON STATE ROUTE 19

Mr. Benigni stated that as part of the PennDOT’s highway construction project on State Route 19/Washington Road, the Board of Commissioners must pass a resolution that designates the appropriate Township Officials to execute a Reimbursement and Maintenance Agreement for the
proposed intersection and pedestrian facility improvements. This project will begin this spring and will extend from the Clover Leaf to the northern border of the Township.

Mr. Benigni added that Resolution No. 1683 designates the appropriate Township Officials to execute all documents with regard to the Reimbursement and Maintenance Agreement between the Township of Upper St. Clair and PennDOT. This Resolution may be adopted by a simple motion and roll call vote.

Mr. Benigni clarified for Commissioner Plutko that this project will extend to the intersection with Ft. Couch Road.

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

**MOTION AND VOTE TO ADOPT RESOLUTION NO. 1683**

Commissioner Logan moved to adopt Resolution No. 1683 authorizing the appropriate Township Officials to execute the Reimbursement and Maintenance Agreement for Intersection and Pedestrian Improvements on State Route 19. This was seconded by Commissioner Pardi 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:

**2020 Street Improvement Program**

- Russell Standard Corporation
  - 2020 Street Crack Sealing
  - Valenica, PA
  - $42,000.00

- Mele, Mele & Sons, Inc.
  - 2020 Annual Street Resurfacing w/Alternate #1 – Trotwood Park Tennis Court
  - Rankin, PA
  - $1,787,087.90

**Pesticide Contract**

- Commercial Turf Fertilization
  - Pesticide, Herbicide and Fungicide Spray Program Category 7
  - Mars, PA
  - Year: 2020: $50,429.00
  - Year: 2021: $52,515.00

**Municipal Building Renovation Phase 5**

- EPM Architecture, Bradfordswood, PA
  - Architectural & Engineering Design Services
  - Not to exceed: $442,282.00

- Bradfordwoods, PA
  - Project Management Services
  - $122,009.00

**Public Works Equipment**

- Sabre Equipment, Inc.
  - One (1) Utility Body Upfit with Aerial Lift (for 2020 Ford F-550 Cab & Chassis*)
  - Coraopolis, PA
  - $87,403.00

- Stephenson Equipment, Inc.
  - One (1) 10’6” Stainless Steel Dump Body with Salt Spreader and Hydraulics for Snow Removal (for 2020 International Cab & Chassis*)
  - Pittsburgh, PA
  - $69,788.00

*Previously ordered
Mr. Mansfield stated that approval of the above contracts may be accomplished by a simple motion and voice vote.

Commissioner Orchowski commented that the Board’s request for a line item report of the costs included in the amount requested for Architectural & Engineering Design Services was reasonable and in no way was meant to undermine the excellent services that EPM Architecture has provided in the past. Commissioner Orchowski further stated that the line item report of the services provided was received and then the fee was lowered by one-quarter percent.

Mr. Mansfield confirmed that the costs for the Architectural & Engineering Design Services was negotiated prior to last week.

Mr. David Sirota, 1500 Windsor Court, asked for the services included in the costs of the Architectural & Engineering Design fees.

Commissioner Orchowski addressed Mr. Sirota’s question by responding that the costs involve standard architectural services from scoping what the changes of the use will be to the building to the end of those services which include going out to bid on the project.

Mr. Mansfield provided specifics for the services being provided by EPM Architecture which include: schematic design, design development, construction documents, procurement services, competitive bidding, construction services, evaluation of work and certificates of payment, submittals and any change orders, and project completion.

Mr. Mansfield confirmed for Commissioner Orchowski that the fee is approximately 7¼% of the estimated project cost which is relatively standard for this type of project.

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

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

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

**RECOMMENDATION 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 Resolution No. 1684 authorizes a grant application through the Department of Education, Keystone Recreation, Park and Conservation Fund for the renovation and new construction of the Children’s Library.

Mr. Mansfield added that Staff is recommending the approval of Resolution No. 1684 which may be accomplished by a simple motion and roll call vote.

In response to questions from Commissioners Paoly and Plutko, Mr. Mansfield stated that the bathrooms for the new Children’s Library will be located on the same floor as the Children’s Library, they will be ADA compliant, and there are plans for a bathroom for adults and a bathroom just for children that will be child-sized.
Mr. Serakowski added that the height of the diaper changing stations in the existing bathrooms will be reviewed in the meantime.

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

**MOTION AND VOTE TO ADOPT RESOLUTION NO. 1684**

Commissioner Orchowski moved to adopt Resolution No. 1684 authorizing 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. This was seconded by Commissioner Waller and carried with a 6-0 roll call vote.

**RECOMMENDATION RE. UPDATE TO POLICE PENSION PLAN INVESTMENT POLICY STATEMENT**

Mr. Romito stated that Bill No 3-20 updates the Investment Policy Statement (IPS) for the Township of Upper St. Clair Police Defined Benefit Pension Plan. The IPS provides the necessary direction to PNC Institutional Advisory Solutions for use in their performance of investment management advisory services for the plan.

Mr. Romito added that Staff recommends adoption of Bill No. 3-20 which may be accomplished by a simple motion and a roll call vote.

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

**MOTION AND VOTE TO ADOPT BILL NO. 3-20**

Commissioner Logan moved to adopt Bill No. 3-20 Re. Update to Police Pension Plan Investment Policy Statement. This was seconded by Commissioner Plutko and carried with a 6-0 roll call vote.

**RECOMMENDATION RE. UPDATE TO GENERAL EMPLOYEES PENSION PLAN INVESTMENT POLICY STATEMENT**

Mr. Romito stated that Bill No 4-20 updates the Investment Policy Statement (IPS) for the Township of Upper St. Clair General Employees Defined Benefit Pension Plan. The IPS provides the necessary direction to PNC Institutional Advisory Solutions for use in their performance of investment management advisory services for the plan.

Mr. Romito added that Staff recommends adoption of Bill No. 4-20 by the Board of Commissioners which may be accomplished by a simple motion and a roll call vote.

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

**MOTION AND VOTE TO ADOPT BILL NO. 4-20**

Commissioner Orchowski moved to adopt Bill No. 4-20 Re. Update to General Employees Pension Plan Investment Policy Statement. This was seconded by Commissioner Pardini and carried with a 6-0 roll call vote.
RECOMMENDATION RE. UPDATE TO GENERAL EMPLOYEES PENSION PLAN DOCUMENT

Mr. Romito stated that Bill No 5-20 is a housekeeping item that will update the Upper St. Clair General Employees Pension Plan document. This update incorporates language into the Pension Plan Document that already appears in the Township’s labor contract with Teamsters 205. Bill No. 5-20 will update the document to incorporate that language into the General Employees Pension Plan document.

Mr. Romito added that Staff recommends adoption of Bill No. 5-20 by the Board of Commissioners which may be accomplished by a simple motion and a roll call vote.

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

MOTION AND VOTE TO ADOPT BILL NO. 5-20

Commissioner Waller moved to adopt Bill No. 5-20 Re. Update to General Employees Pension Plan Document. This was seconded by Commissioner Logan and carried with a 6-0 roll call vote.

OTHER BUSINESS

Commissioner Orchowski announced the passing of longtime resident, Tracy Buckman, who was a real voice in the community as founder of the Citizens for Land Stewardship, her involvement in the Master Plan for Boyce Mayview Park, and on deer management in the Township. Her memorial is this Saturday, March 7th.

ADJOURNMENT

Following a motion for adjournment by Commissioner Orchowski and a second by Commissioner Pardini, which carried with a 6-0 voice vote, the meeting was adjourned at approximately 8:03 PM.

Prudence Cooper
Recording Secretary
March 2020