

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

**February 25, 2008**

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 25, 2008, in the Board of Commissioners' Meeting Room, Township Municipal Building, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241.

PRESENT:   Commissioner Mertz                    President  
              Commissioner McElhinny        Vice President  
              Commissioner Brown  
              Commissioner Dandoy  
              Commissioner Del Re  
              Commissioner Orchowski  
              Commissioner Shimer

              Mark S. Mansfield                Acting Township Manager  
              Matthew R. Serakowski           Assistant Township Manager  
              August G. Stache, Jr.            Director of Finance  
              Shannon Miller                    Planning & Zoning Administrator  
              Charles P. McCullough            Township Attorney  
              Ruthann L. Omer                    Township Engineer  
              Cynthia Kane                      Recording Secretary

PUBLIC:        Approximately 9 people attended.

**CITIZENS' COMMENTS**

Mr. Bill Babcock, 3410 Brookdale Drive, inquired if the Board would be passing a Resolution at tonight's meeting to approve a Veterans Monument/Memorial project.

Commissioner Mertz stated a meeting will be held soon to discuss the project and once more information is gathered, the Board would move forward.

Mr. Dave Dixon, 370 Southridge Drive, asked if there is anything the Baseball Boosters could do to have the Boyce Mayview fields ready to be used this season.

Commissioner Mertz stated the Board needs to give approval for the High School baseball teams to play on the Boyce Mayview fields. The first game is in April but it is important that the field, parking, and safety issues are all in order.

**MOTION TO ALLOW THE UPPER ST. CLAIR HIGH SCHOOL TEAMS, BOTH  
BASEBALL AND SOFTBALL, TO USE THE FACILITIES AT BOYCE MAYVIEW  
PARK, ONCE THE SITE IS SAFE AND SECURE**

Commissioner Brown moved to allow the Upper St. Clair High School Teams, both baseball and softball, to use the facilities at Boyce Mayview Park, once the site is safe

and secure. Commissioner McElhinny seconded the motion and it was approved 7-0 by voice vote.

Commissioner Orchowski stated an overall policy with regard to field usage is important because the fields are world-class and will be in great demand.

Commissioner Shimer stated it can be built into the request to ask people to stay out of the construction site.

Mr. Dixon asked if there would be useable restroom rough-ins rather than Porta-Johns.

Commissioner Mertz asked Mr. Mansfield and Mr. Robinson to look into restroom availability.

Mr. Serakowski stated Township staff is supportive of having the fields useable by April, but mobility and safety issues need to be considered; therefore this date cannot be guaranteed.

### **Community Development – Old Business**

Continued Public Hearing Re. PLC07-0008 – YMCA, 51 McMurray Road – Unified Conditional Use/Preliminary and Final Subdivision and Land Development Approval

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Mr. Serakowski stated this hearing was continued by the Board on February 4, 2008 to March 3, 2008, at the request of the applicant. By letter dated February 22, 2008, the YMCA is withdrawing their application.

Continued Public Hearing Re. PLC07-1302 – Amending Chapter 130 of the Code of the Township, entitled “Zoning,” (1) To Add Definitions for Planning Commission Filing Deadline and Sponsorship Sign; (2) To Amend Article IV, District Regulations, to Include Dumpster and Rooftop Mechanical Screening; (3) To Add General Requirements for Sponsorship Sign; (4) To Replace Table A in Article V, Signs, which Summarizes Authorized Signs by Type and Zoning District; and (5) To Correct the Number of Copies for Application Submission

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Mr. Serakowski stated this hearing was continued from February 4, 2008 to March 3, 2008 for the purpose of taking Staff testimony. Provided no additional testimony is required, Staff will recommend the hearing be closed and action taken to approve the amendment.

### **Community Development – New Business**

Recommendation Re. Condemnation of Property for Fort Couch Road Sidewalk Project – 485 Fort Couch Road – Pantelis

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Mr. Serakowski stated the Township recently obtained the PennDOT Highway Occupancy Permit for construction of a sidewalk from Eisenhower Elementary School (Warwick Drive) to Fort Couch Middle School at Miranda Drive. The purpose of the sidewalk, which is part of the overall Sidewalks and Bikeways Plan, is to provide safer pedestrian access between each school and the neighborhoods along the busy roadway. Two of the three property owners along the route have executed easement agreements necessary for the construction. It is recommended the Board initiate condemnation for the third property as Township Staff has exhausted all efforts to obtain an essential agreement from the owner. The property owner is aware of the Township’s anticipated action. A Bill authorizing the condemnation will be prepared for action by the Board at the Regular meeting of March 3, 2008.

## Items of Interest Report

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The Board reviewed items on the Items of Interest Report.

## **Other Agenda and Discussion Items**

### Status Report Re. Boyce Mayview Park Community Recreation Center Construction

Commissioner Mertz introduced Mr. Mark Edelmann, EPM Architecture, Project Manager for the Community Recreation Center Project.

Mr. Edelmann reviewed the project memorandum which was enclosed with the Commissioners' agendas. Under item 1, "Construction Status," Mr. Edelmann apologized that many of the items were from last month's report and are included this month in error. A summary of updates include: rough grading 90% complete; work on utilities is continuing. Foundations have begun and some of the front wall of the aquatics area is in. Progress has been made on the pool sump pits. Sanitary lines are continuing throughout the site. Gas line installation has begun. Overall, the progress is about 2 weeks behind, which will be made up; with weather currently being a factor. [The Project Construction Update is attached, for reference].

Commissioner McElhinny asked when water/sewer lines would be in the facilities/concession area.

Mr. Edelmann said that will take some time since final PennDOT approvals need to occur.

Mr. Edelmann reviewed the project schedule, change orders, and construction costs to date.

Commissioner Shimer inquired as to when commissioning will start.

Mr. Edelmann answered the commissioning process should kick in about June, possibly earlier.

Mr. Edelmann expressed his opinion regarding the use of the ball fields. Parking is a concern and it needs to be stressed that the area is a construction site and there can be some risk to the public. He asked that EPM be given notice before the ball fields are scheduled to be used so everything possible can be done to insure that all safety measures are complete.

Commissioner Mertz thanked Mr. Edelmann for his presentation.

### Presentation Re. Financial State of the Township

Mr. Stache presented a "State of the Township Address." He reviewed highlights of the General Fund and the Sanitary Sewer Fund. Additionally, Mr. Stache outlined the major grants expended by the Township in 2007 which included Liquid Fuels for street repaving, Library RAD for Library operations, Boyce Mayview Park RAD for park improvements, and a PA Pension Grant for MMO. Mr. Stache presented the major fund balances for 2007 and explained several financial condition tests.

### Discussion Re. Cable TV Matters

Mr. Mansfield stated that a meeting will be held soon with Comcast, along with the other South Hills Consortium Managers, to begin negotiations for a multi-year renewal of the Cable Franchise Agreement. Also, a meeting is being scheduled with Verizon to discuss an expedited timeframe for plugging in the PEG channels on the new Verizon system. Lastly, due to the FCC

deregulation of Cable TV, there is no longer any role for the Cable Review Board, and the appropriate Bill is being prepared by Attorney McCullough to sunset this existing, but inactive, Board.

Commissioner Shimer noted that the daily schedule announcement on Cable 7 is a great improvement.

Commissioner McElhinny suggested that it be publicized that if a resident subscribes to Verizon, they will not receive the PEG channels at this time.

#### Recommendation Re. Disposal of Records

Mr. Mansfield stated a Resolution will be prepared for Board action at the March 3, 2008 Regular meeting to authorize the disposal of various Township records in accordance with the Municipal Records Retention and Disposition Schedule referenced in Chapter 11.7 of the Code of the Township.

#### Recommendation Re. Approval of Contracts

Mr. Stache reviewed two agreements, the first an agreement for tax collection services with Jordan Tax Service for 2008-2012, and the second, an agreement with the School District that the Township will provide tax collection services for the School District for 2008-2012.

Mr. Mansfield reviewed the funding source and recommended programming for the Township's 2008 Street Improvement Program with regard to El Grande Industries for street resurfacing and Matcon Diamond, Inc. for street crack sealing.

Mr. Mansfield reviewed the recommendation re. Police vehicles and Public Works vehicles and equipment.

Mr. Mansfield reviewed the recommendation of contracts for the new Tennis Bubble with regard to John Zottola Landscaping and Yeadon Fabric Domes.

Authorization for all contracts will be considered by the Board at the Regular meeting of March 3, 2008.

#### Recognition

Commissioner Mertz stated that retired Director of Library Ms. Lois Hoop will be recognized at the Regular meeting of March 3, 2008 and Ms. Helen Palascak will be introduced as the new Director of Library. Commissioner Mertz asked Commissioner Shimer to present the Proclamation to Ms. Hoop on behalf of the Board.

### **GENERAL AFFAIRS**

#### Recommendation Re. Establish Public Hearing Date Re. PLC08-0001 – St. Claire Plaza Proposed Expansion Revised, Amended Tentative Approval

Mr. Serakowski stated that Staff recommends a public hearing date of Monday, April 7, 2008 be established re. PLC08-0001 – St. Claire Plaza Proposed Expansion Revised, Amended Tentative Approval.

MOTION TO ESTABLISH APRIL 7, 2008 AS THE PUBLIC HEARING DATE RE. PLC008-0001 – ST. CLAIRE PLAZA PROPOSED EXPANSION REVISED, AMENDED TENTATIVE APPROVAL

Commissioner McElhinny moved to establish April 7, 2008 as the public hearing date re. PLC08-0001 – St. Claire Plaza Proposed Expansion Revised, Amended Tentative Approval. The motion was seconded by Commissioner Shimer and approved 7-0 by voice vote.

Recommendation Re. Establish Public Hearing Date Re. PLC08-0002 – Fox Chase PRD Phase Four Revision No. 2, Amended Tentative Approval

Mr. Serakowski stated that Staff recommends a public hearing date of Monday, April 7, 2008 be established re. PLCL08-0002 – Fox Chase PRD Phase Four Revision No. 2, Amended Tentative Approval.

MOTION TO ESTABLISH APRIL 7, 2008 AS THE PUBLIC HEARING DATE RE. PLC08-0002 – FOX CHASE PRD PHASE FOUR REVISION NO. 2, AMENDED TENTATIVE APPROVAL

Commissioner Orchowski moved to establish April 7, 2008 as the public hearing date re. PLC08-0002 – Fox Chase PRD Phase Four Revision No. 2, Amended Tentative Approval. The motion was seconded by Commissioner Brown and approved 7-0 by voice vote.

Recommendation Re. Establish Public Hearing Date Re. Transfer of Liquor License - Scoglio South, Inc., 1600 Painters Run Road

Mr. Serakowski stated Staff recommends a public hearing date of April 7, 2008 be established re. Transfer of Liquor License – Scoglio South, Inc., 1600 Painters Run Road.

MOTION TO ESTABLISH APRIL 7, 2008 AS THE PUBLIC HEARING DATE RE. TRANSFER OF LIQUOR LICENSE – SCOGLIO SOUTH, INC., 1600 PAINTERS RUN ROAD

Commissioner Dandoy moved to establish April 7, 2008 as the public hearing date re. Transfer of Liquor License – Scoglio South, Inc., 1600 Painters Run Road. The motion was seconded by Commissioner McElhinny and approved 7-0 by voice vote.

Review of Informational and General Affairs Meeting Minutes of January 25, 2008

Commissioner Brown moved to approve the meeting minutes of January 25, 2008. The motion was seconded by Commissioner Del Re and carried by a 7-0 voice vote.

Consideration of February 2008 Bill Sheet

Commissioner Orchowski stated he has reviewed the February 2008 Bill Sheet. Commissioner Shimer moved to approve it and Commissioner Dandoy seconded the motion which was approved by a 7-0 voice vote.

Acknowledge Receipt of Financial Statements for the Twelve-Month Period Ending December 31, 2007 and for the One-Month Period Ending January 31, 2008

Commissioner Orchowski acknowledged receipt of the Financial Statements for the twelve-month period ending December 31, 2007 and for the one-month period ending January 31, 2008.

**Other**

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Commissioner Shimer stated he received a call from a constituent pleased about plastics #3, #4, and #5 being added to the Township's recyclables.

Mr. Mansfield stated an announcement regarding this recycling change is on both the Township's website and Cable 7. Additionally Mr. Mansfield stated that in the near future, some streets in the Township would be switching from a Thursday to a Wednesday refuse and recycling pickup day.

Commissioner Mertz stated he has asked Mr. Michael Bova, Ferris, Baker Watts (FBW), to attend the Regular meeting of March 3, 2008 to discuss the acquisition of FBW by RBC Dain Rauscher, Inc.

**ADJOURNMENT**

Following a motion for adjournment by Commissioner Brown and a second by Commissioner Dandoy, the motion carried with a 7-0 voice vote and the meeting adjourned at approximately 9:17 PM. An Executive Session followed for the purpose of discussing legal matters.

Cynthia Kane  
Recording Secretary

**LITIGATION REPORT - SUMMARY**  
**TOWNSHIP OF UPPER ST. CLAIR**  
**FEBRUARY 21, 2008**

**I. CASES WHERE TOWNSHIP IS PLAINTIFF**

1. Township of Upper St. Clair v. Philip Robinson, No. GD06-26113.
2. Township of Upper St. Clair v. Highley, et al., No. GD07-3585.
3. Township of Upper St. Clair v. Stinger Asphalt Co., CV 370-08.
4. Township of Upper St. Clair v. Christine Bloedel, CV 371-08.

**II. CASES WHERE TOWNSHIP IS DEFENDANT NOT DEFENDED BY INSURANCE CARRIER**

1. Thomas S. White, Mark G. Trombetta, M.D., Robert E. Faust, Leonard C. Highley and H. Scott Hawkins v. Township of Upper St. Clair, Robert Crown, t/d/b/a Crown Communications, and Barbara Crown, his wife, No. GD96-16806.

**III. CASES WHERE UPPER ST. CLAIR IS DEFENDANT AND INSURANCE COMPANY IS DEFENDING**

None.

**IV. TAX APPEALS**

1. County Base Year Assessment Litigation

**V. CONDEMNATION**

1. Township of Upper St. Clair v. Bedner, et al., GD 03-12776

**VI. LAND USE**

1. Godish vs. Zoning Hearing Board of Upper St. Clair, SA 04-1171.
2. Ross Development – Land Use Appeal of Commerce Partnership #9505, S.A. 07-641.

## MEMO

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|            |   |                        |                                     |
|------------|---|------------------------|-------------------------------------|
| <b>To:</b> | <b>Township of Upper St.Clair<br/>Board of Commissioners</b>                          | <b>Date:</b>           | 2/21/08                             |
| <b>RE:</b> | <b>USC-CRC Project Update<br/>2-25-08 USC Commissioners<br/>Informational Meeting</b> | <b>Project Number:</b> | 200625.80                           |
|            |   | <b>Project:</b>        | USC- Community<br>Recreation Center |

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### Notes:

Dear Township of Upper St.Clair Board of Commissioners;

The following is a Project Construction update for the USC-Community Recreation Center for the Month of January, 2008. The following is included in our monthly report packet to you;

- **Project Construction Status;** indicating specific issues, milestones and general progress of the project.
- **Current Project Site Construction Photos;**
- **Current Project Schedule;** as included within the last construction job conference, and indicating progress of major construction milestones.
- **Current Project Cost Summarization Worksheet;** this includes project construction costs to date, taken from the previous months payment package provided to the Township. *We have revised this sheet from last month's report- to include comparisons of Spent-to-date and Project Budget.*

A short summary of this month's Project Update include;

#### 1) **Project Construction Status:**

*Key Construction Items Completed and/of In Progress Include;*

- Rough grading complete for 90% of the site. *(We have been holding off on the balance of this activity until the site dries a bit, so we don't loose suitable soils). This is not affecting the overall project schedule).*
- New sedimentation basin-B is complete and end walls installed.
- Storm manholes #16 & #17 complete with storm line and working North.
- CRC building pad graded to sub grade and stable with temporary dressing. Building foundations to begin week of 1/28/08.
- Temporary power on site, and permanent power installations have begun.
- Permanent gas, water and sanitary line installation have begun.
- Stakeout survey for building corners and columns has begun in preparation to begin foundation installation week of 1/28/08.

### **Current Project Site Construction Photos:**

*Project site photographs taken from the after last job conference (1/15/08) are attached. These photos indicate the following;*

- Page-1;
  - The foundation reinforcing cages placed in the foundation excavation for the footer on Column Line R2- which is the front of the Indoor Aquatics Area.
- Page-2;
  - The partial foundation in place on Column Line R2- the front curved wall of the Indoor Aquatics Center.
  - Sanitary line installation South of the CRC building.
- Page-3;
  - The bentonite waterproofing and forming of the bottom of the Pool Equipment Room sump pit.
  - Rebar cages and steel beam foundation anchor bolt settings for the foundation along Column Line R2- the front curved wall of the indoor Aquatics Center.
- Page-4;
  - Formed pool sump pit. (bottom of sump pit has been poured since this writing)
  - Storm water piping trenching- South of the CRC building.

### **Current Project Schedule:**

*Current Project Schedule from the last job conference (2/13/08) is attached. Some key items include;*

- We have lost about 2-weeks on the initial intended start of the foundation work due to weather. A temporary roadway has been placed to the completed CRC building sub grade pad, and we are able to continue making good progress on foundation work on the building slab. The lost time due to the mud on the site (just part of doing earthwork in Pittsburgh in the Winter) should be able to be made up, once the site dries out. Completion of the storm water work on the site continues and this will help dry the site considerably.
- The actual building foundation and concrete work is continuing.

### **Current Project Cost Summarization Worksheet:**

*The attached Construction Contract Summarization Worksheet is attached to all monthly consolidated contract billing statements provided to the Township each month. The attached sheet is from the last billing; the January-08 contractor's billings. As requested, we have added Spent-to-date and Project Budget comparisons. This sheet is a useful tool to allow you see the "Total Project Construction Costs to Date". Some key items include;*

- Total contractors invoicing paid to date is; \$895,789.10
- Total contractor invoicing remaining to date is; \$20,095,817.18
- Percent of contractor invoicing completed to date is; 4.27%
- (1) Change Order has been executed in the amount of \$15,959.28  
*-This involved a required modification on the Erosion and Sedimentation design from the as-bid documents, due to required modifications by Allegheny County Soils Conservation review and approval of plans.*
- **Total Project Construction Costs to date is: \$1,214,156.07**

We look forward to our discussions on February 25<sup>th</sup>, and providing you with any additional information that you may require and answer any specific questions you may have.

Sincerely,

**Mark M. Edelmann, AIA**  
EPM Architecture

### **Attachments:**

- Project Construction Photos from 2/15/08 (after Job Conference No.6- as no photos were taken at JC No.6 due to snow covered site).
- Project Construction Schedule from 2/13/08 Job Conference No.6
- Project Cost Summarization Worksheet from January-07 Construction Billing