

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

June 28, 2021

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, June 28, 2021, in the Board of Commissioners' Meeting Room, Township Municipal Building, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241.

PRESENT: Commissioner Christie President
 Commissioner Paoly Vice President
 Commissioner Burlingame
 Commissioner Enck
 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
 Laura Long Recording Secretary

PUBLIC: Approximately 5 people attended.

ANNOUNCEMENTS

Commissioner Christie announced that the Board met earlier in the evening for the Budget & Finance Committee Meeting followed by an Executive Session to discuss legal and personnel matters.

CITIZENS' COMMENTS

Diane Unetich, 1811 Woodland Circle, distributed a handout to the Board with information regarding dedicated pickleball courts in the South Hills area. She stated that she has been a resident of Upper St. Clair since 1978. Five (5) years ago, she and her husband attended meetings of the Parks & Recreation Advisory Committee and the Board of Commissioners to propose that the Township repurpose the tennis courts at Baker fields to serve the needs of pickleball, including alternate nets and painted lines. At that time, their proposal was not approved.

Ms. Unetich stated that she would like to revisit and modify her initial proposal and discuss the possibility of creating dedicated pickleball facilities within the Township. Earlier this month, she

attended the Parks & Recreation Advisory Committee of the Board of Commissioners meeting. She stated that the committee members indicated that any potential pickleball facilities should be used for Township residents. Following the meeting, she joined a private Facebook community forum of Upper St. Clair residents to inquire about their level of interest. She stated that she would return next month with a more formalized plan if she receives encouragement from her fellow community members.

Commissioner Christie stated that the Board has received multiple requests relating to pickleball courts over the last few years and he believes the Township went from one (1) to nine (9) shared courts to date. Ms. Unetich responded that the Township has provided more places to play pickleball; however, a dedicated facility has not been created. She pointed out that there is a difference and painting lines on existing tennis courts is not what she is requesting.

In response to Commissioner Christie and Commissioner Paoly's inquiries, Ms. Unetich discussed how to play pickleball and shared the differences between tennis courts and pickleball courts which include the size of the net and the size of the court. She indicated that a typical tennis court is the size of four (4) pickleball courts. The problem she shared is that when pickleball is not played on a dedicated court where the space is confined, players have to chase the pickleballs, which are lightweight, around the open court. This is why she is requesting dedicated pickleball courts.

Commissioner Orchowski commended Ms. Unetich's efforts over the years, mentioning that they have been heard to an extent since the Township has increased the amount of courts where pickleball can be played. He stated that many groups with competing interests approach the Board often and it comes down to three (3) things including space, construction money, and maintenance. He asked if the pickleball group would be willing to support a user fee for dedicated pickleball facilities with the potential of a resident vs. non-resident rate.

In response, Ms. Unetich stated that she would work to gain the support of Upper St. Clair representatives to join her. Commissioner Paoly referenced the handout provided by Ms. Unetich earlier which noted how Cranberry Township handles user fees for members. Ms. Unetich stated that while she is not asking for anything as grand as Cranberry Township's Graham Park, she would support user fees if the Township created dedicated facilities.

Commissioner Burlingame echoed Commissioner Orchowski's statements and added that mass resident interest would be a key factor in determining how the Township would use finite resources, such as land, to potentially build a dedicated facility. He encouraged Ms. Unetich to continue her efforts in gauging resident interest.

In response to Commissioner Enck's suggestion, Ms. Unetich stated that her visit to the Board meeting was preliminary and she hopes to bring more interested residents back to a future meeting with ideas on how the Township can help accomplish their goal to create designated pickleball facilities.

Mr. Serakowski stated that Staff would review parks and recreation areas within the Township to determine if there are any additional steps that could be made to support the pickleball community in the interim.

Commissioner Christie thanked Ms. Unetich for her comments and asked if there were any other questions from the public.

Richard McMillan, 3328 Ponoka Road, indicated that he would like to address a situation occurring in Brookside Park. He referenced his previous attempts to speak with Township Staff and Commissioners regarding his concern which relates to a neighboring resident who is misusing the Township property for personal use. Mr. McMillan shared that the resident moved into the property bordering Brookside Park about a year ago, and at that time, he noticed that gravel had been placed on the grassy park area. When he spoke with Township Staff, he was informed that the resident had made the Township aware that gravel would be placed on the park property temporarily to help mitigate any mud that may result from construction on his property.

Earlier this week, after a year of construction, Mr. McMillan noticed that a 10 ft. mound had been placed over the park area with trees planted. He stated that he contacted Township Staff and spoke with Director of Planning and Community Development, Mr. Adam Benigni, to make him aware. After visiting the park area, Mr. Benigni confirmed that the mound had encroached on Township property and informed Mr. McMillan that the Township would make the resident aware that it would need to be removed.

Mr. McMillan stated that he wanted to address the Board to make them aware that a resident is usurping Township property for their private use and he requested to be kept apprised of any updates regarding this matter.

Commissioner Christie thanked Mr. McMillan for bringing this matter to the Board's attention and stated that the Board is aware and has brought this item to the attention of the property owner and the Township Attorney in an attempt to address the situation. He requested that Mr. Benigni continue to update Mr. McMillan as needed.

Commissioner Christie asked if there were any other comments from the public and there were none.

INFORMATIONAL ITEMS

COMMUNITY DEVELOPMENT – OLD BUSINESS

None.

COMMUNITY DEVELOPMENT – NEW BUSINESS

None.

OTHER AGENDA AND DISCUSSION ITEMS

Discussion Re. Recognition.

Commissioner Christie asked Commissioner Enck if she would present the certificate to Dani Prunzik of the High School Track and Field Team at the Regular Meeting of the Board of Commissioners to be held on Tuesday, July 6, 2021.

Discussion Re. Approval of Contracts for the Heartwood Drive and Dominion Drive Detention Ponds.

Mr. Mansfield stated to comply with MS4 mandates of the US Environmental Protection Agency (EPA), the Township is required to reduce the amount of sediment and pollution entering the waters of the Commonwealth.

To meet one of the MS4 Pollution and Reduction Plan requirements, the Township will retrofit two (2) existing Township owned and maintained storm water detention ponds located near Dominion Drive and Heartwood Drive, which were both constructed over 30 years ago. The retrofit will involve removing silt that has accumulated over the years and bring the detention ponds back into compliance with their original design criteria.

On Tuesday, June 15, 2021 six (6) pre-qualified vendors submitted bids for the evacuation and restoration of the detention ponds. Dom Folino Construction, Upper St. Clair, PA. was the best responsible bidder for both the Heartwood Drive pond at \$58,050.00 and the Dominion Drive pond at \$22,575.00.

The funding source for both detention pond projects is allocated in the Storm Sewer Improvement Fund.

Staff will recommend that the proper Township officials be authorized to enter into contracts with Dom Folino Construction for detention pond projects at the July 6, 2021 Regular Meeting of the Board.

Commissioner Orchowski asked Ms. Slagle to address if the Township would receive a credit under the MS4 program for complying with these mandates. Ms. Slagle responded that these ponds were identified as an opportunity to be restored since they were already in need of repair. She stated that the ponds will improve stormwater management and that the Township would receive the MS4 Pollution and Reduction Plan (PRP) credit.

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

GENERAL AFFAIRS

Review of the Informational and General Affairs Meeting Minutes of June 1, 2021.

Commissioner Orchowski moved to approve the Informational and General Affairs Meeting Minutes of June 1, 2021. This was seconded by Commissioner Enck and carried with a 7-0 voice vote.

Consideration of the June 2021 Bill Sheet.

Commissioner Enck stated that the Bill Sheet was reviewed and moved for approval of the June 2021 Bill Sheet, which was seconded by Commissioner Paoly and approved with a 7-0 voice vote.

Acknowledge Receipt of Financial Statements for the Five-Month Period ending May 31, 2021.

Commissioner Enck stated that she reviewed the financial statements and asked Mr. Romito to share additional comments. Mr. Romito stated that he had no additional comments.

Commissioner Christie stated that the Board met earlier in the evening for a Budget & Finance Committee meeting.

Commissioner Christie acknowledged receipt of the Financial Statements.

ADJOURNMENT

Commissioner Christie acknowledged that the Board met earlier in the evening for Executive session to discuss legal and personnel matters. He stated that the Board would meet again after this meeting to continue the discussion regarding legal and personnel matters.

Commissioner Burlingame moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Pardini. This was approved by a 7-0 voice vote and the meeting was adjourned at approximately 8:02PM.

Laura Long
Recording Secretary
June 28, 2021

LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
June 28, 2021

I. CASES WHERE TOWNSHIP IS PLAINTIFF

- A. Township of Upper St. Clair v. Barbara Jean Depp Family Trust (No. CV-192-2020) (Magistrate Arnoni).
- B. Township of Upper St. Clair v. Path Generations, LLC (No. CV-222-2020) (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. Estate of Wendy Abbott vs. Bloomin' Brands Inc. et al., GD 20-6398 (Allegheny County).
- B. Jeffrey S. Valperga ey ux. vs. The Municipal Authority of the Township of Upper St. Clair, Township of Upper St. Clair, and Municipality of Bethel Park, GD 20-9879 (Allegheny County).
- C. HUD Fair Housing Complaint (Jason Depp)

IV. OTHER LITIGATION INCLUDING BANKRUPTCY MATTERS

V. LAND USE

M & D Properties - Land Use Appeal, SA 20-469 (Allegheny County).

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
- D. M & D Properties Board of Viewers, No. Gd20-10982