

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

October 25, 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, October 25, 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 Plutko	
	Mark S. Mansfield	Assistant Township Manager
	Adam A. Benigni	Director of Planning & Community Development
	Mark P. Romito	Director of Finance
	Irving S. Firman	Township Attorney
	Jennifer Slagle, P.E.	Township Engineer
	Laura Long	Recording Secretary
EXCUSED	Commissioner Pardini	
	Matthew R. Serakowski	Township Manager
PUBLIC:	Approximately 5 people were in attendance.	

CITIZENS' COMMENTS

Ms. Diane Unetich, 1811 Woodlands Circle, thanked the Board of Commissioners and Township Administration for the opportunity to address them regarding the level of resident interest in creating a dedicated pickleball facility. She provided the Board with handouts including a cover letter which addresses the "AdHoc" Committee suggestion shared at the previous meeting along with related articles that demonstrate the popularity of pickleball around the nation.

Ms. Unetich shared that she has been made aware that Bethel Park is planning a dedicated pickleball facility in Centennial Park and that North Strabane is in the process of planning a dedicated facility as well. Ms. Unetich stated that Upper St. Clair has many active pickleball players, including a large group of teenagers from the student population, and it would benefit the community to plan a dedicated facility.

Ms. Ingrid Minon, 181 Topsfield Road, shared her perspective as a lifelong tennis player for 30+ years. She indicated that she started playing pickleball five (5) years ago and has since played in tournaments throughout the country. She stated that pickleball is the fastest growing sport in America and is popular amongst many age ranges and generations. Ms. Minon shared that it is difficult to find places to practice before tournaments and that the Township of Upper St. Clair should consider being a leader amongst surrounding communities and create a dedicated pickleball facility.

Ms. Michelle Sanferd, 2516 Hartford Drive, stated that she has two (2) daughters in High School who have helped her start an Instagram page for Upper St. Clair Township residents who are interested in Pickleball. She indicated that the High School has various pickleball tournaments throughout the year and it has been a challenge for the kids to find places to practice. She shared that on her way to the meeting this evening, she drove past four (4) tennis courts that were unoccupied, and that she thinks pickleball courts would be occupied since the sport accommodates all ages and skill levels.

Ms. Unetich added that the Facebook group grew from 103 to 134 followers in the past two (2) days.

Mr. Bill Hinman, 141 Lambeth Drive, asked to share a different perspective as a retired police officer with no former tennis experience. He indicated that while he has endured various injuries, he is able to play pickleball and that it was fairly easy to learn. Mr. Hinman stated that he would advocate for the creation of dedicated pickleball facilities and inquired about Cook School Park. In response, Commissioner Christie stated that Cook School Park is School District property.

Ms. Gloria Dunkle, 273 Maple Ridge Drive, Canonsburg, shared that pickleball is the only sport that promotes the entire family. She stated that recently Kelly Ripa and Ryan Seacrest mentioned the sport on their show. She recommended that the Board look into a facility called "The Bridge" located in Bridgeport, Virginia for inspiration. She stated that this facility reminds her of Upper St. Clair because it is all-inclusive and very nice.

Commissioner Christie thanked the residents for bringing this to the attention of the Board. He indicated that it is on their radar along with Township Staff. He stated that it will be included in the planning process which will require time for all of the steps involved.

In response to Commissioner Christie's inquiry, Mr. Mansfield stated that there are no immediate plans to repurpose additional tennis courts in the interim.

Ms. Unetich inquired as to how her group can be in communication with the Board regarding the potential pickleball facility project and requested that the "AdHoc" Committee be a part of the conversation.

Commissioner Christie responded that she could continue to attend Parks & Recreation Advisory Board meetings for updates and that there may be an opportunity for her group to share feedback with the Board if the project progresses. Commissioner Christie mentioned that the Board and Staff are aware of the high level of resident interest, but need to plan it properly and if this is to be moved forward on, the project will take time.

Commissioner Orchowski stated that the Board has not yet given any overall directive to develop or consider a dedicated pickleball facility and this should not be considered a done deal. He shared that this matter will need to go through the planning directives next year followed by a process which will require additional action from the Board each step of the way.

Ms. Unetich clarified that she understands that nothing has been formally approved and that she is here to help convince everyone that this should be a done deal.

In response, Commissioner Orchowski stated that the level of interest is obvious and there are steps that the Township will need to take to evaluate the true need and how this would serve our residents. He indicated that while this matter is on the radar, there are no guarantees.

Commissioner Enck indicated that her background makes her look very carefully at processes and in response to Ms. Unetich's inquiry, she shared that she does not believe there is a need for Ms. Unetich to attend every meeting moving forward to demonstrate resident interest. Commissioner Enck and Commissioner Orchowski stated that the residents have made the Board aware of how their interest would be sustained and that the Board will look at this matter along with others brought to their attention when setting priorities for the following year. At which time, this item may move into the planning stages.

Ms. Unetich thanked the Board for their time and requested to be kept in the loop.

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

Commissioner Christie thanked the residents for their comments and mentioned that the Board met earlier in the evening to interview candidates for open positions on various Boards and Commissions and to discuss legal and personnel matters at an Executive Session.

INFORMATIONAL ITEMS

COMMUNITY DEVELOPMENT – OLD BUSINESS

None.

COMMUNITY DEVELOPMENT – NEW BUSINESS

None.

OTHER AGENDA AND DISCUSSION ITEMS**Discussion Re. Public Hearing – 2022 Proposed Budget.**

Mr. Romito reminded the Board that the public hearing for the 2022 Proposed Budget is scheduled to take place at the November 1, 2021 Board of Commissioners Regular Meeting. The hearing will include a presentation by the Director of Finance.

The Budget & Finance Committee met on Monday, October 4, 2021 to review the assumptions to be used in the budget development process. The Committee again met on Wednesday, October 20, 2021 for an initial review of the proposed budget. The 2022 Proposed Budget document has been made available for public inspection at the Township's administrative offices, the library, and on the Township's website.

In response to Commissioner Christie's inquiry, Mr. Romito stated that there is no tax increase.

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

Discussion Re. Approval of Contract for the Purchase of Gasoline and Diesel Fuel.

Mr. Mansfield stated the SHACOG Purchasing Alliance recently received bids for gasoline and diesel fuel.

Glassmere Fuel Service, Inc., Curtisville, PA, was the best responsible bidder for the 89 Octane – unleaded midgrade gasoline, with a fixed margin price of between \$.1139 and \$.029 on each gallon (depending on order quantity).

Glassmere Fuel Service, Inc. was also the best responsible bidder for the quantities of diesel fuel ordered by the Township, with a fixed margin price of \$.1139 on each gallon. A winterized diesel fuel additive is also available at the cost of \$.03/gallon from Glassmere Fuel Service.

The Township purchases 89 Octane gasoline (approximately 70,000 gallons/year) and diesel fuel (approximately 25,000 gallons/year) under this contract.

Pricing is determined at the time an order is placed by adding a constant mark-up (fixed margin) to the OPIS Daily Pittsburgh Average (Index) for petroleum products.

Funding for fuel expense is allocated in the Public Works' Equipment Maintenance Budget.

Staff will recommend that the proper Township officials be authorized to enter into a contract with Glassmere Fuel Service, Inc. under the terms specified above, at the Regular Board Meeting on November 1, 2021.

In response to Commissioner Orchowski's inquiry, Mr. Mansfield stated that the margins are comparable to past years.

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

Discussion Re. Allegheny County Department of Economic Development Community Development Block Grant Year 48 Application Resolution.

Mr. Mansfield stated the Township's pre-application for the Community Development Block Grant Year 48 funding has been approved, clearing the way for the submission of a final grant application. The Township has requested \$45,000.00 for an ADA Compliant Entrance to the Township Administration Building.

Staff will prepare a Resolution for the November 1, 2021 Regular Board Meeting to authorize Stanley Louis Gorski, SHACOG Executive Director, to file all applications, documents, and forms between the Township of Upper St. Clair and the Allegheny County Department of Economic Development.

Staff will recommend that the Resolution be adopted at the November 1, 2021 Regular Board Meeting.

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

Recommendation Re. Phase II Consent Order and Agreement (COA), prepared as a cooperative effort between the Pennsylvania Department of Environmental Protection (PA DEP) and the Allegheny County Health Department (ACHD).

Mr. Mansfield stated as discussed over the past two (2) Board meetings, the Township of Upper St. Clair, a service area community of the Allegheny County Sanitary Authority (ALCOSAN), signed the initial municipal consent order related to the assessment and long-term planning of our region's sewage infrastructure in January 2004. Under this order, the Environmental Protection Agency (EPA) assigned enforcement responsibilities to the Pennsylvania Department of Environmental Protection (PA DEP) and Allegheny County Health Department (ACHD).

Over the last two (2) years, the PA DEP and ACHD have worked in concert with regional leaders to prepare the Phase II Consent Order and Agreement (COA) to guide ALCOSAN communities with current municipal obligations. It was requested that the Township pass a Resolution authorizing its signatories to enter into the COA no later than October 31, 2021.

It is recommended the Board take action to approve the above by Resolution at the Regular Meeting of the Board of Commissioners on November 1, 2021.

Commissioner Orchowski, thanked Gateway engineers for putting together the Compliance task summary and asked a technical question regarding the Brush Run points of connection and the data collected for the first task. In response, Ms. Slagle stated that there is data from ALCOSAN and it will need to be analyzed to determine if any additional information needs collected. Ms. Slagle clarified that the summary provided an overview of the Consent Order.

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

GENERAL AFFAIRS

Recommendation Re. Establish Public Hearing Date Re. PLC21-0014 – McLaughlin Run Storage – Nonresidential – Conditional Use Approval.

Mr. Benigni stated this application for nonresidential conditional use approval was reviewed by the Planning Commission on October 21, 2021 and was recommended for approval subject to certain conditions.

A public hearing is required for applications for Conditional Use Approval. Staff recommends that the public hearing be scheduled for Monday, December 6, 2021. This may be accomplished by a simple motion and voice vote.

In response to Commissioner Paoly's inquiry, Mr. Benigni stated that this is the same location of the former St. Clair Fitness.

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

Commissioner Paoly moved to establish the public hearing for Monday, December 6, 2021. This was seconded by Commissioner Plutko and carried with a 6-0 voice vote.

Status Report Re. Budget and Finance Committee of the Board of Commissioners' Meeting of October 20, 2021.

Commissioner Enck stated that she and Commissioner Burlingame met with Mr. Romito last week to review the proposed budget and found things to be in order with no tax increase.

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

Review of the Informational and General Affairs Meeting Minutes of September 27, 2021.

Commissioner Burlingame moved to approve the Informational and General Affairs Meeting Minutes of September 27, 2021. This was seconded by Commissioner Paoly and carried with a 6-0 voice vote.

Consideration of the October 2021 Bill Sheet.

Commissioner Enck stated that the Bill Sheet was reviewed and moved for approval of the October 2021 Bill Sheet, which was seconded by Commissioner Burlingame and approved with a 6-0 voice vote.

Acknowledge Receipt of Financial Statements for the Nine-Month Period ending September 30, 2021.

Commissioner Enck stated that she reviewed the financial statements and found them in order.

Commissioner Christie acknowledged receipt of the Financial Statements.

ADDITIONAL COMMENTS

Commissioner Christie stated that the Board will be meeting again later this evening in Executive Session to discuss legal and personnel matters.

ADJOURNMENT

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

Laura Long
Recording Secretary
October 25, 2021

**LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
October 22, 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).
- C. Township of Upper St. Clair vs. Omnim Real Estate, LLC (No. CV-202-2021)(Magistrate Arnoni).
- D. Township of Upper St. Clair vs. Julie DeBisschop et al. (No. CV-203-2021)(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) (Commonwealth Court of Pennsylvania).

VI. OTHER LEGAL MATTERS

- A. United States Environmental Protection Agency Action Pursuant To 33 U.S.C. §138
- B. Township of Upper St. Clair V. Sujilida, S.A. No. 19-000168
- C. M & D Properties Board of Viewers, No. GD20-10982

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