

Township of Upper St. Clair

THERE WILL BE AN INFORMATIONAL AND GENERAL AFFAIRS MEETING OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF UPPER ST. CLAIR AT 7:30 P.M. ON TUESDAY JUNE 1, 2021 AT THE MUNICIPAL BUILDING, TOWNSHIP OF UPPER ST. CLAIR, 1820 MCLAUGHLIN RUN ROAD, UPPER ST. CLAIR, PA 15241.

AGENDA

1. Call to Order.
2. Roll Call.
3. Citizens' Comments.

INFORMATIONAL ITEMS

4. Community Development
 - A. June 7, 2021 Regular Meeting Agenda Items. (Memorandum enclosed)
 1. Old Business:
 - (a.) None.
 2. New Business:
 - (b.) Recommendation Re. Adoption of Resolution for Plan Revision for New Land Development (Planning Module) for the Deerfield Manor/Links View Drive Transfer Agreement Project.
 - B. Other.
 - (a.) None.
5. Other Agenda and Discussion Items
 - A. Discussion Re. Approval of Contract for Trotwood Park Playground Equipment. (Memorandum enclosed)

GENERAL AFFAIRS

1. Status Report Re. NextGen Municipal Building Renovation Project. (Mr. Edelmann to report)
2. Review of the Informational and General Affairs Meeting Minutes of April 26, 2021. (Minutes enclosed)
3. Consideration of the May 2021 Bill Sheet. (Bill Sheet sent electronically 5/28/21)
4. Acknowledge Receipt of Financial Statements for Four-Month Period ending April 30, 2021. (Financial Statements sent electronically 5/28/21)
5. Adjournment.

MEMORANDUM

To: Matthew R. Serakowski, Township Manager

From: Adam A. Benigni, AICP, Director of Planning and Community Development

Date: May 28, 2021

Subject: COMMUNITY DEVELOPMENT DEPARTMENT INFORMATIONAL ITEMS
FOR THE INFORMATIONAL AND GENERAL AFFAIRS MEETING OF
JUNE 1, 2021

A. JUNE 7, 2021 - REGULAR MEETING AGENDA ITEMS

Old Business

None.

New Business

1. RECOMMENDATION RE. ADOPTION OF RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT (PLANNING MODULE) FOR THE DEERFIELD MANOR/LINKS VIEW DRIVE TRANSFER AGREEMENT PROJECT

In 2009, the Township of Upper St. Clair and the Peters Township Sanitary Authority (PTSA) began discussions to partner on a grant in order to decommission the Deerfield Manor pump station. In the following years, the Township, PTSA, the Bethel Park Sanitary Authority and developer John Quigley agreed to a plan to essentially 'swap' sewer taps between PTSA and ALCOSAN which would allow Upper St. Clair to remove the Deerfield Manor pump station. After much effort from the Township, Gateway Engineers and Tucker Arensberg, the Township was notified in September 2020 that all entities (including the City of Pittsburgh and the Pittsburgh Water & Sewer Authority) finally formalized a Service Area Modification Agreement.

Before the Township can decommission the pump station, PTSA must complete sanitary sewer improvements to serve the Links View Drive sewershed. One of the steps in this process is the Township approving a resolution that will be submitted to the Pennsylvania Department of Environmental Protection (PADEP) by PTSA for planning module approval. On May 24, 2021, Peters Township approved a resolution for the same planning module.

The planning module for this project has been reviewed by the Township Engineer and has been found to be in good order. A Resolution adopting the planning module will be prepared for consideration by the Board on June 7, 2021.

TO: Matthew R. Serakowski, Township Manager
FROM: Adam Benigni, Director of Planning & Community Development
DATE: May 28, 2021
IN RE: COMMUNITY DEVELOPMENT DEPARTMENT INFORMATIONAL
ITEMS FOR THE INFORMATIONAL AND GENERAL AFFAIRS
MEETING OF JUNE 7, 2021 2.

B. OTHER

None.

MEMORANDUM

To: Board of Commissioners

From: Matthew R. Serakowski, Township Manager

Date: May 28, 2021

Subject: **DISCUSSION RE. APPROVAL OF CONTRACT FOR TROTWOOD PARK PLAYGROUND EQUIPMENT**

Staff has received a proposal from General Recreation, Inc. for the purchase and delivery of playground equipment for Trotwood Park under the PA COSTARS government Contract #14-122659 for \$61,040.00. The Public Works Department will perform the labor to install the playground equipment.

The playground equipment will be of high quality and be a fully functioning playground meeting ADA accessibility standards and American Society for Testing Materials (ASTM) technical performance standards relating to playgrounds. The proposed surface will be engineered wood fiber (EWF) specifically designed to meet and exceed fall protection requirements set forth by ASTM.

The Parks and Recreation Advisory Board has reviewed the future renovation of the Trotwood Park playground, and its design was shared at their meeting held on May 24, 2021. It is anticipated that Public Works will install the playground equipment during this summer. Further upgrades to Trotwood Park include milling, paving and fencing of the tennis courts. All proposed improvements, including the playground equipment, has been incorporated and approved within the 2021 Budget.

Staff will recommend that the proper Township Officials be authorized to enter into a contract with General Recreation, Inc. in the amount of \$61,040.00 at the June 7, 2021 Regular Meeting of the Board.



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

April 26, 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, April 26, 2021, in the Community & Recreation Center, 1551 Mayview Road, Pittsburgh, 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 12 people attended.

ANNOUNCEMENTS

Commissioner Christie announced that the Board met earlier in the evening for a Workshop Session to discuss the future of the Township Fire Services with fire service strategic planning consultant, Rob Brady of ROBB Consulting, LLC. He also shared that the Board will meet for Executive Session later this evening to discuss legal and personnel matters.

CITIZENS' COMMENTS

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

Presentation Re. Historical Society of Upper St. Clair / Horses with Hope

Ms. Rachel Carlson, 426 Fort Couch Road, President of the Historical Society, introduced fellow members of the Historical Society of Upper St. Clair (HSUSC) and invited Anne Davis, Executive Director of Horses with Hope, to the podium to review a presentation that included:

- Background history on the Gilfillan's and the history of Gilfillan Farm
- The Secretary of the Interior's Standards for the Treatment of Historic Properties following Gilfillan Farm's entrance into the National Register of Historic Places in 1979 and the agreement between the Township of Upper St. Clair and Alexander Gilfillan at that time
- The mission and vision of the HSUSC along with the 2015 Gilfillan Farm Strategic Master Plan
- An introduction video including the vision and background of Horses with Hope and how the organization's therapeutic riding aligns with the strategic master plan of Gilfillan Farm
- The considerations made by HSUSC to determine how Horses with Hope will maintain the historic preservation of Gilfillan Farm
- A review of the long-term partnership between Horses with Hope and the HSUSC and the community impact of this partnership
- Immediate and long-term needs including tree and brush removal, fencing, field use and regular maintenance items

Commissioner Christie thanked Ms. Carlson and Ms. Davis for their presentation and asked if the Board had any questions.

Commissioner Orchowski asked to review the 2015 Gilfillan Farm Strategic Master Plan slide which stated "the consultants have concluded that it is in the best interests of the HSUSC and the Township of Upper St. Clair to work together and develop the farm and park properties as one unit. Both entities need to think holistically about the space and to partner, both in the short and long term, on the Master Plan that will drive development of the site." He indicated that in the spirit of this collaborative statement, he would have liked the Board to have been included in earlier conversations regarding the HSUSC partnership with Horses with Hope.

Ms. Carlson and Mr. Serakowski shared that they had early discussions in the late Winter/early Spring of 2020. At that time, the intention was to meet with the Board to discuss the Horses with Hope opportunity but with the onset of the COVID-19 Pandemic, the conversations halted. Ms. Carlson went on to state that she made efforts to include the Board by extending invitations to walk through the farm properties in the late Summer/early Fall prior to signing the agreement with Horses with Hope.

In response to Commissioner Orchowski's inquiry, Mr. Serakowski stated that Staff from Public Works have met with HSUSC to address some of the components of their immediate needs including fencing and pulling back brush.

In response to Commissioner Orchowski's request to review an updated agreement, Mr. Firman confirmed that a draft version has been prepared and it will be discussed in the Executive Session following tonight's meeting as this is a legal matter.

Commissioner Orchowski conveyed that he would like to see the Board and the Historical Society get to a more cooperative place in the future and Ms. Carlson agreed that they would like to work together and offered to share any follow up materials relating to this evening's presentation. She stated that she shares Commissioner Orchowski's sentiment to operate in a cooperative spirit and would be open to ideas on better ways to engage with the Board.

Commissioner Christie thanked Commissioner Orchowski for his comments and stated the Board appreciates the historic aspect of the property.

Mr. Serakowski added that the intent of this evening's presentation was to serve as a kick-off. He mentioned there is a lot that can be moved forward with and thanked Ms. Carlson and Ms. Davis for their time. He shared that the Board will be able to discuss many of Commissioner Orchowski's concerns during Executive Session as they relate to the amended legal agreement.

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

INFORMATIONAL ITEMS

COMMUNITY DEVELOPMENT – OLD BUSINESS

None.

COMMUNITY DEVELOPMENT – NEW BUSINESS

Public Hearing Re. Application for Transfer of Liquor License – First Watch Restaurants, Inc.

Mr. Benigni stated this is the initial public hearing on the application filed by First Watch Restaurants, Inc. for the transfer of liquor license R-12276 from the First Watch restaurant at 207 Bettis Road, West Mifflin, PA 15122 into the Township of Upper St. Clair to the First Watch restaurant at 100 Siena Drive, Suite 190, Upper St. Clair, PA 15241. Provided no additional testimony is required, Staff will recommend that the hearing be closed and action taken. Staff will prepare a Resolution authorizing the transfer for consideration by the Board at the Regular Meeting on May 3, 2021.

Commissioner Plutko stated that he was unaware that First Watch restaurants served alcohol as he has never been to a location that does.

In response to Commissioner Burlingame's inquiry, Mr. Benigni stated that the restaurant will be located in the lower level unit that is closest to route 19 and that the Township is expecting to see plans soon.

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

Recommendation Re. Allegheny County Hazard Mitigation Plan.

Mr. Benigni stated the Allegheny County Department of Emergency Services has been accumulating data and community input through various meetings to update the county-wide Hazard Mitigation Plan (HMP). FEMA has notified Allegheny County that the HMP is Approved – Pending Adoption. Formal approval by the Board of Commissioners is necessary to be eligible for future aid from state and federal agencies in the event of a disaster. In addition, the Township's adoption of the plan assists with our Community Rating System (CRS) for the National Flood Insurance Program. Staff will prepare a Resolution for consideration by the Board on May 3, 2021.

In response to Commissioner Christie's inquiry, Mr. Benigni stated that the plan gets updated approximately every five (5) years and that this will be the third or fourth readoption.

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

Recommendation Re. Extension of Approval to Permit Recording of Plan with Allegheny County Re. PLC19-0011 – Defender Properties, LLC – 1140 Boyce Road.

Mr. Benigni stated that section 513 of the Pennsylvania Municipalities Planning Code requires that a Final Plan must be recorded in the office of the Recorder of Deeds in Allegheny County within 90 days of final approval or 90 days after the date of delivery of an approved plat signed by the governing body, following completion of conditions imposed for such approval, whichever is later. The Defender Properties plan was released to the property owner after approval of the Township to allow the conversion of an existing home into office space located in the SB – Special Business District at 1140 Boyce Road. The plan was not recorded with the Allegheny County Department of Real Estate within the statutory timeframe. The property owner has requested that an extension be granted to record the plan. Staff will prepare a Bill for consideration by the Board on May 3, 2021.

Conversation between the Commissioners and Mr. Firman ensued regarding the circumstances of this matter and it was stated that since their inquiries were of a legal nature, they may be discussed further in Executive Session.

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

OTHER AGENDA AND DISCUSSION ITEMS

Discussion Re. Recognitions

Commissioner Christie shared that he has assigned the presenters of the recognitions for next week's meeting and that he will share with Staff later this evening.

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 March 29, 2021**

Commissioner Plutko moved to approve the Informational and General Affairs Meeting Minutes of March 29, 2021. This was seconded by Commissioner Paoly and carried with a 7-0 voice vote.

Consideration of the April 2021 Bill Sheet.

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

Acknowledge Receipt of Financial Statements for the Three-Month Period ending March 31, 2021.

Commissioner Enck shared that she reviewed the financial statements and asked Mr. Romito to share additional comments. Mr. Romito provided a brief update and stated that the Township has finished the first quarter of 2021. Compared to the same quarter last year, which was prior to the impact of COVID-19, the Township's tax revenues were about even which is a very good sign. He indicated that the Community & Recreation Center (C&RC) fund is finally positioned for growth.

Conversation ensued between the Commissioners regarding the decline in membership, pool season and continuing creative virtual programming. In response, Mr. Romito shared that according to C&RC Staff, there has been excitement about increasing memberships and that recreation programming such as summer camps have been selling out very quickly. He shared that they are expecting an increase in memberships in May and June in anticipation of the outdoor pool opening.

Commissioner Christie acknowledged receipt of the Financial Statements.

ADDITIONAL COMMENTS

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

ADJOURNMENT

Commissioner Pardini moved to adjourn the Informational & General Affairs Meeting, which was seconded by Commissioner Burlingame. This was approved by a 7-0 voice vote and the meeting was adjourned at approximately 8:19PM.

Laura Long
Recording Secretary
April 26, 2021

LITIGATION REPORT - SUMMARY
TOWNSHIP OF UPPER ST. CLAIR
APRIL 26, 2021

I. CASES WHERE TOWNSHIP IS PLAINTIFF

- A. Township of Upper St. Clair v. Rene Marasco, No. CV-114-2020 (Magistrate Arnoni).
- B. Township of Upper St. Clair v. Barbara Jean Depp Family Trust (No. CV-192-2020) (Magistrate Arnoni).
- C. Township of Upper St. Clair v. Path Generations, LLC (No. CV-222-2020) (Magistrate Arnoni).
- D. Township of Upper St. Clair v. South Hills Village Associates L.P. (No Docket Number) (Magistrate Arnoni).
- E. Township of Upper St. Clair v. Randi L. Fowler (No Docket Number) (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).

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
- E. HUD Fair Housing Complaint