

**Minutes of the Regular Meeting
of the South Park Township**

Board of Supervisors

October 12, 2020

Pledge of Allegiance

Roll Call

Walt Sackinsky presiding. Board member Brian Lucot was present. Also in attendance were: Karen Fosbaugh, Township Manager; Irving Firman, Solicitor; Tom Bonidie, Code Enforcement Officer; and Aaron Laughlin, Director of Public Works. Absent Board Member Edward Snee and Chief Dennis McDonough.

Two or more members of the Board of Supervisors were together on the following occasions which were executive sessions, informational meetings, or Township-related events:

Monday, September 14, 2020 – After the regular meeting to discuss matters of litigation.

Monday, October 12, 2020 – Prior to the regular meeting to discuss personnel issues.

PLEASE BE INFORMED THAT THE TOWNSHIP OF SOUTH PARK RECORDS ALL PUBLIC MEETINGS AS PART OF THE MEETING MINUTES PROCESS.

ANYONE SPEAKING THIS EVENING IS REQUESTED NOT TO REPEAT THE SAME POINTS ADDRESSED AT A PRIOR MEETING. RESIDENTS ARE REMINDED THAT THE BOARD OF SUPERVISORS IS REGULATED TO ADHERE TO EXISTING ORDINANCES.

THE AUDIENCE AGENDA WAS PLACED ONLINE FOR RESIDENTS WHO MAY WISH TO OFFER PUBLIC COMMENT OR ASK A QUESTION WHICH WILL BE ENTERED INTO THE RECORD AT THE MEETING THIS EVENING. COMMENTS/QUESTIONS WERE TO BE SUBMITTED NO LATER THAN 4:00 P.M. TODAY.

Mrs. Fosbaugh stated for the record that no questions or comments were submitted.

Call on the People

Caroline Vodzak, 3102 Southern Drive – Ms. Vodzak stated that she is a long-time resident and licensed attorney for the past 19 years. She

commented on correspondence she sent to the Board of Supervisors and the Code Enforcement Officer dated October 8th, which consisted of a two page letter concerning an October 2, 2020 Notice of Enforcement and an article dated January 2020, entitled 'The House Flippers of Pittsburgh Try a New Tactic.' She also mentioned confirmation of a fax sent to the Township this morning, including a Right-to-Know Request, and requested that both be entered into the record. Ms. Vodzak remarked that the Notice of Enforcement is a frivolous matter and asked that it be withdrawn. If it is not withdrawn, then she asked that the matter be put on hold until next month.

Bob Apel, 1536 Washington Avenue – Mr. Apel explained that he has been helping Ms. Vodzak replace the siding on her house. He removed the old stone siding with the intent of repurposing it. The used insulation and other old material is piled in the yard until he has a full load to transport to the dump. He is moving the driveway back to its original location and using the old stone from the siding as a base foundation.

Mr. Apel commented that his driveway on Washington Avenue drains toward the rear of his property, since it is below street level. He mentioned that there is an underground creek behind his shed which he would like to connect his drainpipe to allow the water to run into the creek. Mr. Apel stated that he would be willing to dig the trench, and he has the extra pipe. He is requesting permission and public works to drill the hole into the cement to allow him to connect the tube. Mr. Laughlin replied that he is not familiar with the area that Mr. Apel discussed, and he asked Mr. Apel to contact him to setup a time to inspect his property.

Mr. Apel commented that 5 or 6 years ago, Public Works was working on the sewer line and removed the property marker, a flat cement paver, between his and his neighbor's yard. He requested that the Township have the property re-surveyed and the marker placed back between the yards. Mr. Sackinsky replied that the property survey is a private matter. Mr. Firman asked Mr. Apel if he was accusing the Township employees of taking the property marker, and Mr. Apel replied that they not-knowingly removed it. Mr. Sackinsky commented that Mr. Apel is not exactly sure who removed the marker and stated that he does not feel the Township will have anything to do with surveying his property. Mrs. Fosbaugh inquired as to whether Mr. Apel has an existing survey of his property, and he replied that he does not. He mentioned an addition that was added on to the house years ago, and Mrs. Fosbaugh commented that possibly a survey was submitted to the Building Inspectors office at that time.

Mr. Sackinsky requested a review of the property at 3102 Southern Drive. Mr. Bonidie replied that the Notice of Enforcement Ms. Vodzak referenced was regarding debris and overgrown grass/weeds. The grass/weeds have been addressed, but the debris remains on the property.

He added that there is also a discarded Bagster, for which a permit was not issued. Ms. Vodzak inquired as to how the Bagster was seen, and Mr. Bonidie replied that he saw it when he drove by and took a picture. Mr. Apel remarked that Ms. Vodzak was told last year that no permit was needed for dumpsters or Bagsters, and the new code was only adopted this past May. Mr. Sackinsky commented that the ordinance exists to regulate the use of dumpsters and Bagsters, since many residents were not having them removed because of the cost. Ms. Vodzak inquired about a green tarp she is using to store stones on and whether a permit is required. Mr. Bonidie stated that the Bagster has been removed, and a permit is no longer required. Ms. Vodzak asked if Mr. Sackinsky and Mr. Bonidie walked onto her property, and both denied doing so. Ms. Vodzak asked if there were complaints about her property, and Mr. Bonidie replied that some of the neighbors have complained. Mr. Firman explained that the Board of Supervisors do not decide whether Mr. Bonidie issues a citation. His job as Code Enforcement Officer is to make sure residents are complying to the Township Code. Mr. Firman added that Mr. Bonidie felt the property was in violation of the Township Code. Some of the issues have been rectified; however, one issue still remains. Ms. Vodzak stated that it is offensive that the Township does not realize that she is fixing up her house. Mr. Sackinsky asked for a timeframe for addressing the debris issue, and Ms. Vodzak requested 30 days. Mr. Apel commented that most of the debris will be cleaned up within two weeks. Mr. Sackinsky requested that Ms. Vodzak attend the Board of Supervisors' meeting next month to give a status report. Mr. Sackinsky inquired about the timeframe of the entire project, and Mr. Apel replied that it may take a couple more months. Mr. Sackinsky commented that as long as there is no debris and the appropriate permits are issued, the property will not be declared a nuisance. Ms. Vodzak asked what permits would be needed, and Mr. Bonidie replied that it would depend on the type of work being done. Mr. Lucot commented that the Township officials encourage residents to make improvements to their property; however, if they should decide to engage in any sort of substantial renovation, they would need to notify the Code Enforcement Office. Mr. Sackinsky commented that Mr. Bonidie will inspect the property prior to the next Board of Supervisors' meeting and submit his report to the Board. Ms. Vodzak requested that only the Board members inspect her property; she does not want Mr. Bonidie on her property. Mr. Bonidie responded that he will not be going onto her property. Mr. Sackinsky stated that both he and Mr. Bonidie will inspect her property and will not go onto the property.

Janis Gaydos, 3192 Ridgeway Drive – Ms. Gaydos expressed her concern for two properties on Southern Drive, which may be considered nuisances. She inquired as to whether these properties are being addressed by the Township. Mr. Bonidie stated that a property management company contacted him last week regarding 3120 Southern Drive, and they have submitted a work order for the high grass/weeds. Ms. Gaydos explained that she is more concerned with the Broudy house

at 3114 Southern Drive. Mr. Sackinsky responded that he feels the property is uninhabitable; and the Township has issued citations through the District Magistrate's Office and have contacted the Health Department and Mr. Broudy's family members. The Township is reluctant to have Mr. Broudy removed, since he would then be homeless. Ms. Gaydos commented on the house at 3127 Southern Drive, whose owner lives on Grove Road and rents the property. She remarked that the property is in horrible condition, and there is drug activity. She mentioned that two children live in the house and attend South Park schools. Mr. Sackinsky replied that the Township will look into the matter.

- Action on Minutes** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the minutes of the Public Hearing regarding the Conditional Use Request submitted by Coffey Properties, LLC, with regard to the property at 1134-1136 Cochrans Mill Road held on September 14, 2020. All members voted aye. Motion carried.
- Action on Minutes** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the minutes of the regular meeting of the Board of Supervisors held on September 14, 2020. All members voted aye. Motion carried.
- Action on Invoices** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the payment of invoices for the month September, 2020. All members voted aye. Motion carried.
- Action to Reschedule Public Hearing – Ordinance Regulating Medical Marijuana Dispensaries and Grower/Processor Facilities** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve rescheduling the Public Hearing being held to receive testimony regarding an Ordinance amending Zoning Ordinance No. 556, to provide for the regulation of medical marijuana dispensaries and grower/processor facilities in certain designated zoning districts, and related requirements, from Monday, November 9, 2020, at 6:30 p.m., to December 14, 2020, at 6:30 p.m., with action on said Ordinance anticipated to take place at the regular meeting of the Board of Supervisors immediately following. All members voted aye. Motion carried.
- Action to Reschedule Action on Ordinance – Vacation of a Paper Street – Unopened Section of Ventura Drive** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve rescheduling action on an Ordinance allowing for the vacation of the unopened portion of Ventura Drive by South Park Township, from October 12, 2020, to November 9, 2020. All members voted aye. Motion carried.
- Action on Minor Subdivision – O'Connor Consolidation Plan Review – 1694 Riggs Road** Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve granting preliminary and final approval to the minor consolidation subdivision identified as the O'Connor Minor Consolidation Plan, as submitted by the Developers John F. & Courtney J. O'Connor, for the property located at 1694 Riggs Road, as recommended by the Planning Commission,

Planning Consultant, and Township Engineer. All members voted aye. Motion carried.

Action on Non-Exclusive License Agreement – 107 Maria’s Way – David J. Bates & Darnel Bowden

Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor) and David J. Bates & Darnel Bowden (Grantees), to permit the construction of a four foot (4’) fence over a ten foot (10’) sanitary sewer easement located on Lot No. 204 of the Della Strada Phase 2 Plan of Lots, Lot & Block No. 884-N-204, being 107 Maria’s Way, as recommended by the Director of Public Works; and further authorizing the appropriate Township officials to execute said Agreement. The Grantee(s) are to understand and acknowledge that by executing the Agreement, they agree that South Park Township has the right to access the easement for repair and/or maintenance purposes. The Grantee(s) further understand and acknowledge that access to the easement by South Park Township may necessitate the removal of the encroachment by the Grantee(s) at their cost, and that South Park Township will not be responsible for any and all repairs, damages or replacement of said encroachment. All members voted aye. Motion carried.

Action on Release of Bond – Act 98 Fire Damage – Janice Gaydos – 3192 Ridgeway Drive

Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the release of the bond in the amount of \$17,100.00, forwarded by Grange Insurance Co. in accordance with Act 98, to guarantee the completion of the clean-up and restoration activities related to the fire damage that occurred at 3192 Ridgeway Drive, as recommended by the Code Enforcement Officer. All members voted aye. Motion carried.

Action on Payment Request No. 3 – Municipal Courtyard Renovation Project

Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve Payment Request No. 3 in the amount of \$32,667.97, as submitted by Baiano Construction, Inc., for the work completed to date on the project identified as the Municipal Courtyard Renovation Project, as recommended by the Township Engineer. All members voted aye. Motion carried.

Action on Resolution No. 18-20

Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve Resolution No. 18-20: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, SETTING FORTH IN FORMAL RESOLUTION FORM THE ALLOCATION OF STATE AID PENSION FUNDS RECEIVED UNDER ACT 205, THE GENERAL MUNICIPAL PENSION SYSTEM STATE AID PROGRAM, AND AUTHORIZING OTHER AND FURTHER ACTION THERETO. All members voted aye. Motion carried.

Action on Disbursement of Volunteer Fire Relief Association Funds – 2020 Commonwealth

Motion by Mr. Lucot, seconded by Mr. Sackinsky, to authorize the equal distribution of the Commonwealth of Pennsylvania Allocation in the amount of \$69,246.12 designated to support the two (2) Volunteer Fire Relief Associations located within the confines of South Park Township: Broughton Volunteer Fire Department (\$34,623.06) and Library

of Pennsylvania Allocation	Volunteer Fire Company (\$34,623.06). All members voted aye. Motion carried.
Action on Agreement – South Park Township and SHACOG – CD 46 3.12.14 – Brownsville Road Sanitary Sewer	Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the Agreement by and between the South Hills Area Council of Governments (SHACOG) and the Township of South Park, the purpose of which is to outline the terms and conditions for the administration of grant funding for the project identified as Brownsville Road Sanitary Sewer, being CD 46 3.12.14. All members voted aye. Motion carried.
Action on Agreement – Teamsters Local Union No. 205 Representing the Office Clerical Employees and South Park Township	Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the Agreement by and between Teamsters Local Union No. 205, Representing the Office Clerical Employees of South Park Township, and South Park Township, for the time period being January 1, 2020, through December 31, 2023, and authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.
Action on Settlement Agreement – Clairton Municipal Authority, the City of Clairton, the Borough of Jefferson Hills, the Peters Creek Sanitary Authority and the Township of South Park	Motion by Mr. Lucot, seconded by Mr. Sackinsky, to approve the Settlement Agreement by and between the Clairton Municipal Authority, the City of Clairton, the Borough of Jefferson Hills, the Peters Creek Sanitary Authority and the Township of South Park, the purpose of which is to define the terms and conditions with regard to the settlement of the outstanding Action previously filed against Clairton Municipal Authority, and subject to further modification upon the recommendation of legal counsel, with the approval of the Township Manager, and authorizing the appropriate Township officials to execute said Settlement Agreement. All members voted aye. Motion Carried.
Police Chief’s Report	The Police Chief was not in attendance.
Supervisors’ Comments	<p>Mr. Lucot – Mr. Lucot thanked everyone for attending the meeting and Mrs. Fosbaugh for her MS4 Report.</p> <p>Mr. Sackinsky – Mr. Sackinsky commented that Halloween Trick or Treating will be celebrated on October 31st, and the Township will be having a Halloween Party Event which will adhere to CDC guidelines. There will be outdoor stations and grab-and-go treats, and registration is required.</p>
Adjournment	Motion by Mr. Lucot, seconded Mr. Sackinsky to adjourn the meeting. All members voted aye. Motion carried.

Time: 7:45 p.m.