

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

Board of Supervisors

April 12, 2021

Pledge of Allegiance

Roll Call

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

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, March 8, 2021 – After the regular meeting to discuss personnel issues.

Monday, April 12, 2021 – Prior to the regular meeting to discuss potential issues of litigation.

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 the Township received a petition from Carolyn Vodzak.

Mr. Sackinsky read aloud the petition which was addressed to the Township Manager and Board of Supervisors. The petition read as follows: “I am submitting this email and attached petition with comments from South Park residents and 83 signatures before the 4 pm, April 12, 2021 deadline. I am notifying all that I have done so and expect this petition to be put in the record and its receipt and contents to be verbally

acknowledged by you on the record at tonight’s meeting. I will not be arguing in person or on the phone. As another South Park resident said: “Having equal access to the laws that govern you should be a no-brainer.” Sincerely, Caroline Vozzak” Mr. Sackinsky explained that the petition requests that the Township Code be placed on-line. The Township has been trying for quite a few years to digitize the Township Code in order to place it on-line. With the due diligent efforts of Mrs. Fosbaugh, Mr. Bonidie, and Gary Wargo, the Township anticipates that the Township Code will be placed on-line in the near future. Mrs. Fosbaugh clarified that the Township is in the process of updating the entire code book from a legal perspective. This is a very lengthy process in making sure that all ordinances are incorporated, prior to placing the code on-line. Mr. Lucot commented that the issue with technology in local government is an on-going concern that is currently being addressed in South Park Township. This technology issue reverberates even further, such as legal notices. The major newspaper publications in our area have scaled back the number of publication days; and local governments, as well as the state of Pennsylvania, are working on legislation for the option to electronically publish legal notices and improve technological capabilities. Mr. Lucot supports placing the Township Code on-line, and he thanks the staff involved who are working through the process. Mr. Snee agreed that it is a timely process which needs to be done.

Call on the People

There were no public comments.

Presentation of Proclamation – Former Planning Commission Member Barbara Stephen

Mr. Lucot read the proclamation, which recognizes Ms. Stephen’s 29 years serving as a member of the South Park Township Planning Commission, from 1992 to 2021, and thanked her for her dedication and service to South Park Township. Mr. Sackinsky commented that he has known Ms. Stephen for many years and personally thanked her for her years of service. He added that the Township depends on people like Ms. Stephen to volunteer their time on various Boards and Commissions to help the Board of Supervisors in making the appropriate decisions.

Action on Minutes

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the minutes of the regular meeting of the Board of Supervisors held on March 8, 2021. All members voted aye. Motion carried.

Action on Invoices

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the payment of invoices for the month March, 2021. All members voted aye. Motion carried.

Action on Waiver Requests – Companions First Veterinary Clinic – Leia Goodell of

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the following waiver requests submitted by the Developer, Leia Goodell of CFVC, LLC, for the proposed development identified as Companions First Veterinary Clinic, to be located at 3701 Brownsville Road:

**CFVC, LLC – 3701
Brownsville Road**

A. A waiver to §118.36 of the Subdivision and Land Development Ordinance, entitled “Sidewalks,” as it pertains to sidewalk requirements because of topographical constraints in the area;

B. A waiver to §2002 of the Zoning Ordinance, entitled “Screening and Landscaping,” as it pertains to buffer landscaping requirements because the existing vegetation is deemed to be sufficient; and

as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.

**Action on Minor
Subdivision –
Companions First
Veterinary Clinic –
3701 Brownsville
Road – Preliminary
and Final Approval**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve granting preliminary and final approval to the proposed minor land development identified as Companions First Veterinary Clinic, to be located at 3701 Brownsville Road, as submitted by the Developer, Leia Goodell of CFVC, LLC, with the following condition:

A. A fully executed Developer’s Agreement and a fully executed Stormwater Agreement, accompanied by the appropriate bonds and fees, must be in place prior to the onset of construction activities.

as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.

**Action on Waiver
Requests – M & C
Garage – Andrew
and Dara Weber –
1157 Forest Way**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the following waiver requests submitted by the Developers, Andrew and Dara Weber, for the proposed development identified as M & C Garage, to be located at 1157 Forest Way.

A. A waiver to §118.36 of the Subdivision and Land Development Ordinance, entitled “Sidewalks,” as it pertains to sidewalk requirements because of topographical constraints in the area;

B. A waiver to §112.13(N)6d of the Township Stormwater Ordinance, entitled “General Requirements,” to allow for a 12-inch pipe rather than the 15-inch pipe because of existing downstream pipe limitations; and

as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.

**Action on Minor
Land Development –
M & C Garage –
Andrew and Dara
Weber – 1157 Forest
Way**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve granting preliminary and final approval to the proposed minor land development identified as M & C Garage, to be located on Forest Avenue, as submitted by the Developers Andrew and Dara Weber for the project to be located at 1157 Forest Avenue, with the following conditions:

A. A lighting plan must be provided to verify compliance with §2001.7 of the Subdivision and Land Development Ordinance prior to construction.

B. The truck route for disposal of excess fill must be provided to the Township prior to construction.

C. The final retaining wall design must be signed and sealed by a professional structural engineer and submitted to the Township Engineer for review and approval prior to construction.

D. A fully executed Developer's Agreement and Stormwater Agreement, accompanied by the appropriate bonds and fees, must be in place prior to construction.

as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.

Action on Grinder Pump Agreement – 5029 Summit Drive – South Park Township and NVR Inc. of Pittsburgh

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Grinder Pump Agreement by and between NVR, Inc. of Pittsburgh and South Park Township, the purpose of which is to outline the terms and conditions regarding the installation of a grinder pump at 5029 Summit Drive, and further clarifying the Owner, NVR, and all successors and assigns, being James Mesloh, shall be solely responsible for the purchase, installation, maintenance activities, related costs, liability of the Grinder Pump System, and the connection of same to the Township's public sanitary sewer system; and authorizing the appropriate Township official to execute said Agreement which shall be subsequently recorded at the Recorder of Deeds Office by the Township. All members voted aye. Motion carried.

Action on Non-Exclusive License Agreement – 1004 Peak Drive – Chad and Michelle Ackerman

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Chad and Michelle Ackerman (Grantees), to permit the construction of a four-foot (4') fence over a public utility easement located on Lot No. 20 of the Summit Station Phase 1 Subdivision Plan, Lot & Block No. 887-S-106, being 1004 Peak Drive; 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
Subdivision
Development
Agreement –Mero
South Park
Ventures, LLC –
Summit Station
Phase II Plan
Subdivision**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Subdivision Development Agreement by and between Mero South Park Ventures, LLC and the Township of South Park, which defines the terms and conditions for the completion of the site improvements associated with the project identified as the Summit Station Phase II Plan Subdivision; and authorizing the appropriate Township officials to execute said Agreement, as recommended by the Township Solicitor. All members voted aye. Motion carried.

**Action on Storm
Water Facilities
Maintenance &
Monitoring
Agreement – Mero
South Park
Ventures, LLC –
Summit Station
Phase II Plan
Subdivision**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Storm Water Facilities Maintenance & Monitoring Agreement by and between Mero South Park Ventures, LLC and the Township of South Park, which defines the terms and conditions for the construction, inspection, operation, maintenance, repair, elimination and/or replacement of the on-site facilities to be located at the proposed project identified as Summit Station Phase II; and authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

**Action on Release of
Bond – Saddlebrook
Farms Plan – Phase
4 – Brian Homes,
Inc.**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the release of the 18-month maintenance bond posted by Brian Homes, Inc. to guarantee the integrity of the public improvements in the development identified as Saddlebrook Farms Plan – Phase 4, as follows:

Letter of Credit and Cash Bond	\$57,851.00
Crack Sealing Estimate by Township	(<u>465.35</u>)
Amount to be Released	\$57,385.65

as recommended by the Township Engineer. All members voted aye. Motion carried.

**Action on Release of
Grading Permit
Bond – 1291
Armstrong Drive –
Carol and Darrell
Painter**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the release of the 2-year maintenance bond in the amount of \$5,409.45, posted by Carol and Darrell Painter, to guarantee the completion of grading activities and repairs to a retaining wall located at 1291 Armstrong Drive, as recommended by the Township Engineer. All members voted aye. Motion carried.

**Action to Reschedule
Public Hearing –
Ordinance
Addressing Airbnb
Facilities**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve rescheduling the Public Hearing to receive comment on an Ordinance amending Ordinance No. 556, “Zoning,” as it pertains to Airbnb facilities from May 10, 2021, at 6:30 p.m. to June 14, 2021, 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 Schedule Nuisance Hearing – 2956 Sebolt Road – Elizabeth L. and Joseph E. Blaner

Motion by Mr. Snee, seconded by Mr. Lucot, to approve scheduling a Public Hearing on Monday, May10, 2021, at 6:45 p.m., for the purpose of determining if the following property should be declared a public nuisance and subject to the appropriate abatement procedures and/or fines and penalties as outlined in the Code of the Township of South Park:

Owner(s):

Elizabeth L. and Joseph E. Blaner

Location:

2956 Sebolt Road
South Park, PA 15129
Lot/Block No. 1009-G-4

All members voted aye. Motion carried.

Action on Resolution No. 4-21

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 4-21: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, DECLARING APRIL 12-16, 2021, AS LOCAL GOVERNMENT WEEK. All members voted aye. Motion carried.

Action on Resolution No. 5-21

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 5-21: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, PENNSYLVANIA, ADOPTING THE ALLEGHENY COUNTY 2020 HAZARD MITIGATION PLAN AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE TOWNSHIP OF SOUTH PARK. All members voted aye. Motion carried.

Action on Township Real Estate Tax Refunds – Various Tax Years – Lawrence P. Arrigo, Tax Collector

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the request submitted by Lawrence P. Arrigo, Tax Collector, dated March 8, 2021, to issue Township real estate tax refunds for various years (2019 & 2020) due to overpayment. All members voted aye. Motion carried.

Action on Township Per Capita Tax Refunds – Various Tax Years – Lawrence P. Arrigo, Tax Collector

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the request submitted by Lawrence P. Arrigo, Tax Collector, dated March 8, 2021, to issue Township per capita tax refunds (2017, 2018 and 2019). All members voted aye. Motion carried.

Action on Assessment Change Reimbursements – Lawrence P. Arrigo, Tax Collector

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Township real estate tax refunds for the calendar year 2020, as a result of successful appeals at the County level, as requested by Tax Collector Lawrence P. Arrigo, in correspondence dated March 12, 2021. All members voted aye. Motion carried.

Action on Training Request – Pennsylvania Chiefs of Police Education and Training Conference – Chief Dennis M. McDonough

Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Chief Dennis M. McDonough to the annual Pennsylvania Chiefs of Police Association and Training Conference to be held on July 17-21, 2021, in the Pocono Manor, PA, at a total cost to the Township of \$1,654.98. All members voted aye. Motion carried.

Action on MS4 Report

Mrs. Fosbaugh stated that the following is the MS4 Report for March, dated April 12, 2021. She explained that MS4 is an acronym for Municipal Separate Storm Sewer System:

1. The part-time litter collection employee continued with his duties on Township streets to prevent trash from impacting the function of the stormwater inlets.
2. The Public Works Department rebuilt three inlets in March.
3. The Administrative Assistant and Local Government Academy intern have been scanning existing sanitary sewer tap-in drawings into the ESRI data base for easy reference. At this time, 4,400+ homes have been scanned into the system. This equates to 170+ streets, with approximately 30 streets remaining. The annual inlet inspection process has begun. 370 inlets have been inspected within the past 2-3 weeks.
4. The Public Works Department installed approximately 40 feet of new storm line on Triphammer Road. The scope of work included the replacement of a collapsed inlet and the placement of a rock swale on the hillside. The project corrected a problem whereby stormwater was flowing from the landfill and then freezing on the roadway. Debris was also being deposited on Triphammer Road from the runoff.
5. Jet Jack, Inc., the contractor for the 2021 Township-Wide Sanitary Sewer Program, began the contract work last week. Included in the project is approximately 250 l.ft. of 15” storm sewer line in the vicinity of Ridge Road.
6. All new developments are conforming with the Stormwater Management Ordinance with regard to erosion and sedimentation controls. The Township Engineer is conducting the inspections to ensure that developers adhere to the appropriate guidelines which help maintain water quality.
7. The semi-annual creek clean-up event was held on March 27th. Approximately 20-25 people participated in the event. Twenty bags of

trash were removed from the creek area, in addition to tires and other miscellaneous items.

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the MS4 Report for the month of March, 2020. All members voted aye. Motion carried.

Police Chief's Report The Police Chief's report for the month of March, 2021:

Calls for Service	901
Arrests	9
Traffic Citations	13
Warnings Issued	45
Reportable Accidents	5
Non-Reportable Accidents	5
Fire Calls	9
Emergency Medical Assists to Tri-Community EMS	80
Deer Struck By Vehicle	6

Mr. Snee inquired about credit card fraud and procedures residents should follow. Chief McDonough explained that they should report any credit card fraud to the police department. They will then refer them to file a complaint with the Federal Trade Commission. The Police Department sends the reports to the Secret Service. The FTC has provided the police with a kit for any resident who has identity theft. The resident should notify the Credit Bureaus, their bank, and the credit card companies. Residents in need of an information kit, should contact the police department.

Motion by Mr. Snee, seconded by Mr. Lucot, to accept the Police Chief's report for the month of March, 2021. All members voted aye. Motion carried.

Supervisors' Comments

Mr. Lucot – Mr. Lucot thanked everyone for attending. He stated that he and Mr. Sackinsky attended the stocking of Peters Creek event, done by the Fishing and Boat Commission, and encouraged any fishermen to take advantage of the fishing at Peters Creek. Mr. Lucot thanked Public Works for preparing the fields for the spring sports activities. He also expressed his appreciation to Mrs. Fosbaugh and the Recreation Department for the Easter Event at the Community Center.

Mr. Snee – Mr. Snee informed residents that on Saturday, April 17th, a curbside collection of yard waste will be done by Waste Management. On Saturday, April 24th, from 10:00 a.m. through 2:00 p.m., there will be a prescription drug collection at the Township Police Department, a Document Destruction event in the lower lot, and Electronic Waste Recycling at the Public Works parking area. On Saturday, May 1st, from 8:00 a.m. until 3:00 p.m., a satellite License to Carry Event will be held at the Township Community Center.

Mr. Sackinsky – Mr. Sackinsky commented that the Tri-Community Anglers have been stocking and cleaning out Peters Creek for the past 20 years. This year, the state agreed to consider Peters Creek an approved trout stream and participated in stocking the creek. Opening day was April 3rd, and there were over 290 people fishing at the creek. Mr. Sackinsky asked that everyone practice proper etiquette and clean up after themselves. He added that the Tri-Community Anglers also stock Piney Fork Creek and recommends the use of both creeks for fishing enthusiasts.

Adjournment

Motion by Mr. Lucot, seconded Mr. Sackinsky to adjourn the meeting. All members voted aye. Motion carried.

Time: 7:38 p.m.