

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

**Board of Supervisors**

**September 14, 2020**

**Pledge of Allegiance**

**Roll Call**

Walt Sackinsky presiding. Board members Edward Snee and Brian Lucot were 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: 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, August 10, 2020 – After the regular meeting to discuss personnel matters.

Tuesday, August 18, 2020 – Police Pension Quarterly Meeting.

Thursday, August 20, 2020 – Administrative Committee of the South Hills Area Council of Governments (SHACOG) Monthly Meeting hosted by South Park Township.

Monday, September 14, 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** There were no public comments.
- 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 August 10, 2020. All members voted aye. Motion carried.
- Action on Invoices** Motion by Mr. Snee, seconded Mr. Lucot, to approve the payment of invoices for the month August, 2020. All members voted aye. Motion carried.
- Ordinance No. 699** Motion by Mr. Snee, seconded by Mr. Lucot, to approve Ordinance No. 699: AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ACCEPTING THE DEDICATION TO PUBLIC USE OF PLEASANT STREET AS CONTAINED IN THE SOUTH PARK TRAILS PLAN MAKING THE SAME PART OF THE HIGHWAY SYSTEM OF THE TOWNSHIP OF SOUTH PARK. All members voted aye. Motion carried.
- Ordinance No. 700** Motion by Mr. Snee, seconded by Mr. Lucot, to approve Ordinance No. 700: AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ACCEPTING THE DEDICATION TO PUBLIC USE OF THE SANITARY SEWER LINE WHICH SERVICES THE HOMEPLACE DEVELOPMENT PLAN OF TWO BUILDING LOTS, MAKING THE SAME PART OF THE PUBLIC SANITARY SEWER SYSTEM OF THE TOWNSHIP OF SOUTH PARK. All members voted aye. Motion carried.
- Action on Minor Subdivision – Summit Station Phase 1 – Subdivision of Parcel No. 15 – Preliminary and Final Approval** Motion by Mr. Snee, seconded by Mr. Lucot, to approve granting preliminary and final approval to the minor subdivision identified as Summit Station Phase 1 – Subdivision of Parcel No. 15, as submitted by NVR, Inc. to be located at 4037-4045 Crown Drive, as recommended by the Planning Commission, Township Engineer, and Planning Consultant. All members voted aye. Motion carried.
- Action on Minor Subdivision – Summit Station Phase 1 – Subdivision of Lot No. 22 – Preliminary and Final Approval** Motion by Mr. Snee, seconded by Mr. Lucot, to approve granting preliminary and final approval to the minor subdivision identified as Summit Station Phase 1 – Subdivision of Lot No. 22, as submitted by NVR, Inc., to be located at 4016-4024 Crown Drive, as recommended by the Planning Commission, Township Engineer, and Planning Consultant. All members voted aye. Motion carried.

**Action on Non-Exclusive License Agreement – 1617 Connor Drive – Richard & Elizabeth Chervon**

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 Richard & Elizabeth Chervon (Grantees), to permit the construction of a four and one-half foot (4.5') fence over two existing sanitary sewer easements located on Lot No. 1 of the Threlfall Plan of Lots, Lot & Block No. 1007-P-45, being 1617 Connor 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 Non-Exclusive License Agreement 107 Maria's Way – David J. Bates & Darnel Bowden**

Mr. Lucot inquired about the stormwater maintenance access road. Mr. Laughlin explained that the road is an access to maintain the pond, and he does not feel that it is in the Township's best interest to approve the agreement. **David Bates** commented that there are two stormwater easements on both sides of his property. In between his house and 109 Maria's Way, their yards serve as a road to access the stormwater pond. The mulch bed on his house is three feet, and he is requesting to run the fence along the mulch bed which is three feet off his property. Mr. Lucot asked if there is still work to be completed on the pond, and Mr. Bates replied that that is correct. Mrs. Fosbaugh inquired about future maintenance for the pond, and Mr. Laughlin replied that the access road would be used to maintain the pond in the future. Mrs. Fosbaugh commented that regardless of the work that remains to be done on the pond, the access road will be used into perpetuity. Mr. Lucot inquired about changing the dimensions so as not to encroach on the access road. Mr. Bates replied that he has a ten-foot building line, and he is willing to move his encroachment off the access road. Mr. Snee suggested that Mr. Bates re-submit a new Non-Exclusive License Agreement indicating that he will not be encroaching on the access road.

Motion by Mr. Snee, seconded by Mr. Lucot, to reject 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, and three feet (3') into the twenty foot (20') stormwater maintenance access road, 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. All members voted aye. Motion carried.

**Action on  
Conditional Use  
Request – Coffey  
Properties LLC –  
1134-1136 Cochrans  
Mill Road – Lot and  
Block No. 563-N-170**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Conditional Use Request submitted by Coffey Properties LLC, for the property located at 1134-1136 Cochrans Mill Road, being Lot and Block No. 563-N-170, with the following conditions:

A. All outside storage of materials and equipment shall be located behind the minimum required front building line and shall be screened from view from any public street or any immediately adjoining residential property by a minimum six foot (6') high evergreen hedge or opaque fence;

B. Any property located within three hundred feet (300') of property in a residential zoning district shall cease operations between 7:00 p.m. and 7:00 a.m.; and,

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

**Action on Land  
Development –  
Preliminary and  
Final Approval –  
Coffey Properties,  
LLC – 1134-1136  
Cochrans Mill Road**

Motion by Mr. Snee, seconded Mr. Lucot, to approve granting preliminary and final approval to the minor land development identified as Coffey Properties LLC, as submitted by the Developer Paul Coffey, to be located at 1134-1136 Cochrans Mill Road, with the following conditions:

A. Any and all renovations to the existing building will require compliance with the 2015 International Building Code, as well as the issuance of a building permit by South Park Township prior to the onset of construction activities;

B. A cost estimate for the site amenities bonding, both public and private improvements, must be submitted for review with the final plan prior to the onset of construction activities;

C. A fully executed Developer's Agreement and Stormwater Maintenance Agreement, relative to all public and private improvements, must be in place prior to the onset of construction activities;

D. The appropriate bonds and fees must be submitted to South Park Township by the Developer prior to the onset of construction activities; and

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

**Action to Authorize  
the Preparation and  
Advertisement of  
Ordinance –  
Regulation of  
Medical Marijuana**

Motion by Mr. Snee, seconded Mr. Lucot, to approve the preparation and advertisement of 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, and scheduling a public hearing for Monday, November 9, 2020, at 6:30 p.m., with action on said Ordinance anticipated

**Dispensaries and  
Grower/Processor  
Facilities**

to take place at the regular meeting of the Board of Supervisors immediately following. All members voted aye. Motion carried.

**Action to Authorize  
the Preparation and  
Advertisement of  
Ordinance –  
Vacation of a Paper  
Street – Unopened  
Section of Ventura  
Drive**

Motion by Mr. Snee, seconded by Mr. Lucot to approve the preparation and advertisement of an Ordinance allowing for the vacation of the unopened portion of Ventura Drive by South Park Township, with action on said Ordinance anticipated to take place at the regular meeting of the Board of Supervisors scheduled for October 12, 2020. All members voted aye. Motion carried.

**Action on Agreement  
by and between the  
Township of South  
Park and MS  
Consultants, Inc. –  
Engineering Services  
Pertaining to  
Sanitary and Storm  
Sewer Issues**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Agreement by and between the Township of South Park and MS Consultants, Inc., which establishes the terms and conditions for the provision of engineering services related to sanitary and storm sewer issues, and further authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

**Action on Agreement  
– Coronavirus Relief  
Fund Recipient  
Agreement**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Coronavirus Relief Fund Recipient Agreement by and between the County of Allegheny and the Township of South Park, the purpose of which is to provide for the distribution of Coronavirus Relief Fund monies under the CARES Act in accordance with the guidance issued by the United States Government, and authorizing the appropriate officials to execute said Agreement. All members voted aye. Motion carried.

**Action on Resolution  
No. 16-20**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 16-20: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, APPROVING THAT THE ACQUISITION AND SUBSEQUENT DISPOSITION OF A PARCEL OF VACANT PROPERTY KNOWN AS BLOCK AND LOT NUMBER: 772-L-242, LOCATED ON BROAD STREET, WOULD BE IN ACCORD WITH THE COMPREHENSIVE PLAN OF THE MUNICIPALITY. All members voted aye. Motion carried.

**Action on Resolution  
No. 17-20**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 17-20: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, EXTENDING THE DISASTER DECLARATION IN SOUTH PARK TOWNSHIP, WHICH IS DIRECTLY CAUSED BY THE COVID-19 EPIDEMIC, FROM SEPTEMBER 14, 2020, TO OCTOBER 12, 2020. All members voted aye. Motion carried.

<b>Action on Payment Request No. 2 – Municipal Courtyard Renovation Project</b>	Motion by Mr. Snee, seconded by Mr. Lucot, to approve Payment Request No. 2 in the amount of \$73,352.16, 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.
<b>Action to Schedule Public Meeting – MS4 Presentation</b>	Motion by Mr. Snee, seconded by Mr. Lucot, to approve scheduling a Public Informational Meeting for Monday, October 12, 2020, at 6:45 a.m., for the purpose of providing educational information to the public concerning the Municipal Separate Storm Sewer System (MS4), as required by DEP under the permitting process. All members voted aye. Motion carried.
<b>Action on 2021 Minimum Municipal Obligation</b>	Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Minimum Municipal Obligation (MMO) for the year 2021, as prepared by Mockenhaupt Benefits Group relative to the Service Employees’ Pension Plan and the Police Pension Plan, and to authorize the certification of said documents by the Chief Administrative Officer. All members voted aye. Motion carried.
<b>Action on Training Request – Criminal Investigations – Officer Joshua Indof</b>	Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Officer Joshua Indof to a training session sponsored by California University of Pennsylvania entitled, “Criminal Investigations,” which will be held at the Allegheny County Police Training Academy on October 5-9, 2020, at a total cost to the Township of \$325.00. All members voted aye. Motion carried.
<b>Action on Assessment Change Reimbursements – Lawrence P. Arrigo, Tax Collector</b>	Motion by Mr. Snee, seconded by Mr. Lucot, to approve a Township real estate tax refund 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 August 6, 2020. All members voted aye. Motion carried.
<b>Monthly MS4 Report – August 2020</b>	<p>Mrs. Fosbaugh stated that the following is the MS4 Report for August, dated September 14, 2020. She explained that MS4 is an acronym for Municipal Separate Storm Sewer System:</p> <ol style="list-style-type: none"> <li>1. The litter collection employee continued with his duties along the Township’s streets. The focus at this time is keeping the inlets free of leaves and debris, particularly as we approach the fall months.</li> <li>2. A meeting will be scheduled with Gateway Engineers to discuss the status of the proposed retention ponds to be located in the vicinity of the County Park in the Broughton area of the Township. The Township and Gateway Engineers are working in conjunction with Allegheny County to finalize a design that is acceptable to all parties.</li> </ol>

3. The Public Works Department rebuilt nine storm sewer inlets in August.
4. The SHACOG flusher truck and camera will return to South Park Township on September 21-25, 2020.
5. The members of the Public Works Department completed the annual MS4 Inspection training as required by DEP.
6. The intern associated with Local Government Academy's Municipal Intern Program, the Administrative Assistant, and several members of the Public Works Department have been conducting field activities to plot existing manholes in the Piney Fork Watershed. ESRI software and the new BPS data mapping device are being used for this purpose.
7. The Administrative Assistant is working on finalizing the Annual MS4 Report to DEP. The report provides the progress made relative to the mandated tasks under MS4, including but not limited to, public education/outreach, various inspection plans for the stormwater infrastructure including inlets and detention ponds, annual training activities, the Township's current operational and maintenance plans, and future project.
8. The annual MS4 public educational meeting is scheduled for October 12, 2020, at 6:45 p.m.
9. The Overlook Sanitary Sewer project began last week in Union Township, adjacent to South Park Township. The project will tie in 28 homes, a number of which have failing on lot sewage systems, that are polluting the waters of Piney Fork Creek.

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

**Police Chief's Report** The Police Chief's report for the month of August, 2020:

Calls for Service	638
Arrests	2
Traffic Citations	16
Warnings Issued	48
Reportable Accidents	4
Non-Reportable Accidents	6
Fire Calls	8
Emergency Medical Assists to Tri-Community EMS	73
Deer Struck By Vehicle	1

Motion by Mr. Snee, seconded Mr. Lucot, to accept the Police Chief's Reports for August, 2020. All members voted aye. Motion carried.

**Supervisors'  
Comments**

**Mr. Lucot** – Mr. Lucot thanked everyone for attending the meeting. He expressed his appreciation to Mrs. Fosbaugh, Devon Serena, Chris Satter, and everyone who put together the Virtual 9/11 Remembrance Ceremony. He encourages everyone to watch the event. He also thanked all the first responders for all they do, and particularly the police officers because of what is happening across the nation. He commented that because of the pandemic, the Library VFC and Broughton VFD are not receiving the funding that they normally receive through fundraising events. He encourages everyone to support the fire departments by buying tickets to the various fundraising endeavors.

**Mr. Snee** – Mr. Snee congratulated Mrs. Fosbaugh on the successful Virtual 9/11 Event.

**Mr. Sackinsky** – Mr. Sackinsky commented that the Virtual 9/11 Ceremony was very professional, and he encourages everyone to watch the event.

**Adjournment**

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

**Time: 7:33 p.m.**