

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

**Board of Supervisors**

**November 9, 2015**

**Pledge of Allegiance**

**Roll Call**

Dave Buchewicz presiding. Board members Walt Sackinsky and Ed Snee were present. Also in attendance were: Karen Fosbaugh, Township Manager, Chief Dennis McDonough, and Paul J. Gitnik, Esq., Township Solicitor.

Two or more members of the Board of Supervisors were together on the following occasions which may or may not qualify as an administrative action(s), conference(s) and/or executive sessions(s):

Monday, October 12, 2015 – After the regular meeting of the Board of Supervisors to discuss personnel matters.

Thursday, October 15, 2015 – SHACOG monthly meeting at South Park Township.

Thursday, October 20, 2015 – Presentation by HRG regarding storm and sanitary sewer maintenance.

Thursday, October 22, 2015 – Annual meeting with the athletic associations.

Friday, October 23, 2015 – Bethel Park Chamber of Commerce Legislative Luncheon.

Saturday, October 24, 2015 – Fall Clean-Up Day.

Sunday, October 25, 2015 – Annual Halloween Party for Township children.

Monday, November 9, 2015 – Prior to the regular meeting to discuss personnel matters.

**PLEASE BE ADVISED THAT ANY ACTION APPROVED AND/OR DECISION RENDERED BY THE BOARD OF SUPERVISORS AT THIS MEETING CAN BE APPEALED TO THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA, WITHIN THIRTY (30) DAYS AFTER THE DATE AND/OR THE DECISION IS RENDERED.**

130303

**Call on the People**

**James Kane, 1409 Riggs Road** – Mr. Kane discussed a problem he has with the Township police secretary, Denise Murray, who resides on his block. He stated that he has been harassed and told that he cannot enter the Police Station. Mr. Kane stated that he spoke with Chief McDonough, and he was of no help in the matter. He stated that Chief McDonough told him that instead of bringing any expired prescription drugs to the Station, he should call to have a police officer pickup the expired drugs at his home. Mr. Kane explained that Mrs. Murray had an issue four years ago regarding him shooting a deer, when she called the police and the Game Commission. She came onto his property cursing, and Mr. Kane had to ask the police officer to escort her from his property. There were no charges brought against him, but she has had an issue with him and his family ever since that time. Mr. Kane asked that this matter be resolved. Chief McDonough replied that Mr. Kane's statements were not entirely accurate. Chief McDonough explained that Mr. Kane called the station regarding expired prescription drugs, and Mr. Kane stated that he was not comfortable with coming to the station. Chief McDonough told him that he would send an officer to pick up the expired drugs. Chief McDonough stated that Mr. Kane filed a written complaint, and that complaint is currently being processed. Mr. Kane challenged the accuracy of Chief McDonough's report, and stated that he was "sticking up" for his secretary. Mr. Kane continued complaining about the discourteous treatment he receives when he calls or visits the Police Station. Mr. Kane stated that he was told by Chief McDonough that since Mrs. Murray is in the Teamsters Union, she has privileges. Mr. Kane added that Mrs. Murray called his former place of employment, UPS, complaining about him shooting a deer across the street. Three weeks ago, Mr. Kane took a walk with his sons, who were walking ahead of him. Mrs. Murray came out of the woods screaming at his sons, and they were nowhere near her property. Mr. Snee inquired as to where they were walking, and Mr. Kane replied that they were walking up the driveway to Mt. Vernon Assisted Living. He stated that Mrs. Murray called the police, and the officer told him that he was destroying Mrs. Murray's garden, which was not true. Mr. Kane stated that he has an issue with a grown woman jumping out of the woods at his 10 and 11 year old boys. Mrs. Fosbaugh stated that personnel issues are confidential and cannot be discussed at a public meeting. Mr. Kane replied that he was told by Chief McDonough that he had to attend the Board of Supervisors' Meeting in order to voice his complaint. He would rather speak privately with the Board, the manager, and the Mrs. Murray to resolve the matter. Mr. Kane stated that when he worked for the UPS, he was permitted in the Police Station, but once he retired, he is no longer allowed to enter the station. Mr. Kane continued complaining about Mrs. Murray calling the police for everything he or one of his family members do. He expressed his

appreciation to the Board for listening to him, and invited them to stop at his house anytime to discuss the matter. He added that if his children were not still in school, he would move from South Park Township, and he feels that the Supervisors are doing a disservice to the community by employing Mrs. Murray.

**Mary Franko, 1852 Patricia Drive** – Mrs. Franko inquired as to why there was no leaf collection on her street on Saturday, October 31st. Mrs. Fosbaugh asked if she called to report the missed collection, and Mrs. Franko replied that she did not. Mr. Buchewicz asked for the dates of the Leaf Collections, and Mrs. Fosbaugh provided that dates of October 31st, November 7th and November 14th. Mrs. Fosbaugh explained that she had notified Republic Services' General Manager regarding leaves not being collected on various streets, but Patricia Drive was not on the list. Mrs. Fosbaugh informed Mrs. Franko that she will contact Republic Services regarding Patricia Drive, as well as Edward Drive.

Mrs. Franko referenced a recent article in the *Park News* regarding parking on the street during snow removal activities and asked if the guidelines mentioned in the article pertained to an ordinance. Mrs. Fosbaugh explained that the article addressed residents who have a driveway or parking pad but choose to park their vehicle on the street, impeding the plows from clearing the roads. During an average snowfall, residents are expected to show common courtesy by removing their vehicles from the roads. The article also addressed a Township Ordinance relative to a snow emergency. Mrs. Fosbaugh explained that 4 inches of snow is not an emergency; however, 8 to 10 inches of snow would be considered an emergency. During a snow emergency, it is unlawful to park your vehicle on Township roads. Mr. Sackinsky added that there are some residences that do not have a driveway or parking pad and, therefore, they have no other choice than to park along the street. Mrs. Fosbaugh mentioned that the SwiftReach Program works very efficiently during emergencies in that it notifies the residents in one call to remove their vehicles from the street. Once the residents have been notified, parking citations will be issued to any vehicle remaining on the street during a snow emergency. Mrs. Franko commented that on Crestview Drive there are "No Parking" signs at the beginning and the end of the street; however, vehicles are continually parked in between the two signs. Mrs. Franko suggested new signs to clarify the "no parking" zone. She mentioned that Broad Street has signs continually along the street, making it clear to residents that they cannot park on the street. Mr. Buchewicz suggested putting additional signage in the Budget. Mrs. Fosbaugh stated that she has requested that Public Works notify her of any vehicle which obstructs their progress, or residents who shovel or blow snow back into the street, so that a letter can be sent to the residence.

**Loretta Warren, 2917 Highland Avenue** – Mrs. Warren discussed the property at 2910 Highland Avenue. She stated that the property is a nuisance, and there are no family members interested in the property. She has witnessed children playing on the property. The grass and weeds are overgrown which harbors wild animals, rodents and many feral cats. She stated that the property is an eyesore. She mentioned a blind resident who lives next door and is concerned for his safety while walking near the property. She stated that the house has been vacant for more than 7 years and thought that perhaps a bank was involved. Mrs. Fosbaugh responded that unfortunately a bank is not involved, which would have made the nuisance hearing process less complicated. Mrs. Warren expressed her concern regarding a potential house fire on the property. Mr. Buchewicz asked Mr. Gitnik to explain the legal process involving abandoned structures. Mr. Gitnik explained that Mrs. Fosbaugh, on behalf of the Township, determines ownership of the property, and Mr. Wargo contacts the property owners. Mrs. Fosbaugh then evaluates the soundness of the structure, and a determination is made regarding the value of the structure. We are not sure who the owners are, therefore, it is very difficult to know who the beneficiaries are or the legal owners of the property. Even though we know Mary Alice Ross is deceased, her will was unattested. Someone is the beneficiary of the estate, but we have not determined who the legal owner is at this time. We then go through the Public Hearing process, and the Board will make a decision. Once the decision is made to declare the property a nuisance, there are additional steps that need to be taken. A structural engineer will need to determine if the house is structurally sound. Then, the property will need to be appraised. If the beneficiary comes forth, the Township will know what the financial exposure is so they can make a proper assessment for the demolition of the structure. The cost to demolish the structure is very expensive. Mrs. Fosbaugh mentioned that a decision was made in 2015 to move ahead with cleaning up blight throughout the Township, and the Township's goal is to focus on 2 houses each year. Earlier in the year, there was a house demolished on Edgewood Street. There was another house that was being considered for demolition; however, the structural engineer deemed the property structurally sound. Therefore, the Township could not move ahead with the demolition. Mrs. Fosbaugh added that if a decision is made by the Board of Supervisors to declare 2910 Highland Avenue a nuisance, the property would not be demolished until 2016. Mrs. Fosbaugh stated that this is the first time that the Board of Supervisors have actively pursued demolition of 2910 Highland Avenue. She explained that in the past, the process was less complicated and there were Community Development grants available. Without written approval from the property owner or the deed to the property, it makes the process extremely difficult. Mrs. Fosbaugh stated that

Mr. Wargo has made every attempt to contact the owner. Mr. Wargo asked Mrs. Warren if she knew of any contacts for the Ross family, and she responded that she did not have any contact information.

**Darlene Smith, 2505 Grove Road** – Mrs. Smith discussed the playground in her neighborhood and asked if permission was needed to have cookouts. Mrs. Fosbaugh replied that the playground is a community park. Mrs. Smith commented that there should be a policy where permission needs to be granted because of all the parties being held at the park. Mr. Snee asked if the party participants were residents, and Mrs. Smith replied that both residents and non-residents attend. Mrs. Smith expressed her concern regarding the parking situation during the various parties at the park. She commented that emergency vehicles would not be able to reach their destination because the cars are parked illegally in the wrong direction. Chief McDonough requested that Mrs. Smith contact the Police Department whenever she witnesses a vehicle parked illegally.

**Thomas O'Toole, 2813 Stanley Street** – Mr. O'Toole expressed his concern regarding vehicles not stopping at the stop sign located at Stanley Avenue and Dolores Circle. He stated that his son was nearly struck by a vehicle while waiting for his bus. Mr. O'Toole commented that a County Sheriff, who resides in his neighborhood, also does not stop at the stop sign. He stated that he filed a complaint with the school district who told him they would take care of the problem; however, nothing has been done. Mr. O'Toole stated that he and his neighbors asked to have the bus stop moved, but Mr. Gannis denied their request.

Mr. O'Toole stated that on Friday, he was involved in a major accident on Stanley Avenue, near Hot Shots Saloon. He explained that Hot Shots Saloon has a parking lot in front of the building and a parking lot across the street. However, the patrons park their vehicles along the street. Because of the street parking, Mr. O'Toole was involved in a head-on collision, causing injury to himself and his children. Mr. O'Toole stated that he believes that Hot Shots Saloon exceeds their occupancy limitation. He inquired as to the legality of the 4 game machines located in the back room of the saloon, which pays off cash. He commented that after the accident, the owner of Hot Shot's was only concerned about having Mr. O'Toole's vehicle removed and not for the safety of his family. Mr. O'Toole provided a picture of the vehicles parked in the street to the Board of Supervisors. Chief McDonough asked when the picture was taken, and Mr. O'Toole replied that it was taken Friday afternoon at approximately 4:00. He stated that currently, there is a pickup truck parked along the street. Mrs. Fosbaugh asked for clarification as to what side of the road the vehicles are parked on,

and Mr. O'Toole replied that they are parked on the right side of the road, as you are coming down Stanley Avenue. He stated that he previously contacted the Fire Department regarding Hot Shot's violating their occupancy limitation but was told they would not get involved. He stated that he contacted the Township and left a voice mail message for Gary Wargo regarding the number of occupants permitted in the saloon.

Mr. O'Toole again discussed the Sheriff that resides on Dolores Circle, who continually drives through the stop sign at Dolores Circle and Stanley Avenue. He mentioned that a couple of years ago his dog was hit by a vehicle travelling over 45 MPH on a 25 MPH road. Mr. O'Toole expressed his appreciation to the Police Department relative to his safety. Mr. Buchewicz asked that Chief McDonough investigate the stop sign issue. Chief McDonough responded that he would look into the matter; however, he is more concerned about the parking issue at the commercial establishment. Mr. O'Toole continued voicing his concern for the safety of his family, and Mr. Buchewicz assured him that Chief McDonough will investigate the matter. Mrs. Fosbaugh thanked Mr. O'Toole for bringing the matter to the Township's attention.

**Action on Minutes**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the minutes of the regular meeting of the Board of Supervisors held on October 12, 2015. All members voted aye. Motion carried.

**Action on Invoices**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the invoices for the month of October, 2015. All members voted aye. Motion carried.

**Action on Public Nuisance – Mary Alice Ross – 2910 Highland Avenue**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to declare the following property a public nuisance and proceeding with the abatement of said nuisance, and/or the appropriate fines and penalties as outlined in the Code of the Township of South Park, as the nuisance condition affects the health, safety and welfare of the residents of the Township of South Park.

Owner(s):  
Mary Alice Ross

Location:  
2910 Highland Avenue  
South Park, PA 15129  
Lot/Block No. 1009-B-240

All members voted aye. Motion carried.

**Action on Public Nuisance – Mary Ross – 2910A Highland Avenue**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to declare the following property a public nuisance and proceeding with the abatement of said nuisance, and/or the appropriate fines and penalties as outlined in the Code of the Township of South Park, as the nuisance condition affects the health, safety and welfare of the

residents of the Township of South Park.

Owner(s):  
Mary Ross

Location:  
2910A Highland Avenue  
South Park, PA 15129  
Lot/Block No. 1009-B-242

All members voted aye. Motion carried.

**Action on Public  
Nuisance – Josephine  
Butler – 2503 Grove  
Road**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to declare the following property a public nuisance and proceeding with the abatement of said nuisance, and/or the appropriate fines and penalties as outlined in the Code of the Township of South Park, as the nuisance condition affects the health, safety and welfare of the residents of the Township of South Park.

Owner(s):  
Josephine Butler

Location:  
2503 Grove Road  
South Park, PA 15129  
Lot/Block No. 886-E-36

All members voted aye. Motion carried.

**Action to Ratify  
Refund of Bond –  
Scott Merlina –  
Amanda Avenue  
Sanitary Sewer  
Extension**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to ratify the release of the bond posted by Scott Merlina in the amount of \$8,632.80 to guarantee the completion of the sanitary sewer extension located at 1649 Amanda Avenue, as recommended by the Township Engineer in correspondence dated October 22, 2015. All members voted aye. Motion carried.

**Action on Letter of  
Agreement – Mackin  
Engineering  
Company – Oil and  
Gas Ordinance  
Update**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Letter of Agreement by and between Mackin Engineering Company and South Park Township, which provides for the terms and conditions of the review of the update to the gas and oil ordinance by Mackin Engineering Company at a cost not to exceed \$2,000.00, and authorizing the appropriate Township officials to execute said document. All members voted aye. Motion carried.

**Action on  
Application for  
Public Fire Hydrant  
– Della Strada Phase  
2**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Application for Public Fire Hydrant by and between South Park Township and the Pennsylvania-American Water Company, the purpose of which is to define the terms and conditions for the installation of public fire hydrants located within the Della Strada Phase 2 plan, located off of Riggs Road, at the following locations: (A) Intersection of Riggs Road and Maria Way; and (B) between the addresses of 114 and 116 Maria Way, and further authorizing the appropriate Township officials to execute said Application. All members voted aye. Motion carried.

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**Resolution No. 6-15**

A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS WITH THE ALLEGHENY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT (CARDOX ROAD STORMWATER IMPROVEMENTS).

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve Resolution No. 6-15. All members voted aye. Motion carried.

**Resolution No. 7-15**

A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDS WITH THE ALLEGHENY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT (ADMINISTRATION BUILDING AUTOMATED ADA DOORS).

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve Resolution No. 7-15. All members voted aye. Motion carried.

**Action on Snow  
Removal Agreement  
– Bonnie Dell Acres  
Phase 3 – Decker  
Drive**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Agreement by and between the Township of South Park and Quality Rentals which provides for winter maintenance services to the major subdivision identified as Bonnie Dell Acres Phase 3 by Township Public Works forces at a specific cost to the Developer, the street being the unaccepted, developed portion of Decker Drive, and further authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

**Action on Plan  
Modifications/Waiver  
Request – Della  
Strada Phase II**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the request submitted by Southersby Development with regard to modifications/waivers to the subdivision identified as the Della Strada Phase II Subdivision located off Riggs Road:

1. A modification to allow for 15" HDPE Pipe between inlets CB 202 and CB 202A, as the Developer has provided revised stormwater calculations to verify that the 15" pipe has adequate capacity to accommodate the design storm;
2. A modification to allow the use of 2A slag material from Lafarge Mid Atlantic in place of 2A Limestone, as the proposed material appears to be in accordance with the PennDot Material Data sheet and PennDOT 408;
3. A modification to allow for the substitution of 6" 2A subbase with 4" of AASHTO #1 and 3" of 2A aggregate for a total thickness of 7";

as recommended by the Township Engineer in correspondence dated October 28, 2015. All members voted aye. Motion carried.

**Action to Authorize  
Sale of Vehicle – 2010  
Ford Crown Victoria**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the sale of a 2010 Ford Crown Victoria by South Park Township, VIN 2FABP7BV9AX124525, "as is-where is," with a minimum acceptable bid being One Thousand Dollars (\$1,000.00), and scheduling the bid opening for Thursday, December 10, 2015, at 10:00 a.m., and action on said bids anticipated to take place at the regular meeting of the Board of Supervisors scheduled for December 14, 2015. All members voted aye. Motion carried.

**Action on Bids –  
Grove Road Storm  
Sewer – Phase 3 – CD  
41 7.2**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the bids received by the South Hills Area Council of Governments (SHACOG) on October 8, 2015, for the project identified as Grove Road Storm Sewer – Phase 3, and awarding the bid to the lowest responsible bidder being Independent Enterprises, Inc. as follows:

<u>BASE BID:</u>	<u>ALTERNATIVE:</u>	<u>TOTAL:</u>
\$24,000.00	\$6,500.00	\$30,500.00

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

**Action on  
Pennsylvania  
Recreation Park  
Society Annual  
Conference  
Attendance –  
Recreation Director  
Colleen Dominick  
and Recreation  
Board Members Kim  
Thompson and Mary  
Arrigo**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Recreation Director Colleen Dominick, and Recreation Board members Kim Thompson and Mary Arrigo to the annual Pennsylvania Recreation Park Society Conference scheduled for March 11-16, 2016, which will be held at Seven Springs, PA. The conference expenditures for the Recreation Board members in the amount of \$1,750.00 will be paid out of funds raised during the 2015 Community Day event. The total cost of Mrs. Dominick's participation in the amount of \$1,070.00 will be paid out of the budgeted General Fund Recreation Dues and Conferences line item. All members voted aye. Motion carried.

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

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize assessment change reimbursements for various tax years (2013, 2014, and 2015) due to successful appeals at the County level, as requested by Lawrence P. Arrigo, Tax Collector, in correspondence dated October 14, 2015. All members voted aye. Motion carried.

**Action on Non-  
Exclusive License  
Agreement – 3019  
Decker Drive –  
Joseph and Kathleen  
Kmonk**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Joseph T. and Kathleen R. Kmonk, to permit the construction of a driveway over a storm sewer easement located on Lot No. 309 of the Bonnie Dell Acres Plan No. 3, Lot and Block No. 769-N-15, being 3019 Decker Drive, and authorizing the appropriate Township officials to execute said Agreement. All

members voted aye. Motion carried.

**Police Chief's Reports**

Police Chief's Report for the month of October 2015:

Calls for Service	869
Arrests	26
Traffic Citations	13
Parking Citations	3
Warnings Issued	67
Reportable Accidents	3
Non-Reportable Accidents	9
Fire Calls	12
Emergency Medical Assists to Tri-Community EMS	85
Deer Struck by Vehicles	3

Chief McDonough mentioned that for the 4th year in a row, South Park Township was awarded the AAA Platinum Award for the 2015 Community Traffic Safety Award.

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the Police Chief's monthly report for October 2015. All members voted aye. Motion was carried.

**Supervisors' Comments**

**Mr. Snee** – Mr. Snee had no comments.

**Mr. Sackinsky** – Mr. Sackinsky had no comments.

**Mr. Buchewicz** – Mr. Buchewicz requested assistance in cleaning up blight throughout the Township.

**Adjournment**

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

**Time: 7:55 p.m.**