

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

**Board of Supervisors**

**March 14, 2016**

**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, February 8, 2016 – After the regular meeting of the Board of Supervisors to discuss personnel issues.

Wednesday, February 10, 2016 – Meeting with Hidden Ridge and Greenbriar Chase representatives to discuss maintenance issues; Meeting with various athletic associations to discuss field scheduling; and personnel issues.

Friday, March 4, 2016 – Meeting with South Park Girls Softball to discuss field scheduling.

Saturday, March 5, 2016 – Possibly during the Brunch with the Easter Bunny event.

Monday, March 14, 2016 – Prior to the regular meeting to address matters of possible litigation.

**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.**

**Call on the People**

**Cindy Atchison, 3121 Southern Drive** – Mrs. Atchison complained about increase in traffic at 3127 Southern Drive and the nearby street light still needing replaced. Mrs. Fosbaugh stated that the street light has been reported; however, there is no

timeframe as to when the light will be replaced. Mrs. Fosbaugh stated that she will email her contact at West Penn Power.

**Tom Vereb, 1621 Duchess Lane** – Mr. Vereb stated that he has been a resident of South Park Township for nearly 40 years. He discussed an observation of increased train traffic during the last six months at the intersection on Cochrans Mill Road, near Bruceton Station. He estimated at least 10 to 15 additional train crossings; and between midnight and 6:00 a.m., there are 3 to 4 train crossings. Mr. Snee, who lives close to the aforementioned intersection, confirmed the increased train traffic. Mr. Vereb stated that his house is less than a mile away, and the train whistle blows for 15 to 20 seconds at a time, which is very disturbing. He mentioned that pizza delivery vehicles from the new pizza business and the school buses are delayed approximately 10 minutes while waiting for the trains to cross the intersection. Mr. Vereb questioned what the trains were carrying and whether it was toxic or hazardous material. He commented that the trains remain stationary on the tracks behind the Century United soccer fields for days at a time. Mr. Vereb stated that he has done some research and found that the railroad industry is very difficult to deal with, and local legislation is preempted by federal legislation. Mr. Sackinsky stated that both he and Mr. Vereb had spoken to Mr. Petrolia. Mr. Sackinsky mentioned that another resident had brought up the issue last month, and Mr. Sackinsky had brought the matter to Chief McDonough's attention. Chief McDonough explained that the railroad is covered under federal regulations, and they are required to sound their whistle prior to, and going through, the crossing. The cars that are sitting on the track for a number of days are empty. The cars that are moving are carrying flammable liquids for Marcellus Shale. He added that the Township has no authority to supersede federal law; therefore, there is nothing the Township can do regarding the noise, since it is governed by Federal Railroad regulations. Chief McDonough stated that the Township has contact information for the railroad, and they have been very cooperative in providing any information needed. He mentioned a derailment in Jefferson Hills where they did an off-loading, pre-safe operation. Norfolk & Western, Wheeling & Lake Erie, and Allegheny Railroads are all crossing over Cochrans Mill Road, onto West Bruceton Road and the higher set of tracks. The majority of the railroad tracks are in Jefferson Hills. Mr. Vereb asked why there has been a significant increase in train traffic, and Chief McDonough replied that it is less expensive and safer for Marcellus Shale to move oil by rail than by truck. He believes that there will be a great deal more railroad traffic than truck traffic in the near future. Mr. Buchewicz asked where the oil is being transported to, and Mr. Beaver replied that it is being transported from North Dakota to refineries in Philadelphia, Delaware and New Jersey. Mr. Buchewicz inquired as to the status of the

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stationary cars along the rails, and Chief McDonough explained that as soon as the infrastructure on Piney Fork Road is repaired, the parked cars will be moved out. Mr. Vereb thanked the Board for the opportunity to discuss the matter.

**Action on Minutes**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the minutes of the Public Hearing held on February 8, 2016, with regard to the Conditional Use Request submitted by SVNTY SVN LLC for the property located at 6374 Library Road. All members voted aye. Motion carried.

**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 Monday, February 8, 2016. All members voted aye. Motion carried.

**Action on Invoices**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve payment of the invoices for the month of February, 2016. All members voted aye. Motion carried.

**Action on Bids – 2016  
Township-Wide  
Sanitary Sewer  
Project – Lining  
Contract**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the bids received on March 10, 2016, with regard to the project identified as the 2016 Township-Wide Sanitary Sewer Project – Lining Contract, and awarding the bid to the lowest responsible bidder, being Insight Pipe, in the amount of \$178,195.25, as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Bids – 2016  
Township-Wide  
Sanitary Sewer  
Project – Point  
Repairs**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the bids received on March 10, 2016, with regard to the project identified as the 2016 Township-Wide Sanitary Sewer Project – Point Repairs Contract, and awarding the bid to the lowest responsible bidder, being Plavchak Construction Co., in the amount of \$81,650.00 and Alternate A in the amount of \$9,700.00, as recommended by the Project Engineer. All members voted aye. Motion carried.

**Action on Conditional  
Use Request – SVNTY  
SVN LLC – 6374  
Library Road**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the conditional use request submitted by SVNTY SVN LLC for the property located at 6374 Library Road, being the former Library Post Office, which would allow for warehousing/storage on the first floor of the structure situated in a C-3 Village Center zoning district with the following contingencies as of March 14, 2016.

A. The types of products stored, sold or distributed shall be related to any of the permitted uses authorized in the Zoning District in which the property is located which is C-3 Village Center.

B. Vehicles delivering to the site shall not exceed 11,000 GVWR

(Gross Vehicle Weight Rating), and the property shall be posted to restrict tractor trailers from accessing the site.

C. No business activity, including deliveries, shall be permitted between the hours of 7:00 p.m. and 7:00 a.m.

D. The conditional use shall be restricted solely to warehousing and shall not include office space.

E. There shall be no outside storage of any materials.

F. Warehouse activities shall exclude the storage of any materials, substances and/or waste that are considered combustible, hazardous, toxic and/or which may create or emit noxious fumes or vapors.

All members voted aye. Motion carried.

**Action on Non-Exclusive License Agreement – 1040 Ajay Drive – Jason James and Audra Lynn Butler**

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 Jason James and Audra Lynn Butler (Grantees), to permit the construction of a four foot (4') fence over a utility easement located on Lot No. 19 of the Ajay Plan of Lots, Lot and Block No. 1009-G-28, being 1040 Ajay Drive, and authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

**Action to Determine Public Nuisance – Samuel R. and Lisa Broudy – 3114 Southern Drive – Lot/Block No. 1008-J-257**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve declaring 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:

**Owner(s):**  
Samuel R. and Lisa Broudy

**Location:**  
3114 Southern Drive  
South Park, PA 15129  
Lot/Block No. 1008-J-257

All members voted aye. Motion carried.

**Action to Authorize the Preparation and Advertisement of an Ordinance – Amending Ordinance(s) Governing Oil and Gas Activities**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the preparation and advertisement of an Ordinance amending Ordinance No. 556, "Zoning," as it pertains to Ordinance Nos. 652 and 664, which address Oil and Gas activities, including drilling; and scheduling a Public Hearing for May 9, 2016, 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.

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**Action to Ratify  
Hiring – Part-Time  
Payroll/Administrative  
Clerk – Michele  
Pecone – Ridgevue  
Drive**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to ratify the employment of Michele Pecone, Ridgevue Drive, to fill the position of Part-Time Payroll/Administrative Clerk with South Park Township at the rate of \$12.36 per hour, and a date of hire being February 24, 2016. All members voted aye. Motion carried.

**Action on Part-Time  
Employees – 2016  
Summer Recreation  
Program**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve authorizing the employment of the following individuals in a part-time capacity to fill various positions in the 2016 Summer Recreation Program:

<u>Name:</u>	<u>Hourly Rate:</u>	<u>Date of Hire:</u>
Gary Gilligan	\$15.00/Hour	June 6, 2016
Drew Ohm	\$15.00/Hour	June 6, 2016
Nicole Evans	\$ 8.50/Hour	June 6, 2016
Gretchen Donahue	\$ 7.25/Hour	June 6, 2016
Mikaela Tranter	\$ 7.25/Hour	June 6, 2016
Mikaela Ridgeway	\$ 7.25/Hour	June 6, 2016
Lynnsey Ohm	\$ 7.25/Hour	June 6, 2016
Mitchell Roell	\$ 7.25/Hour	June 6, 2016
Kylie Tranter	\$ 7.25/Hour	June 6, 2016
Alexis Petrosky	\$ 7.25/Hour	June 6, 2016
Riley Rock	\$ 7.25/Hour	June 6, 2016
Alexia Schmader	\$ 7.25/Hour	June 6, 2016
Alex Toth	\$ 7.25/Hour	June 6, 2016
Eli Haddad	\$ 7.25/Hour	June 6, 2016

All members voted aye. Motion carried.

**Action on Letter of  
Understanding –  
Township Manager  
Karen Fosbaugh**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Letter of Understanding by and between Karen F. Fosbaugh and the Township of South Park which outlines the terms and conditions of employment with South Park Township that are not addressed in the Personnel Code Resolution. All members voted aye. Motion carried.

**Authorize Sale of  
Township Vehicle –  
2010 Crown Victoria**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the sale of a demolished 2010 Crown Victoria, VIN 2FABP7BV9AX124525 – as is-where is, which is owned by South Park Township. There is no minimum bid requirement, and the bid opening is scheduled for Wednesday, April 6, 2016, at 10:00 a.m., with action on said bids anticipated to occur at the regular meeting of the Board of Supervisors scheduled for Monday, April 11, 2016. All members voted aye. Motion carried.

**Action on Joinder  
Agreement –**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Municipal Benefits Services Joinder Agreement by and between

**Municipal Benefits Services – Employee Health Insurance**

Municipal Benefits Services (MBS) and the Township of South Park, the purpose of which is to define the terms and conditions for the participation of the Township in the health and welfare benefit plan offered to all full-time employees, with an effective date being January 1, 2016. All members voted aye. Motion carried.

**Action to Ratify COBRA Administrative Services Agreement – CW Breitsman Associates, LLC and South Park Township**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to ratify the Consolidation Omnibus Budget Reconciliation Act (COBRA) Administrative Services Agreement by and between CW Breitsman Associates, LLC and South Park Township, the purpose of which is to define the terms and conditions for the administration of COBRA requirements under the health and welfare plan offered through Municipal Benefit Services (MBS). All members voted aye. Motion carried.

**Action on Training Request – Child Abuse Investigations – Officer Brian Rucienski and Officer Brian Jesionowski**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Officer Brian Rucienski and Officer Brian Jesionowski to a training seminar entitled, “Child Abuse Investigations,” which will be held at the Pennsylvania State Police Southwest Training Academy in Greensburg, PA on March 15-16, 2016, at a total cost of \$24.00. All members voted aye. Motion carried.

**Action on Training Request – Intelligence Liaison Officer Coordinator – Sgt. David Starzynski**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Sgt. David Starzynski to a training seminar sponsored by the Pennsylvania Criminal Intelligence Center (PaCIC) entitled, “Intelligence Liaison Officer,” which will be held at State College, PA on March 22-24, 2016, at a total cost to the Township of \$18.00. All members voted aye. Motion carried.

**Action on Training Request – Civil Rights – Sgt. David Starzynski and Officer Brian Jesionowski**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Sgt. David Starzynski and Officer Brian Jesionowski to a training seminar sponsored by the Federal Bureau of Investigation (FBI) entitled, “Civil Rights,” which will be held at Baldwin Borough, PA, on March 29, 2016, at no cost to the Township. All members voted aye. Motion carried.

**Action on Training Request – Computer Crime Investigations – Officer Brian Rucienski**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Officer Brian Rucienski to a training seminar entitled, “Computer Crime Investigations,” which will be held at the Allegheny County Police Academy on March 29-30, 2016, at a total cost to the Township of \$12.00. All members voted aye. Motion carried.

**Action on Training Request – PSP Clean TAC Officer Training – Chief McDonough and Sgt. David**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Chief Dennis McDonough and Sgt. David Starzynski to a training session sponsored by the Pennsylvania State Police entitled, “Clean TAC Officer Training,” which will be held at the FBI Training Facility in Monroeville, PA on April 19, 2016, at a

**Starzynski** total cost of \$12.00. All members voted aye. Motion carried.

**Police Chief's Reports** Police Chief's Report for the month of February 2016:

Calls for Service	708
Arrests	17
Traffic Citations	7
Parking Citations	1
Warnings Issued	52
Reportable Accidents	1
Non-Reportable Accidents	11
Fire Calls	15
Emergency Medical Assists to Tri-Community EMS	78
Deer Struck by Vehicles	8

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the Police Chief's monthly report for February 2016. All members voted aye. Motion was carried.

**Supervisors'  
Comments**

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

**Mr. Sackinsky** – Mr. Sackinsky commented that South Park Township will maintain contact with the Allegheny County Health Department in regard to Samuel Broudy and the property located at 3114 Southern Drive.

**Mr. Buchewicz** – Mr. Buchewicz had no comments.

**Adjournment**

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

**Time: 7: 36 p.m.**

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