

**Minutes of the Regular Meeting
of the South Park Township
Board of Supervisors
June 13, 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; Dennis McDonough, Chief of Police; 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 actions, conferences and/or executive sessions:

Monday, May 9, 2016 – After the regular meeting of the Board of Supervisors to discuss personnel matters.

Thursday, May 12, 2016 – Possibly during the tour of the Piney Fork Sewage Treatment Plant.

Thursday, May 26, 2016 – Possibly during the Tri-Community South Golf Outing.

Monday, May 30, 2016 – Possibly during the Library VFW Parade.

Monday, June 6, 2016 – Possibly during the Bethel Park Chamber of Commerce “What’s Happening” event.

Monday, June 13, 2016 – Prior to the regular meeting of the Board of Supervisors to discuss matters of 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.

**Presentation of
Proclamation–
Wrestling
Champion Greg
Bulsak**

Mr. Sackinsky read and presented the proclamation to Greg Bulsak, recognizing his accomplishments in the sport of competitive wrestling. Afterwards, pictures were taken.

Call on the People

Thomas O'Toole, 2813 Stanley Street – Mr. O'Toole commented on an accident that he was involved in and stated that he received a citation. He added that at his hearing, he was found guilty, which he appealed. He explained that in January, 2016, the officer that took the police report asked him questions about the accident. At the appeal hearing he pleaded not guilty because the accident occurred at 2801 Stanley Street. After the accident, Mr. O'Toole stated that he drove his car into Hot Shot's parking area, and the other car involved backed down into the middle of the road. The officer testified as to what he saw when he arrived at the scene of the accident, and the police report stated that Mr. O'Toole drove around two parked cars and was in the opposing lane. Mr. O'Toole stated that that is not accurate and requested the report be amended.

Mr. O'Toole commented on the citations issued for the illegal parking on the street next to Hot Shot's Saloon. He feels that the police should cite Hot Shot's for allowing the illegal parking. He mentioned that he contacted Manager Karen Fosbaugh on two occasions, and on June 6th he called 911. Shortly after, the cars that were parked illegally were being moved off the road. He stated that when he entered the Saloon, he heard the patrons being told that the police had just called and they needed to move their cars. Mr. O'Toole stated that the parking is still an ongoing problem. He commented that on June 6th, after he made the 911 call, the police never arrived, and on June 8th, the police may have cited illegally parked cars but did not stop to speak with him. Mr. O'Toole added that he and his family feel threatened by the patrons of Hot Shot's Saloon. Mr. Snee stated that according to the police records, there were no calls made by Mr. O'Toole in the month of May. Mr. O'Toole stated that that is correct. Mr. Snee stated that the records show Mr. O'Toole made a 911 call on June 6th at 8:48 p.m., and Mr. O'Toole confirmed. Mr. Snee inquired as to what Mr. O'Toole witnessed on June 6th, and Mr. O'Toole stated that there were four cars blocking in the middle of the street. He explained that he sounded his horn and the drivers responded with expletive remarks. Afterwards, he went into Hot Shot's to speak with the manager, and that is when he heard the patrons being asked to move their cars. Mr. Snee stated that according to the officer, there were no cars parked illegally when he arrived. Mr. Snee asked if there were any other times that he contacted the police in the month of June. Mr. O'Toole replied that he contacted the police on June 8th and left a message on the voicemail. Mr. Snee inquired as to the time when the cars are parked illegally. Mr. O'Toole checked his cell phone for the records of his calls and confirmed that he called on June 8th. He mentioned that he sent the owner of Hot Shot's a letter asking what he will do to alleviate the problem but never received a response. He added that he filed a formal complaint in February, 2016, with the Liquor Control Board concerning illegal gambling at Hot Shot's. He stated that he will be sending another letter to the Liquor Control Board relative to the parking in the street, bottles being thrown into the street, expletives being shouted at his children from the patrons, and underage drinking. Mr. Sackinsky inquired as to the time of the illegal parking, and Mr. O'Toole replied that it is on the weeknights

130303

after 10:00 p.m. and ongoing during the weekends. On Fridays, it starts around 4:00 p.m. Mr. Buchewicz asked if Hot Shot's parking lot is always filled, and Mr. O'Toole replied that it is not.

Mr. O'Toole mentioned, again, about amending the police report relative to his vehicular accident. He stated that at his appeal hearing, he was found not guilty because he did not hit the car head-on, but corner-to-corner, and was in the correct lane at the time of impact.

Chief McDonough stated that he will speak with the owner of Hot Shot's tomorrow and asked if Mr. O'Toole would give him permission to mention his name as the complainant. Mr. O'Toole stated that the owner is aware of his complaints and agreed to allow Chief McDonough to mention his name.

Mr. Buchewicz commented that based on Mr. O'Toole's hearing that possibly the police report could be amended. He stated that Chief McDonough will look into the matter.

Bill Kelly, 6559 Zupancic Drive – Mr. Kelly complained about the constant noise from fireworks, from 8:00 p.m. until 11:00 p.m. on every 4th of July and asked if the fireworks were legal. Chief McDonough stated that the Commonwealth of Pennsylvania changed the fireworks law approximately six years ago. The tents set up for selling various fireworks are legal. Chief McDonough stated that since the fireworks are legal, there is nothing they can do concerning the noise. Mr. Kelly inquired about the noise ordinance. Chief McDonough reiterated that it is a legal activity, unless the fireworks occur past 1:00 a.m., then it becomes a nuisance. Mr. Buchewicz suggested that he speak to Bill Kortz's office.

Mr. Kelly commented on the bike lane being installed on Corrigan Drive, and he feels that it should have been a referendum for the residents of South Park Township and Bethel Park. He explained that the automobile drivers and the bike riders do not respect each other, and someone is going to get hurt. He blames Rich Fitzgerald and Bill Peduto for allowing the change on Corrigan Drive to take place. Mr. Snee stated that the South Park Township Board of Supervisors did not have any input into the decision made on Corrigan Drive. Mr. Kelly asked for the opinion of the Board relative to the matter. He mentioned the article in the Almanac which stated the project costs \$1.4 million. Mr. Buchewicz explained that years ago the four lane road was installed for the County Fairgrounds. Recently, it was determined that the park should be more user-friendly for pedestrians than for vehicular traffic. By making the change to two lanes, it will also prevent speeding along Corrigan Drive. Mr. Kelly stated that he feels that the change could have been done a better way. Mr. Snee suggested that Mr. Kelly attend a County meeting to voice his concerns.

Action on Minutes

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the minutes of the Public Hearing with regard to Ordinance No. 678

which amends Ordinance No. 556, addressing oil and gas activities, held on May 9, 2016. 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, May 9, 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 May, 2016. All members voted aye. Motion carried.
- Action on Non-Exclusive License Agreement – Justin J. and Shavon N. Rispoli – 3018 Decker Drive** Motion by Mr. Sackinsky, seconded by Mr. Snee, to table the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Justin J. and Shavon N. Rispoli (Grantees), to permit the construction of two (2) masonry piers within the right-of-way located in the vicinity of 3018 Decker Drive, and if approving, authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.
- Action on Release of Bond – 1195 Snee Drive – Daniel & Leslie Battisti** Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the release of the bond posted by Daniel and Leslie Battisti in the amount of \$6,600.00 to guarantee the completion of the driveway located at 1195 Snee Drive, as recommended by the Code Enforcement Officer. All members voted aye. Motion carried.
- Action on Easement and Right-of-Way Agreement for Sanitary Sewer Facilities – Ronald T. Lehman and Michaelene S. Lehman – 2600 Brownsville Road** Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the Easement and Right-of-Way Agreement for Sanitary Sewer Facilities by and between the Township of South Park (Grantee) and Ronald R. and Michaelene S. Lehman (Grantors), for the property located at 2600 Brownsville Road, which allows for the conveyance of an easement/right-of-way by the Grantor to the Grantee, the purpose of which is to allow for the maintenance and/or repair of a sanitary sewer line located within said easement, and further authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.
- Action on Release of Letter of Credit – Theodore M. and Karen J. Morris – 2580 Brownsville Road** Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the release of Letter of Credit No. 190 in the amount of \$7,500.00 posted by the Developers, Theodore M. and Karen J. Morris, to guarantee the completion of the site improvements to the development located at 2580 Brownsville Road, as recommended by the Township Engineer. All members voted aye. Motion carried.
- Action on Waiver Request – Elko Minor Consolidation Subdivision – 2640 Oakhill Drive** Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the waiver request submitted by the Developers, Raymond and Amanda Elko, to the Subdivision and Land Development Ordinance, being Section 118.12.1.3.13, which pertains to contour requirements associated with the minor subdivision identified as the Elko Consolidation Plan located at 2640 Oakhill Drive, as the plan is a consolidation of existing properties into one parcel and does not create additional lots, as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted

aye. Motion carried.

Action on Minor Consolidation Subdivision – Preliminary and Final Approval – 2640 Oakhill Drive

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve granting preliminary and final approval to the minor consolidation plan identified as the Elko Consolidation Plan located at 2640 Oakhill Drive, as submitted by the Developers, Raymond and Amanda Elko, and as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.

Action on Non-Exclusive License Agreement – 1648 Connor Drive – Scott Manko

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 Scott Manko (Grantee), to permit the construction of a portable shed over a sanitary sewer easement located on Lot No. 1502 of the Piney Fork Village Plan No. 15, Lot and Block No. 1007-K-179, being 1648 Connor Drive, and authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

Action on Non-Exclusive License Agreement – 944 Lindfield Drive – Scott R. Johnson and Tammie Michener Johnson

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 Scott R. Johnson and Tammie Michener Johnson (Grantees), to permit the installation of electrical and gas lines to service an above-ground pool located on Lot No. 1411 of the Piney Fork Village Plan No. 14, Lot and Block No. 885-G-200, being 944 Linfield Drive, contingent upon the installation of the appropriate caution tape provided by South Park Township, and further authorizing the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.

Action on Parcel A-3 Della Strada Phase 2 Plan of Lots – Preliminary and Final Approval of Minor Subdivision – Maria’s Way and Riggs Road

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve granting preliminary and final approval to the minor subdivision identified as Parcel A-3 Della Strada Phase 2 Plan of Lots, to be located at Maria’s Way and Riggs Road, as submitted by the Developer, Southersby Development. All members voted aye. Motion carried.

Action on Payment Request – Grove Road Storm Sewer Phase 3 – Independent Enterprises – CD 41.7.2

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the First and Final Payment Request submitted by Independent Enterprises, via the South Hills Area Council of Governments (SHACOG), in the amount of \$18,260.00, which is South Park Township’s proportionate share of the CD Year 41 project identified as Grove Road Storm Sewer Phase 3, the balance of \$13,000.00 being paid by community development grant funding, as recommended by the Township Engineer. All members voted aye. Motion carried.

Action to Authorize Sale of Township Vehicles

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the sale of the following Township vehicles by engaging the formal public bid process to establish minimum bid amounts, scheduling the bid

opening for Thursday, July 7, 2016, at 10:00 a.m., with action on said bids anticipated to take place at the regular meeting of the Board of Supervisors scheduled for Monday, July 11, 2016:

<u>Vehicle:</u>	<u>Minimum Bid Amount:</u>
2011 Ford Crown Victoria VIN 2FABP7BV1BX135181	\$4,500.00
2011 Ford Crown Victoria VIN 2FABP7BV3BX135182	\$4,500.00
2010 Ford Crown Victoria VIN 2FABP7BV0AX124526	\$3,500.00
2009 Ford Crown Victoria VIN 2FAHP71V39X128223	\$3,500.00
2002 Ford Explorer VIN 1FMZU73W22ZC81393	\$1,500.00
1993 Ford F350 Utility Vehicle VIN 2FDKF38G7PCB12304	\$1,000.00
1989 Ford International Dump Truck VIN 1HTLCCFN6KH662715	\$2,500.00

All vehicles are being sold "as is – where is." All members voted aye. Motion carried.

**Action to Schedule
Public Meeting –
Status of MS4**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to schedule a Public Meeting for Monday, July 11, 2016, at 6:45 p.m., the purpose of which is to address MS4 standards in order to comply with the permit requirements established by DEP with regard to public education. All members voted aye. Motion carried.

**Action on to Accept
Resignation –
Planning
Commission
Member Mel
Cecotti**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the resignation of Mel Cecotti from his position on the South Park Township Planning Commission as requested in correspondence dated May 14, 2016. All members voted aye. Motion carried.

**Action on Payment
Request No. 1 –
2016 Restoration of
Various Streets –
Victor Paving &
Construction.**

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve Payment Request No. 1 in the amount of \$378,970.15, as submitted by Victor Paving & Construction, Inc. for the project identified as the 2016 Restoration of Various Streets. All members voted aye. Motion carried.

Action on Project

Motion by Mr. Sackinsky, seconded by Mr. Snee, to approve the

Contract – Local Government Academy 2016 Municipal Intern Program

Project Contract by and between South Park Township and the Local Government Academy, which defines the terms and conditions with regard to the Township's participation in the 2016 Municipal Intern Program. All members voted aye. Motion carried.

Action on Conference Attendance – Chief Dennis M. McDonough

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Chief Dennis M. McDonough to the annual Pennsylvania Chiefs of Police Association and Training Conference to be held July 10-14, 2016, in Erie, Pennsylvania, at a total cost of \$1,282.00. All members voted aye. Motion carried.

Action on Training Request – Risk Management in Law Enforcement – Chief Dennis McDonough, Sgt. David Starzynski, Sgt. Shannon Henrich, and Officer Joseph Leonetti

Motion by Mr. Sackinsky, seconded by Mr. Snee, to authorize the attendance of Chief Dennis McDonough, Sgt. David Starzynski, Sgt. Shannon Henrich, and Officer Joseph Leonetti to a training session entitled, "Risk Management in Law Enforcement," which will be held at the Mt. Lebanon Public Safety Building on June 29, 2016, at a total cost to the Township of \$24.00. All members voted aye. Motion carried.

Police Chief's Reports

Police Chief's Report for the month of March, 2016:

Calls for Service	735
Arrests	43
Traffic Citations	30
Parking Citations	1
Warnings Issued	90
Reportable Accidents	5
Non-Reportable Accidents	8
Fire Calls	9
Emergency Medical Assists to Tri-Community EMS	80
Deer Struck by Vehicles	2

Police Chief's Report for the month of April, 2016:

Calls for Service	801
Arrests	18
Traffic Citations	25
Parking Citations	6
Warnings Issued	83
Reportable Accidents	6
Non-Reportable Accidents	10
Fire Calls	8
Emergency Medical Assists to Tri-Community EMS	67
Deer Struck by Vehicles	2

Police Chief's Report for the month of May, 2016:

Calls for Service	744
Arrests	17
Traffic Citations	18
Parking Citations	5
Warnings Issued	65
Reportable Accidents	5
Non-Reportable Accidents	12
Fire Calls	12
Emergency Medical Assists to Tri-Community EMS	81
Deer Struck by Vehicles	1

Chief McDonough stated that the Safe-Wise Report ranked South Park Township the 11th safest community out of the top 20 in the Commonwealth of Pennsylvania.

Motion by Mr. Sackinsky, seconded by Mr. Snee, to accept the Police Chief's monthly reports for March, April and May, 2016. All members voted aye. Motion was carried.

**Supervisors'
Comments**

Mr. Snee – Mr. Snee had no comments.

Mr. Sackinsky – Mr. Sackinsky commented on the tragedy in Orlando, Florida, and added that the Township has a great police department which he feels confident will be ready to handle any type of isolated incident that may occur.

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: 7:44 p.m.

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