

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

Board of Supervisors

March 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, February 9, 2015 – After the regular meeting to address personnel issues.

Monday, March 9, 2015 – Prior to the regular meeting to address 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

Chris Ehrenberger of Ryan Homes, 20 Penn Center West, Pittsburgh, PA: The reason that I've come here this evening is to present an alternative method for the exterior cladding on the foundations for our homes in the Della Strada community which is off of Ridge Road. This method we currently use in other areas of our company, and we have been for 10 or 15 years. Basically it is a poured concrete foundation. The panels that we use for the foundation have a brick pattern on the exterior of them, so when we strip the panels off, it gives a brick-like façade on the exterior. Then, we plan to paint that the color of the siding. (Mr. Ehrenberger distributed pictures to the Board members.) Basically, if you look through the packet, it is a poured-in-place concrete wall. Structurally and cosmetically, it is very similar to brick. Over time, I would think that the concrete itself would have less service and less maintenance than brick would. As you can see, we will paint it

the same color as the siding, which gives it a cosmetically appealing look. Basically, what we are trying to do... our main competitor is the resale market, and in 2014 South Park's average resale price was \$179,000.00. Right now, we are coming out the door at \$230,000.00, and we are just trying to close that gap. It is a way that we found that we can take a little bit of the cost out of the house and keep our sales prices low, but not take anything away from the usefulness for the customer. We will offer as an up-sale the option of brick-to-grade or stone-to-grade, but the base house that we want to sell would have this stamped Cord Wall foundation. If we are able to do this, in essence we are giving the customer an option to choose how they want to spend their money. If we have brick or stone as a standard, we will have to charge them for that. If we can include this base grade foundation, the painted stamped cord wall foundation, they can take that extra \$7 to \$10 thousand and put that into a morning room option or a finished basement option, something that would make the home more useful and livable for them, rather than being made to pay for the brick or stone grade.

Mr. Buchewicz: How long will the paint last?

Mr. Ehrenberger: It is exterior enamel paint. I can get you guys the specifications on it. There will be maintenance, but it's not something that will have to be done every year. I'm sure you are all homeowners, and you know that there is maintenance involved in any house... caulking windows, painting window trim. We do have some exterior maintenance on our homes, so this is similar in nature.

Mr. Buchewicz: You're talking about peeling and stuff like that.

Mr. Ehrenberger: Right.

Mr. Buchewicz: How many years would you estimate it would start peeling?

Mr. Ehrenberger: I would say you would at least get 5 years out of it, and that would be my guess right now. It would not necessarily peel or blister, because it is a concrete paint. We are currently doing this in several other municipalities in Pittsburgh, and we just started doing it this year, so I don't have personal experience how the paint lasts over time. I do know that we've been doing this for 15 years in other areas of our company.

Mr. Buchewicz: I guess fading could be a problem, too.

Mr. Ehrenberger: It could be, but vinyl siding fades, shutters fade; it's part of the wear and tear of any building product.

Mr. Sackinsky: These areas that you've used it for years, is there..

Mr. Ehrenberger: Not here in Pittsburgh, but the Maryland market. We've been doing it down there for close to 15 years and it's...

Mr. Sackinsky: I have no track record of approximately how long the paint will last.

Mr. Ehrenberger: I could find out. I can't answer that right now.

Mr. Sackinsky: I appreciate that.

Mr. Buchewicz: Based on the market, how many folks would choose to have this as opposed to having brick?

Mr. Ehrenberger: Our first community that we did this in was North Strabane Township. Every customer chose to invest their money in an alternative option such as an upgraded kitchen, morning room or finished basement.

Mr. Snee: Then you will be putting this on spec houses. Is that correct?

Mr. Ehrenberger: We don't build spec houses. The only time we would ever have a spec is if we would start under contract with a customer and something would happen financially on their end. We will continue the home, but we will take it to the point in which basically the customer could choose flooring and cabinets and things like that, but we wouldn't take it to completion.

Mr. Sackinsky: This would be on all 4 sides of the house.

Mr. Ehrenberger: No. We are (*inaudible*) in front of the house. So the plans that we submitted, if they have brick on the front, we will have brick down to grade. If they have stone on the front, it will be stone to grade. If it's a siding front home, we will have to brick to grade on the front. We are proposing this for the sides and the rear. I believe your ordinance does not specify for the rear of the home. So, I guess we're asking to be able to try this on the sides.

Mr. Sackinsky: You would do it on the back, too.

Mr. Ehrenberger: Yes.

Mr. Buchewicz: Can you give us the options that are available, based on your experience?

Mr. Wargo: The Board asked me to think about this a little bit, so I did. I know we've already talked about bringing siding down.

Mr. Ehrenberger: Correct. We can do that, and it is a cost savings to us. Our management would rather do this or nothing. We don't like the look of siding-to-grade. Where the siding actually meets the ground level...

Mr. Wargo: *(Inaudible)*

Mr. Ehrenberger: I understand that, but cosmetically, we as a company, we don't like the way that looks. It's sometimes *(inaudible)* as they go from the front to the back and side to side. Usually the ground just rolls and the siding is in individual panels, and you get a square look. In our opinion, this looks much more cosmetically appealing.

Mr. Wargo: I've seen them use half bricks. In other words, instead of a 3 inch or 3-1/2 or 4 inch brick, they use 1-1/2 inch.

Mr. Ehrenberger: Okay... a veneer.

Mr. Wargo: Certainly, I think we all know about the 3-1/2 and the regular brick. I just heard you make a comment that the brick on the side of these houses will cost \$7 to \$10 thousand dollars, and I question if that's a real number.

Mr. Ehrenberger: That is our savings by going through this. A brick-to-grade it's a 10 inch foundation, so it's thicker at the bottom. Then you have the brick ledge. It would go to an 8 inch thick wall, which is totally code compliant. You lose the brick labor. We obviously have to pay someone to paint the foundation, but there's a lot of cost involved in the brick and the flashing, and to be able to install the brick in the correct fashion and comply with codes and flashing, it's a significant cost.

Mr. Sackinsky: You're still putting standard brick or stone on the front, right? The option is just for the side.

Mr. Ehrenberger: That is correct. It's just for the side.

Mr. Wargo: The other option that I had thought about is *(inaudible)*.

Mr. Gitnik: He means like a brick veneer.

Mr. Wargo: Real veneer is about a 1/4 of an inch.

Mr. Ehrenberger: To be honest, the last 2 years for Ryan Homes, I worked in our costing and estimating department. Those brick veneers are actually more expensive than a full size brick. I think in many cases, they take brick and are cutting the face off them in a factory somewhere. I know they don't make them like that because my personal experience last year, where there's an area of a home the customer purchased brick for all four sides, and there was an area of the home that was not feasible to get support for the brick. It was sort of an oversight upfront, but the answer was to put brick veneer on. The material and the labor were much more expensive to do it.

Mr. Wargo: I had an application submitted to my office on Wednesday from (*inaudible*). What are we doing with the sides?

Mr. Ehrenberger: Right now we told the customer that we are waiting to see. We're prepared to do the brick if we have to, but this is a way that we can lower our cost, which in turn we lower the price to the customer. We want to get more people in the door and more people in the Township. It will drive sales.

Mr. Buchewicz: What do folks choose for their option? What did the recent applicant, the one Gary was talking about, opt for?

Mr. Gitnik: He told them he couldn't give them an answer.

Mr. Ehrenberger: We basically told them that this was our intent.

Mr. Buchewicz: And what did you tell them?

Mr. Ehrenberger: If we run into background conditions, our price to the customer does not change. We absorb that. So, they have a contracted price, and that's what we're going with. When we start building houses, people become aware of it, and they see the homes being built, and the homes sell themselves at that point. We just want to get something started. You're right; we have two sales in the community.

Mr. Buchewicz: Both of them are waiting to decide whether to have this application here or brick.

Mr. Ehrenberger: That is correct. We have presented it to them that this is what they have purchased.

Mr. Buchewicz: What would the increased price be if they went the other way?

Mr. Ehrenberger: \$7 to \$10 thousand dollars. All the homes on

Ridge Road will have approximately 7,000 to 8,000 brick on the brick-to-grade area. They are low side lots, and they will have full foundations exposed in the rear, and fully exposed on the rear corner, and the grade will rise as it gets to the front of the home. You'll see very little on the front, but we're still going to install brick or stone on that portion that faces the road.

Mr. Sackinsky: So, 103 just sold? Was that a model?

Mr. Snee: You have two houses sold up there. Is that correct?

Mr. Ehrenberger: We have two houses sold.

Mr. Wargo: We talked on Monday, and you sent me the emails. Wednesday, my secretary said the application (*inaudible*).

Mr. Gitnik: I want you to understand that I'm listening to what you say. I'm the solicitor for the Township of South Park, so you understand. I think your presentation was very good, but here's what you need to understand. Presently, the Township has an ordinance that requires brick-to-grade. There is no knowledge that I have where the Board of Supervisors could grant you a variance, like if you went to Zoning Hearing Board, which could exempt you from an ordinance that's on the books. So the problem is that unless the Board was to adopt or amend a new ordinance, and that's what I want you to understand from a legal viewpoint, they really don't even have the authority to give you that ability. What I do know, and this is going to help you today, is that at least you're bringing it to the attention. With the Code Enforcement Officer's input, it might be something that the Board could look at going forward and decide whether they want to amend the ordinance. I guess what I'm really trying to make sure you understand is that I guess you came tonight, and you gave your presentation which was good. I'm the solicitor, so I need to say to you that your recourse is not available, even if you gave the best sales pitch, because you would have to wait until we amended our ordinance for you to be able to do it to 103 or 104, or whatever it is. That would take a period of time, even if we said this was a good idea. The problem is that they really can't make a decision other than what the ordinance says because they have an obligation to go by what the current ordinance says, like when Gary's approving a building permit. I will tell you that the constructive thing that you brought to me might be something going forward, and how do we address it, and then does the Board want to look at adopting an ordinance. I am assuming that the municipalities that you were doing this in, for example like North Strabane or Carnegie Borough, they must not have had a brick-to-grade ordinance.

Mr. Ehrenberger: You are correct.

Mr. Gitnik: That's why it's easy to do that. But if you have an existing brick-to-grade ordinance on the 3 sides, that's a problem. Now on the rear, if want to even try it as a test, you can do that to show how it works. We don't have a brick-to-grade requirement on the rear.

Mr. Buchewicz: That's a good idea.

Mr. Sackinsky: So, Paul, what you're saying is a process like that of changing the ordinance would take a period of time.

Mr. Gitnik: It would take several months, at the easiest time, because it has to go to Planning, and then it has to go to us.

Mr. Ehrenberger: Maybe because there will be a Phase 1 and then there is a Phase 2...

Mr. Gitnik: The brick-to-grade is in our Zoning?

Mr. Wargo: No, it's not. I want to make sure we are clear on that they cannot go to the Zoning Hearing Board.

Mr. Gitnik: No, that's what I was asking. So, it's not in Zoning. So that's why they cannot get a variance.

Mrs. Fosbaugh: It's in the Construction Code. That would not have to go to the Zoning Hearing Board.

Mr. Gitnik: No.

Mr. Ehrenberger: We definitely did know that there was a chance that this was not going to be resolved here. If we could explore the option of doing it in the future during the next phase, we could test it out, and do the rear of the homes.

Mr. Snee: When do you plan on starting this?

Mr. Ehrenberger: The first house in on schedule to start in about 4 weeks from now.

Mr. Buchewicz: This picture of the brick, it looks different. This looks smoother.

Mr. Ehrenberger: You can see the forms come in 3 feet wide panels, and if you look, and it's hard to see once you paint, but you can see vertical lines.

Mr. Sackinsky: When you put in foundations, does the brick stay on the inside, also?

Mr. Ehrenberger: Yes, it is, but we can do panels. We can have it smooth on the inside. You can mix and match the panels, so they could really be both ways.

Mr. Gitnik: The next house, when do you anticipate starting on it?

Mr. Ehrenberger: We just sold that last week, so 8 or 9 weeks from now.

Mr. Gitnik: Is that what your turn-around is?

Mr. Ehrenberger: Yes.

Mr. Riley, Ryan Homes: Mr. Riley explained that he has been with Ryan Homes for 13 years, and he is the sales manager for the Della Strada plan. He oversaw a similar plan in North Strabane which sold 33 houses in 12 months. Every homeowner opted for the upgrade inside their homes, instead of brick or stone-to-grade. He feels that the trend is going away from brick.

Mr. Gitnik: When did you start selling, or rather, when were you given the green light to start selling lots?

Mr. Riley: In the Della Strada Plan? About a 1-1/2 months ago.

Mr. Sackinsky: Mr. Sackinsky asked if they were told of the procedure for changing the ordinance. Mr. Gitnik stated that the plan in North Strabane will be a good test case. Mr. Ehrenberger asked if there was anything that Ryan Homes would need to do in order to facilitate the change in the ordinance. Mr. Gitnik replied that they should submit their request in writing. Mr. Snee added that he feels it is an excellent idea for Ryan Homes to install the new method on the rear of the new home in the Della Strada plan, so that Township officials can physically view the alternative method.

Jude Urso, 6751 Ridge Road: Rev. Urso introduced himself as the pastor of Windover Hills United Methodist Church. On behalf of the 280+ parishioners of his parish, he expressed his appreciation to the Township for maintaining a safe infrastructure.

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 February 9, 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 February, 2015. All members voted aye. Motion carried.

Action on Bids – 2015 Restoration of Various Streets Motion by Mr. Sackinsky, seconded by Mr. Snee to accept the bids received on March 3, 2015, with regard to the project identified as the 2015 Restoration of Various Streets, and awarding the bid to the lowest responsible bidder, being Youngblood Paving, Inc., in the amount of \$384,616.85, as recommended by the Project Engineer. All members voted aye. Motion carried.

Action to Reschedule Public Nuisance – N&B Management Company, LLC – 1797 Cedaridge Drive – Lot/Block No. 1008-D-162 Motion by Mr. Sackinsky, seconded by Mr. Snee to reschedule the Public Hearing for the following property from Monday, March 9, 2015, at 6:45 p.m. to Monday April 13, 2015, at 6:30 p.m., to determine if said property is to 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):

Location:

N&B Management Company, LLC 1797 Cedaridge Drive
South Park, PA 15129
Lot/Block No. 1008-D-162

All members voted aye. Motion carried.

Action to Reschedule Public Hearing – Amendment of Ordinance Governing Oil and Gas Activities Motion by Mr. Sackinsky, seconded by Mr. Snee to reschedule the Public Hearing with regard to the preparation of an Ordinance amending Ordinance No. 556 “Zoning” as it pertains to Ordinance Nos. 652 and 664, addressing Oil and Gas, from Monday, March 9, 2015, at 6:00 p.m., to Monday May 11, 2015, at 6:30 p.m. All members voted aye. Motion carried.

Action on Occupancy Load Requirements – South Park Middle School Project – 2500 Stewart Road Motion by Mr. Sackinsky, seconded by Mr. Snee to approve the position of the Township’s Building Code Official (BCO) regarding the South Park Middle School Renovation Project, 2500 Stewart Road, in that a school building occupant load should not be based on the simultaneous use of all of its spaces. The 2009 International Building Code (IBC), Article 1004.1 Exception, allows the BCO to approve the actual number of occupants the building is designed for in lieu of the total calculated number. Therefore, Township officials agree with the BCO’s position that the South Park Middle School Renovation Project has a Day Occupant Load count of 1,221 and a separate Evening Occupant Load count of 1,303, as per C. Robert Schafer of HHSDR, the architectural firm representing South Park School District’s interests in the project, as requested in HHSDR’s correspondence dated February 13, 2015, subject to a final plan review by both the Plumbing Division of Allegheny County Health

Department and the Middle Department Inspection Agency (MDIA), with the appropriate indemnification and hold harmless language to be provided by the Township Solicitor. All members voted aye. Motion carried.

**Action to Schedule
Conditional Use
Hearing – South
Park Middle School –
2500 Stewart Road**

Motion by Mr. Sackinsky, seconded by Mr. Snee to schedule a Conditional Use Hearing for Monday, April 13, 2015 at 6:45 p.m. to receive testimony on the request submitted by the architectural firm HHSDR, on behalf of South Park School District, to allow for the renovations to the South Park Middle School, being 2500 Stewart Road, which is located in a R-1 Zoning District.

**Action to Ratify
Proposal – Schaaf
Excavating
Contractors Inc. –
Demolition of 3607
Edgewood Street**

Motion by Mr. Sackinsky, seconded by Mr. Snee to ratify the proposal submitted by Schaaf Excavating Contractors, Inc. in the amount of \$9,000.00 with regard to the demolition of the public nuisance property located at 3607 Edgewood Street, the reason for said demolition being the concern for the immediate health, safety and welfare of the residents in the surrounding area due to the dilapidated condition of the structure. All members voted aye. Motion carried.

**Action on Training
Request – OC
Aerosol Projectors
ICP – Officer Joseph
Leonetti**

Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Joseph Leonetti to a training course entitled, "OC Aerosol Projectors ICP," which will be held at South Park Township on April 2, 2015, at no cost to the Township. All members voted aye. Motion carried.

**Action on Training
Request – Juvenile
DUI Offenders and
Underage Drinking –
Officer Brian
Jesionowski**

Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Brian Jesionowski to a training course entitled, "Juvenile DUI Offenders and Underage Drinking," which will be held at Elizabeth Township on April 8, 2015, at a total cost to the Township of \$6.00. All members voted aye. Motion carried.

**Action on Training
Request –
Conducting the
Complete Traffic
Stop – Officer Brian
Jesionowski**

Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Brian Jesionowski to a training course entitled, "Conducting the Complete Traffic Stop," which will be held at Elizabeth Township on April 9, 2015, at a total cost to the Township of \$6.00. All members voted aye. Motion carried.

**Action on Training
Request – High Risk
Vehicle Stops –
Officer Brian
Jesionowski**

Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Brian Jesionowski to a training course entitled, "High Risk Vehicle Stops," which will be held at Elizabeth Township on April 10, 2015, at a total cost to the Township of \$6.00. All members voted aye. Motion carried.

Action on Training

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

130327

Request – Enforcement of PA Vehicle Inspection Requirement – Officer Brian Jesionowski attendance of Officer Brian Jesionowski to a training course entitled, “Enforcement of PA Vehicle Inspection Requirement,” which will be held at Elizabeth Township on April 28-30, 2015, at a total cost of \$18.00. All members voted aye. Motion carried.

Action on Training Request – Interviewing Victims and Witnesses – Officer Brian Jesionowski Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Brian Jesionowski to a training course entitled, “Interviewing Victims and Witnesses,” which will be held at the Allegheny County Police Academy on July 1, 2015, at a total cost of \$6.00. All members voted aye. Motion carried.

Action on Training Request – Interviewing Juveniles – Officer Brian Jesionowski Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize the attendance of Officer Brian Jesionowski to a training course entitled, “Interviewing Juveniles,” which will be held at the Allegheny County Police Academy on September 25, 2015, at a total cost of \$6.00. All members voted aye. Motion carried.

Action on Assessment Change Reimbursements – Various Tax Years – Lawrence P. Arrigo, Property Tax Collector Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize assessment change reimbursements for various tax years due to successful appeals at the County level, as requested by Lawrence P. Arrigo, Tax Collector, in correspondence dated February 11, 2015. All members voted aye. Motion carried.

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

Calls for Service	728
Arrests	9
Traffic Citations	21
Warnings Issued	62
Reportable Accidents	5
Non-Reportable Accidents	6
Fire Calls	11
Emergency Medical Assists to Tri-Community EMS	81
Deer Complaints	3

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

Supervisors' Comments Mr. Snee – Mr. Snee congratulated Mr. Beaver for the great job in snow removal.

Mr. Sackinsky – Mr. Sackinsky also expressed his appreciation to Mr. Beaver.

Mr. Buchewicz – Mr. Buchewicz inquired about the amount of salt still needed. Mr. Beaver replied that we have not yet reached our allocation. Mrs. Fosbaugh added that we are required to purchase 4,000 tons this year. Mr. Beaver stated that we would need approximately 1,000 to 1,500 tons to replace the salt, which we could purchase next year.

Adjournment

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

Time: 7:43 p.m.

130327