

**Minutes of the Regular Meeting  
of the South Park Township  
Board of Supervisors  
July 8, 2013**

130327

**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; Deputy Chief Dennis M. McDonough, Jordanna Lehman, Administrative Assistant; 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 executive sessions:

Monday, June 10, 2013 – Public informational forum regarding seismic testing.

Wednesday, June 26, 2013 – Interview candidates for the South Park Township Recreation Board and personnel matters.

Saturday, June 29, 2013 – Possibly during a social picnic.

Monday, July 1, 2013 – Personnel issues.

**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 OF THE ACTION AND/OR THE DECISION IS RENDERED.**

**Presentation of Proclamation – South Park High School Eagles Baseball Team**

Mr. Buchewicz congratulated and asked the team and their Head Coach Steve Bucci to come forward to receive the Proclamation. Mr. Sackinsky commented that he is very proud to be part of presenting this Proclamation since he was once involved in the baseball program. Mr. Sackinsky proceeded to read the Proclamation acknowledging the accomplishments of the South

Park High School Eagles Baseball Team and for winning the 2013 WPIAL Section 3 AAA Championship. The South Park Eagles Baseball Team is the 15th in WPIAL history to be undefeated with a record season of 24 – 0, a record of 12 – 0 in the team section, 1 and 1 in the State Playoffs and an overall record of 25 and 1. These accomplishments were the result of extraordinary leadership and guidance of Head Coach Steve Bucci and Assistant Coaches Tim Miller, Brad Shamiko, Mike Monika, as well as the team members. Mr. Sackinsky proceeded to read the names of the team members. Mr. Sackinsky stated that the members of the South Park Eagles Baseball Team are to be commended for bringing honor and distinction to South Park Township. Mr. Sackinsky congratulated all of them.

Mr. Bucci said this is a special honor for them to receive this Proclamation. He said it would not have been possible without the hard work of the team members. Mr. Bucci also acknowledged the parents of the team in teaching them what hard work and commitment means. He explained that it comes from the home and makes their job easier. Mr. Bucci stated that the number of fans increased each round they played in the Playoffs. Mr. Bucci said that they probably tripled the numbers of Hopewell, and Hopewell is a traditional baseball power. Mr. Bucci stated they did something in South Park that has never been done. This is a great legacy that these young men leave in South Park. Mr. Bucci said their record can never be beaten only tied, and this is due to their hard work and determination. Mr. Bucci said he and the team will remember this for the rest of their lives. Mr. Bucci thanked everyone.

#### **Call on the People**

**Felix Yerace, 939 Brogie Drive** – Mr. Yerace thanked the Board for giving him the opportunity to comment on Chapter 42 – Apiaries and Beekeeping. Mr. Yerace stated that he hoped everyone had a chance to read the letter he wrote regarding this issue before they vote on the Ordinance this evening. Mr. Yerace stated that he is the only beekeeper in the Township and that everyone benefits from the work his bees perform. He said that we can no longer depend on wild bees to survive and flourish, so we must rely on the beekeeper. Mr. Yerace said there are many items in the draft that he supports such as a requirement for instruction in beekeeping, registration with the Department of Agriculture, signing of the best management practices or compliance agreement, and the 10 foot setback. Mr. Yerace stated that there are other items in the draft that should be and could be eliminated. Those would be Sections C, D, G and H. Mr. Yerace stated in his letter, the above listed requirements far exceed other requirements

for any other animal or insect in the Township. In Section H, regarding the lush landscape that should be provided, he believes this should be required of everyone in the Township, not only the beekeepers. In Sections C and D, requiring fences and warning signs, he feels they are not necessary and will cause fear among the neighbors. Mr. Yerace stated that he feels if someone would want to start beekeeping and they install a fence and warning sign, this will trigger many calls to the Township. Mr. Yerace commented that these are honey bees and are not dangerous like yellow jackets, wasps, etc. Mr. Yerace stated that beekeepers are educated on the proper placement of hives and can use shrubs, plants and trees to create an acceptable flight path for the bees. This is better for the bees, beekeeper, and the aesthetics of the neighborhood. Mr. Yerace asked if someone already has a fence around their property, do they need to construct another fence around the beehive. He also asked if a fence is needed if the hive is elevated on a deck or roof, or if the individual has more land than the normal lot size. Mr. Yerace commented that he was told of the concern for small children wandering into the beekeeper's yard. He said he stands by his beehives daily with no problems. Mr. Yerace said a local beekeeping club gives tours of their apiary with 20 or more hives with no incidents. Beekeepers strive to be good neighbors. Mr. Yerace asked if this is not similar to a dog owner who installs an invisible fence or a dog kept on a long cable or chain. Mr. Yerace said that dogs are protective of their yard and honey bees are not. Mr. Yerace said we should not promote fear but instead be on the forefront of environmental awareness and public education. Adults as well as children should learn to separate honey bees from other stinging insects. Mr. Yerace mentioned that Forest Hills recently passed a favorable ordinance on bees. Mr. Yerace said he feels if the Township passes their ordinance with the modifications he has listed, it will be considered the model for all beekeepers in the state. Mr. Yerace thanked the Board for their time and consideration. Mr. Buchewicz said that he did some research and the question, "Are honey bees dangerous", He said the honey bees are non-aggressive unless they or their hive are threatened. Mr. Buchewicz said the honey bees normally go about their business and do not bother anyone. Normally, honey bees are seen on a flower or getting a drink where there is open water. He said if someone disturbs the hives, they can be stung and normally honey bee hives are found 10 to 15 feet up in a tree. Chances of a close encounter are slim. Mr. Buchewicz said honey bee stings are painful but unless you are allergic to them, no permanent harm can be done. Mr. Buchewicz related this to a child that might approach a hive and be stung by the bees. Mr. Yerace stated that he goes up to his

hive daily and he had even submitted a picture of two gentlemen working with bees in Squirrel Hill dressed as he is. Mr. Yerace said that the bees are only concerned if you open up the area and physically start to remove things. He said he even uses his weed trimmer around the hive and they could care less about what he is doing. The bees' only interest is in doing their work. They are not interested in stinging anyone like hornets or wasps. Mr. Buchewicz again stated that his research states that if a hive is disturbed, the person can receive multiple stings.

**Steve Repaski, Resident of Dormont** – Mr. Repaski stated that he had e-mailed a letter out to the Board over the weekend about his credentials. He is a Certified Master Beekeeper for the Eastern Cultural Society, one of 18 in the state of Pennsylvania and 150 across the United States. He also sits on the Legislative Committee for the PA State Beekeepers Association and is the President of Bird Bees, which not only represents beekeepers in the City of Pittsburgh but in Allegheny County. He has been a beekeeper since the age of 4 and has been around bees for his entire life. Mr. Repaski said that he addressed the issues raised by Mr. Yerace in the letter he sent, so he was not going to repeat what Mr. Yerace said. Mr. Repaski said he was present to answer any questions the Board may have, to respectfully request that the Board take another look at their ordinance, and to look at Forest Hills' ordinance as a model. He is working with other townships and boroughs on their beekeeping ordinances as well. Mr. Repaski addressed the comment from Mr. Buchewicz regarding the disturbance of the hives and multiple stings. Mr. Repaski stated that he agrees with Mr. Yerace, that he can lift the top of the hive and the bees will not sting him. It does depend on the weather. If there is a storm and he tries to lift the top of the hive, the bees will sting, but normally he can be around his hive and the bees will not bother him. Mr. Repaski stated that there is a greater chance of getting bitten by a dog when you walk past their property than there is by getting stung by a honey bee. He also stated that a greater risk of getting stung by a wasp or hornet living underground than by a honey bee. Mr. Repaski commented that honey bees are extremely docile. He stated that, as a beekeeper, one of their goals is to educate people on the difference between honey bees, hornets, wasps, and yellow jackets. Mr. Repaski said he will answer any questions they may have and offer his assistance in any way possible. He offered to look over the language in the ordinance and to draft it if the Board would like. This would benefit the beekeeper and the Township environmentally. He strongly urged the Board to take into consideration the comments in his letter and the comments from

Mr. Yerace. He asked the Board to take another look at their ordinance. Mr. Repaski stated that Mr. Yerace is not the only beekeeper in South Park. He did not have the exact number but there are several more. He contacted the state apiary to obtain the exact number but the person in charge was not available today. There are many beekeepers in southwestern Pennsylvania. In Pittsburgh alone, there are 50 different beekeepers and if they can be kept safe in the city, they certainly can be kept safely in South Park Township. Mr. Repaski left his business cards for the Board and thanked the Board. Mr. Buchewicz asked what was stated in the City of Pittsburgh's ordinance. Mr. Repaski said the City's ordinance is horrible. He sits on their Review Board and is working with their Planning Commission to change some of the issues in their ordinance. In the City's ordinance, it is stated that the fence has to be 6 feet high extending 20 feet along the side of the hive. This was due to the misunderstanding from another ordinance that was reviewed by them. Mr. Repaski said fencing is a non-issue and you take away from the aesthetics of the property when fences are placed around bee hives. Beekeepers try to have the hives blend in so they are not noticeable. Mr. Repaski said you can block the hives from view with shrubs and vegetation, which also adds to the aesthetic value of the property but does not call attention the hives themselves. Mr. Repaski stated that the ordinance in Forest Hills states that in order for the bees to be kept properly, they must be kept at a 10-foot setback from the property line and they have to be sited in a way that when bees come out, they are forced up six feet above ground level. This does not have to be accomplished with a fence. Mr. Repaski said that by using vegetation and having the 10-foot setback, you can accomplish getting the bees to be six feet above ground level.

**Action on Minutes** Motion by Mr. Sackinsky, seconded by Mr. Snee to approve the minutes of the Public Hearing held on June 10, 2013 regarding Ordinance No. 667 (rezoning a portion of Broughton School). 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 held on June 10, 2013. All members voted aye. Motion carried.

**Action on Invoices** Motion by Mr. Sackinsky, seconded by Mr. Snee to approve the invoices for June, 2013. All members voted aye. Motion carried.

**Action to Award Bid – Sale of Township-Owned** No bids were received, so no action was taken on the purchase of one (1) 1989 International Dump Truck, VIN 1HTLCCFN6K662715.

**Vehicle – 1989  
International  
Dump Truck**

**Ordinance  
No. 668**

Mr. Buchewicz asked if more research is needed. Mr. Sackinsky said that it is his opinion that the fencing is for the safety of the residents, especially children. They tried to make concessions. They removed this section from the Hobby Farm ordinance and apiaries can be placed in any zoning classification in South Park. Mr. Sackinsky stated that the Supervisors do have a responsibility for the safety of their residents. He respects the comments made by the gentlemen present but he does have a concern for children who may get stung if the hives are knocked over. Mr. Sackinsky stated that he feels he has enough information to vote on the ordinance now. Mr. Snee said that his concern is the liability and feels the fencing is appropriate to prevent someone from approaching the hives. Mr. Buchewicz said this was his concern as well. Mr. Repaski asked if he could make a comment. He said that the Board's comments are valid but wondered if they required everyone that has dogs to have a six-foot fence around their property. Mr. Sackinsky commented that the dogs must be kept under control, but they do not require fences for dogs. Mr. Repaski said he did not mean to sound disrespectful but honey bees are very docile and they do not have fences around any of their apiaries. He feels if anyone is on a beekeeper's property and knocks over a bee hive, this is a trespassing issue and should not fall on the responsibility of the beekeeper. Mr. Repaski also said there is very little liability. If there was liability, the State Department of Agriculture would require liability insurance for all beekeepers. They only require they be registered with the state. Mr. Repaski did not feel a six-foot fence would stop a child from doing what they want to do. He said most beekeepers keep their bee hives over the 10 foot setback and are well into their property line. Mr. Sackinsky said that, as a Supervisor, he took an oath to protect the residents and he takes this very seriously and he does not want to risk having a child stung and possibly die due to bee stings. Mr. Repaski said that all he is asking is that they table the ordinance for now and for them to come out and view the beehives personally. Mr. Repaski stated that only 1 to 2% of the people are allergic to bee stings. Mr. Buchewicz pointed out that anyone who has beehives at this time is grandfathered and this ordinance does not affect them. Mr. Repaski stated that the Board does not know how many beehives are here and he feels if they pass this ordinance requiring a fence, they will force beekeepers underground and they will keep bees without letting the Township know. Mr. Sackinsky stated that he has read many articles about

the demise of the honey bees and this is why they made this ordinance. He will not turn his back on the safety of the residents.

Motion by Mr. Sackinsky, seconded by Mr. Snee to approve Ordinance No. 668 – AN ORDINANCE OF THE TOWNSHIP OF SOUTH PARK, ALLEGHENY COUNTY, COMMONWEALTH OF PENNSYLVANIA, ADDING TO CHAPTER 42 OF THE CODE OF THE TOWNSHIP ENTITLED “ANIMALS” TO: (1) ADD ARTICLE V TO DEFINE AND REGULATE APIARIES AND BEEKEEPING. All members voted aye. Motion carried.

**Action on Minor  
Subdivision –  
Robert E. Felix  
III – Snowden  
and Riggs Roads**

Motion by Mr. Sackinsky, seconded by Mr. Snee granting preliminary and final approval on the minor subdivision identified as the Robert E. Felix III Plan of Lots, located at the intersection of Snowden road and Riggs Road, as recommended by the Township Engineer, Planning Consultant and Planning Commission. All members voted aye. Motion carried.

**Action on Minor  
Consolidation  
Subdivision Plan –  
Stewart School  
Subdivision and  
Consolidation  
Plan - 3701  
Brownsville Road**

Motion by Mr. Sackinsky, seconded by Mr. Snee to approve granting preliminary and final approval on the minor subdivision identified as the Stewart School Subdivision and Consolidation Plan, located at 3701 Brownsville Road, as recommended by the Township Engineer, Planning Consultant and Planning Commission. All members voted aye. Motion carried.

**Action on Bond  
Reduction – Peters  
Creek Baptist  
Church – Rt. 88 –  
6300 Library Road**

Motion by Mr. Sackinsky, seconded by Mr. Snee to approve the request submitted by Peters Creek Baptist Church to reduce the Letter of Credit posted to guarantee the completion of the parking lot expansion site improvements at 6300 Library Road, as follows:

Letter of Credit No. 8103532451	\$205,645.00
(Remaining Balance)	
Requested Reduction	<u>(\$154,880.00)</u>
Remaining Balance	\$ 50,765.00

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

**Action on  
Waiver Request –  
Saddlebrook  
Farms Phase 4 –**

Motion by Mr. Sackinsky, seconded by Mr. Snee to table as per the request submitted by the Developer, Brian Homes, to waive Chapter 118, Section 118.17.1.1, of the Code of the Township of South Park which requires separate actions for preliminary

- Major Subdivision** and final approval of a major subdivision, and allow for the development identified as Saddlebrook Farms Plan No. 4 to be approved as preliminary and final in one motion, as recommended by the Township Engineer and Planning Consultant. All members voted aye. Motion carried.
- Action on Preliminary and Final Approval – Saddlebrook Farms Phase 4 – Major Subdivision** Motion by Mr. Sackinsky, seconded by Mr. Snee to table per the Developer's request granting preliminary and final approval to the major subdivision identified as Saddlebrook Farms Phase 4, as recommended by the Township Engineer, Planning Consultant and Planning Commission members. All members voted aye. Motion carried.
- Action on Non-Exclusive License Agreement – James Matthew and Leslie F. Bradshaw – 1707 Queens Drive** 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 James Matthew and Leslie F. Bradshaw (Grantees), to permit the construction of a shed within the public utilities easement located on Lot No. 14 in the Imperial Ridge Plan of Lots, Lot and Block No. 663-H-56, being 1707 Queens Drive, and to authorize the appropriate Township officials to execute said Agreement. All members voted aye. Motion carried.
- Resolution No. 15-13** Motion by Mr. Sackinsky, seconded by Mr. Snee to approve Resolution No. 15-13 – 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 (GROVE ROAD – PHASE 2 STORM SEWER PROJECT).
- Action to Appoint Recreation Board Member - Robert Jones** Motion by Mr. Sackinsky, seconded by Mr. Snee to appoint Robert Jones, Queens Drive, to fill the vacancy on the Recreation Board created by the resignation of Bryan DeAngelis, with a term to expire the first Monday of the year 2015. All members voted aye. Motion carried.
- Action to Appoint Recreation Board Member – Joe Parris** Motion by Mr. Sackinsky, seconded by Mr. Snee to appoint Joe Parris, Piney Ridge Drive, to fill the vacancy on the Recreation Board created by the resignation of Patrick Vrable, with a term to expire the first Monday of the year 2017. All members voted aye. Motion carried.
- Action to Reschedule** Motion by Mr. Sackinsky, seconded by Mr. Snee to reschedule the Public Hearing with regard to establishing definitions, standards

**Public Hearing and Action on Ordinance – Hobby Farms** and criteria for farms and hobby farms from July 8, 2013 at 6:45 p.m. to August 12, 2013, at 6:45 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.

**Action to Ratify Resignation – Technical Services Librarian – Blanche C. McManus** Motion by Mr. Sackinsky, seconded by Mr. Snee to ratify the resignation of Blanche C. McManus from her position as a part-time Technical Services Librarian with the South Park Township Library, retroactive to June 20, 2013. All members voted aye. Motion carried.

**Action on Assessment Change Reimbursements - Lawrence P. Arrigo, Tax Collector** Motion by Mr. Sackinsky, seconded by Mr. Snee to authorize assessment change reimbursements due to successful appeals at the County level, as requested by Lawrence P. Arrigo, Tax Collector, in correspondence dated June 27, 2013. All members voted aye. Motion carried.

**Deputy Police Chief's Report** Deputy Police Chief's Report for the month of June, 2013:

Calls for Service	866
Arrests	35
Traffic Citations	26
Parking Citations	1
Warnings Issued	87
Reportable Accidents	5
Non-Reportable Accidents	10
Fire Calls	6
Emergency Medical Assists to Tri-Community EMS	84
Deer Complaints	2

Motion by Mr. Sackinsky, seconded by Mr. Snee to accept the Deputy Police Chief's monthly report for June, 2013. All members voted aye. Motion carried.

**Supervisors' Comments**

**Mr. Snee** – None

**Mr. Sackinsky** - None

**Mr. Buchewicz** – None

**Adjournment**

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

**Time: 7:39 p.m.**