

Minutes of the Regular Meeting

of the South Park Township

Board of Supervisors

September 11, 2023

Pledge of Allegiance

Roll Call

Walt Sackinsky presiding. Board members Edward Snee and Brian Lucot were present. Also in attendance were Karen Fosbaugh, Township Manager; Chief Dennis McDonough; Aaron Laughlin, Director of Public Works; Tom Bonidie, Code Enforcement Officer; and Irv Firman, Solicitor.

Two or more members of the Board of Supervisors were together on the following occasions which were executive sessions, informational meetings, or Township-related events:

Monday, August 14, 2023 – After the regular meeting to discuss personnel issues.

Tuesday, August 15, 2023 – Police Pension meeting.

Sunday, August 27, 2023 – Fundraiser dinner held at Broughton Volunteer Fire Department.

Tuesday, September 5, 2023 – September 11th Ceremony planning meeting.

Monday, September 11, 2023 – September 11th Ceremony.

Monday, September 11, 2023 – Prior to the regular meeting to discuss personnel issues.

PLEASE BE INFORMED THAT THE TOWNSHIP OF SOUTH PARK RECORDS ALL PUBLIC MEETINGS AS PART OF THE MEETING MINUTES PROCESS.

ANYONE SPEAKING THIS EVENING IS REQUESTED NOT TO REPEAT THE SAME POINTS ADDRESSED AT A PRIOR MEETING. RESIDENTS ARE REMINDED THAT THE BOARD OF SUPERVISORS IS REGULATED TO ADHERE TO EXISTING ORDINANCES.

THE AUDIENCE AGENDA WAS PLACED ONLINE FOR RESIDENTS WHO MAY WISH TO OFFER PUBLIC COMMENT OR ASK A QUESTION WHICH WILL BE ENTERED INTO THE RECORD AT THE MEETING THIS EVENING. COMMENTS/QUESTIONS WERE TO BE SUBMITTED NO LATER THAN 4:30 P.M. TODAY.

Mrs. Fosbaugh stated for the record that no comments or questions were submitted.

**Presentation of
Proclamation – 2023
Constitution Week**

Mr. Lucot read the Proclamation which commemorated the 36th year anniversary of the drafting of the Constitution of the United States of America and proclaimed the week of September 17-23, 2023, as Constitution Week.

Call on the People

Kevin Baldauf, 6350 Helen St. – Mr. Baldauf thanked Public Works for cutting the grass at 6352 Helen St. He expressed his concern for the number of racoons that are living in the house and getting into his garbage. He added that the broken windows on the right side dormer on the second floor allow the racoons access to the house. Mr. Sackinsky asked if Animal Control would handle the problem, and Chief McDonough stated they would not. Mr. Sackinsky commented that he does not have an answer or solution to Mr. Baldauf's concern. Mrs. Fosbaugh gave an update to the Vacant Property Recovery Program (VPRP) regarding the property at 6352 Helen St. She has been in contact with the party interested in purchasing the property and who has submitted the VPRP application. She explained that the County has adopted the appropriate resolution and will be taking additional action on September 28th. At that meeting, the County will gain control of the property under eminent domain. The County will then obtain an appraisal and sell the property. Mr. Baldauf mentioned that the house may need to be completely rebuilt. He added that the County has posted the property on the front door. Mr. Baldauf commented that their street sign at the bottom of Pleasant St. has been stolen. Mr. Sackinsky asked Mr. Laughlin to replace the sign.

Betsy Ranick – 155 Sylvania Dr. - Ms. Ranick expressed her frustration regarding the new location of the Real Estate Tax Collector's office and Mr. Arrigo's limited hours each month. She mentioned that she could not find an article in the Park News that indicated he had added more hours due to the School District tax due date. Mr. Arrigo's office is very small, and taxpayers have to wait in line outside. She feels the location is unsafe since that area of Brownsville Road is very busy. Ms. Ranick inquired as to why the tax collector does not have an updated system allowing taxpayers to pay their real estate taxes online. She mentioned she had spoken to Mrs. Fosbaugh who explained that since he is an elected official, he has his own office. Mr. Sackinsky reiterated that Mr. Arrigo controls his own office relative to the location, size and hours. Mr. Sackinsky stated that he will personally discuss the issues with Mr. Arrigo and the other supervisors, and possibly send a letter expressing her concerns. Ms. Ranick conveyed her annoyance at the overpopulation of deer in our community. She commented that it is a health issue and provided the supervisors with a bag of deer feces that she had collected from her yard. Ms. Ranick also expressed her concern relative to deer ticks. She mentioned that she uses deer sprays to no avail and is

considering using a BB Gun. Her property borders the County Park. Ms. Ranick asked what the Township could do to remedy the problem. Mr. Sackinsky explained that it is unsafe to have archery or shooting in a residential area. The County Park has in the past allowed archery hunting in certain designated areas. He suggested she contact the County relative to deer moving onto her property from the County Park. Mr. Sackinsky added that there are not many areas in the Township large enough to allow archery hunting. Chief McDonough mentioned that the Township could contact the Game Commission; however, whatever is decided must comply with the Game Commission laws, such as the distance from homes and residential areas. Mr. Sackinsky commented that the Township will contact the Game Commission and will call Ms. Ranick with any information provided.

Cindy Atchison, 3121 Southern Dr. – Ms. Atchison inquired about why the grass is being cut on the vacant lot located at 3114 Southern Drive and not the vacant properties at 3127 and 3122 Southern Drive. Mr. Bonidie commented that the owner of 3122 Southern Drive is deceased, and there is no one else to contact. Ms. Atchison asked why the same process that was used to demolish the house at 3114 could not be used for the house at 3122. Mr. Sackinsky replied that Mr. Bonidie is looking into the matter. Mrs. Fosbaugh stated that Mr. Bonidie has been in contact with the sister of the elderly woman that owns 3127 Southern Drive. Mr. Bonidie explained that the sister has Power of Attorney, and his office is working on a solution to the issue. Ms. Atchison mentioned that the house is in poor condition and asked why the Township cannot adopt an ordinance allowing the Township ownership of abandoned property after two years. Mr. Sackinsky commented that when property is left with no heirs, it is a lengthy, legal process to acquire the nuisance property. Mr. Firman explained that there are constitutional and state legislative rules that require a certain process before a municipality can declare property a public nuisance and demolish or claim a house, and the Township has done this when warranted in the past. The Township cannot adopt an ordinance stating they can claim any abandoned property after a certain period of time. Ms. Atchison mentioned the house at 2626 Sebolt Rd. that has been vacant for at least 30 years. Mrs. Fosbaugh commented that the elderly owners of 2626 Sebolt, were present at a nuisance hearing several years ago, and repaired the front porch at that time. Mrs. Fosbaugh commented that the worst thing a Township can do is get into the real estate market, because they will never recoup the investment after using tax dollars to repair houses. Mr. Sackinsky commented that Mr. Bonidie will inspect all the addresses that Ms. Atkinson has mentioned. Mrs. Fosbaugh added that the best tool the Township has available is the Vacant Property Recovery Program. However, during COVID the office was decimated, and there are only a small number of people working there.

Betsy Ranick inquired as to when the intersection at Route 88 and Brownsville Rd. will become three lanes. Mrs. Fosbaugh explained that this evening the Board of Supervisors is taking action on the demolition of 6 structures in Phase 1, which is the demolition and grading component of the project. It took over 5 years for the Township to gain control of the properties because of legal disputes with several of the owners who did not want to repair or sell their structures. The demolition is scheduled for October 1st. Ms. Ranick asked if the 2 dilapidated houses located past the bend, going towards Union Township, would be demolished. Mrs. Fosbaugh replied that they are not part of the project. She explained that the project cost is \$1.7 million, which has been offset by grant funding. When the project is completed, the site line obstruction when turning right onto Route 88 will be eliminated. Phase 2 will involve the turning lane, the signalization, the parking areas, and a hammerhead design on Peach Alley.

Action on Minutes

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the minutes of the Regular Meeting of the Board of Supervisors held on August 14, 2023. All members voted aye. Motion carried.

Action on Invoices

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the payment of invoices for the month of August, 2023. All members voted aye. Motion carried.

Action on Preliminary and Final Approval – Minor Land Development – 2021 Wastewater Treatment Plant Grit and Headworks Improvements Project

Dan Goodwin, Wade Trim – Mr. Goodwin stated that Wade Trim is the engineer for Bethel Park Municipal Authority. He explained that the DEP has imposed new permit regulations, and they are upgrading the plant by replacing aging infrastructure according to those regulations. All the facilities that are to be built are going to be within the existing properties. The new headworks building will be located where existing tanks are currently located. Headworks is when the sewage enters the treatment plant and removes any grit and debris. Mr. Goodwin added that they have addressed all issues with the Planning Commission.

Motion by Mr. Snee, seconded by Mr. Lucot, to approve granting preliminary and final approval to the minor land development identified as the 2021 Wastewater Treatment Plant Grit and Headworks Improvements Project, to be located at 3100 Piney Fork Road, as submitted by the Developer, Bethel Park Municipal Authority, with the following contingencies:

A. Copies of all required approval letters and permits must be provided to the Township upon receipt and prior to the onset of construction activities;

B. A fully executed Developer’s Agreement and a fully executed Stormwater Maintenance Agreement, accompanied by the appropriate

bonds and fees, must be in place prior to the onset of construction activities;

C. A cost estimate with regard to bonding of the site amenities must be submitted for review by the Township Engineer with the final plan,

as recommended by the Planning Commission, Planning Consultant, and Township Engineer. All members voted aye. Motion carried.

Action on Preparation and Advertisement of Ordinance – Acceptance of Public Improvements – Bonnie Dell Plan of Lots No. 3

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the preparation and advertisement of an Ordinance accepting the public improvements within the development identified as the Bonnie Dell Plan No. 3, being a portion of Decker Drive and a portion of Watchfield Drive, by South Park Township, with action on said Ordinance anticipated to take place at the regular meeting of the Board of Supervisors scheduled for October 9, 2023, as recommended by the Township Engineer. All members voted aye. Motion carried.

Action on Release of Bond – Fire Damages at 3374 Maple Drive (Lot/Block No. 1007-J-166)

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the request submitted by Frederick & Paulette Tuning to refund the cash bond in the amount of \$23,368.13, posted to comply with Act 98, to the contractor Firedex of Pittsburgh, as the fire restoration activities have been completed at the property identified as 3374 Maple Drive, being Lot and Block No. 1007-J-166, and all final reports have been submitted to the Code Enforcement Office. All members voted aye. Motion carried.

Action on Non-Exclusive License Agreement – 2044 Southwell Drive – Darrell J. Marizzaldi, Jr.

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Darrell J. Marizzaldi, Jr. (Grantee), to permit the construction of a four-foot (4') chain-link fence over a public utility easement located on Lot No. 227 of the Poet's Corner Plan No. 2, Lot & Block No. 885-J-175, being 2044 Southwell Drive, as recommended by the Director of Public Works, contingent upon the receipt of a letter from Equitable Gas Co. permitting the encroachment into its easement and further authorizing the appropriate Township officials to execute said Agreement. The Grantee understands and acknowledges that by executing the Agreement, he agrees that South Park Township has the right to access the easement for repair and/or maintenance purposes. The Grantee further understands and acknowledges that access to the easement by South Park Township may necessitate the removal of the encroachment by the Grantee at his cost, and that South Park Township will not be responsible for any and all repairs, damages or replacement of said encroachment. All members voted aye. Motion carried.

Action on Right-of-Way Encroachment Agreement – 2530 Bonnie Dell Drive – Matthew J. & Kristen M. McNally

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Right-of-Way Encroachment Agreement by and between South Park Township and Matthew J. & Kristen M. McNally, residents of 2530 Bonnie Dell Drive, being Lot and Block No. 884-B-16, to permit the placement of a four and one-half foot (4-1/2') aluminum fence within the Right-of-Way area of Fedorek Drive. The Grantees understand and acknowledge that by executing the Agreement, they agree that South Park Township has the right to access the right-of-way for repair and/or maintenance purposes. The Grantees further understand and acknowledge that access to the right-of-way by South Park Township may necessitate the removal of the encroachment by the Grantees at their cost, and that South Park Township will not be responsible for any and all repairs, damages or replacement of said encroachment. All members voted aye. Motion carried.

Application for Public Fire Hydrant Service – Pennsylvania American Water Company – 3294 Snowden Road

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Application for Public Fire Hydrant Service by and between South Park Township and Pennsylvania-American Water Company, which provides for the installation of one (1) fire hydrant located at 3294 Snowden Road to comply with water company regulations, the location of which was recommended by the Chief of Broughton Volunteer Fire Department, and further authorizing the appropriate officials to execute said Application. All members voted aye. Motion carried.

Action on Preparation and Advertisement of Ordinance – Amending Regulations for Planned Residential Development, (PRD), Requiring Access to a Collector and/or Arterial Street, and Adding Definition of Local Street

Motion by Mr. Snee, seconded by Mr. Lucot, to approve authorizing the preparation and advertisement of an Ordinance amending the code of the Township of South Park with regard to regulations for Planned Residential Development, requiring access to a collector and/or arterial street, and adding definition of local street, and scheduling a public hearing for Monday, November 13, 2023, 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.

Action on Bond Reduction – Snowden Ridge Plan of Lots – Snowden Road

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the request for the reduction of the bond posted by the Developer, the Villas of South Park, LP, to guarantee the completion of the site improvements for the project identified as Snowden Ridge located on Snowden Road between Station Street and Connor Drive, as follows:

Original Bond	\$39,184.20
Reduction	<u>(33,306.57)</u>
Remaining Balance	\$ 5,877.63

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

**Action on
Resolution No. 9-23**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Resolution No. 9-23: A RESOLUTION OF THE TOWNSHIP OF SOUTH PARK, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, FOR THE TEMPORARY CONSTRUCTION EASEMENT ON PROPERTY LOCATED AT 6534 LIBRARY ROAD. All members voted aye. Motion carried.

**Action on Bids –
Structure Demolition
– Library Road (Rt.
88) and Brownsville
Road**

Motion by Mr. Snee, seconded by Mr. Lucot, to accept the bids received on Wednesday, September 6, 2023, with regard to the project identified as the Structure Demolition at Library Road (Rt. 88) and Brownsville Road and awarding the bids to the lowest responsible bidder being Gemm Demolition, in the amount of \$228,000.00 for the Base Bid. All members voted aye.
Motion carried.

**Action on Non-
Exclusive License
Agreement – 1708
Kings Court – Scott
D. Morosetti and
Scott T. Morosetti**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the Non-Exclusive License Agreement by and between the Township of South Park (Grantor), and Scott D. Morosetti and Scott T. Morosetti (Grantees), to permit the construction of a four and one-half foot (4-1/2') aluminum fence over a sanitary sewer easement located on Lot No. 219 of the Imperial Point Plan No. 2, Lot & Block No. 663-G-26, being 1708 Kings Court, as recommended by the Director of Public Works, and further authorizing the appropriate Township officials to execute said Agreement. The Grantees understand and acknowledge that by executing the Agreement, they agree that South Park Township has the right to access the easement for repair and/or maintenance purposes. The Grantees further understand and acknowledge that access to the easement by South Park Township may necessitate the removal of the encroachment by the Grantees at their cost, and that South Park Township will not be responsible for any and all repairs, damages or replacement of said encroachment. All members voted aye.
Motion carried.

**Action on Internet
Usage Policy – South
Park Township
Library**

Motion by Mr. Snee, seconded by Mr. Lucot, to accept the Internet Use Policy for the South Park Township Library to comply with state and federal guidelines as related to Internet use, particularly with regard to the Children's Internet Protection Act (CIPA). All members voted aye. Motion carried.

**Action to Ratify
Hiring – Kimberlin
Ernst – Part-Time
Library Page**

Motion by Mr. Snee, seconded by Mr. Lucot, to ratify the employment of Kimberlin Ernst, Helen Street, as a part-time Page with the South Park Township Library, at the rate of \$7.25 per hour, with a date of hire retroactive to August 28, 2023. All members voted aye. Motion carried.

**Action on
Assessment Change
Reimbursement –
Lawrence P. Arrigo,
Tax Collector**

Motion by Mr. Snee, seconded by Mr. Lucot, to approve Township real estate tax refunds for the calendar years 2018-2023, as a result of successful appeals at the County level, as requested by Tax Collector Lawrence P. Arrigo, in correspondence dated September 3, 2023. All members voted aye. Motion carried.

**Action on Training
Request –
Pennsylvania State
Police
Reconstruction
Updates Seminar –
Sgt. Richard Griffith**

Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Sgt. Richard Griffith to a seminar sponsored by the Pennsylvania State Police entitled, "Collision Reconstruction," which will be held on October 30-November 2, 2023, in Erie, PA, at a total cost to the Township of \$120.00, with room and board to be funded by the Office of the District Attorney. All members voted aye. Motion carried.

**Action on Training
Request –
Pennsylvania State
Inspection Code –
Officer Luke Lloyd
and Officer Joseph
Zimmerman**

Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Officer Luke Lloyd and Officer Joseph Zimmerman to a seminar entitled, "Pennsylvania Inspection Regulations," which will be held at the Allegheny County Police Academy on October 24-25, 2023, in Allison Park, PA, at a total cost to the Township of \$24.00. All members voted aye. Motion carried.

**Action on Training
Request -Basic
Patrol Response to
Active Shooter
Incidents – Officers
Andrew Esser,
Joseph Zimmerman,
Prasad Pokhrel, and
Luke Lloyd**

Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Officer Andrew Esser, Officer Joseph Zimmerman, Officer Prasad Pokhrel, and Luke Lloyd to a seminar entitled, "Basic Patrol Response to Active Shooter Incidents," which will be held in Coraopolis, PA, on December 4-5, 2023 (Esser and Zimmerman) and December 6-7, 2023 (Pokhrel and Lloyd), at a total cost to the Township of \$48.00. All members voted aye. Motion carried.

**Action on Training
Request – Advanced
Patrol Response to
Active Shooter
Incidents – Officers
Andrew Esser,
Wyatt Hathaway,
Joseph Zimmerman,
Prasad Pokhrel, and
Luke Lloyd**

Motion by Mr. Snee, seconded by Mr. Lucot, to authorize the attendance of Officer Andrew Esser, Officer Wyatt Hathaway, Officer Joseph Zimmerman, Officer Prasad Pokhrel, and Officer Luke Lloyd to a seminar entitled, "Advanced Patrol Response to Active Shooter Incidents," which will be held in Coraopolis, PA, on December 11, 2023 (Esser, Hathaway, and Zimmerman) and December 12, 2023 (Pokhrel and Lloyd), at a total cost to the Township of \$30.00. All members voted aye. Motion carried.

**Action on MS4
Report –August,
2023**

Mrs. Fosbaugh explained that following is the MS4 report for August dated September 11, 2023. MS4 is the acronym for Municipal Separate Storm Sewer System.

1. The part-time litter collection employee continued on with litter collection activities on Township streets to prevent trash from impacting the function of the stormwater inlets.
2. The Public Works Department rebuilt 7 storm sewer inlets in August.
3. Sanitary sewer repair activities, as part of the 2023 Township Wide Sanitary Sewer Program, continued in the area of the Department of Energy located in the rear of McElheny Road.
4. The Bethel Park Municipal Authority project that involves the installation of the new headworks and grit removal at the Piney Fork Sewage Treatment Plant was placed on the agenda this evening for action by the Board of Supervisors.
5. The Public Works Department engaged in clean-up activities after the recent microburst that occurred in the vicinity of Ridge Road, Abbey Lane, Kings Court, McElheny Road, and Wallace Road. Catch basins were cleared of accumulated debris which was impeding the function of the stormwater inlets. A number of Township streets were swept to eliminate debris from washing into the inlets and creating additional problems.
6. The Administrative Assistant has scheduled the annual MS4 training for the members of the Public Works Department which will be held on Tuesday.
7. The Fall Environment Day collection event will be held on Saturday, October 21, 2023.

Motion by Mr. Snee, seconded by Mr. Lucot, to approve the MS4 Report for the month of August, 2023. All members voted aye. Motion carried.

Police Chief's Report The Police Chief's Report for August, 2023:

Calls for Service	654
Arrests	8
Traffic Citations	48
Warnings Issued	111
Reportable Accidents	1
Non-Reportable Accidents	5
Fire Calls	12
Emergency Medical Assists to Tri-Community EMS	92
Deer Struck by Vehicles	1

Motion by Mr. Snee, seconded by Mr. Lucot, to accept the Police Chief's report for the month of August, 2023. All members voted aye. Motion carried.

**Supervisors'
Comments**

Mr. Lucot – Mr. Lucot thanked everyone for attending and for bringing to the Board's attention the various concerns. He added that the Board tries to work diligently to rectify the concerns of the residents. Mr. Lucot thanked everyone involved in 9/11 Remembrance Ceremony, particularly Mrs. Fosbaugh for coordinating the event. Mr. Lucot mentioned that Community Day will be held on Saturday, and he hopes to see many residents in attendance.

Mr. Snee – Mr. Snee thanked Mrs. Fosbaugh for planning the 9/11 Ceremony, as well as many others who participated in the event.

Mr. Sackinsky – Mr. Sackinsky thanked Mr. Satter for taking pictures during the 9/11 event.

Adjournment

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

Time: 8:46 p.m.