



**SWEARING IN OF OFFICER MARKUS BUCHANAN BY DISTRICT  
MAGISTRATE MAUREEN MCGRAW-DESMET**

**PUBLIC HEARINGS**

**A. BERSHIRES ROADS ACCEPTANCE**

**B. OIL AND GAS ORDINANCE**

**REGULAR BOARD OF COMMISSIONERS MEETING**

The meeting was called to order by Commissioner Horowitz at the South Fayette Township Building, Morgan, PA 15064.

**PRESENT: CARDILLO, HOROWITZ, RODI, MALOSH**

**EXCUSED: PITETTI**

**ALSO PRESENT: Township Solicitor: Robert Garvin; Township Manager: Ryan Eggleston; Township Administrative Assistant: Peggy Patterson**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

**CORRESPONDENCE**

**A. LETTER FROM BOY SCOUT TROOP 248**

**B. LETTER FROM ALLEGHENY COUNTY CONTROLLER**

**C. SOUTH FAYETTE SCHOOL RESOURCE OFFICER RECOGNITION  
LETTER**

Mr. Eggleston – The school resource officer, Sgt. Jeff Sgro, was recognized as part of NASRO (National Association of School Resource Officers), and South Fayette Township was recognized in partnership with the school and Sgt. Sgro.

**CONSENT CALENDAR ITEMS**

**A. APPROVAL OF MINUTES**

It was moved by CARDILLO and seconded by RODI with all members present voting AYE to approve the minutes from the June 8, 2016 meeting.

B. PAYMENT OF THE BILLS

It was moved by RODI and seconded by MALSOH to pay the June 2016 bills. All members present voted AYE to the motion.

C. MAY AND JUNE FINANCIALS

D. MONTHLY POLICE REPORT

E. COMMUNICATIONS REPORT

F. TAX COLLECTOR MONTHLY REPORT

It was moved by RODI and seconded by MALOSH to accept the May and June financials, the monthly police report, the communications report and the tax collector monthly report. All members present voted AYE to the motion.

OLD/UNFINISHED BUSINESS

A. DISCUSS AND CONSIDER ACCEPTING THE 2015 AUDIT AS PRESENTED BY STILLWAGGON AND MCGILL

Commissioner Horowitz – Once again, I believe our township is doing a great job financially. The audit is again outstanding and I want to commend everybody that has anything to do with keeping the township in such good financial shape.

It was moved by MALOSH and seconded by RODI to accept the 2015 Audit as presented by Stillwaggon and McGill. All members present voted AYE to the motion.

B. DISCUSS AND CONSIDER ADVERTISING BIDS FOR STAR CITY DEMOLITION

Commissioner Horowitz –This is just to see what it would cost to demolish Star City. All we are doing at this point is advertising.

It was moved by MALSOH and seconded by RODI to approve advertising bids for Star City demolition. All members present voted AYE to the motion.

C. DISCUSS AND CONSIDER APPROVING THE BID FOR THE SYGAN ROAD PROJECT

Mr. Eggleston – There were actually two contracts under this project, or two projects. We had several bidders, and the low bidder was the same on both projects.

Mike Benton, Township Engineer – There were four total bidders that bid on the two pieces of the project. The first project is the replacement of a culvert on Sygan Road that has needed replaced for about 4 or 5 years. The low bid was \$148,157.00. The second project is the reconstruction of the road on each side of that culvert to slightly raise the road in order to get the road over the culvert, which will be considerably larger, at the cost of \$41,813.00. Both low bids were from Bioni Drilling, Inc.

It was moved by MALSOH and seconded by CARDILLO to approve the bid for the Sygan Road Projects. All members present voted AYE to the motion.

#### D. DISCUSS AND CONSIDER BOND FINANCE

Mr. Eggleston – We received two proposals, one from Janney Montgomery Scott and one from PNC, relating to the bond refinance. I have been watching the market and it is still a very strong time to refinance, and savings should be well over a million dollars that we could put toward the capital project of moving the public works facility to the Treveskyn site. The formal documents are not prepared yet. What I would like to do is shrink it down to one of the two firms to work with the solicitor, myself and the bond counsel, Mr. Gerhold, to move that forward. My recommendation would be Janney Montgomery Scott.

Commissioner Malosh – I just need to understand the selection process.

Mr. Eggleston – Most of the pricing related to the two is really set by the bond process. There is one area, the issuance costs, that they can control. That is a very minimal amount. Both are very reputable firms and I personally have dealt with Janney Montgomery Scott and the representative in the past. They are based out of Pittsburgh, and the rep is the one that is handling Chartiers Valley School District with their large rebuilding project.

Commissioner Horowitz – Does anyone have problem with the township and Janney Montgomery Scott Underwriting continuing to work together to bring this bond financing to conclusion?

There was no objection, so Commissioner Horowitz said that it was okay to continue the process to get this done.

#### E. DISCUSS AND CONSIDER REZONING REQUEST BY GRAHAM/ROSI/BRISSELLI FOR PROPERTIES AT 3122 THRU 3132 WASHINGTON PIKE FROM R-2 SUBURBAN RESIDENTIAL TO C-1 LIMITED COMMERCIAL

It was moved by MALOSH and seconded by RODI to approve the rezoning request by Graham/Rosi/Briselli for properties at 3122 thru 3132 Washington Pike from R-2 suburban residential to C-1 limited commercial. All members present voted AYE to the motion.

ROLL CALL:  
CARDILLO, HOROWITZ, RODI, MALOSH – YES

Motion passes 4:0

F. DISCUSS AND CONSIDER REZONING REQUEST BURSCA FRONTGATE LP AT THE ENTRANCE OF THE BURSCA BUSINESS PARK, WASHINGTON PIKE, FROM B-1 AND R-2 TO C-2

It was moved by RODI and seconded by MALOSH to approve the rezoning request from Bursca Frontgate LP at the entrance of the Bursca Business Park, Washington Pike, from B-1 and R-2 to C-2. All members present voted AYE to the motion.

ROLL CALL:  
CARDILLO, HOROWITZ, RODI, MALOSH – YES

Motion passes 4:0

NEW BUSINESS

A. DISCUSS AND CONSIDER HIRING PATROLMAN JAMES JEFFREY FULL-TIME

Mr. Eggleston – This is just a formality. Mr. Jeffrey has finished his one-year probation, and the police chief and I recommend to approve him as a full-time employee of the department.

Commissioner Horowitz – I have had interactions with Officer Jeffrey, and I believe he is doing an outstanding job.

It was moved by MALSOH and seconded by RODI to hire Patrolman James Jeffrey full-time. All members present voted AYE to the motion.

B. DISCUSS AND CONSIDER LIBRARY BOARD POSITION OPENING LEFT VACANT BY THE RESIGNATION OF MOHAMED SENOUSY

It was moved by MALSOH and seconded by CARDILLO to appoint Mark Aul to the Library Board to finish the remainder of Mohamed Senousy's term. All members present voted AYE to the motion.

C. DISCUSS AND CONSIDER KEYSTONE RECREATION, PARK AND CONSERVATION FUND GRANT FOR PUBLIC LIBRARY FACILITIES

Mr. Eggleston – The library commission and their director, Cheryl Napsha, have identified this as a possible source for grant funding towards the new community center, specifically the library in trying to gather more funding to make the library as large as we can with the funding we can acquire. The grant can go up to \$500,000.00 and it is due in October.

Bob Milacci, library board president – This only occurs every two years and the grant will be given in 2017 so if we miss this window the next opportunity will be in 2019.

Mr. Eggleston – We would just like the board to approve this. I also wanted to note that this grant is a 50% match and we should be able to utilize the funds that we have set aside in the Star City account and the library to match this grant.

It was moved by MALSOH and seconded by CARDILLO to approve the Keystone Recreation, Park and Conservation Fund Grant for public library facilities. All members present voted AYE to the motion.

D. DISCUSS AND CONSIDER THE JUNE “REVISED” REFUNDS FROM THE TAX COLLECTOR

Mr. Eggleston – There was a small error in the report that was provided to us by Anne Beck and we have not issued any of those refunds. This revised refund list needs to be approved by the board.

It was moved by CARDILLO and seconded by MALOSH to approve the June revised refunds from the tax collector. All members present voted AYE to the motion.

E. DISCUSS AND CONSIDER THE JULY TAX REFUNDS FROM THE TAX COLLECTOR.

It was moved by MALOSH and seconded by RODI to approve the July tax refunds from the tax collector. All members present voted AYE to the motion.

F. DISCUSS AND CONSIDER PENNDOT GRANT LETTER

Mr. Eggleston – This is tied to the \$381,000.00 grant that the township was awarded through PennDOT. This is the paperwork associated with the grant. We need to provide them with an acceptance letter, a grant agreement signed, dated, and completed, and a resolution that identifies and authorizes a township official to sign on behalf of the grant agreement and to identify the funding match, which will come from our traffic impact fee fund. I would just ask from the board to move forward with this, including the resolution.

It was moved by RODI and seconded by MALOSH to approve the PennDOT grant letter and Resolution 13 of 2016. All members present voted AYE to the motion.

Commissioner Horowitz asked if we could move off schedule to item K.

**K. DISCUSS AND CONSIDER AUTHORIZING PRESIDENT OF THE BOARD OF COMMISSIONERS TO SIGN OFF ON SECTION 147(F) APPROVAL FOR OAK RIDGE VOLUNTEER FIREMAN ASSOCIATION PROJECT**

Mr. Eggleston – Oak Ridge Fire Department is working on a project related to their building. Not the garages where the trucks are located, but the fire hall itself has had some foundation issues and they had a structural engineer look at it. The outcome is the cost related to properly fixing it might come close to what it may cost to tear down and rebuild the fire hall. Each of the fire departments is allowed to go out and get funding for equipment or projects such as this. What they need is a sign-off from the township to prove that we are aware of it and the approval does not in any way constitute our financial obligation. They will have a public hearing next week. I met with Heather Godfrey yesterday and introduced her to the staff they would be dealing with during the building process and the process to get permits.

Mr. Garvin – There is no financial obligation; it is just a legal requirement. When a volunteer fire department applies for funding, they are going to be issuing a security bond , and they just need approval.

It was moved by MALSOH and seconded by RODI to approve authorizing president of the board of commissioners to sign off on Section 147 (F) approval for Oak Ridge Volunteer Fireman Association Project. All members present voted AYE to the motion.

**G. DISCUSS AND CONSIDER RESOLUTION 12 OF 2016 HAZARD MITIGATION PLAN**

Mr. Eggleston – The county modified their Hazard Mitigation plan, so we have to enact it so we are eligible for funding should something happen. This is separate from the Emergency Management Plan, which will be coming in the near future.

It was moved by CARDILLO and seconded by MALOSH to approve Resolution 12 of 2016 Hazard Mitigation Plan. All members present voted AYE to the motion.

**H. MOTION TO RATIFY THE ELECTRONIC VOTE OF JUNE 21, 2016, TO APPROVE THE ENTRY INTO A SECOND AMENDMENT TO THE STAR CITY PURCHASE AND SALES AGREEMENT WITH HORIZON PROPERTIES**

Mr. Garvin – This is the second request for an extension from Horizon under the purchase agreement of the Star City property. There are some environmental evaluations that need to be completed in order to determine what the cost of the remediation of that project is. They asked to extend their due diligence period to November 9, 2016. Staff and I feel confident that they should have a handle on the cost associated with the remediation of the environmental issues that have been identified in their phase 2 study. The prior extension was going to expire before the board was going to meet. Rather than go through an extermination and reinstatement of the agreement, we did a phone vote and everybody voted to extend it.

It was moved by MALOSH and seconded by RODI to ratify the electronic vote of June 21, 2016 to approve the entry into a second extension to the Star City purchase and sales agreement with Horizon Properties. All members present voted AYE to the motion.

#### I. DISCUSS AND CONSIDER THE PURCHASE OF PROPERTY ON 640 MILLERS RUN ROAD FOR DEMOLITION PURPOSES

Mr. Eggleston – This is a house on the Millers Run Road corridor between the township building and Old Oakdale Road. It is one of several houses on our radar from a general beautification standpoint of the main corridor between Millers Run and the school. We did meet with the potential seller and the property was for sale for \$17,000.00 and we were able to get the cost down to right about \$15,000.00, not including the fees for closing. It is an opportunity to pick up a house with some major foundation issues from both an overall safety and beautification standpoint of the main corridor. We are keeping our eyes on other problem properties in the township also. I would recommend to the board to proceed with acquiring that property and get an estimate to demolish the building. We do have funds in the budget for demolition.

It was moved by RODI and seconded by CARDILLO to approve the purchase of property on 640 Millers Run Road for the sales price of \$15,000.00 plus applicable closing costs for demolition purposes. All members present voted AYE to the motion.

#### J. DISCUSS AND CONSIDER APPROVING THE BIDS FOR THE MULTI-PURPOSE FIELDS ON SEMINARY AVENUE (BOYS HOME PARK)

Mr. Eggleston – We received bids from three bidders. The low bid was from John Zottola Landscaping Inc. for \$ 2.1 million, bids from R & B Contracting and Custom Contracting with the high bid of \$2.8 million. These contractors farm out the fencing related to this project, which is extensive because of the requirements related to safety. There is about 21,000 lineal feet of fencing and a lot of it needs to be higher fencing. If you remove the fencing from the low bid, it comes down to about \$1.4 million. The fencing came in at a much higher cost than we anticipated. To get the best price, it is probably best to reject all three bids and then readvertise splitting out the fencing from the overall project into a second separate bid so we can get fencing companies to bid on

the fencing. We should be able to readvertise and have both bids back for the August meeting.

It was moved by MALOSH and seconded by CARDILLO to reject the bids for the Multi-Purpose Fields on Seminary Avenue (Boys Home Park) and readvertise for the bids separating the fields and the fence required. All members present voted AYE to the motion.

L. DISCUSS AND CONSIDER ORDINANCE 2016-5, ACCEPTING MIDDLEFIELD DRIVE AND GRANVILLE COURT IN THE BERKSHIRES

It was moved by CARDILLO and seconded by MALOSH to approve ordinance 2016-5, accepting Middlefield Drive and Granville Court in the Berkshires. All members present voted AYE to the motion.

M. DISCUSS AND CONSIDER DRAFT OIL & GAS ORDINANCE

It was moved by MALOSH and seconded by RODI to approve the Oil & Gas Ordinance.

ROLL CALL:  
HOROWITZ, RODI, MALOSH – YES  
CARDILLO – NO

Motion Passes 3:1

N. DISCUSS AND CONSIDER A REQUEST FROM NEWBURY REGARDING A REVISION TO THE NEWBURY MARKET MASTER SIGNAGE PLAN

Eric Newhouse, Newbury Project Manager – Since the time that the master signage plan was developed and approved, we have had some conversations with prospective tenants of phase two. In order for those retailers to agree to move into Newbury, they have requested some minor adjustments to how you would enter into the site. This change is feasible, but it goes right through the proposed marquee sign. The new drawings indicate that change.

It was moved by CARDILLO and seconded by RODI to approve the request from Newbury regarding a revision to the Newbury Market master signage plan. All members present voted AYE to the motion.

O. DISCUSS AND CONSIDER A REQUEST FROM NEWBURY REGARDING EXISTING 84 LUMBER SIGN

Mr. Newhouse – What was previously discussed and agreed upon was that we would remove the existing 84 Lumber sign at the time the Newbury marquee sign was erected.

We have businesses ready to open in the Gateway Shops prior to the completion of the sign. We are requesting the 84 Lumber sign remain in its current location while businesses in the Gateway Shops open. I did suggest a specific time frame in which we would accomplish the removal of the 84 Lumber sign, by October 1: at the latest.

Commissioner Rodi – What happens when this is not accomplished by October 1? What is the penalty for that?

Mr. Garvin – I think you need to bond this or escrow money so if you don't do it, the township can. Let's get some estimates to see what that is going to cost.

Mr. Newhouse – We already do have some estimates for that and actually have the removal of the sign under contract already. We can verify what that cost is.

Mr. Garvin – We can grant this request subject to him providing financial security for the verifiable cost of removal of the sign. Newbury would have to grant us permission to go on the property and remove the sign.

There was further discussion about who owns the property and the sign.

Mr. Newhouse – We do have businesses ready to open, and we were told the township would not issue occupancy permits.

Commissioner Horowitz – We can agree to issue the permits if we postpone this until next month.

Mr. Eggleston – I would like to have the documentation back for the August meeting.

Mr. Garvin – I would like to see the contractor's estimate, and whatever interest 84 Lumber has, and their consent before we issue the first occupancy permit.

Mr. Newhouse – I may have difficulty getting 84 Lumber's written consent in one week's time. When the violation letter was presented to us, because we own the property, we went to 84 Lumber and told them the sign needed to go down. They feel the sign is not in violation because they agreed, to the benefit of the township and Newbury, to move from the front to the back of Newbury and never vacated their business. They took offense to the request of the sign being removed.

Mr. Eggleston – We don't have an issue with holding up the occupancy permit for First Watch or AT&T.

Mr. Newhouse – The other two that are scheduled to be opened on August 10 are Noodles & Co. and Yo Fresh. Five Guys is not far behind.

Mr. Eggleston – Hopefully between now and the August meeting we will have the documentation because we will not issue any other occupancy permits.

P. DISCUSS AND CONSIDER AUTHORIZING TO ADVERTISE FOR THE BOARD OF COMMISSIONERS MEETINGS FOR SEPTEMBER THROUGH DECEMBER

It was moved by CARDILLO and seconded by MALOSH to approve authorizing to advertise for the Board of Commissioners meetings for September through December. All members present voted AYE to the motion.

Q. DISCUSS AND CONSIDER AUTHORIZING TO SELL EQUIPMENT VIA MUNICIBID

Mr. Eggleston – We put some equipment on Municibid. There are seven items and we would like the board’s approval to officially transfer the title and collect the money.

It was moved by CARDILLO and seconded by RODI to authorize to sell equipment via Municibid. All members present voted AYE to the motion.

BOARD DISCUSSION

Commissioner Cardillo – In speaking with Oak Ridge regarding the form they needed signed, it opened the door for some dialogue with myself and a couple of the fire chiefs, as well as Ryan. As far as things that we can do long term to help the departments: is it sustainable to have four departments? There was apparently a task force several years ago that was all four chiefs and Sue Caffrey, a member of the board of commissioners. There was a report prepared by Craig Delaney, who is the chief at Sturgeon, showing how in seven to ten years, we are not going to have the volunteers needed to answer emergency calls. It broke down some options to sustain the departments. It would cost South Fayette roughly \$780,000.00 a year to staff a fire department. We also had some discussions about what could be done on Community Day. In 1977, there were approximately 300,000 volunteers, now there are about 50,000. It has been a sharp decline.

Commissioner Horowitz – A lot of townships are moving to professional fire departments and that would be a huge expense for the township. We really do appreciate the volunteers here and we are brainstorming for ways to help them raise money and to create public awareness of what they are doing.

Commissioner Cardillo said she would send the informal report to the other commissioners. The lack of volunteers is the biggest problem the departments have right now.

Heather Godfrey said Oak Ridge has 15 active members who would show up for calls, and Chief Dan Dernosek (Fairview) said they have 19 active volunteers.

There was further discussion on this topic.

## MANAGER'S REPORT

Mr. Eggleston – I did want to give a plug for the first Touch-A-Truck event to be held on Sunday, July 24<sup>th</sup>. Originally, it was scheduled for Fairview Park, but it has been moved to the Star City parking lot to accommodate more vehicles. Chief Dernosek will be there with his fire engine. We even have construction hats for the first 400 kids who show up.

Ninety-nine percent of the feedback we received about the joint fireworks display with Upper St. Clair was positive. I appreciate the board allowing that to become a reality. I also appreciate Paula Simmons' work, the police's efforts and Fairview Fire Department. Upper St. Clair's rec center was packed, and there were hundreds of cars in Fairview Park.

Taylor Pollins is a South Fayette graduate and resident who is now a student at Kent State University. La Verne Diggs has recruited Taylor, who has volunteered two days a week at the township to learn all about local government.

Commissioner Rodi –We need to thank Andrea (Iglar) for the new magazine that we received this month.

SOLICITOR'S REPORT – No report

## PUBLIC COMMENT\*

Resident – I would just like to get a little clarification from the board on the vote for Bursca frontage. Is that decision based upon the special office and what they would or would not be permitted to put in that area, as far as, certain kinds of retail outlets? Can you guys clarify that for us? Or is that vote general and they are going to be able to put whatever they want there?

Commissioner Horowitz – They have agreed not to put those types of businesses there. They also intend to do a great deal of business in the future and if they renege on it, the township will look poorly on that. I don't know if there is any way to write that into the zoning, but that is an agreement that I know is in place.

Resident – If they put something in there that we did not agree upon, we can come back and argue that point.

Commissioner Horowitz – Absolutely.

## ADJOURNMENT

It was moved by CARDILLO and seconded by RODI to adjourn.  
All members present voted AYE to the motion.

Ryan Eggleston, Township Manager

Joseph Horowitz, President

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Date

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Date