



PUBLIC HEARING

A. CONDITIONAL USE APPLICATION CU-02-20 PIAZZA PROPERTIES, LLC, FOR PROPOSED DEVELOPMENT ON MILLERS RUN ROAD

The meeting was called to order by Commissioner Rodi on the virtual meeting app Zoom.

VIRTUALLY PRESENT: DERNOSEK, SRAY, HOROWITZ, RODI, MALOSH

ALSO VIRTUALLY PRESENT: Township Solicitor: Robert Garvin; Township Manager: John M. Barrett; Township Executive Assistant: Peggy Patterson

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT - None

CORRESPONDENCE

CONSENT CALENDAR ITEMS

A. APPROVAL OF MINUTES

It was moved by HOROWITZ and seconded by SRAY to approve the minutes from the April 15, 2020 regular meeting. All members voted AYE to the motion.

B. PAYMENT OF THE BILLS

It was moved by HOROWITZ and seconded by MALOSH to pay the April 2020 bills. All members present voted AYE to the motion.

C. BANK ACCOUNT BALANCES

D. TAX REFUND REPORT

Mr. Barrett – This list just came today, and I wanted to make sure you all had this information.

DEPARTMENT REPORTS

A. BUILDING PERMITS REPORT

Mr. Barrett – These permits are all residential, and things are starting to get back to normal.

B. COMMUNICATIONS & COMMUNITY DEVELOPMENT REPORT

Mr. Barrett – Andrea Iglar did a great job getting out a mini-newsletter with updates on how the township operations have changed due to COVID and what services are open and available to the public. We believe we will be able to get all or the lion's share of the cost of that reimbursed.

Andrea Iglar, Director of Communications & Community Development – If you factor in postage and printing costs, the cost per copy was thirty-two cents, and we will aim to get that reimbursed through PEMA.

Since the last commissioner's meeting, our COVID webpage is the second most popular webpage, second to the home page. People are using the website as a resource for information.

I started assembling photos and videos for an online Memorial Day tribute since the Memorial Day parade is cancelled this year.

Commissioner Rodi asked if the township was putting something together about Allegheny County going to the yellow phase.

Mr. Barrett – We have been trying to seek out as much guidance as we can from the state or agencies within the state like PRPS to try to understand how things are moving. Our building will remain in its current condition - closed to the public - and we look to open the building to the public when we move from yellow to green. The same can be said for most of our park facilities. We don't plan to open the restrooms, playgrounds and pavilions until we have more information. We are also monitoring our neighboring communities to see if they are opening things up prior to us opening.

Commissioner Rodi – I thought we could put something out on the website explaining that the township building won't open until the green phase, including the senior center.

Ms. Iglar – I will get it on the website tomorrow so it will be available on Friday when we go into the yellow phase.

C. PARKS & RECREATION

Mr. Barrett – We do have some decisions to make regarding some of our programs, particularly the summer camp program. We view the governor's message as not being able to have this camp until we are into the green phase. We have cancelled the sessions in June, but we have not decided about the later weeks.

Commissioner Rodi asked about the Community Day committee and if any decisions have been made regarding Community Day.

Mr. Barrett – We did have a call with the Community Day committee just to check in. They discussed a later date in October to hold some form of Community Day. They also looked at the time that the decision must be made in order to have enough time to plan and organize. We think in mid-June when the board gets together for the next meeting would be the time that we formally make the call about Community Day. We would like to hear what the board, county and state have to say about this situation between now and mid-June.

Commissioner Rodi asked if we would have fireworks at Community Day in October.

Mr. Barrett – We have fireworks that we collaborate with Upper St. Clair on July 4th and if this is cancelled for obvious reasons, we could postpone and have the fireworks for Community Day. I reached out to our contractor, American Fireworks, to see what our options are. They would like us to make that decision by the middle of June regarding July 4th, and if we selected a different date this year, there would not be an additional charge. They also said that they could make the display 100% aerial, which is a higher elevation and could be viewed from a greater distance.

Ms. Iglar – There is an immense amount of planning over many months regarding Community Day, which includes taking money from sponsors and contracts for entertainment. This is a big consideration as we move forward.

Commissioner Rodi – If we are talking about moving it to October, it gets dark out earlier and we could start Community Day later in the day and adjust the contracts that way.

Mr. Barrett – No matter what we decide, Community Day is going to look a lot different this year. Look for this to be on the June meeting agenda, and we will continue to look at different alternatives.

D. POLICE REPORT

Chief John Phoennik – I am happy to report that Officers Korkus and Schultz have successfully completed their required one-year probation period on April 22nd and they are doing very well within the department. I assigned Officer Schultz to the SHACOG Accident Reconstruction Team, and she will respond if there is a serious accident within a SHACOG community to help investigate the accident.

In April, we had 326 hours of previously scheduled training cancelled. We are going to try to reschedule these hours later in the year.

Working with Lexipol, we are slowly redoing our policy manual.

We were awarded the body-worn camera \$25,000. grant and are in the process of getting a secure server for the data that we will be storing. We will then order the equipment and have the officers go through the training. Hopefully, by late summer, we will have the body-worn cameras set up and ready to go.

We are following the CDC guidelines dealing with the public. Our officers are checked with a non-contact digital thermometer when they report to work for every shift. If any officer has a temperature of 100.4 or higher, they would be sent home as a precaution and be directed to follow up with their primary care physician, but we haven't had any issues with that.

Mr. Barrett – Looking at the chief's report and the 326 training hours that have been cancelled led us to make a decision. We mentioned last month about the virtual training package that the chief had researched. We made a decision and moved ahead with purchasing a package that will allow the chief to train his officers in a virtual manner. We used the money we had in the capital budget for the body cameras since we got the grant. This will allow the officers to continue to train safely.

Commissioner Rodi asked if this would be eligible for reimbursement under the COVID federal funds.

Mr. Barrett – We participated in a webinar on how to apply for reimbursement for those things and there is a process to go through, and we will try to get reimbursed for this program.

Commissioner Malosh – What is the dollar amount on that?

Mr. Barrett – It would be spread out over two years and it is about \$59,000.

Commissioner Malosh – Does it match the body camera costs?

Chief Phoennik – The body cameras were about \$50,000 plus the cost of the server.

Commissioner Malosh – I am totally in support of this, but I think we need to have a capital expenditure process for big dollar purchases.

There was further discussion about this.

E. PUBLIC WORKS REPORT

Mr. Barrett – They have been ramping up their time and work. We are continuing with one man per truck and providing them with masks and gloves. We are doing a lot of work in the parks and on the trail. This is typically the time we hire summer help for mowing and other maintenance. We usually hire around 10 to 12 high school or college kids. My recommendation is to continue to take applications but not make any hiring moves until we are in that green phase. Those young adults generally work more in groups more so

than independently. We usually do not permit them to drive, so they would be in a vehicle with a Public Works employee and it would be a challenge to keep the required social distancing. I think we need to wait until we get into the green phase to start this program, and I wanted to make sure you were all aware of that.

Commissioner Rodi asked if Public Works has ramped up their work in the township and was told that they are mowing, patching roads and working on stormwater issues.

Commissioner Malosh asked if we are taking the temperatures of the Public Works employees, and Mr. Barrett said they were not but that we would get a thermometer for Public Works.

OLD/UNFINISHED BUSINESS

A. DISCUSS AND CONSIDER F-12-18 KOSKY SUBDIVISION AND CONSOLIDATION, FINAL MINOR SUBDIVISION, OLD OAKDALE ROAD, ZONED R-2 REQUEST FOR AN EXTENSION OF THE APPROVAL

Andrew Blenko, Director of Planning and Engineering - This subdivision was approved in February of 2019 and, for some reason, did not get recorded. Under the municipalities planning code, it must be recorded within 90 days of the approval date so the county would not accept it. Mr. Kosky submitted a new set of plans that is the same with fresh signatures and notarizations, and we just need to reapprove it so he can get it recorded. I have attached the approval letter dated February 25, 2019.

It was moved by SRAY and seconded by MALOSH to approve F-12-20 Kosky subdivision and consolidation, final minor subdivision, Old Oakdale Road, Zoned R-2 request for an extension of the approval. All members present voted AYE to the motion.

NEW BUSINESS

A. DISCUSS AND CONSIDER A MOTION TO APPROVE A THIRTY-DAY EXTENSION TO COMPLETE DUE DILIGENCE FOR THE TOWNSHIP'S POTENTIAL PURCHASE OF INTERCARE PROPERTIES INC., PROPERTY LOCATED ON HICKORY GRADE ROAD

Mr. Garvin – We are under contract to purchase this property, and we had a ninety-day due diligence period. We might have some issues under site development, so we need the additional thirty days that was permitted under the contract, so we exercised that right last week. The due diligence timetable is June 11, and if we moved forward with purchasing the property, it would thirty days thereafter.

Mr. Barrett – CEC was retained to help us through that process, and we did receive from them a report that their geotechnical engineer put together for us looking at the soils. After a call that Bob Garvin, Andy Blenko and I had with them, they provided us with

some options of building placement trying to take advantage of avoiding differentials in soils. What they are looking to avoid is a foundation that is half cut, half fill, and they don't want to have to use caissons. We asked them to prepare an opinion and probable costs for the site work related to each of those options. We just got that today, and I think we need to hold an executive session in the next couple of weeks to discuss the costs and whether we want to proceed with the purchase.

It was moved by DERNOSEK and seconded by MALOSH to approve a thirty-day extension to complete due diligence for the township's potential purchase of Intercare Properties Inc., property located on Hickory Grade Road. All members present voted AYE to the motion.

B. DISCUSS AND CONSIDER A MOTION TO ADOPT RESOLUTION 2020-09, TO EXTEND THE PERIOD TO PAY REAL ESTATE TAXES AT A DISCOUNT UNTIL AUGUST 31, 2020 AND TO WAIVE ANY FEES OR PENALTIES FOR PAYMENT OF REAL ESTATE TAXES PROVIDED THAT PAYMENT IN FULL IS MADE BY DECEMBER 31, 2020 IN ACCORDANCE WITH ACT 15, 2020

It was moved by MALOSH and seconded by HOROWITZ to approve Resolution 2020-09, to extend the period to pay real estate taxes at a discount until August 31, 2020 and to waive any fees or penalties for payment of real estate taxes provided that payment in full is made by December 31, 2020 in accordance with Act 15, 2020. All members present voted AYE to the motion.

Mr. Garvin – John, you need to get a signed copy of this resolution to the tax collector immediately.

Mr. Barrett – I spoke with him today about this, so he is aware of the resolution and he will adjust his schedule accordingly.

Commissioner Rodi asked if we could post this new tax information on the website to let everyone know that we are extending the deadline.

C. DISCUSS AND CONSIDER A MOTION TO ADVERTISE AN ORDINANCE ESTABLISHING STOP INTERSECTIONS AT THE INTERSECTION OF NEWBURY HIGHLAND AND GROMWELL LANE; NEWBURY HIGHLAND AND CELEBRATION CIRCLE; AND CELEBRATION CIRCLE AND GROMWELL LANE

Mr. Barrett – This request came to us from the Newbury HOA. These are roads that the township adopted last month and will be included in our 2020 road program. Those roads were never finished and stop signs were not fully installed. There are five new stop signs proposed, and Bob Garvin recommends passing an ordinance to get these stop signs officially on our books now that the roads are ours. Tonight's motion is just authorization to advertise, and next month we will approve that ordinance. When the road is completed with pavement is when we will install the stop sign.

It was moved by HOROWITZ and seconded by DERNOSEK to approve a motion to advertise an ordinance establishing stop intersections at the intersection of Newbury Highland and Gromwell Lane; Newbury Highland and Celebration Circle; and Celebration Circle and Gromwell Lane. All members present voted AYE to the motion.

D. DISCUSS AND CONSIDER A MOTION TO APPROVE THE ENTRY INTO AN EASEMENT AGREEMENT WITH COLUMBIA GAS OF PENNSYLVANIA ON TOWNSHIP PROPERTY LOCATED ON ADULLUM DRIVE

Mr. Garvin – Columbia Gas needs to install a new service line and has asked the township if we would be willing to grant an easement for them to accomplish this. Public Works took a look at this and has determined that this would not impact anything that may exist or be planned for that area.

Mr. Barrett – That is correct. The park property that it sits on is behind Preservation Park and is not active park space.

Commissioner Rodi asked if we were getting anything in exchange for it, and Mr. Garvin said that he had asked but was told no by Columbia Gas.

It was moved by SRAY and seconded by HOROWITZ to approve entry into an easement agreement with Columbia Gas of Pennsylvania on township property located on Adullum Drive. All members present voted AYE to the motion.

E. DISCUSS AND CONSIDER F-02-20 FINAL APPROVAL OF LAFAYETTE MEADOW PHASE 2, PLAN OF LOTS, ZONED R-1

Mr. Blenko – Lafayette Meadow was approved late 2018, and it was always contemplated that it would be a multi-phase plan. This is the second phase, and this would be a conditional approval. The sewage plan and entrance off Battle Ridge Road is in place. It should be straightforward.

It was moved by HOROWITZ and seconded by SRAY to approve F-02-20 final approval of Lafayette Meadow phase 2, plan of lots, zoned R-1. All members present voted AYE to the motion.

F. DISCUSS AND CONSIDER APPROVING A CONDITIONAL USE APPLICATION CU-02-20 PIAZZA PROPERTIES, LLC FOR PROPOSED DEVELOPMENT ON MILLERS RUN ROAD

Mr. Barrett – This is related to the hearing we had earlier. This is a conditional use of a land development, and there are multiple variances. They are beginning with the Planning Commission and the Zoning Hearing Board later this month. The Planning Commission already recommended approval of the conditional use.

It was moved by HOROWITZ and seconded by SRAY to a conditional use application CU-02-20 Piazza Properties, LLC for proposed development on Millers Run Road. All members present voted AYE to the motion.

G. DISCUSS AND CONSIDER WAIVING THE FEES FOR THE LAND DEVELOPMENT AND GRADING PERMIT FOR THE GLADDEN TREATMENT ON BEHALF OF THE SOUTH FAYETTE CONSERVATION GROUP

Mr. Barrett – The Conservation Group is a non-profit, and this is for the Gladden water treatment project that they secured a grant for. It is a benefit to the community, so we wanted to support their request.

It was moved by DERNOSEK and seconded by SRAY to approve waiving the fees for the land development and grading permit for the Gladden treatment on behalf of the South Fayette Conservation Group. All members present voted AYE to the motion.

H. DISCUSS AND CONSIDER A MOTION TO APPROVE AN AGREEMENT WITH THE SCHOOL DISTRICT OF SOUTH FAYETTE TOWNSHIP TO PROVIDE A SCHOOL RESOURCE OFFICER FOR THREE YEARS

Mr. Barrett – The proposal would have the same terms as in the past, just for three more years. The share of the cost is 70% for the school district and 30% for the township.

It was moved by HOROWITZ and seconded by MALOSH to approve an agreement with the school district of South Fayette Township to provide a school resource officer for three years. All members present voted AYE to the motion.

I. DISCUSS AND CONSIDER APPROVING A DEDUCT CHANGE ORDER TO ELIMINATE REMAINING WORK FROM 2018 – CONTRACT NO. DPW-01-18, 2018 ROAD IMPROVEMENTS PROGRAM

J. DISCUSS AND CONSIDER APPROVING A DEDUCT CHANGE ORDER TO ELIMINATE REMAINING WORK FROM 2019 – CONTRACT NO. DPW-01-2019, 2019 ROAD IMPROVEMENTS PROGRAM

Mr. Barrett – Items I and J relate to our open contracts with our paving contractor for the 2018 and 2019 paving program. For our program this year, we got support from a consulting engineer, Lennon Smith Souleret, and their recommendation was to formally close out those two contracts. We are going to address the roads within those two contracts.

It was moved by DERNOSEK and seconded by MALOSH to approve Items I and J approving a deduct change order to eliminate remaining work from

2018 and 2019 Contract No. DPW-01-2018 and No. DPW-01-2019, 2018 and 2019 road improvements program. All members present voted AYE to the motion.

K. DISCUSS AND CONSIDER A MOTION TO AWARD CONTRACT NO. DPW-01-20, 2020 ROADWAY AND STORM SEWER IMPROVEMENTS TO YOUNGBLOOD PAVING INC. FOR AN AMOUNT NOT TO EXCEED \$2 MILLION PER LSSE BID REPORT LETTER DATED MAY 13, 2020 AND AS RECOMMENDED BY THE TOWNSHIP ENGINEER

Mr. Barrett – We are not going to do any seal coating this year. We are planning to do an overlay on the roads that were recommended for the seal coat. We think we will get a larger part of the paving done.

Commissioner Dernosek asked if they would do base repair before the overlay and if they were going to repair the catch basins and was told by Mr. Blenko that they would.

Commissioner Rodi – I see the recommendation is for Youngblood, and I don't see any other bids. We had Youngblood last year and they did a very poor job. They didn't complete what they were supposed to do, and I believe we used them in 2018 also, which caused us to be backlogged on our road repairs.

Mr. Barrett – In the 2018 and 2019 contracts, the parts that Youngblood fell on were the roads that were to be tarred and chipped.

Commissioner Rodi – It was more than that. They were noncompliant, they didn't follow through with OSHA, and they left a mess. They did not follow the rules that they were supposed to whenever they were out doing the road. I have a real problem giving them this contract. What was the difference in the bids we received? Are we required to take the lowest bidder?

Mr. Barrett – Andy Blenko and I had a call with Lennon Smith about this and if their past performance makes them an unqualified bidder. Unfortunately, I don't think it does. This is a much tighter contract than we have had in the past, and we are ready to implement the liquidated damages clause immediately. Because we are doing a lot of paving and because of the size of this contract, they are ready to start paving right away.

Mr. Blenko – Youngblood's bid was \$1,200,185; Miele and Miele's bid was \$1,284,000; Independent Enterprise was \$1,289,000, and Folino was \$1,683,000.

Kevin Brett from LSS spoke to Youngblood this week and Youngblood has not gotten any other significant projects this year and they are ready to go.

Commissioner Malosh – Do we have to take the lowest bid? Have they said they will do better this year?

Mr. Garvin – I don't know to what extent we have documentation regarding the past issues. We would have to have extensive documentation in case they decided to come after the township.

Mr. Barrett – LSSE said they are PennDOT certified and LSSE put them up there as one of the best paving companies around. By eliminating the seal coat, which is messy and gets a lot of complaints, we think they will be able to finish the job.

Mr. Garvin – There would be a performance bond and if things go bad, we put a hard stop on it and whatever additional money it would cost us to have this completed would be under the bond. If we don't know the level of documentation we have for the prior performance and if we are moving forward with them, we need to monitor them closely. It is a significant action when you throw out the lowest bidder and you have to make it clear to them in writing why they were not chosen.

Mr. Barrett – With considerable oversight I believe that we can hold their feet to the fire to get it done correctly, but if you want to look at another bid, we will fight that fight.

It was moved by HOROWITZ and seconded by MALOSH to award contract No. DPW-01-20, 2020 roadway and storm sewer improvements to Youngblood Paving Inc. for an amount not to exceed \$2 million per LSSE bid report letter dated May 13, 2020 and as recommended by the township engineer.

Both Commissioner Malosh and Commissioner Rodi questioned how we were going to monitor the work being done by Youngblood and were told by Mr. Barrett that in addition to our employees, LSSE had a team of construction inspectors.

PUBLIC COMMENT - None

BOARD DISCUSSION

Commissioner Rodi – Senator Pam Iovino called to inform us that the township was awarded a \$240,000. grant to do the Washington Pike, Boyce Road stop light and intersection improvement.

Mr. Barrett – Regarding the grant that was secured for Alpine Road and Route 50: that project was initially suspended but was recently opened back up and should be on target for late summer or early fall.

Commissioner Rodi – Primary election is June 2 and the county executive reached out, and each municipality is asked to scale down their polling locations to one location. It has to be one of our current polling locations. They are finding it difficult to find workers for the polls.

Commissioner Malosh expressed concern about all people having to go to just one location.

Mr. Barrett – I am not sure if this is a request or if we can have additional sites, but I do know they are really pushing the mail-in ballots.

There was discussion about where to have the one poll and they decided the high school would be the best option.

MANAGER’S REPORT

Mr. Barrett – I think we covered all the items on my report. The things that we really wanted to get feedback on were July 4th and Community Day activities. Please give that some thought, and that will be on the agenda for next month’s meeting.

Waste Management is back up and running at full capacity, so the restrictions are now lifted.

One other item is our search for Assistant Manager/Finance Director. We continue to keep the search open and would like to be able to conduct face-to-face interviews, so we are planning to look to extend the search to the end of the month and see where that takes us.

Commissioner Rodi called Allegheny County Councilman Patrick Catena during the meeting, and he recommended that Mr. Barrett call the Elections Division of Allegheny County and request that we have one or two additional polling locations.

Councilman Catena – Allegheny County has said that due to the pandemic, there is a shortage of poll workers, so they are asking that each municipality have only one location. Some of the bigger municipalities might be allowed two or three locations, but that is not confirmed.

He suggested we make the request through the county Elections Board for an additional polling location.

The board discussed where the additional locations could be if the township is able.

SOLICITOR’S REPORT

ADJOURNMENT

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

John M. Barrett, Township Manager

Gwen A. Rodi, President

Date

Date