

Ross Township Commissioners Meeting
1000 Ross Municipal Drive
Pittsburgh, PA 15237
January 19, 2016
7:30 p.m.

COMMISSIONERS PRESENT: Jeremy Shaffer, Daniel L. DeMarco, Grace Stanko, David J. Mikec, Lana Mazur, Stephen Korbel (via telephone), Richard Avon, Patrick Mullin and Jack Betkowski

SOLICITOR: Bonnie Brimmeier, Esq. (via telephone) and Neva Stotler, Esq.

TOWNSHIP MANAGER: Douglas Sample

DIRECTOR OF COMMUNITY DEVELOPMENT/ZONING ADMINISTRATOR: Dominic J. Rickert

Pledge of Allegiance/Invocation

PUBLIC COMMENT ON AGENDA ITEMS – None

PRESENTATION OF PLAQUE:

Commissioner DeMarco presented a plaque to Nicholas Bartel on attaining the rank of Eagle Scout. Commissioner DeMarco also thanked Nicholas for asking him to present him at his Court of Honor. Nicholas thanked Commissioner DeMarco and Ms. Peet for their help with his project, which was working on the trails at Evergreen Park.

PETITIONS AND COMPLAINTS:

Mr. Kevin Cohn, 115 Rydal Lane, Pittsburgh, PA 15237, addressed the Board with regard to the issue of cars going through the stop sign at McIntyre and Derwent, as well as fumes from a fireplace and parking interfering with his mailbox. Commissioner Shaffer recommended Mr. Cohn contact the Allegheny Health Department regarding the fireplace smoke issue. Mr. Rickert stated he would speak to Mr. Reubi about the matter. Mr. Rickert also

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indicated he could contact the Health Department for Mr. Cohn. Commissioner Shaffer stated the police would be asked to check on the stop sign situation.

RESOLUTIONS TO BE ADOPTED:

Resolution No. 2195 – 2013, 2014 & 2015 Ross Township Real Estate Tax Refunds – Various - \$5,190.72

Motion to adopt made by Commissioner Mazur and seconded by Commissioner DeMarco.

Commissioner Betkowski questioned whether the appeals were reviewed with either a real estate agent or a lawyer. Mr. Sample indicated the school district takes the lead on appeals. Commissioner Mikec inquired how someone would receive their refund check if they have moved. Mr. Sample stated the mail should be forwarded through the Post Office. Commissioner Betkowski also questioned whether the taxpayers in Ross might be overassessed systemically. Mr. Sample stated following the reassessment it seems that the problem has righted itself.

Motion passes unanimously

ORDINANCES TO BE INTRODUCED:

Ordinance No. 2365 – Amending the Code of Ordinances at Chapter 22, Part 6, Section 22-604.6, and removing Section 22-612 regarding sidewalks.

Commissioner Shaffer stated this would affect requiring sidewalks for new developments. Mr. Rickert indicated the county will have 45 days to review the ordinance. The public hearing will be held after the 45 days. Commissioner Mikec questioned maintenance of the sidewalks. Mr. Rickert stated there is another chapter in the ordinance that addresses maintenance. Mr. Rickert stated this new ordinance replaces the old one, which basically stated sidewalks can be required whenever. The new ordinance mentions the standards. Commissioner Betkowski inquired as to whether fees would be collected and what the “end game” is.

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Commissioner Shaffer responded that it would ultimately be up to the Board on how the funds would be used. He stated the Parks and Rec Comprehensive Plan identified pedestrian corridors. He indicated the funds could be used “to fill in gaps” and actually get traversable sections that connect. Assuming there is positive feedback, there will be a public meeting with extensive discussion. Upon inquiry by Commissioner Korb, Mr. Rickert stated it would be sent to the county tomorrow.

ORDINANCES TO BE ENACTED:

Ordinance No. 2363 – Stop signs at Laurelwood and Ennerdale, Oesterle and Mt. Troy and Russell and Thompson Run.

Motion to enact made by Commissioner Korb and seconded by Commissioner Mullin.

Commissioner Mikec requested that a sketch accompany such requests in the future.

Motion passes unanimously

Ordinance No. 2364 - Permit parking on Arbor Drive.

Motion to approve made by Commissioner DeMarco and seconded by Commissioner Mazur.

Commissioner DeMarco thanked Lieutenant Ley for his efforts in this regard. He stated the reason for the ordinance is safety concerns. Commissioner DeMarco stated this street is at the side entrance to Ross Elementary School. He indicated at dismissal cars are parking everywhere to the extent it has become a safety issue. There are also concerns at Richmond Circle and Twin Oaks. Upon inquiry by Commissioner Mikec if the matter has been addressed at the school board, Commissioner DeMarco responded they were contacted.

Motion passes unanimously

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CONSENT AGENDA:

Approval of Minutes – December 7, 2015

Motion to approve made by Commissioner Mikec and seconded by Commissioner Mazur.

**Motion passes – 6 to 0 with 3 abstentions
Commissioners Mullin, Betkowski and Avon abstaining**

PAYMENT OF BILLS AND FINANCIAL REPORTS:

Motion to approve made by Commissioner Mikec and seconded by Commissioner Mazur.

Commissioner Betkowski questioned the payment of the bills from two attorneys. He indicated one of the bills contained some detail, but the other bill contained no detail. He stated he would like more information. Commissioner Mazur stated Commissioner Betkowski could contact the solicitor, and she could go through the bill with him. Commissioner DeMarco disagreed with Commissioner Mazur. He stated on his bills to clients he is detailed. Commissioner DeMarco also commented that when the Board reappointed Brimmeier & Associates as solicitor, no fee agreement was mentioned. He stated he would like to see the agreement. Ms. Brimmeier responded as follows:

MS. BRIMMIER: "I would like to address this at the next meeting, but Commissioner DeMarco is well aware that this was addressed very specifically at a PELRAS conference. We sat next to each other at the table where they don't recommend any detailed billing, because it can be used against the municipality. So, you know, I understand what's happening here. But Commissioner DeMarco is very much aware. I've been doing this for eight years now, and all of a sudden this is a problem. What he's requesting is contrary to what is being recommended by the professionals."

Commissioner Shaffer requested the Finance Committee commissioners, Commissioner Mazur and Commissioner Avon, look into the matter and work with the solicitor to see if any changes are

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required or recommended. He stated the matter can be discussed further at the February 1st meeting.

Roll call:

- Commissioner Betkowski - No
- Commissioner DeMarco - No
- Commissioner Stanko - Yes
- Commissioner Mikec - Yes
- Commissioner Mazur - Yes
- Commissioner Korbel - No
- Commissioner Avon - Yes
- Commissioner Mullin – No
- Commissioner Shaffer – Yes

Motion passes – 5 to 4

PLANNING COMMISSION - None

PLANNING/ZONING REDEVELOPMENT COMMITTEE REPORT:

Commissioner Korbel thanked Commissioner Shaffer for reappointing him to this committee. He stated this year and probably leading into next year one of the primary goals of the committee will be to take the Comp Plan into review and potentially revise the township Zoning Ordinance. He indicated he is looking forward to working with Commissioners Mazur and Mullin as well as others in the Planning Commission to achieve that goal. He stated he would be contacting Mr. Rickert and Commissioners Mazur and Mullin to get together before February 1st.

SOLICITOR’S REPORT - None

RECREATION COMMITTEE REPORT:

Commissioner Mazur stated articles for the magazine need turned in ASAP. The annual Easter Egg Hunt will be held on March 12th from 11:00 a.m. to 2:00 p.m. at the Municipal Center for children from 0 to 10 years of age. The registration deadline is

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March 4th. Commissioner Shaffer mentioned that the older kids enjoyed looking for eggs on the hill. Commissioner Mikec stated weather conditions prevented looking for eggs on the hill. Loose rocks falling down the hill is also a concern.

ADMINISTRATION/LEGISLATIVE COMMITTEE REPORT - None

PUBLIC WORKS COMMITTEE REPORT:

Commissioner Mikec commented that there have been three snow call-outs. The salt contract is for 8,000 tons of salt. 3,500 tons have been purchased or delivered. The building construction has been shut down for the week due to the temperatures. Public Works is initiating GPS in 20 of the snow removal vehicles to improve performance. It will also track how many times a street is plowed or salted. They are also going to try it with the flare cutting machine in the summer.

Commissioner Betkowski questioned the report of a landslide at Northway Mall. Mr. Funk stated the landslide was in the area of Ross Park Mall at the Cosmopolitan Apartments. Mr. Rickert stated it was on a private section of Ross Park Mall’s driveway. Commissioner Betkowski also questioned a reference to Gateway working with Ross staff on a flooding complaint at 3429 Babcock Boulevard. Mr. Sample stated that issue was solely the property owner’s issue, since he didn’t construct the stormwater to the level he said it was going to. Commissioner Betkowski also suggested to Mr. Funk that Commissioner Avon could help on picking the colors for the Public Works Building.

PUBLIC SAFETY/POLICE COMMITTEE REPORT:

Request Board motion to approve the Collective Bargaining Agreement between the Ross Township Special School Guards and General Teamsters, Chauffeurs & Helpers Local Union No. 249 for the period September 1, 2015, through August 31, 2020.

Motion to approve made by Commissioner Avon and seconded by Commissioner Mazur.

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Commissioner Betkowski pointed out a typo on the date. Commissioner Korbel also stated dates need corrected on page 4. Commissioner Shaffer stated the school district reimburses the township for half the cost. The motioner and seconded accepted the revisions of the dates.

Motion passes unanimously

Request Board motion for approval of the following three (3) police cars sold on Muncibid:

- Car #2 - 2011 Ford Crown Victoria - \$3,100.00**
- Car #9 - 2011 Ford Crown Victoria - \$3,100.00**
- Car #30 - 2010 Dodge Charger - \$4,910.00**

Motion to approve made by Commissioner Avon and seconded by Commissioner Mazur.

Upon inquiry by Commissioner Shaffer, Mr. Sample stated this is an online auction, which is a much easier and cheaper process. There are no fees associated with it. Upon inquiry by Commissioner Mikec, Mr. Berty stated the buyer pays the eight percent fee to Muncibid.

Motion passes unanimously

PUBLIC SAFETY/FIRE/FIRE POLICE/EMS COMMITTEE REPORT:

Commissioner DeMarco stated the chiefs would be meeting tomorrow at 7:30 p.m. at the Municipal Center.

MANAGER’S REPORT:

Mr. Sample stated in the packets was the Ethics Act Statement of Financial Interest. He requested the forms be filled out and returned to him. Also included in the packets was information on the ALOM conference from April 7th to April 10th. Regarding Commissioner Betkowski’s inquiry into the reappointment letter to

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Mr. Tunney, he said it is only a one-year term. A letter will be sent to Mr. Tunney saying that the appointment expires on December 31, 2016.

COMMISSIONERS' COMMENTS:

Commissioner Stanko requested copies of the occupancy forms in her packet.

Commissioner Mikec requested brick and curbed roadways be added to the paving management program. He stated the failing curbs along brick roads need to be addressed. He indicated he would be glad to work with someone with Public Works and point out the areas of concern.

Commissioner Mullin thanked everyone who braved the cold weather to come to the meeting.

CITIZENS' COMMENTS:

Mr. Joe Zawoysky, 123 5th Avenue, Pittsburgh, PA 15229, questioned whether a county or state road have any plan in the sidewalk ordinance. He also mentioned permit parking near the high school. He also questioned whether a streetlight could be installed at the entrance to the Municipal Center grounds. Mr. Zawoysky stated he sent a letter inviting President Obama and Governor Wolf as well as other politicians to visit the Municipal Center. He mentioned combing federal services at the building.

Mr. Craig Linner, 319 Holly Hill Drive, Pittsburgh, PA 15237, speaking on behalf of the Ross Economic Development, questioned whether the sidewalk ordinance would be open to adjustments. Mr. Rickert responded in the affirmative. Commissioner Shaffer suggested Mr. Rickert attend the RED meeting scheduled for tomorrow at the Municipal Center.

Mr. Jerry O'Brien, 101 Sally Ann Drive, Pittsburgh, PA 15214, questioned who would be responsible for the maintenance of the sidewalks, whether the township installs them or a developer.

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Ms. Brimmeier responded as follows:

MS. BRIMMIER: "The property owner is responsible for maintaining any sidewalks, regardless of who installs them."

Mr. O'Brien commented that he didn't think that was business friendly. He also requested the list of commissioners and their wards as well as districts and state representatives be published in the Ross magazine. Commissioner Shaffer stated he was thinking of having a group picture as well as individual pictures of the commissioners as well as a short biography and contact information published in the magazine. Commissioner Shaffer also stated it wasn't in the last magazine due to the fact that there would possibly be new commissioners following the election. Mr. Sample indicated the information would be coming back to the magazine.

Motion to adjourn made by Commissioner DeMarco and seconded by Commissioner Mazur.

Motion passes unanimously

MEETING ADJOURNED AT 8:37 P.M.

**Douglas Sample
Manager/Secretary**

**Jeremy Shaffer, President
Ross Township Board of
Commissioners**

Commented [LG1]: plea

Minutes transcribed by *Noreen A. Re, Court Reporter*