MINUTES
REGULAR MEETING, SHALER TOWNSHIP
BOARD OF COMMISSIONERS
TUESDAY, AUGUST 11, 2020

The meeting was called to order at approximately 7:00 P.M. by the Chairman David Shutter. Following a prayer by Commissioner Boyle and the Pledge of Allegiance, the Chairman asked the Secretary to call the roll as follows:

PRESENT: Boyle, Cross, Shutter, McElhone, Mizgorski, Fisher, Iozzo
ALSO PRESENT: Timothy Rogers, Manager; Harlan Stone, Solicitor; Judith Kording, Assistant Manager; Amanda Jennings, Finance Assistant; Elaina DiBucci, Administrative Assistant

Mr. Rogers noted that due to the COVID-19 pandemic, Commissioner Fisher called into the meeting and was present telephonically since she just returned from being out of state and was self-quarantining.

The Chairman announced that an Executive Session was held on July 14, 2020 and this evening at 5:00 p.m. wherein the following topics were discussed: employee and personnel matters, contracts and policies, and an update on the actual and on-going litigation as well as potential litigations and identifiable complaints and agency business which if conducted in public would violate a lawful privilege or lead to the disclosure of confidential information. Mr. Stone said the session was absolutely necessary and was in full compliance with the Pennsylvania Sunshine Act and Act 15 which covers public meetings under the Governors Declaration of Disaster Emergency.

Appointment as Interim to fill a Committee Vacancy
The Chairman asked for an appointment as Interim to fill a Committee vacancy. Mr. Boyle moved, seconded by Mr. Cross that Gary Wilson be appointed as an interim member of the Planning Commission as Fire Liaison for the remaining length of 2020, said to expire December 31, 2020. The motion was carried.

Approval of Minutes
The first item of business was the possible approval of the Regular Meeting Minutes of the Board of Commissioners held Tuesday, July 14, 2020. Mr. Boyle moved, seconded by Mr. Mizgorski that the Minutes of the Regular Meeting of July 14, 2020 be approved as received by each Commissioner. The motion was carried.

Planning Commission:
The next item of business was the Planning Commission minutes. Mr. Piekarski stated that they provided final approval at their last meeting for 3 site developments, all of which are on the agenda for tonight’s Board of Commissioners Meeting for final approval.

Engineers Report – Mr. Matthew Sebastian
The next item of business was the Engineers Report.

- Stormwater Management
Met again with NHCOG municipalities and the COG’s consultant to discuss the Pine Creek Watershed Implementation Plan (WIP) update. The completion of the WIP update will meet current requirements grant funding opportunities for watershed improvement projects that may also overlap with MS4 and flood hazard mitigation planning efforts.

- **Sanitary Sewer**
  - Planned sanitary sewer lining work with Insight Pipe to line more than 7000 linear feet of sewer. Negotiated better pricing than our typical lining work with Insight for this project. We will continue to work with contractors to find savings and efficiencies. I expect to do additional lining work in the coming months.
  - An application was submitted for ALCOSAN GROW grant funding for Phase 2 of our lining work along Saxonburg Blvd. Phase 1 has already received GORW funding. If Phase 2 funding is received, we will bid the two phases at the same time for construction in 2021.

- **Road Paving**
  - Youngblood Paving began work on the annual Road Paving Program during the week of July 27th. 7 roads have been completed to date and the finished product has been very good. The paving inspectors, public works director, and I have been working closely to coordinate with Youngblood and address any issues as they occur.
  - Finalized Road Repair details through work with Hampton Township and Gateway Engineers. We have been working with Hampton to develop shared details for road repairs so utility companies working in both municipalities are repairing roads in a consistent and complete manner.

**Shaler Hampton EMS**

The next item of business was a report from Mr. Eric Schmidt, Director of Shaler Hampton EMS (SHEMS). Mr. Schmidt reported that SHEMS is down 18 calls, they have a 6.5-minute average time from the time they are called to the time they are at the patient’s bedside and 63.2% of patients were transported to the hospital. Mr. Schmidt stated that they have been very busy, and COVID-19 continues to be a major focus for them. Current counts of COVID-19 for the community are: Shaler-115, Hampton-120 and Etna-19. Mr. Schmidt stated that the Wetzel Road Bridge being closed has been a very small operational issue.

**New Business:**

**Possible approval of Site Development – Scioto Properties SP-16 LLC-444 McElheny Road – Fifth Ward – Lot & Block 433-R-120**

The next item of business was the possible approval of Site Development – Scioto Properties SP-16 LLC-444 McElheny Road – Fifth Ward – Lot & Block 433-R-120. Mr. Rogers stated that himself and the Solicitor, Mr. Stone participated in an early neutral evaluation at the direction of Federal Court. As part of that early intervention negotiations, Mr. Stone was able to reach an agreement with Scioto Properties on four issues: limited to 6 clients, submit a stormwater management plan, provide landscape and buffer to protect 450 McElheny Road for the natural buffer to prevent any light migration coming from cars on the property and to provide easement across the 2 lots. Mr. Stone stated that the Federal Court action was brought under the
Federal Housing Act and it was brought by the Developer Scioto because their zoning application has been denied. A representative for Scioto was in attendance and confirmed that the agreement under the conditions spoken about has been reached.

Mr. McElhone moved, seconded by Mr. Mr. Mizgorski that the request to the Site Development – Scioto Properties SP-16 LLC-444 McElheny Road – Fifth Ward – Lot & Block 433-R-120 subject to the 4 conditions spoken about in Mr. Rogers presentation be approved. The motion was carried.

**Possible approval of Site Development – Mastic Trail Brewing – 1044 Saxonburg Boulevard – Seventh Ward – Lot & Block 285-C-150**

The next item of business was the possible approval of Site Development – Mastic Trail Brewing – 1044 Saxonburg Boulevard – Seventh Ward – Lot & Block 285-C-150. Mr. Rogers stated that during the COVID-19 pandemic, Shaler Township has relaxed the rules and regulations regarding outdoor use of property and have accommodated that request with 3 restaurants. Mastic Trail Brewing is the fourth business to make the request to allow outdoor seating. Mastic Trail Brewing has already purchased and placed outdoor barriers for the outdoor seating. Another concern that was raised by Commissioner Cross was the concern about any outdoor music and or lighting. The applicant agreed to have live music limited to Saturday’s until 6:00 PM and lighting is to be kept on the property.

Mr. Cross moved, seconded by Mr. Boyle that the request for the Site Development – Mastic Trail Brewing – 1044 Saxonburg Boulevard – Seventh Ward – Lot & Block 285-C-150 be approved subject to outdoor music being limited to Saturday’s until 6:00 PM and that the music be played at a level that does not disturb the neighboring properties and that lighting be kept onto the property. The motion was carried.

**Possible approval of Site Development – Zamagias Limited Partnership – 880 Butler Street – Seventh Ward – Lot & Block 222-A-212**

The next item of business was the possible approval of Site Development – Zamagias Limited Partnership – 880 Butler Street – Seventh Ward – Lot & Block 222-A-212. Mr. Rogers stated that Zamagias Limited Partnership is interested in subdividing the plaza on Route 8 where K-mart previously was located. Mr. Rogers stated that one of the things Shaler Township is particularly interested in is greening up the property.

Mark Howell, the Principal in charge of the design from The Design Alliance Architects was present at the meeting. Mr. Howell provided the Board of Commissioners with some updates including all garbage containers to be in dumpster corrals, directional signage in the parking lot, bicycle markings, the HVAC system will be on the roof in cabinets to reduce the sound and greenery as presented in the plan drawings will be part of the re-development. It was also confirmed that the bridge coming from Saxonburg Boulevard is on the property and the structural issue on the bridge was addressed, which is fully functional for all construction traffic coming in and out of the plaza.

Mr. Rogers stated one of the issues that was raised was the greening on the building and the Board was very pleased with the presentation of the greening and is now looking into long term greening. One of the issues with long term greening is the Township’s current code for parking, so the Township is looking to make updates to the current code to add some of the greening to the parking lot.
Mr. Cross moved, seconded by Mr. Mizgorski that the request for the Site Development – Zamagias Limited Partnership – 880 Butler Street – Seventh Ward – Lot & Block 222-A-212 be approved. The motion was carried.

Receipts and Authorizations
The next item of business was the receipts for the month of July 2020. Mr. Boyle moved, seconded by Mr. Cross that the receipts for the month of July 2020 be turned over to the proper authorities for deposit. The motion was carried.

The next item of business was the authorizations for the month of July 2020. Mr. Boyle moved, seconded by Mr. Mizgorski that warrants be drawn for the month of July 2020. The motion was carried.

Resolutions
Resolution No. 19-2020 VPRP Application for Lot and Block 118-M-249
The next item of business was the possible approval of Resolution No. 19-2020 VPRP Application for Lot and Block 118-M-249.
Mr. Cross moved, seconded by Mr. Boyle that Resolution No. 19-2020 VPRP Application for Lot and Block 118-M-249 be approved by voice vote.

Mr. Rogers explained that this is a resolution for a neighbor to buy a neighbor’s property. One of the downsides to the program is that the Township is not permitted to cover any liens on the property if they are sold to a neighboring property.

Commissioners Comments
Mr. Shutter stated any opinions or comments expressed by any of those attending the rally on July 25, 2020 do not reflect the views or opinions of the Township of Shaler.

Manager’s Report

Public Comments
Sophia Kaucher at 169 Wynne Street
Expressed concern for the events that occurred on July 25, 2020 and provided comments regarding the Township taking a position, and budget issues regarding public safety.

Ella Mizera at 802 Spencer Grove Lane
Expressed concern for the events that occurred on July 25, 2020 and provided comments regarding the Township taking a position.

There being no further business, Mr. Boyle moved, seconded by Mr. Mizgorski that the meeting be adjourned at 7:50 PM.

Respectfully submitted,

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Timothy J. Rogers, Secretary
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