

LEET TOWNSHIP BOARD OF COMMISSIONERS
February 13, 2023
Minutes of the Board of Commissioner's Regular Meeting

The Regular Meeting of the Leet Township Board of Commissioners was brought to order at 7:00 p.m. by President Martin C. McDaniel at the Leet Township Municipal Building, 194 Ambridge Ave., Fair Oaks, PA 15003. Roll Call: Commissioners present were Martin C. McDaniel, Rody Nash, Dan Peluso, and John Stephansky. The meeting started with the Pledge of Allegiance.

Absent: Commissioner Carolyn Verszyla

Also present:

Betsy Rengers, Manager	William Bubb, Resident
Brian Jameson, Interim Chief	Dave Kovacs, Resident
Tom Weber, Civil Service Commission Chair	Mark Brooks, FOFD President
Steve Chesney, Solicitor	Stacy Ford, Resident
Joe Ferrang, Planning Commission Chairman	Deb Cheddar (Katie Melodini)
Donna Adipietro, Resident	Chuck Soman, Resident
Peggy Adams, Resident	Foreman Andy Wanto
Kris Shelton, Resident	

PUBLIC PARTICIPATION

Resident William (Curt) Bubb asked the Commissioners to install a traffic mirror at the intersection of Mound Street at Ledge Street to show oncoming traffic coming down Mound Street. Interim Chief Jameson will meet Mr. Bubb at Mound Street to assess the issue.

Mr. Bubb asked if the desired location for the War Memorial Project had been changed since the Township had received a grant for the project. Ms. Rengers explained that the grant is for Ambridge Ave Park. She explained that the Engineer included the War Memorial in the grant application for Ambridge Ave Park. Ms. Rengers will ask the engineers if the project can be located as originally thought. Mr. Bubb explained the reason for putting the memorial in the grassy area between the parking lot and Ambridge Ave at 198 was because of its accessibility to parking and visibility. Mr. Peluso will start the process for the memorial with a landscape design plan. The Township has not been notified when the grant money will become available. Since the Township is receiving grant funds and the project is more expensive, the Township is required to put the project out for bid. Mr. Bubb spoke with Rome Monument. The granite was \$60,000.00. The War Memorial Committee will fundraise for the project by selling engraved bricks.

Interim Chief Jameson was contacted by former Lieutenant Bob Simmons. Lieutenant Simmons and Chief Bill Wanto were never recognized for their service after they retired because they retired during the COVID Pandemic. Interim Chief Jameson asked to honor both officers' years of service by ordering a plaque and badges for each officer. Mr. McDaniel would like the Board to see a proposal on the cost of the plaques and badges.

APPROVAL OF MEETING MINUTES

January 9, 2023, Board of Commissioners Regular Meeting Minutes

MOTION: Mr. Peluso made a motion to approve the minutes of January 9, 2023, Regular Meeting Minutes, as submitted, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

January 23, 2023, Board of Commissioners Workshop Meeting Minutes

MOTION: Mr. Stephansky made a motion to approve the January 23, 2023, Board of Commissioners Workshop Meeting Minutes, as submitted, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

FINANCE REPORT

MOTION: Mr. Stephansky made a motion to approve payment of the bill list and invoices starting on January 9 through February 13, 2023, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Circulate Department Reports

The Department Reports are circulating in the meeting room. We will vote to approve the reports later in the meeting.

UNFINISHED BUSINESS

Personnel Committee

Approval of LSSE Revised 2023 Agreement

Option 1-Retainer: Kevin Brett is the Managing Principal Engineer and Shawn Wingrove is the Assistant Client Manager. They will attend two meetings a month and be available to provide telephone consultations as needed.

Option 2: Hourly: Mr. Brett and Mr. Wingrove will attend meetings and provide services at an hourly rate.

Ms. Rengers reported that the school district will submit the new high school site plan sometime this summer. Ms. Rengers, Engineer Wingrove, and Special Counsel Harland Stone will hold an informational meeting on March 3rd with school district officials regarding the procedures for the submission of the site plan. Engineer Wingrove will attend the February 23rd Planning Commission Meeting to review the Encompass Health Site Plan.

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MOTION: Mr. Peluso made a motion to approve Option 1, Retainer Fee on the 2023 LSSE Agreement for engineering services, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Public Works Committee

PennDOT Ambridge Avenue Weight Study Meeting Update Memo

Interim Chief Jameson reached out to Ms. Gaydos's office to schedule a weight study meeting with PennDOT, but she was not available. At the September 1, 2022, PennDOT/Ambridge Ave Traffic Study meeting, Mr. Stephansky and Interim Chief Jameson asked PennDOT Representative Todd Kravits to conduct a weight study and he agreed to do it. In December, he sent the Township a letter stating that a weight study was not warranted because there were no signs of deterioration and no reportable crash data. The subject will be revisited at a future meeting. Tentative dates for a meeting are March 14th or 15th or sometime during the week of March 20th. The Board will be notified of the meeting date when it is confirmed.

Discussion and Approval to Purchase Public Works Pick-up Truck

Mr. Wanto spoke with Mr. Stephansky about the pick-up truck and the difference between the 250 and 350 models. The difference is that the 350 can carry more weight. At this time, there are no available pick-up trucks on the lot, and we will need to order a pick-up truck. Mr. Wanto got a number for a dealer in Fayette County, and he is waiting for them to call back. They may have pick-up trucks on the lot. There was a discussion about the CoStars dealers and that pick-up trucks are hard to find because of the COVID pandemic. Mr. Stephansky asked Mr. Wanto to spec out the truck and order it. If Mr. Wanto finds a suitable truck on a lot, he will need to put a down payment on it to hold it until financing can be obtained.

Amendment to the Agenda to Authorize a Pickup Truck Downpayment Using the Township Credit Card

MOTION: Mr. Nash made a motion to amend the agenda to use the Township credit card to put a downpayment on a pick-up truck, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

MOTION: Mr. Peluso made a motion to allow Mr. Wanto to use the Township credit card to put a down payment of a maximum of 5% for a Ford 350 pick-up truck under \$50,000.00, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Approval to Purchase a Lawn Tractor with a \$300.00 Increase in Price

Mr. McDaniel explained that the Board approved the purchase of the lawn tractor at last month's meeting, but the tractor had been sold since then. Now the price for the lawn tractor is \$300.00 more than originally quoted. Because the tractor is a Capital purchase, a motion will be made reflecting the new price to purchase the tractor.

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MOTION: Mr. Peluso made a motion to purchase a Pro-Z-972-SD lawn tractor from Burks Lawn and Saw, LLC, for \$16,610.34, using funds from the Capital Reserve Account, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Public Safety Committee

LSSE's Review of the Camp Meeting Road Retaining Wall Ownership

Mr. McDaniel explained that LSSE researched the retaining wall on Camp Meeting Road because there are concerns about its condition that it may collapse. He summarized the report from LSSE:

LSSE has reviewed construction plans from Allegheny County, dated June 1958, for the relocation and widening of Camp Meeting Road. These plans indicate the retaining wall in question was already constructed before this project; plans have a specific notation to "Do Not Disturb Existing Dry Stone Wall". These construction plans refer to Condemnation Plans No. 2183. These plans were reviewed as well; per review, the area of the retaining wall was included as part of right-of-way revisions and right-of-way vacations.

Specifically, the property on which the wall is located was vacated as part of this project; this area was noted as Parcel 'C'. based on this information and plan presentation, it appears this retaining wall is located on private property and would be considered the responsibility of the private property owner.

Copies of the above-noted plans have been enclosed for reference. Additionally, LSSE completed a field survey of the area and property. No survey markers were found that were noted in the above Condemnation Plans. Based on the field survey, it appears the retaining wall is located on both private property and the Allegheny County right-of-way. Based on the information presented, it appears the wall was not built by the County, nor was it owned or maintained by the County. It appears the wall was built by the private property owner. Since it appears the wall is in the County right-of-way, the property owner may need to submit for a Highway Occupancy Permit from the County to complete work on the wall.

If the property owner has any information on the ownership of the wall, they should provide these documents to the County and the Township.

Additionally, as it appears the wall is privately owned, LSSE recommends the Township recommend to the property owner to solicit the services of a professional geotechnical engineer to complete an assessment of the existing conditions and provide recommendations for repair if they deem repairs necessary.

Mr. Nash believed that the County should be responsible for the wall. Ms. Rengers spoke with Allegheny County and they told her they would not take responsibility for the wall but would clean it up if the wall failed. Mr. McDaniel asked Ms. Rengers to inform the school district of the issue and maybe they would be a part of an improvement project. This could become a real

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issue and the Township should be proactive. Mr. Nash believed the County should not be exempt from responsibility for it. Mr. Stephansky said the Township did its due diligence to research the ownership of the wall and that the residents and the school district should be notified of the issue. Mr. Chesney said to send the letter to the resident with a tracking number to ensure it is delivered. Ms. Rengers will notify the county, school district, and resident.

Approval of Fair Oaks Fire Department Agreement

Mr. Chesney compared the agreement with Sewickley's agreement, and it was almost identical. There is nothing concerning in the agreement. Mr. McDaniel described the terms of the agreement including Worker's Comp. Mr. Chesney spoke about the resolution needed for the Fire Department Tax Relief Ordinance. The Township will write a Resolution about the qualifications needed by the firefighters to receive the tax relief. Mr. Brooks understood that the Township will need to make a resolution that spells out the qualifications for tax relief. Mr. Brooks explained that the fire department's requirements are more stringent than other municipalities' resolutions as spelled out in their bylaws. The state statute required a notarized eligibility list that met the fire department's bylaws. Mr. Chesney stated that the Public Safety Committee should meet to set the requirements for the resolution. Mr. Chesney will write a resolution with the fire department's minimum requirements and then the Commissioners can expand on that. There can be one resolution for 2022 and one resolution for 2023. The discussion continued about items that should be in the resolution.

MOTION: Mr. Stephansky made a motion to approve the 10-year Fair Oaks Fire Department Agreement, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Ms. Ford asked Mr. Brooks to unblock her from the fire department's Facebook page. Mr. Brooks does not feel that the Facebook page is the official page of the fire department and does not know who at the fire department manages the page.

Beech Street Traffic Study Meeting Update Memo

Interim Chief Jameson has been having issues with the electronic speed sign because the case has been damaged. Ms. Shelton asked if the sign could be moved further down on Beech to catch speeders. Ms. Rengers sent a notice to the Public Safety Committee about scheduling the meeting. She is waiting to hear back from them.

Approval of Resolution 2023-10 (Part-Time Police Officer Pay Rate)

Mr. Chesney stated that the Collective Bargaining Unit needs to agree to a pay rate raise of \$25.00 for part-time officers or the rate specified in the agreement.

MOTION: Mr. Nash made a motion to increase the police officer training pay rate to \$20.00 per hour and the part-time police officer pay rate to \$25.00 per hour subject to approval from the Collective Bargaining Unit, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

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Solicitor

Wernicki Decision and Next Steps

Mr. Chesney reported that the Leet Township Zoning Hearing Board voted against granting a variance for the Wernicki shed/garage. The appeal period ends on March 6, 2023. At that time, the Board can act if Mr. Wernicki does not appeal to Allegheny County Common Pleas Court. The Board received a letter from Mrs. Melodini regarding the zoning hearing. Mr. McDaniel read the letter aloud:

I would like to publicly thank and commend the members of the Leet Township Zoning Hearing Board. Terry Soster, Chuck Soman, Dave Kovacs, and the alternate, Daphne Homer who are volunteer members of the board, spent three long evenings in August and September to hear the case on the application for a variance from Robert Wernicki to allow the construction of a 670 square foot "shed" on his property which is in the flood plain. They spent about nine total hours of their time hearing the testimony of the lawyers representing myself, Mr. Wernicki, and Leet Township. Also, another hour was spent in the January meeting to explain their decision and to vote on the request for a variance. I'm sure they each spent a good many hours of their own time reading over all of the transcripts (approximately 1200 pages) from the hearings as well as thinking about and discussing the case to arrive at their decision. I am truly thankful to these volunteers for the time they spent listening to all sides of the case and making informed and impartial decisions. Their dedication to the Leet Township community is to be commended. I would also like to thank Betsy Rengers, township manager, as well as Mr. Chesney and Mr. Restauri. I also appreciate the residents in the community who came out to show interest in the proceedings. Thanks to each of you on the Leet Township Board of Commissioners for the time you spend in service to our community. Since the Zoning Hearing Board denied the request for a variance, I am hopeful that you will proceed with the appropriate enforcement action so that residents will be assured that future situations like this will be less likely to occur.
Katie Melodini

MOTION: Mr. Nash made a motion to have the Leet Township Zoning Officer send a violation notice to Wernicki to remove the shed after the appeal period ends, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

NEW BUSINESS

Personnel Committee

Appointment of Occupancy Inspector

The current occupancy inspector has health issues and is unable to continue in the position. Occupancy permits are for rental properties only. Ms. Rengers sent out 25 Landlord Tenant registration letters and invoices for occupancy inspections as required by Ordinance 2005-04. The Township currently charges \$60.00 for an Occupancy Permit. The Township received two bids, one from the QVCOG that has a retainer fee, and one from Ron Mulcahy. He started his own company called Municipal Code Enforcement and his insurance certificate is included in the packet.

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MOTION: Mr. Peluso made a motion to appoint Ron Mulcahy from Municipal Code Enforcement to the position of Leet Township Occupancy Inspector, subject to an agreement from the solicitor, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Permission to attend the ALOM Conference

Ms. Rengers requested permission for Foreman Andy Wanto and herself to attend the ALOM Conference. Mr. McDaniel asked to see the agenda before the decision is made for Mr. Wanto to attend. The agenda will be released later in the month. Ms. Rengers may attend the conference.

Appointment of QVCOG Alternate

Mr. McDaniel is the QVCOG Representative and Mr. Stephansky is the alternate. Mr. McDaniel asked Mr. Peluso to take the position of Alternate. The COG has been notified of Mr. Peluso's appointment.

Approval to Hire Special Counsel for the QVSD High School Project

Mr. McDaniel reported that the school district is moving ahead with the plan for the new school even though it is in appeal. Mr. McDaniel suggested hiring a land development attorney for the project. All fees will be charged to the school district. Mr. McDaniel spoke with five attorneys about the position. Mr. McDaniel is familiar with Attorney Harland Stone who works for Aleppo, Leet Township Municipal Authority, and the QVCOG. He feels that Mr. Stone knows the law well, and will help keep the meeting on point. He recommended Mr. Stone to the Board. Mr. Chesney stated that Mr. Stone will be required to do a conflict check before accepting the position. There was a short discussion about the available attorneys.

MOTION: Mr. Stephansky made a motion to appoint the law firm of Babst Calland and Attorney Harland Stone as Special Counsel to represent the Township in connection to the planning and zoning process for the QVSD High School Development Plan, subject to a formal engagement letter from Mr. Stone and conflict waiver from Leet Township Municipal Authority, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Property Committee

Discussion and Possible Approval of Space Planning Architect for 194 Ambridge Ave.

The Township received one proposal for space planning services from Denny Campbell. Mr. McDaniel reported that LSSE has an architect and landscaping architect. Ms. Rengers will check with LSSE about the costs of these services.

Approval of LED Lighting and Outlet Installation Bids

Mr. Peluso reported that the Township received bids to retrofit the municipal building at 194 Ambridge and the public works building at 198 Ambridge with LED lighting. There was a discussion about whether to proceed with the 198 Ambridge retrofits because the Township is still seeking grants for the building renovation there. It may be possible to use American Rescue Plan Act funds to renovate the buildings. Mr. Peluso requested to receive another bid

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for the electrical outlets. He explained the importance of moving forward with the retrofit now to save money. We would authorize Exact Electrical Solutions to order the material and install the measures materials related to the scope of work identified in this proposal. We will pay a deposit of \$2,584.09 up front and the balance of \$8,704.87 will be paid by the Duquesne Light Small Business Direct Install Rebate Program.

MOTION: Mr. Peluso made a motion to approve Exact Electrical Solution, LLC to retrofit 194 Ambridge Ave with LED lighting for \$2,584.09, with the balance of \$8,704.87 to be paid by the Duquesne Light Small Business Direct Install Rebate Program, seconded by Mr. Nash. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Police Office Electrical Outlets

Parme Electric had 98 reviews online, and most were good. They have given a bid of \$3,400.00. Craig Bischak did not send in a revised bid for the outlets. We will see if we can get more bids for this work and revisit this subject at the next meeting.

Public Works Committee

Resolution 2023-09 Subdivision and Land Development Fee Schedule

Mr. McDaniel reported that the fee schedule for site development was over 8 years old. LSSE recommended a new fee schedule.

MOTION: Mr. Nash made a motion to accept Resolution 2023-09, setting the escrow deposit fees for Chapter 22, §302, Fee Schedule, 2. Ordinance review, simple subdivision, minor and major site plan review, seconded by Mr. Peluso. Roll call was taken with a vote as follows: Mr. McDaniel; yes, Mr. Stephansky; yes, Mr. Peluso; yes, and Mr. Nash: yes. The motion carried.

Solicitor

Approval to Send Short-Term Rental Ordinance to the Solicitor for Review

Planning Chairman Joe Ferrang explained the short-term rental ordinance. The Planning Commission made the permitted districts for short-term rental in zoning districts B and C, and it will be a conditional use in other districts. The proposed ordinance requires the homeowner to register the property with the Township. We will add a fee for the conditional use application process because the neighbors will be notified when a homeowner wants to make their property an Airbnb. Mr. Ferrang explained that the renter must be at least 25 years old and stay on the property during the rental. There should be no disturbance to the neighbors and no alteration to the property. Mr. Chesney will review the proposed ordinance and we will discuss it at an upcoming meeting.

Department Reports

Acceptance of Department Reports

Mr. Nash stated that he was impressed with the details of the Police and Fire Department reports.

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MOTION: Mr. Nash made a motion to accept the Department Reports seconded by Mr. Peluso, with all in favor of the motion.

Correspondence

Civil Service Commission Chairman Tom Weber's Letter

Mr. Weber explained that Alternate Jack Mook has had health issues and Ms. Longwell has been very engaged in the meetings. Mr. Bubb requested that Ms. Longwell become the first alternate. Mr. Mook was amenable to the change. Mr. Nash asked if it was necessary to make the move because when Mr. Mook is not there, Ms. Longwell moves up. Mr. Chesney stated that one of them would have to resign and then the Board of Commissioners would decide who is the first alternate. The Board will table the issue until there is a formal resignation. Mr. Stephansky asked Mr. Weber about his comment that the Board of Commissioners should address the competitiveness of the wages and benefits for police officers. Mr. Stephansky would like the Civil Service Commission to provide suggestions for competitive wages and what the wages are based on. Mr. Weber said the starting wage for Moon Township Police Officers is \$75,000.00 per year. He explained the hiring process and that the problem is how to attract more candidates for the position. Part-timers do not want to take the Township's physical agility test because it is too difficult. The Civil Service Commission wants to comply with the Board's wishes to create an eligibility list but is not having any luck with the process. It is a competitive market. Some Townships are paying candidates to go to the Police Academy. Interim Chief Jameson weighed in on the conversation and explained that there is a 67% drop in candidates for the police academy. An officer graduating from the academy will go to a place that pays \$75,000.00. Our prospects are limited because of the standards of the physical agility test. The discussion continued.

PUBLIC PARTICIPATION

Mr. Weber said the last time Pilgrim Drive was paved, people who do not live in Quaker Heights decided to extend the island and they put a boulder there. This makes the turn onto Pilgrim Drive difficult. Mr. Weber would like the island to be returned to its original shape next time it is paved. Interim Chief Jameson explained that a resident abandoned the car there and it caused people to have to drive through the island to get around it.

Resident Kris Shelton asked about consolidating the police forces with Leetsdale. Mr. Stephansky explained that it had been discussed years ago and it went nowhere. There was a short discussion about the matter.

Resident Deb Cheddar asked about the Wernicki appeal. If Mr. Wernicki appeals the Zoning Hearing Board's decision will the Township be represented? Mr. McDaniel stated that the Board would have to vote on it if they want to appeal. Mrs. Cheddar asked how long it would take to resolve the issue. Mr. Chesney explained that the building should be removed or brought into compliance with the ordinance.

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EXECUTIVE SESSION

MOTION: Mr. Peluso made a motion to go into Executive Session at 9:17 pm to discuss pending litigation for a Right to Know appeal, seconded by Mr. Stephansky, with all in favor of the motion.

MOTION: Mr. Stephansky made a motion to go back into public session at 9:53 p.m. after discussing pending litigation for a Right to Know appeal, seconded by Mr. Peluso, with all in favor of the motion.

ADJOURNMENT

MOTION: Mr. Nash made a motion to adjourn the meeting at 9:54 pm seconded by Mr. Stephansky, with all in favor of the motion.

TOWNSHIP OF LEET

/s/Betsy Rengers
BETSY RENGERS, MANAGER

/s/Martin C. McDaniel
MARTIN C. MCDANIEL, PRESIDENT

March 13, 2023
Date