

Ross Township Commissioners Meeting
1000 Ross Municipal Drive
Pittsburgh, PA 15237
April 15, 2019
7:30 p.m.

COMMISSIONERS PRESENT: Stephen Korbel, Daniel L. DeMarco, Jeremy Shaffer, Patrick Mullin, Jason Piring, Jack Betkowski, Grace Stanko, Joseph Laslavic and Richard Avon

SOLICITOR: P. J. Murray, Esq.

TOWNSHIP MANAGER: Douglas Sample

RECORDING SECRETARY: Teresa M. Benson

**DIRECTOR OF COMMUNITY DEVELOPMENT AND BOARD
LIAISON:** Dominic J. Rickert

Pledge of Allegiance/Invocation

PUBLIC COMMENT ON AGENDA ITEMS ONLY:

Mr. David Kielek, 109 Valley Vue Drive, commented on the speeding problem in his neighborhood. He requested that a speed limit or "Watch Children" sign be installed.

Commissioner Korbel referred him to the chief to discuss what actions could be taken to alleviate the problem.

PRESIDENT'S REPORT:

Commissioner Korbel announced the Board would have an Executive Session immediately following the meeting to discuss personnel matters.

TAX COLLECTOR REPORT - None



JUNIOR COMMISSIONER REPORT-None

CONSENT AGENDA:
Approval of Minutes:

Approval of Minutes – March 4, 2019

Motion to approve made by Commissioner Laslavic and seconded by Commissioner Mullin.

Motion passes – 9 to 0

Committee Meeting Bill List – April 15, 2019

Motion to approve made by Commissioner Laslavic and seconded by Commissioner Laslavic.

Motion passes – 9 to 0

ADMINISTRATION, OPERATIONS AND POLICY:

Chair: Joe Laslavic; Members – Dan DeMarco and Pat Mullin

Liquor License Transfer – Doce Taqueria

Mr. Andrew Balint commented that he and his brother, Alexander Balint, owners of Doce Taqueria, were planning on serving a couple Mexican beers and premade frozen Margaritas. It will not be a full bar. They plan to close at 10:00 p.m. during the week and midnight on the weekends.

Alexander Balint commented that the business would be run much the same as the South Side location, and they do have a food truck. Plans for the shop were produced and it was further explained it will be seat yourself with no servers.

Commissioner Mullin commented that he has been to the South Side location several times and had a great experience.

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Commissioner DeMarco commented he is very happy to welcome the business and that people in his Ward seem excited about the restaurant being there.

Motion to approve made by Commissioner Mullin and seconded by Commissioner Laslavic.

Motion passes – 9 to 0

MOTION: I make a motion for Dan Burdy to attend the 2019 GFAO PA Conference from April 28 to May 1, 2019 at State College, Pennsylvania at a cost not to exceed \$1,000.

Motion by Commissioner Laslavic; seconded by Commissioner Demarco.

No public comment

Motion passes – 9 to 0

PLANNING, ZONING AND ECONOMIC DEVELOPMENT:

Chair: Dan DeMarco; Members – Jack Betkowski and Grace Stanko

Ordinances to be Introduced

Harvesting and Management Ordinance

Commissioner DeMarco commented that they will be overhauling the timber harvesting in the Township.

Commissioner Korbel commented that there will be further discussion at the May 6th meeting. They have received a copy of Hampton Township’s ordinance. Mr. Rickert suggested that Hampton Township’s language be adopted, as it would be difficult to amend our ordinance line-by-line.



Upon inquiry from Commissioner Shaffer as to whether the numbers in the new revision may be too restrictive, Mr. Rickert pointed out that Commissioner Shaffer was reviewing the old definition, not the new one. The new one is less restrictive in that the number of trees permitted to be cut down went from three trees to thirty trees.

**S-19-1 - North Side Catholic Cemetery/Shamrock Broadcasting
Subdivision Plan**

Shamrock Broadcasting, Inc., owners of Parcel 218-G-90 consisting of 77.4 acres is requesting approval to subdivide a 16-acre portion of their property located along McKnight Road in an R-2 Zoning District of the 7th Ward. The newly created parcel will be sold and consolidated with adjacent property as owned by North Side Catholic Cemetery for additional burial plots in the future.

Tyson Miller from KU Resources was present for the applicant, who was unable to attend due to a death in the family. He described their plan in detail.

Commissioner DeMarco questioned whether their intended use is a permitted use in the District. Mr. Rickert explained that it was either a permitted use or special exception, as most churches and cemeteries are.

Commissioner Korbelt questioned whether the Board was permitted to take into consideration potential uses in their deliberations. Mr. Rickert explained that since it is simply a subdivision of properties, the Board could not consider the uses.

Commissioner Korbelt questioned Mr. Tyson Miller whether they were planning to subdivide for homes, build townhouses, or build Section 8 homes. Mr. Tyson Miller answered no to all of the

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inquiries, but did explain that some of the fill material was from a UPMC Mercy site and that they had documentation that the fill was “clean.”

Commissioner Shaffer inquired what the definition of “clean” fill is, and Mr. Tyson Miller cited the Department of Environmental Protection’s definition and that he had clarified with UPMC that this was “clean” fill.

Upon questioning from Commissioner Shaffer on the total fill area, Mr. Tyson Miller cited that 130,000 cubic yards is what is currently approved, with potentially the next phase being 300,000 cubic yards.

Commissioner Betkowski requested clarification on how many truckloads that would be. Commissioner Shaffer responded approximately 40 dump truck loads.

Commissioner Korbel clarified that the Board does not regulate the cleanliness of fill.

Tony Mele of Mele, Mele & Sons, who are the contractors doing the cemetery work, commented that UPMC is spending \$300 million on the project, so they most certainly would be doing everything by the book.

Commissioner Stanko questioned whether KU Resources had received a violation for contaminating local streams. Mr. Tyson Miller stated they did not. Commissioner Stanko also inquired whether the construction caused an interruption during funeral services. Mr. Miller replied that that has not been a problem, and that they shut down if it seems to be interrupting.

Commissioner Avon questioned if there was third-party testing, and it was determined that the County owns the roadway being traveled and the County has issued permits for the trucks to use the road.

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Mr. Rickert commented that upon completion of the project, the paperwork is turned over to Gateway. Before Gateway can sign off on the project, they are required to have all third-party approvals, DEP, ACCD, etc. Once they receive the approvals, they will either augment the existing permit or issue a new one.

Commissioner Betkowski questioned if the permits are time-constrained. Mr. Miller commented that the MPDS permit has a five-year expiration, but they can be renewed once they are updated to what the current standards are.

Mr. Sampler reiterated that anything over an acre, the permit is held by County Conservation.

Commissioner DeMarco commented that many of the concerns expressed by people are not within the jurisdiction of the Board.

Sandra Miller, 144 First Avenue, Pittsburgh, PA, 15229, thanked KU Resources for coming to answer questions, and asked how deep a vault had to be buried. Mr. Miller replied 6 inches.

Debbie Nolan, 247 West View Avenue, Pittsburgh, PA, 15229, commented that she had a copy of the violation KU Resources had received from the ACCD.

Mr. Tony Mele commented that he met with the ACCD concerning the violation and they had addressed all the concerns from the ACCD.

Commissioner Shaffer questioned what the total area was to be filled. Mr. Mele commented that they were unsure of the final number, but it was less than 16 acres.

Ms. Debbie Nolan also questioned if there was any testing being done on the fill that was being used currently. Mr. Tyson

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Miller commented that the material was tested and they had all the reports. He further stated that UPMC hired engineers to perform the testing.

Commissioner Avon commented that it is always a third-party testing agency that performs such tests. Ms. Nolan requested to see the reports. Commissioner Korbel responded that the Board does not regulate whether the fill is clean, so therefore, they do not have the report.

Commissioner Shaffer commented that the original parcel was 86.92 acres, with 19.57 being steep slopes, and the percentages are based on the original parcel. He questioned if the percentages changed once the parcel was broken off.

Mr. Mele commented that the statistics reflected the existing cemetery parcel, and that they would have to redo the percentages based on the new site area.

Ms. Debbie Nolan then commented that she was just informed that there are some illegal materials being dumped currently in that spot, and that a citation was being sent out concerning that.

Motion to grant conditional approval of S-19-1 with final approval to be granted upon submittal of a revised plan addressing the issues of Gateway’s March 26, 2019, review letter as noted by the Director of Community Development and the comments of Allegheny County Department of Economic Development’s (ACED) review letter dated April 5, 2019, made by Commissioner DeMarco and seconded by Commissioner Perring.

Motion passes – 9 to 0

S-19-2 - North Side Catholic Cemetery Consolidation Plan



North Side Catholic Cemetery, owners of Parcel 218-A-100, 201 Cemetery Lane, in an R-2 Zoning District of the 7th Ward, is requesting to consolidate a 16-acre parcel with the property identified as Parcel 218-A-100 consisting of 18.875 acres located at 201 Cemetery Lane in an R-2 Zoning District of the 7th Ward.

Motion to grant conditional approval of S-19-2 with final approval to be granted upon submittal of a revised plan addressing the issues of Gateway’s March 26, 2019, review letter as noted by the Director of Community Development and the comments of Allegheny County Department of Economic Development’s (ACED) review letter dated April 5, 2019, made by Commissioner DeMarco and seconded by Commissioner Perring.

Motion passes – 9 to 0

SP-19-1 Perry Shops Preliminary Plan Request for Postponement.

Kossman Development is requesting the postponement of the public hearing to render a decision on the Perry Shops Preliminary Site Plan until the May 20, 2019, Board of Commissioners meeting. The request is to allow the completion of the Traffic Study and to allow the ZHB to render decision regarding the remaining variance requests.

Motion to postpone the public hearing to render the decision on the Perry Shops Preliminary Site Development Plan until the May 20, 2019, Board of Commissioners meeting was made by Commissioner DeMarco and seconded by Commissioner Laslavic.

Motion passes – 9 to 0

PUBLIC SAFETY:

Co-Chairs: Jack Betkowski and Dan DeMarco; Member - Pat Mullin

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Training Request – American Association of Police Polygraphists

Motion to authorize Sergeant Barrett to attend the 2019 American Association of Police Polygraphists from May 4-11, 2019, in Reno, NV, at a cost not to exceed \$1,900.00 made by Commissioner Betkowski and seconded by Commissioner Mullin.

Motion passes – 9 to 0

PUBLIC WORKS, SANITATION AND SEWERS:

Chair: Patrick Mullin; Members - Jack Betkowski and Rick Avon

Lowries Run Joint Sewer Audit

Motion to approve the 2017 and 2018 Lowries Run Joint Sewer Financial Statements made by Commissioner Mullin and seconded by Commissioner Laslavic.

Motion passes – 9 to 0

OTHER BOARDS/ENTITIES (COG, CONNECT, Intergovernmental) - None

PUBLIC COMMENT:

Karla Maruca, 525 Woodland Pittsburgh, PA, 15237, inquired whether there was a meeting the day before Primary Election.

Motion was made by Commissioner DeMarco to delay the public hearing scheduled for May 20, 2019 until the May 22, 2019 Board of Commissioners’ meeting. Seconded by Commissioner Mullin.



Motion carries – 9 to 0

Sandra Miller, 144 First Avenue, Pittsburgh, PA, 15229, requested information on the relationship between Gateway Engineers and the Township. Mr. Sample volunteered to meet with her and explain the relationship and the duties of Gateway Engineers.

Commissioner Korbelt commented that the Board was very satisfied with Gateway’s work.

Commissioner Avon also volunteered to meet with Ms. Miller and answer any questions concerning the engineering aspect of the relationship.

Motion to adjourn made by Commissioner Mullin and seconded by Commissioner Shaffer.

Motion passes – 9 to 0

MEETING ADJOURNED TO EXECUTIVE SESSION AT 8:32 P.M.

Manager/Secretary

**President,
Stephen Korbelt
Ross Township Board of
Commissioners**

Minutes transcribed by *Teresa M. Benson, RPR*