

MINUTES

REGULAR MEETING OF HAMPTON TOWNSHIP COUNCIL

WEDNESDAY, FEBRUARY 24, 2010

President Son called to order the Regular Meeting of Hampton Township Council at 7:45 p.m. in the Council Chambers of the Municipal Building located at 3101 McCully Road, Allison Park, Pennsylvania.

Those present: V. Son, President; M. Hunkele, C. Montgomery, M. O'Rorke, P. Russ, Members: J. Speakman, Controller; T. McDermott, Legal Counsel; W. C. Lochner, Municipal Manager.

Mr. Son indicated that an executive session of Township Council was held prior to the meeting in order to discuss contract negotiations.

APPROVAL OF MINUTES

Mrs. Hunkele moved for approval of minutes for the January 27, 2010 Regular Meeting. Mr. O'Rorke seconded the motion and roll call vote was unanimously in favor, with the exception of Mr. Russ abstaining.

CITIZEN AGENDA MATTERS

Nothing was brought before Council for discussion.

DECLARATION OF DISASTER EMERGENCY

Mr. Son commented that on February 5, 2010, there was a significant snowstorm in the area causing property damage and potential injury. Mr. Lochner recommended that Council approve the Declaration of Disaster Emergency that was provided in their packet. Mr. Lochner commented that the Allegheny County Emergency Management Department recently forwarded a request for the costs incurred by the Township from this storm, and the total was approximately \$42,000.

Mrs. Hunkele moved for the approval of the Declaration of Disaster Emergency for the February 5, 2010 snowstorm and authorized that a copy be forwarded to the Allegheny County Emergency Management Department. Mr. Russ seconded the motion and roll call vote was unanimously in favor.

ORDINANCE DISSOLVING THE CABLE TELEVISION FRANCHISE AUTHORITY

Mr. Son commented that the North Hills Council of Governments, along with the efforts of the Cohen Telecommunications Law Group, have been negotiating the Township's recent cable

contracts and has been advised by Cohen that the Township's Cable Franchise Authority could be dissolved by ordinance if so desired.

Mrs. Hunkele moved for the enactment of Ordinance No. 728 dissolving the Cable Television Franchise Authority. Mr. Montgomery seconded the motion and roll call vote was unanimously in favor.

RESOLUTION DISSOLVING THE HAMPTON HISTORICAL COMMISSION

Mrs. Hunkele moved for the adoption of Resolution No. 861 dissolving the Hampton Historical Commission. Mr. Montgomery seconded the motion and roll call vote was unanimously in favor.

APPROVAL OF BY-LAWS FOR THE DEPRECIATION LANDS MUSEUM ASSOCIATION

Mr. Lochner presented Council with an updated copy of the proposed by-laws dated February 23, 2010. Legal Counsel has reviewed the by-laws and the revised copy includes those changes recommended by Gaitens, Tucceri & Nicholas.

Mrs. Hunkele moved for approval of the by-laws for the Depreciation Lands Museum Association dated February 23, 2010. Mr. Montgomery seconded the motion and roll call vote was unanimously in favor.

Mr. Lochner indicated that the by-laws create the Association. The next step would be to finalize an agreement of operations between the Association and Township with regard to the museum property.

APPOINTMENT OF THE INITIAL BOARD OF DIRECTORS OF THE DEPRECIATION LANDS MUSEUM ASSOCIATION

Mr. Son commented that a memorandum was presented to Council from the Depreciation Lands Museum Association recommending the initial Board of Directors.

Mrs. Hunkele moved for the appointment of the Board of Directors for the Corporation of the Depreciation Lands Museum Association as per the memorandum dated February 23, 2010 (a copy of which has been included as part of these minutes). Mr. Montgomery seconded the motion and roll call vote was unanimously in favor.

ENVIRONMENTAL ADVISORY COUNCIL VACANCY

Mr. Son commented that a number of resumes have been submitted from residents who have expressed an interest in serving on the Environmental Advisory Council. Mr. Son asked Council members to review the applications and present their suggestions for final interviews. At this point, it was suggested that this item be tabled until interviews can be held.

Mr. Montgomery moved to table the appointment of a new member to the Environmental Advisory Council until Council is able to interview for the vacancy. Mrs. Hunkele seconded the motion and roll call vote was unanimously in favor.

UPDATE REGARDING THE ROUTE 8 – DUNCAN AVENUE TRANSPORTATION IMPROVEMENTS PROJECT

Mr. Lochner gave a brief update with regard to the Route 8 – Duncan Avenue Transportation Project, advising Council about a CMAQ funding program for this project and the fact that this item will be included as a discussion item for their upcoming Strategic Planning Program. Mr. Son questioned when the funding would be in place for this transportation project. Mr. Lochner indicated that there currently is \$950,000 from Congressman Altmire’s office in place, and the CMAQ announcements are to be made in April. Normally, if an agency is ranked among the top five in the state, they can guarantee being funded, and Hampton is ranked fifth. It is anticipated that this project would take approximately two years. Mr. Son commented that this project is a part of the Lower Allison Park Flood Mitigation Project and the other portions of the project will continue as funding becomes available.

NORTH HILLS COUNCIL OF GOVERNMENTS MONTHLY REPORT

Mr. Montgomery briefly discussed with Council an issue regarding the COG’s payroll and possibly being included in one of the municipality’s payroll system for the purpose of eliminating costs for the COG. Mr. Montgomery asked that Mr. Lochner include this item as part of the COG’s March Manager’s Committee meeting.

MUNICIPAL AUTHORITY MONTHLY REPORT

A copy of the Municipal Authority monthly report was included as part of Council’s agenda packet.

GATEWAY ENGINEERS’ MONTHLY REPORT

A copy of Gateway Engineers’ monthly report was included as part of Council’s agenda packet.

LEGAL COUNSEL MONTHLY REPORT

A copy of the Legal Counsel monthly report was included as part of Council’s agenda packet.

Mr. Son advised Council that Mr. McDermott has requested a brief executive session after the meeting to give an update regarding a land use appeal and ongoing litigation.

CONTROLLER’S/MANAGER’S MONTHLY REPORT

A copy of the January, 2010 Controller’s Report was included as part of Council’s agenda packet.

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Mr. Speakman advised Council that expenditures were up for the month due to the debt service payment of \$730,000 as well as the large hit with salt purchases.

Mr. Lochner commented that the Township is involved with the Allegheny North Earned Income Tax Collection Committee and gave Council a brief update regarding this committee's progress as far as preparing a set of governance rules as well as RFP's for the selection of a collection agency.

Mr. Lochner commented with regard to the flood retention project, all engineering has been completed and all permits have been submitted to the appropriate State agencies. Mr. Lochner stated that he, along with Representative Vulakovich and Mr. Orban, have a meeting scheduled in Harrisburg with regard to the next step of this project. Mr. Son commented that March 31, 2010 was the date that the Judge set for the occupants of the remaining building on the Auld property to maintain that building. Mr. Son asked when the activity would begin on demolishing the remaining building. Mr. Lochner indicated that the project would have to be bid, and Mr. Son asked that it be placed on the March agenda for authorization to advertise for bids.

A copy of the Information Technology monthly report was included as part of Council's agenda packet.

OFFICER COMMENDATION

Chief Connolly presented Officers David Mitchell and Darin Witherup with an official commendation with regard to their heroic conduct regarding a house fire and life-saving incident in Indiana Township on February 17, 2010. The house was located on Middle Road and there were two individuals in the house; an eighty-eight year old man and his sixty-two year old daughter. Upon arrival, the officers found heavy amounts of smoke pouring from the home. Due to the report of persons trapped, Officers Mitchell and Witherup who were the first officers on the scene, along with an officer from Indiana and an officer from Shaler Township, entered the basement of the home and attempted to climb the stairs to the first floor and they were driven back by smoke. After their initial retreat, they again attempted to climb the steps a second time using towels to cover their faces to fight the smoke. They later described the chilling sounds of the persons trapped screaming for help as they climbed the stairs. Fortunately, at this time the two persons trapped on the first floor of the burning home were able to climb to a porch where they were discovered by a paramedic. The four officers then exited the home and then proceeded to the porch where they and two medics rescued the victims and carried them to safety. Chief Wilson from Indiana Township in a letter to Chief Connolly commended Officers Mitchell and Witherup for their brave and courageous actions at this fire. They risked their own personal safety for the sake of the victims. Moments after the victims were removed from the porch, the entire house was totally engulfed in flames. Officers Mitchell and Witherup's actions were above and beyond the call of duty. At this point, Chief Connolly, members of Council, and the administrative staff commended Officers Mitchell and Witherup for their heroic actions.

AUTHORIZATION TO ADVERTISE AN ORDINANCE AMENDING THE POLICE PENSION PLAN IN CONJUNCTION WITH ACT 51 OF 2009

Mr. Lochner commented that a number of years ago the State mandated that a municipality had to have a death benefit included in the pension plan. Most municipalities took out a term insurance policy through MEIT to piggyback against it. Since there was a large concern that this was an unfunded mandate, the State legislature has passed an amendment indicating that the State will absorb that cost, but it has to be removed from the pension plan.

Mrs. Hunkele moved for authorization to advertise an ordinance amending the Police Pension Plan in conjunction with Act 51 of 2009. Mr. O'Rorke seconded the motion and roll call vote was unanimously in favor.

PUBLIC SAFETY MONTHLY REPORT

A copy of the Public Safety monthly report was included as part of Council's agenda packet.

AMENDMENT TO THE RULES AND REGULATIONS FOR THE OUTDOOR SWIMMING POOL

Mr. Zarenko presented to Council a memorandum recommending an amendment to the rules and regulations for the outdoor swimming pool with regard to water chemistry disruption and tampering. Mr. Bill Ryder, Program Supervisor and Pool Manager, was also present to discuss this matter with Council. Mr. Lochner commented under the current rules, they do not have a way to expel a child. Mr. Russ commented that there should be a catch-all not just for this type of problem, but for everything.

Mr. O'Rorke moved for the approval of an amendment to the rules and regulations for the outdoor swimming pool as set forth in the memorandum from Mr. Zarenko dated January 27, 2010 (a copy of which has been included as part of these minutes). Mr. Russ seconded the motion and roll call vote was unanimously in favor.

AUTHORIZATION TO ADVERTISE FOR BIDS REGARDING THE ANNUAL CONSTRUCTION EQUIPMENT RENTAL PROGRAM

Mr. Russ moved for authorization to advertise for bids in conjunction with the annual construction equipment rental program. Mrs. Hunkele seconded the motion and roll call vote was unanimously in favor.

COMMUNITY SERVICES MONTHLY REPORT

A copy of the Community Services monthly report was included as part of Council's agenda packet.

Mr. Son commended the DCS crew for their efforts in maintaining the road system in Hampton with the superiority that they do with regard to other municipalities. Mr. Lochner commented

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that the record for a consecutive snow and ice run for the road crew was thirty-nine hours; the latest snow storm was thirty-eight continuous hours.

UPDATE REGARDING THE RICHLAND SANITARY SEWERAGE (WILLOW AND CROUSE RUN) INTERCEPTOR AGREEMENT

Mr. Lochner advised Council of a meeting with representatives of Richland Township and KLH Engineers that was held to begin to look at the current agreement with Richland and possibly begin negotiations for an amendment. Mr. Lochner stated that Richland made a request that Hampton stop the clock in order that they can take a fair look at negotiating the agreement. Mr. Son stated as long as it would not hurt Hampton's position regarding this matter. Mr. Lochner recommended that Council stop the clock for ninety days for the possibility of negotiating a new agreement with Richland. A brief discussion was held regarding the current agreement.

Mr. Russ moved for granting the authority to enter into a tolling agreement not to exceed ninety (90) days with regard to allow negotiations between Hampton Township and Richland Township with regard to the interceptor agreement. Mrs. Hunkele seconded the motion and roll call vote was unanimously in favor.

ENVIRONMENTAL SERVICES MONTHLY REPORT

A copy of the Environmental Services monthly report was included as part of Council's agenda packet.

ABC GLASS & MIRROR CHANGE OF USE (10-02)

In accordance with Section 10.615 of the Zoning Ordinance, ABC Glass & Mirror is requesting a change of use approval for property located at 5149 Route 8, Gibsonia, in a Highway Commercial zoning district. The site is currently an abandoned auto parts store, and the applicant is proposing to use it as a glass and mirror retail sales and service center.

Mr. Orban advised Council that the applicants were requested to make some changes to the plan, such as parking, storm water and landscaping. Staff has recommended approval of the application with the conditions that have been provided.

Mr. O'Rorke moved for approval of the ABC Glass & Mirror Change of Use (10-02), including the conditions set forth in the memorandum dated February 24, 2010 (a copy of which has been included as part of these minutes). Mr. Montgomery seconded the motion and roll call vote was unanimously in favor.

REFERRALS

Mr. Russ moved for approval of the Bares/Watenpool Simple Subdivision/Lot Consolidation and the Saddlebrook Holdings Lot Consolidation. Mr. O'Rorke seconded the motion and roll call vote was unanimously in favor.

ZONING AND PLANNING MONTHLY REPORT

A copy of the Zoning and Planning monthly report was included as part of Council's agenda packet.

Mr. Son asked if Mr. Leo at Ferguson and Mt. Royal Boulevard is in compliance with his site plan and court order. Mr. Orban advised Council that he has been in compliance.

NEW BUSINESS

Mr. Lochner advised Council that this year's Strategic Planning Meeting will be held on Thursday, April 8, 2010 at the Seven Springs Convention Center in conjunction with the Allegheny League of Municipalities Conference.

Mr. Lochner briefly advised Council of the poor work that has been done by the janitorial services for both the Community Center as well as Municipal Complex and he would like to break both contracts and at that point work on a month-by-month agreement until such time when they can be rebid. Mr. Son asked Legal Counsel if there would be a problem in pursuing this option. Mr. McDermott indicated there would not be a problem.

There being no further items for discussion, Mr. Son adjourned the regular meeting at 8:40 p.m. into executive session to discuss legal matters.

Susan A. Bernet,
Clerk of Council

Victor D. Son,
President of Council



TOWNSHIP OF

Hampton

Chief Administrator of Police
Daniel J. Connolly

INTEROFFICE AND CONFIDENTIAL

TO: W. Christopher Lochner, Municipal Manager
FROM: Daniel J. Connolly, Chief Administrator of Police *D.J.C.*
DATE: February 23, 2010
RE: Hampton Township Depreciation Lands Museum Association
Board of Directors Nominations

Chris,

Please be advised that the Depreciation Lands Museum Association held its General Membership Meeting last evening at 7:00 PM. The purpose of this meeting was to discuss the "Draft" Bylaws as prepared by Mr. Tucceri's Office.

There are only a few minor questions and additions that need to be addressed which I will discuss with you at your convenience.

Additionally the current Board and Membership nominated and voted on nine new Directors to be submitted to Council for their approval. This new Board of Directors are to be as specified in the new Bylaws that the reorganized Association will operate under.

Therefore, I would request that you present the following nominees to Council for their approval and appointment:

Depreciation Lands Museum Association Executive Committee

1. Association President – Term of two years:
Susan Claus, 389 W. Starz Road, Gibsonia PA
2. Association Vice President – Term of two years:
Glenn Jones, 3048 Haberlein Road, Gibsonia PA
3. Treasurer – Term of two years:
Judy Tutino, 534 Fieldcrest Dr., Glenshaw PA
4. Secretary – Term of two years:
Sarah Carroll, 2651 Pointview Dr., Allison Park, PA

Association Board Members

5. Term of two years:
John Wagner, 3047 Haberlein Road, Gibsonia, PA
6. Term of two years:
Karen Parsons, 4148 Ben Miller Road, Gibsonia, PA
7. Term of three years:
Kent Maier, 700 Fall Run Rd., Glenshaw, PA
8. Term of three years:
Ronald Benish, 121 Elm St., Glenshaw, PA
9. Term of three years:
Linda Monaco, 2677 Miller Dr., Allison Park, PA

With the appointment of the above Board Members, and the adoption of the revised Bylaws, the only issue that would remain is the ratification of the Lease Agreement between the Association and the Township.

Representatives will be available at your convenience for these future discussions.

DJC:kk

Cc: Susan Bernet, Assistant Township Manager
Susan Claus
Sarah Carroll



TOWNSHIP OF
Hampton

*Department of
Community Services*
(Public Works/Parks & Recreation)

TO: Chris Lochner, Municipal Manager
FROM: Alex Zarenko, Director of Community Services *AZ*
SUBJECT: Outdoor Pool Rules Amendment Recommendation
RE: water chemistry disruption / tampering
DATE: January 27, 2010

As you know, we experienced a higher than normal amount of "pool fecal matter" incidents during the 2009 outdoor pool season. These events required the pool to temporarily shut down for removal, cleaning and disinfecting for anywhere from 30 – 60 minutes with each occurrence. Not only was this a safety concern but also a significant disruption and inconvenience to our pool patrons and daily operation.

Therefore, I respectfully request permission to present this recommendation to Council during their February meetings for review, comment and approval. This time line will permit distribution and advertisement of the rule amendment well in advance of the 2010 outdoor pool season. As well, I have invited Mr. Bill Ryder, DCS Program Supervisor/Aquatic Manager to attend the February 10, 2010 Council meeting to provide a first person perspective.

Wit this in mind, I recommend the outdoor pool rules be amended as follows:

Existing Rule-

Little Swimmers or other approved disposable swim diapers with tight fitting elastic legs must be worn by children who are not toilet trained. Regular disposable diapers or cloth diapers are NOT PERMITTED. Little Swimmers are available in three sizes by purchase at the Pool Admission Gate for \$1.00 each. Pool management has the authority to deny pool facility access and swimming privileges to anyone not in compliance.

Amendment-

Any person caught passing fecal matter or found to be disrupting/tampering with the pool water chemistry through inappropriate action/behavior may have his/her attendance privileges revoked for the season.

As always, should you have any questions please let me know.

C: B. Ryder, Program Supervisor / Aquatic Manager



TOWNSHIP OF
Hampton

Township Council
Victor D. Son, President
Peter S. Russ, Vice-President
Martha J. Hunkele
Cary J. Montgomery
Michael A. O'Rorke

Township Controller
Jerry E. Speakman

Municipal Manager
W. Christopher Lochner

Legal Counsel
Vincent A. Tucceri

February 24, 2010

PERSONAL & CONFIDENTIAL

TO: Township Council
Jerry Speakman, Township Controller
W. Christopher Lochner, Municipal Manager
Vince Tucceri, Township Solicitor

FR: Martin Orban, Land Use Administrator

RE: Motion for Approval of 10-02 ABC Glass and Mirror -Change of Use

The Solicitor and I have prepared a proposed motion for approval, with conditions, for the **10-02 Change of Use**, should Council decide to approve the application. In that case, it is Solicitors' recommendation that the following motion be made part of the Council Meeting Minutes:

I make a motion to approve with conditions Application No. 10-02 ABC Glass & Mirror Change of Use, subject to and contingent upon the following conditions:

1. Final Approval of the application shall be contingent upon Applicant's completion of such landscaping, parking, waste management improvements, and any storm water controls, as shown on Sheet "SP" dated January 20, 2010 (revision date February 12, 2010). All site work shall to be completed by June 30, 2010.

2. Pending completion of the Site Plan outlined in Condition No. 1. above, the Township will issue a conditional Temporary Occupancy Permit for the business, and no other occupancies or changes in occupancy may be requested by the applicant until the conditions of final approval are met and the above Site Plan improvements are installed as approved.

3. The applicant shall reimburse the Township for all Engineers, Solicitor and other professional consultant fees and all other expenses incurred by the Township as a result of the review and inspection of this proposed development on the subject property and any associated inspection fees.

Cc: file