

EMSWORTH BOROUGH COUNCIL  
171 Center Avenue, Pittsburgh, PA 15202  
Business Meeting Minutes – February 12, 2020

**Council Members Present** – Jolene Bennett; Brian J. Fashian; Paul F. Getz; Jason Helfrich; Dan Lenz; Michael V. Mary, Jr.; Kevin Yurkovich

**Others Present** – Robert L. McTiernan, Esq.; Borough Solicitor; Dennis J. Flynn, Borough Engineer; Cathy Jones, Borough Secretary

**Absent** – AmySue Lillie, Mayor

President Yurkovich called the February 12, 2020, business meeting to order at 6:30 p.m.

After the Pledge of Allegiance and Roll Call, the January 6, 2020, Reorganization Meeting and January 8, 2020, Business Meeting Minutes were approved.

**MINUTES APPROVAL**

MOTION by Ms. Bennett, second by Mr. Getz, to approve the January 6, 2020 Reorganization Minutes, as presented. Motion carried by voice vote.

MOTION by Ms. Bennett, second by Mr. Getz, to approve the January 8, 2020 Business Minutes, as presented. Motion carried by voice vote.

**HOLY FAMILY INSTITUTE**

Sister Linda Yankoski, CEO, and Mr. Michael Sexauer, COO, of Holy Family Institute informed council of \$1.7M capital improvements that are scheduled at the campus to include new roofing, updated HVAC, expanded conference rooms, additional classrooms and improvements to the rear building. Sister Linda added there is a waiting list for the 2021 school year; although the school is Catholic based, all faiths are welcome and currently there are 180 students on campus. HFI annual report was distributed to council.

**PUBLIC COMMENTS**

Pres. Yurkovich addressed the audience and stated any discussion of 8240 Ohio River Boulevard would take place at the end of the meeting. Tim Donovan, 10 Miller Street, stated he thought the planning commission had not made a decision and council would not comment tonight.

**MAYORS REPORT – Mr. Yurkovich**

Public Safety Calls: OTPD – 125 calls; EVFC – 15 calls

**BOROUGH SOLICITOR REPORT – Robert L. McTiernan, Esq., Borough Solicitor**

Draft occupancy for commercial buildings will be ready for council's review at the March 11 meeting.

Sol. Chris Voltz attended the January 29, 2020 planning commission meeting for discussion of a proposed building at 8240 Ohio River Boulevard. After comments from the zoning officer and borough engineer, the planning commission was not satisfied with the application and additional information was requested. The next planning commission meeting will be held February 26 at 7 pm.

**BOROUGH ENGINEER REPORT – Dennis J. Flynn, P.E., Gateway Engineer, PE**

- Punchlist send to T.A. Robinson for the 2018 Road Program.
- Construction for the DCNR Grant for Marmo Park is substantially complete with punch-list left. Mr. Fashian requested Mr. Flynn check the new sidewalk area as he noticed defects.
- Construction for 2019 O&M is complete. Excavation repairs finished except for final restoration.

- MH-MH1 liners were installed Dec. 20, 2019. Motion: To approve payment App #1 & Final for the 2019 MH-MH1 Lining in the amount of \$19,346.05 to Jet Jack, Inc. for work completed to date. No payment required until invoice from SHACOG is received.
- Force main replacement GROW Cycle 5: a meeting will be set-up at the pump station with ALCOSAN for additional review.
- Pump station overflowed January 18 and January 24; reports sent to ACHD.
- 8240 Ohio River Blvd. land development; Gateway prepared review letter with outstanding items
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MOTION by Ms. Bennett, second by Mr. Getz to pay Jet Jack Inc. for App. #1 and Final in the amount of \$19,346.05 for 2019 MH-MH1 work. Motion unanimously carried by roll call.

MOTION by Mr. Getz, second by Ms. Lenz to participate in the non-binding survey from SHACOG for O&M work Year 9 and Pipe Lining Year 14. Motion unanimously carried by roll call.

### **COMMITTEE REPORTS**

#### **BOROUGH PROPERTY – Mr. Helfrich/Ms. Bennett**

Mayernik Fence – Powerwash Mobile Cleaning Service confirmed they will hold their 2019 quote price of \$3200 to power wash and stain the fence at Mayernik Field but the vegetation will need cleared first. Pres. Yurkovich reminded council that clearing the vegetation along this fence was the responsibility of AGAA. Emsworth Borough and AGAA will split the cost of this project. AGAA has confirmed to Ms. Bennett that they will pay half of the proposed \$3200 quote from Powerwash Mobile Cleaning.

#### **DEPT. of PUBLIC WORKS – Messrs. Fashian/Lenz**

MOTION by Mr. Fashian, second by Ms. Bennett to order a quantity of 360 recycle bins at a cost of \$2746.80 from Orbis (as in the past) to be delivered to the borough public works garage. Motion unanimously carried by roll call.

#### **SR 65 PUMP STATION – Messrs. Getz/Lenz**

No report this evening

#### **QVCOG – Messrs. Getz/Fashian**

No report this evening

#### **ROADS – Messrs. Helfrich/Getz**

No report this evening

#### **SEWERS – Messrs. Getz/Fashian**

Mr. Getz reported on a sewer issue at the top of Allegheny Avenue. Tri State cleaned out the borough's line; the homeowner is responsible for their line. Columbia Gas opened the street and will be responsible for the street repair per the borough street ordinance. Mr. Flynn added this line was cameraed prior to Allegheny Avenue being paved.

#### **FINANCE – Jolene Bennett**

Bill List – MOTION by Ms. Bennett, second by Mr. Getz to approve the Bill List as presented. Motion unanimously carried by roll call.

### **OLD BUSINESS**

Pres. Yurkovich announced he attended the January 29 planning commission meeting regarding the proposed building at 8240 Ohio River Boulevard for sales of fish and aquariums. Due to deficiencies in the application found by both the borough zoning and borough engineer, the planning commission tabled action until their February 26, 2020, meeting.

Jenna Gonzalez, 170 Pennsylvania Avenue, distributed letters of opposition and concern regarding the proposed building at 8240 Ohio River Boulevard. One letter addressed illegal poker at 8145 Ohio River Boulevard; owned by the applicant. OTPD Chief Hanny responded that several years ago the LCB may have seized machines but to his knowledge, there has not been any recent activity. Ms. Gonzales was also concerned about a dumpster at this proposed facility (this would be a commercial hauler of the owner's choice) and exotic animals, like alligators, on the premises at Aqua World, would they also be at this proposed location.

Kelly Miller, Be Pure Salon, 8238 Ohio River Boulevard also distributed a letter of concern and stated she was told by the owner that the building would be used to store cars. Ms. Miller is also concerned the proposed building appears it will be built on the property line.

Pres. Yurkovich requested the letters be part of the February 12, 2020, Minutes; as well as sending them to the planning commission, zoning, borough engineer, the borough solicitor, Mayor Lillie and Council.

Pres. Yurkovich commented that one of the applicant's employees had stated on social media that the proposed building was not going to be a business. Pres. Yurkovich questioned that if Aqua World does close at its present location, will it move to 8240 Ohio River Boulevard; but, if it does not close, does the borough need two fish stores? Pres. Yurkovich continued there does not appear enough space for parking and Mr. Flynn added there were 17 points that need rectified before the planning commission could review the application. Mr. Lenz stated he would like to see the mitigation plan for water run-off. Mr. Getz added PennDOT would need to approve the applicant's Highway Occupancy Permit (HOP) application for this property.

Sol. McTiernan informed the audience that once the planning commission makes a recommendation, this action comes before council at their next business meeting, which would be March 11 if the commissioners voted at their February 26 meeting.

### **NEW BUSINESS**

PSAB Boot Camp - MOTION by Ms. Bennett, second by Mr. Fashian to send Mr. Lenz to the PSAB Boot Camp refresher course March 6 & 7 at the Courtyard by Marriott, Washington County at a cost of \$135. Motion unanimously carried by roll call.

ALOM 7 Springs Conference – MOTION by Mr. Fashian, second by Mr. Getz to send Ms. Bennett and Mr. Lenz to the ALOM 7 Springs Conference, April 2-5; \$250/official registration & materials; \$665/official lodging and meals. Motion unanimously carried by roll call.

PSAB Hershey Conference – MOTION by Ms. Bennett, second by Mr. Lenz to send Messrs. Fashian and Getz to the PSAB Hershey Conference, June 7-10; \$280/official registration & materials; \$199/official lodging and meals. Motion unanimously carried by roll call.

Shenango Re-Imagined Meeting - Mr. Lenz announced a public meeting will be held February 19 from 7-9 pm at the RMU Sports Complex; Hat Trick Club, the topic will be Shenango Re-Imagined.

**PUBLIC COMMENTS**

Tim Donovan, 10 Miller Street – following up on his complaint about a sewer smell on Center Avenue between Donovan Cleaners and Chev’s Diner. Pres. Yurkovich replied he walks Center Avenue daily and does not notice a sewer smell. Mr. Getz added he investigated this area but has not noticed a sewer smell. Mr. Donovan then questioned if the borough had a power washer for the fence (DPW does not); Pres. Yurkovich replied there is no water at Mayernik Field and stated the fence is AGAA’s responsibility.

**ADJOURN**

President Yurkovich Adjourned the February 12, 2020, council meeting at 7:30 p.m.

Respectfully Submitted,

CATHY JONES  
Borough Secretary