

Borough of Jefferson Hills
Agenda Meeting of Council
January 9, 2019

The agenda meeting of Council was called to order by President King at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Cmar and Council Members Ielase, Khalil, Montgomery, Sockman and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glistler, Consulting Engineer Minsterman and Public Works Director Volpe were also present. Mrs. Reynolds and Vice President Weber were absent.

1. Pledge of Allegiance
2. Roll Call
3. Citizen/Taxpayer Comments

Dave Oster, of 6009 Walton Road, Finleyville, asked if Council was considering decertifying Gill Hall VFC. President King responded this would be discussed during item number 24 on the agenda. Mr. Oster expressed he was elected last June to chair the Jefferson Hills Democratic Party and has been researching the fire hall consolidation situation. Mr. Oster stated his understanding is through the summer all fire companies were working well together, but since then it has fallen apart. Mr. Oster stated he would like to strongly suggest to get Gill Hall involved and give it a chance to work with the Task Force and see if we can come together on the same page.

4. Report from Borough Boards and Commissions
5. Motion to approve minutes of agenda meeting December 5, 2018
6. Motion to approve minutes of regular meeting December 10, 2018
7. Motion to approve the monthly bills
8. Motion to approve the monthly payrolls
9. Motion to adopt Resolution No. 1-2019 amending certain fees for the year 2019

Mr. Montgomery asked that volleyball court under Gill Hall Park be corrected to pickleball court. Mr. Montgomery and Mr. Khalil expressed having advertising for curative amendments be specifically addressed. President King asked Mr. Shimko and Mr. Bennett to discuss this item outside the meeting.

10. Motion to adopt Resolution No. 2-2019 amending the salaries, compensation and wages for Borough employees for the year 2019
11. Motion to adopt Resolution No. 3-2019 granting a modification request to Borough Subdivision and Land Development Ordinance Section 607.B and preliminary approval of the subdivision plan known as S-9-2018, Moscatiello Subdivision Plan

Mr. Khalil stated he had concerns with respect to the five (5) points in the Resolution. Mr. Glister stated this is a preliminary approval. Mr. Glister indicated typically preliminary approval would not be recommended on a plan with this many conditions, but it has been quite an effort to get this resolved and the conditions will be addressed under the final application. Mr. Khalil asked the reason for the subdivision. Mr. Glister responded the owner is looking to sell some and possibly use for storage of equipment. Mr. Glister stated an easement agreement will be prepared.

12. Motion to adopt Resolution No. 4-2019 granting final approval to the land development plan known as SP-10-2018, Marlow – Jefferson Hills

Mr. Montgomery indicated the date of the Planning Commission meeting is incorrect. Mr. Bennett will make this correction.

13. Motion to approve Application for Payment No. 1 and Final from Robinson Pipe Cleaning Company in the amount of \$5,230.00 for the SHACOG Sanitary Sewer Lining Year 12 – Contract A project, subject to the receipt of an invoice from SHACOG
14. Motion to approve Application for Payment No. 11 from Global Heavy Corporation in the amount of \$104,433.50 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A
15. Motion to approve Application for Payment No. 2 from A-1 Electric in the amount of \$8,550.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract B
16. Motion to approve Application for Payment No. 3 from State Pipe Services, Inc. in the amount of \$49,243.54 for work completed on the 2018 Manhole Rehab Program
17. Motion to approve Work Authorization dated January 2, 2019 from Gateway Engineers, Inc. for miscellaneous engineering and consulting services related to the Clairton Sewershed in the amount not to exceed \$10,000.00
18. Motion to approve Work Authorization dated January 2, 2019 from Gateway Engineers, Inc. for miscellaneous engineering and consulting services in 2019 in the amount not to exceed \$10,000.00
19. Motion to approve Work Authorization dated January 2, 2019 from Gateway Engineers, Inc. for Borough Building ADA Door Hardware Upgrade Construction Administration in the amount not to exceed \$3,000.00
20. Motion to approve Work Authorization dated January 2, 2019 from Gateway Engineers, Inc. for general planning assistance in 2019 in the amount not to exceed \$10,000.00
21. Motion to approve Work Authorization dated January 2, 2019 from Gateway Engineers, Inc. for miscellaneous engineering and consulting services related to the West Elizabeth Sewershed in the amount not to exceed \$10,000.00

22. Motion to ratify the appointment of Tucker Arensburg, P.C. as Special Counsel to represent the Borough of Jefferson Hills regarding a Zoning Land Use Appeal
23. Discussion of the EOI Fireworks Display Agreement from Pyrotecnico for 2019 Community Day

Mr. Bennett mentioned this is the same firm that was used last year for the Community Day fireworks. Mr. Bennett stated it is being brought to Council early to get a discount on the price. There was some additional language added to the contract last year and this copy of the contract does not include those additions, but the language will be incorporated and a new copy of the contract will be provided. Mr. Sockman noted the rain date for Community Day was discussed at the Recreation Board meeting and it would be the following day.

24. Discussion of the Volunteer Fire Company Funding

Mr. Khalil stated he had four (4) points to discuss regarding the potential defunding and decertification of Gill Hall VFC: 1. poor performance and poor work environment, 2. the safety steps to cover the Gill Hall area, 3. how inclusive and encompassing the Bylaws are, and 4. financial. These points will help explain why and how the new organization, Jefferson Hills Fire & Rescue (“JHFR”) is needed and will operate.

Seven (7) interior firefighters have left Gill Hall VFC and five (5) relocated to Jefferson 885 VFC. This includes three (3) fire chiefs; two (2) of which relocated to Jefferson 885 VFC. Mr. Khalil commented an alarming situation was when Gill Hall VFC removed Jefferson 885 VFC from their 911 call list, which jeopardized the health, safety and welfare of the community. There has been a lack of cooperative training by Gill Hall VFC with sister stations. It has been stated numerous times by members that have left Gill Hall VFC that they left because of the bad work environment. The members that have left and joined Jefferson 885 VFC have spoken in support of the consolidation. In initial meetings with all the area firefighters, it was acknowledged that fire service protection within the community can and should be better. No alternative solutions to Chief Sohyda’s plan were provided by anyone at any time. Gill Hall VFC has had a poor performance of answering calls. Gill Hall VFC has never provided their concerns to Council with respect to consolidation.

Mr. Khalil explained the plan after a potential decertification of Gill Hall VFC is that Jefferson 885 VFC would be primary responder in Gill Hall area. Floreffe VFC will be backing up Jefferson 885 VFC. Broughton VFC and Pleasant Hills VFC will willingly provide mutual aid. If additional safety steps need to be taken, they will. Council has supported and will continue to support and promote better performance and safety of the individual firefighters as well as enhanced fire protection for the residents. Council is looking for the volunteer fire companies to correct and build better fire service today than the Borough has had in the past.

Mr. Khalil stated the JHFR Bylaws initial concept of the organizational chart shows all three (3) stations being represented and includes two (2) year terms for the Chief and the Assistant Chief, which will be recommended by the new organization and approved by Council. The Bylaws are establishing that better and more qualified firefighter would get promoted over someone less qualified. The new organization is not leaving out life members and gives them the ability to vote on all matters. Each company will be represented for first two (2) years.

Financial records of JHFR will be available for external audit, which has not been the case with the volunteer fire companies in the past. The Ladies Auxiliary will be recognized by Resolution of JHFR. Mr. Khalil indicated he had asked before whether the fire tax millage needed to be increased to cover the shortfall of funding or take the money from the general fund to supplement the fire tax and the latter was chosen for 2019. In either case, taxes would not increase for the community. Currently, there are no proposed capital purchases in the budget.

Mr. Khalil stated his hope is Gill Hall VFC will join the new organization, but asked that the building, vehicles and turnout gear be donated to JHFR if that does not happen.

Mayor Cmar asked what is meant by lack of performance. Mr. Khalil responded it is mostly the lack of answering calls and when calls are answered there are not qualified people to do the job.

Mayor Cmar asked how the bad environment is determined and is there documentation showing this. Mr. Khalil answered all of the firefighters that have left are interior firefighters, which is the indicator. Mayor Cmar commented this is coming from people who left and went to Jefferson 885 VFC.

President King commented these are peripheral matters and not the reason for the consolidation. Safety is the number one reason for the consolidation and trying to make the organization better so recruitment will go up and will be more efficient are important as well.

Mr. Khalil stated he has tried to set up a meeting with Mayor Cmar three (3) times in the past month to try to address a lot of her questions and concerns and have John Thatcher and Mrs. Ielase there as well so Mayor Cmar could hear directly from Mr. Thatcher.

Mr. Sockman stepped down from his Council chair to speak to audience. Mr. Sockman said he believes consolidation is important and imperative for this community. Mr. Sockman indicated he has said he would never vote to close a fire hall. Mr. Sockman stated he is not voting to close a fire hall; he is voting for consolidation, but believes Gill Hall VFC is choosing to close themselves. He commended Calvin Felix for his hard work and dedication, but explained sometimes people have to give a little. Mr. Sockman asked Mr. Felix how can Council know what Gill Hall VFC's issues are against consolidation if they are not told to Council. Mr. Sockman commented, if Gill Hall VFC decides to join the consolidation, he would make a motion that two (2) paid firefighters be put at the Gill Hall fire station as long as they are not on the current Gill Hall VFC roster.

Chief Chalfant stated the Task Force meetings are not one-sided, but the Task Force did not want attorney that was being paid by Gill Hall VFC to come to the meetings. Chief Chalfant commented he was there when Gill Hall members gave input to the Bylaws. Mr. Khalil read an email sent by John Thatcher on October 24 to Gill Hall VFC regarding the Task Force scheduling a meeting with Attorney Houser. Mr. Khalil stated Mr. Thatcher sent an email on December 18 to Council stating that he did not receive a response of any kind. Two (2) additional emails were sent to Gill Hall VFC; one (1) to their attorney, Kim Houser, and another to Calvin Felix and Tom Latorre with no reply. President King commented this is all being done so that the Borough will not have to have a paid fire service. President King asked for options for the agenda on Monday. Mr. Shimko stated the Resolutions for funding the fire companies likely would need to be changed so that funding would go to JHFR and any entities not listed in the resolution would not be funded. Mr. Montgomery asked if this would be permanent. Mr.

Shimko responded, if an organization wanted to join with JHFR, they would have the ability to do that. Mr. Shimko also stated this is one of the reasons this would be done by Resolution rather than Ordinance. It is easier and financially more prudent to make changes to a Resolution. President King asked if Council would want to have two (2) separate motions; one for funding and one for decertification and having two (2) was the consensus. If JHFR is formed by Monday, this can be done. Mr. Shimko stated that if JHFR is formed and ready by Monday, in reality, the Borough would be decertifying all the fire halls and recognizing JHFR. Mr. Khalil asked if Mr. Shimko and Mr. Thatcher could talk directly and it was agreed.

25. Reports

Fire Chiefs reported:

- Andrew Tomer, of 1312 Hornbake Drive, Fire Chief for Jefferson 885 Fire Department and Emergency Management Coordinator, provided a recap of 2018: Jefferson 885 VFC responded to 437 incidents, of which 236 were in their district, 67 were in Gill Hall, 24 in Floreffe and the rest were in surrounding municipalities (mutual aid). Jefferson 885 VFC has 1,764 documented training hours for 2018, which may not include weekly drills. There are currently 44 Firefighter 1s at Jefferson 885. Effective January 1, 2020, any individual wishing to enter a building must be a Firefighter 1.
- Don Withers, Floreffe Fire Chief, provided a recap of 2018: Floreffe VFC responded to 276 incidents, which is 80 more than last year and had 50 training sessions with different organizations, including Jefferson 885, Gill Hall, Elrama and Elizabeth. Chief Withers stated they are still not up to Firefighter 1 level, but feels Floreffe will gain 44 Firefighter 1s with consolidation.

Engineer Glister reported:

- 2018 was officially the wettest year on record. The Hollywood sanitary reroute is substantially completed and the new sewer is flowing, but still has some clean-up work to be done.
- Shady Timber storm sewer line collapsed and will need to be fixed. This work should be done before next month's meetings.

Consulting Engineer Minsterman reported:

- Nothing to report.

Finance Officer/Treasurer Mr. Bennett reported:

- The 2019 budget has been put on the website.
- Approval was received from Allegheny League of Municipalities for the 2019 Banner Program.

- SHACOG may start regional glass recycling site. Mr. Montgomery stated he will meet with SHACOG on January 17. Mr. Bennett stated there will be a small cost and more information will be provided.
- The elevator is out of order and will need a new motor. Schindler will provide an estimate. Mr. Sockman asked if this includes the oil cooler and Mr. Bennett replied it can. President King asked if Schindler could provide new elevators. Mr. Bennett said they could, but would be much more expensive than an overhaul and Schindler does not feel it needs replaced at this time.

Public Works Director Mr. Volpe reported:

- Getting Waterman West Road back in order was the majority of the work this month and is completed.

Police Chief Roach reported:

- Feels it is time to advertise for police officers and post at local academies. He has reached out to the testing agency that does the written test. They will do the scoring. The physical agility test can be done here. Probably earliest with new candidates will be May. Civil Service is aware that the Borough is doing its own testing and did not object. Mr. Sockman asked how many candidates would he expect and Chief Roach responded about ten (10) to thirty (30).

Mayor Cmar reported:

- Banner Community Program has been accepted.
- Asked if the recycling information is on the Borough website. Mr. Bennett replied it was.

Interim Manager Mr. Bennett reported:

- Waste Management has started collecting and has been fairly smooth.

26. General Business

Mr. Montgomery noted the following with respect to SHACOG:

- Recycling – bins will be tagged for obvious contamination. He spoke to Lou Gorski to see if the Borough could switch to automated at a later point and he did not think the Borough could. Mr. Bennett stated Waste Management indicated that was a possibility. Best practice for recycling is: if in doubt, throw it out.

Mr. Sockman noted:

- Recreation Committee is concerned about when the ball field work will be done. Would like it done by April 1, but doubt that will happen due to the fact it is normally rainy at that time. President King asked Mr. Bennett to communicate with Recreation Board to give basic scope of work.
- There was concern about Beedle Field not being maintained correctly. President King asked Mr. Volpe to communicate with Brian Konick of the Recreation Board regarding this.
- Asked Mr. Bennett if a reduced fee could be provided for seniors for sewage bill. Mr. Khalil asked if Mr. Bennett could send an email with the criteria and he and Mr. Sockman could tweak it for Jefferson Hills.

Mrs. Ielase noted:

- Asked Mr. Bennett if there were any complaints about Waste Management garbage collection. Mr. Bennett replied not many, but they did have to go back to a few places.
- Never wanted to close a fire hall and have lost sleep over this. She wants to find a solution.

Mr. Khalil noted:

- Received letters from Debra Wesolowski of the Library Board and Holly Rubinoff of the Recreation Board asking to be reappointed and would like them added to the agenda. President King asked if there were any objections and there were not. President King asked Mr. Bennett to add to the agenda.
- Received an email from Attorney Tony Kurta, who is a Council Member in Clairton, regarding Short Street, which is a shared street with Jefferson Hills, in the Wall Plan. He expressed an interest to potentially repave it. When Mr. Volpe went to look at it, he found it was already repaved. No one from Clairton contacted the Borough before repaving and Clairton is now asking for reimbursement. Mr. Volpe feels it could have been done at a substantially lower cost.

President King noted:

- Recreation Board is having a public input meeting regarding the Jefferson Hills Community Center Feasibility Plan on January 16 at 7:00.
- Thanks to law enforcement. It is National Law Enforcement Appreciation Day.

27. Adjournment

President King adjourned the meeting at 8:38 p.m. with an executive session to follow from which Council would not return on motion by Mr. Sockman, seconded by Mr. Montgomery and carried unanimously.

28. Executive Session – Personnel, Collective Bargaining, Real Estate, Legally Privileged/Confidential and Litigation (*EQT Production Company and ET Blue Grass Clearing LLC v. Borough of Jefferson Hills*, Supreme Court of Pennsylvania, Docket No. 4 WAP 2018; *Peters Creek Sanitary Authority, Borough of Jefferson Hills and Union Township v. Clairton Municipal Authority*, Court of Common Pleas of Allegheny County, Docket No. GD-17-17711; *Levander v. Borough of Jefferson Hills*, United States Equal Opportunity Commission, Charge No. 533-2018-01896, *104 Residents of Jefferson Hills v. Mark Reis, Borough of Jefferson Hills Zoning Hearing Board*, Docket Number ZN-14-2018 and *Jefferson Estates Homeowners' Association v. Zokaites Properties et al.*, Court of Common Pleas of Allegheny County, Docket Number GD-17-011526)

Charles W. Bennett
Secretary/Interim Borough Manager