

Borough of Jefferson Hills
Regular Meeting of Council
April 8, 2019

The regular 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, Vice President Weber and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Public Works Director Volpe and Borough Engineer Glistner were also present. Council Member Reynolds was absent.

CITIZENS/TAXPAYERS COMMENTS:

None.

MINUTES:

Mr. Sockman moved the minutes of the agenda meeting March 6, 2019 be approved, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved the minutes of regular meeting March 11, 2019 be approved, seconded by Mr. Khalil and carried unanimously.

MONTHLY BILLS:

Mr. Khalil moved the March bills be approved, seconded by Vice President Weber and carried unanimously.

MONTHLY PAYROLLS:

Mr. Sockman moved the payrolls for the month of March in the amount of \$246,447.31 be approved, seconded by Mr. Montgomery and carried unanimously.

AGENDA ITEMS:

Mr. Montgomery moved to adopt Resolution No. 10-2019 granting modification requests to Borough Subdivision and Land Development Ordinance Sections 22-504.1, 22-604.3, 9-1152.D.(6), 22-609.1, 26-155.2.B and 22-305.1.A and preliminary approval of the land development plan known as SP-1-2019, Gill Hall Elementary Land Development Design, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to adopt Resolution No. 11-2019 establishing a Public Meetings Participation Policy, seconded by Vice President Weber and carried unanimously.

Mr. Sockman moved to issue Street Opening Permits to Peoples Natural Gas Company for the purpose of natural gas mainline and service line replacements for a distance of 1,039 feet on

Madison Street, 6th Street, 5th Street and Hawk Alley, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to award the 2019 Paving Program Base Bid including Add Alternate 3, Add Alternate 4 and Add Alternate 5 to Alex E. Paris Contracting Company in the amount of \$645,110.50, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to authorize the proper Borough officials to execute an agreement with Family Fun Attractions in the amount of \$1,110.00 for Community Day, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to authorize the proper Borough officials to execute an agreement with Rockin' Bob's Disc Jockeys in the amount of \$2,500.00 for Community Day, seconded by Vice President Weber and carried unanimously.

Mr. Khalil moved to authorize the proper Borough officials to execute an agreement with The Stickers for Community Day subject to the approval of the Solicitor, seconded by Vice President Weber and carried unanimously.

Mr. Khalil moved to authorize the proper Borough officials to execute an agreement with Shaggy Mountain Farm Petting Zoo in the amount of \$645.00 for Community Day, seconded by Vice President Weber, and carried unanimously.

Mrs. Ielase moved to authorize the proper Borough officials to execute an agreement with Hoffman's Boarding Kennels to perform animal control efforts within the Borough, seconded by Mr. Khalil and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 1 and Final from State Pipe Services, Inc. in the amount of \$16,076.83 for work completed on the Joint Municipal SHACOG Preventative Maintenance – Year 8 Project, subject to the receipt of an invoice from SHACOG, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 1 and Final from Soli Construction, Inc. in the amount of \$28,537.80 for work completed on the January 2019 Lick Run Emergency Repair Project, seconded by Vice President Weber and carried unanimously.

Mr. Khalil moved to approve payment to Drnach Environmental, Inc. in the amount of \$50,389.30 (a total of three separate invoices) for work completed on the Flow Monitoring Study Project, seconded by Vice President Weber and carried unanimously.

Mr. Montgomery moved to approve Application for Payment No. 14 from Global Heavy Corporation in the amount of \$38,840.75 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract A, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 4 from A-1 Electric, Inc. in the amount of \$47,672.10 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract B, seconded by Vice President Weber and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 8 from Jet Jack, Inc. in the amount of \$508,419.52 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract C, seconded by Vice President Weber and carried unanimously.

Mr. Sockman moved to approve Work Authorization dated March 29, 2019 from Gateway Engineers, Inc. to assist the Borough with preparation of the specifications and bid package for the former Borough building demolition project in the amount not to exceed \$3,000.00, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to approve Work Authorization dated March 27, 2019 from Gateway Engineers, Inc. to assist the Borough with miscellaneous engineering and consulting services within the Borough in reference to the VOC odor removal from the Jefferson Hills sanitary system via sewer lining in the West Elizabeth Sewershed in the amount not to exceed \$5,000.00, seconded by Mr. Khalil and carried unanimously.

Mr. Sockman moved to approve quote from Bobcat in the amount of \$70,077.90 (COSTARS Contract 4400019949) for one (1) E63 T4 Bobcat Compact Excavator with dealer installed attachments, seconded by Mr. Montgomery and carried unanimously.

Discuss Gill Hall Elementary School Conditional Use Application, CU-1-2019.

Vice President Weber stated a public hearing was held on Monday, April 1 regarding the Gill Hall Elementary School Conditional Use Application. That evening the applicant and its consultants made a case to Council about four (4) conditions that need to be met to move forward with this approval. Vice President Weber listed the conditions as: No storage of equipment or material shall be present outside the structure; No school shall be located closer than 200 feet to any vehicular entrance or exit of use involving the service or repair of motor vehicles; All lights shall be shielded and reflected away from adjoining properties; and Ingress, egress and internal traffic circulation shall be designed to insure safety and access by emergency vehicles. Vice President Weber stated the applicant made a strong case meeting all four (4) of these conditions and, unless Council wants to add anything to these conditions, he thought it would be a nice gesture, since this is a time sensitive issue for them, to move forward on this. Vice President Weber moved to approve CU-1-2019, seconded by Mr. Montgomery. President King abstained because he was not present at the hearing and did not have an opportunity to read the transcript. President King explained he is not against it, but is abstaining for that reason. The motion was carried 5-0-1 (Yes – Ielase, Khalil, Montgomery, Sockman, Weber; Abstain – King). Mr. Shimko stated the MPC requires the Borough to issue a written decision within forty-five (45) days of the hearing date.

BOROUGH ENGINEER'S REPORT:

Nothing to report.

FINANCE OFFICER/TREASURER:

Mr. Bennett stated he received an additional Street Opening Application from Peoples Gas to provide a mainline to serve the Betler Lot Plan. Mr. Bennett explained Peoples Gas would like to begin the project on May 9 and the voting meeting is not until May 13. President King suggested, if there are any questions, bring them to Mr. Bennett's attention. President King asked for a consensus of Council to let Peoples Gas begin the work and ratify the application in May if there are no objections. It was the consensus of Council to move forward with the street opening and ratify the application next month.

Mr. Bennett indicated his financial report would be provided on Friday.

PUBLIC WORKS DIRECTOR'S REPORT:

Nothing to report.

POLICE CHIEF'S REPORT:

Nothing to report.

MAYOR'S REPORT:

Mayor Cmar thanked the Library Board and staff for their work on the book sale.

Mayor Cmar stated she and Mr. Montgomery visited with State Representative Puskaric and discussed grants for the recreation center and some items for the police department and Rep. Puskaric was very willing to help. President King asked if the grants would need to be used for specific items. Mayor Cmar replied one would be for the Ring Program that was discussed in past meetings, but was not specific with recreation.

GENERAL BUSINESS:

Mr. Montgomery stated he attended the Allegheny League of Municipalities (ALOM) conference. The need to update street opening permits was discussed. Mr. Montgomery indicated the ordinances related to the street openings need updated to allow for a better ending result. There was an Emergency Service Seminar conducted by Matt Brown, who is the Chief of Emergency Services for Allegheny County. Mr. Montgomery stated Mr. Brown recommended that elected officials take the G402 Course that teaches what their role is in an emergency situation. Mr. Montgomery indicated he would bring this up at the next SHACOG meeting to see if it could be done jointly.

Mr. Sockman stated the book sale was a fantastic event and much appreciated. He asked Mrs. Rubinoff and Mrs. Steffy of the Recreation Board if anything was needed for Community Day. They replied all was good for now. Mr. Sockman also asked them if the playing of baseball in muddy conditions had been addressed and Mrs. Rubinoff replied it was.

Vice President Weber thanked Council for moving forward on the conditional use application for Gill Hall Elementary School. Vice President Weber stated he has addressed residents' complaints about taxes over the last few weeks. He explained, in this municipality, there has been one (1) tax increase in fourteen (14) years. Vice President Weber said the Borough is in very good fiscal shape and he would like to keep it that way. Vice President Weber stated he is in favor of a recreation facility, but feels there is a need to find a creative way to fund it. Vice President Weber suggested asking the Recreation Board to reach out to Core Architects to start a dialog or a survey of some sort to find out what the residents truly want and how this facility may be funded.

Mr. Khalil stated he received a call from Chief Chalfant informing him that JFR has filed suit against the Gill Hall VFC. Mr. Khalil expressed his is very troubled by the fact that taxpayer money is being used to obtain assets purchased in whole or in part by taxpayer money. Mr. Khalil commented it also troubles him, as part of the annual distribution, twenty thousand dollars (\$20,000) of taxpayer money was given to Gill Hall VFC and the Borough has no idea for what it is being used. Mr. Khalil continued to say he is troubled that Gill Hall VFC President Calvin Felix has reached out to communities outside of the Borough of Jefferson Hills and expressed interest to merge with them utilizing assets purchased by Borough of Jefferson Hills taxpayers. Mr. Khalil stated his hope is that Gill Hall VFC dissenters will come to the realization that what they are doing is detrimental to the community and costing the community money. Mr. Khalil indicated this is a situation that can easily be remedied by Gill Hall VFC agreeing to transfer its assets to the new organization so that they can be used by the Borough of Jefferson Hills. President King stated he seems like corruption might be involved and he does not think there is anything that will change Gill Hall VFC's mind since it has not at this point. Vice President Weber stated President King mentioned corruption and said waste and fraud should be added because twenty-four thousand dollars (\$24,000.00) of taxpayer money was given to FEMA as part of a grant to provide an engine to Gill Hall VFC that is not being used by the community. Vice President Weber indicated, if Gill Hall VFC would have retained firefighters and provided a service, he does not believe Council would have decertified them. Vice President Weber stated Gill Hall VFC did a great job in the past, but failed to adapt and grow and are now holding hostage meaningful equipment and apparatus that could benefit the residents of this Borough. Vice President Weber indicated he would have loved for them to become part of this consolidation. Mr. Sockman added, since there is quite a bit of taxpayer money involved, is there something Council should do legally. Mr. Shimko stated this is could be an example of something that does not seem not ethical, but, potentially, is legal. Since the Borough is not on the title for the assets, the Borough has no legal right to them – unlike JFR, who is co-titled with Gill Hall VFC on a piece of equipment, which is the subject of the aforementioned lawsuit. Mr. Shimko indicated that the twenty-thousand dollars (\$20,000.00) that was given to Gill Hall VFC through the foreign fire tax distribution must be used for specific purposes and is audited by the Auditor General, but the audits are a few years behind. Mr. Khalil summarized it is frustrating that a handful of people are harming, in his opinion, eleven thousand (11,000) residents by holding back the benefits and use of those assets.

Mrs. Ielase thanked the Library for the great job at the book sale. Mrs. Ielase reminded everyone that April 27 is Fish for Fun Day from 9-2.

President King thanked the Recreation Board for all their work on Community Day. President King reiterated that his abstention for the vote on the Conditional Use Application was due to his absence from the public hearing and not for any particular reason with respect to the proposed project.

ADJOURNMENT:

Mr. Sockman moved to adjourn the meeting at 7:49 p.m., with an executive session for a personnel matter to follow from which Council would not return, seconded by Mrs. Ielase and carried unanimously.

Executive Session for a personnel matter.

Charles W. Bennett
Secretary/Interim Borough Manager