

Borough of Jefferson Hills
Agenda Meeting of Council
July 3, 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, Council Members Ielase, Khalil, Montgomery, Sockman, Vice President Weber and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glister and Public Works Director Volpe were also present. Mayor Cmar and Council Member Reynolds were absent.

1. Pledge of Allegiance
2. Roll Call
3. Borough Resident/Taxpayer Comments
4. Report from Borough Boards and Commissions
5. Motion to approve minutes of agenda meeting June 5, 2019
6. Motion to approve minutes of regular meeting June 10, 2019

Mr. Khalil asked, regarding Mr. Barca's comments about Spaniel Drive and some issues with Maronda Homes, if anyone had contacted Maronda about cleaning up the area. Mr. Bennett stated both Mr. Glister and Mark Reis contacted them and were told it would be handled.

Mr. Khalil also asked that the minutes reflect the fact that Mrs. Reynolds left the meeting after making her vote against a motion to approve the preparation of an ordinance giving the Borough the authorization to file a declaration of taking.

7. Motion to approve the monthly bills
8. Motion to approve the monthly payrolls
9. Vice President Weber made a motion to appoint John P. Stinner as Borough Manager effective Monday, July 8, 2019, seconded by Mr. Sockman and carried unanimously.
10. Motion to enact Ordinance No. 876 to authorize the filing of a declaration of taking in order to acquire property now or formerly of Gill Hall Voluntary Fire Company and Relief Association (Block and Lot No. 883-K-171) for the location of a public building/fire station

Mr. Khalil stated it is part of Council's job to provide fire protection, medical protection and police protection and read paragraph 2 of the Ordinance stating the same. Mr. Khalil indicated Gill Hall Park was considered to build a new fire station, but it was found this site could not be used due to a clause in the deed. Mr. Khalil stated after months of Council and the Task Force trying to contact Gill Hall VFC to get them back into negotiations and receiving no response, this is the measure that needs to be taken. Vice President Weber commented even concerned residents have come to meetings and indicated they have tried to contact Gill Hall VFC and received no reply. Vice President Weber stated he thinks all good faith efforts have been exhausted and if there is a better solution, Council would like to hear it. It

would be great to have Gill Hall VFC back in the fray. Vice President Weber indicated he will be voting in favor of this Ordinance.

11. Motion to adopt Resolution No. 20-2019 granting final approval to the land development plan known as SP-3-2019, Eastman Chemical New Control Room Consolidation Project
12. Motion to adopt Resolution No. 21-2019 granting preliminary approval to the subdivision plan known as PS-1-2019, Jefferson Memorial Park Plan of Lots

Mr. Khalil expressed the County pointed out that some portion of this plan may be in South Park and asked if that were true and if it mattered. Mr. Shimko replied it does not matter in terms of the Borough of Jefferson Hills, but may matter for the applicant, who may also have to get approval from South Park. Mr. Shimko stated it was believed that the boundary line dispute was settled many years ago, but it seems the properties may have only been put into the Borough of Jefferson Hills for taxation purposes without the physical boundaries being moved.

13. Motion to adopt Resolution No. 22-2019 granting preliminary approval to the land development plan known as SP-6-2019, Beedle Park Concession Stand
14. Motion to approve Application for Payment No. 1 from State Pipe Services, Inc. in the amount of \$10,828.96 for work completed on the Joint Municipal SHACOG O&M CCTV – Year 8 Project, subject to the receipt of an invoice from SHACOG
15. Motion to approve Invoice #19-128 from D & D Engineering, Inc. in the amount of \$1,784.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Electrical Engineering Design Services
16. Motion to approve Application for Payment No. 16 from Global Heavy Corporation in the amount of \$82,963.07 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract A
17. Motion to recommend to SHACOG the award of a bid to Insight Pipe Contracting, LLC for Joint Municipal SHACOG O&M Preventative Maintenance – Year 9 Project in the amount of \$73,231.25 with the Borough's share of \$20,330.00
18. Discuss Borough Building Demolition Bids (Bid opening 10:00 a.m. on 7/1/2019, recommendation letter to be provided on 7/3/2019)

Mr. Glistler indicated that four (4) contractors submitted bids of the eight (8) that attended the pre-bid meeting. The low bid was from Piccolomini Contractors, Inc., who he is recommending. Mr. Montgomery asked if this could be a SHACOG demolition project. Mr. Glistler responded this would have to be coupled with another demolition to meet the threshold. Mr. Montgomery suggested there are more demolitions that need done and could be combined. Vice President Weber responded that he agreed with Mr. Montgomery, but feels that the building needs to come down now and the CDBG Grants could be used on other demolitions in the future. Mr. Sockman also stated the building is an eyesore and needs to be torn down. Mr. Khalil suggested using the CDBG Grants for tearing down the garages behind the old Borough Building that may need to be removed.

19. Discuss approving Service First Cleaning Option Year Two contract services for September 1, 2019 through August 31, 2020 in the amount of \$37,704.00

President King asked Mr. Bennett how the cleaning company was doing. Mr. Bennett replied they are doing fine and this would be the third and final year of the contract extension with a three percent (3%) increase. Mr. Khalil said a letter was given to Council from the Track and Field Boosters regarding the condition of the Gill Hall Park Building and asked if the cleaning company is doing its job. Mr. Bennett stated periodically complaints are received, but the building is used frequently and may generally need some upgrades. Chief Roach indicated John, who cleans the police department, works very hard and does things above and beyond his responsibilities. Chief Roach said he thinks of John as a Borough employee rather than a contractor. Vice President Weber asked Mr. Volpe if he has had any issues with regard to the cleaning personnel at the Public Works Building. Mr. Volpe responded there have been no problems. Vice President Weber stated he was in favor of approving the final option year.

20. Discuss applications received from Carol Ann Bucar and Rosanne Vario to join the Forward Township's Agricultural Security Area (ASA) Program

Mr. Khalil asked for an explanation of an ASA. Mr. Shimko responded this program under Pennsylvania statutory law that provides protection for residents with normal agricultural practices to stop governmental agencies from labeling normal farming activity a nuisance. Mr. Shimko said this will basically allow the applicants to use their land as they have been with some protection from overreach. Mr. Shimko stated Forward Township is requesting a resolution to show whether the Borough of Jefferson Hills supports the applications. Mr. Shimko indicated his concern is that this could affect the need for the Borough to use eminent domain in the future if there is need to acquire easements for landslide issues because there is a State Board to go through to get permission unless it is an emergency situation. However, after looking into it he feels this is not a big issue and believes the Borough could accept these applications. Mr. Khalil asked if this would have any effect on the Bucar Landowner Curative Amendment. Mr. Shimko responded it would not affect the Bucar Landowner Curative Amendment process and her ASA application is saying she will continue to use her property as a farm for at least the next seven (7) years. Vice President Weber stated he would feel more comfortable knowing the intention of the applicants and wished they attended the meeting. Vice President Weber asked Mr. Shimko if there were any tax implications to this. Mr. Shimko replied he was unable to find anything in his research. President King asked if this could be put off until next month so that the applicants may be present at the Council Meeting. Mr. Shimko replied Forward Township would need to be contacted to see what their time frame was. Mr. Bennett stated he would contact Forward Township to get this information. Vice President Weber commented he does not want to do anything to put the Borough in a bad position and would like to ask questions of the applicants and possibly a Forward Township ASA representative as well.

21. Reports

Don Withers, Floreffe VFC Fire Chief, reported:

- Floreffe VFC responded to twenty-two (22) calls for the month of June and had four (4) drills. Chief Withers indicated some upgrades were done on the trucks and Floreffe purchased some new battery operated chain saws for opening roads, a blower to help remove debris and portable lighting. Chief Withers commented that two (2)

of their trucks have been pump certified. Vice President Weber expressed his gratitude for the forward-looking approach Floreffe VFC is taking in the procurement of equipment to keep the firefighters safe when responding to emergencies.

Brian Chalfant, Jefferson 885 VFC Assistant Fire Chief and President of Jefferson Fire and Rescue, reported:

- The swift water team was on standby six (6) times and was deployed last Thursday to assist East Hills with massive flooding in Lincoln, Liberty and McKeesport. After receiving the funding from Council to get started, a grant was secured to purchase the additional equipment and are now waiting on the Fish and Boat Commission to award the state certification which will allow more grant access.
- Mr. Chalfant indicated messages are still being received on social media about Jefferson 885 VFC shutting down Gill Hall VFC. Mr. Chalfant said Jefferson 885 VFC is also being blamed for hydrants that are not working and asked Council to contact Pennsylvania American Water Company about repairing the out of service hydrants.
- Mr. Chalfant stated in 2014 the ISO rating systems were changed. The rating used to be done for the community as a whole, but is now done for each fire department individually and, if one is found deficient, this will potentially effect residents' insurance premiums in that area. The merge will allow one rating and will save money for the residents.
- Mr. Chalfant commented JFR's attorney will be meeting with Gill Hall VFC's attorney in front of the judge regarding the lawsuit in attempting to recover the ladder truck.
- Mr. Chalfant stated their trucks were also pump tested and will be scheduled for ladder and hose testing, which all helps the ISO rating.
- Mr. Chalfant asked if Council would allow the firefighters to burn down the building that needs demolished as a training class this fall. Mr. Glister interjected this particular building has items inside that may not be burnable and would have to be removed along with the asbestos and stated a demolition project in the future may be a better candidate. President King said he felt this would be a great idea in the future, but would like to keep moving on this project.

John Thatcher, of the VFC Task Force, reported:

- The 501(c)(3) application has been formally submitted with the IRS. Mr. Khalil stated everyone needs to understand the time and effort that has been put forth to make this happen and all those involved are owed a great deal of thanks.
- Vice President Weber thanked Mr. Thatcher and the entire VFC Task Force and asked if Mr. Thatcher has heard or received anything from Gill Hall VFC showing they were interested in having dialog. Mr. Thatcher replied he has not heard from them at all. Mr. Thatcher stated the By-laws allow Gill Hall VFC to easily join at any time. Vice President Weber asked if this was a good time to contact Gill Hall VFC

with a letter. Mr. Thatcher said that it sounded like a good idea, but would discuss it with the rest of the VFC Task Force team.

Engineer Glister reported:

- With regard to the Green Light Go grant, The Gateway Engineers completed their preliminary design and then had a meeting with PennDOT to review the design. After the preliminary design was completed, the cost estimate was updated and there will be an additional \$5,000.00 to complete the work. Mr. Glister explained the original design called for radar detection along Route 837 and loop sensors on Walton Road and Glasshouse Road. PennDOT is suggesting radar detection for all, which would be more of a cost, but has lower maintenance compared to loop sensors. Mr. Glister stated, in their report, The Gateway Engineers recommends radar detection for all four (4) approaches for long term viability and maintenance of the signal. Mr. Glister asked for direction on how to proceed. Mr. Montgomery asked if two (2) bid options could be done and the decision made later. Mr. Glister stated that was possible and would not increase the bidding cost. Mr. Sockman stated, in his experience, there have been many problems with the loop sensors and feels it would be better to use the radar detectors. Vice President Weber stated he is in favor of the radar detection all four (4) ways. Mr. Sockman and Mr. Khalil agreed with Vice President Weber. Mr. Montgomery indicated he would like to see base and alternate bids first. There was a consensus to move forward with four (4) way radar.

Finance Officer/Treasurer Mr. Bennett reported:

- The Moody's report is in Council's packet and the Borough's Aa3 rating was maintained.
- The tax bills were mailed this week.
- Mr. Khalil thanked everyone for their help in controlling costs.
- Vice President Weber asked about getting information for Council regarding the recreation comprehensive plan. Mr. Bennett replied he has not gotten that information yet.

Public Works Director Mr. Volpe reported:

- Nothing to report.

Police Chief Roach reported:

- He has requested PennDOT review speed limits on Route 837 because they are inconsistent. PennDOT agreed to do an engineering study and they seem to be in favor of one (1) speed limit, excepting West Elizabeth. PennDOT is suggesting 45 mph, but Chief Roach recommended 35 mph.
- July 8 is the official start date for the three (3) new officers.

Interim Manager Mr. Bennett reported:

- Nothing to report.

Solicitor Shimko reported:

- Nothing to report.

22. General Business

Mr. Montgomery noted the following regarding SHACOG:

- There was a request from North Strabane to join SHACOG, which will bring the total to twenty-three (23) participating communities.
- Solid waste issues persist.
- Recyclable items continue to drop in price.
- Salt bids will be open in July.
- Eight (8) municipalities will participate in the police civil service test.
- CDBG 45 awards were announced last month.
- CDBG 46 pre-application letters are due in late August or early September.

Mr. Sockman noted:

- Welcomed Mr. Stinner.
- Truck 8 went down again and he and Mr. Volpe will probably start working on the budget requests. Two (2) new trucks are in the process of being built and hope to have them before fall.

Vice President Weber noted:

- Regarding the Recreation Comprehensive Plan, Vice President Weber stated he wants to be sure taxpayer money is spent wisely and to be sure this is what the community truly desires. He indicated he would like to see a referendum on a ballot to decide if the community wants to have their millage increased for a recreation center. Mr. Sockman said the referendum is a better idea than mailers being sent. Mr. Khalil stated, if a referendum is done, Council would need to know the actual cost. Vice President Weber indicated he believes Council could come up with a reasonable estimate from the preliminary quotes already received. President King asked for a consensus to have Mr. Shimko find out more about a referendum. There was a consensus to do so.
- Vice President Weber asked if anything needed to be added to the agenda regarding the radar detectors for the Green Light Go Grant. Mr. Glistler replied nothing would need to be added because it was just a minor design change.
- Vice President Weber indicated he wanted to be clear that the request to Mr. Thatcher to send a letter to Gill Hall VFC was not a directive from Council, but just a suggestion to consider.

- Vice President Weber stated he did not attend the December 12, 2018 or the April 29, 2019 hearings regarding the Bucar Landowner Curative Amendment, but has watched the videos and reviewed the transcripts and intends to vote on Monday.
- Wished everyone a happy Independence Day.
- Welcomed Mr. Stinner and wished many years of good managing of this Borough.

Mr. Khalil noted:

- Welcomed Mr. Stinner and offered to do whatever Council can to help and support him.

Mrs. Ielase noted:

- Welcomed Mr. Stinner.

President King noted:

- Wished everyone a happy 4th of July.
- Thanked Mr. Bennett for his help as Interim Manager and expressed he did a great job. Mr. Bennett stated he had help from the staff as well.

23. Adjournment

President King adjourned the meeting at 8:39 p.m. with an executive session to follow from which Council would not return on motion by Mr. Montgomery, seconded by Mr. Sockman and carried unanimously.

24. 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; *104 Residents of Jefferson Hills v. Mark Reis, Borough of Jefferson Hills Zoning Hearing Board*, Docket Number ZN-14-2018; *Peters Creek Sanitary Authority, et al. v. Clairton Municipal Authority*, Court of Common Pleas of Allegheny County, GD-17-017711; *Jefferson Estates Homeowners Association v. Zokaites Properties*, Court of Common Pleas of Allegheny County, Docket No. GD-17-011526; *Bucar Landowner Curative Amendment*, Borough Council of the Borough of Jefferson Hills Public Hearing)

Charles W. Bennett
Secretary/Interim Borough Manager