

Borough of Jefferson Hills
Regular Meeting of Council
August 13, 2018

The regular meeting of Council was called to order by Vice President Weber 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, Reynolds, Sockman and Vice President Weber answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glister and Public Works Director Volpe were also present. Council President King was absent.

CITIZENS/TAXPAYERS COMMENTS:

William Lucas, of 5012 Dana Drive, stated he would like to confirm that the bridge between the Hunters Field plan and Jefferson Estates has officially been designated an “emergency vehicle” bridge only. Vice President Weber responded that does continue to be the plan.

Karen Bucy, of 410 Deer Park West Drive, thanked Mr. Volpe for hanging her husband’s military banner exactly where she wanted it. Ms. Bucy stated she wanted Chief Roach to know that one of his officers, while off duty, assisted her sister who fell in front of the church and broke her shoulder. Ms. Bucy explained her sister did not get the officer’s name, but wanted to be sure Chief Roach knew that his officers help people in the community even when they are not working and would like to thank them.

Ms. Bucy asked Council to not give non-verbal communication via facial expressions when people are at the podium speaking, just as Council asks people attending the meeting to be respectful. Ms. Bucy asked about the status of the term expiration of committee members being included on the Borough website along with members’ names to make it easier for residents to apply for these committees. Vice President Weber asked Mr. Bennett if this had been done. Mr. Bennett responded not as of yet, but if it is Council’s will, he could certainly do so. Mr. Khalil stated he thought it would be nice to be able to get letters ahead of time from those interested. Ms. Bucy also asked that applicants be sent a letter stating their letter/application had been received and is under consideration by the Borough.

Marci Hunnell, of 119 Wray Large Road, stated there is a water issue on Wray Large Road. Ms. Hunnell said her mother, Mary Springer, who lives at 119 Wray Large Road, Gloria Costa, who lives at 115 Wray Large Road, and their neighbors who live at 139 Wray Drive, have all lived there for over forty (40) years and this June was the first time they have experienced massive amounts of water flowing through their yards. Ms. Hunnell expressed that all three (3) houses have experienced this several times now since June. Ms. Hunnell stated she and her mother have made calls to the Borough Building and to Public Works and she has spoken to Mr. Glister several times, but they have not been able to come up with a solution to this issue. Ms. Hunnell said, she is here on her mother’s accord to ask Council’s help in rectifying the problem. Ms. Hunnell then showed images and a video from her laptop to Council and alleged Mele construction broke a pipe that runs the water out to the road and did not repair it, which is causing the water to gush onto the aforementioned properties. Vice President Weber told Ms. Hunnell that her four (4) minute time allotment had expired. Ms. Hunnell stated she would let her mother hold the laptop to extend the

time. Vice President Weber stated Ms. Hunnell's mother did not fill out a form and Ms. Hunnell replied her mother was on the same form as her. Vice President Weber offered her a few more minutes and the audience became boisterous. Vice President Weber asked Ms. Hunnell to stand down after allowing the extra time, asked Mr. Volpe and Mr. Glister to meet with Ms. Hunnell and report back to Council with their findings.

Jonathan Marcus, of Marcus & Shapira, LLC, stated that pursuant to the Borough Zoning Ordinance the property owners of nine (9) of the fifteen (15) parcels on Elliot Road, which fronts the potential UPMC development, signed a petition asking Council to amend the zoning ordinance as it has been asked before. Now there are two (2) groups asking in two (2) different ways. Mr. Marcus stated he understands Council wants them to go through the Planning Commission and they did go through the Planning Commission and, in fact, the proposed ordinance was presented to the Planning Commission. Mr. Marcus asked that someone make a motion for Council to resolve to schedule and advertise a public hearing on the proposed ordinance, someone to second that motion and vote tonight.

Mrs. Reynolds moved to make a resolution to schedule and advertise a public hearing on Elliot Road Group's proposed ordinance, seconded by Mrs. Ielase. Vice President Weber asked for discussion. Mr. Khalil asked if Mrs. Reynolds wanted to make a resolution or make a motion. Mrs. Reynolds replied she wanted to make a resolution because she made a motion before for them to have a public hearing. Vice President Weber asserted Council just received information today and it is out of Council's customary approach to vote when the item is not on the agenda and was not discussed at a Wednesday meeting. Mr. Khalil asked Mr. Shimko, based on Mr. Marcus' interpretation of what the timelines are, was Mr. Shimko in agreement with that and in agreement with how Mr. Marcus outlined the process. Mr. Shimko stated he agrees that there is the right to a public hearing in the context of the proper procedure, but he does not believe that the proper procedure here is for a public hearing at this time. Mr. Shimko continued to say this does not mean that it may not be in the future, but not at this time. Mr. Shimko stated the Borough Ordinance that Mr. Marcus cited reads the Borough Council upon its own initiative that is one way. The second way is upon application by landowner or, third, upon petition signed by more than fifty percent (50%). After those three (3) options, the next part of the ordinance reads Borough Council **may** prepare an ordinance amending, supplementing or changing the district boundaries or the regulations herein established. Mr. Shimko continued to say, thereafter, the section that was cited in Mr. Marcus' letter today says it shall be the duty of Borough Council to hold a public hearing thereon on the ordinance that Council may prepare. Mr. Shimko stated, at this point, Council has not prepared an ordinance. Mr. Shimko explained Mr. Marcus offered an ordinance, but it has not been prepared by Council and, further, if Council wants to prepare that ordinance, then a public meeting may be held on that ordinance. Mr. Marcus stated he reads it the same way Mr. Shimko does, but feels he is focused on a different provision than Mr. Shimko is. Mr. Marcus explained what he is focused on is 1204.2(b), which says proposed amendments or a proposal to repeal the ordinance or any part thereof, shall be submitted to the Borough Planning Commission for their review at least thirty (30) days prior to a public hearing thereon. Mr. Shimko tried to interject and Mr. Marcus asserted he thinks the residents are entitled to let their representative speak to Council and did not think he used his four (4) minutes yet. Vice President Weber indicated Mr. Marcus had used his four (4) minutes. Mr. Marcus replied there was a lot of back and forth and stated, by the way, for the record, Vice President Weber should not be participating in this discussion and should

have recused himself. Vice President Weber responded that was Mr. Marcus' opinion and is not the State Ethics Commission opinion. Mr. Marcus said it was inaccurate to say it is his opinion because the issue is whether all of the material facts were provided to the Ethics Commission. Vice President Weber maintained the focus should stay on Mr. Marcus' discussion with Mr. Shimko. Mr. Shimko declared it is his opinion that Vice President Weber can participate. Mr. Marcus affirmed he understands what the ordinance says, but he also understands that there is nothing in the ordinance prohibiting this body from scheduling and advertising a public hearing tonight on a proposed ordinance that the Planning Commission has had. Mr. Shimko stated the Planning Commission has not recommended that ordinance to Borough Council to schedule a hearing. Mr. Marcus said he understands, but did not understand what the holdup is. Mr. Marcus explained he heard Vice President Weber say that there is some issue with getting new information tonight. Mr. Marcus expressed he understands that this body has not drafted its own ordinance, but he believes that would take about five (5) minutes. Mr. Marcus stated what he is asking is to take the residents' ordinance, convert it into the Borough's ordinance, schedule and advertise a public hearing. Vice President Weber announced Mr. Marcus' time had expired. Mr. Shimko commented, to the subject of dragging one's feet, he would like to make the public aware of something called the void ab initio doctrine, which states if the proper procedures are not followed in passing a zoning ordinance, someone may challenge that ordinance and it can be found void ab initio – or from the beginning – and he does not believe that is what anyone wants to happen. Mr. Marcus replied he would love to hear why Mr. Shimko thinks that would happen based on what he is proposing. Mr. Marcus asked what Mr. Shimko thinks is going to be done that is improper. Mr. Shimko countered there is a process in place where proposed ordinances go to the Planning Commission to go to the County Planning Agency and it has not been sent to the County Planning Agency. Mr. Marcus asked Mr. Montgomery, as the chairman of the Planning Commission, what the holdup is. Mr. Shimko said there has not been an ordinance presented to Council from the Planning Commission or Borough Council has not prepared an ordinance. Mr. Shimko explained he knows this is serious, but there are also notice requirements and this is not something he is going to recommend to his client that it races through.

Mr. Sockman asked what needs to be done to get this expedited. Mr. Shimko responded there needs to be an ordinance prepared by Council and sent to the Planning Commission for its review. Mr. Shimko stated the Planning Commission can then hold its own public hearing if it desires. Vice President Weber expressed to Mr. Marcus his time has expired and Council is discussing this with Mr. Shimko. Mr. Marcus stated he was only there for questions and Vice President Weber stated if anyone has a question, they will direct it toward him. Mr. Shimko explained before he can say Council can schedule a public hearing, the ordinance, at least, has to be prepared by Council and given to the Planning Commission and then the Planning Commission has the opportunity, if they want, to hold a public hearing on it. Mr. Marcus asked if he may ask a question and Vice President Weber asserted Mr. Marcus was in violation of the four (4) minute speaking rule and asked that he take his seat. Mr. Marcus asked if there is any reason why the residents' ordinance couldn't just be adopted as the Borough's ordinance. Vice President Weber, again, explained Mr. Marcus was in violation of the four (4) minute speaking rule and asked Mr. Marcus to stop speaking and sit down or be removed from the meeting. Mr. Marcus continued to speak. Mr. Shimko stated he is not going to recommend. Mr. Marcus interrupted and stated he was not asking what Mr. Shimko recommends, he is asking if Council can do that. Mr. Shimko asserted he would not tell Council to do that simply because the Borough has not reviewed that ordinance for zoning

issues. Mr. Marcus asked what the Borough has been doing since it was first introduced. Mr. Shimko replied Council has been waiting for an ordinance to come from the Planning Commission. Mr. Marcus stated that gets him back to his point that Council appoints the Planning Commission so tell them to get moving. Mr. Shimko expressed the Planning Commission took it under consideration at its last meeting. Mr. Marcus interjected that is a lot of considering that is going on and stated time is of the essence, either Council acts now or it is the ballgame. Vice President Weber thanked Mr. Marcus and asked if any other Council members had comments or questions.

Vice President Weber stated he understands Mr. Marcus represents one hundred one (101) residents and there is another group involved, but the petition with over five hundred (500) signatures represents four percent (4%) of this community and there are other residents that do not necessarily live next to this parcel and they may be in favor and are not being represented. Vice President Weber continued to say there are four (4) parcels that would be affected by this ordinance and he does not think the owners of those parcels are being represented here tonight. Mr. Marcus asked if he could respond since Vice President Weber addressed him directly. Vice President Weber replied Mr. Marcus may not respond because he was making a statement and did not ask a question and asked Mr. Marcus to sit down. Mr. Khalil stated there is a process in place and when the process starts to be modified. The audience again became loud and Mr. Khalil stated he was finished. Mr. Marcus said no one is asking you to deviate from the process. Mr. Shimko stated, on behalf of this Council, he believes this Council is very concerned in what they are doing and they want to make sure they do it properly.

Vice President Weber asked Mrs. Reynolds to repeat the motion. Mrs. Reynolds stated she moves a resolution to schedule and advertise a public hearing for the Elliot Road Group to propose an ordinance. Vice President Weber asked if everyone understood. Mr. Sockman asked if the Borough was going to propose an ordinance or use the residents' ordinance. Mrs. Reynolds stated she wants them to have a public hearing because they have the right to have one and we are pussyfooting up here. Vice President Weber asked Mr. Sockman if his question was answered and Mr. Sockman replied no. Vice President Weber asked Mrs. Reynolds to answer Mr. Sockman's question please. Mrs. Reynolds replied what did he state. Mr. Sockman, again, asked if Council would propose the ordinance or will Council take the residents' ordinance and propose it. Mrs. Reynolds stated a couple months ago she made an ordinance for them to have a public hearing and advertise it and she just wants to continue that they have their hearing. Mr. Sockman asked on their ordinance. Mrs. Reynolds replied yes. Vice President Weber asked if there were any other questions or deliberation. Mr. Montgomery asked Mrs. Reynolds if this changed what she proposed before. Mrs. Reynolds asked why can't we give that to them. Mrs. Reynolds stated she only hears from the residents of the Borough that voted her in to this position, the rest of what goes on in the Borough she does not hear unless they want her to hear. Mr. Shimko stated to Mrs. Reynolds that he started his comment by saying the public has a right to a public hearing if the process is followed and the process has to do with who proposes the ordinance, so Mr. Sockman's question was are you proposing that the Borough have a public hearing on their proposed ordinance or are you proposing an ordinance. Mrs. Reynolds replied she is proposing the residents' ordinance and said she was behind them one hundred percent (100%). Mrs. Reynolds asserted not to back her against the wall. Mr. Shimko expressed it was not his intention to back Mrs. Reynolds against the wall, but is his intention to parse the motion language so that the Borough passes a motion or a

resolution, as you have asked, that such recommendation stands the test before a court if someone were to challenge it and stated that is his job.

Mrs. Ielase expressed she understands that there are procedures to everything, but when you have something this huge in the Borough and the residents are disruptive, Council owes the residents, because they voted Council in, to hear them. Mrs. Ielase stated this is not a dead end issue and it has been going on for months. Mr. Shimko stated to Mrs. Ielase, again, he started by saying a public hearing could be proper if the procedures are proper. Mr. Shimko said no one has said that the public hearing can't be in place, but he just needs to make sure that there is a motion that can withstand judicial scrutiny.

Mr. Marcus began to interject and Vice President Weber told Mr. Marcus no one had asked him a question and his four (4) minutes are done. Mr. Marcus continued and Vice President Weber said, again, Mr. Marcus is in violation of the four (4) minute speaking rule and asked him to stop speaking and sit down or he will ask Mr. Marcus be removed. Mr. Marcus asked what are you going to do, call the cops. Vice President Weber said he will not call the cops, but will ask Mr. Marcus to leave. Vice President Weber stated this is the fourth time Mr. Marcus has been warned and he asked Mr. Marcus to leave. Mr. Marcus continued to speak. Vice President Weber exclaimed Mr. Marcus was out of order and asked him to leave now. Mr. Marcus asserted Vice President Weber wants him to leave the meeting and he represents one hundred one (101) people and he cannot have one more minute to talk. A police officer escorted Mr. Marcus out of the meeting. Keith Reynolds shouted from the audience someone on Council grant Mr. Marcus a couple more minutes. Vice President Weber stated Mr. Reynolds was out of order as well.

Mr. Shimko stated from a motion standpoint, he needs to understand what ordinance is being proposed for public hearing. Vice President Weber stated he would like Mrs. Reynolds to clarify the ordinance that she is proposing in this motion is the ordinance that was presented to us today. Mrs. Reynolds replied no, she is going by what she did and that's a resolution of what she did and she wants it now. Mr. Shimko stated he needs to know if Council is proffering its own ordinance or if Council is proffering the residents' ordinance as their ordinance with which to move forward. Mr. Sockman stated if it is more meaningful for Council to formulate the ordinance and it will stand the court's test of time, why doesn't Council prepare the ordinance and get it to the Planning Commission. Mrs. Allen began to interject asking if she could make a suggestion and was interrupted by Vice President Weber stating she had not filled out a citizen request form. Mrs. Allen stated her client, Mr. Mancuso, has and he ceded his four (4) minutes to her and she thinks she can add, in about one (1) minute, some clarity to what Mr. Shimko's issue is to resolve this. Vice President Weber asked her to please do so. Mrs. Allen indicated she thinks the tone of the motion being looked for here is a resolution to have Council adopt the ordinance as the residents have drafted it and then to propose notice and a public hearing on that ordinance. Mrs. Allen expressed it would be literally a copy and paste. Vice President Weber stated that was understood.

Vice President Weber commented Mrs. Allen and Mr. Marcus hold themselves out as representing two (2) groups. One is the concerned citizens and the other is the Elliot Road Group, but the first time he met them, he asked if they represent Jefferson Hospital and they replied yes they represent the hospital and the network. Vice President Weber stated some people would look at this and say that this is an opportunity to rezone four (4) parcels as an anticompetitive approach and he will say

this Council, himself in particular, is not interested in setting competition or determining competition amongst systems, but there are four (4) distinct parcels that are going to be impacted by this and he thinks those owners are either unaware or are not represented here tonight to give their opinion on that so he is going to vote no on this because what Council has done in the past is Council has pushed this to the Planning Commission and he does not believe time is of the essence and believes that Council should be given a timeline to do this right. The Planning Commission has been working on a revised zoning ordinance for two and one-half years and he thinks this should be rolled into the process of that. Vice President Weber continued to say if the Planning Commission wants to take this under consideration, they may do so and hold a public hearing or push it up to Council to hold a public hearing and a vote, but he feels this is, again, an attempt to usurp the process and he is not in favor of that. Mrs. Allen interjected that the one hundred one (101) clients have tried very hard to follow the process. Vice President Weber stated Mrs. Allen is not permitted to speak over him and felt he was being reasonable by allowing someone to yield their time to her. Vice President Weber said he would be inclined to say he feels Council should look at this from the thirty thousand (30,000) feet view and not the one hundred (100) foot view because we have some people concerned about how this is going to affect their property and he is very concerned about what they have to say, but he is also hearing that there are people in this community that view it differently. Mrs. Reynolds stated that is why we give them a public hearing. Vice President Weber stated he would encourage Council to consider the effects of hasty decision making and being encouraged to do things hastily. Mrs. Allen, again, interrupted and stated she would object to the use of hasty in characterization of the procedures. Vice President Weber stated he believes the Planning Commission has received some of the feedback from the groups' experts and will take that under consideration and they have a meeting later this month. Mr. Khalil stated in ten and one-half years Council's policy is not to be reactive to anything because Council wants to walk it through, talk it through and make sure the decisions we are making are thorough and well vetted. Mr. Khalil said to arbitrarily look at something like this ordinance, which he understands is only two (2) pages, but without having some serious discussion about it and understanding it and, more importantly, following the process that we have in place and has worked for ten and one-half years and will continue to work. Mr. Shimko stated the motion on the floor is to adopt the residents' proposed ordinance as Council's ordinance and schedule a public hearing. The vote was not unanimous and a roll call vote was taken. Council Members Ielase and Reynolds voted yes. Council Members Khalil, Montgomery, Sockman and Vice President Weber voted no. Motion fails 2-4.

Christine Grgurich, of 101 Pearson Road, stated there are many children in her neighborhood and they are concerned about the increase in traffic and the noise pollution is going to increase due to helicopters, ambulances and police vehicles. Ms. Grgurich expressed it is a residential neighborhood not a commercial neighborhood. Ms. Grgurich indicated there will be light pollution as well and only about one-third (1/3) of the property will be taxable two-thirds (2/3) will not be paying taxes, which will not help the Borough with the fire department, the police department, recreational activities or maintenance of the Borough. Ms. Grgurich stated people visiting the hospital, as well as employees, will not be vetted, which will put strangers into our neighborhoods, especially the drug and alcohol addicts being brought to the emergency room putting us, our homes and our children in danger. Ms. Grgurich expressed it will be like a war zone there. Ms. Grgurich requested that Vice President Weber recuse himself from Council due to his obvious conflict of interest, as she believes his wife is a UPMC employee. Ms. Grgurich stated this has all been done

underhandedly and it seems that some Council members are in the pockets of UPMC. Vice President Weber announced that Ms. Grgurich's time had expired, but Ms. Grgurich continued to speak. Vice President Weber indicated to Ms. Grgurich that she was in violation of the four (4) minute speaking rule and asked her to stop speaking and take her seat.

Mary Beth Balay, of 706 Old Clairton Road, stated she works at Jefferson Hospital as a nurse and Jefferson Hospital recently hired armed police officers in addition to the security already in place because of the drug and alcohol patients, with which she has personally dealt. Ms. Balay stated these patients would be in her neighborhood with her if the hospital is built and her kids will never be allowed to be outside because of her fear of these patients and knowing what they can do.

Triscia McCann, of 427 Elliot Road, stated a pedestrian had been hit and killed on the corner of Route 51 and Elliot Road on the closing date of her new home and has happened two (2) additional times since she has lived there in just ten (10) months. Ms. McCann explained she used this as an example of how dangerous this intersection already is and believes bottleneaking will become a major issue in the area. Ms. McCann discussed the condition of Elliot Road, noting her belief it was unsuitable for construction vehicles and asked who will foot the bill of making changes to Elliot Road and will parking still be permitted on the sides of Elliot Road. Ms. McCann stated those discharged from the ER with no form of transportation will be set free on Elliot Road, leaving these strangers to roam our community. Ms. McCann requested to have a date set with Mr. Khalil for any citizens that would like to view the zoning map.

Karen Devine, of 108 Old Clairton Road, stated she is appalled at how condescending Council has been to the audience and feels Council has nothing but disdain for them. Ms. Devine stated she had spoken to a member of the Planning Commission and was told the Solicitor kept telling them the Borough was going to get sued. Ms. Devine said South Fayette and Pleasant Hills both had public meetings and they are not being sued. Ms. Devine expressed the fact that Council does not want a public meeting certainly makes it look as if there is some kind of collusion. Ms. Devine stated a project of this size demands having a public meeting. Ms. Devine asked for three (3) reasons not to have a public meeting. Vice President Weber announced Ms. Devine's four (4) minutes had expired.

Julie Sprites, of Old Clairton Road, stated she has been coming to meetings since last July and was told by Mr. Khalil last October, that nothing is known about UPMC and the property, but if it is true that the property needs to be rezoned, there will be a public hearing and it will be posted and just now you said no. Ms. Sprites asked Mr. Shimko if it were true that he told the Planning Commission not to do anything; stated Mr. Shimko is hindering the process and should be removed; then asked Mr. Montgomery if it were true and Mr. Montgomery replied it was not true. Ms. Sprites exclaimed she was told she could have a public hearing, so she wants a public hearing and wants Mr. Shimko removed now. Ms. Sprites stated she suggests that Council start being on the residents' side and not UPMC's side.

MINUTES:

Mrs. Ielase moved the minutes of the agenda meeting July 3, 2018 be approved, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved the minutes of regular meeting July 9, 2018 be approved, seconded by Mr. Khalil and carried unanimously.

MONTHLY BILLS:

Mr. Khalil moved the July bills be approved, seconded by Mr. Sockman and carried unanimously.

MONTHLY PAYROLLS:

Mr. Khalil moved the payrolls for the month of July in the amount of \$266,630.00 be approved, seconded by Mrs. Ielase and carried unanimously.

AGENDA ITEMS:

Mr. Montgomery moved to adopt Resolution No. 21-2018 appointing Beverly McConeghy to the Zoning Hearing Board to fill an unexpired term, seconded by Mr. Khalil. The vote was not unanimous and a roll call vote was taken. Council Members Ielase, Khalil, Montgomery, Sockman and Vice President Weber voted yes. Mrs. Reynolds voted no. Motion carried 5-1.

Mr. Khalil moved to adopt Resolution No. 22-2018 appointing Interim Manager/Finance Officer Charles Bennett as open records officer of the Borough pursuant to the Pennsylvania Right-to-Know Law, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve a Grant Application through the Allegheny County Storm Water Management Plan Act 167 Mini Grant program to assist the Borough in the costs of preparing and adopting a storm water management ordinance that complies with the Allegheny County SWMP and authorize the proper Borough officials to execute a grant agreement to begin the ordinance revision process in the event the grant is approved, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to authorize the sale of a used Police Vehicle, a 2013 Ford Sedan, at the Perryopolis Auto Auction, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to accept the proposal of Woltz & Wind Ford, Inc. in the amount of \$29,410.00 which includes trade, to purchase one (1) 2019 Ford Interceptor Utility Police Vehicle under the PA COSTARS Contract No. 013-010, seconded by Mr. Khalil and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 1 and Final to Soli Construction, Inc. in the amount of \$3,937.60 for the Hollywood Emergency Gravity Bypass Project, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 6 and Final from Swede Construction Corporation in the amount of \$11,905.09 for the work completed on the Beedle Park Baseball Field Improvements Phase 1B Project, seconded by Mrs. Ielase and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 6 from Global Heavy Corporation in the amount of \$277,076.88 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 4 from Jet Jack, Inc. in the amount of \$254,684.48 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract C, seconded by Mr. Khalil and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 4 from Jet Jack, Inc. in the amount of \$97,071.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract D, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve Change Order Number 2 from C. Crump, Inc. in the amount of \$1,040.00 for adjustments to quantities in the Peters Creek Stream Restoration Phase 5 Project, seconded by Mr. Khalil and carried unanimously.

Mr. Montgomery moved to approve Application for Payment No. 2 and Final from C. Crump, Inc. in the amount of \$48,104.50 for work completed on the Peters Creek Stream Restoration Phase 5 Project, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 2 and Final from C. Crump, Inc. in the amount of \$4,697.50 for work completed on the Lewis Run Stream Stabilization – Emergency Repairs Project, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve the Work Authorization dated August 2, 2018 from Gateway Engineers, Inc. to assist the Borough with smoke testing and flow monitoring in the amount not to exceed \$12,000.00, seconded by Mr. Khalil and carried unanimously.

Mr. Montgomery moved to approve the Work Authorization dated July 31, 2018 from Gateway Engineers, Inc. for the integration of CCTV inspection data into the Borough's web-based ArcGIS Online account in the amount not to exceed \$7,000.00, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to authorize the proper Borough officials to execute a Memorandum of Understanding for Police Services between the Steel Center for Career and Technical Education and the Jefferson Hills Borough Police Department, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to approve Service First Cleaning Option Year One contract services for September 1, 2018 through August 31, 2019 in the amount of \$36,606.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to approve a request from the Recreation Board to purchase a windscreen and accessories for the Beedle Park baseball field in the amount of \$7,955.56 from Pioneer

Athletics, seconded by Mrs. Ielase. Mrs. Reynolds asked that Keith Reynolds be permitted to explain this item in order for her to vote properly. Mr. Reynolds proposed that the cost of the requested items would not come from the general fund or a grant, but from the money generated from the gas well at Beedle Park which has over twelve thousand dollars (\$12,000.00) to be spent on Beedle Park. These items will be used for fall activities and shouldn't wait until spring and will include soccer as well. The baseball items that are on the list take away liability issues and are not just to look good. Vice President Weber reminded Council that on Wednesday, when Ms. Rubinoff and Ms. Steffey were here representing the Recreation Board, he asked if this is something that could be worked into the 2019 capital improvement budget for the recreation department and they seemed to agree. Vice President Weber reiterated the Borough is also spending some unbudgeted money for the infrastructure of the concession stand ahead of receiving the grant money. Vice President Weber stated he was in favor voting, but also wanted to mention that the Borough has spent some unbudgeted money this year with swift water rescue. Mr. Sockman asked whether it was stated that this money would come from the gas well. Vice President Weber stated the infrastructure money could also come from there, so it's how Council wants to spend the money for Beedle Park. Mr. Sockman stated, given the fact that it will be used this fall, he feels it is important to do now. Motion carried unanimously

Mr. Khalil moved to appoint Gary Williams to the Civil Service Commission for an unexpired term ending December 31, 2018, seconded by Mr. Sockman and carried unanimously.

BOROUGH ENGINEER'S REPORT:

Nothing to report.

PUBLIC WORKS DIRECTOR'S REPORT:

Nothing to report.

POLICE CHIEF'S REPORT:

Chief Roach stated, as he made Council aware, the testing process began Saturday for entry level police officers to establish a new eligibility list. The current list expires November 1. With that said, there is one (1) candidate remaining on the list that just became eligible after transferring his training from another state and then tested out successfully in Pennsylvania. He is on the current list that is not yet expired. A background investigation is currently being conducted on him and, if he passes, Chief Roach would like to at least recommend him to be considered by Council, before the expiration of the current list, to replace Officer Gawlas, who retired, sooner rather than waiting for the next list.

Ms. Devine exclaimed from the audience about more female officers on the police force and Vice President Weber explained that she was not permitted to speak from the audience and was asked to take her seat. Ms. Devine replied no and kept talking. Vice President Weber stated she was in violation of the rules of this meeting and ask that she sit down or be removed from the room. Ms. Devine stated remove me and then said come on Chief you can walk me out of the meeting. Ms. Devine continued to be disruptive stating she knows how to run a meeting and Vice

President Weber stated he had asked her to leave. Vice President Weber asked Chief Roach to escort Ms. Devine out of the meeting.

MAYOR'S REPORT:

Mayor Cmar noted if there are qualified applicants for civil service, the Borough is more than happy to hire women as police officers.

Mayor Cmar indicated the census is coming and there will be jobs available. More detail will be available in IN Community magazine.

Mayor Cmar stated she has been in contact with Executive Director Fitzgerald regarding a meeting with UPMC to see if a proposed hospital can be built in West Mifflin.

FINANCE OFFICER/TREASURER:

Nothing to report.

GENERAL BUSINESS:

Mr. Khalil stated a request from Healthy Kids Running Series was received by the Borough to use 885 Park free of charge as they have done in the past. A consensus of Council agreed to do so.

ADJOURNMENT:

Mr. Khalil moved to adjourn the meeting at 8:34 p.m., seconded by Mrs. Ielase and carried unanimously.

Charles W. Bennett
Secretary/Interim Borough Manager