

Borough of Jefferson Hills
Regular Meeting of Council
October 8, 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. President King was absent.

CITIZENS/TAXPAYERS COMMENTS:

Erin Gibson Allen, of Marcus & Shapira, LLC, stated the Planning Commission, on September 11, recommended that Council hold a public hearing on a text amendment to the ordinance that would preclude hospitals as a principal conditional use on residentially zoned property. Ms. Gibson asserted the residents of Jefferson Hills are asking Borough Council to schedule and advertise a hearing on the Planning Commission's proposed text ordinance tonight. Additionally, Ms. Gibson indicated her firm sent a complaint to the Borough Zoning Officer regarding violations of the Borough of Jefferson Hills Zoning Ordinance. Mayor Cmar asked Council to schedule and advertise a public hearing under the recommendation by the Planning Commission. Mr. Montgomery motioned for authorization to schedule the hearing and Mr. Sockman seconded the motion. Mr. Khalil stated his concern was, if Council had this amendment as part of the proposed comprehensive Zoning Ordinance the Planning Commission is drafting for Council, then it could be seen how it may impact other aspects of the entire Zoning Ordinance. Mr. Khalil asked if there were other uses excluded in residential or just hospitals. Mr. Montgomery responded there were many, but the Planning Commission wanted this use exclusion to be brought forward now instead of waiting for the comprehensive Zoning Ordinance. Mr. Khalil asked if Mr. Trant and Mr. Shimko felt specifying one particular exclusion, rather than incorporating other potential exclusions, at this time was the best way to move forward. Mr. Montgomery replied the text amendment was Mr. Trant's idea. Mr. Khalil asked if other exclusions may be added at some point and Mr. Montgomery replied yes. Mr. Khalil stated his concern is a special meeting will be done for this item when it could be incorporated in a couple months with the entire rezoning process. Vice President Weber commented he did not see a huge benefit in doing this to advance the clock by two (2) or three (3) months, but, if this will bring some peace to the residents, Council's job is to improve the quality of life for the residents in this community and he will vote in the affirmative. Mr. Sockman stated he feels this is time and money well spent. Mr. Montgomery motioned to have the meeting scheduled on November 1, 2018 at 6:30 p.m., seconded by Mr. Sockman and carried unanimously.

Triscia McCann, of 427 Elliott Road; Julie Sprites, of 609 Old Clairton Road; Christine Grgurish, of 101 Pearson Road; Janet Waldron, of 423 Elliott Road; and Tom Poljak, of 5005 Alta Vista Drive, each read a portion of a Zoning Ordinance Violation Complaint prepared and filed by Marcus & Shapira, LLC on behalf of the residents advocating the Borough to not allow a potential UPMC hospital development in the Borough.

William Lucas, of 5012 Dana Drive, stated the Borough Council Meeting minutes for August and September were not online and would like to request a procedure be instituted that the minutes be posted the Friday before the meeting if possible. Vice President Weber responded Council has not voted to approve the minutes for September yet. Mr. Shimko stated they should be posted in due course only after they are approved. Vice President Weber commented efforts will be made to be sure the minutes are posted after being approved by Council.

Pam Miller, of 6378 Jefferson Pointe, stated she has contacted Allegheny County about paving and resurfacing Gill Hall Road and would like to ask Council to see if they can help this happen. Ms. Miller indicated she had spoken the Borough Manager regarding the trees hanging on the electrical lines on Stilley Road near the railroad tunnel and was told public works would look into it. Mr. Montgomery asked if anything was done on Gill Hall Road. Ms. Miller replied nothing has been done.

Kim Houser, attorney for Gill Hall VFC speaking on behalf of Calvin Felix, Gill Hall Fire Chief, stated he would like to empower volunteer firefighters to stay in their community and love what they do within the community. Mr. Houser indicated there are some good aspects to the merger being considered, but there are some items that need to be tweaked. Mr. Houser stated he is willing to help to come up with, in his opinion, a better design and wanted to know if there were any questions from the August 15, 2018 letter he sent to the Borough. Mr. Houser continued to say municipalities can decertify a fire company, but they cannot take their assets due to protection by the Pennsylvania and United States Constitutions. Vice President Weber commented high quality interior fire fighters have defected from Gill Hall VFC due to what they termed a bad culture. Mr. Khalil stated he has chaired three (3) of the meetings prior to the Task Force being implemented and there have been eight (8) or so meetings with the Task Force since then in which additional comment or ideas were requested, but no response was received. Mr. Khalil indicated he had some questions and comments regarding Mr. Houser's letter. Mr. Houser suggested having a meeting and Mr. Khalil responded he may take Mr. Houser up on that.

Vincent Talarico, of 151 Margaret Street, Apartment 4, stated he is a Gill Hall firefighter and he does not like the idea of having one entity making decisions for all of them or combining bank accounts.

Tony Latorre, 101 Sunrise Drive, stated he has been with Gill Hall VFC for forty (40) plus years and would like to thank Mr. Sockman for the comments he made at Wednesday's meeting. Mr. Latorre asserted to Mr. Khalil that he is the one who caused most of this problem with the firefighters from the beginning. Mr. Khalil responded the fire companies had a meeting and wanted to have a study done to improve their services that was the start of this.

Jim Sweeney stated he is a member of the Gill Hall VFC and blamed Vice President Weber and Mr. Khalil for the toxic environment at Gill Hall VFC. Mr. Sweeney indicated Council not wanting to give anything to Gill Hall VFC from the Pennsylvania Foreign Fire fund jeopardizes fire protection service to our community. Mr. Khalil commented he thinks the Borough is on the right track to making things better between the fire companies, but there will be some bumps and some people who may get hurt along the way because of the decisions made. Mr. Khalil stated he still feels it should be one organization with three (3) departments. Mr. Sockman indicated he asked

Mr. Latorre at Wednesday's meeting to bring to Council what the concerns of Gill Hall VFC were. Mr. Sockman asked Mr. Latorre if he was prepared to provide those concerns. Mr. Latorre stated Gill Hall VFC would like to meet with the Mayor and have not done so yet. Mayor Cmar indicated she would like to meet with Gill Hall VFC to hear their side and then meet with the Task Force. Mrs. Ielase stated she feels it is not fair that Gill Hall and Florefffe get penalized, but 885 gets anything they want. Vice President Weber commented although the requests for funds may come from one entity, that does not mean they are only utilized by the one entity. Vice President Weber stated the Task Force is going well and no one on the Task Force seemed to be having a problem getting along. Mrs. Reynolds commented the members of the Task Force all agree on the same things, are not objective and should try harder to help Gill Hall. Mr. Khalil stated the Task Force is made up of ten (10) members, which consist of three (3) from Gill Hall, three from 885, three (3) from Florefffe and Mr. Thatcher, who chairs the group. Mayor Cmar commented she does not believe it is fair when the counts are done for firefighters attending calls, that the paid firemen at 885 were included in the count.

Karen Devine, of 708 Old Clairton Road, thanked Chief Roach for the job the police officers are doing in using their sirens well before approaching the neighborhood. Ms. Devine asked if there was a required meeting attendance by Council. Vice President Weber stated the Pennsylvania Borough Code was changed recently and there is no set requirement.

MINUTES:

Mrs. Ielase moved the minutes of the agenda meeting September 5, 2018 be approved, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved the minutes of regular meeting September 10, 2018 be approved, seconded by Mr. Khalil and carried unanimously.

MONTHLY BILLS:

Mr. Khalil moved the September bills be approved, seconded by Mrs. Ielase and carried unanimously.

MONTHLY PAYROLLS:

Mr. Sockman moved the payrolls for the month of September in the amount of \$237,479.89 be approved, seconded by Mr. Khalil and carried unanimously.

AGENDA ITEMS:

Mr. Khalil moved to authorize the proper Borough Officials to advertise for enactment of an Ordinance creating the offices of Fire Chief and Assistant Fire Chief and authorizing Council to appoint the same, seconded by Mr. Montgomery. The vote was not unanimous and a roll call vote was taken. Council Members Ielase, Khalil, Montgomery, Sockman and Vice President Weber voted yes. Council Member Reynolds voted no. Motion carried 5-1.

Mr. Khalil moved to adopt Resolution No. 25-2018 directing distribution of the Borough's allocation of General Municipal Pension System State Aid for 2018 in the amount of \$234,219.42 as follows: Police Pension Fund \$149,900.40, Service Employees Union Pension Fund \$70,265.85, Administrative Pension Plan \$14,053.17, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved adopt Resolution No. 26-2018 granting preliminary and final approval to the land development plan known as SP-4-2018 and SP-6-2018 respectively, Riverlift Industries Truck Terminal & Coke Dryer Facility, seconded by Mr. Sockman. The vote was not unanimous and a roll call vote was taken. Council Members Khalil, Montgomery, Sockman and Vice President Weber voted yes. Council Members Ielase and Reynolds voted no. Motion carried 4-2

Mr. Khalil moved to adopt Resolution No. 27-2018 granting final approval to the subdivision plan known as S-10-2018, Chamberlin Ridge Plan of Lots – Phase 4, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 28-2018 granting final approval to the subdivision plan known as S-11-2018, Jefferson of Monticello Inc. Plan of Lots Second Amendment, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to adopt Resolution No. 29-2018 authorizing the execution of a Grant/Agreement between the Commonwealth of Pennsylvania, Department of Transportation (PennDOT) and the Borough of Jefferson Hills for a Green Light Go traffic signal replacement/installation project at the intersection of River Road (SR837) and Walton Road / Glass House Road, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 30-2018 authorizing Stanley L. Gorski of SHACOG to file Year 45 Community Development Block Grant application in the amount of \$21,288.00 for the Andrew Reilly Memorial Park ADA Upgrades – Phase 1 Project estimated at \$32,750.00 with a Borough share of \$11,462.00, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase adopt Resolution No. 31-2018 authorizing Stanley L. Gorski of SHACOG to file Year 45 Community Development Block Grant application in the amount of \$23,660.00 for the Tepe Park ADA Upgrades – Phase 1 Project estimated at \$36,400.00 with a Borough share of \$12,740.00, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 32-2018 appointing Dean E. Collins as an alternate member of the Zoning Hearing Board, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to adopt Resolution No. 33-2018 approving the sale of certain borough used vehicles to the best responsible bidder through Perryopolis Auto Sales Auction, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to adopt Resolution No. 34-2018 fixing a public hearing on November 1, 2018 at 6:30 p.m. for a proposed text amendment to the Borough Zoning Ordinance, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to approve Change Order No. 2 from Global Heavy Corporation in the amount of \$687.33 for the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A, seconded by Mrs. Ielase and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 8 from Global Heavy Corporation in the amount of \$271,472.00 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. 6 from Jet Jack, Inc. in the amount of \$361,527.91 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract C, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 1 from State Pipe Services, Inc. in the amount of \$10,872.00 for work completed on the 2018 Operations and Maintenance Manhole Rehabilitation Project, seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to approve Work Authorization dated September 26, 2018 from Gateway Engineers, Inc. to prepare alternatives for upgrades to the Montour Trail along Peters Creek Road in the amount not to exceed \$10,000.00, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve Work Authorization dated September 25, 2018 from Gateway Engineers, Inc. to prepare bid documents and specification for the Borough Building ADA Door Project in the amount not to exceed \$2,500.00, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to approve Work Authorization dated September 27, 2018 from Gateway Engineers, Inc. to prepare the culvert design, environmental permitting and easement descriptions necessary for the Frank Street Connection Project in the amount not to exceed \$25,000.00, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve SHACOG to award the re-bid of the Joint Municipal SHACOG Sanitary Sewer Lining Project – Year 12 – Contract B (MH-MH Lining) to Jet Jack, Inc. in the amount of \$217,055.00 with a Borough share of \$25,015.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to advertise and schedule a public hearing for October 30, 2018 from 6:00 to 9:00 p.m. on the Carol Ann Bucar Landowner Curative Amendment, seconded by Mrs. Ielase and carried unanimously.

BOROUGH ENGINEER'S REPORT:

Nothing to report.

PUBLIC WORKS DIRECTOR'S REPORT:

Nothing to report.

MAYOR'S REPORT:

Mayor Cmar thanked volunteers for all they do. Mayor Cmar indicated she receives a lot of compliments about our Police Department doing such a great job. Trick or Treat is October 31 from 6-8 p.m.

POLICE CHIEF'S REPORT:

Chief Roach stated Civil Service met tonight, he submitted the test scores for the police officer applicants and the eligibility list was certified.

FINANCE OFFICER/TREASURER:

Mr. Bennett stated a Budget Committee meeting will need to be scheduled toward the end of the month and he will send an email to set the date.

SOLICITOR'S REPORT:

Nothing to report.

GENERAL BUSINESS:

Mr. Montgomery expressed his condolences regarding the passing of Bob Rager, who reopened Payne Hill Grill, served on the Recreation Authority and was the winningest Point Park men's basketball coach.

Mrs. Ielase stated the High School is scheduled to open in November 2018.

Mrs. Reynolds stated water accumulates on Walton Road during heavy rain and feels maybe the drains are clogged. Mr. Volpe responded PennDOT has been notified, but is not responding. Mr. Volpe stated he and Mr. Glister walked the road with PennDOT and a detailed list was made of repairs they would make this year, but DEP has done nothing, except lines being painted on the road. Mr. Volpe indicated there will be a walk through on Thursday regarding the sewer project. Mr. Khalil mentioned that Mr. Volpe and his crew were out trying to pump the water from the Walton Road because PennDOT has not responded.

Mrs. Reynolds noted the Fall Festival is on Saturday and asked everyone who can to attend.

Vice President Weber asked Mr. Volpe to contact Allegheny County regarding the resident's comment about Gill Hall Road and some power lines with trees on them near Stilley Road.

Vice President Weber asked the Budget Committee to consider the funds needed to cover a consolidated fire company through either the general budget or a readjustment of the millage. Presently the millage income goes, by Resolution, to the Jefferson Fire and Rescue organization and gets disbursed. The Resolution is very old and needs updated as soon as possible.

Vice President Weber requested that Council Members think about the Foreign Firefighter distribution and consider the safety of the firefighters and the community rather than emotions when making their decision.

Vice President Weber asked Brian Chalfant, Assistant Chief of Jefferson 885 Fire Department and President of Jefferson Fire and Rescue, to come up to the podium. Mr. Chalfant explained the boat for water rescue that was requested has been delivered and is in the parking lot if anyone would like to see it. Mr. Chalfant also provided a bag of water rescue gear required by the Fish and Boat Commission of Pennsylvania for demonstration.

ADJOURNMENT:

Mrs. Ielase moved to adjourn the meeting at 9:19 p.m., seconded by Mr. Montgomery and carried unanimously.

Charles W. Bennett
Secretary/Interim Borough Manager