

Borough of Jefferson Hills
Regular Meeting of Council
September 10, 2018

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, Reynolds, Sockman and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach and Borough Engineer Glister were also present. Vice President Weber was absent.

CITIZENS/TAXPAYERS COMMENTS:

Bob Gulla, of 1301 Collins Avenue, thanked Councilman Sockman for respectfully recusing himself regarding the garbage bid because his daughter works for one of the companies. Mr. Gulla stated he feels the Borough has lost revenue in the past not letting business build and feels the Borough does not need another hospital.

Keith Reynolds, of 1313 Collins Avenue, stated he was the person who told Mrs. Reynolds about the meeting between UPMC and the Borough. Mr. Reynolds stated he feels Riverlift is not good for the community because there will be a lot of pollution.

Lisa Androski, of 321 Joan of Arc Court, stated she first contacted the Borough on August 9 regarding a Right-to-Know requesting copies of the property ordinances between the years of 1972 and 1984. The ordinances she received were 1957, 1961, 1987 all the way up to 2003. President King asked Mr. Glister to explain. Mr. Glister stated there were no ordinances within the timeframe Ms. Androski requested so the Borough provided what was found prior to that timeframe and even though those dates are prior to what she was seeking they were valid during that time period. Mr. Shimko stated that give Mr. Glister's explanation the ordinances she received before the requested timeframe would have been in effect during the requested time period. Mr. Shimko continued to say there may be large gaps between ordinances and that is not unusual. Ms. Androski stated there was a large gap between ordinance numbers. Mr. Shimko responded that the numbered ordinances in between would have been related other matters. Ms. Androski said she understood.

George Pholar, of 309 Joan of Arc Court, stated there are about 8 or 9 residents on Joan of Arc Court having trouble with water flow from Gill Hall Road and causing problems overtaking French drains. Mr. Glister and Mr. Reis inspected his property in July or August and said they would get back to him regarding the status. Mr. Pholar asserted there was a grandfather clause that allowed this to continue, but he was not able to find such a clause in writing so he is hoping to get information about it from Council. Mr. Shimko explained grandfathering happens when ordinances are passed after something is done and cannot be enforced against something happening before. Therefore, Mr. Shimko does not believe Mr. Pholar will find a "grandfather clause" or actual provision to that effect in the ordinance. President King stated some of the issue is that this is on private property and the Borough has restrictions, but that does not mean that we can't help and talk to the residents up there and let them know that you are having a problem. President King instructed Mr. Bennett, Mr. Volpe and Mr. Glister to work with you and try to resolve the problem.

Pete Glumac, of 325 Joan of Arc Court, stated he is also having the water runoff issue that is causing flooding in his basement and throughout his yard and asked Council for help. President King stated the Borough will work with the residents to try to resolve the issue.

Erin Gibson Allen, of Marcus & Shapira, LLC, stated the Planning Commission has made its intent clear to let die the residents' proposed ordinance that would prevent construction of a redundant hospital in Jefferson Hills. Ms. Allen asserted her firm believes Council has a legal obligation to act and she asked Council to make a motion to schedule and advertise a public hearing on the residents' proposed ordinance and then to pass that motion. Ms. Allen stated she understands and appreciates that the Planning Commission is holding a special meeting tomorrow night to decide whether to recommend that Borough Council hold a public hearing on an amendment to a draft ordinance that would strike hospitals as a potential use in property zoned R-1 or R-2, but she does not believe that the text amendment fully and adequately protects the residents of Jefferson Hills from the construction of a disruptive and redundant hospital. Mrs. Reynolds made a motion to schedule and advertise a public hearing on the residents proposed ordinance and was seconded by Mrs. Ielase. 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 President King voted no. Motion fails 2-4.

Deb Balas, of 532 Old Clairton Road, expressed her concern regarding the hazards of constructing a road over gas pipelines for the proposed UPMC facility and the amount of traffic there will be if UPMC comes into the area. Ms. Balas asked Council to help the residents fight this and feels it is the biggest mistake Council could make if it is allowed.

Lori D'Angelo stated she and her husband chose Jefferson Hills for the safe and quiet environment and feels the residents' valid concerns regarding UPMC are not being addressed. Mrs. D'Angelo asserted in last Wednesday's meeting when the discussion was concerning the fire consolidation, Vice President Weber tried to gauge consensus on the Gill Hall Fire Department situation, but the residents have been told they had to follow a process when trying to get Council to vote on the residents' proposed amendment. Mrs. D'Angelo applauded Mrs. Reynolds for standing up for what she thinks is right.

Janet Ries, of 447 Elliott Road, stated at the community meeting UPMC held for residents they were never asked about their concerns. Ms. Ries indicated there will be no intensive care unit or catheterization lab in the UPMC facility so, patients coming in and needing those services, will have to be sent to other hospitals anyway.

Joan Atkinson, of 105 Redcliffe Drive, stated it was her understanding UPMC contacted businesses on Route 51 and indicated it would be digging in six (6) months and questioned that timeline.

Triscia McCann, of 427 Elliott Road, spoke about her concern with UPMC bringing dangerous situations into the community when she believes there is already a lack of police officers and asked the Planning Committee and Borough Council to stand up for the rights of their residents and protect their health, safety and welfare.

BOROUGH PLANNING CONSULTANT PRESENTATION

John Trant, Borough Planning Consultant, distributed Zoning Maps and Use Charts and explained the changes being proposed. Mr. Trant showed how some uses were being combined and indicated the goal was to reduce from twelve (12) to ten (10) zoning districts. The proposed use chart would consolidate and clarify the uses into one (1) chart. The number of residential districts would change from five (5) to three (3), but there were not any significant changes in the commercial district. This is intended to be a tool to help move forward. The Zoning Map has not changed significantly. The colors were updated to standard, more universally used colors in the planning community. Mr. Trant stated his goal was to answer all Council's questions in reviewing the three (3) maps provided if there were any at this time. The Formal review and adoption schedule could begin by September 25. If so, the Planning Commission would hold a public meeting for formal review on October 22, Allegheny County's review would be in November and Council could consider a public hearing in November or December.

MINUTES:

Mr. Montgomery moved the minutes of the agenda meeting August 8, 2018 be approved, seconded by Mr. Sockman and carried unanimously.

Mrs. Reynolds moved the minutes of regular meeting August 13, 2018 be approved, seconded by Mr. Khalil and carried unanimously.

MONTHLY BILLS:

Mrs. Ielase moved the August bills be approved, seconded by Mr. Montgomery and carried unanimously.

MONTHLY PAYROLLS:

Mr. Khalil moved the payrolls for the month of August in the amount of \$298,913.27 be approved, seconded by Mrs. Ielase and carried unanimously.

AGENDA ITEMS:

Mr. Sockman moved to adopt Resolution No. 23-2018 approving preliminary subdivision plan S-7-2018, Jefferson of Monticello Inc. Plan of Lots Second Amendment, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 24-2018 granting modification requests to the Borough Subdivision and Land Development Ordinance Sections 22.609.1 to allow storm sewer pipe grade less than 2% and 22.504.1.B to not require a sidewalk and preliminary approval to the Land Development Plan known as SP-5-2018, William J., Robert G. and Lillian Kozel Proposed Storage Garage Development located at 1456 State Route 51, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to award bid to Waste Management Inc. and to authorize execution of the Articles of Agreement for the SHACOG Joint Garbage/Recycling/Leaf Waste Collection Bid for January 1, 2019 through December 31, 2023, seconded by Mrs. Ielase. The vote was not unanimous and a roll call vote was taken. Council Members Ielase, Khalil, Montgomery, Reynolds and President King voted yes. Mr. Sockman recused himself from the vote. Motion carried 5-0-1.

Mr. Sockman moved to ratify the acceptance of a proposal from Joyce Insurance Group for property/casualty insurance coverage (9/6/18 – 9/6/19) and workers' compensation insurance coverage (8/31/18 – 8/31/19) in the amount of \$290,045.00, seconded by Mr. Khalil and carried unanimously.

Mr. Montgomery moved to authorize the proper Borough officials to execute a Grant Contract with the Redevelopment Authority of Allegheny County in the amount of \$7,000.00 for evaluating potential upgrades and improvements to the Montour trail, seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved to approve Riverlift Industries modification request to Subdivision and Land Development Ordinance Section 305.1.A to allow preliminary and final land development approval to be combined for proposed land development known as Riverlift Industries Truck Terminal & Coke Dryer Facility, located at 1000 Glasshouse Road, seconded by Mr. Montgomery. The vote was not unanimous and a roll call vote was taken. Council Members Khalil, Montgomery, Sockman and President King voted yes. Mrs. Ielase and Mrs. Reynolds voted no. Motion carried 4-2.

Mrs. Ielase moved to approve Application for Payment No. 3 and 4 (Final) for Select Contracting, LLC in the amount of \$13,021.80 for the SHACOG CD 43 7.5 ADA Wheelchair Lift and Doors Project at the Gill Hall Recreation Center, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 7 from Global Heavy Corporation in the amount of \$164,931.87 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.

Mrs. Ielase moved to approve Application for Payment No. 5 from Jet Jack, Inc. in the amount of \$354,140.46 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract C, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved approve Application for Payment No. 5 from Jet Jack, Inc. in the amount of \$66,094.52 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.

Mr. Sockman moved to approve Change Order No.1 from Jet Jack Inc. for a thirty-day time extension of the substantial completion and final completion of 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 the Work Authorization dated August 15, 2018 from Gateway Engineers, Inc. to assist the Borough with participation in the Peter's Creek Interceptor Engineering Group in combination with the other CMA customer municipalities in the amount not to exceed \$7,500.00, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve a request from the Recreation Board to repair and paint the Basketball Court Surface at Andrew Reilly Memorial Park in the amount of \$10,850.00 from Sportscape, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint O&M CCTV Inspection and Cleaning Project-Year 8, seconded by Mr. Khalil and carried unanimously.

Mr. Khalil moved to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint Municipal Sanitary Sewer Lining Project – Year 12, seconded by Mrs. Ielase and carried unanimously.

Mr. Sockman moved to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint O&M Point Repair Project-Year 7, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Joint O&M Preventative Maintenance Project-Year 8, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery moved to authorize the execution of an administrative agreement with the South Hills Council of Governments concerning the SHACOG Borough Building ADA Doors Project, seconded by Mrs. Ielase and carried unanimously.

BOROUGH ENGINEER'S REPORT:

Mr. Glister noted the recent weather events have produced six (6) to nine (9) inches of rain from Friday through today. The total impact of this event has not yet been determined.

POLICE CHIEF'S REPORT:

Nothing to report.

FINANCE OFFICER/TREASURER:

Mr. Bennett stated a significant mudslide occurred and took out the batting cages at 885 Park and a claim had been submitted to the Borough's insurance carrier.

Mr. Bennett noted the budget meeting will be scheduled near the end of September and will send out dates to Council.

SOLICITOR’S REPORT:

Mr. Shimko stated the Bucar Curative Amendment that was withdrawn was resubmitted today.

MAYOR’S REPORT:

Mayor Cmar thanked the residents for their passion in opposing UPMC.

Mayor Cmar stated the Fire Chief and Assistant Fire Chief said that Gill Hall Fire Department did not want to work with them, but there is a letter that claims otherwise. Mayor Cmar asked Council to check into this before removing anyone from the Fire Task Force. Mr. Khalil said that Mr. Thatcher stated Gill Hall took a vote and they did not want to participate. Mayor Cmar asserted she did not believe someone should be removed because they do not agree.

GENERAL BUSINESS:

Mr. Montgomery asked if any projects had been selected for CD 45. Mr. Bennett replied the Borough is looking into handicapped parking at the parks.

Mr. Sockman indicated he wants the residents to understand that because Council voted against the motion made and seconded by Mrs. Reynolds and Mrs. Ielase respectively does not mean Council is against the residents.

Mrs. Ielase thanked the residents for coming forward and asked the residents to keep Council informed.

Mr. Khalil asked if the Borough would be writing a letter to Pleasant Hills or pulling the minutes regarding the bridge between the Hunters Field plan and Jefferson Estates being designated emergency vehicles only. Mr. Bennett stated he will review the minutes and then fashion a letter if necessary.

Mr. Khalil asked if Chief Roach will be attending the meeting on September 20 or September 26 regarding the proposed Allegheny County citizens review board for police activity or should Council attend. Chief Roach responded Council is welcome, but he will attend. Mayor Cmar indicated the Pennsylvania Mayors Association does not support the proposed review board. Mr. Montgomery stated this is a state issue and the County has no authority. President King asked if anyone would like to attend, they should do so, but be sure there is no more than three (3) Council Members in attendance.

Mrs. Reynolds stated it is very nice to hear from the residents.

President King indicated the Borough received a letter from the Recreation Board requesting a liaisons and made the following changes to the Councilmember liaisons to Borough board and commissions: Mr. Sockman – Recreation Board Delegate; Mr. Montgomery –

Recreation Board Alternate; Mrs. Ielase – Planning Commission Delegate; and Mrs. Reynolds – Environmental Quality Board Delegate.

ADJOURNMENT:

Mr. Sockman moved to adjourn the meeting at 8:43 p.m., seconded by Mr. Montgomery and carried unanimously.

Charles W. Bennett
Secretary/Interim Borough Manager