

Borough of Jefferson Hills
Regular Meeting of Council
January 14, 2013

The regular meeting of Council was called to order by Council Vice President Weber at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Council Members Cmar, Ielase, Khalil, Montgomery, Reynolds, and Weber answered to roll call. Borough Manager Arndt, Finance Officer/Treasurer McCreery, Police Chief Roach, Engineer Omer, Planner/Zoning Officer Cohen, Public Works Director Lovell, and Solicitor Shimko were also present. Mayor Green was absent, and Council President King was also absent due to a work commitment.

CITIZENS/TAXPAYERS:

- A. Rich Bendel - 1324 Walton Road - requested the Borough waive delinquent real estate taxes on property he purchased. Solicitor Shimko instructed him to make a formal request to Borough Council to waive the Borough taxes, and they can make a decision. He was told to break down the taxes by year and the penalties owed for each year. He told Mr. Bendel he was correct going to Ira Weiss' office, as he is the school board solicitor, but he suggested he also approach the School Board and request them waive the school taxes.

PRESENTATION FOR GIRL SCOUT GOLD PROJECT:

Leslee Mills-Hinkle, mother of Jesse Hinkle, explained that Jesse would like to propose a recycling project consisting of her placing hand-decorated recycling bins in Jefferson Elementary School, Thomas Jefferson High School, Gill Hall Park and Andrew Reilly Memorial Park. She plans to educate the elementary children with a recycling activity, and hold a contest for the most unique artwork made out of recyclables. She plans to do periodic checks at the recycling sites and will check back with the school officials and the public works coordinator about how many recycled items they are collecting each year.

Mrs. Cmar commended Jesse for her efforts. Mr. Khalil asked for clarification that she is stating she will install the decorated bins, but is asking for the Borough's help in emptying and recycling the bins in the parks as they fill. Mr. Lovell explained there is a recycling dumpster at Gill Hall Park and all these bins can be emptied into it and recycled by the trash/recycling company. Mr. Weber commended Jesse on her project, and stated Council wants to be supportive. He requested they use Mr. Lovell as their Borough contact. He suggested when the project gets started, the Borough can highlight it in the next issue of InMagazine to help awareness.

MINUTES:

Mr. Khalil moved the minutes of agenda meeting December 5, 2012 be approved, seconded by Mrs. Reynolds and carried on a 5-0-1 roll call vote. Council Member Cmar abstained as she was absent.

Mrs. Cmar moved the minutes of regular meeting December 10, 2012 be approved, seconded by Mrs. Ielase and carried unanimously.

MONTHLY BILLS:

Mr. Khalil moved the December bills be approved as follows: General Fund \$330,848.68, Sewer Revenue Acct. \$479,466.33, Highway Aid \$44,376.88, 2005 GOB Project Fund \$36,267.59, Escrow Acct. \$20,756.69, Ambulance Tax \$4,110.00 and Gill Hall Renovations \$1,868.78 seconded by Mrs. Cmar and carried unanimously.

MONTHLY PAYROLLS:

Mr. Khalil moved the payrolls for the month of December in the amount of \$196,069.89 be approved, seconded by Mrs. Reynolds and carried unanimously.

AGENDA ITEMS:

Mr. Weber read Resolution No. 1-2013, "GRANTING PRELIMINARY AND FINAL APPROVAL OF A LAND DEVELOPMENT PLAN KNOWN AS SP-3-2012, LAMARCA CONSTRUCTION PLAN, PHASE 2." Mr. Montgomery moved to adopt Resolution No. 1-2013, seconded by Mrs. Ielase and carried unanimously.

Mr. Weber read Ordinance No. 829, "ACCEPTING PUBLIC IMPROVEMENTS FOR CHAMBERLIN RIDGE PLAN PHASE 2A AND THAT CONSIDERATION OF THIS ORDINANCE BE TABLED UNTIL THE DEVELOPER COMPLETES MINOR REPAIRS TO THE SANITARY SEWERS AND SUBMITS THE REQUIRED LEGAL DESCRIPTIONS TO BOROUGH OFFICIALS AND THE AFOREMENTIONED ITEMS ARE SATISFACTORILY COMPLETED ACCORDING TO THE BOROUGH ENGINEER AND SOLICITOR." Mr. Khalil moved to table Ordinance No. 829, seconded by Mrs. Reynolds. Mr. Weber asked if we received any more documentation after Wednesday's discussion, and Mr. Cohen replied it should be tabled indefinitely or until the improvements are completed. Motion carried unanimously.

Mr. Weber read Ordinance No. 830, "MEMORIALIZING ACCEPTANCE OF TWO (2) PARCELS OF REAL PROPERTY TRANSFERRED TO THE BOROUGH OF JEFFERSON HILLS." Mrs. Cmar moved to adopt Ordinance No. 830, seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved to approve Change Order submitted by Stash Trucking in the amount of \$1,200.00 for additional work related to CDBG Demolition Project Year 38, seconded by Mrs. Ielase. Mr. Montgomery stated he will be attending the SHACOG meeting Thursday and asked Council if they wanted him to give them details on why we are dissatisfied with this situation. Mr. Cohen advised he sent a letter today to Lou Gorski of SHACOG answering questions about the contractor. Solicitor Shimko reminded Council that SHACOG is recommending Council approve this Change Order as that would allow SHACOG to pursue more money under the completion bond. Motion carried unanimously.

Mr. Khalil moved to approve Work Authorization dated January 3, 2013 in the amount not to exceed \$23,000.00 for Gateway Engineers to assist in the completion of 2013 Sanitary Sewer Operations and Maintenance Plan Open-Cut Repairs Project, seconded by Mrs. Reynolds and carried unanimously.

Mr. Khalil moved to approve Work Authorization dated January 3, 2013 in the amount not to exceed \$16,000.00 for Gateway Engineers to assist in the completion of the 2013 Sanitary Sewer Operations and Maintenance Plan Lining Repair Project, seconded by Mrs. Cmar. Mr. Khalil asked if both work authorizations will be done together or one after the other. Mrs. Omer answered that both bids will go out simultaneously with separate prices. Once they are bid, they can be voted on separately. Motion carried unanimously.

Mrs. Cmar moved to approve Work Authorization dated January 11, 2013 in the amount of \$15,000.00 for Gateway Engineers and others to provide additional geotechnical investigation of site for new Public Works Department facility, seconded by Mrs. Ielase. Mrs. Omer explained this entails going out and doing additional core borings to see the stability of the mine and what is needed for the foundation. Mr. Weber advised most Work Authorizations for Gateway have the phrase "not to exceed" an amount, and this one does not. Ms. Omer explained that all their Work Authorizations are standard "not to exceed" an amount, and she will have that wording added to this one. Mr. Weber asked how much the first set of borings cost, and was told \$20,000.00. Motion carried unanimously.

Mrs. Ielase moved to accept a proposal from Seals & DeMillion, P.C. to conduct the 2012 Financial Audit of the Borough of Jefferson Hills in the amount of \$13,400.00 and Jefferson Hills Library in the amount of \$1,650.00, seconded by Mrs. Cmar. Mrs. Cmar stated there was a question raised at Wednesday's meeting regarding the cost being reduced because of the programs that have been installed in administration. Mr. McCreery replied he doesn't feel this can be changed because the auditor has to revamp all his testing this year because of our electronic records. Mr. Weber thanked Mr. McCreery for negotiating the price down by \$500.00 this year. Motion carried unanimously.

Mr. Khalil moved to accept a bid received from Tri-Star Auto Group in the amount of \$55,566.00 for two (2) 2013 Ford Sport Utility Police Interceptors under the SHACOG Purchasing Alliance Program, seconded by Mrs. Reynolds. Chief Roach requested the word Sport be changed to SUV. Motion carried unanimously.

Mrs. Cmar moved to award a bid for a 2013 International 7400 SFA 4X4 cab and chassis in the amount of \$98,410.58 from Hill International Trucks and Service under a COSTARS cooperative purchasing contract, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to award a bid for a stainless steel dump body, plow and spreader in the amount of \$57,045.00 from Walsh Equipment under a COSTARS cooperative purchasing contract, seconded by Mr. Khalil, and carried unanimously.

Mr. Khalil moved to authorize the Borough Engineer to review and inspect the dedicated public improvements in the Castor Farm Plan of Lots, seconded by Mrs. Reynolds and carried unanimously.

Mrs. Cmar moved to approve request from Castor Farm Associates, Inc. for Borough to provide snow plowing and salting services of the improved portion of Castor Lane in the Castor Farm Plan of Lots, subject to Castor Farm Associates, Inc. defending, indemnifying, holding harmless and adding the Borough as an additional insured to Castor Farm Associates, Inc.'s insurance related to the same, seconded by Mr. Khalil. Mr. Cohen advised it was determined by Mr. Lovell and himself that the turnaround is not adequate to safely accommodate vehicles. When the improvements are made, we would reconsider this request. Mr. Khalil asked if Mr. Housley, of Castor Farm Associates, Inc. has been made aware that the turnaround is substandard, and Mr. Cohen replied yes. Mrs. Reynolds moved to table the above request, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to appoint Dave Kostanich as a member to the Civil Service Commission for a term ending December 31, 2018, seconded by Mrs. Cmar and carried unanimously.

Mrs. Cmar moved to appoint Maryjay Rush as an alternate member to the Civil Service Commission for a term ending December 31, 2018, seconded by Mr. Khalil and carried unanimously.

Mrs. Cmar moved to reappoint Pervaiz Alvi as a member to the Planning Commission for a term ending December 31, 2016, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to reappoint Derek Reckard as a member to the Planning Commission for a term ending December 31, 2016, seconded by Mr. Khalil and carried unanimously.

Mr. Khalil moved to appoint Christopher Haynes as a member to the Planning Commission for a term ending December 31, 2016, seconded by Mrs. Ielase and carried unanimously.

Mrs. Cmar moved to reappoint Thomas Drnach as a member to the Library Board of Directors for a term ending December 31, 2015, seconded by Mr. Khalil and carried unanimously.

Mr. Montgomery moved to reappoint Holly Schrum as a member to the Library Board of Directors for a term ending December 31, 2015, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery moved to appoint Douglas Wildman as a member to the Vacancy Board, seconded by Mrs. Cmar and carried unanimously.

PLANNER/ZONING OFFICER'S REPORT:

Mr. Cohen reported he received notice today from DCNR regarding applications for park recreation grants due on April 12th. He will prepare in the next two months information that will be forwarded to Council for consideration.

ENGINEER'S REPORT:

Ms. Omer advised Mr. John Mowry, of KLH Engineers, wished for her to pass along that he will be working with his own board to request information that the Borough of Jefferson Hills wanted concerning the capacity of the CMA plant. He will work with her on a timeframe for the resolution, then he will get back to her on the details of the schedule.

FINANCE OFFICER/TREASURER'S REPORT:

Mr. McCreery reported Judge Wettick, the judge presiding over re-assessments, made a ruling in which municipalities can pass an ordinance with the tax rate by June 15th or 10 days prior to their tax bills being sent out, whichever is earlier. For us that's June 15th, so at the May regular Council meeting, we will plan on having a proposed ordinance for the revised tax levy.

FIRE CHIEF'S REPORT:

Nothing to report.

PUBLIC WORKS DIRECTOR'S REPORT:

Nothing to report.

POLICE CHIEF'S REPORT:

Nothing to report.

BOROUGH MANAGER'S REPORT:

Mr. Arndt drafted a letter for Council's review, of a proposed letter drafted by Gateway Engineers to be sent to DEP, that would be our response to WESA's response regarding our Act 537 Plan. He would like to get it out by the end of the week.

SOLICITOR'S REPORT:

Nothing to report.

GENERAL BUSINESS:

Mr. Khalil received a letter from Melissa Steffey, of the Recreation Board, asking that she be reappointed to the Board. Mr. Khalil made a motion to reappoint Melissa Steffey as a member to the Recreation Board, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase reminded everyone of the Valentine Dance on February 9th from 6 - 9 p.m. at the Gill Hall Firehall.

Mr. Montgomery asked the duties of a member of the Educational Service Agency. Mr. Arndt explained they are the agency that oversees the school crossing guard. They meet with them quarterly and are involved in the hiring process.

Mr. Weber would like to move to reconsider a vote that was made last month on Resolution No. 40-2012 relating to the Jefferson Estate Residential Development 2nd Addition, that he voted against. Mr. Weber read Resolution No. 40-2012, "GRANTING FINAL APPROVAL OF A LAND DEVELOPMENT PLAN KNOWN AS FPRD-1-2012, JEFFERSON ESTATES PLANNED RESIDENTIAL DEVELOPMENT, 2ND ADDITION". Mr. Weber moved to reconsider Resolution No. 40-2012, seconded by Mr. Khalil. Mr. Khalil explained the proposal met all the standards of the community, and then there were residents within that community that were opposed to that particular expansion. Since it met all the standards, he believes it should be approved. Motion carried on a 5-1-0 roll call vote. Council Member Ielase voted no. Mr. Weber explained that he voted no because he was approached by residents in that community requesting he vote no, and he felt he was doing what was best for the immediate community at that time. The developer, in good faith, worked well with the fire chief and the community, and offered a bond for paving the proposed parking area, and this development has met all the muster from our Planning Commission, our Planner, our Engineer, and would very likely be challenged in court. His role as a Council Member is to minimize the public's exposure and spend their money wisely. He feels if this is not reconsidered and passed, the Borough may be in a losing position in a legal battle with the Developer. Mrs Reynolds stated she was also requested by some of the residents of that community to vote against it, but after thinking about it all week, she feels she should vote for all the taxpayers. She is also against possibly causing a lawsuit that would cost all the taxpayers money. Therefore, she will be changing her vote also. Mr. Weber moved to adopt Resolution No. 40-2012, "GRANTING FINAL APPROVAL OF A LAND DEVELOPMENT PLAN KNOWN AS FPRD-1-2012, JEFFERSON ESTATES PLANNED RESIDENTIAL DEVELOPMENT, 2ND ADDITION", seconded by Mrs. Reynolds and carried on a 5-1-0 roll call vote. Council Member Ielase voted no.

Mr. Weber wished to express to all the staff and other Council Members that he feels blessed to be a part of their team, and thanked them.

Mr. Weber adjourned the meeting at 8:02 p.m. on motion by Mr. Khalil, seconded by Mrs. Cmar and carried unanimously.

Douglas C. Arndt
Borough Manager/Secretary