

Borough of Jefferson Hills  
Agenda Meeting of Council  
March 6, 2013

The agenda meeting of Council was called to order by Council President King at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Council Members Cmar, Ielase, Khalil, Montgomery, Weber and King answered to roll call. Solicitor Shimko, Engineer Omer, Chief Roach, Finance Officer/Treasurer McCreery, Planner/Zoning Officer Cohen and Public Works Director Lovell were in attendance. Council Member Reynolds, Manager Arndt and Mayor Green were absent. Council Member Ielase left at 8:40 p.m.

The following tentative agenda for the regular meeting of March 11, 2013 was reviewed and discussed.

1. Pledge of Allegiance
2. Roll Call
3. Citizens

- A. Jim Gillot - 3057 Shady Timber Lane - Board Member of the Jefferson Hills Baseball Association, came before Council tonight to make them aware of some of the problems at Tepe Field. He advised there is a drainage problem and the infield needs raised. He received a proposal from an outside contractor for the amount of \$1,200.00 for two tri-axle loads of infield mix. Mr. Gillot asked if the Public Works Department could do the work themselves. He also reported a problem with parking at Tepe Park. He suggested the swing set be moved closer to the play area, by the Public Works Department, to allow room for more cars to park. Mr. Lovell replied moving the swing set would be very extensive for the amount of parking spaces realized. He suggested the association try to organize the parking a little better, as he believes there is more than adequate parking available. He stated parents move the barriers and park anywhere they desire.

Mr. Gillot reported there is money from the Pittsburgh Pirates Organization, and asked if the Borough could go on to their website and fill out the necessary paperwork to request funds.

Mr. King asked Mr. Lovell if he has been up to the park concerning these items, and asked if we could help Mr. Gillot. Mr. Lovell replied he believed we could help if we have the funds. Mr. Gillot explained he also received a proposal for \$1,400.00 to install a trench behind the backstop to help with the drainage problem. Council agreed to allow Mr. Lovell to go up and see what the Borough can do to help. Mr. Lovell agreed to talk with Mr. Kunkle, Pleasant Hills Public Works Director, to see how he requests funding from the Pittsburgh Pirates. Mr. King assured Mr. Gillot that Mr. Lovell and Mr. Cohen will do all they can do to help with the Pirates grant and the requested improvements to Tepe Park.

Mr. Weber asked Mr. Lovell if he thought the Public Works Department could install the trench to save time and money, and Mr. Lovell replied he will need to look into that further.

4. Report from Borough Boards or Commissions

- A. Monica Stoicovy - Library Board Member reminded everyone the Friends of the Library are holding the Annual Book Sale April 12-14, with the Preview Party being on April 11. The Friends are in need of items for the boutique and also books. She stated the Library Board is very appreciative of the Friends group as well as Council for all their help.

She reported the Master Garden classes were very successful, with the first class hosting 35 people. She thanked Jane Milner for her excellent job getting the word out to the public. She advised the next two classes are also filled.

There is an SAT Preparation Class coming up on April 4<sup>th</sup>, given at the high school for \$175.00. Mr. King thanked the Library Board for always having a representative attend the Council meetings.

5. Discuss letter from PA DEP dated February 20, 2013 concerning Jefferson Hills' 2013 tap allocation

Ms. Omer explained on the tap control plan, we have received 25 taps out of our request. She talked with Emily Shade asking her what DEP needs from us for our remaining taps, because we have finished our Corrective Action Plans in both Clairton Municipal Authority (CMA) and West Elizabeth Sanitary Authority (WESA), and she didn't get back with much information. Ms. Omer doesn't think we will have a problem getting our additional taps, but she wants to discuss with them where Jefferson Hills is going with Corrective Action Plans and Operation and Maintenance (O&M) Plans. She explained we are on a borough-wide O&M Plan TVing all lines. She stated Jefferson's budget of \$1.7M to work on sewers in 2013, includes Walton Road. We gathered all the flow monitoring data and can prove that we have reduced the flows considerably going to Clairton.

Pat Canavan, from CMA, applauds the snow melt and rain because with I & I, they make money. As of 2009, Jefferson Hills has done a marvelous job to correct the I & I, reducing the flow drastically, and lowering their bills to the CMA. Mr. Canavan approved the 133 taps Jefferson Hills requested to the DEP, and he also questioned why we didn't receive them all. Mr. Canavan reported, in the event this Council decides that the WESA plant would come to CMA, he has been reassured by their engineer, that once the completion of the expansion is done, there will be room for that flow. However, with the industrial contributors, they would have to move to an industrial pre-treatment program with it. He stated Jefferson Hills did a great job with the interceptor line. Ms. Omer wished to explain the new process for requesting taps, is that we now go to CMA and request the taps. After they approve them, they go to DEP. In information given from Emily Shade of DEP, from January 2007 to December 2012, 24.3 million gallons per month or 800,000 per day of flow was reduced. Of this 15.2 million gallons per month or 500,000 per day is from Jefferson Hills. So the reduction is working. She feels we should not be under a Corrective Action Plan, because we have gone through all that, and she can prove it. Mr. Canavan thinks it's just a communication issue with DEP. He reported with the reduction in flow, Jefferson Hills is now third from the top, with Clairton at the top of the list. He stated it used to be a three-way tie. He told Council not to hesitate to call him with any questions they may have.

Mr. Weber thanked Mr. Canavan for attending tonight's meeting, and for his letter of support in detailing how if we were to bring all our flows to their plant, it could be done. He noted that Mr.

Canavan stated he had an offline conversation with Emily Shade on why our taps are not being approved, since obviously Mr. Canavan thinks they should be approved. For whatever reason we are not getting immediate approval, and we have all the credible data that would justify releasing those taps. We're getting them in almost a punitive approach like we were punished last year. We've met every single request DEP has asked us to do, and yet there always seems to be two or three parties DEP can't get together, and we are one of the parties, although not one of the feuding parties, but we are punished so they can get the others to talk. He asked Mr. Canavan if he sees that still going on now, and Mr. Canavan replied no. Choosing his words carefully, he explained Jefferson Hills has been the easiest to work with and the most productive as far as correcting our I & I. Emily Shade has set the meetings, and asked point blank who is dragging their feet, and he admitted it was not Jefferson Hills or South Park. Ms. Omer explained Ms. Shade requested a little more background data, including the monthly flow charts, and Ms. Omer replied she had all that. She told Ms. Shade that if this is what is needed, then every report she submits to DEP will be thicker and thicker with backup data.

Mr. King advised there is a disconnect somewhere with DEP. Mr. Canavan thinks it is just a communication issue. Ms. Omer stated when she talked with Emily Shade, the disconnect was in the fact that we reached out to her and asked what do you want to see in the report to get the taps, and she never got back to us, ever. We submitted our request to her like we have normally done to get our taps, and she said that from now on she needs more data to back up the statements we made. Mr. Weber explained he sat in a prior meeting at DEP and Ms. Shade wanted more data then, and Ms. Omer told her to just tell us what you want and we will make it happen. Mr. Weber asked if every other community is being subjected to these rigors that we are being subjected to because to him it seems over the top. When we meet their requests, there are further requests. Mr. Montgomery advised he was at a meeting on the February 15<sup>th</sup> at DEP, and Emily Shade said to him that we have not done any corrective action in the Clairton Watershed. She said we will get no taps. Mr. Canavan said maybe she didn't look at the correct map. Ms. Omer doesn't think she read any of the reports we submitted. Ms. Shade will be here on March 20<sup>th</sup>, so we can go through all that. Ms. Omer requested Council approval to submit the report we prepared to her before March 20<sup>th</sup>, so everyone will have it before the meeting.

Mr. Cohen thanked Mr. Canavan for his efforts here, and the great relationship for the distribution of the taps. Mr. Cohen couldn't emphasize how important this tap issue is for the future of the Borough's financial health.

Mr. McCreery reported we received the debt service invoices, and the first bill which is due by the end of the month, will be on this month's addendum for approval. Mr. Canavan replied CMA is transparent and encouraged anyone who wishes to look at the books, to do so. Mr. Weber stated he struck a chord with everyone when he said CMA is transparent. If Jefferson Hills requests any information from WESA, we have to submit a Right to Know request. Mr. Weber agreed with Mr. King that CMA is a good business partner.

Mr. Khalil read the following excerpts from a letter dated February 20, 2013 from DEP to Mr. Canavan:

1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence, "We are allocating the full complement of 150 taps to Peters Creek Sanitary Authority but only 25 taps to Jefferson Hills." and

3<sup>rd</sup> paragraph, 2<sup>nd</sup> sentence, “Until PCSA and Jefferson Hills provide a final report that can document through flow monitoring that there is sufficient capacity in the interceptor for 5 year future flow projections, their CAP obligations are not completed.”

He advised in one sentence they say they are giving Peters Creek Sanitary Authority 150 taps, and punishing Jefferson Hills by giving them only 25. And yet further down in the letter they state Jefferson Hills and PCSA haven't done our job. Which one is it? In three or four years we have always had to jump through hoops to get our taps, and he feels it's a bunch of nonsense. He advised he will attend the meeting on the 20<sup>th</sup> here in the Municipal Center with DEP, and he will make sure they understand this is a bunch of nonsense. Mr. Weber thought the letter was written by someone who should have known better, and these statements show a true disconnect from the knowledge of what is actually going on. He thinks it's a shame this letter was written. Ms. Omer replied she was very upset when she received this letter and asked Emily Shade if she had any involvement in the letter writing, because we have never been asked to provide a 5 year future flow projection, but she did not respond. Mr. Montgomery reiterated that she said we would get no taps, as we have not done any work in the Clairton Watershed. Mr. Weber replied we spent \$3.5M on corrective action work. Mr. King stated he thinks we are now at the point that everything that is stated, should now be documented, whether it be by email or by letter. Mr. King encouraged all Council members to attend the meeting on March 20<sup>th</sup> at 10:00 a.m. Mr. Weber asked if it would be inappropriate to have our State Representative present at this meeting, and Mr. McCreery replied the meeting on the 20<sup>th</sup> is not particular to the tap issue. Ms. Omer explained the meeting is about the 4<sup>th</sup> Street Pump Station and their discussion of the Corrective Action Plan and possible talk about the taps. Ms. Omer didn't think having our representative present would help at this point. If they don't respond on the 20<sup>th</sup>, we could request our representative's help. Ms. Omer was instructed to get a draft of the Borough's response to the February 20, 2013 DEP letter for Council's review before the meeting.

## 6. Engineer's Report

Mr. Khalil voiced concern over a letter that states no corrective action work being done in the Clairton Watershed, and if we need to satisfy that, as we've committed \$1.2M for this year in Walton Road. He wonders if we should put a hold on that project until we have confirmation from DEP that our taps will be OK. If they want to see some money shifted over into CMA, then maybe we need to stop the engineering on this and put this project on hold until we get that OK from DEP. Mr. King replied the Allegheny County Health Department already put this project on hold. Mr. McCreery reported this project is also on the agenda for the March 20<sup>th</sup> meeting. Mr. Montgomery advised that Emily Shade stated at a meeting that upsizing the Walton Road sewerline was not going to eliminate any infiltration. She stated it was a complete waste of time and had no use for it. Ms. Omer is not sure why Ms. Shade made that statement as she has backup flow preventers that were ordered by the Health Department, and Ms. Shade never made that statement to Mr. Omer. Solicitor Shimko advised he heard Ms. Shade make that statement also, and she also said it may make it worse. Ms. Omer stated it will not cause additional flooding at the 4<sup>th</sup> Street Pump Station, according to her records, and it will help the situation. Ms. Omer stated she is frustrated and wants to discuss this project in front of everyone at the meeting on the 20<sup>th</sup>.

Mr. Weber stated on page one of Ms. Omer's report, in regards to the WESA VOC odors, it reads, “Ashland will reimburse Jefferson Hills for the project costs associated with this work.” He said this looks like they want to do some additional work with flow meters, and they are willing to reimburse

us. Back in January we talked about our issues with PICCO and Hercules and the tens or hundreds of thousand dollars we've spent, and we thought instead of waiting three or four years for reimbursement through the consent order with DEP, that we were going to work directly with Hercules to obtain direct reimbursement. He asked if we are moving that ball forward, and Mr. McCreery replied we are waiting for this agreement to send a letter with it.

Mr. Montgomery reported the Planning Commission recommended the Regional Act 537 Plan, and he asked if Council is going to act on it at the next meeting. Ms. Omer stated this Plan needs approval to DEP. It can be on this month's agenda, because we were waiting for a letter of support.

7. Motion to approve minutes of agenda meeting January 9, 2013

Mr. Khalil gave the correct spelling of Mr. Kostanich's name on page seven.

Mr. Weber stated he found a few other errors and incompleteness, so he would like to review the minutes further and offer some corrections based on what was actually said. Mr. McCreery replied we will redo that section verbatim as well as we can, and submit it to Mr. Weber.

8. Motion to approve minutes of regular meeting January 14, 2013

Mr. Khalil again corrected Mr. Kostanich's name.

9. Motion to approve the monthly bills
10. Motion to approve the monthly payrolls
11. Motion to adopt Resolution No. 6-2013 authorizing the submission of a grant application to the Pennsylvania Department of Conservation and Natural Resources for Beedle Park Development - Phase 1B

Mr. Cohen advised the application is due next month, and he received additional information today. He explained the cost estimate that was originally prepared for Phase 1B had been revised by the landscape architect from Gateway to reflect whatever was described as additional costs that were based on the actual costs of other projects similar to this. The project costs were estimated at last month's meeting at \$150,000.00, and has been now estimated at \$380,000.00. The required match for this project increases from \$75,000.00 to \$190,000.00. Mr. King asked the reasons for the increase. Mr. Cohen explained in the email he received, it was stated that other similar projects have come in at higher costs than anticipated. The ballfield was originally estimated at \$60,000.00 and is now estimated at \$75,000.00. For the pavilion, it was originally estimated at \$35,000.00, is now estimated at \$110,000.00, and that includes expansion of electric. There is an additional \$16,000.00 for erosion and sedimentation controls and engineering and design that was not included in the original project. Mr. Cohen will provide Council with the cost breakdown of the project. Mr. McCreery explained you can receive grants and not use them, so if this becomes too costly you can let the grant lapse. He didn't feel this should stop the grant process. Mr. Cohen stated his scenario of match is based on the full 50% funding from DCNR funds, which was not the case in Phase 1A, so it could be higher.

12. Motion to adopt Resolution No. 7-2013 authorizing the submission of a revision to the Borough's Official Sewage Facilities Plan concerning the Borough of Jefferson Hills Public Works Complex

Mr. Cohen explained this is part of the Planning Module that needs to be submitted to DEP to allow for us to have four taps for the project. Gateway is getting the prior components from the County and CMA for the project.

13. Motion to adopt Resolution No. 8-2013 approving reimbursement of the General Fund by the General Obligation Bond Series of 2005 Project Fund in the amount of \$103,211.90

Mr. McCreery explained this will close out one of the CDs for the capital project.

14. Motion to adopt Ordinance No. 829 accepting public improvements for Chamberlin Ridge Phase 2A (tabled January 14, 2013)

Mr. Cohen reported all inspections have been completed, all required documents have been submitted, and he recommends approval.

15. Motion to schedule a public hearing on April 3, 2013 at 6:00 p.m. to consider Conditional Use Application, CU-1-2013, Borough of Jefferson Hills Public Works Complex, 925 Old Clairton Road

Mr. Weber advised there is a Council Meeting that evening, and asked if 30 minutes will be an adequate period of time for that hearing. After some confusion over the start time, it was reported the hearing will start at 6:00 p.m.

Mr. Cohen explained this is for a public building in an R-1 District. Also, under our ordinance, it states no outside storage in the R-1 District. The plans for the building include a fenced-in area for outside storage bins. The plans are to screen the area. He is recommending the Borough seek a variance from the Zoning Hearing Board for that revision. That requires a hearing, which would be scheduled for the last week in March and it would not involve change to the time schedule for the project. He recommended the architect be invited to the meeting to present plans on how the outside storage areas will be designed.

16. Motion to award bid for 2013 Contract A - Resurfacing Program to Youngblood Paving, Inc. in the amount of \$374,926.70

Mr. Lovell stated this bid is to pave the roads in the Floreffe area, and any remaining money is to be used on Wray Large Road to dead-end where the previous money ran out. He recommended Council accept the bid from Youngbook Paving, Inc. Ms. Omer replied for the record, that all the other bids were checked with this change, and Youngblood is still the lower bidder. Mr. Weber asked if we're not seriously thinking of entertaining the seal coat, perhaps some of that money, \$60,000.00, could be shifted over to regular paving, to possibly finish Wray Large Road. Mr. Lovell replied he will have to review the numbers, but he believes it was significantly more than \$60,000.00. Mr. McCreery advised it would cost \$100,000.00 to finish Wray Large Road. Mr. Lovell stated he was hoping we could put off the rebidding of the seal coat, as there may be some money left over in the paving budget and could transfer it back to the seal coat project.

17. Motion to reject all bids for 2013 Contract B - Seal Coat Program and authorize Staff to rebid

Mr. Khalil asked when the project went from a double seal to a single, is that the right way to do it, or should we have just limited the amount of distance. Mr. Lovell replied it is generally based on the condition of the road. He stated we may be able to get a single seal this year and put a second seal on it next year for the same amount.

18. Discuss the submission of a Growing Greener Grant application for Peters Creek Stream Restoration Phase III & IV Project

Ms. Omer was pleasantly surprised when we were notified from DEP that the Borough of Jefferson Hills had been awarded a grant we requested. The grant is structured so that we don't have to complete it this year. This is a continuation of redoing the stream beds, etc. She and Mr. McCreery discussed they would not want to start the construction work until 2014 to allow for permits to be secured. Mr. McCreery explained the upfront money for the permitting would be the initial grant match. This was included in the five-year plan. Mr. McCreery reported he has also submitted a wildlife and fish grant for \$25,000.00.

Ms. Omer advised if Council decides to move forward and accept the grant, then next month she will come back to Council with a Work Authorization to do the work.

19. Discuss next meeting with WESA representatives

Mr. McCreery reported three issues were brought up by WESA at the last meeting that he feels need rebuttals. They are: 1) presenting their current budget and historical costs on their budgetary level. They are looking for something similar from us on our O&M costs. 2) WESA presented financial data of a similar plant in the Susquehanna River Basin. In interest of full disclosure, WESA's engineer also operates this plant. 3) An illustration of if Jefferson Hills was to build their own plant, and how those O&M costs were presented back in 2009. He stated we feel we have explanations for all three. Mr. McCreery advised we need to set up the next meeting to meet WESA. It was discussed at a conference call last Friday, that the only people that should be in attendance should be Council and staff representations, with no engineers or solicitors present.

Ms. Omer stated she and her staff took the requests from WESA and they drafted some responses that she will give to Mr. McCreery to include in Council's packets. She pointed out that when you look at the direct revenue source for West Elizabeth and WESA and the debt payment, when you use the numbers that the West Elizabeth people are paying and take out the debt payment, that leaves a balance of approximately \$30,000.00 that the West Elizabeth people pay. They are double the size of Union Township, but Union is paying \$65,000.00 per year. To her, something doesn't seem right, as there has to be debt service in there on the West Elizabeth project, and she wants clarification on it. She recommended an off-line meeting to cover all the issues before we meet with WESA. Mr. Khalil asked if we should reach out to WESA and lay out who we plan to invite to the meeting, as they may not wish to attend after finding out the list of attendees. Mr. Khalil felt we were ambushed at the last meeting, and they came after us pretty hard. We should advise them what we want, what our expectations are, and this will be our crew, and see if they are willing to come. Mr. McCreery replied

he agreed. He advised we have a 60-day order to get to the third-party engineer and we should be moving towards that. Mr. Sarraco, Jefferson Hills' WESA representative, who was in the audience, stated it seems to him that nobody trusts anybody's staff, and there was a lot of animosity in the room at the last meeting with WESA. Mr. Sarraco asked what is Jefferson Hills' intent with WESA. Do you want to totally walk away from those people and go to Clairton? Mr. King replied if it is the most cost-effective long-term solution for our residents.

Mrs. Ielase left.

Mr. Weber wanted to educate Mr. Sarracco a little about what is going on here. He wished to point out, that we talked with DEP in November and we got a six-month extension to get together and talk. Mr. Sarracco advised you ran out of time. Mr. Weber replied no, and asked how many times did we reach out to them, to WESA and Union, multiple times and they wouldn't return our phone calls. They wouldn't meet with us until we had this second meeting when they said now you have 60 days. We met with Union and their administrators, Commissioners, and their engineer one time, and then we tried to reach out and set up meetings with WESA and Union again, and it fell on deaf ears. Mr. Weber reported we had seven options, some of them for us to host a plant, some of them were to go to WESA and some of them were to go to CMA and bring WESA along. We never looked at this like it was us against them. It is as simple as putting in a couple of meters and a short pipe and they can go right through our lines to CMA. It is not an insurmountable thing for them. Mr. Sarracco stated they are afraid they will lose their jobs, and Mr. Weber replied it is not personal for us, it is personal for them. Mr. Khalil stated the engineer and solicitor at WESA have a stake in this. Mr. Khalil stated again, to us it is what is the cheapest way to treat our sewage. That's all we care about. He stated we have a great working relationship with Pat Canavan from CMA, which we do not have with WESA. Mr. King stated he is not convinced that it is all about costs either, because when we met with Union there was a sentimental plea what was going to happen to West Elizabeth. We wanted to say don't worry about West Elizabeth, worry about what is going to happen to your residents. Mr. Khalil read from a letter from Thomas, Shannon, Barry & Associates, "Also the initial meetings will define the scope of the issues contested, thereby enabling a comprehensive review by a third-party expert." He advised this is the directive we were given, and is what we are to do. Mr. King asked if they fought this at the original meeting, and Solicitor Shimko replied no. That letter was drafted between their Solicitor and Solicitor Shimko. Solicitor Shimko stated that he was uncertain if the WESA Solicitor ran the letter by the WESA Board before sending it. Solicitor Shimko wanted that language in there because of exactly the conversation we are having right now. Mr. Montgomery advised they told us to get this done in ten days, emails addressed this, and he shook hands with Mr. Pearson assuming we are getting somewhere. When Mr. Montgomery got to the meeting, it was a whole other story. Mr. McCreery thought this might be one of our first exhibits to them when we meet with them. We have this directive from DEP, we have a joint letter that was sent to DEP, and that's our first exhibit. We need to go forward, and get dates for a meeting. Mr. Khalil advised the letter going out to WESA, letting them know who will be at the meeting, should also list the four or five engineering firms that we are looking at as the third party, are you in agreement, and if not which ones. They need to know this is our intent for the meeting. He also wants everyone to keep in mind, if they are not interested in sharing these costs, we would consider paying the entirety of the bill if needed. Mr. King asked if we can go back to DEP and say this is a demand from DEP. Mr. Weber suggested we have DEP pick the third-party engineer and submit it to us. Mr. Montgomery advised DEP wants to go to mediation. Solicitor

Shimko replied they stated they will get someone from the Governor's office. Mr. King said to have the engineering firm names and the fact that the cost will be split should be put in the letter. Mr. McCreery asked three ways, and Mr. Khalil replied Union Township wants nothing to do with it.

Mr. Weber asked if one of their demands was that they wanted to talk about our plant, if we were to have a plant in Jefferson? Mr. McCreery replied no, they used that as empirical evidence as to why their operating costs currently will be what they will be in the future based on what we were saying if Jefferson Hills had built their own plant. We have a response to that in the memo. Mr. Weber stated he does not want WESA to know everything we are going to talk about, and Mr. McCreery stated the intent of the memo is not to lay all our cards on the table. Mr. King asked that the meeting try to be set up for March 19<sup>th</sup> and 21<sup>st</sup> at 6:00 p.m.

20. Discuss authorizing Gateway Engineers to begin the DEP permitting process for the Frank Street project

Mr. Cohen advised this project is part of the settlement on the Hunters Field project, where the parties agreed to construct a connector between Hunters Field and Jefferson Estates. In order for the developer, Maronda Homes, to proceed with the project, we need to authorize Gateway Engineers to proceed with the necessary environmental study to address some issues. Ms. Omer explained if Council wants to move forward, next month she will submit a Work Authorization. Mr. McCreery asked if this cost is reimbursable from the developer, and Ms. Omer replied the agreement was that the Borough would get the permits and the developer would fully pay to construct the road.

21. Reports

Chief Roach reported tomorrow he is scheduled to go to a SHACOG Chief's meeting, and they have requested All Traffic Solutions come for a demo on radar devices we can use. We hope to get a group rate.

Mr. Cohen requested a partial payment for Stash Trucking for the demolition project be added to Monday's agenda.

Mr. Cohen advised Council may receive calls from residents who are being visited by EQT to conduct seismic testing for Marcellus Shale drilling. They are going door to door and asking to be allowed to lay down wires in the yards to do the testing. He advised this does not mean drilling is coming. Solicitor Shimko advised under the Oil and Gas Act, that is not something the Borough can regulate.

Mr. McCreery reminded Council that at budget time, it was mentioned that this year we would discuss the garbage collection fee and the audit RFP for a three-year term. He asked for Council's approval to run both items by Solicitor Shimko and get the process started for May.

Mr. McCreery announced that Council received a SHACOG invitation for Allied Waste, which is now Republic Waste, for a luncheon seminar on the contract. If anyone wishes to attend, please contact him by Friday. A Borough representative will be attending the meeting also.

Mr. McCreery stated Mr. McLean offered to pay for the plaque for the Municipal Center renovations, and he will supply Council with a mock-up before it goes to creation.

Mr. McCreery stated we need to submit to the State that we would like to hold a Clean-up Day. He stated Ms. Cmar initiated this project years ago, and asked if she plans to spearhead it again this year. Ms. Cmar chose April 20<sup>th</sup>.

Mr. McCreery announced that Melissa Steffey, of the Recreation Board, informed the Borough that they are not holding the Easter Egg Hunt this year. It was not as successful last year as they thought, and ticket sales were down for the Valentine's Day Dance this year also.

#### 24. General Business

Mr. King announced a request from Glen Geiger to hold a charity event with motorcycles for Troop Appreciation, and he asked if anyone had any concerns. Mr. Montgomery felt the request was too vague. Mr. McCreery explained Borough staff talked with Mr. Geiger and his intention was to be at this meeting tonight, but he did not show up. We can contact him and say Borough Council would like for him to speak of his intentions prior to making a decision.

Mr. King announced a request for Spencer Graves, a scout to come to Monday's meeting and give a presentation as part of his process to become an Eagle Scout. He is working on a project in front of the Municipal Center. He is to be added to Monday's agenda.

Mr. King adjourned the meeting at 9:18 p.m. with an executive session to follow concerning legal and personnel matters on motion by Mr. Khalil, seconded by Mr. Weber and carried unanimously.

J. Andrew McCreery  
Assistant Secretary