

Borough of Jefferson Hills
Regular Meeting of Council
August 10, 2020

The regular meeting of Council was called to order by President Bucy at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Cmar and Council Members Ielase, Reynolds, Ruscitto, Sockman, Steffey, Vice President Montgomery and President Bucy answered to roll call. Borough Manager Stinner, Finance Officer Drager, Solicitor Gabriel, Chief Roach, Borough Engineer Glistler, and Public Works Director Volpe were also present.

MONTHLY BILLS:

Mrs. Steffey moved the bills for the month of July be approved, seconded by Mr. Sockman and carried unanimously

MONTHLY PAYROLLS:

Mrs. Ielase moved the payrolls for the month of July be approved, seconded by Mr. Montgomery and carried unanimously.

MINUTES:

Mr. Sockman moved the minutes of agenda meeting July 8, 2020 be approved, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved the minutes of regular meeting July 13, 2020 be approved, seconded by Mrs. Steffey and carried unanimously.

AGENDA ITEMS:

Mrs. Ruscitto moved to appoint Katie Snodgrass for a vacancy of the Library Board of Directors to finish the term vacated by Debra Klasnic Wesolowski (Term Expiration: 12/31/20), seconded by Mrs. Steffey and carried unanimously.

Mrs. Ielase moved to appoint John Stinner as the Emergency Manager Coordinator for the Borough of Jefferson Hills; Chief Doug Pascoe to retain title of Deputy Emergency Management Coordinator, seconded by Mrs. Steffey and carried unanimously.

Mrs. Steffey moved to award Three Guys Cleaning the Borough janitorial services contract for the years 2020 – 2023, seconded by Mrs. Ruscitto and carried unanimously.

Mrs. Ielase moved to approve the purchase of a used tandem truck for Public Works estimated cost of \$40,000, seconded by Mr. Sockman and carried unanimously. Mr. Montgomery had a question. He stated public works makes a very good argument for this, but this was removed from the budget when the budget was reopened. John, could you address that already? John Drager? This was Mr. Volpe's to elaborate on more, but this was from the liquid fuels account. Mr. Volpe stated since we had a pretty mild winter, we didn't use all the salt. So, for this upcoming year, we most likely will be able to put in a lot smaller order for the remaining balance, and that should be able to cover the tandem truck. Mr. Montgomery stated he is

asking about the total budget. I mean, I'm not just looking at that purchase, just the total budgeted around \$250,000. I mean, in total, in the general fund. That's what I'm talking about. Some expenditures were planned, some weren't. And that's my only concern. I mean, it's obviously they make a good case for it, but I just want to make sure, in totality, it's okay with you. Mr. Drager stated yes, there's plenty in that account that's budgeted.

Mr. Montgomery moved to grant final approval for a final land development SP-3-2020, known as Quality Landscapes Equipment Building, condition to applying to the Allegheny Conservation District NPDES, execution of a stormwater management agreement and proper clauses added to the signature page, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 3 from Swede Construction Corporation in the amount of \$59,166.47 for the work completed on the Beedle Park Concession Stand (17-GEDF-09) Project, seconded by Mrs. Steffey and carried unanimously. Mrs. Ruscitto asked who is the person overseeing what is purchased by Swede Construction? Mr. Glistler stated the architect. 95% of the work is architectural and it's 95% completed.

Mr. Montgomery moved to approve Change Order No. 3 from Bioni Drilling, Inc., dated July 29, 2020 to extend the contract completion time of the Andrew Reilly Memorial Park ADA Upgrades – Phase 1 Project from June 30, 2020 to August 31, 2020, seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to approve Application for Payment No. 1 from SHACOG for Bioni Drilling, Inc. in the amount of \$28,602.60 for work completed on the Andrew Reilly Memorial Park ADA Upgrades – Phase 1 Project, subject to the receipt of an invoice from SHACOG, seconded by Mrs. Steffey and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 10 and Final from Jet Jack, Inc. in the amount of \$57,560.54 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract C subject to approval of the maintenance bond by the Borough Solicitor, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved to approve the Work Authorization dated July 16, 2020 from Gateway Engineers, Inc. for miscellaneous engineering and consulting services related to the Clairton Sewershed in the amount not to exceed \$10,000.00, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery moved to approve the Work Authorization dated July 28, 2020 from Gateway Engineers, Inc. to continue preparing the environmental permitting for the proposed Frank Street connection in the amount not to exceed \$15,000.00, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to recommend to SHACOG the award of a bid to State Pipe Services, Inc. for the Joint Municipal SHACOG O&M Preventative Maintenance – Year 10 Project in the amount of \$83,527.50 with the Borough's share of \$25,340.00, seconded by Mr. Montgomery 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 10, seconded by Mrs. Steffey, carried unanimously.

Mrs. Ielase 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 14, seconded by Mr. Montgomery 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 9, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to authorize Borough Solicitor to prepare documents to vacate and transfer unnamed Alley near Second Avenue and Cherry Street in the Large area alley way surrounded by lot and blocks 881-P-125, 881-P-121, 881-P-117 and 881-P-85 from Borough of Jefferson Hills to Ned Trbovich Sr., seconded by Mr. Montgomery and carried unanimously.

Mrs. Steffey moved to authorize the Borough Solicitor to prepare a chicken coup and livestock ordinance for consideration, seconded by Mrs. Ielase. Mrs. Bucy stated she has some discussion regarding this to share with the audience. I have something here to show that I want the audience to know that in the zoning ordinances we already do have an agricultural component. Although it does not include the whole thing. Mr. Reynolds asked Mrs. Bucy if the people that are watching online can see this presentation? Mrs. Bucy answered I don't know. Maybe we should ask them. That's a pretty good question. Mr. Reynolds stated but, I mean, if we're sitting here talking about it, I think the people that are sitting on the computer should have access to it. I mean, even if there was a link, you know? I mean, could you go over it? Can they actually see it on the computer? Like I can see it? Mrs. Bucy stated all right, I guess while they're trying to do that, I can give you a little bit by via phone. We have in the zoning a chicken ordinance. The first part is for agriculture, and that is for agriculture uses; farms, farm livestock, farm dwellings and customary farm buildings shall be subjected to the following: no building or constructing housing where animals shall be closer than 200 ft to any property line. The second part, which is what I put up on this screen, is specifically titled Number Two, Keeping of Farm Animals on residential Property. This is the ordinance that is already passed and is in the books. Do you want me to just keep reading? All right. It reads, the keeping of chickens and ducks is not permitted on property within a commercial zoning district and is permitted on property within a residential zoning district, provided that the following requirements are met; A. No chickens or ducks are permitted on lots smaller than one acre in size. On lots one acre to five acres in size a maximum of five chickens or ducks are permitted to be kept on the lot. No roosters are permitted. All chickens and ducks must be kept within an enclosure at all times. See the minimum chicken coops size shall be three square feet per chicken or duck, the maximum overall coops. It shall not exceed 20 square feet. All coops and runs shall be screened with the view at the ground level from the adjacent lots by using fencing, landscaping or a combination thereof on lots of five acres. Okay, we are up and running, all right. And I read that the keeping of the farm animals. All areas in enclosures where chickens and ducks are kept shall be kept in good repair and general cleanliness. And I just wanted to point out to the residents and the members of the council that this is currently what is on the books. Some people had questions about the chickens and the livestock. I don't know how council would like to pursue the rest of this because there is nothing on the slaughtering of chickens in the ordinances. Does anybody have any suggestions? There are two sections, agricultural and residents. There is some language already written about these chickens, but it does not cover the killing of chickens. Mrs. Bucy asked Mr. Gabriel, is there a County ordinance against any kind of killing or slaughtering of animals first on a personal residence? Mr. Gabriel stated not off the

research that I'm not aware of from a County wide prohibition on that. Mrs. Bucy stated, all right, so, would you like to form a committee? In order to formulate something about this, because this was a major issue to some of the people in the neighborhood. Mr. Sockman stated Madam Chairman, why don't we table this until the next meeting? Then that way, in our executive session, our solicitor will have an opportunity to get back to us, and maybe by that time, we'll be able to proceed. Mrs. Bucy asked Mr. Sockman, do you want to make that motion? Mr. Sockman stated I do. Mrs. Bucy stated we have a motion to table item number 25 and see what other language Mr. Gabriel can assist us with. Mr. Sockman moved to table authorizing the Borough Solicitor to prepare a chicken coup and livestock ordinance for consideration until the next council meeting, seconded by Mrs. Ielase and carried unanimously.

Mrs. Steffey asked if we can expound upon item 25 so that we can come up with language as discussed before regarding occupancy and houses. I was contacted by residents last night from Hunters Field that parking situations continue to occur on streets, residents are over occupancy in many homes, and over their garbage. Maybe we have to get Mr. Reis and Mr. Seskey over there to start handing out some fines and looking at these issues. I think we certainly need to add in more language when it comes to residents being over the occupancy of houses. Also, President Bucy, I thought we were also in consideration with the DCED coming in to help us overhaul all of the language within the ordinance. Mrs. Bucy states yes that was correct, I know that Mr. Gabriel contacted them. I don't know if because of COVID-19 they have slowed down, but those two ordinances are top priorities. Mr. Montgomery stated I know DCED indicated that they want us as a Borough to tell them if any of the surrounding Boroughs wanted to be part of this as well. You know our effort to do zoning across multi Boroughs? That way we would probably have a better chance of receiving funding for that. If we don't have a commitment or any other surrounding Municipalities in mind to partner up with, then we could move forward. We could apply for funding and apply for DCED. The assistance will probably be less likely to be awarded without multi-municipalities, but we could still proceed. Mrs. Steffey stated there's multiple issues that need addressed. Hunter's Field went through several appraisals recently, one home appraised for just the purchase price that they paid for the house. The rest under appraised because a lot of the exterior issues over there. That is not good for our community that home values are starting to drop. We need to get the ordinance officers, the code enforcement officers in these plans to enforce what we have on the books, which isn't that bad. But they should go over there and address that.

Mr. Sockman moved to approve option _____ of the Gill Hall Volunteer Fire Company Probationary Plan – Phase 2, seconded by Mrs. Ielase. Mrs. Bucy stated we went and had some Plan B's and plan C's and D's. I'm going to address what had transpired and the goals of this whole probationary plan. I'm going to say the whole plan. I would say the whole fire protection plan in the whole entire borough with all three fire companies is that we want to be close and have the correct response time, competent skilled firefighters and cost effective for taxpayers. Now, I'd also like to state that the Jefferson Hills Council is the body that supervises the fire departments. And we are the body that sets the standards for these. I think if you go back, we have received all the certifications, the names and the addresses and the status that has all been done. And the workmen's compensation has all been activated. If we're going to have a drill night we have to have 6-8 members show up from each company, we want to be productive. We want people to be working. So that's another goal that I think we should keep in mind. We had the payment of bills. We went over this also, we had sent the one check directly to Eckart semen and we also had the payment of the bills for truck maintenance. And that was \$9266.60. Mr. Chalfant stated if we're going to adopt paying the

bills for Gill Hall Volunteer Fire Company, we're also going to adopt that same to pay the bills for JHFR. Mrs. Bucy asked Mr. Drager, if he paid any bills to JHFR? Mr. Drager stated no. Mrs. Bucy stated we have just decided that we will be advertising for what they call an informational control and review of the process and procedure for the last five years on the RFP process. We are moving forward on that. I went through the mediation dates we have met. The first meeting, the second meeting, this has already transpired. We used the DCED because it does not cost us any money. And, this process was introduced last year, I think, by Mayor Cmar. So it wasn't a new idea, and we felt that it was a good idea. We moved forward with that. A specific question that was asked, I think one of the big things that we have faced as a Borough is that the concept of litigation and risk management. We want to make sure that we are covered on all bases. These were the last mediation dates, and the mediation was concluded because at that time it was felt that there was an impasse regarding the accessibility of the station. That is currently in a lawsuit situation over that 2003 truck. I had actually explained in depth, but basically it was through the actual planning meeting that I attended, that I had met the individuals who bought the old Matthews Bus Garage property. I spoke with them and asked them if they would be willing to have accessibility of their garage. He agreed to and is for helping all of the fire stations in the Jefferson Hills area. He also volunteered his structures, which I thought was really quite remarkable of the individual, to be used in trainings for fire and burn simulations. Then we came up with some options. The first option was to move the 2003 fire truck up to the Matthews bus garage. We felt it was a safe and secure facility. The second one was to move the pumper truck up there and to give everybody key fobs and access to all the fireman. That way, nobody would have contact with the truck. I copied these from Facebook, so I hope I got them all correct. Mr. Reynolds, if you want to say something else these are your words. If we keep threatening them differently than the other fire halls, we keep pushing them until they go into bankruptcy and they sell the building to the church and close up, and then we are going to be responsible to pay everything. That's probably Plan C. If we keep treating them the way that we are, I would expect that probably Gill Hall Fire Department would be fed up with this Council. That's definitely an option we should be discussing. I'm going to go through all if you want to say anything in between there. Option D came from Chief Withers from Floreffe Hall. Floreffe has a backup engine in my station that we could put into the garage. We probably have five or six guys in that area that could respond with the engine until the hearing has been finalized in a judgment regarding the truck has been given. This was an option that was not presented because we just went over with the fire liaison committee. And I would like to say that Mrs. Ielase is also on that fire liaison committee along with myself and Mrs. Steffey. This is my question to all of the fire companies, and this is what I don't know if it's possible but is compromise possible in Jefferson Hills? I don't know. 885 and Floreffe would consolidate and create the new JHFR so Gill Hall would remain separate and we'll have the complete authority and responsibility over their charter, their grounds in their building, which was already stated in the previous earlier power point that we presented. I took this directly out of the minutes off October 2019, so everybody knows that has already been passed by previous people. Gill Hall will be placed on the active 911 and will be expected to respond to all fire rescue emergency calls. The new JHFR line officers are responsible for directing emergency response lead directions. After the hearing for the 2003 fire truck has taken place and a ruling has been handed down, access to the Gill Hall Volunteer Fire company will be granted immediately to all JHFR members in order to be able to use their vehicles and equipment. If this condition is not met within seven days of the ruling, Gill Hall will be taken off the 911 calls, and the agreement is null and void. Gill Hall Volunteer Fire Company and JHFR Mutual Training shall be twice per month and evaluation of their roster. Additional new recruits, additional training of personnel, and data collection from responses will be assessed. The evaluation will be conducted from an outside neutral party. I don't know if that's possible or not, but I know that was my vote. We came up with that as a committee. This is a working document. I feel

that it gives me a point of reference and it's kind of an outline. I don't think there's anything else after that. We feel that if Gill Hall wants to be put on the 911, we recognize that you are beginning to evolve. We also recognize that as Mr. Reynolds had stated, you're disgusted by the treatment. But personally, I feel that since April, we've given you over \$9200 more than the last council did, because they gave you a dollar. And the previous year, they gave you \$6000. So in the three months that we've activated you, and we've continued to say that that would go up to \$20,000 on the same token. JHFR has responded in the 18 months that you have not been active in covering this whole community, and they have proved that their system has worked, so we feel that they have to take the lead. You have this time now to respond to 911 calls and build up your membership, build up your people and then that could be reevaluated later. Now, I did not hear anything from Gill Hall as to whether Option A and B was plausible. I did take Mr. Withers up to the garage, and he still feels that he can put his vehicle there, if that is an option. So now we're putting this on the floor. I personally have spent, as I'm sure everybody else in this room has spent many, many hours going over things. I we feel as a committee that this is a reasonable compromise. If you feel that this is a reasonable compromise, those are the conditions that are laid out there. Mr. Reynolds asked Mrs. Bucy Can I ask you question? You're saying we feel that this is a reasonable compromise? Mrs. Bucy stated, We the committee. Mr. Reynolds stated please just refer to the committee feels that this is a reasonable compromise. Mrs. Bucy stated I just did. Mrs. Bucy asked if anyone from Gill Hall would come up and speak to either option A or B? Mr. Reynolds stated I would assume they would have to take this back to their body, right? Mrs. Steffey stated we discussed that at the last meeting, and I said hopefully they would have an emergency meeting where they could make a decision. My name is Brian Hudson, Vice President of Gill Hall Fire Company. We have a meeting coming up this week. Mrs. Bucy stated we can table this until next month, if that's possible. I do have a couple comments here. Your answer is you're going to wait to your next meeting, discuss the options, and then you will have an answer for us as to whether or not you like Option A, B, C, or D? Mr. Hudson replied yes. Mrs. Bucy stated thank you, Brian. Mrs. Bucy asked if anyone from JHFR like to speak. Brian Chalfant, chief of Jefferson Hills fire and rescue, the options that are presented tonight we will gladly work with any of the four options that are up there. Mrs. Bucy asked, you mean five? Mr. Chalfant stated, yes, I'm sorry. And as far as the option, if Gill Hall is going to present one, then we'll have to see that option to decide. But as any of the options presented tonight, we will gladly work with, thank you. Mr. Sockman stated Madam Chairman, I'd like to make a motion to table this item until the next meeting seconded by Mrs. Ielase. The vote was not unanimous and a roll call vote was taken. Per the Borough Code, which requires that the minutes show the actual votes by name, below are the votes of each Council Member:

President Bucy	YES
Vice President Montgomery	YES
Vickie Ielase	YES
Mr. Reynolds	NO
Mrs. Ruscitto	YES
Mr. Sockman	YES
Mrs. Steffey	YES

Motion to table option ____ of the Gill Hall Volunteer Fire Company Probationary Plan – Phase 2, carried 6-1.

REPORTS:

Fire Chief Chalfant reported

- He's having Mr. Plavchek and D1 Bridge inspector come to inspect the bridge

Engineer Glister reported

- Nothing further to report.

Finance Director Mr. Drager reported:

- Nothing to add

Public Works Director Mr. Volpe reported:

- Nothing further to report.

Police Chief Roach reported:

- Would like Sgt King to move up to Lieutenant in September.

Mayor Cmar reported:

Thank Chief Roach for sending officers to help speeding.

Borough Manager Stinner reported:

- Clarified the CARES ACT.

CITIZENS/TAXPAYERS COMMENTS:

Mr. Dave Oster – 6009 Walton Rd. –Thank you for the opportunity to submit questions by email. My questions are related to the efforts to activate the Gill Hall Volunteer Fire Company. How many Joint training sessions have the Gill Hall firefighters participated in? I had already stated that information. I can certainly forward you those pages that it is on. He wanted to know if the joint mediation sessions were continuing. That answer was no. If not. Could you tell what the major issues are? Basically, it's access to the fire halls. What is the status of the audits of all of our fire companies? And we had previously stated in the meeting that we are going to be sending out an RFP for the internal controls and review of the process and procedures. We don't like to use the word audit because it costs us a lot more money. Have the fire companies given each other access to the fire halls and equipment JHFR and Floreffe have, but not Gil Hall,

and, he says, what's the issue? And it is the current litigation. How much money has the borough given Gill Hall That is on the power point too. Is Gill Hall currently allowed to respond to fires or other emergencies? And that answer is no. But hopefully that will change.

Pete Dole - 420 old Claritin Road - I feel we've hit an impasse on the reopening of Gill Hall. We have situations that cannot be cleared. One of the conditions of reopening is for all fire halls to be accessible to each other. Unfortunately, JHFR has an open lawsuit against Gill Hall over shared equipment. As long as that is open, it is not possible to meet the criteria. No lawyer or judge in the world would allow access to a building where there is an open lawsuit. If your neighbor were suing you, you wouldn't hand over the keys to your home. In addition, once access is granted, it means there's no longer need for such a suit. It would appear this suit serves no moral purpose and is a waste of our taxpayer's dollars. And, yes, our taxpayer dollars have been spent on this. Unfortunately, since the previous Council shutdown Gill Hall a year and a half ago, it's hard finding volunteers. Volunteers are down across the country, so this is a bigger problem than just for Gill Hall. While it's difficult to find volunteers, it's more difficult for a fire hall that's not in service. So this is a no win situation. Council won't open Gill Hall without enough volunteers, but Gill Hall can't get more volunteers when they aren't even open. So at this point, there's really is no possible way to move forward. When Council voted to reopen Gill Hall, they did so with a one-year probation period. The idea of a probation period typically means something is open and active and is evaluated during the period to see if they have met the criteria to remain open. That hasn't happened. They have yet to be given the chance to be open. The conditions above are making that impossible. So this probation is pointless. It would seem Council needs to either follow through with their vote, allow Gill Hall open and use their probation period to determine if they can remain viable and stay open after that one-year period has ended, or Council needs to end the games and just come out and say they will not allow Gill Hall to open. Continuing as we have is only wasting time and putting the Borough in danger. If Council decides not to open Gill Hall, then I believe it's time we hear what their plan B is. We do know this Borough is too large for two fire halls, so it would be nice to hear how they plan to build a brand-new fire hall, how they plan to man it. And what will this cost the taxpayers of Jefferson Hills. And I do believe that some of these questions that were in here we're already answered in the plan E on the Power point.

GENERAL BUSINESS:

Mrs. Ielase stated this life doesn't work out the way we always wanted to nine times out of 10. We don't get our own way about things. I do want to thank Brian Chalfant for working on this compromise with us. But I want also to thank Gill Hall for trying to meet all that we've put in the probation. What I'm asking for you now is to consider some of the compromises so we can move forward to get where we want to go. Because we're not. None of us are happy where we're sitting right now. But one thing you have to remember is this Council here started the beginning of the year wanting to make changes. There has to be some more compromising for this to get accomplished for everybody. So, Gill Hall, when you meet, make sure you're again knowing that the majority of us do want you open. Second of all, there has to be some compromise, so please start working with us. JHFR didn't have to make the compromise to go along with anything, they're realizing now that in order to make the citizens in this Borough and have you participated things, everybody has to calm down, get the emotion out of it and make sure we are protecting to the citizens of this Borough.

So please, let's get this compromise straightened out so everybody can move on. There are things that we need to do together.

Mrs. Steffey would like the permit policy to be worked out.

Mrs. Bucy stated we pay \$92,000 a year for 322 fire hydrants as a borough to be maintained. So now I'm sure there's more than 322 because of the new, so that if anybody has an issue with any of those fire hydrants to please contact us because that's the only way we know.

ADJOURNMENT:

President Bucy adjourned the meeting at 8:45 p.m. on motion by Mr. Montgomery, seconded by Mrs. Ielase and carried unanimously.

John P. Stinner
Secretary/Borough Manager

