

Borough of Jefferson Hills
Agenda Meeting of Council
April 3, 2019

The agenda 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, Council Members Ielase, Khalil, Montgomery, Sockman and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glister, Consulting Engineer Minsterman and Public Works Director Volpe were also present. Mayor Cmar, Council Member Reynolds and Vice President Weber were absent.

1. Pledge of Allegiance
2. Roll Call
3. Citizen/Taxpayer Comments
4. Report from Borough Boards and Commissions
5. Motion to approve minutes of agenda meeting March 6, 2019
6. Motion to approve minutes of regular meeting March 11, 2019
7. Motion to approve the monthly bills
8. Motion to approve the monthly payrolls
9. Motion to enact Ordinance 875 amending Chapter 18, Part 1, Subpart A, Section 18-112, and Chapter 20, Part 1, Subpart A, Section 103.2 of the Borough of Jefferson Hills Code of Ordinances providing for (1) low income sanitary sewer fees discount; (2) low income garbage collection fees discount

Mr. Khalil thanked Mr. Sockman and Mr. Bennett for their work on this Ordinance which will help low income residents. Mr. Shimko echoed Mr. Khalil's sentiment, but indicated the Ordinance that was advertised and sent to the County was not the best draft. Mr. Shimko expressed Council may enact this version, but explained a more recent draft has language allowing the income indexing to be done in a yearly Resolution so that the Ordinance will not have to be amended. President King suggested this Ordinance be removed from the agenda and placed on May's agenda and there was a consensus of Council to do so.

10. Discuss adopting a Resolution granting modification requests to Borough Subdivision and Land Development Ordinance Sections 22-504.1, 22-604.3, 9-1152.D.(6), 22-609.1, 26-155.2.B and 22-305.1.A and preliminary approval of the land development plan known as SP-1-2019, Gill Hall Elementary Land Development Design

Mr. Khalil asked if the Borough is satisfied with the waivers for the six (6) modification requests. Mark Reidenbach, of The Gateway Engineers, the Planning and Zoning Engineer on behalf of the Borough, responded he takes no exception to first five (5) requests, which are engineering-based and acceptable from an engineering perspective based on the project and property conditions. The sixth (6th) request is more subjective for Council to decide whether to allow the Applicant to move forward with the final application

submission prior to preliminary plan approval. Ryan Snodgrass of the West Jefferson Hills School District stated he brought site plans, building layout plans, the civil designer, the architect for the building and the construction manager to answer any questions. Mr. Montgomery asked Mr. Snodgrass if there would be a bus seat available for every student. Mr. Snodgrass replied there will be a bus seat for every student enrolled and will be no walkers which is why there is no need for sidewalks.

11. Motion to authorize the proper Borough officials to execute an agreement with Family Fun Attractions in the amount of \$1,110.00 for Community Day
12. Motion to authorize the proper Borough officials to execute an agreement with Rockin' Bob's Disc Jockeys in the amount of \$2,500.00 for Community Day
13. Motion to authorize the proper Borough officials to execute an agreement with The Stickers for Community Day subject to the approval of the Solicitor

Mr. Bennett indicated in the last two (2) years we have contracted with The Stickers, the Borough has made some slight modifications to the contract to which they have agreed. Mr. Bennett stated he will supply those modifications to Holly Rubinoff of the Recreation Board to provide to the vendor. Mrs. Rubinoff expressed she spoke with Mr. Wodarek on behalf of The Stickers and Mr. Wodarek told her that they presented their contract as usual and do have the expectation of changes.

14. Motion to approve Application for Payment No. 1 and Final from State Pipe Services, Inc. in the amount of \$16,076.83 for work completed on the Joint Municipal SHACOG Preventative Maintenance – Year 8 Project, subject to the receipt of an invoice from SHACOG
15. Motion to approve Application for Payment No. 1 and Final from Soli Construction, Inc. in the amount of \$28,537.80 for work completed on the January 2019 Lick Run Emergency Repair Project
16. Motion to approve payment to Drnach Environmental, Inc. in the amount of \$50,389.30 (a total of three separate invoices) for work completed on the Flow Monitoring Study Project

Mr. Khalil explained the Borough hired Drnach Environmental, Inc. to do flow monitoring for three (3) months from October to January. This is part of a multistep process and the idea is to evaluate the flow in the lines and infiltration of water into those lines and then the Borough will begin to look at remedies to take that water out of those lines moving forward.

17. Motion to approve Application for Payment No. 14 from Global Heavy Corporation in the amount of \$38,840.75 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract A
18. Motion to approve Application for Payment No. 4 from A-1 Electric, Inc. in the amount of \$47,672.10 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract B

19. Motion to approve Application for Payment No. 8 from Jet Jack, Inc. in the amount of \$508,419.52 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract C
20. Motion to approve Work Authorization dated March 29, 2019 from Gateway Engineers, Inc. to assist the Borough with preparation of the specifications and bid package for the former Borough building demolition project in the amount not to exceed \$3,000.00

Mr. Montgomery stated there is CDBG money available for demolition, but it has to be a \$20,000.00 project. Mr. Glister said it would take three (3) or four (4) demolitions to get to the minimum amount required. Mr. Glister stated this is a bigger demolition, but he is unsure if it would get to that amount. Mr. Montgomery said he wanted to bring it up because demolition is back on the table for County grants and asked if it were possible to tie it into another demolition. Mr. Glister indicated there are a few others, but the downside is that would not be until the next round of CDBG applications and the work would not be able to be done until the summer of 2020. Mr. Montgomery explained that the CDBG demolition grants are pretty much locked in for the next few years, but, if there is a hurry to do the work, it would not be practical.

21. Motion to approve Work Authorization dated March 27, 2019 from Gateway Engineers, Inc. to assist the Borough with miscellaneous engineering and consulting services within the Borough in reference to the VOC odor removal from the Jefferson Hills sanitary system via sewer lining in the West Elizabeth Sewershed in the amount not to exceed \$5,000.00

Mr. Khalil stated, at the Engineering Committee meeting, it was discussed that the VOC issue continues to be unresolved, the lining from Hercules continues to be delayed and the Borough's new pump station will be coming online potentially in May. Mr. Khalil indicated that the Engineering Committee talked about putting additional pressure on Hercules to make a decision whether they are going to line the sewer and to provide a plan to remedy the problem. Mr. Khalil expressed the delays continue and Mr. Minsterman may be reaching out to the EPA for their assistance in incentivizing Hercules to move forward. The concern is involving the EPA may cause a bit of a rift between the Borough and Hercules, but this does need to be addressed because it will affect the new pump station and potentially the WESA plant. Mr. Khalil stated these VOC issues have been a problem in the past and have affected the health of some of the workers in the WESA plant, so there needs to be a resolution soon. Hercules needs to be urged to make changes. On the financial side, Mr. Khalil stated in the past Hercules has paid WESA directly for the treatment of its product, but it will now be metered and the metering will be billed to the community and will be, in turn, billed back to those bringing in the wastewater. It seems Hercules is a little reluctant to pay that bill currently because it is paying WESA, but its product is going through the Borough lines and there is a cost to the community for treatment of that wastewater. Mr. Khalil said the Borough is going to work diligently to be sure Hercules understands clearly that they will either pay the community or truck out the wastewater or send it out by some other manner. Mr. Montgomery said he understands the health issues, but asked if this material also damages the equipment. Mr. Minsterman responded it damages the seals.

22. Motion to approve quote from Bobcat in the amount of \$70,077.90 (COSTARS Contract 4400019949) for one (1) E63 T4 Bobcat Compact Excavator with dealer installed attachments

Mr. Sockman stated this is in the budget this year for equipment. Mr. Volpe stated this is multipurpose piece of equipment, which can be used in rugged terrain or on the road. Mr. Khalil stated it is below the budgeted amount as well.

23. Discuss draft revised Public Meetings Participation Policy

Mr. Shimko stated this policy was updated per the best practices that are recommended by the Pennsylvania townships association and the Boroughs Association basically regarding the ideas of decorum and public safety. Mr. Shimko indicated the current Public Meetings Participation Policy was passed by Resolution and suggested, if Council wanted to update the policy, this one should be passed by Resolution as well. There was a consensus and President King asked a Resolution be prepared for Monday.

24. Discuss the contract provided by Sable Kennel Animal Control to continue animal control efforts within the Borough

Chief Roach stated the Borough recently learned Sable Kennel can no longer house animals due to their license being suspended. Chief Roach indicated Sable Kennel did not notify the Borough that their license was suspended and it was only discovered due to an emergency need to house a dog. Chief Roach indicated he recently talked to the Sable Kennel owner, Dawn Weichler, and she stated a hearing is scheduled for May 7 to possibly get reinstated. Chief Roach commented there have been multiple unsatisfactory reports for Sable Kennel over the last couple of years which resulted in the license suspension. Chief Roach gives pause to recommend them for renewal. Chief Roach commented he potentially recommends Hoffman's Boarding Kennels, located in Westmoreland County, and found the dog warden to be complimentary of them, but not so of Sable Kennel. Chief Roach also said the local municipalities contracted with Hoffman Kennel indicated they are very pleased with Hoffman Kennel's services and he was unable to find any unsatisfactory reports searching back to 2013. Chief Roach summarized he feels the Borough will get at least the same service with a kennel that has a license to house animals for approximately the same cost. Mr. Sockman recommended removing Sable Kennel Animal Control and adding Hoffman's Boarding Kennels to the agenda for Monday. It was the consensus of Council to do so.

25. Discuss 2019 Paving Program Bids (Bid opening 10:00 a.m. on 4/1/2019, recommendation to be provided on 4/3/2019)

Mr. Glistler provided the bid specifications and indicated the low bidder was Alex E. Paris Contracting Company. After contacting their references and receiving favorable responses, his recommendation is to award the Base Bid, Add Alternate 3, Add Alternate 4 and Add Alternate 5 to Alex E. Paris Contracting Company.

26. Reports

Don Withers, Floreffe Fire Department Fire Chief, reported:

- Responded to 26 emergencies.
- Got together with Jefferson 885 VFC with foam equipment to train.
- Got together with Jefferson 885 VFC swift water rescue team to see how Floreffe VFC can possibly help along the shore.

Engineer Glister reported:

- Nothing to report.

Consulting Engineer Minsterman reported:

- Related to WESA 537 Plan, a new power source is needed from Rt. 837 into the site, which requires a shutdown. This will affect Eastman Chemical. Eastman Chemical had a shutdown already scheduled in June, but that is too late because the pump station needs to be operational before then. Eastman Chemical rescheduled their shutdown to May 4. An agreement will need to be executed with the power company before this date to authorize overtime because it is a Saturday and not in their normal schedule work and Council's next meeting is May 6. Mr. Shimko reviewed the agreement and does not see a problem with the Borough executing it as it is, especially since this is part of a project has already been approved by Council. Mr. Khalil thanked Mr. Glister for his ability to negotiate with Eastman Chemical and get their shutdown date moved up to May 4.

Finance Officer/Treasurer Mr. Bennett reported:

- He received the invoice and application for Shaggy Mountain Farm Petting Zoo on Monday for Community Day and will put this on Monday's agenda if it is Council's will. It was the consensus of Council to do so.
- The report to the State that helps calculate the Foreign Fire Insurance payment and State Aid Pension for the labor contracts was sent.
- The public utility report was sent.
- The auditors are coming in the week of April 22.
- Gill Hall bridge closing May 17 through August, with an approximate ten (10) mile detour. President King asked if the School District received this information. Mr. Bennett replied he communicated with the School District, as well as EMS and Fire Departments.

Public Works Director Mr. Volpe reported:

- Nothing to report.

Police Chief Roach reported:

- Applicants that passed the physical agility and written tests have moved on to the oral exam. Those who pass with eighty percent (80%) or higher will then have a background investigation performed. Hope to identify people to hire by May or June.

Interim Manager Mr. Bennett reported:

- Nothing to report.

27. General Business

Mr. Montgomery noted the following:

- April 25 is the annual SHACOG banquet.
- The SHACOG Civil Service test is August 10.
- The SHACOG Solid Waste Bid and Recycling Contract may have modifications if necessary.
- SHACOG Spring Commodities have been bid and the calculations are in progress.
- SHACOG Roadbotic Computer Analysis has nine (9) communities interested in doing a joint bid, two (2) that have started individually, but would like to join the joint bid and six (6) were not interested. A joint bid will occur for this program.
- CDBG 45 will begin July 1 with funding announcements to be made April 19.
- CDBG 46 pre-applications must be submitted by July 1. The Recreation Board has talked about constructing an ADA walkway and this is a project that will be submitted.
- He and Mayor Cmar met with State Representative Puskaric regarding the Ring Program. Rep. Puskaric is going to meet with Senator Brewster to see how much of a discount the Borough can get to provide the Ring Program to residents.

Mr. Sockman noted:

- He and Mr. Montgomery met with the Recreation Board and it is happy with the proposed concession stand and ready to move forward.
- The Borough received numerous applications for the Borough Manager position and he has reviewed them. Vice President Weber will review them and then Mrs. Ielase. The interviews process will begin after that.
- The Recreation Board will continue to groom the Borough fields daily. Once the fields are finished at 885 Park, there will be a short seminar for all the coaches and Borough employees showing proper grooming techniques. The Recreation Board also meet with coaches to decide who will perform the grooming and form guidelines for playing in rain.
- Batting cages have been delivered. The slide is being excavated and new turf will be placed for the new cages.

Mr. Khalil noted:

- Max Stanton spoke about Walton Road at the last meeting. Mr. Khalil stated Mr. Volpe contacted the State and spoke with a temporary person that was not very helpful, so he will email Rep. Puskaric's office to see what can be done.
- He emailed Rep. Puskaric through his assistant, concerning the Coal Valley issue and have asked for a few dates and times when Rep. Puskaric might be available to speak with the Borough residents about that issue.
- Mr. Khalil complimented Mr. Volpe and his crew for the cost savings in doing CCTV in house.
- There was a second meeting with the EMS group and it is hoping to, remove the donation mailers. It is going to be worked through a little bit more to find something that is a more equitable to each community and what is being contributed. Mr. Khalil stated he is expecting to have something to bring to Council with the next two (2) to three (3) weeks.

Mrs. Ielase noted:

- The Recreation Board did a presentation about the Community Center, which was very good.
- Fish for Fun Day will be on April 27 from 9-2.

28. Adjournment

President King adjourned the meeting at 8:07 p.m. with an executive session to follow from which Council would not return on motion by Mr. Sockman, seconded by Mr. Montgomery and carried unanimously.

29. Executive Session – Personnel, Collective Bargaining, Real Estate, Legally Privileged/Confidential and Litigation (*EQT Production Company and ET Blue Grass Clearing LLC v. Borough of Jefferson Hills*, Supreme Court of Pennsylvania, Docket No. 4 WAP 2018; *Levander v. Borough of Jefferson Hills*, United States Equal Opportunity Commission, Charge No. 533-2018-01896, *104 Residents of Jefferson Hills v. Mark Reis, Borough of Jefferson Hills Zoning Hearing Board*, Docket Number ZN-14-2018; *Clemens vs. Borough of Jefferson Hills*, Court of Common Pleas of Allegheny County, GD-15-012654; *Clemens v. Borough of Jefferson Hills*, United States Equal Employment Opportunity Commission, Charge No. 533-2014-01265); *Peters Creek Sanitary Authority, et al. v. Clairton Municipal Authority*, Court of Common Pleas of Allegheny County, GD-17-017711

Charles W. Bennett
Secretary/Interim Borough Manager