

Borough of Jefferson Hills  
Agenda Meeting of Council  
June 5, 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, Mayor Cmar and Council Members Ielase, Khalil, Montgomery, Sockman, Vice President Weber and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glister and Public Works Director Volpe were also present. Council Member Reynolds was absent.

1. Pledge of Allegiance
2. Roll Call
3. Thank you from Borough Council and Mayor to Gill Hall Elementary School Students
4. Borough Resident/Taxpayer Comments
  - A) Bob Gulla, of 1301 Collins Avenue, apologized to Council for comments he made at last month's meeting regarding no revenue coming into the Borough because he later realized those things he commented on and alluded to were before this Council. Mr. Gulla commented there are some items that he feels the Borough does not need because of the cost to the Borough. Mr. Gulla thanked Mr. Sockman for trying to get Gill Hall back in the fold and stated he believes Gill Hall should be temporarily recertified through the end of the year. Mr. Gulla thanked Mr. Khalil for bringing up comments of the fire company merger not being a one-person thing, but a community thing and he is grateful for the reminder.
  - B) Dave Oster, of 6009 Walton Road, stated he would like to see the Borough Resolutions passed at each meeting posted on the website. President King responded there are a lot of items that the Borough would like to see posted on the website and will continue to work on having this done.
  - C) Alan Rowe, of 2043 Laurel Ridge, former firefighter at Gill Hall VFC and current Captain of Jefferson 885 VFC, indicated he believes Gill Hall does not have enough trained and certified firefighters to be effective and agrees with Council's decision to decertify them. Mr. Rowe commented by Gill Hall VFC choosing to close their fire station rather than cooperating with the merger, Task Force and Council, Gill Hall VFC has put the residents of the Gill Hall area at increased risk and placed a burden on the two (2) remaining fire companies by withholding much needed equipment and eliminating a fire company in a much needed area. Mr. Rowe asked why Gill Hall VFC wants to renegotiate what they helped to establish. Mr. Rowe indicated Gill Hall states in a letter to residents they are not opposed to the consolidation/merger, but on election day they chose to display a sign showing stop the merger and corruption on one of their trucks, which is the same sign posted in front of their station. Mr. Rowe commented, as a resident, he is not comfortable in reopening Gill Hall VFC as an independent station. He stated, in his opinion, Gill Hall VFC still has some talented and capable firefighters. Unfortunately, there are just not enough of them, which is why the consolidation is essential.

Vice President Weber asked how does Calvin Felix, of Gill Hall VFC, or one individual retain that amount of control to flush out qualified fire fighters and yet still have backing to keep a station with apparatus seem worthy of taxpayer money? Mr. Rowe stated, when he left Gill Hall VFC, Mr. Felix was the Assistant Fire Chief and was also the President and Treasurer of the organization and his wife was the Secretary of the organization. Mr. Rowe indicated he did not know if that has changed since he has been gone, but, at that time, it gave Mr. Felix a lot of ability to do work on behalf of the fire company and a lot of influence on the business voted on by the members of the fire company. Mr. Rowe commented social members and active members of the fire company get the same vote, which means, if there are more social members at a vote and they would rather purchase improvements to the hall than fire equipment, the social members will win the vote and the fire equipment will not be purchased. Vice President Weber stated that is a business decision to which he does not agree and what has been seen over the last eighteen (18) months is a significant deterioration in Gill Hall VFC's ability to be an asset to the community due to loss of essential personnel. Vice President Weber asked Mr. Rowe if it were the case that when the fire alarm is sounded, Mr. Rowe often times drives by the resources at Gill Hall station when responding? Mr. Rowe replied that was true depending which way he had to go.

Vice President Weber stated he would like to move forward with an eminent domain effort on behalf of public safety to seize that property and would like Council's consensus. President King stated he was in favor.

Mrs. Ielase asked if anyone has heard from Gill Hall VFC since the last meeting and specifically asked if Mayor Cmar had heard from them? Mayor Cmar responded she had not. President King responded he had not heard from anyone. Mr. Khalil replied he had not heard from anyone at Gill Hall VFC either and stated he had a conversation with Mr. Thatcher and asked Mr. Thatcher to please let him know if Gill Hall VFC contacted him. Mr. Khalil expressed Mr. Thatcher has not contacted him.

Mr. Sockman asked for a show of hands of who was in favor of eminent domain – Mr. Sockman, Mr. Khalil, Vice President Weber and President King raised their hands.

Vice President Weber stated there is a presumption or concern of financial impropriety at Gill Hall VFC by the residents and an investigation has been requested from the State Attorney General.

Mayor Cmar stated she thought there was going to be a mediation as per the email sent by Brian Hutson. Vice President Weber asked if Mr. Hutson has the authority to speak on behalf of Gill Hall VFC. Mayor Cmar stated Mr. Hutson is an officer of Gill Hall VFC. Mr. Khalil indicated Mr. Thatcher asked that, if Gill Hall VFC would like to reopen a dialog, they provide a corporate resolution stating there was a majority vote to do so. Mr. Khalil commented he believes Mr. Hutson is trying to do the right thing, but he does not know if Mr. Hutson has the authority to speak on behalf of Gill Hall VFC in its entirety.

5. Report from Borough Boards and Commissions

David Graffam, Library Board, thanked Borough Council for all their support in helping the Library become top notch. Mr. Graffam thanked Mrs. Ielase for attending Library Board meetings. Mr. Graffam also thanked Friends of the Library for their work on the book sale. The Library is looking forward to Community Day. President King thanked Mr. Graffam for having someone attend the meetings and stated Council appreciates the wonderful people on the Library Board.

6. Motion to approve minutes of agenda meeting May 8, 2019

7. Motion to approve minutes of regular meeting May 13, 2019

Correction to May 13 minutes requested by Vice President Weber.

8. Motion to approve the monthly bills

9. Motion to approve the monthly payrolls

10. Motion to adopt Resolution No. 14-2019 approving the submission for the Gaming Economic Development Fund Grant Program in the amount of \$100,000.00 for the proposed Beedle Park concession stand to the Redevelopment Authority of Allegheny County (RAAC)

11. Motion to adopt Resolution No. 15-2019 establishing guidelines for low income sanitary sewer fee and garbage collection fee discounts

12. Motion to adopt Resolution No. 16-2019 granting preliminary approval to the land development plan known as SP-2-2019, Eastman Chemical New Control Room Consolidation Project

Mr. Shimko noted the motion language will be revised to include the denial of a request for concurrent preliminary and final land development plan review, which is in the resolution.

13. Motion to adopt Resolution No. 17-2019 granting final approval to the subdivision plan known as S-3-2019, Pinecrest Estates – Phase I

14. Motion to adopt Resolution No. 18-2019 granting preliminary approval to the subdivision plan known as S-4-2019, FVJM Partnership Subdivision

15. Motion to authorize the proper Borough officials to execute the Memorandum of Understanding between Jefferson Hills Police Department and Allegheny Intermediate Unit – Mon Valley School

16. Motion to approve Invoice #840 from DuraEdge Tools & Equipment, LLC in the amount of \$19,758.00 for the infield improvement work completed at Andrew Reilly Memorial Park

17. Motion to approve Invoice #19-124 from D & D Engineering, Inc. in the amount of \$3,122.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Electrical Engineering Design Services

18. Motion to approve Application for Payment No. 15 from Global Heavy Corporation in the amount of \$100,676.25 for work completed on the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan Capital Improvements Project Contract A
19. Motion to approve Application for Payment No. 4 and Final from State Pipe Services, Inc. in the amount of \$20,301.26 for work completed on the 2018 Manhole Rehab Program
20. Motion to approve Work Authorization dated May 31, 2019 from Gateway Engineers, Inc. for construction administration inspection services for the 2019 Paving Program in the amount not to exceed \$5,000.00
21. Motion to accept a proposal from RoadBotics, Inc. to conduct Roadway Pavement Assessment on Borough owned roads

Mr. Montgomery indicated SHACOG looked into doing this jointly, but the administrative expenses would be too high, but the result was that each community would get a twenty percent (20%) discount. Mr. Montgomery asked Mr. Glister what the term was. Mr. Glister replied one (1) year since this was the first time the Borough was using it. Mr. Sockman questioned he believed the projections were made off a five (5) year plan. Mr. Glister responded that was correct. Mr. Shimko stated the agreement is for a one (1) year, but will automatically renew each year thereafter and the Borough has sixty (60) days before the renewal date to cancel.

22. Discuss CU-2-2019, Beedle Park Concession Stand Conditional Use

President King stated there was a hearing just before the meeting and asked if there were any objections to adding this to the agenda for Monday. There were no objections and so President King asked this to be added to the agenda. Mr. Shimko said there no residents attended the hearing so none contested the project or any other issues. The Council Members that were at the hearing will be able to vote on it on Monday night and, if the transcript is received between now and then and Mrs. Reynolds, who was not at the hearing, was able to review it, she could also vote on it. Mr. Shimko continued to say the evidence that was presented shows that the project seems to meet all the Borough requirements and is in order for a vote on Monday night.

23. Reports

Fire Chief, reported:

- Don Withers, Floreffe VFC Fire Chief, stated his station had 30 responses for the month of May and 4 training nights. Chief Withers named 23 people that were removed from the 911 text messaging because those individuals have not attended any training or responded to any incidents through all of 2018. President King, Mr. Khalil and Vice President Weber each stated they supported Chief Withers' decision.
- Andrew Tomer, Jefferson 885 VFC Fire Chief and Emergency Management Coordinator, stated there are four (4) more Jefferson 885 VFC members going to take their National Firefighter 1 test, which will increase Jefferson 885 VFC's number of National Firefighter 1's to forty-five (45). Chief Tomer expressed having Gill Hall VFC recertified for a trial run would take a lot more background work than is realized

by most. Some things have already been changed and will take longer than three (3) months to change back for a trial run to be possible. Chief Tomer commented, in his opinion, no departments need to be opened in the Borough because they are consolidating to make one (1) and any department interested in joining that organization will have the opportunity to do so. Chief Tomer indicated the new organization was officially formed and all the paperwork has been or is being submitted to the State and Federal Government to make it a bona fide organization. Once that is completed, each department will have the ability to vote to donate all of their assets, equipment and personnel to this new organization.

Engineer Glister reported:

- Read a text from Mr. Minsterman, who is attending the CMA meeting: "CMA is asking for the input from all stakeholders in creating a request for proposal to solicit bids for the sewage treatment plant and the City of Clairton sanitary sewers and storm sewers. CMA stated this is just the first step of a long road but they wanted to be sure everyone was included in the process." Mr. Glister stated Mr. Minsterman will provide a better summary later in the week.

Finance Officer/Treasurer Mr. Bennett reported:

- Options for the cost to finance a community center are included in Council's packet and asked anyone to call him with questions.
- The Liquid Fuels audit was performed and is clean. The auditor suggested the Officers Bonds be increased to \$400,000 and Mr. Bennett stated he will contact Joyce Insurance to do so.

Public Works Director Mr. Volpe reported:

- Nothing to report.

Police Chief Roach reported:

- Three (3) good police officer candidates will be before Council on Monday. Chief Roach indicated he hopes to get them onboard before the end of June or by July 1 pending Council's approval and vote.
- Vice President Weber asked Chief Roach if holding police testing outside of SHACOG would be an endeavor worth exploring again. Chief Roach responded testing opposite of the SHACOG test may have had some impact, but feels recruiting directly from the academy probably had a bigger influence. Jefferson Hills Borough is one of the few municipalities that allows candidates to test before completing the academy. Vice President Weber expressed Council is very grateful for Chief Roach's efforts.

Mayor Cmar reported:

- Thanked Chief Roach and the Police for their service to the community. Mayor Cmar indicated she has gotten comments about how pleasant the police are.

Interim Manager Mr. Bennett reported:

- Community Day is Saturday at 885 Park.

## 24. General Business

Mr. Montgomery noted the following:

- He attended the beam placing ceremony at Jefferson Hospital Emergency Room. The new section will be completed in November and by May of 2020, the new and old sections will be combined yielding triple capacity.
- SHACOG Report:
  1. Discussed recycling and only nine percent (9%) of plastics are being recycled compared to fifty percent (50%) two (2) years ago.
  2. The new salt contract was bid on June 3.
  3. The Joint Civil Service Test is August 10.
  4. The County made decisions on the CDBG 45 applications – 885 Andrew Reilly Memorial Park was approved for parking and ADA, but Tepe Park proposal was denied. Sometime in August pre-applications will be due.

Mr. Sockman noted:

- Thanked the Recreation Board, Mr. Volpe and Chief Roach for their efforts regarding Community Day.
- In past years the Borough has had eight (8) students that were hired for grass cutting and this year the Borough was only able to get two (2). Mr. Sockman requested that the rate for summer program help be raised to twelve dollars (\$12.00) an hour to help alleviate this issue. If additional students are not available, Mr. Sockman suggested getting temporary help from the community rather than pulling employees off other projects to cut grass.

Vice President Weber noted:

- He would like to follow up on last month's discussion to redo the recreation and comprehensive plan. The need for this has been reinforced with the presentation of the funding possibilities provided by Mr. Bennett. Vice President Weber expressed he feels it should be done as soon as possible to find out what the community wants. Mr. Montgomery asked if preparing this plan had to wait ten (10) years as in land use. Mr. Khalil stated he spoke to Mr. Trant and was told it can be done as often as wanted. Mr. Shimko stated research should be done to see if grants are available for

such plans. Vice President Weber expressed he does not want to take anything away from the phenomenal job the Recreation Board is doing, but feels, if the plans cannot be done in a timely manner, that, at least, a referendum on a ballot be done to ascertain the wishes of the community in terms of building and funding a recreation center. President King asked if it was a consensus of Council to have the plans done. Mr. Montgomery mentioned the possibility of creating a joint authority with other municipalities and/or the school district may defray some of the cost. There was a consensus to begin getting proposals for preparing the plans.

Mr. Khalil noted:

- Nothing.

Mrs. Ielase noted:

- She attended the School Board Meeting and provided notes on the printouts in Council's packets.

President King noted:

- Council held an Executive Session on June 4 at 6:00 p.m. to conduct interviews for Borough Manager.

25. Adjournment

President King adjourned the meeting at 8:19 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.

26. 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; *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; *Jefferson Estates Homeowners Association v. Zokaites Properties*, Court of Common Pleas of Allegheny County, Docket No. GD-17-011526; *Commonwealth of Pennsylvania/Borough of Jefferson Hills v. Fox*, Court of Common Pleas of Allegheny County, SA-18-002062)

Charles W. Bennett  
Secretary/Interim Borough Manager