Borough of Jefferson Hills

Regular Meeting of Council

January 11, 2021

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

BOROUGH RESIDENT/TAXPAYER COMMENTS:

Christina Weir Ripley, 2051 Laurel Ridge Drive - an you please record my public comment as a citizen taxpayer. I am but one member of the EAC, so will submit my comment tonight as citizen taxpayer. I am requesting the Borough council hold on voting on the CMA matter until the EAC has an opportunity to review the background on the suit, and provide a technical recommendation given CMA’s role in waste and sewage water disposal. While on the surface, the matter of this lawsuit appears to be a legal/political one, the decision to support CMA’s lawsuit has potential financial, reputational, and environmental implications for our community. Further, prior to deciding on this matter, I believe it would make sense for the EAC to weigh this issue alongside our broader sewer management practices, given the amount of development taking place, and to provide a summary to council.

Pete Doel, Old Clairton Road, I’d like to address a discussion that occurred on January 6th at the agenda meeting. I had submitted a letter to be read, asking for the resignation of Frank Sockman, along with the reasons why I feel it’s necessary.

At 21 minutes and 54 seconds, Mr. Sockman addressed me, finishing with, “I want to let you know that what comes out of your mouth may very well come out of your wallet, because I am in the process of looking at a legal group that may investigate this for libel and slander. So keep talking because what you say may cost you a lot of money.”

I consider that to be a threat, and a serious violation of our Freedom of Speech, which is protected by the first amendment of our constitution. The principle of freedom of speech is the freedom of an individual or community to articulate their opinions and ideas without fear of retaliation, censorship or legal sanction. Also, in case anyone thinks this threat has any merit, in order to take legal action against someone for slander or libel, you need to match two criteria. First, you must prove beyond a shadow of doubt that someone lied or defamed your character. Second, you must also show where that lie caused you damages. In addition, there’s a third criteria that applies to public figures and elected officials. You must also prove that the accused did so with malicious intent. I want to be very clear here, that Mr. Sockman has not met any of those three criteria. So this was a baseless threat in an attempt to silence me, because he simply does not like what I have to say.

At this point, I have decided, instead of continuing in my fight for his resignation, his seat on Council is up in November. I don’t know if he plans to run for re-election, but I have decided that I will be.

That said, every resident should feel safe coming to these meetings and voicing their concerns, even if it’s in regard to the behavior of Council members. So the residents deserve an apology from Frank Sockman over his threat to take away our first amendment rights.

Next, I’d like to move on to the reopening of Gill Hall Fire Department. In the September 14th regular council meeting minutes, it states, “Mrs. Steffey stated she wants to be clear with the vote regarding Gill Hall VFC tonight, they have the option to be up and running tomorrow morning.”

I mention this, because in the December meeting, you had prepared quite a few poster boards where you listed out time stamps and quotes taken from several different meetings. They were all quotes where other Council members, primarily Karen and Vickie, had voiced concerns with opening Gill Hall. You asked why there was no written plan and asked what changed. Then ended with saying you want Gill Hall open. I worry that these previous comments were used to scare Council members from voting to reopen council. I simply want to show that even Melissa has changed her mind various times in the last year in regards, and has commented many times in favor, as well as against the reopening of the fire hall.

In all sincerity, wouldn’t it have been a much better use of time to just call Karen, ask her what changed her mind, and ask her to type up the plan so everyone could have confidence in reopening Gill Hall, rather than spending hours on a presentation trying to convince people to keep them closed? For someone who claims to want Gill Hall open, that would have been a more productive use of time, and one that would have greatly benefited the borough.

Karen, you mentioned in the last meeting the requirement of access to all garages, as a condition for Gill Hall reopening. You did voice a concern about 4 members of JHFR that Gill Hall has issue with, and I understand that concern. However, that feels like a step two. As it stands, no access can be granted to either fire hall as long as the JFR lawsuit against Gill Hall stands. I have asked countless times in the past, but I’m asking for Council to finally address this with JFR. You keep pointing fingers and laying blame at Gill Hall, but the issue resides with JFR, and needs to be addressed as such.

Also, in the agenda meeting, Brian Chalfant voiced his displeasure with Keith Reynolds because he feels they (JFR / JHFR) have been attacked. For the record, we have listened to a lot of well deserved praise over the last two years on how well JHFR has been responding to emergencies. We have spent 2 years, month after month, listening to Council and JHFR attack Gill Hall. Gill Hall has been showing up month after month, fighting to get their doors open. Brian Chalfant, who is now facing the possibility of Gill Hall opening, suddenly feels under attack, and has now threatened to lock the doors of his garages. I understand people can get heated and say things they don’t mean. But we need to take this threat seriously. If nothing else, a reminder to Brian Chalfant that sometimes an apology can go a long way.

Gill Hall doesn’t need to be closed in order for us to work towards the future. I understand Council’s concerns with standards across fire halls, procedures, certifications, etc. Those items can and should always be, an ongoing process. We can work towards similar goals, while Gill Hall is open and protecting our residents. It would be nice, for once, to put aside all the differences, get Gill Hall open, and leave a meeting shaking hands, and start working side by side for the residents of this Borough.

Mr. Reynolds stated he agreed with what he said.

Mrs. Steffey stated she also agrees it would be nice if we can all get along and move past this and come to a conclusion.

The time stamps and quotes were not taking from multiple meetings over time but just the December 9th agenda meeting only. I don’t know what you mean about scaring Council members of reopening Gill Hall. I’ve never changed my mind regarding this issue. I’ve stated numerous times I want them open but not until access for all volunteers and until we have received all certifications received. I have a huge issues that 4-5 qualified members of JFHR were included in conversations that they were not going to be able to gain access to Gill Hall was granted. Why would you ever deny residents to have qualified volunteers to help our community. It’s for our safety of the residents. The reason I didn’t contact Karen or Vickie was because I’m no longer a liaison. Which forum would you like us to take. If we discuss it outside the meeting we are accused of not being transparent and hiding things. When I take the time to point out things said by members of Council at a public meeting, which is my right to do so, then I’m accused of not using my time better. Perhaps I’m not the one you should be pointing fingers at about changing my mind since you can’t figure out if you want us to discuss thing in the open or on the phone where no one can hear what is being discussed. My presentation was only about 5 min long not hours as you stated. I apologize if you feel my 4 minute and 16 seconds did not benefit the Borough and was in your opinion an unproductive use of time, but is my right, during a Council meeting as Council member to ask for more information on an agenda item to inform the residents that not one thing has been changed for Gill Hall since the last meeting, to make sure I have all the information in front of me to make an educated vote for the residents.

Mr. Reynolds stated items related to Pete’s comments, topic of the access to 4 individuals keep coming up. Those 4 individuals spent months talking negative about Gill Hall and their leadership. Right now as we are sitting here, we are also keeping 20 people from accessing that building now and protecting that area. It’s always the same argument back and forth. The other part of the access is nothing can be done until the lawsuit is over. To keep saying we are not going to open them up until they give them access, then that means we are not going to open them up until the lawsuit is over. the only people that are suffering is the Gill Hall residents and surrounding communities that Gill Hall could be helping as mutual aid.

Mrs. Bucy stated she want all volunteers to have access to all fire depts at all times not just 4 people.

MONTHLY BILLS:

Mr. Sockman moved to approve the bills for the month of December be approved, seconded by Mr. Montgomery and carried unanimously

MONTHLY PAYROLLS:

Mrs. Ielase moved to approve the payrolls for the month of December be approved, seconded by Mr. Sockman and carried unanimously.

MINUTES:

Ms. Steffey moved the minutes of agenda meeting December 9, 2020 be approved, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved the minutes of regular meeting December 14, 2020 be approved, seconded by Mrs. Steffey and carried unanimously.

AGENDA ITEMS:

Mrs. Ruscitto moved to table the decision to join as a party to Clairton Municipal Authority ligation with Peters Creek Sanitary Authority, South Park and Clairton Municipal Authority vs City of Clairton, seconded by Mr. Reynolds. 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:

Mr. Montgomery NO

Mrs. Ielase YES

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman YES

Mrs. Steffey YES

President Bucy YES

Mrs. Ruscitto stated right now with this lawsuit, it serves no purpose to us. I have issues with Clairton Municipal Authority and the way that it is run and their ethics as far as pollution and environment.

Mr. Reynolds asked Solicitor Gabriel, on the next items 10-18 I have intentions to ask to table until we can advertise them. Solicitor Gabriel stated there could be a separate vote on either of them and should be done individually until President Bucy states otherwise.

Mrs. Ruscitto moved to table the vacancies for agenda items 10 through 19 to allow for advertisement of the openings as soon as possible with a deadline of January19, 2021 at 5:00 p.m. with this meeting continuing on January 20, 2021 at 6:00 p.m. via zoom to vote in applicants, seconded by Mr. Reynolds. 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:

Mr. Montgomery NO

Mrs. Ielase YES

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman NO

Mrs. Steffey YES

President Bucy YES

An in-depth discussion took place of all the scenarios that could occur and what affect it would have on the boards to keep moving forward in the interim. The discussion was concluded to advertise on social media, Borough website and the newspaper with the deadline of January 19th at 5:00 p.m. with a continuation of this meeting being on January 20th at 6:00 p.m. to appoint the vacancies.

Mrs. Ielase moved to add Cyber Insurance coverage to the Borough’s Insurance Policy through Travelers Casualty and Surety Company of America in the amount of $6,398.00, seconded by Mr. Sockman and carried unanimously

Mr. Sockman moved to renew Integrity Energy as the Borough’s natural gas broker at a new rate of .399 per ccf of natural gas for a period of 36 months, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved adopt Resolution No. 01-2021 authorizing the disposition of certain public records consistent with the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on December 16, 2008, seconded by Mrs. Steffey and carried unanimously.

Mr. Reynolds asked for Clarification of this motion.

Solicitor Gabriel stated it was for police to destruct records that are outdated.

Mrs. Ielase moved to authorize the Borough of Jefferson Hills Civil Service Commission to extend the Police Sergeant eligibility list for one year per section 4.10 of the Police Civil Service Rules and Regulations. Extension of the expiration date from January 8, 2021 to January 8, 2022, seconded by Mr. Reynolds and carried unanimously.

Mrs. Ielase moved to accept addendum to MDIA fee schedule for permit reviews, seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to approve the repair of a 2007 International 7400 in the amount of $9,178.16, seconded by Mrs. Ielase and carried unanimously.

Mr. Sockman moved to approve the purchase of a 2021 Peterbilt 4x4 dump truck complete with hydraulics, body & snow removal from Hunters Truck Sales & Service in the amount of $151,450.00, after trade in of truck #8 (Costars Contract 025-102 & 025-019), seconded by Mrs. Ielase and carried unanimously.

Mrs. Ruscitto moved to adopt Resolution No. 02-2021 granting preliminary approval for a land development known as SP-4-2020, Southwest Greens – Century Drive, seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to approve Change Order No. 3 from Swede Construction Corporation dated December 30, 2020 for installation of a 40 Gallon hot water heater as required by the Allegheny County Health Department Plumbing Division in the amount of $1,200.00, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 1 from State Pipe Services, Inc. in the amount of $20,190.25 for work completed on the Joint Municipal SHACOG Preventative Maintenance – Year 10 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. 2 from A. Liberoni, Inc. in the amount of $40,130.01 for work completed on the 2020 Road Program, seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to approve Work Authorization dated December 29, 2020 from Gateway Engineers, Inc. for general planning assistance in 2021 in the amount not to exceed $10,000.00, seconded by Mrs. Ielase and carried unanimously.

Mr. Reynolds moved recertify Gill Hall Volunteer Fire Company, seconded by Mrs. Ruscitto. 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:

Mr. Montgomery NO

Mrs. Ielase NO

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman NO

Mrs. Steffey NO

President Bucy NO

Mr. Reynolds moved to rescind Resolution No. 5-2019, certifying JHFR as the sole fire company for Jefferson Hills Borough, seconded by Mrs. Ruscitto. 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:

Mr. Montgomery NO

Mrs. Ielase NO

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman NO

Mrs. Steffey NO

President Bucy NO

Mr. Reynolds moved to rescind Resolution No. 5-2019, certifying JHFR as the sole fire company for Jefferson Hills Borough, seconded by Mrs. Ruscittio. 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:

Mr. Montgomery NO

Mrs. Ielase NO

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman NO

Mrs. Steffey NO

President Bucy NO

Mr. Reynolds moved to adopt Resolution No. 27-22020 acknowledging that the Jefferson Hills Borough has two certified fire companies; 1) JHFR, comprising of Jefferson 885 Volunteer Fire Co and Floreffe Volunteer Fire Co; and 2) GHVF Company as an independent volunteer Fire Company, seconded by Mrs. Ruscitto. 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:

Mr. Montgomery NO

Mrs. Ielase NO

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman NO

Mrs. Steffey NO

President Bucy NO

Mrs. Ielase moved to distribute Real Estate Fire Tax of approximately $290,000.00. There was not a second motion, motion dies.

REPORTS:

Fire Chief:

Chief Chalfant, clarified 885 and Floreffe do not have lawsuit against Gill Hall. The finances that were not distributed always went to Jefferson Hills Fire Rescue and EMS to pay for the trucks. Our accounts are very low, and we will not be able to make the monthly payments on the trucks.

Mr. Montgomery moved to distribute Real Estate Fire tax $20,000 to Jefferson 885 Volunteer Fire Company, Floreffe Volunteer Fire Company and Gill Hall Volunteer Fire Company going into an Escrow with the remainder going to pay the truck payments as stated in the 2002 and 2003 Resolutions seconded by Frank Sockman

Mr. Reynolds moved to table dispersing any funds until the legal battle between JFR and Gill Hall are resolved, if they have enough money to pay lawyers to fight internally, then they must not be that bad off in turn of paying for their trucks, and until we can get final clarification adequate fire protection. We might want to look at dispersing some of the funds to neighboring mutual aid since they are doing the work, seconded by Mrs. Ruscitto

Mr. Reynolds moved to distribute $20,000 to Gill Hall Fire Co, Jefferson 885 Fire Company and Floreffe Fire Company in addition of covering current truck payments for JFR, seconded by Mrs. Ruscitto 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:

Mr. Montgomery YES

Mrs. Ielase YES

Mr. Reynolds YES

Mrs. Ruscitto YES

Mr. Sockman YES

Mrs. Steffey ABSTAINED– Resolution not recognized

President Bucy YES

Mrs. Bucy asked Mr. Chalfant the amount of many needed to pay your bill on the truck a month. Mr. Chalfant stated he is not sure but thinks around $7,000. Mrs. Bucy asked if by not passing this motion, you are in a position to not pay the truck and the truck will be taken away? Mr. Chalfant stated it would fall back on the Borough as they signed papers to be responsible if we would default on the payment. Also, the shift crew payment comes out of that account and is reimbursed quarterly by the Borough.

Mr. Reynolds asked Mr. Chalfant, how much money did they spend in the legal no tax money spent on attorney fee and how much per hour. Mr. Chalfant corrected Mr. Reynolds that the money from a rental property of $2,000 a month pays for legal fees. Approximately $14,000 on legal fees have been spent. 885 and Floreffe did not sue Gill Hall. When the past Council shut Gill Hall down, I sent a certified document, a text message and an email asking for the truck to be used until it’s resolved. We were left with no recourse but to proceed legally to get the truck back. It was bought and paid for by taxpayer money.

Mr. Reynolds asked him what proof he had that he tried to shut down the rental property. Mr. Chalfant stated he randomly chose a bridge out of 3 bridges along 51 and the only one you picked was ours trying to shut down the bridges. Mr. Reynolds stated he only tried to ensure the structural integrity of a bridge and Gateway Engineers recommended it be viewed by another Engineer. As far as I’m concerned, it’s not deemed structurally sound and shouldn’t be in use. You said months ago you were going to have an engineer look at it and you have done nothing with that. Mr. Chalfant stated to clarify that, Mr. Plavchak contacted an engineer out of Monroeville, and he will inspect it as soon as his schedule clears up. Mr. Reynolds stated so we should let a bridge that may not be structurally sound remain open until your engineer gets around to it?

Mrs. Ruscitto stated as far as the court case it is in the Allegheny County courts No. 19-004830 JHFR and the EMS as the complainants and Gill Hall Vol Fire Co as the defendant. I don’t want to have a fire company not have a payment for a truck, but also don’t want Gill Hall to keep getting pushed back.

Mr. Reynolds stated to Mr. Chalfant, you mention you needed a payment form the fire tax payment to pay the shift crew is that correct? Mr. Chalfant stated yes. Mr. Reynolds stated at no time since this fire tax been active, has any money ever came out of that fund to pay for a paid shift crew in the Floreffe station. Same could be said about Gill Hall. They are not getting an opportunity to hire a shift crew at their station either.

Mr. Chalfant stated Council denied a shift crew. Mr. Reynolds you made accusations that we want to start a career fire dept. We have made multiple attempts to provide a shift crew over there. I don’t control the money, Council controls funding. We would welcome a shift crew in the other stations. Every dime we have goes to making the payments on the trucks and or maintenance.

Mrs. Bucy stated this is why we had an internal audit to verify that money given to them is spent correctly.

Mr. Chalfant stated he is not misusing Fire Tax money to pay the shift crews. It gets reimbursed every quarter. We only have one account. If you want us to open up a separate account, we will do that.

Mrs. Steffey asked if we are even allowed to give Gill Hall any money if they are not certified.

Mrs. Bucy asked Mr. Drager how much we have paid to Gill Hall for their bills so far? Mr. Drager stated it is around $18,000. Mr. Reynolds asked Mr. Drager if Gill Hall has been reimbursed for their last two months? Mr. Drager stated it was processed, but not sent out due to COVID.

Mrs. Bucy asked Ms. Lewis if the checks were run yet. She stated they are processed, and the checks just need to be run and will be as soon as we are allowed back into the building. Mr. Stinner stated as soon as the clerks receive their negative COVID test they will be able to go into the building to do what needs to be done.

Ems:

Doug Pascoe reported they are working with Manager Stinner and Lt. King on the vaccines for level 1B. EMS received first shot and will receive the second next week. Lt. King has been working to identify other possibilities and we will be moving swiftly since they are first responders. EMS training this week to provide vaccine however we don’t know yet when we will be given them. We hope to provide that to our road crews and other essential employees.

Engineer:

Nothing to add

Finance Director:

I’ve been working on contracts and bids and we were able to get out of several different contracts and came $17,000 under budget and saved on our insurance deduct. In total, I was able to save us about $49,000. Due to changing the contracts, we will be saving about $75,000 for the duration of the contracts.

Mr. Drager stated the audits will be started asap. Everything has been sent over already.

Public Works Director:

Nothing further to report

Police Lt King:

Just to follow up on Chief Pascoe, we have two dates in very near future for officers and staff to receive vaccine.

We also took delivery of body cameras. Sgt Behers and I have been working on the grant.

Mr. Montgomery asked when cameras will be online. Lt. King stated there are two levels of training, so he doesn’t have a definite date yet.

Mr. Montgomery asked if policies are in place for the cameras. Lt. King stated they are working on that. We are working with the DA’s office.

Mr. Reynolds asked if we have cameras tracking down suspects like they did for the shooting in McKeesport. Are there are cameras at red lights and so forth to help police to track down a suspect. Lt. King stated we have some cameras we are hopeful for more.

Mr. Stinner stated we sat down as a finance committee and are looking at access control system and we would like to add camera additions to the access control and reissue RFP. Many of them come with complimentary access control system with a camera system that has recognition for license plate and facial recognition in the complex that could be helpful.

Lt. King stated there are some capital line items we are hopeful for this year and going forward to expand on a system that is already in place.

Mayor Cmar:

President Bucy and I will be holding public meeting on March 15th at 7:00 p.m. to discuss strategies to present to the County Election Dept regarding redistricting of poling sites in the Borough. We would like the voting publics input on polling stations. A recent discussion with the County Election Department confirmed Act 77 will guide all redistricting efforts in the commonwealth, which includes federal and state legislative districts.

Doug Pascoe did a nice report on COVID and a complete list is on health department website. I suggest individuals check with Pharmacists and Physicians to see what category they fall and possible target dates for COVID vaccine and I strongly recommend vaccine to protect one another. It’s not a cure, but a tool to fight it.

Our Fire Company needs to reopen. They are ready to volunteer. Please get them back up and running

Mr. Montgomery stated there were cameras that AHN provided at Coal Valley Road and asked, Do they have one at Old Clairton? Lt. King stated no but are hopeful to add intersections. Mr. Montgomery said we got that for free from AHN. There may be grant money out there from District Attorney’s office. LT King stated there are additional costs associated with that. We are also hopeful to get help from other businesses as well as the DA’s office. But with COVID, funding is put on hold, which is why we asked for what we did on the budget to build on that.

Borough Manager:

Gave an update that the on December 31, 2020 declaration expired. In total the Borough applied for $279,657.17 in Federal Grants covered by the Cares Act, FEMA, as well as reimbursement Community Development Block Grants. Of that $279,500.00 in Federal grants, $235,275.00 has been reimbursed to the Borough already. We are currently waiting on FEMA reimbursement and I was told that could take some time.

We have approved the Chief of Police description and Chief of Police position advertisement and have sent on to PA Chief of Police who provided me some notes and edits and I’ll be updating that. Should be posted by end of week.

Borough Solicitor:

Council met in executive session to discuss matters about personal litigation Matters

GENERAL BUSINESS BOROUGH COUNCIL:

Mrs. Ruscitto stated:

Commented to Mr. Volpe and crew on the fine job with snow and weather. She heard many compliments.

Thanked Lt. King for listening to my request for Chamberlin Road.

Mr. Drager, thank you for saving us money.

Mr. Sockman stated:

I have nothing at this time

Mr. Montgomery stated:

SHACOG trucks have been bid and are available now.

Appeal for the appointees. They are good people and hope they are put on.

Mrs. Ielase stated:

Reminder the free tax prep will begin January 18th. Please call library since building is locked down. They will take appointments. There days and hours are Monday-Thursday 10:00 a.m. - 7:00 p.m. and Saturday 10:00 a.m. - 3:00 p.m.

Mr. Reynolds stated:

Gill Hall keep up the good fight. Gill Hall is having soup sale Superbowl Sunday and would appreciate your support.

Regarding the appointments that are available, to the residents now is your opportunity to get involved in your community. We are looking for good honest people to serve their community.

Mrs. Steffey stated:

With Recreation Board being prepared to do Farmers market and concerts in the park is there any COVID waiver agreements we can establish and offer with the venders? Mr. Stinner stated we can develop something. Solicitor Gabriel stated we can review the waiver we established before and see if it’s still viable.

Mrs. Ruscitto stated she can recall all the meetings I used to attend that every month someone from each board would represent each meeting as to what’s going on and we should get back to that to help with lack of communication.

Mrs. Steffey stated, I can speak from experience we did so voluntarily to ask Council permissions. There is no policy in place and that would be up to Council to make that policy.

Mrs. Bucy stated.

Reaffirmed meeting March 15th to discuss election polling places. Ms. Duda is putting it on the web also to fill out to make specific suggestions.

Reminded Council of the special meeting January 20th at 6:00 p.m. Graham broadcasting if he’s available and it’s going to be Zoom. I would also like to see the people reappointed on the committees that have done such a great job.

To every resident to please not litter. I’ve been cleaning up trash on Gill Hall Road for years until I got a certified letter to adopt the road and that’s why my name is on that road. Many of our roads are a mess. Please make every attempt not to throw your trash out your windows. If anyone would like to help over the age of 18, I start every Thursday at 12:00, just email me at [kbucy@jeffersonhills.net](mailto:kbucy@jeffersonhills.net) and I will let you know where I will be.

As far as Gill Hall goes, I’m happy to say, I wanted to stress certifications, so I will not be attending the Mt. Lebanon SHACOG meeting, but I’m attending the fire academy and I'm going to give it my best shot to find out what fire fighter 1 is all about. Mrs. Steffey is going to join. I'm right there with you and lead by example. I encourage all members to join my lead and go back to fire fighter school and get certified.

Mrs. Steffey stated, yes, I’m going too. I want to continue on the bases of Council members to extend training and knowledge of fire essentials. Classes are free, and knowledge doesn’t hurt.

Be safe and please take COVID-19 seriously.

Mr. Reynolds I also am committed to attending the fire training too. While Graham Broadcasting is listing in, can you forward over a copy of the meeting tonight to me for the Tribune Review?

ADJOURNMENT:

Mrs. Ruscitto moved continue the meeting to January 20th at 9:47 p.m., seconded by Mr. Reynolds and carried unanimously.

John P. Stinner

Secretary/Borough Manager

Borough of Jefferson Hills

Regular Meeting of Council

January 20, 2021 Continued from

January 11, 2021

The regular meeting of Council was called to order by President Bucy at 6:06 p.m. via zoom in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Council Members Ielase, Reynolds, Ruscitto, Sockman, Steffey, Vice President Montgomery and President Bucy answered to roll call. Mayor Cmar, Finance Officer Drager, and Borough Manager Stinner were also present.

AGENDA ITEMS:

Mr. Montgomery moved to Motion to reappoint Pervaiz A. Alvi to the Planning Commission (Term ending 12/31/24), seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to Motion to reappoint Derek Reckard to the Planning Commission (Term ending 12/31/24), seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to Motion to reappoint Christopher Hynes to the Planning Commission (Term ending 12/31/24), seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to Motion to appoint Jeffrey Dean to the Planning Commission (Term Ending 12/31/22), seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to Motion to appoint Kerry Ripley to the Planning Commission (Term ending 12/31/22), seconded by Mrs. Ruscitto and carried unanimously.

Mr. Sockman moved Motion to reappoint Daniel Chiacchia to the Zoning Hearing Board (Term ending 12/31/25), seconded by Mr. Montgomery and carried unanimously.

Mrs. Steffey moved to Motion to promote Dean Collins from alternate to serving member on the Zoning Hearing Board (Term ending 12/31/24), seconded by Mr. Montgomery and carried unanimously.

Mrs. Ruscitto moved to Motion to reappoint Rhiannan Miller to the Recreation Board (Term ending 12/31/24), seconded by Mrs. Steffey and carried unanimously.

Mrs. Ielase moved to Motion to appoint Laina Wolf to the Recreation Board (Term Ending 12/31/22), seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to Motion to reappoint Katie Snodgrass to the Library Board of Directors (Term ending 12/31/23), seconded by Mrs. Steffey and carried unanimously.

Mr. Montgomery moved to Motion to reappoint Lisa Albrecht to the Library Board of Directors (Term ending 12/31/23), seconded by Mrs. Ielase and carried unanimously.

Mrs. Ruscitto stated we are losing David Graffam and is hopeful that people that are on the Library Board actually use the Library.

Mr. Montgomery moved to Motion to appoint Gayle Musulin to the Library Board of Directors (Term ending 12/31/23), seconded by Mr. Sockman and carried unanimously

Mr. Sockman moved to clarify that all approved distributions of Borough Fire Tax monies shall go towards the maintenance, upkeep and/or purchase of fire vehicles, fire equipment and fire stations within the Borough of Jefferson Hills, seconded by Mr. Montgomery The vote was unanimous but the solicitor requested a roll call vote to be taken. Per the Borough Code, which requires that the minutes show the actual votes by name, below are the votes of each Council Member:

Mr. Montgomery Y

Mrs. Ielase Y

Mr. Reynolds Y

Mrs. Ruscitto Y

Mr. Sockman Y

Mrs. Steffey Y

President Bucy Y

Mrs. Bucy stated no, and without them present, we can’t clarify. It was actually made in reference when I found more in-depth print out of Resolution of 5-2019. He has not been invited to this and we can’t discuss it if he’s not present.

Mr. Reynolds stated it’s in the minutes and on the tape that money was being spent on items that fire tax money was not to be spent on, which is the clear definition of mis approbation of funds. The way it was worded before is more clear and concise. This opens a large gray area where they can spend it on. This opens it up that they can spend it on what they choose. My concern is every year you hear about money disappearing in the fire hall and I don’t want to create a more gray area for the fire tax money to be abused.

Mrs. Steffey stated we discussed as a group that the document that I read to you, we should put something in place to clarify where the money is going.

Mr. Reynolds we need control on it so funds don’t go missing.

Mrs. Steffey stated speaking of grey area and mis appropriation of funds, you all got an email of an ordinance I found today. It is an ordinance from 2019 that clearly states that this is the ordinance that is in play right now. Even though resolutions were made after this ordinance, it still states Floreffe and 885 are the only two recognize departments in Jefferson Hills. This Ordinance I believe still takes precedence.

Solicitor Gabriel, this is for the foreign fire distribution. The language is taken from the Borough Code and that’s what governors all Borough. That is included in the permissible uses from the state law and that supersedes local law.

Mrs. Steffey stated I’m not questioning what the funds are being used for. But we put the cart before the horse. We can’t give money to someone that is not recognized by the Borough.

Mrs. Ruscitto states state supersedes our ordinance. What the state says supersedes our ordinance.

Solicitor Gabriel stated Gill Hall is recognized by the state on various ways and have not given any consideration of Ordinance by past Council.

Mrs. Steffey stated even though we decertified them in November, we are still voting to give them money?

Mrs. Ruscitto stated state and governor voted to eliminate tenure any bidding or things that happen within our union is based on tenure, that is scratch by the state.

Mrs. Steffey stated my concerns are that six of you voted to give funds to a department that we do not recognize as a Borough as temporary decertified.

Solicitor Gabriel they weren’t given money just to recognize the entity they are trying to preserve equipment they have. It’s not only our right as the Borough but obligation that we provide fire protection. It wasn’t taking sides, just preserving all the assets.

Mrs. Steffey stated I agree, but don’t understand how six people can vote to give money to a fire station that isn’t recognized as a fire station in our Borough.

Mrs. Ruscitto stated she would like to protect our Borough. As of right now, Pleasant Hills has signed on to be mutual aid to Jefferson Hills and they don’t have to do that. If there is a state of emergency Pleasant Hills will have to tend to their own first before us even though they are mutual aid. So we have to take care of our own first. So if something happens, we have to protect our residents.

Mrs. Steffey stated it’s more than just money, they are not reciprocating.

Mrs. Ruscitto I’m one Council person I’m allowed to state my opinion and this is how I feel. Gill Hall can functionally run on whatever they need, they are self-sufficient. There needs to be control of money. $20,000 seems like a lot of money but it’s a drop in the bucket.

Mr. Reynolds stated I like to back Nicole up, we have been in meetings and discussed with Snider Downs. 885 has went on record saying they will stop the merger that was 100% for fire safety, if distribution of funds is not in their favor.

Mrs. Bucy they said they would evaluate the full merger but would always have the operation merger. I’m talking about a positive working environment within our own community.

Mrs. Bucy asked Solicitor Gabriel about Ordinance 874, on last page that it was signed February 11, 2019 by Chris King & Mr. Bennett. Council voted on 5-2 then mayor vetoed, then after that they voted again on the mayor’s veto ordinance and it was voted March 11, 2019, so I wanted to make the point that due to this letter it would appear to me we actually did the foreign fire tax correctly according to this ordinance.

Solicitor Gabriel stated, yes the Commonwealth of PA don’t recognize this ordinance. It was confirmed by Auditor Generals office that Gill Hall is still recognized, and found they were in compliance. The other thing to consideration there is case law that says current Council can not be bound by past Council. It’s still current Council’s decision when state law will support the funds.

Mrs. Bucy stated when we recertified Gill Hall on April 22nd and we gave them $20,000 that was an acceptable legal procedure?

Solicitor Gabriel stated, yes it wasn’t contested in court. It was to preserve the fire station and the assets so we didn’t lose the assets of the Borough.

Mrs. Bucy asked when we recertified them they came with the procedure and was reimbursed and they were recertified. In this incident, we allocated $20,000 they were temporarily decertified and we gave them $20,000 do we have any recourse to get the money back.

Solicitor Gabriel stated since there are parameters, they can only use it for these items. You can make sure by it by doing a reimbursement situation.

Mrs. Ruscitto stated this can’t go towards shoes or whatever there are stipulation

Mr. Reynolds stated the document you are talking about where they voted 5-2 and Mayor Cmar vetoes and another vote on her veto. They denied Mayor Cmar’s veto. The solicitor at that time didn’t share the legal advice from the Mayor.

Mr. Sockman stated we talked about this before. The one main thing we indicated they need to give us a reconciliation of what they spent it on.

Mr. Reynolds does that go for all organization?

Mrs. Ruscitto stated I believe it should be all organizations.

Mrs. Ruscitto stated we are a new council, we are not bound by the formal Council to make any decisions. The former Council is not what the residents want.

Mrs. Steffey stated it’s not a good practice at all not to follow ordinances. We should put our correct foot forward. I don’t feel money should be going to an entity that isn’t certified by us.

Mr. Reynolds stated I would like to put more money towards the EMS they are the only ones that don’t fight over money.

Mrs. Bucy stated I’m going to read the motion that was sent to me by Mrs. Lewis:

Mrs. Ielase moved to distribute Real Estate Fire Tax of approximately $290,000.00. There was not a second motion, motion dies.

When motion was readdressed:

Mr. Reynolds moved to distribute $20,000 to Gill Hall Fire Co, Jefferson 885 Fire Company and Floreffe Fire Company in addition of covering current truck payments for JFR, seconded by Mrs. Ruscitto 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:

Mr. Montgomery Y

Mrs. Ielase Y

Mr. Reynolds Y

Mrs. Ruscitto Y

Mr. Sockman Y

Mrs. Steffey Abstained – Resolution not recognized

President Bucy Y

Solicitor Gabriel stated that was the motion. The motion today was to make sure we were in compliance with state law.

Mrs. Ruscitto stated the motion Mrs. Steffey is referring to is deals with foreign fire tax not the motion.

Mrs. Stefey asked if she was still ok with giving out Borough tax money to a department that is not certified.

Mrs. Ruscitto stated yes, we need Gill Hall to be operational. If there is a state of emergency, we can’t rely on other fire departments for mutual aid.

Mr. Ruscitto moved to have all fire halls within Jefferson Hills Borough that are designated and acknowledge as fire halls turn in receipts for items on No. 16 as to what fire money is spent on, 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:

Mr. Montgomery N

Mrs. Ielase N

Mr. Reynolds Y

Mrs. Ruscitto Y

Mr. Sockman N

Mrs. Steffey N

President Bucy N

Mrs. Steffey stated we can all agree that this can be time consuming and we want adequate fire protection. I have to say from the start of me being on Council and wanting to get Gill Hall up and running and telling them all the time that you want to be independent but to see what we go through as far as limits and money and decisions I’m going to recant what my opinion was in the beginning that I don’t want them to be a part of the merger if they don’t want to. But I need to publically say that if JHFR can show me on any of their documents if this wasn’t a takeover to take over the asset and definitely state that I think it’s within everyone’s best interest that they merge and we can make life easier on us and future Council and all the Departments. Anytime I hear about the merger it turns into a hostile take over. The minutes are vague. Companies merging is the best thing to do and I feel it’s best. I’m publically changing my mind. They should look at that option objectively with an open mind.

Mrs. Ruscitto stated a merger has to be voluntary not forced.

Mr. Reynolds stated if you want to see what the merger is about go to John Thatcher. Gill Hall had to pledge their assets and property to merge and they had to get rid of charter and chapter to merge.

Mrs. Steffey it should be voluntary.

Mrs. Ruscitto stated they were given the choice to be voluntary

Mrs. Bucy stated we have a motion on the floor. I don’t feel we need to micromanage this money, it’s 20,000 if we can not trust these people to manage their money correctly we are going back to micromanaging.

Mrs. Ruscitto stated all departments should be accountable for their money the are spending.

Mrs. Bucy stated they can be accountable when they turn in the end of the year list of what they did for the year.

Mr. Reynolds asked if the reports open to the public for all fire departments?

Mrs. Bucy stated I would assume, but we can ask for it.

Mr. Reynolds stated right to know for this information.

Mrs. Bucy stated Mr. Chalfant is not on this call so he can’t answer these questions. If the Fire liaison should meet and talk to him about it if they are not in the public meeting they should be talked to then

Mr. Reynolds stated the solicitor should be there to verify if statements are made. I would like to protect my name too.

ADJOURNMENT:

President Bucy adjourned the meeting at 6:59 p.m. on motion by Mrs. Ruscitto seconded by Mr. Reynolds and carried unanimously.

John P. Stinner

Secretary/Borough Manager