

Borough of Jefferson Hills
Regular Meeting of Council
March 8, 2021

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, 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 Glistner, Public Works Director Volpe and Borough Manager Stinner were also present. Mr. Minstermen was absent.

Mrs. Bucy stated the introduction of new Jefferson Hills Public Library Director, Dana Farabaugh, is postponed until the April meeting due to a scheduling conflict.

BOROUGH RESIDENT/TAXPAYER COMMENTS

Lori Bartrug, 708 Waterman Road, during the agenda meeting last week, there was a discussion of moving forward with Matthews Bus Garage as a temporary substation. In order to do so, we were told it would need heat, a security system, exhaust system and cleaned up. There was also discussed about an official advertisement for contract estimates and RFQ that would eventually lead to an RFP if it was financially needed. When Gill Hall needed \$140,000 to house a fire station to their station, they did it through fundraising and a loan. I feel we need consistency within this Borough. I see there is going to be a vote tonight and it's about approving the exploration of using the Matthew's Bus garage or somewhere else for a substation. If that is going to be moved forward, I feel the money for that should be through the same fashion of fundraising or a loan. I also want to point out that there is another vote that is happening this evening and that is for Gill Hall Station 179 to be reactivated and added to the 911 cards. By voting yes to this, it would provide the Gill Hall residents fire protection pretty fast. There is not time wasted, no money needed, no RFQ or RFP needed. They are ready to go today. They have 20 volunteer firemen. I ask you to vote tonight to vote to reactivate Gill Hall 179 and give our residents adequate fire protection.

Pete Doel, 420 Old Clairton Road, before we move forward with this idea of using an abandoned bus garage with a truck in it as any sort of solution for the Gill Hall area, has the Borough or JHFR done their due diligence to see if this is even viable? Has a feasibility study been done? If not, and I doubt there has, I'd think we'd need to perform some tests. Get a truck out there, pick locations in each neighborhood supported by GH and have test calls made into the county and determine how long it takes a volunteer of JHFR to drive from their home out to the bus garage, get the truck started, then drive it to the location identified in the test, to see if it even meets a reasonable response time for a fire company. Until that is done, I can't fathom why anyone would be voting to spend any money or trying to move forward with this approach.

Next, I'd like to read for you now, an email I received on Wednesday, March 3rd. I've printed a lot of this out for council, so feel free to follow along.

BOOTAY BEVINGTON & NICHOLS, LLC
ATTORNEYS AT LAW

Robert S. Bootay, III
Gregory W. Bevington
D.J. Nichols
Travis J. Dunn
Colin G. L. Miller
Craig Stevens, *Of Counsel*
Laura McCurdy, *Of Counsel*

Reply to: Pittsburgh Office

March 3, 2021

Peter Doel
420 Old Clairton Road
Clairton, PA 15025

In re: CEASE AND DESIST

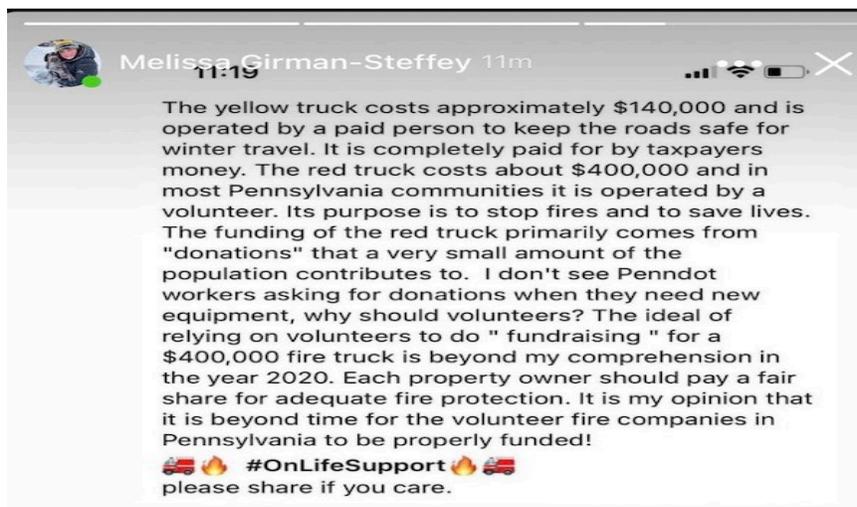
Dear Mr. Doel:

Please be advised that my law firm represents Melissa Steffey. It has come to my attention that you have made certain on-line posts and / or commentary alluding to alleged inappropriate and / or illegal conduct by Ms. Steffey. Specifically, you have alleged in written form that Ms. Steffey has conducted herself deceptively in her capacity as an elected official of the Borough of Jefferson Hills. You have also accused her of nepotism, threatening citizens, corruption and other illegal and / or unsavory actions. Please be advised that these allegations are wholly unfounded, malicious and specifically denied. Your conduct is actionable and my client reserves the right to seek any and all available remedies in law and equity against you.

Allow this letter to serve as my client's formal request that you immediately cease and desist from any and all future defamatory conduct directed towards my client. Please provide my office with written assurance that you will do so within ten (10) days from the date of this letter. In the event that I do not receive said written assurance, or if your unlawful conduct continues in any regard, my client reserves the right to protect her interests by all available remedies.

My client is hopeful that you will adhere to the requests made in this letter so that protracted litigation can be avoided.

This stems from the many online discussions we've had over the fire departments. Recently, the community was discussing President Bucy's comments, telling the residents to be prepared for tax increases to cover additional shift crews. I commented that Council Woman Melissa Steffey was discussing the need for taxpayers to start paying for fire equipment. Her response was, "Whenever did I say that." I then shared a recent social media post made by Ms. Steffey, which I will read for you now. On this post, there's a picture of a yellow salt truck and a red fire truck.



When I shared that, I was called a liar, and Ms Steffey claimed I twisted her words. She then said, and I quote, "If you read the article carefully it states that the fire departments should receive proper funds from the state of Pennsylvania, not from taxpayers". I'll read again what her post said. "it is completely paid for by taxpayers" and "Each property owner should pay a fair share for adequate fire protection." Nowhere does it say that the fire departments should receive the money from the state of Pennsylvania. I also reminded her where the state of Pennsylvania received its money, which is, from the taxpayers.

During this same conversation where she threatened to take legal action against me, we also discussed the threats I received from Councilman Sockman, for my discussion of the gender discrimination suit, and how I said it cost the borough close to \$200,000. Ms. Steffey claimed that his threat had nothing to do with the money, but because I used the term "Sexual Harassment". I've included the letter I submitted to be read that night, you can see that nowhere in that letter, did I say the phrase "sexual harassment". This letter was emailed to John Stinner, as well as Karen Bucy, who can confirm that I'm speaking the truth. Following that letter being read, Mr. Sockman made the following comment: "I did not cost this borough \$200,000, I didn't cost this borough anything. And in addition to that Mr. Doel, 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 is in the process of looking at this for libel and slander, so keep talking because what you say may very well cost you a lot of money."

I submitted a Right to Know Request, asking for all the payment information made to the former Borough manager in regard to this lawsuit. Below is an excerpt from the first page:

GENERAL RELEASE AND SETTLEMENT AGREEMENT

THIS GENERAL RELEASE AND SETTLEMENT AGREEMENT (hereinafter referred to as "Release") is made and entered into by [REDACTED] hereinafter referred to as "Plaintiff"), in memorialization of the settlement agreement reached with the **BOROUGH OF JEFFERSON HILLS** (hereinafter referred to as "Defendant").

WHEREAS, the Plaintiff has presented claims against the Defendant arising out of incidents which are more fully described in the Complaint filed by Plaintiff in the United States District Court for the Western District of Pennsylvania at Docket No: 19-1629, and captioned [REDACTED] v. Borough of Jefferson Hills (hereinafter referred to as the "Lawsuit").

WHEREAS, Plaintiff and Defendant desire to settle the matters raised in the Lawsuit, together with any and all other matters pertaining to Plaintiff and the Defendant and the above noted Lawsuit, that might have been raised, that could be raised, that could have been raised, or that might be raised in the future, and

WHEREAS, the parties to the Lawsuit wish to make a full and complete and final settlement of those matters.

NOW THEREFORE, with the foregoing background being incorporated herein by reference, and made part hereof, Plaintiff does hereby covenant and agree as follows:

1. Settlement Agreement

- A. Within twenty days of Plaintiff [REDACTED] execution of this Agreement, she shall receive cash consideration in the gross total sum of One

Hundred Seventy Thousand Dollars (\$170,000.00) to be distributed as follows:

- i. Defendant shall carve out a separate check for Sixty-Eight Thousand Dollars (\$68,000.00) representing attorney's fees and costs made payable to Johnston Lykos. Plaintiff's attorney shall provide Defendant with a current completed Internal Revenue Service W-9 form in order to receive such

[REDACTED] having read this Settlement Agreement and General Release and intending to be legally bound by it, has caused this Settlement Agreement and General Release to be executed as of the date listed below.

I HAVE READ THIS AGREEMENT FULLY, UNDERSTAND ALL OF ITS TERMS, AND ENTER IT THROUGH THE EXERCISE OF MY OWN FREE WILL.

CAUTION: READ BEFORE SIGNING. THIS IS A RELEASE OF LEGAL CLAIMS

[REDACTED] _____ 7/29/2020
Date

Defendant the Borough of Jefferson Hills, having read this Settlement Agreement and General Release and intending to be legally bound by it, has caused this Settlement Agreement and General Release to be executed as of the date listed below.

Karen M. Bucy _____ 08/04/2020
Borough of Jefferson Hills Date

This document was signed and dated by President Karen Bucy. I also received the invoices for our payments to the lawyer, which totaled over \$4,000. This proves the Borough did pay just under \$175,000, which, like I had said in that letter, is close to \$200,000. I just want the residents to know that despite the threats made by Council members Sockman and Steffey, and the failure of President Karen Bucy and Council Members Vickie Ielase and Dave Montgomery to defend the residents, we do have first amendment rights, we do have the right to come here and voice our concerns, even if it involves the behavior of our council members. Especially when I have the facts and the proof to show I was not deceptive in my statements.

Mr. Reynolds stated he got one of the letters from the same lawyer.

Mr. Sockman responded to Mr. Doel. I did talk to a lawyer regarding your accusations and since none of your accusations are true, he asks that you cease and desist. If you do so, so will I. This case went to arbitration and a gag order was put in place. Additionally, the claimant filed with the EOC commission regarding an alleged comment I made, that was dismissed by the EOC because it was false. The arbitrator awarded her \$170,000, the Borough paid \$70,000 for other issues that didn't involve me. I did not cost this borough one red cent. I did not cost her her job; other issues did that. I voted to hire her. I'll give you a little background. I was in Education for 40 years. I was a teacher, athlete director, Principal, and District Superintendent. I always champion women. I live with three women and I know what it means to try to make themselves better. I am not going to sit here and let you make accusations toward me.

Mrs. Steffey responded to Mr. Doel. The letter that was sent to Mr. Doel was for a statement that wasn't true regarding Chris Zacur a contract for a pavilion when I wasn't even on Council at that time nor in attendance of the Rec Board meeting when it was discussed. However, Mr. Doel, I have been advised by my attorney not to engage with you either on social media or during public meetings. So therefore, if you have any general questions regarding Borough business, my colleges will be happy to answer anything for you. However, if you have any

questions or concerns regarding me individually, then my attorney would welcome and call from your attorney.

AGENDA ITEMS:

Mr. Sockman moved to approve the monthly bills, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to approve the monthly payroll, seconded by Mr. Montgomery and carried unanimously.

Mrs. Steffey moved to approve minutes of agenda meeting February 3, 2021, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve minutes of regular meeting February 8, 2021, seconded by Mr. Montgomery and carried unanimously.

Mrs. Steffey moved to advertise open positions for Civil Service, Recreation Board and Comprehensive Steering Committee, seconded by Mrs. Ruscitto and carried unanimously.

Mrs. Ruscitto stated, I would like the public to know we welcome you if you want to serve on this committee.

Mrs. Ielase moved to create a Jefferson Hills Borough Council Code of Conduct and Standard Operating Procedures for use in public meetings and general business, seconded by Mrs. Steffey and carried unanimously.

Mr. Montgomery moved to authorize the Solicitor and Borough Manager to take any and all necessary actions for Jefferson Hills Borough to fully participate in the Allegheny County Blight Removal Program, including but not limited to performing title searches and preparing applications to be timely submitted, seconded by Mrs. Steffey and carried unanimously.

Mr. Montgomery moved to amend this motion to go through SHACOG since they are taking applications through them first.

Mrs. Steffey moved to accept a proposal in the amount of \$11,560.00 from DuraEdge Products, Inc. for infield improvements at the Tepe Park baseball field, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ruscitto moved approve purchase of Toro Spray/Seed Spreader from E.H. Griffith, Inc. for \$ 11,432.54 (State Costars Contract #4400020108), seconded by Mr. Sockman and carried unanimously.

Mrs. Ruscitto moved to approve purchase of Aera-vator and Roller attachment for Ventrac Field Groomer Machine from E.H. Griffith, Inc. for \$8,095.65 (State Costars Contract #4400020110), seconded by Mr. Sockman and carried unanimously.

Mrs. Ruscitto moved to approve to install the irrigation system at the Andrew Reilly Memorial Park by Affordable Irrigation, Inc. for \$18,375.00, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve purchase of 2021 Ford Transit Cargo Van for CCTV equipment from Woltz & Wind Ford for \$ 41,320.00 (State Costars Contract # 25-032), seconded by Mrs. Steffey and carried unanimously.

Mrs. Ruscitto moved to approve cost to fabricate & install up fit equipment for the Cargo Van from Sabre Equipment for \$22,015.00 (State Costars Contract # 025-078), seconded by Mrs. Ielase and carried unanimously.

Mr. Sockman moved to approve the purchase of thirteen (13) new portable police radios for \$19,795.75 from Motorola Solutions, Inc. PA State Contract pricing with additional negotiated discount through BearCom Pittsburgh, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery moved to approve the upfitting costs provided by Rally Specialist, Inc. in the amount of \$7,986.45 for the recently ordered police interceptor vehicle from Tristar Motors, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to authorize and advertise the in-house entry level police officer testing and employment announcement to commence April 2021, seconded by Mrs. Steffey and carried unanimously.

Mr. Montgomery moved to adopt agreement between PA American Water Company and Borough of Jefferson Hills for water termination policies for nonpayment of sewage, seconded by Mrs. Steffey and carried unanimously.

Mrs. Bucy explained that this agreement is for tenant/landlord shutoffs only. The contract expires the end of March and if this agreement isn't signed, we will no longer be able to shut off water for delinquent sewage fees. It is currently done through PA Municipal Service. If the tenants are allowed to be billed, then PA Municipal Service will be able to do the shutoffs.

Mrs. Ruscitto moved table to adopt Resolution No. 08-2021 granting final approval for a subject to conditions set by the Planning Commission, subdivision known as S-1-2021, Deer Hollow Plan, Phase 1, seconded by Mr. Reynolds and carried unanimously.

Mr. Reynolds stated it is his opinion that before we vote on this, it should be declared for the residents on which Council members received gift cards from Mr. Housley during the holidays. I feel it's relevant to this.

Mr. Stinner stated we should also acknowledge that the ones received it gave it back upon receiving them.

Mrs. Bucy read the following names of who received and returned the cards, Mrs. Steffey, Mrs. Ielase, Mr. Stinner Mrs. Bucy, Mr. Montgomery and Mr. Sockman. We opened the envelopes up, stated this gift was inappropriate. Then we gave them back to Mr. Stinner to return.

Mrs. Ruscitto moved to adopt Resolution No. 09-2021 granting final approval for a land development known as SP-1-2021, Southwest Greens-Century Drive, seconded by Mrs. Montgomery and carried unanimously.

Mr. Montgomery moved to approve PFM Financial Advisors, LLC as independent financial advisor; Dickie McCamey, as Bond Counsel; RBC Capital Markets as underwriter; in conjunction with the issuance of the Municipal Bond Series of 2021, for the purpose of restructuring the Borough's Series of 2016 Bonds creating budgetary relief for FY2021, FY2022, and FY2023, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved to approve Work Authorization dated February 26, 2021 from Gateway Engineers, Inc. for the 2021 MS4 Program in the amount not to exceed \$25,000.00, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve Work Authorization dated March 3, 2021 from Gateway Engineers, Inc. for the Traffic Impact Fee DIMS Study in the amount not to exceed \$7,000.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to approve SHACOG to award Base Bid B of the CD 46 3.11 Jefferson Hills Building Demolition project to Minniefeld Demolition Services in the amount of \$31,600.00, seconded by Mr. Sockman and carried unanimously.

Mrs. Ruscitto moved to recertify and reactivate Gill Hall VFC Station 179 as an independent Borough Fire Company and restoration of the Allegheny County 911 run cards as to reflect their territory prior to January 12, 2019, 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:

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

Mrs. Steffey moved to approve the exploration of Matthews Bus Garage or alternative site for use as a Jefferson Hills Fire Rescue (JHFR) substation, 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:

| | |
|---------------------------|-----|
| Vickie Ielase | YES |
| Vice President Montgomery | YES |
| Mr. Reynolds | NO |
| Mrs. Ruscitto | NO |

| | |
|----------------|-----|
| Mr. Sockman | YES |
| Mrs. Steffey | YES |
| President Bucy | YES |

Mr. Reynolds asked what this means since it was not discussed at the agenda meeting. What does this motion detail?

Mr. Stinner stated it reads exploration.

Mr. Reynolds asked if there will be an impact study? How is it going to impact the residents of Gill Hall moving the fire station further away from them. 885 purchased a truck on Friday to be housed there, I think the residents deserve more of an explanation.

Mr. Stinner stated we had nothing to do with the purchase of that truck, they did that as an independent company.

Mrs. Ruscitto asked if a truck was purchased?

Mrs. Steffey stated they found out on Saturday.

Mrs. Bucy stated she didn't hear about it until Saturday and she doesn't know the details.

Mrs. Ruscitto stated what funds were utilized to purchase that truck? The exploration for the bus garage, will it cost the residents anything?

Mr. Stinner stated no not for the exploration. Any execution of a plan will cost money. Impact studies are free from the DCED.

Mrs. Ielase stated from the very beginning the owner of that property has been gracious with everything and will not be astronomical.

Mrs. Ruscitto stated it's still taxpayer money.

Mrs. Steffey stated any fees will have to come back to Council for a vote.

31 Reports

Fire Chief

Not Present.

EMS

Nothing further.

Engineer

Nothing further.

Consulting Engineer

Not present.

Finance Officer/Treasurer

Nothing further.

Public Works Director

Mrs. Bucy stated she had a luncheon for the Public Works to show our appreciation for their great job during the pandemic. We will be having a luncheon for the other departments also.

Police Chief

Nothing further.

Mayor

Clean up day April 24th, as in the past, we ask volunteers to meet at the Borough Building at 9:00 a.m. to pick up supplies. Refreshments will be provided. Contact Grace Duda at gduda@jeffersonhills.net for more information. We are asking for volunteers to participate.

Reminder that our meeting March 15th in Borough Community room for voting districts will be held at 7:00 p.m.

I found on the Dept of Transportation information about road work in our State, County and District 11 for road closures, detours and hiring. I encourage residents to look it up.

I spoke with Lt. King about 885 and problems with traffic and he is investigating it with the Engineer.

I found on the US Dept of Trans a program called TAP (Ticketing aggressive Cars and Trucks) The goal is to deter unsafe driving behaviors by passenger vehicles and commercial motor vehicles when they share the road and develops enforcement plan and would like to work with Lt. King to get grants for this.

Manager

Congratulated everyone for being a 2021 Allegheny League of Municipality Banner Community.

Solicitor

Council did meet in executive session to discuss personnel and litigation matters. Motion to adopt an ordinance that is consistent with item 25. Mr. Montgomery made motion to refinance the bond, seconded by Mr. Sockman, and carried unanimously.

32 General Business

Mr. Montgomery:

Nothing further.

Mr. Sockman:

Public works takes care of sewer, works, parks and building improvements. Items No. 13 and 16, we approved, \$29,462.00 to improve the irrigation systems at 885 and renew the Tepe Field in field. In addition to that, in prior years past, we have spent \$38,000 on the infields of 885 for a total of \$67,462.00 on our fields. Mike is currently getting prices for irrigation at Beedle Park. Hopefully, they will all be up to high standards and have some of the finest fields around.

Mrs. Ruscitto:

I want to thank Mr. Dean again for orchestrating meeting with Mr. Pope and Mr. Housley on Friday evening. I hope to finalize any concerns the residents at Deer Park have.

I also thank Mr. Volpe for his open communications.

I thank the residents at Patriot Pointe regarding their concerns. We are here working for you.

Mr. Reynolds:

Regarding the exploration is there a timeline to hold us to? I would like to offer my help and don't want a long timeline.

Mrs. Steffey:

The Mayor touched on the traffic study for 885. Mr. Glister has been corresponding with PennDOT to get a traffic study done in that area. It is a tricky intersection and gets congested. It's a State Road and County Road. We heard back on Friday and we are looking into their response.

A number of residents were on an email thread discussing Patriot Pointe and the horrible condition of their roads. We hear you and are hoping to get some relief over there.

Recreation initiative has put all of the following on the Borough website. There is a Jefferson Hills Recreational Initiative 2021 scholarship for \$1,000. The qualifications

are listed on the website. A Farmers market vendor application, concert sponsorship forms for small businesses for the concert nights and a Community Day vendor application both on the Jefferson Hills website and the Recreation page on Facebook.

Mrs. Ielase:

Last week I have been talking to the Angler about Fish Days. I was wondering if I could go ahead with the process to have the Fish Day May 8th. Mr. Montgomery said he would help.

Mr. Volpe the Anglers will have their Cleanup day and asked if you would pick up the trash.

The light at Oneida and Worthington is out completely and asked who needs to take care of it.

Mrs. Bucy:

A special thank you to the office staff at the Municipal building. I realized that people don't know what goes into the Right-to-Knows and extra things. All the Clerks have been doing an outstanding job holding down the fort during this difficult time.

Mr. Reynolds ask Lt. King if there an update on the Chase scam.

Lt. King as stated on our Facebook page, there are directions on what to do.

Mr. Sockman asked how many inquires did you get. Mr. King stated 200 if not more and still coming in pretty steady. Every Municipality in the South Hills are dealing with it. Fortunately, none of our residents are out of money, it's Chase that is losing money.

ADJOURNMENT:

President Bucy adjourned the meeting at 7:55 p.m. on motion by Mrs. Ruscitto, seconded by Mr. Sockman and carried unanimously.

John P. Stinner
Secretary/Borough Manager