

Borough of Jefferson Hills
Agenda Meeting of Council
May 5, 2021

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

4. Report from Borough Boards and Commissions

Mr. Tom Donohue gave a presentation of what they are working on.

Walk Works - Complete Streets: The Borough is seeking a grant for an Active Transportation Plan for the Borough. This is for non-motorized travel. A primary goal for this plan is a Safe Routes to School program. While it is not a comprehensive plan for walking to school it is to provide safe walkability access to and safer places for bus pickups where needed. This plan can also be incorporated into the Borough's Comprehensive Plan of parents, school personnel and other residents.

Mr. Stinner has begun the grant application with support from our Borough Engineer. Safe routes to school are a big focus for the funding request as the application mirrors our Borough's prime focus.

A steering committee composed of members of the Rec board, EAC, Planning, and from the school is meeting regularly to guide this process. Mr. Stinner is sending out solicitation letters for support for the Grant to various organizations in the community.

Beedle Park: A meeting and Walk-thru of the park was performed with members of the EAC and Rec board. The Rec board noted that the concession stands, and bathrooms are now open. The completion of the concession stand now allows the Borough to apply for more funding from DCNR.

There was a good turnout of EAC and Rec Board members at Beedle Park for the site review. Discussion centered around access with multiple entrances. trails as well as other sports areas (batting cages, additional fields).

Having separate entrances would support additional activities in the park, limit traffic through the West Elizabeth neighborhood and assist in a separation of the playground for smaller children from traffic in and out of the park. It's believed that roads and parking should be the first phase to gain access for future area developments.

It's a possibility to develop a plan for a funding request prior to the end of the year.

Montour trail: Could be part of the active transportation plan. Discussed the planning for Route 51. There will be a 10-foot-wide sidewalk in front of Clark Testing and Slater Funeral Home. The Borough filed the application for DCNR Funding in partnership with the Montour Trail Corp.

Salt Minimization: Mr. Donohue and Mr. Stinner can meet Mike Volpe, Director of Public works to discuss.

Meeting Change: it was decided to move the meetings for the scheduled months to the 4th Wednesday of those months at 6:30 PM. This was due to the fact that previous scheduled meetings were typically a day after Council's Agenda meeting, but more than nearly four weeks before the next Borough meeting. This would allow EAC time to prepare and finalize their monthly report to Council in a week.

Christine brought up keeping the virtual meetings as a main format for meeting and sharing information. All were in favor of this idea.

Drums of Chamberlain Road: Drums were inspected by 2 members of the EAC. No hazardous materials present, drums were empty.

Lots of trash were observed. The potential of cleaning up the property may primarily be the responsibility of the landowner but a contact with Allegheny Cleanways is being made for advice.

The property owner's contact information will be forwarded to Mr. Stinner.

Elliot Road Ponds: What is the color from? Blue/Green Pond Waters

Pond area is to north of Elliott Rd and above Rte. 51. Headwaters are at sharp bend on Coal Valley Road.

The color is from aluminum from the mines. Acid water leaches out of the clay below 4 or above 10 (pH).

The buffering capacity of the surface water causes aluminum to flock out of solution.

A few members of the EAC met with Brian, the owner and he provided a private tour of his property. He showed us the old strip mine high wall and unreclaimed spoil piles and resulting ponds. In addition, he pointed out an issue with Elliott Rd. Runoff from a collection basin which scours a trench through his property to the pond. He asked us to put a good word in for him at the Borough in hopes this runoff can be properly redirected.

US Steel Clairton Coke Works Discussion: An EPA website showed PM2.5 percentiles within our area at 90-95th percentile compared to the rest of the nation.

A member with a contact at U.S. Steel indicated that they would be interested in attending one of our meetings.

ACHD has offered to speak with the EAC also but wants a list of questions they are to answer prior to meeting with the EAC.

The EAC had prepared and intended to present to Council at this meeting a Power Point and a recommended letter for Council to send to U.S. Steel about air quality issues but in light of U.S. Steel's announcement last week of pulling their planned investment in the Mon Valley and the idling in less than two years, their oldest three batteries at Clairton, the EAC decided to relook at the issue.

Terry Ackman discussed the Beneficial Use of Coal Mines: Historic mining activities in JHB have created *perpetual* and *substantial* subterranean infrastructure and an underground environment that frequently and adversely interacts with the surface environment in the form of subsidence (e.g., buildings & infrastructure) and water pollution (e.g., stream contamination via pH variations and heavy metal deposition resulting in fish kills, discolored water, etc.). It is also important to note that the impact of expanding surface activities (e.g., impermeable zones such as buildings and paving) could also have adverse impacts on the underground infrastructure, local mine water movement and storage and regional mine pool developments. It is a 2-way street so to speak, both environments (surface & underground) do interact and can have significant impact on each other. Without a thorough understanding and the best possible mapping of the subsurface infrastructure beneath JHB, surface infrastructure and streams and waterways will *always be at risk* from co-mingling infrastructures.

The reason early coal mining began here is because of the thick, high quality coal seam with easy accessibility and a big local demand by the steel and power industries. It is this same easy access *advantage* of the past, coupled with modern technologies that provide renewable energy opportunities.

Renewable opportunities including geothermal heating and cooling, hydropower, and renewable energy storage are considered very feasible. An additional beneficial use is the opportunity for improved surface water runoff management practices coupled with *controlled* underground flooding with storm waters. Only JHB and neighboring municipalities located in the northern portion of the regional Pittsburgh Coal Seam have the most favorable geologic setting for the pursuit of the development of a renewable energy complex.

The EAC proposes that the original mine mapping be layered into the Borough GIS mapping system via a compatible file. Once this is accomplished members of an EAC Advisory Committee (AC) will develop a roadmap of government sources and identify specific mine data and aid in the data collection. The AC, with assistance from the Borough, could review and analyze surface and subsurface files for potential long-term solutions to mine water, mine stabilization, subsidence issues, renewable energy, and the potential for rare earth elements recovery. Grant requests for these initiatives would be submitted to federal and state agencies, who promote these projects.

This is a point in time when the Borough has personnel available, members of the EAC and other residents, with education and experience in geotechnical, mining and reclamation technologies and contacts in industry, regulatory and funding sources.

Therefore, the EAC requests Council to consider the EAC work with the Borough Engineer to determine if these original mine map files can be easily layered into and viewed properly in the

Borough's GIS mapping. A cost estimate for any additional work beyond this initial investigation and prior to obtaining outside grant funding would be provided to Borough Council prior to proceeding.

5. Borough Resident/Taxpayer Comments on Agenda Items

Lisa Buckiso, 3041 Shady Timber, I am here tonight to speak about the Citizen Police Review Board recently passed by Allegheny County Council. This was pushed through without public comment which was to occur the day after this vote was taken. I can't begin to express my disappointment in the action taken by Council in a 9-5 vote. Although it will apply to County Police, municipalities have the option to opt in. The citizens police review board will consist of nine members: four appointed by County Council, four appointed by the County Executive and one mutually agreed upon individual. So, representation on this Board will not be isolated to members of our community. Additionally, convicted felons may serve on this board.

I couldn't be more strongly opposed to opting into this program. Let me tell you why Jefferson Hills residents and our elected officials should be opposed to this as well:

- There already is a review and discipline process in place for our police through the chain of command – our Chief, Lieutenant and Sergeants. If a complaint is filed, that officer will be disciplined by his/her superiors up to and including termination.
- Police officers are already Civil Service employees and are subject to review by the Civil Service Commission.
- Our elected officials also have oversight of our police force.

As you can see multiple layers of oversight that already exist.

Additionally, the review board only comes into play AFTER something has happened. Our time, our money and our resources should be invested in body cams, training and PROACTIVE measures as opposed to emotional and reactive actions.

Given the current environment, how much more pressure do you want to inflict on our men and women in blue? We do not have a systemic racism or police brutality problem; we have a push for a far-left radical agenda which will further divide us and continue to jeopardize our officers.

I am asking our current Council to pass a resolution that the Borough of Jefferson Hills will not opt into the Civilian Police Review Board. I do understand that this will not take effect until year end, but I am asking for action now. The residents of this Borough deserve to know where you stand on the support of our dedicated and respected police force.

So, by show of hands, I would like to know if any one of you would consider a push to opt into this and I encourage you to pass a resolution and send a message that we have our officers' backs while they put their life on the line every day for ours. Thank you.

Solicitor Gabriel stated normally this is a citizen comment section and is not a time for Council to vote or raise their hands.

Mrs. Buckiso asked if maybe one of the Council members would like to take this up and ask the question on my behalf. I'm not asking for a vote; I'm just asking for support for our Police officers.

Mr. Montgomery stated we can take a look into a resolution for consideration. My recommendation would be to opt out.

Mrs. Ruscitto stated we actually discussed this not too long ago, so we are aware. During our interviews with the Chief of Police, that is certainly a question we had asked.

6. Discussion to approve the monthly bills.
7. Discussion to approve the monthly payroll.
8. Discussion to approve minutes of agenda meeting April 7, 2021.
9. Discussion to approve minutes of regular meeting April 12, 2021.
10. Discussion to appoint David Oster to join the Planning Commission Steering Committee.
11. Discussion to appoint Tim Schumann to join the Planning Commission Steering Committee.
12. Discussion to adopt Resolution No. 17-2021 consenting to a request for Penn Vest funding to complete Phase II of the Clairton Municipal Authority (CMA) Expansion project in the amount of \$23,000,000.00 for a term of twenty (20) years at one percent (1%) interest to cover the cost of Phase II of the State mandated expansion project.
13. Discussion to adopt Resolution No. 18-2021 authorizing the submission of a grant application for active transportation planning through the Walkworks program provided by the Pennsylvania Department of Health and Pennsylvania downtown center.
14. Discussion to open Request For Proposal (RFP) for Municipal Planning Consultant
15. Discussion to authorize the execution of a Memorandum of Understanding with the Allegheny Intermediate Unit – Mon Valley School to retain the services of law enforcement personnel of the Borough of Jefferson Hills for use of the Mon Valley School
16. Discussion to adopt Resolution No. 08-2021 granting final approval for a subdivision known as S-1-2021, Deer Hollow Plan, Phase 1

Mr. Reynolds asked if he got everything signed from the residents.

Mrs. Bucy received confirmation that two of them got theirs signed and ready to go. I received an email at 4:47 p.m. today stating they were still in discussion with the developer. I forwarded that to Mr. Glister, and he will be talking to them also.

Mr. Sockman asked Mr. Minsterman about the concern of a resident on Antler Drive about the design. Mr. Glister stated we received a comment from a resident on Antler and one of the comments that the plan as is allows for the road to be at 14% and according to our ordinance it allows it to be 50% so it's within what is allowed in our ordinance. Mr. Minsterman stated it was a steep slope but is still allowable.

17. Discussion to adopt Resolution No. 20-2021 granting preliminary and final approval for a subdivision known as S-2-2021, Krizbai Plan of Lots.
18. Discussion to approve Application for Payment No. 7 and Final from Swede Construction Corporation in the amount of \$16,391.97 for the work completed on the Beedle Park Concession Stand (17-GEDF-09) Project subject to the receipt of the maintenance bond for 50% of the final contract amount for a duration of two years.
19. Discussion to approve Invoice #INV3076 from DuraEdge Tools & Equipment, LLC in the amount of \$10,075.00 for the infield improvement work completed at Tepe Park.
20. Discussion to approve purchase of playground equipment from Jeffrey Associates, Option 1 for \$4,584.00 (Costar's contract 14-027).
21. Discussion to approve purchase of a Toro 8000 Series Direct Collect Z 48" mower for \$12,952.09 (State Contract No. 4400020108).
22. Discussion to approve Work Authorization dated April 28, 2021 from Gateway Engineers, Inc. for the Clairton Municipal Authority Phase 2 Project Manager oversight in the amount not to exceed \$10,000.00.

Mrs. Ruscitto stated there are two items on this agenda regarding CMA and both of them involve an exorbitant amount of money. We joined a lawsuit that I felt was unnecessary with the CMA and now we are shelling out taxpayer dollars to have our engineering company to babysit them. To me, if you have to babysit someone, they are not worthy of your business. For us to join that lawsuit, I found it to be a huge mistake on our part. Add to that the cost of the solicitor, we have a second solicitor working on the CMA and he's going to have bills as well and they will add up as well and is a waste of money. We have invested so much in the CMA already and it's not ownership of anything, we own nothing there. I'm just trying to look out for the residents.

Mr. Reynolds asked Mr. Minsterman about the \$10,000.00, can he forecast how much it's going to cost the taxpayers for Gateway to be an oversight Project Manager per year?

Mr. Minsterman stated so far around \$3,000.00 for the past six months for the Jefferson Hills residents. It's the invoices for this service, which are Project Manager services, as part of an agreement with the upstream communities and CMA to provide oversight of the activities related to bidding of the new sewage treatment plan upgrade phase two. It's a \$23,000,000.00 project.

There were issues in Phase I that caused the cost of construction to raise significantly and several of the upstream communities were not comfortable continuing to let their engineering firm proceed without oversight. So, the idea was to have an independent consultant oversee the evaluation of the bidding documents then move into oversight of the construction issues. As some of the major construction is occurring, we will come out and oversee the work, look for change order possibilities, look for potential conflicts with the contractor, defend conflicts with the contractor on behalf of the four upstream municipalities. The percentage of that costs is split depending on how much flow each municipality sends to CMA. So, back to your original question, \$10,000.00 is a number to start the project. I expect that to increase, it's a \$23,000,000.00 project and will probably go on for two more years. Depending on the amount of oversight, if things are going well and it's a friendly reputable contractor, there won't be a need for a ton of oversight on top of their oversight. They are already inspecting the project. This is a means for the upstream community's best interest to be seen during that.

Mr. Reynolds stated they originally had enough funding for both Phase I and II at the beginning, correct? Mr. Minsterman stated yes. Mr. Reynolds stated in some people's eyes, it was irresponsibly spent. It's not my issue that we are paying you to oversee the project, it's more to the fact that we are not acknowledging the fact that that organization misspent the funds and now they have to raise more money to complete the project that they originally had the funds for and on top of that, we have to pay a third-party company to oversee them.

Mrs. Ruscitto stated her personal beef is not with Gateway but with CMA and the fact that they have to be policed in such a manor shows me that what little faith I did have in them, I should have none. I'm talking about taxpayer dollars in four neighboring Boroughs that's being spent on this, not just us. We don't even have a guaranteed seat at the table for any of this, which is a second issue that I have. Eventually, the residents are going to have to deal with a 30% hike for that \$23,000,000.00 for Phase 2 and it's going to come out of our pockets. Anytime I see this on an agenda, I'm going to talk about it, because we are wasting taxpayer money on it.

Mr. Minsterman stated it is highly unusual the circumstances that have been arranged, it was compromised to have some oversight but yet not start over from the engineering perspective on their side, so I was asked to do the work.

Mr. Reynolds asked, if you see something that is wrong, what will happen at that point?

Mr. Minsterman stated, there is a committee that is established with representation of the four communities and CMA that when I see something that is inappropriate, I try to resolve or correct that with the current engineer and if I can't, I go to the committee and they vote on how to resolve it.

Mrs. Bucy stated, we were 100% in agreement that we have a project manager to oversee the project.

Mrs. Ruscitto stated she has no issue of having a project management. The issue with me is that we need to have one.

Mr. Reynolds stated it's not free and the residents need to know their tax dollars are going to having someone police someone that we already don't trust, yet we are still backing them.

Mrs. Ruscitto stated we could have just sat back and not joined that lawsuit.

Mrs. Bucy stated she will ask Kerry Fraas to come to Monday's meeting to speak to this directly.

23. Discussion to approve a Heavy Hauling Permit Agreement for gas well plugging work along High Road for EQT Production
24. Discussion to approve the granting of a permanent easement and temporary construction easement to the Pleasant Hills Authority for the purposes of installing a sewage billing meter on property owned by the Borough of Jefferson Hills for the consideration of \$1.00
25. Discussion on Joint Municipal SHACOG Sanitary Sewer Lining Project - Year 15 Contract B Bids (Bid opening on 5/5/2021, recommendation to be provided for 5/10/2021 meeting)

Mr. Glister stated the bid opening was held today. This is an annual project we participate in along with five other municipalities outside of Jefferson Hills. The reason there are two bid tabs on your desk is the one is the overall bid tab on what the bid is for the work collectively for all five communities which is \$288,000.00. The other bid tab is specifically for Jefferson Hills portion of the contract, which is a little over \$120,000.00. The engineer's estimate that I put together for this was about \$114,000.00 so, it's a little higher than the estimate. As I found out when talking to Gateway, when they were talking to some of the contractors throughout the bid process, the resident they use on these manhole-to-manhole liners, which is the work we are trying to complete under this contract, there was a production shortage in Houston that is driving up the cost slightly. But it is still close enough to the engineer estimate that I don't have an issue with it. Typically, there would be a recommendation letter, but due to the timing, I don't want to hold up the awarding this contract, so I figured if I got the bid tabs here tonight, we could discuss it. My recommendation letter will be in your packet for Monday's meeting after they certify these bids.

To clarify, this work is for manhole-to-manhole lining, it's a trenchless repair process that basically replaces an entire section of pipe without having to dig up the ground. They inflate a liner that is inflated and cured in the pipe that is good preventative maintenance. You end up with a pipe that is good for about 100 years and solves issues with infiltration in the system.

Mr. Montgomery asked how much money do we have budgeted?

Mr. Glister stated our annual operational maintenance budget is \$550,000.00. That's for repairs and televising the lines. We didn't have enough excavation work to participate in that contract this year, so the additional \$6,000.00 is pretty minimal.

Mr. Montgomery asked if we are the only one doing the manhole-to-manhole?

Mr. Glister stated, no that's our portion of the contract. There are four other communities bidding on this contract. Item #11 is just the item that refers to us.

26. Discussion to adopt Resolution 21-2021 accepting bids from Perryopolis Auto Auction, for the 2016 Ford Interceptor from Chicago Motors Inc., for \$8,730.00 and the 2011 F550 dump truck from Hollidaysburg Auto Plaza for \$38,140.00

Mr. Drager stated last Friday the auction took place and after fees we received \$37,300.00 for the F550 dump truck and \$8,160.00 for the Interceptor.

Mr. Reynolds asked what the fees were.

Mr. Drager stated the fees for the dump truck was \$400.00 and for the Interceptor it was \$260.00.

27. Discussion to authorize Borough Engineer to investigate criteria, site design and location of an ancillary fire station in the Gill Hall area in coordination with Jefferson Hills Fire Rescue for such a station.

Mrs. Bucy stated she has more information that she would like to share. First of all, I will speak to the fact that JHFR and Gill Hall Volunteer Fire Co. had an order of court on the 22nd day of April 2021. This is a public document, and you can look it up for yourself. They were assigned a Judge, Judge John T. McCay, Jr. At this court order the non-jury trial scheduled for today is considered generally as parties will explore settlement. The parties shall confer with their clients and the Borough on whether a conciliation on global issues would be beneficial. In the event the parties in the Borough do not agree to conciliate the global issues, parties will further discuss alternatives to a trial as discussed. There is a list of binding arbitrations, baseball arbitrations, high bid, high low arbitrations and when the parties agree on either arbitration my award will be final and both parties will waive the right to appeal. A remote status conference was scheduled then on April 28, 2021 at 1:00 p.m. before Judge McCay, Jr. The sole purpose of the status conference is for the parties to report whether an agreement to conciliate arbitrate has been reached. On April 28, 2021, the parties did confer with their clients regarding the settlement of this matter. If it is clear the Borough is not interested in discussing a merger with the defendants, the parties can submit a joint request for a hearing. Argument date for the arbitration and the status conference is confirmed. That date will be held May 13, 2021 at 10:00 a.m. before Judge John T. McCay, Jr.

We had an executive zoom meeting with our Solicitor since this was a legal matter and I will defer to him as to what his legal opinion was.

Solicitor Gabriel stated the court orders are a matter of public record. As a result of those court orders, the Borough Manager did receive a letter from legal Counsel for Gill Hall Volunteer Fire Co. requesting to know the next steps to move forward with a potential merger. That response is due May 13, 2021. We discussed the merger and would have to be agreed upon with both parties. We will forward the bylaws that were proposed prior to when the merger was actively discussed as well as the resolution to Gill Hall for their consideration and this will also go to the Judge for their status conference on May 13, 2021 at 10:00 a.m. via team conference call.

Mrs. Bucy asked Chief Chalfant if he would like to give any information about these two meetings.

Chief Chalfant stated he was only present for one of the meetings and the Judge's helper asked both organizations were willing to come to an agreement on settlement. Both parties agreed. He met with our side and we gave him what our stance was and at that point of time we were taken off the video chat and he met with Gill Hall and their legal advisors. At that point of time Judge McCay Jr. came on and said Gill Hall wanted to merge but weren't happy with something in the

bylaws about voting and that was all we were told. At that time, the Judge said he wasn't going to try the case and deferred to the date the two legal teams met with the Judge. That was the last discussions we had.

As a result of that and not knowing where this is going to proceed, Mrs. Ielase and I, as fire liaison's, felt that we have to make sure we have every possible scenario available to us since we do not know where this was going to lead too. Also, that was the first time that we have heard throughout the mediations that we conducted with the DCD about the issue with the voting rights. We had previously heard about the charter, the buildings, fundraising and the flagpole and memorial. We tried to address all of those things prior. This is the first time we had heard about the voting rights. We feel that we need to make sure we have this lined up since this was five years in the making. We are very hopeful and thrilled the Judge wants to take a position on this, but if it falls through, we need to have a backup plan. So, we met with the Developer of Millstone, he gave us his plans. In the beginning of Millstone there is approximately 2.6 acres that is available for multiuse and commercial use. We don't need all of the 2.6 acres, we are not sure what would be the best thing, but we would like to have our engineer look with the Millstone engineer and to make sure where a possible site is in the event that it may be a probability, so that is why this is on the agenda.

Mrs. Steffey asked Chief Chalfant since you were in the meeting, are you telling us the reason that they didn't participate in the merger was for voting rights?

Chief Chalfant stated yes, that is what the Judge told us.

Mrs. Steffey stated that sickens me the residents of this community were denied fire protection by Gill Hall and previous Council because a group of adults couldn't put on their big boy pants and come together and voice their opinion on how they wanted voting rights to be fair. How many years, how many tax dollars have been spent, how many attorney dollars have been spent on both sides over something as minute as this? All the while, we were never given a straightforward answer from Gill Hall. We were always told they couldn't comment at advice of their Counsel.

Mrs. Bucy stated to be fair to you Chief Chalfant, you received this information via the Judge, and you didn't receive this from Gill Hall? Chief Chalfant stated correct, we found out when the Judge talked to both parties at the very end.

Mr. Reynolds asked if Chief Chalfant could give an estimate of was spent on legal fees?

Mr. Chalfant stated he knows what they spent.

Mr. Reynolds asked if he would share that with us? Chief Chalfant replied no.

Mr. Sockman asked Chief Chalfant if he was correct in that Gill Hall participated in all the negotiations with John Thatcher and your group regarding putting the bylaws together for one and a half years? Chief Chalfant stated yes sir. And didn't they agree to all of them at that time? Yes sir.

Mr. Reynolds asked Mrs. Bucy if we could put in a right to know to JHFR to ask what money has been spent on legal fees since Chief Chalfant will not reply? I would like the residents to see how much money was spent on legal fees over a truck.

Solicitor Gabriel stated, that would be a question for JHFR and their legal Counsel since they are a separate entity.

Mr. Reynolds stated, so we have no right to know what legal fees they have spent on litigation?

Chief Chalfant stated he would gladly turn over their records, I don't have to turn over any money that they raised through their rental properties. As long as both parties are going to turn in what they spent on legal fees, I would gladly do it, but I'm tired of being singled out.

Mrs. Steffey stated, I think if we looked at this in hindsight, there wouldn't be an issue over the truck, had somebody come to the table and said, hey guys, can we work on this? We don't really like the way the voting rights go. Let's figure this out so we can join in and help the community and still be fire fighters.

Mr. Reynolds, it's been apparent there's been an outcry from the residents that we have turned this into a circus. I would like to correct Mrs. Steffey statement for her where she stated Gill Hall denied the residents of fire protection. It was not Gill Hall Volunteer Fire Co that denied the residents fire protection in that area, it was in fact Council when they voted to take them off the run cards. So, Council voted to take the fire protection away from the residents, not Gill Hall. They were ready to be put back on the run card, but we denied the residents. My concern with that is as we are looking to putting a piece of property here and at some point in time, we have to look at the residents and say if we are going to spend this much tax money to put a fire station here, which I've always agreed there should be fire protection in the Gill Hall Area, but for the last year and a half we have been telling the residents not to worry about it, we can cover everything from 885 to Floreffe with JHFR or mutual aid. So, if we are saying we do need another avenue there, then essentially, we have been misleading the residents all this time or we are just spending money to spend money.

The second part is, I'm really surprised anyone would question Gill Hall's commitment to their organization and question their voting rights. It's a right, that's why we are all here. For Gill Hall to just laugh it off and say we don't agree with how this organization will be run and voted on? That doesn't sit well with me. I apologize to the residents for what we created with this.

Mrs. Steffey stated first and foremost don't ever correct me or speak for me Mr. Reynolds. The fact that Gill Hall, from what we are hearing from the Judge and everyone else involved, could not speak up many years ago and say we don't agree with these voting rights is in fact denying the residents fire protection.

Mrs. Bucy stated she is very thrilled that the judge has decided to take a step to try to find a resolution. If he's capable of doing that after all this time, then kudos to Judge McCay. That was not possible when we met in mediation, which was a recommendation of many Council members, when we met with Floyd Weis and Madra Clay for over 12 hours. During that time, the voting rights were not brought up. If that is an issue, then let's deal with the issue. Also, when it

was devised by the Battalion Chief of the City of Harrisburg with the Fire Liaison on this plan, we had numerous options. It was told to me at a fire liaison meeting, that the vote from Gill Hall to say whether or not they wanted Option E, which was to open them up under a probation period, under the call numbers of 180-3 on the all call was 15 no 0 yes. That was a strong statement to me, and I listened to that. When you come in with an overwhelming vote like that, then options have to be explored.

Mrs. Steffey stated the sweet little twist and turn that Mr. Reynolds put on the end of his statement there that we lied to the residents because we were trying to give kudos to JHFR and that we can cover the area there is totally false. The day that I stepped on this Council, it was my number one goal was to achieve another substation over in that area. One, to take the pressure off of JHFR and two, to make sure the residents had adequate coverage. So do not lie, Vickie agreed to that, Karen agreed to that and a number of us agreed to that. The first meeting that I had with all of Council, I said, why can't we look into a prefab metal building, so we have a plan B. I've been trying to do that since January 2020. So do not twist it around that we were trying to make the world all puppy dog and rainbows saying everything was fine over in Gill Hall. We were working on other options. I have every email and phone call into prefab metal structures and people on this board stating so.

Mrs. Ielase stated that she has from the very beginning wanted all these firemen to get along and I've tried to do that. But then we were shut out. They would not give Council a reason they wouldn't merge. My reasoning for this to be on here is A) Maybe it would force Gill Hall to try to get some discussion in and try to make this work. But I will never ever force someone to do something. B) Another reason for this is we are growing over there, and that area is getting bigger. So, with the hopes still that Gill Hall will sit down and talk and work things out, we are still going to need more things going on over there because of the population going up. Everyone is thinking here and now. Are you thinking five or ten years down the road when we have another couple of two, three, four thousand houses over there? There are a lot of plans over there. But never once did I say I wanted to take your charter, your statue and all the other. All I want is for everyone to be prepared, educated and be able to have the safety offered to all the people that they deserve over there. Everybody has to be on the same page with all the updates of the chemicals, all the metals and whatever they need for an accident situation or what the materials are in the house at this point. That's all I ever wanted.

Mr. Reynolds stated, I don't understand where the statue keeps coming up. Even back as a resident, I never heard Gill Hall discuss their statue or monument. What I did hear at one time is JHFR wanted to make it an issue and they kept saying this is not about a statue or a monument so let's stop putting those words in Gill Hall mouth and saying they didn't want to be a part of this because of a statue. Second, I'm surprised that when Vickie says there are two, three, four thousand houses going in over there, I'm concerned where we are going to put them. Third, I would like to ask a question to Melissa, you keep saying from the time you stepped onto Council, you have been pushing for this substation over here. Can I make a request to go back through the minutes whenever Melissa ever made a motion to bring this up or consider this? I think it's fair to say we have discussed this time and time again and it's misleading to the residents. One huge question I have on this, have we ever taken a look to see if we actually have the manpower to actually man that station who can respond to that area in a timely fashion? I know JHFR refuses to turn over their rooster, but I took a look at the driver's list and there are very few people in that area. Unless we are committing to an extra \$220,000.00 to put a shift crew over there, are there

enough members there. The members that are somewhat in that area are just as close to Floreffe and Gill Hall. I don't know where we are getting the manpower to say here, let's build a building. Who's going to be in it. I've always contended from the beginning that we should have looked at it as instead of purchasing a \$750,000.00 truck, maybe the most important piece of equipment is in fact the manpower that operates it. Have we done any studies as far as manpower in that area?

Mrs. Bucy stated we are just getting started. Would you like me to identify the six members that reside in that area?

Mr. Reynolds stated six people? So, we are going to build a station for six people? He asked Chief Chalfant to confirm, that you can't drive a fire truck with only one person in the truck. So, if you have six people in that area, one third has to be there before the truck can leave the station.

Mrs. Bucy stated, Mr. Reynolds, you were the one that brought up the Sohyda report where it says we should have five stations, you continually brought that up.

Mr. Reynolds stated you are 100% incorrect on that. The DCED report, the Sohyda, was hired to investigate whether the merger was possible. The report that Pete and I talked about, that goes back to when Mayor Larcinese was here, that's the report that said we should have five fire stations instead of four. That is not the Sohyda report.

Mrs. Ruscitto stated, this situation has been looming for a very long time. Over the course of the past couple of months, I've been calling some local fire companies and asking questions about mergers. The one consistent answer that I get from every company that I spoke with is that you cannot force a merger. It happened in Homestead at one point. The companies that wanted to merge merged and the one that didn't stayed the way it was. The one thing I can gather from this situation is there is bad blood and bad blood is very difficult to cleanse. I'm not sure if this is ever going to necessarily be peacefully resolved. This was started long before I became a Council member, and where I agree with 885 on several matters, I agree with Gill Hall on several matters. But the one thing that I always come back to is the fact that we have an existing structure that is paid for and we have volunteers that are free and able to work. That's what I can't get past. The issue of the animosity between the two departments, I don't know how to rectify that situation.

Chief Chalfant stated, I want to clarify something Councilwoman Ruscitto stated, this does not involve 885 vs Gill Hall. This is JHFR and Gill Hall so don't throw that out there. 885 and Floreffe merged. The second thing that I want to clarify is Councilman Reynolds stated we should have used the \$750,000.00 to look at additional shift crew members instead of purchasing a new rescue truck. I believe it was him that made the comment guarantying that the tax money was only to be used for purchase of equipment and trucks. There is a special line item in your budget that pays for the shift crew, it has nothing to do with JHFR or the fire tax.

Mr. Reynolds stated what he was trying to say was the truck was the latest expense and before we spend money on a truck or property, I think the most important thing we should be looking at is do we have the manpower in that area for that. Maybe the truck was a bad example and I apologize to everyone out there, I was just using that as an example since it was the last expense that occurred. It wasn't about a truck; it was about spending money on something that we are not sure we have the manpower to man.

Mrs. Bucy stated I have spent numerous hours up at 885 since I'm going through the fire academy. I had to have a lot of individualized instruction to be able to do what is required. I have gone up in the middle of the day and met many of these shift crew people. First of all, I would like to tell you this shift crew has been fostered and perpetuated and courted to have a list of these shift crew people. I have met shift crew people that are paramedics with our Southwest Regional EMS. I've also met shift crew people that have master's degrees in labor and management and are career fire fighters that are willing to come and make \$12.00 an hour to help protect this community. Every single shift crew member that I have met up there has had fire fighter one. This list has grown over the years and they are not coming just because they are making \$12.00 an hour, they are coming because they are a group of people that want to serve this community. I was up there one afternoon and there was a brush fire on Hunter's Field, and I followed that truck. There were three people that responded, two shift crew and one volunteer. They made it out that door in 45 seconds. I was timing that. They got to the Pleasant Hills Library when they downgraded those sirens because it wasn't considered an emergency at that time. You can check the records, they got from 885 to the scene on a downgrade in eight minutes. This shift crew will have to have the same requirements if they go to another station in the Borough. One of the things they need is a shower. I learned this in my cancer awareness class, and everyone here is concerned about the environment, you are not going to have shift crew people go to a fire at 9:00 in the morning and not take a shower. Mr. Chalfant, is there a shower in your station? Mr. Chalfant replied, yes mam. So, when we talk about getting a shift crew, we have to have a pole of people and we also have to have a shower for them to have these carcinogens taken off. The third thing is they also have to be fire fighter one. This shift crew business has taken time to cultivate, am I correct Chief Chalfant? Yes. They might be coming from different places. They need to have their own scheduling and own payment. Do you pay for that? Yes, we do. You have your own bookkeeping person that does the W-2's and paychecks etc.? Yes, we do. This isn't something you can just design overnight. That's why I'm saying these things take time. That's why if we tell the people of Gill Hall, we are going to have a shift crew, I'm not going to tell the people from Floreffe that they don't deserve one too. The reason this was allocated at 885 station, was because of where it was situated. Nursing homes, hospitals, Route 51, 43 turnpike and the amount of vehicle crashes on that corridor. They had the most activity. I'm more than willing to have this judge make a decision.

Mr. Sockman stated, through the efforts of Brian coming to these meetings, we did put showers in 885 and Floreffe in addition to that putting in exhaust system in for their trucks. If Gill Hall does come back on, it will have to be done at their station too, it has to be done fairly. I've been on this Council for six years and my last one. For six years, I have heard nothing but fire houses and fire stations. When I first came on here, they wanted to close down Floreffe and I said no way, I would lead the fight and I did. Through the efforts of the people there, you got it back on its feet. I also approached Calvin Felix publicly and asked what is it that you object to with this merger that cannot be taken care of? You have met with JHFR and John Thatcher for two years and every time John came to this Council meeting, he said everything was going great. At the end when it was finally finished, they agreed to all the terms of the bylaws, is that correct Brian?

Chief Chalfant stated at every meeting we took a section of the bylaws and went over it, and everyone was to take it back to their meeting and discuss it and bring back any changes that you wanted. If no changes, a vote took place, when there was a vote, all three liaisons voted and all the votes were unanimously.

Mr. Sockman asked, wasn't Chief Felix offered the Presidency of that organization?

Chief Chalfant stated yes, he was offered the Presidency of the organization.

Mr. Sockman stated so, you can see, Council has not sat on their hind legs on things, we have tried to help as much as possible. Keith, I understand you wanting to get it opened. We all want to see it open. But at this point of time, what is it that they want to get opened? Every time we ask there is something different. So, please, if it's the judge that has to get it settled then let's get it settled so we can move on with other business.

Mrs. Ruscitto stated, just in listening to this conversation just now, and hearing that Calvin Felix was going to be appointed to Presidency that may have something to do with why they have issues with the voting because as President, you don't get a vote.

Chief Chalfant corrected it that we offered him the Presidency and he gracefully declined.

Mr. Reynolds stated in regard to offering him the Presidency, what does the President have if it's him against everyone else? If he doesn't have any say, what does the President position actually have? I think a lot of this stuff would have been able to be taken care of a long time ago if the meetings were recorded so we would know what went down instead of hearsay. I've been told on a number of occasions back in the beginning they wanted Gill Hall to put in \$50,000 and Floreffe to put in \$50,000 and 885 was close to bankrupt and they wouldn't be putting anything in.

Chief Chalfant stated Mr. Reynolds, I have corrected you numerous times, that 885 is nowhere near bankrupt. You are the one that keeps bringing that up.

Mr. Reynolds stated that's what he's been told numerous times, so again, if you had taped the meetings, this would have been cleared up a long time ago. If it's just about a shower, Gill Hall has had a shower there. My concern about the manpower is case in point the other night there was a call in Gill Hall that was a couple of doors down from Gill Hall fire company. When I was notified of the call, I personally went down, and I followed Floreffe in their truck there and I tailed them the whole way out there and it took 16 minutes to get there. At that point in time, the first pieces of apparatus on scene were from Pleasant Hills and Broughton. Floreffe showed up third and it was right down the street from Gill Hall. In this case here, it was just a stove, and I certainly wouldn't want to wait 16 minutes for a fire truck to get there. My concern is we are looking at property and buildings and when you look at that driver's list, there are 59 people on the list and 21 of them are from Jefferson Hills. That's basically two thirds are from outside the district. With that being said, if you look at that list, there are still people on there that are no longer able to fight a fire and it's misleading. When you sit there and have a fire at Gill Hall and you are so dependent on just the shift crew, there are four people on that shift crew from Monessen. If they are not working the shift crew and are coming from Monessen they have to sit there and wait for people to come and I don't think it's right. Gill Hall has trained people ready to go.

Chief Chalfant stated to clarify the 16-minute ETA, yes, Broughton was the first truck there, they had people sitting at the station and saw the call on pulse point and responded immediately before the tone even went off. Assistant Chief Justin Allen was on the scene first, knew the fire was out and told everyone to respond nonemergency at that time. So therefore, that

is the reason the trucks took longer to get there. I pulled in right behind him along with the Police officers and you were not there. There was not one single person sitting at Gill Hall fire station when I passed it. I was inside the building with the homeowner confirming the fire was out and he was told to slow everyone down. So, let's not put things out there that are not true.

Mr. Reynolds stated Floreffe's truck did not slow down at any point. I followed them the whole way, the lights were on and they did not slow down at any point. There were times they were all the way over in the other lane. Maybe we should get doorbell rings along the way to prove it.

Mrs. Steffey stated, in our fire classes, they teach us about not coming in lights, sirens blazing if the commander on screen calls them off if it's not an emergency.

Mayor Cmar stated I was at some of the meetings at the beginning of the merger and whenever they started to vote on the merging, it was after Floreffe was told they were going to close them and whenever they would ask what's going to happen to our equipment, Tracy Khalil would say to them, I want to know, but what's your vote, yes or no and wouldn't answer them and say then it's a no and went on to the next person. They were forced to vote and never given an answer of what was going to happen to the equipment.

Mrs. Bucy stated that Councilman has not been here for over two years. Thank you for your history, but we are trying to move on.

Mr. Sockman stated the one thing people are overlooking on this item is it says investigate.

Mr. Reynolds, can we add to that to explore the manpower that would be available in that area to be part of the study.

Chief Chalfant stated he was just notified that Floreffe's truck called in route at 2106 and arrived on scene at 2114 which is eight minutes. That is the official documentation from the 911 center.

Mrs. Bucy stated she would like to make a statement about the bids. Your organization, would you like to explain the process of the bids for the truck.

Chief Chalfant stated we brought in the three manufacturers in and showed them our truck and explained we would like to build something very similar to this one. Two of them came in and the third brought a truck down they had for a demo. We looked at that and liked that design better. At that point in time, they said they would like to put a bid in based on that truck the other two manufacturers were told to change the bid to match that one. This started about six months ago.

Mrs. Bucy asked if Gill Hall was present when you voted on that truck?

Chief Chalfant stated there were two members present. The way the organization is set up, each organization has a vote.

Mr. Reynolds asked why we are buying it under the old company when you said you were merged.

Chief Chalfant stated we never said we merged, I said we are merging.

Mr. Reynolds stated, going back to that call, when it comes back as 2101 what time did you say?

Chief Chalfant stated the call came in at 2102, Floreffe called in route at 2106 and arrived on scene at 2114. I will have a CAD report for you on Monday.

Mr. Reynolds stated maybe we should focus on when the call comes in and when they call in route as that should be the most important thing. If we are waiting on people to come from Monessen, they can't get here that fast and we need to make sure we have the manpower to get the truck on the road.

28. Reports

Fire Chief:

Nothing further

EMS:

Not present

Engineer Glistler:

Nothing further

Consulting Engineer:

We were able to provide a grant fund summary of the upcoming grants that the Borough may be interested and will be able to provide that every month in case you want to get a jump on any grants that you may be interested in.

Finance Officer/Treasurer:

I sent emails for anyone that didn't submit the Statement of Financial Interest forms. If you received that email, please get them in asap. They were due May 1st.

Mrs. Bucy commented on the bids for the vehicles that were auctioned off, that seemed a lot higher than you had anticipated, is that correct?

Mr. Drager stated, yes Mr. Reynolds helped me with the MMR and we got a lot more than we thought we would.

Public Works Director:

Nothing further

Lt. King, Commander in Charge:

If anyone hasn't notice, I'm wearing a body camera now. It's been a long process through the grant, and we took delivery of those and finished the training. We are currently in a pilot program as we work through the policy. We hope to go fully live by the end of May.

I would like to thank Mr. Drager and Mr. Stinner for the ton of work they did on the auction and also working through the IT stuff in the Police station. Both were a huge help to me working through server issues and connectivity. It was a huge team effort.

Mayor Cmar:

Clean Up Day: A big thank you to those who participated in the annual Clean-up Day. Thank you also to Grace Duda and Mike Volpe and his staff for their efforts during cleanup week. Also want to thank any firemen and police for their help. Bags, gloves, and vests are still available for clean-up for all who are interested in keeping our community clean from debris. Clean up should be a constant effort and not just for one day out of the year. Also, if would like to adopt a highway, contact Joel Morris at joelmorris@pa.gov or 412-429-5011.

COVID Vaccine: Please find the latest information on the Vaccine distribution on the Borough website.

Bells Across Pennsylvania: I want to thank Calvin Felix and Don Withers for their participation in Bells Across Pennsylvania, which occurred on May 2nd.

Banner Community: I am pleased for the Borough to receive a certificate from Senator Devlin Robinson recognizing Jefferson Hills for achieving "Banner Community Status." A Banner Community is a recognition given by the Allegheny County League of Municipalities and is awarded to Municipalities as a result of their outstanding commitment to professional development, prudent fiscal management, transparency, accountability, and proactive communications to engage community stakeholders.

Memorial Day: Working on the final details, I will be able to report more on Monday.

TJ Graduate: I would like congratulate Zane Zandier for signing with the Philadelphia Eagles. He joins Chase Winovich as TJ grads on NFL Rosters. Good luck Zane!

Borough Manager:

Nothing further

Solicitor:

Council met in executive session for personal and litigation matters.

29. General Business

Mr. Montgomery stated:

Recap the SHACOG meeting as follows:

- Police Chiefs Advisory Committee:
 1. There were three CIRT call outs, two in Brentwood, one in Baldwin Borough.
 2. CIT (Cooperative Investigation Team), No new cases.
 3. Accident Reconstruction Team, no call outs.
- Fire Chiefs Advisory Committee:
 1. Bids opened for hose, ladder and pump testing.
 2. Joint purchasing will be done for Protective Masks and TYVEK Suits
 3. Basic training in progress.
 4. Major training event considered.
- Joint Police Test August 8, 2021, four Municipalities involved.
- Salt price now \$80.25/ton for rest of contract under 150% usage. \$85.13/ton over 150% usage.
 1. One more option year remains that must be agreed upon by both the Municipality and Cargill.
- Waste Management has ignored our wording on the contract to adjust the recycling fees based on current marking conditions, as a result, the bid price will prevail unless they request an increase.
- Act 152, Blight Removal Grants due by April 23, 2021. The Borough submitted our grant application for three demolition projects.
- CDBG 46 for July 1, 2020 through June 30, 2021, all bids complete except one Demolition project.
- CDBG 47 for July 1, 2021 through June 30, 2022, projects are under review. They are moving slower due to COVID.
- Golf outing is July 15, 2021, banquet is October 21, 2021.

If we could send a letter to County and State to get extra money for snow removal on their roads since we had more snow, then expected this year. We have a total budget for overtime, and

we only have \$19,045.00 for the rest of the year. If we have a storm in the summer or snow before the end of the year, it's going to use that up and we are going to go over.

Mr. Sockman stated:

In response to the overtime, that is being investigated by Mr. Stinner and Mr. Volpe and letters have been sent.

Mrs. Ruscitto stated:

Nothing further.

Mr. Reynolds stated:

In terms of selling the cars, used car market is at an all-time high. Manufacturers have contributed a lot of it to shortage of computer chips. Maybe we as a Borough can take a look at our fleet and maybe take advantage of the market being high.

I would like to make a motion to appoint Gloria Gulla to the Planning Steering Committee.

I would like to make a motion to reinstate Gill Hall to allow them to give mutual aid.

Mrs. Bucy stated she didn't know if we could put that on or not because of the court issue and will refer this to the Solicitor.

Solicitor Gabriel stated he will explore that issue and make contact with the Judge's chambers to ask. Mr. Reynolds stated it's not to put them on for our community, it's to put them on to allow them to give mutual aid to other communities.

Solicitor Gabriel stated the SHACOG Mutual Aid agreement already includes Gill Hall.

Mr. Reynolds stated Gill Hall is having a spaghetti dinner fundraiser this weekend to raise money for insurance if the Borough takes them off of theirs.

I would like to thank all the ladies and women from the Floreffe Ladies Auxiliary. An organization that did 70 years of service to the community. They did some very special things within our family. Unfortunately, they are now, after 70 years, disbanding and are no longer in existence.

Mrs. Steffey stated:

Nothing further.

Mrs. Ielase stated:

Apologized on the astronomical number I put out there about houses. What I was trying to make a point of is that we are growing bigger and need to plan ahead.

Tensions are high across the country with incidents with different police officers. I hope you consider everyone's individual differences. I hope your heart will be open to not judge them all that way before decisions are made. This was sent to me today and it can be applied to all the cops and EMS personnel:

Somewhere a cop is being yelled at for taking too long to get there,
trying to save the life of a total stranger;
holding his bladder because his MDT just went off;
starving because he missed a meal;
having to keep a stone face at an accident scene where there's two dead kids;
and now it's 4 am, and he's missing HIS family while taking care of YOURS.

I think a lot of people are running high, and I hope you consider all the time that Police, Fire fighters and EMT are out there giving up their family time to help other people.

The Library is open for in person services. The summer reading program kicked off and registration is June 1st. It will be held in person from Thursday June 14th through July 16th for children age preschool to grade four. Please check the website for more information.

Fish Day is Saturday from 9:00 a.m. – 2:00 p.m. Rain or shine. Sign in is at Peters Creek and Waterman Road. There is food, gifts, 50/50 and a Kayak raffle. Bring a bucket, a fishing rod and a chair and settle in to have a relaxing day. It is for 18-year-old and younger to receive the prizes. The top two biggest catches will receive gift cards and the fish are to be brought to the table where they sign in to be measured.

Mrs. Bucy stated:

On behalf of all the Council members happy Mother's Day.

When I spoke with Millstone Developer and I learned that Chief Chalfant had applied for a burn site on one of the homes. This was a lot of paperwork and the developer has finally gotten has official asbestos report and there is none. After that report, it takes 45 days, and they will be doing an official burn site at that location. Many Municipalities and other fire stations will be taking part in the training. My hope is that Judge McCay will be able to work things out so that all the members in the Jefferson Hills area can participate in that. It will be a very good learning activity for them. In addition, that site has been used as SHACOG Cert Team to train. This is another area that we have allowed people to train at this site. It takes a lot of coordination for the paperwork and a lot of coordination with other fire departments, especially ours to get that done.

I also want to thank the Finance committee for maintaining the budget on a daily basis. We are keeping right on task and I thank Mr. Drager and Mr. Stinner.

Also, a happy Cinco Di Mayo to everyone else.

ADJOURNMENT:

President Bucy at 9:15 p.m. adjourned the meeting on motion by Mrs. Ruscitto, seconded by Mr. Reynolds and carried unanimously.

Executive Session: Personnel, Lawfully Privileged/Confidential, Public Safety Preparedness, Litigation (Jefferson Estates Homeowners Association v. Zokaites Properties et al., Court of Common Pleas of Allegheny County, Docket No. GD-17-011526; Peters Creek Sanitary Authority, et al. v. Clairton Municipal Authority, Court of Common Pleas of Allegheny County, GD-17-017711; AUUE, Inc. v. Borough of Jefferson Hills Zoning Hearing Board, Court of Common Pleas of Allegheny County Appeal No. 871CD 2020, SA-19-000748; PICCO Superfund site- potential litigation involving WESA and Ashland.

John P. Stinner
Secretary/Borough Manager