

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, President Bucy and Mayor Cmar answered to roll call. Finance Officer Drager, Solicitor Gabriel, Borough Engineer Glistler, Public Works Director Volpe, Police Chief Dziezgowski and Borough Manager Stinner were also present. Mr. Minsterman was absent.

BOROUGH RESIDENT/TAXPAYER COMMENTS

Ned Trbovich, Jr., 335 Joan of Arc Court, stated, hey not sure when you can or if you can read at the meeting a comment. I would like to see Council talk about and look into getting a K9 again for the police. With the police chief's approval obviously, I'd like to see a program restarted. I think it would be beneficial.

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 Mrs. Steffey, and carried unanimously.

Mr. Montgomery moved approve minutes of agenda meeting July 7, 2021, seconded by Mr. Sockman, and carried unanimously.

Mrs. Ielase moved to approve minutes of regular meeting July 12, 2021, seconded by Mrs. Steffey, and carried unanimously.

Mike Haberman from Gateway Engineers explained his findings on the Traffic Impact Study. We were retained by the Borough a couple of months back to take a look at and evaluate whether or not we think that it makes sense for the Borough to pursue adopting a transportation impact fee ordinance. I'll try not to get super technical. I'll just kind of go through the brief steps of what we did and why I came to the conclusion that I did and then I can answer questions and maybe get a little bit more technical if I have to at that point.

For those of you that are not familiar with transportation impact fees, that's legislation that was passed back in 1990. It amended the MPC to allow municipalities in the Commonwealth of Pennsylvania to adopt ordinances to assess fees on new development within that municipality based on the traffic that that development would generate. And then it would be a per trip fee that could then be applied over time to capital improvements that would result from 20 or 30 years of growth and development in a municipality.

There are a lot of limitations associated with the legislation and what you can and can't use transportation impact fees for. A lot of that goes into whether or not it makes sense for the

municipality to adopt an ordinance like that or not. There's also a lot that has to be evaluated as far as undeveloped and underdeveloped land within the municipality. What it's zoned, what it could potentially develop as over the next 20-30 years and then also the ownership and maintenance and long-term ownership of the roadways in municipality. So, are they Borough owned streets, are they county owned roadways or are they state owned roadways?

A lot of this stuff has to be evaluated and looked at and assessed in order to determine whether it makes sense for a municipality to adopt an ordinance like this. I will say before I go through some of the details of what we did, this is my opinion based on my experience, and other municipalities and in 20 years of doing this, and it by no means, means that you guys can't certainly go forward with adopting an ordinance if you think it makes sense. This is just what I found based on my analysis and my experience, is that for this municipality, this Borough, I don't believe that it makes sense for multiple reasons. Number one, when you look at your overall zoning map, the size of the Borough and the zoning map, the remaining parcels that are undeveloped or underdeveloped, a majority of it is R-1 or R-2. So, it's a lot of residential. Residential development doesn't really drive transportation impact fees, nor does it really drive significant capital improvements that would be necessary as a result of traffic generated by a development. So that's really driven by commercial, retail, business, office and industrial.

When you look at the land throughout the Borough that's zoned industrial, it is essentially the whole Peters Creek corridor, which is in the floodplain and the floodway, topography is very challenging, not really likely to get industrial development down there. Just because it wouldn't be feasible. You've also got the business park up at the interchange with Ridge Road and Route 51, both of which are state roads. It's been looked at over the years that at least I'm familiar with, I remember years ago, I think Walmart came in, wanted to rezone that and some other things. But the reality of the situation is, is if that were to develop, because those are state roads, any type of capital improvements that would be required for a development like that are going to be required in order to get permits from PennDOT. They're going to have to make pretty significant improvements. So, the Borough wouldn't be in a position where you would be stuck footing the bill for that where impact fees would help you. That would be kind of taking care of just because of the roadway that it's on and where it is.

The residential developments, the land that's left, while there is significant land, the parcels, the individual parcels aren't significant in the sense that you're going to get 300 lot subdivision on a particular parcel. You're going to get smaller subdivisions coming in like you've seen recently, 10 to 50 to maybe upwards of 75 lots, that will build out over four or five years. From a traffic generation standpoint, an impact fee standpoint, those aren't going to generate a whole lot of fees, nor are they going to generate the kind of traffic that's going to result in the need for turn lanes or significant infrastructure.

If the roadway network in the Borough were mostly Borough roads, then my opinion would change. But the main corridor is that a lot of the undeveloped parcels are on Cochran Mill, Gill Hall, Old Clairton, Route 51, then you've got Coal Valley going east west, and you got 885, these are all state and county roads. The disadvantage there is that if this land develops along those roadways and you had an impact for your ordinance and you identify capital improvement projects that needed done on those roadways, the legislation only allows 50% of the cost of an improvement to a county or state-owned road to be funded with impact fees. So, you'd still be looking at a project

that you have to fund half of yourself or figure out a way to get money from other sources, whether it's grants or get a developer to foot more of the bill. So, there's a disadvantage to having impact fees because of the types of roads you have.

But on the flip side, there's an advantage to these parcels being along those roads and being state and county roads because PennDOT and the county have different teeth and a different hammer they can put on developments in the sense that they can require off site capital improvements if there are traffic impacts identified, whereas as a municipality you can't. So, when you look at the roadway network, the developable land, and the type of land that's left to develop and the analysis that we did, we did some analysis of four or five intersections that could potentially have been critical intersections and didn't find anything significant, we have come to the conclusion that doesn't necessarily make sense for Jefferson Hills to go through the process of adopting an impact for your ordinance. Again, that doesn't mean you can't go through the process. I don't think you get the benefit out of it that, that other communities may just based on the type of communities, they are, the type of roadways they have, and the type of development that they have.

The final thing is that the cost to implement an impact ordinance would be borne by the Borough, probably \$100-120,000.00. And it's a 12-to-18-month process. So, considering all those things, that was what my conclusion was. I'm happy to kind of dive in a little further and answer questions. I know I met with the engineering committee last week.

Mr. Sockman asked, you did explain this to us in the engineering committee meeting that it would cost us about \$100-120,000.00 to implement it, but based on our roads and things in the Borough, how long would you estimate it would take for us to recoup that money?

Mr. Haberman stated to initially established an impact ordinance, that's fully funded by the Borough, that money would not be recouped. Impact fee monies are very specific on what they can be used for if you have the ordinance in place and you can't use it for that. So that would be an expense upfront for the Borough that would not be recouped.

Mrs. Bucy stated, I think what Mr. Sockman, and you can correct me if I'm wrong, I think he meant how long after with an impact fee would you project that it would take us to recoup that \$100,000.00 like the fees themselves? Is that what you were asking? Mr. Sockman stated yes.

Mr. Haberman stated, there are two different things. Depending on development that came in and depending on what your fee ended up being. So, the transportation impact fees in the southwestern PA area there's, I don't know maybe 10 or 12 communities that have them. They range anywhere from \$800.00 per trip to as high as \$1,800.00 per trip. You don't know what the actual fee per trip is going to be until you go through all of the studies and the reports, and you know that is a 12-to-18-month process to actually establish that fee. A good rule of thumb is about \$1,000.00 per trip per PM peak hour trip. So, for example, a 50-lot subdivision would generate probably around \$50,000.00 if it were \$1,000.00 a trip, because it's basically one PM trip per residential unit. So, two years to build out 50 lots. It would ultimately depend on what the fee amount is per trip and then how fast and what types of developments are coming through.

Ultimately, those fees that you collect, they don't go into the Borough's general fund, they have to have a whole separate accounting system that gets audited by the state and its very specific on what you can use the funds for. You cannot use the funds for any existing deficiencies. So, if you say, as soon as we collect enough money, we want to put in a traffic signal that's warranted today, you can't use it for that. You have to mitigate those existing deficiencies yourself first. Then you have 30 years' worth of growth from surrounding communities whose traffic is going to travel through Jefferson Hills that has to be evaluated. Any deficiencies or improvements that would need to be done under those conditions, that's your responsibility. You can't use impact fees for those either. You can only use impact fees for specific capital improvements identified to be caused by development within Jefferson Hills Borough. And if that capital improvement or impact is on a state road or a county road, only 50% of the cost can come from those impact fees. So, you're limited on where you can use the funds, how you can use them and even how much of them you can use.

Solicitor Gabriel stated I know in our engineer committee meeting; I believe you indicated that you made assumptions based on the current comprehensive plan in the current zoning ordinance. Once the Borough completes the update of those documents, would you recommend that the Borough revisit and take a look at this?

Mr. Haberman stated my opinion was just based on my experience in the way I've seen these programs implemented. They're really driven by commercial development. Big commercial development, you know, office parks, significant big box retail, things like that. While your smaller commercial developments can generate some funds, they also typically don't on their own generate significant impacts to the point where you need a big capital improvement project anyways.

When you look at the Route 51 Corridor, the challenge with that, even though it's all zoned commercial is, it's very narrow properties. The topography essentially are small thin pieces of land on each side of 51, you don't have parcels that are big enough for the types of large retail and commercial developments that would generate enough fees to actually make a difference when it comes to the capital improvement projects. Second, if something were to come along 51, like if Sheetz comes in or something like that, the reality of it is, and I've done a lot of work for Sheetz, they go along big corridors like Route 19 around Route 51. They want to be at signalized intersections, and they spend millions of dollars on traffic improvements required by PennDOT to make it work. So, you wouldn't really need impact fees because you wouldn't be in a situation where you would be staring at some type of an impact that's not being fixed. They fixed them; they're required to as part of the permitting process. But, if you go through the comprehensive plan and your long-term vision is that a lot of the land right now that's R-1 and R-2 along some of these other corridors that I mentioned, and you want to start putting in pockets of commercial and business park and things like that, then yes, my opinion absolutely could change.

Mrs. Bucy thanked Mr. Haberman for his presentation.

Mr. Sockman moved to contract with Maher Duessel for additional accounting services in preparation for the Borough's annual financial audit, seconded by Mr. Montgomery and carried unanimously.

Mrs. Steffey moved to name “Baseball Field #1” in Andrew Reilly Memorial Park, seconded by Mrs. Ielase and carried unanimously.

Mrs. Ielase moved to approve \$3,400.00 to provide 2-day financial software reporting training from Edmunds GovTech to administrative staff, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ruscitto moved to extend a conditional offer of employment to Tyler Hinerman as a probationary police officer following successful completion of all Civil Service regulations. Official appointment is contingent upon the successful completion of physical and psychological evaluations, seconded by Mrs. Steffey and carried unanimously.

Mrs. Ielase moved to approve Change Order #3 from David Davis Communications in the amount of \$12,557.00 for additional access control and security camera upfit in the Borough Administrative Complex, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to repair door locks and replace access controls in processing area between prisoner processing and squad room in the Jefferson Hills Police Department from David Davis Communications in the amount of \$4,428.00, seconded by Mrs. Steffey and carried unanimously.

Mr. Sockman moved to purchase and installation of ALPR and Overview Cameras for the intersection of Rt. 51/Turnpike 43/Old Clairton Road from Security Consulting Solutions Inc. for the price of \$17,000.00 as part of the budgeted item in the 2021 capital expenses, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman stated he thinks it would be nice if the public knows the purpose of these cameras.

Chief Dziezowski stated, these cameras are long overdue. This will give us another security aspect of the route of Route 51 northbound and southbound at the intersection of Jefferson Boulevard and Turnpike 43 interchange and also Old Clairton Road. Just last week, we had a horrific crash that took place and had we had those cameras erected, we would have probably had a lot better evidence to support who was at fault, it almost turned out to be a fatality. Cameras are inevitable in today's society for security of our Borough, and this will add to the camera system that we have already at Route 51 and Coal Valley. So again, this is a large intersection with a lot of traffic and will help maintain the security of the Borough moving forward.

Mrs. Ielase moved to recommend to SHACOG the award of a bid to State Pipe Services, Inc. for the Joint Municipal SHACOG O&M Preventative Maintenance – Year 11 Project in the amount of \$82,207.50 with the Borough’s share of \$18,272.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to approve Application for Payment No. 1 from Robinson Pipe Cleaning Company in the amount of \$39,374.70 for work completed on the Joint Municipal SHACOG O&M CCTV – Year 10 Project, subject to the receipt of an invoice from SHACOG, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to approve the Work Authorization dated July 28, 2021, from Gateway Engineers, Inc. to continue assisting with the environmental permitting and for the proposed Frank Street connection in the amount not to exceed \$6,000.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to table the motion to approve CU-1-2021 – 115 Gill Hall Road Conditional Use, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery stated he recommends tabling for 30 days because we have the time frame of 45 days and there are some items with lighting and parking that needs to be addressed. So, we really can't approve this now, and this will give them the opportunity to correct them if they can and we can reconsider it next month.

REPORTS:

Fire Chief:

Chief Chalfant stated I don't have anything as a fire chief but as President of JFR. Judge McVay issued a ruling on the ladder truck. Judge McVay said that it has to come back. He would not issue a ruling other than it has to come back because Council is a third party in the lawsuit and since they were not involved initially, Judge McVay said he cannot give a ruling. I think Mr. Gabriel, you got this ruling as well.

Solicitor stated yes, it's on the schedule for executive session immediately following this meeting.

Chief Chalfant stated ok I spoke with our Counsel today and he said he did email you and was waiting to hear back from you and I just wanted to make sure that we can get the ball rolling and continue with this process.

EMS:

Not present

Engineer:

Nothing further

Consulting Engineer:

Not present

Finance Officer/Treasurer:

Nothing further

Public Works Director:

Nothing further

Chief Dziezgowski:

I did have one thing to add just to clear up a matter. Today, there was a critical incident occurred in Clairton where two of our officers responded as mutual aid. There were some reports that an officer was shot, that was incorrect information. It was a tense situation. Medics were fired at responding to an overdose call. They did apprehend the individual. No one was injured, but this does bring to light how important and how dangerous it's becoming for all first responders not just police, but E.M.S. fire and police. So, keep them in your prayers. Thank you

Mr. Montgomery stated he thought his reports was excellent that was an improvement for what we've had in the past. But on the new acts on Act 57 and Act 59 there's a reference to a commission. I'm just wondering what that commission is.

Chief Dziezgowski stated that is municipal police officers Education and training commission they're the ones that regulate our certifications throughout the state.

Mr. Montgomery stated, okay, I didn't know what that was.

Chief Dziezgowski stated they regulate everything and they're the ones that came out with the interpretation of this legislation as it applies to police certification.

Mayor:

I attended the annual Pennsylvania State Mayor's Conference last month. Among the topics discussed during the conference were:

- State & National Economic Outlook
- Legislative Update (Representative Benninghoff)
- Domestic Terrorism
- Recent Legal Developments
- Cyber Security
- Community Policing

The state Mayor's also approved several resolutions, one that opposes proposals to place the funding of the Pennsylvania State Police on local governments and a second that commends the examples of bravery by officers that joined together during the January 6th attack on the US Capital.

I had a number of discussions this past week relating to fire protection. The residents that spoke to me want Gill Hall Fire Company open and operating asap.

Manager:

Nothing further

Solicitor:

Council did meet in executive session just prior to this voting meeting to discuss a litigation matter. We have additional litigation matters and a personnel matter to discuss as soon as this voting meeting is over, so we'll adjourn to executive session. Council will not return; it will not vote on any further items.

Secondly, it was brought to my attention that some residents may be tape recording these meetings, which is fine. It's a public meeting. We would just simply ask that whoever decides to tape this meeting, please identify themselves to the Borough; name and address, for the Borough's records so we can keep track of that. Also, would ask that you not alter the video in anyway, Thank you.

Pete Doel stated I think the reason why they brought that up, I've noticed this at other meetings as well and it happened a lot tonight. During this entire meeting, Councilwoman Steffey is up there typing on her phone. I could be wrong in this assessment, but the second she's done one of these two women, Mandy or Joy starts typing. This has been going back and forth the whole meeting. For about five seconds, Mr. Reynolds picked up his phone and Mandy picked up her phone and took his picture and shook her head. So, the reason why I picked up my phone to record was the second Chief Chalfant got up here, she began videoing Keith waiting for a reaction. I'm just telling you this is what I was seeing. And so, I picked up my phone and you can watch them.

Mrs. Steffey stated, you understand that there is no rule, and every council person up here does it at times there is back and forth between Council people?

Mr. Doel stated I get that, and I wouldn't bring up you doing it if it weren't for the fact that they took his picture the second that he did it. I think we as a community, we could be adults and handle this better, this type of thing ends up on social media and just brings us down.

Solicitor Gabriel stated, I think we will get back to the order because that will come under general business from the residents.

GENERAL BUSINESS:

Mr. Montgomery Stated:

I talked with the Randall Rhoades to set up a meeting for the Finance Committee to start the initiating a pension board here in the Borough. We don't have a pension board. Most communities do and it had just sort of slipped through the cracks and we're going to deal with that. We'll report back to Council with what that is, but he hasn't given any dates yet.

Mr. Sockman Stated:

I was remiss at the agenda setting meeting. I did not mention Bob Marlow, the summer camp director, he did a fantastic job. So many things he did with the kids, they were very excited. As I said before, my grandson was there and he very rarely gets excited about too many things,

but all the field trips and things they did in the visitations that they had were superb. I only hope that we can maybe build on this for next year and include more Children.

Mrs. Ruscitto stated:

I have nothing further.

Mrs. Steffey Stated:

Mr. Volpe, I just I sent you an email earlier from a resident on Wakefield and just past Meadowfield, there's a tree down that is on some wires. If you could check that out along your routes, it's been there for months.

Mr. Volpe stated it's on the Verizon line. Verizon refuses to come out and yes, that has been there, it's probably been a year. We are not allowed to touch any trees on wires. I don't know if we can cite them because all the issues with trees and wires, you can talk to the firemen, they never respond. You can go down further on Wakefield, I'm surprised the garbage trucks haven't pulled their lines down there hanging so low.

Mrs. Steffey asked who would be in charge of contacting Verizon?

Mr. Volpe stated I don't know if we can cite them.

Solicitor Gabriel stated we can have a discussion with Code Enforcement Officer and the Engineer.

Mrs. Ielase stated:

Tomorrow is the 10th, and the library will be announcing the winners to the baskets that people have been putting tickets in all summer.

Gill Hall Volunteer Fire Company was given a probationary plan to reopen which was turned down by the organization. I have always tried to look at both sides of issues facing Council. I have continually stood for equal distribution of firehall funding.

When I became a fire hall liaison last summer, I came to the table ready to listen to both sides. However, as meetings and mediations continued, it became apparent that one organization was not willing to cooperate. When Council requested Gill Hall's certifications, we were given explanations like "We don't know where they are," and "we don't remember where we took them."

I did some calling around and was made aware that all anyone needed to do was call Allegheny County Emergency Services who will provide the documentation they have on file for any fire fighter in Allegheny County. Asking more questions to help find an agreeable outcome, Borough Council was told "We were told not to answer at the advice of our attorney."

Not complying with Borough requests for information and not responding in a timely fashion were some of the reasons I voted to keep them decertified and closed. More importantly,

I voted to keep them closed because of their lack of training and certification. Gill Hall members did not encourage their members to take training classes during the pandemic or while they've been closed. I will never sign a paper allowing them to open if their members are not trained or certified. I will not be a part of putting anyone in danger by not requiring training and certifications for fire companies.

I have lived here for close to 60 years. Jefferson Hills is where folks want their children to go to school and raise their families. Jefferson Hills has standards to be that kind of community. One of those standards I've come to expect in the Borough is close, competent, cost-effective, and collaborative fire protection. We as Council hire people who have experience and credentials for their positions, not because who their friends are in the community. We want out employees to start their first day on the ground, ready-to-roll.

I have repeatedly said that I am not on Facebook or social media, but my family is, and they are not pleased with the information put out there about me or them. I have always been involved in this community. People know who I am if they've paid attention to the truth and not social media gossip. I have never been someone's puppet and I don't follow anyone's lead. I was given a brain and use it very well deciphering two sides of a story. I take no orders from anyone either.

I hope this clarifies my position on these issues which should have been understood the last three times I've stated them. Thank you for the time and please feel free to contact me directly to discuss anything.

Mr. Reynolds stated:

I have nothing further.

Mrs. Bucy stated:

I would just like to state that in this tenuous time with the pandemic. If you feel more comfortable wearing a mask, please feel free to do so. We will continue along until Allegheny County comes out with a mandate. They have a public health service; they will dictate to us what we are to do. When they dictate to us what we are to do, we comply with their mandates. One of the reasons why is because we have CARES money that is then reimbursed to us. Also, on that note, it is required that all Councilman members take their NIMS certification in order for us to apply for any sort of money. And I am happy to say that all of our members of Council have done their NIMS certification. So, we are anticipating that we will be ready in the future if we need be.

ADJOURNMENT:

President Bucy adjourned the meeting at 7:39 p.m. on motion by Mr. Sockman, seconded by Mrs. Steffey and carried unanimously.

John P. Stinner
Secretary/Borough Manager