

Borough of Jefferson Hills
Agenda Meeting of Council
February 9, 2022

The agenda meeting of Council was called to order by President Montgomery at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following Pledge of Allegiance, Council Members Budd, Lynch, Reynolds, Ruscitto, Steffey, Vice President Bucy, President Montgomery, and Mayor McCaffrey answered to roll call. Finance Officer Drager, Solicitor Gabriel, Chief Dziezgowski, Borough Engineer Glister, Consulting Engineer Minsterman and Public Works Director Volpe were also Present. Borough Manager Stinner was absent.

Mr. Montgomery requested a moment of silence for John Lewis, Toni Lewis's husband, who passed away on Monday.

4. Report from Borough Boards and Commissions

Tom Donohue, Environmental Advisory Council, the Environmental Advisory Council held their meeting on January 26, 2022, for the month of January. In reorganization, I was again elected Chairman and Secretary is Rick Moore.

PFAS Discussion

There is a group of manufactured chemicals that have been used in industry and consumer products since the 1940's because of their useful properties. One common characteristic of concern of PFAS is that many break down very slowly and they can build up in people, animals and the environment over time. Current peer reviewed scientific studies have shown that exposure to certain levels of PFAS chemicals may lead to serious health effects. While PFAS chemicals are contained in many products, firefighting foam is the one product where the Borough can have the most control. Class B firefighting foams used for flammable liquid-based fires contained per and poly flora alcohol substances which are the PFAS materials. Analysis of these chemicals are fairly new and expensive and their effect on humans and various concentrations are presently being studied by the EPA. In the database search for local area water analysis in a search we recommended by the Army Corps of Engineers. We could find no information pertaining to PFAS analysis in our area. We spoke with Mr. Thatcher, who was representing the fire department that night for us, and he noted that there has been no training with PFAS foams by the fire department and currently the use of any foam is treated as a hazmat response where there will be a cleanup. However, after cleanup, there's no really preferred method of disposal. Mr. Thatcher could only recall one incident many years ago when there was a tank truck on Route 51 had an accident where they had to use the PFAS materials.

The bill is moving right now through the Pennsylvania state government that would require replacement for foam with PFAS chemicals in them as this is a nation state and nationwide problem. John Stinner, our Borough Manager, noted that the Borough should have an emergency response team prepare a plan for a response in the event of a PFAS foam release.

US Steel Clairton Coke Works Air Quality update

Mr. Kevin Polick provided an update on the Citizens Advisory Panel of US Steel, which he's a member. He referenced their good environmental record that they've had in this past year for the end of year 2021. They'll be coming out with their 2021 environmental report shortly. He also affirmed their shutdown of their three oldest batteries that will occur in approximately two years, which will reduce emissions and their commitment to attain carbon neutral status by the year 2050.

Mr. Polick also noted the U.S. Steel is investing \$3 billion dollars into their Arkansas plant, and they have completed their entire permitting process for that facility within the past nine months.

Wetland Demonstration

We discussed different areas that may be possible for that to occur.

Beneficial Use of Mining, Water Quality and Abandoned Wells

EAC is still investigating privately and through Gateway Engineers software for opening the old digital mind map files which we obtained from the DEP. There was extensive discussion on the potential Borough Department of Energy project for a testing absorbent in the isolation of critical minerals from various water sources in the area. DOE has made a request for water sampling data from various water sources and we're seeing if some past sampling that's been done by the Peters Creek Watershed Association. We're attempting to pull that information up and pass on to them. Mr. Stinner discussed the possibility of having a mutual agreement with the Borough and DOE since some of the Sorbonne testing could be completed on Borough property. The Borough has several properties adjacent to Peters Creek. Funding from the government, could support the R and D and data collection. Mr. Ackman will continue the conversation with the DOE Contact we have. There's also the old coal refuse pile at Ravensburg bridge under the bridge, rare earth extraction could make it economical. It would be interesting to discuss with an interested private party about this or U. S. Steel since they created it. During the meeting, there was information shared on the Bureau of Land Management's program for closing orphaned or abandoned wells. That project is being supported by the recently passed federal bipartisan infrastructure law.

Pennsylvania Adopt-A-Road

Regards to Peters Creek. The Scout troop has had their section approved from Gill Hall Road over to Waterman and the US Steel was looking to go from the patch to Waterman Road on their section. They're presently in the application process.

Keep PA Beautiful month

Mr. Stinner suggested to kick off that campaign would be good to do a special dedication for the Scout troops adoption of their segments of Peters Creek Road. The scouts will look to see if they can align their clean up the week or two before open day of trout. March 26th would be a good time to have the scout cleanup. Mr. Moore, who organized the Scout adopt the road program gave Mr. Polick the formal state application for U. S. Steel to submit for their Adopted a Road Program section.

Environmental planting discussion

Mr. Thatcher recommended the book about the benefits of planting native species.

Mr. Reynolds stated in regard to the firefighter foam, is that the same foam that the firemen pumped back into the water supply down in McKeesport where it wiped out the water supply? Is that what we're talking?

Mr. Donohue stated I've understood it is, that they had to do a major clean out there of the system afterwards.

Mr. Reynolds stated yes, the residents couldn't even take a shower. They had to go up to the high school. That's how dangerous it is.

Mr. Donohue stated yes, that was that was a major mistake.

Mr. Reynolds asked the second thing I'd like to ask, are we doing anything to control because if I'm not mistaken, the foam was used at the All Crane fire a couple of years ago and it's right next to the Monongahela River and the creek that runs right past it. I wouldn't want to see us using that foam down there on a crane whenever it can obviously seep right into the water. What are we doing to protect our residents?

5. Borough Resident/Taxpayer Comments on Agenda Items

6. Discussion to approve the monthly bills

Mrs. Ruscitto stated on the purchase order listing, it says that we paid out \$5,000.00 to Bootay Bevington and Nichols. Do we know what that was for?

Mrs. Steffey stated I would have to say that that's probably the hand money/deposit money for the parcel of land off of Gill Hall for the substation.

7. Discussion to approve the monthly payroll

8. Discussion to approve minutes of reorganization meeting January 2, 2022

9. Discussion to approve minutes of agenda meeting January 5, 2022

10. Discussion to approve minutes of regular meeting January 10, 2022

11. Discussion to reorganize Council

Mr. Reynolds asked, are we going to reorganize now?

Mr. Montgomery stated no, this isn't a voting meeting.

Mr. Reynolds asked if a motion is made, could we reorganize? We have a full seat.

Mr. Montgomery stated no, this is not a voting meeting.

Mrs. Bucy stated I'd just like to know when to reorganize Council. Is that including President, Vice-President and President Pro temp all three of them? Is that what we're planning on?

Mr. Reynolds stated any and all. We have a new Council member here and we should give the new Council member a voice.

Mrs. Bucy stated I just want to make sure I understand.

Mr. Reynolds stated our leadership changed throughout a disaster, something that nobody could foresee. So, it's only logical that now that we fill the seat that we would consider reorganized.

Mrs. Bucy stated that's what I want to know.

Mrs. Budd asked if we can't do it tonight, when would we do it?

Mr. Montgomery stated on Monday's voting meeting.

12. Discussion to advertise position on the Borough of Jefferson Hills Planning Commission to complete the term for Keith Polick – Term Ending 12/31/2022

Mr. Reynolds asked was that already advertised?

Mr. Montgomery stated no, this is the authorization to advertise.

Mr. Reynolds stated I thought we authorized that whenever we advertised for the open Council seat?

Mr. Montgomery stated no, that's for the Council seat, this is for the Planning Commission.

13. Discussion to adopt Resolution No. 05-2022 amending the salaries, compensation and wages for Borough employees for the year 2022 fixing the salary for the tax collector as voted upon at the December 14, 2020, Council meeting

Mr. Montgomery asked Mr. Drager would you like to give us some background on that?

Mr. Drager stated there was just a few adjustments and calculations that were slightly off, one of them being the tax collector. There was an increase in her pay that was voted on in December 2020. I believe there were two others just that had to be aligned correctly with the CBA.

14. Discussion to promote Ernie Stevens from Laborer to Equipment Operator as per the Collective Bargaining Agreement with Laborer's Local Union No. 1058
15. Discussion to promote Cody Estok from Laborer to Equipment Operator as per the Collective Bargaining Agreement with Laborer's Local Union No. 1058
16. Discussion to promote Matt Cidboy from Laborer to Special Laborer as per the Collective Bargaining Agreement with Laborer's Local Union No. 1058
17. Discussion to promote Les Nolder from Parks Laborer to Laborer as per the Collective Bargaining Agreement with Laborer's Local Union No. 1058
18. Discussion to open and advertise the position of mechanic in the Borough of Jefferson Hills Public Works Department

Mr. Montgomery stated we did hire a mechanic in January and the individual declined and decided not to come. So, we're going to have to start the process all over again for the mechanic.

19. Discussion to open and advertise the position of park laborer in the Borough of Jefferson Hills Public Works Department
20. Discussion to open and advertise the position of laborer in the Borough of Jefferson Hills Public Works Department
21. Discussion to appoint Douglas Wildman to the Vacancy Board term ending 12/31/24

Mrs. Budd asked is that a position that should be advertised?

Mr. Montgomery stated they could.

Mrs. Ruscitto stated I think it should be like anything else. I mean, I don't know even know Doug Wildman. I would like to see if people would be interested in that position before we fill it.

Mr. Montgomery stated we will change that to advertise.

Mrs. Bucy stated I think with that there should be a job description about what actually this person does. It was brought to my attention that there was absolutely nothing that he did for 10 years. There was no vacancy that needed addressed.

Mr. Montgomery stated the law has changed so that job has virtually no function.

Solicitor Gabriel stated the Vacancy Board only comes into play if Council would fail to appoint to a vacancy within 30 days and the vacancy board would have 15 days following that to meet. Vacancy Board would be Council and the Vacancy Board member that's appointed as opposed to the mayor. But the mayor broke the tie, so it's really a moot point for the vacancy that we just had for Mr. Polick's passing.

Mrs. Ruscitto stated I still think it should be advertised.

Mrs. Bucy stated I agree, but I think we should explain what the job is.

Mr. Reynolds stated that would mean that Council would have to start to adhere to the guidelines that they set because there have been positions that have been filled to sit up here and people who have been appointed, where no procedural was followed. It was just a couple of individuals that got their way whether it was a political favor, whether it was in the past, that's the way they were filled. So, the position was there, and the Council chose not to use it. It's Council's fault that they chose not to use it. The position is there for a reason. Jefferson Hills Council chose not to do it.

Mr. Montgomery asked not to do what?

Mrs. Bucy stated not in the past two years, we didn't have a vacancy up here. You mean prior to the past two years?

Mrs. Ruscitto stated no, I think we're talking about the process of having people fill any vacancy for boards, committees and commissions. We can't say this one time and then a different thing another time. There has to be set in stone a specific time of advertising that has to happen. We discussed possibly having an email set up on our web page to get applicants to send things to us directly. There's a lot of things that need shaped up with the process in general.

Mr. Montgomery stated we'll advertise that; we'll just rewrite it to advertise.

Mrs. Ruscitto stated what we're saying is whenever we do advertise for something it should be consistent for all positions, no matter what it is.

Mr. Reynolds stated it should include background checks too. This is something here that I know we've discussed. We do not require background checks. If you're going to put somebody on a Vacancy Board, this right here we need to start to have background checks.

Mrs. Ruscitto asked do you mean background checks or clearances? I just want to clarify.

Mr. Reynolds stated both.

Mrs. Bucy stated we've had that, and I know that this comes out and if you want to have a motion that you want to have an Act 33/34 for clearance, that should be one motion. If you want to have a motion that you want additional criminal clearance checks, that should be a separate motion. I've had both of those done just recently. One was cost \$0 the Act 33/34. But the criminal background check was \$23.80. I think they need to be separated so that we know which clearance you are referring to. If you want to have that as a motion, put that on the agenda. You should be sending an email. A process is in place to put something on the agenda.

Mr. Montgomery stated send me an email what you want because there's all types of background checks. How far do you want to go with the criminal background checks? These things can be costly and probably nobody will apply for these positions.

Mrs. Budd stated I agree with the background checks. Do you have any issue with there being a policy in place on how they're handled once any paperwork about that's received?

Mr. Reynolds stated no, I just want something. I just find it amazing that the residents out there, they're sending their kids over to a library and we've never done a background check on anybody over in the library.

Mr. Montgomery stated they do check; they check everybody in the library. I checked with them yesterday. Everybody that works in the library has a background check.

Mr. Reynolds stated then why wouldn't we, as the Borough, we don't?

Mr. Montgomery stated I just want to understand what you want for a background check. The Chief can explain this in better detail than I can. Is it a complete criminal check, an FBI check? I don't know if they really need the one clearance.

Mrs. Ruscitto asked, am I incorrect, but it's a fingerprint and they check your record.

Chief Dziezgowski stated that's correct. They do a background check, it's an FBI clearance. They're checking you for a criminal background. Chief Chalfant provided us a free website for volunteers. For volunteers, that background is free. The Act 33/34 clearances, one's a background check, one's clearances. For the clearances, if you are employed, there is a cost to it. If you're working for the business then yes, there is a cost for the background and the clearances. If you're volunteering for a position and you're just doing a background, it's free. That would be the simple thing if you just wanted a criminal background, you would go through the state police and be free.

Mrs. Ruscitto stated we just need the two clearances because the one provides you what we need, so does the other.

Mr. Reynolds stated let's finish this in our executive session after we close up business.

22. Discussion to extend a conditional offer of employment to Jacob Moldovan 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
23. Discussion to authorize the advertising and amendment of Ordinance §5-514.4 - Noxious Weeds, to include the following language "Shrubs should be maintained and pruned to a reasonable height and not be allowed to restrict access to a structure"

Mr. Glister stated Chief Dziezgowski, and I were talking this afternoon. He saw this item on the agenda and he had an additional recommendation for some additional language to add to that particular section in the

ordinance. We talked with Mark Reis and Jim Seskey briefly regarding what we do when we have vegetation blocking street signs, stop signs, speed limit signs, that kind of thing. We do have some language in our zoning ordinance, it's more focused on-site triangles at a T-intersection or a four-way intersection and how much like distance you have to have. But he has some additional language that he recommended we add to that. If Council is all right with that, I'm going to revise this item on the agenda to recommend including that additional language.

Chief Dziezgowski stated the language would cover any shrubbery or vegetation that grows on corner properties at intersections that may obscure an individual site driving. This gives us some more teeth in our ordinance to enforce that which is not there right now. It's the code but not under our ordinance.

Mr. Montgomery asked do you want to add that to the ordinance? We would be voting on something a little different, correct?

Mr. Glister stated it will be essentially the same thing. Right now, the item on the agenda recommends adding this language. I would revise that to add this language and the additional language. The chief is recommending.

Solicitor Gabriel asked it's just an additional one sentence, correct?

Mr. Glister stated it's "trees, shrubs or other vegetation whose limbs or parts thereof project into a public right of way, therefore interfering with the normal use of said right away." It's not a big addition, but it would give us some additional means for enforcement.

24. Discussion to adopt Resolution No. 06-2022 for final approval for a subdivision known as S-1-2022, Pleasant Grove Plan of Lots, conditional to update on the status of the sewage planning module; disclosure statement regarding the findings of a geotechnical or soils report; evidence of application to Allegheny County Conservation District for an erosion and sedimentation control plan and a NPDES permit

Mr. Glister stated the note with regards to the geotechnical and soils report has been added to the plan. That wasn't on the plan at our Planning Commission meeting at the end of January. That's why it came forward as a condition. But that note has since been added to the plans and Gateway has issued a revised review letter recommending approval of the plan regarding the planning module. Actually, if you move forward on the agenda, next item on the agenda is recommending our discussion to adopt a resolution for the sewage facilities planning module for this project. The applicant had to get a planning module to the point where it would come up on to a Council agenda for approval. It's got to go to multiple agencies, sewage treatment plants, collection system, Health department and so forth. They took care of that. Then the NPDS application through the Allegheny County Conservation District, I did talk with the applicants engineer and that has been applied for and they're waiting for approval of their NPDS permits. That's been updated and the planning module and the NPDS Permit. those are outside agencies; we typically would not hold up an application for those types of conditions. The main item was the note regarding the geotechnical and soils report but that has since been addressed.

25. Discussion to adopt Resolution No. 07-2022 for a Sewage Facilities Planning Module for the subdivision plan known as S-1-2022, Pleasant Grove Plan of Lots

Mr. Glister stated I would just like to add this is pretty standard. The actual resolution is on the second page of the attachment that was in your packets. This is standard through the PA DEP as part of any development, whether it's multiple lots or it can even be as few as one or two lots if the treatment plant receiving the flow is under a corrective action plan. The resolution isn't in our standard format we would use but it's the standard format that the DEP requires. But we've gone through this planning module, we've signed off on our appropriate locations, all the other entities that need to sign off on it have. This particular one for the Pleasant Grove Plan of

lots is a little bit unusual in the sense that the extension is within the Borough of Jefferson Hills, but the existing sewage collection system and where the sewage is going to be treated is in the Pleasant Hills Authority and through Pleasant Hills Borough conveyance lines. It's an unusual circumstance with some of the information in the back but we did have a conversation with the applicants engineer as well as Gateway and the DEP on how they wanted to see this particular one handled and I think we got it all squared away. Other than that, they're pretty standard. I would say the next item is similar. It's another planning module for Deer Hollow which was previously approved. They're just getting to the point now where they got all the signatures from the different entities and so forth and now, they're ready for us to finalize and adopt the resolution.

26. Discussion to adopt Resolution No. 08-2022 for a Sewage Facilities Planning Module for the subdivision plan known as S-1-2021, Deer Hollow Plan of Lots
27. Discussion to approve Application for Payment No. 2 and Final from Mele & Mele & Sons, Inc. in the amount of \$25,261.33 for work completed on the 2021 Road Program subject to the receipt of the maintenance bond for 50% of the final contract amount for a duration of two-years and approval of the maintenance bond by the Borough Solicitor
28. Discussion to approve the Work Authorization dated February 2, 2022, from Gateway Engineers, Inc. to assist the Borough with preparation of the specifications and bid package for the 2022 Paving Program in the amount not to exceed \$3,000.00
29. Discussion to approve the Work Authorization dated February 2, 2022, from Gateway Engineers, Inc. to provide the Borough with general Operations and Maintenance support for all 2022 Operation and Maintenance Projects in the amount not to exceed \$8,000.00
30. Discussion to approve SHACOG to award the bid of the CD 47 7.5 Andrew Reilly Park ADA Upgrades Phase 3 project to Swede Construction Corporation in the amount of \$28,350.00

Mr. Glister stated the only thing I would like to add to that, this is being funded partially through CDBG funding and the bids actually for this and the next item on the agenda, they came in well underneath the engineers estimate which is sort of surprising given the inflation and supply chain issues that we've seen across the board that have typically driven cost up. My concern was that we were going to be well above what we're estimating the project to be. I'm not sure if this is just a product of looking to keep the doors open and absolutely need the job kind of a thing but typically less is more in this case less is less in the sense that the way the CDBG funding is awarded in our contract with them through the grant is the funding is for 50% of the final construction amount up to a maximum of \$20,000.00. So that's why we typically shoot for a project that's going to be a little over \$40,000.00 that way we're maximizing how much funding we can receive but with this coming in so low we would be closer to the \$15,000.00. There is the potential still that we may get the full \$20,000.00 depending on how some of the other projects shake out. The Swede construction, they've done a few of these in the past, their end product is typically pretty good. Sometimes there's some difficulties with them starting and stopping on the job but hopefully we're going to try to home in on this year and then see if we can't make that go a little smoother.

31. Discussion to approve SHACOG to award the bid of the CD 47 7.5 Tepe Park ADA Upgrades Phase 1 project to Swede Construction Corporation in the amount of \$33,600.00
32. Reports

Fire Chief:

Not present

EMS:

Not present

Engineer:

Nothing further

Consulting Engineer:

Mrs. Ruscitto stated I thought we were going to have an update on CMA this evening, but we didn't. Is there anything that you could tell us as far as progress or change or news?

Mr. Minsterman stated nothing new, the only word I heard was there was a change in the authority members and were waiting for them to settle in and then they would then decide whether they would proceed project phase two upgrade projects.

Mrs. Ruscitto stated okay I looked through the reports and there's a huge chunk of money going out again to them and I would like some answers.

Mr. Minsterman stated I'm not sure what that money is, it may be the monthly payments. That was the last word I got, there's no update from the last time.

Finance Officer/Treasurer:

Just an update on some of the year end reporting. Some of our Mockenhaupt reports, the valuation should be done here within about a week or two. Same with our opened Act 205 reports will be due at the end of March, the other reporting through municipal stats, they're all complete up to date. AG 385 will be due at the end of next month as well. All the reporting for PennDOT and the M.S. 965 is complete. I'm working with the Department of Justice and the asset forfeiture reporting that will be done by the end of February. Also, all of the PSAB reporting is done to date. My finance report will be done on Friday, and I also have some of the year end numbers for 2021 available in that report as well.

Mrs. Bucy stated Mr. Drager, do you have the amount? The reason I'm asking is that some people thought that the budget was fatally flawed and in fact that was Mr. Reynolds who stated it was a fatally flawed budget process. Could you project about how long the Finance Committee worked on that budget process and could you give us a brief update about how we ended the year financially?

Mr. Drager stated I don't know in terms of man hours, but there was a lot of meetings and we started right at the beginning of August and there were approximately, maybe 30 workshops between various departments and Council members and Finance Committee meetings. I can't speak for Councilman Reynolds, but I believe what he was speaking to, was the use of the reserve fund balance. On page three of the budget, we do have \$689,000.00 for the use of the reserve fund balance. It's something that has been there for the past few budgets. Ultimately, what I've provided to the Council members is our actuals, so our revenues versus expenditures over 2020 and 2021. In fact, it is true using the use of the reserve fund balance, if we meet all the expenditures, we

would be running at a deficit. Fortunately, at least over the past two years, we have not come anywhere near to meeting 100% of our expenditures. So, I broke it down by our major funds on the spreadsheet that you can see to see where we only met 92% of our expenditures for the General Fund in 2020 carrying over \$877,000.00, 91% of our Sewer Fund carrying over \$384,000.00, and then also for highway aid, we were at 79% in 2020, carrying over just a little bit under \$76,000.00. For 2021, we were at 96% carrying over \$473,720.00 for the Sewer Fund. We went over budget on the highway aid primarily because of the harsh winter. All in all, over the two-year period our non-restricted fund balance went up \$1.8 million. Now some of that is 2021 expenditures that will be expensed in 2022 due to supply chain issues or they're still on order. There's probably about \$450,000.00 in that number that will ultimately be expensed in 2022, but they were originally 2021 budget items. So, our 2022 budget does look inflated because of that and there's been some additions as well. Ultimately, the point is that we've done a very good job over the two-year period and keeping our expenditures down and not actually getting close to 100% where we would have to dip into the use of the reserve fund balance.

Mr. Reynolds stated Jon when I originally brought it up and I used the word fatally flawed, I looked at it as if we spent more money than the revenue that we were bringing in. Is that not, correct? Just answer the question, did we spend more than what we were bringing in?

Mr. Drager stated no, this is just our projection for 2022. We did not spend it all yet.

Mr. Reynolds stated to balance that budget, there was close to \$700,000.00 of the reserve, correct? Mr. Drager replied correct. On top of that there was \$300,000.00 left over from 2021 that was slid over to help cover that, which should have technically gone into the reserves. The fact that we're using it at that point it didn't go into the reserve. If it would have gone in the reserves, now, you might as well say we're using \$1 million dollars' worth of the reserves, correct?

Mr. Drager stated it ended up being more, it ended up being more than \$300,000.00. But yes, currently it's in our reserve fund.

Mr. Reynolds stated all I'm saying is if that's not concerning to the residents out there, that we're spending more money and dipping into our reserves when our residents have said that they've wanted anything from a recreation center and so forth, we said we don't have the money, but if we can consistently go in and dip into our reserves for \$1 million dollars to cover our daily, monthly, weekly expenses here, to me, that's on a crash course in some place where I don't want to go. Also, to cover that budget, there was the ARPA money that was \$500,000.00 for 2021.

Mr. Drager stated I believe it's \$505,000.00.

Mr. Reynolds stated how much for 2022, that was all put in there to balance the budget.

Mr. Drager stated 2021 funds are the only ones we have. So currently we have those in the reserve fund, and they're ultimately being expensed this year.

Mr. Reynolds stated so not only do we have a million dollars' worth of the reserves, but we're also dipping into the ARPA money that is not going to be here every year.

Mr. Drager stated the ARPA funds are technically a liability. We have to spend those.

Mr. Reynolds stated not to get in on what we're using, but I just want to because Karen brought that up. I wanted to explain to the residents that whether it's the \$700,000.00, whether it's an additional \$300,000.00. We went into reserves a lot for a Borough of this size to cover and balance that budget.

Mr. Montgomery stated I understand the last two years, we didn't actually use any reserve fund. It was budgeted, but by a prudent management it was never spent.

Mr. Reynolds stated so we should just sit here and the money that we saved for a rainy day, maybe a special project for residents, maybe something our parks. They are so far behind in comparison to others. Maybe we could have used that money in a different manner. I just want the residents to know when I said that we are dipping into the reserves to cover a budget.

Mr. Montgomery stated but we didn't actually do it. The last two years, we spent none.

Mr. Reynolds asked for the budget for this year, Dave, did we or did we not.

Mr. Montgomery stated we did not.

Mr. Reynolds stated is it not in there, Jon, that we're dipping into reserves to balance the budget?

Mr. Drager stated if in fact we do hit 100% of expenses, we will dip in it. But we haven't spent it yet.

Mr. Montgomery stated we didn't spend 100%.

Mrs. Bucy stated if the numbers here say we didn't spend 100% then we didn't. Am I correct Jon? If we didn't spend 100%, we didn't dip into the reserve. This number that's right here on this paper in front of me \$1,876,658.69 cents.

Mr. Drager stated that's the non-restricted unreserved fund that we've accumulated over the past two years. Exactly, that's correct. This is just the plan, the budget. We haven't got anywhere near 100%. As we go along the leap year, if we do get close to 100%, I'm sure there'll be decisions made to certain areas, so we don't go over budget.

Mr. Reynolds stated I understand that in the past that we haven't gone to it, but if something arises, a storm comes, a hillside falls in or something. We're already using our reserves to cover our daily, weekly, and monthly expense. At what point in time are we going to have that nest egg if something needs to be done. We're flirting with disaster, that's all I'm saying. I didn't want the residents to sit here, and we tell them that, hey, we balanced your budget. We didn't raise your taxes. We had to dip in the money into the bank account. If I use my 401K to pay my weekly and monthly expenses, I'm going to run into a spot in my personal life. I just want the residents to know that's what we're doing. I'm not going to paint a picture for them that everything is great, and we didn't overspend what the revenue coming in was.

Mr. Montgomery stated we didn't, we had \$328,500.00 this year that we didn't spend, so that's a carryover.

Mr. Reynolds stated so that's money that could have gone into the reserves to build it up.

Mr. Montgomery stated it did, that's where it went.

Mr. Reynolds stated okay, so, don't say that we just took \$700,000.00 out. You additionally took that \$300,000.00 so that's a million.

Mr. Montgomery stated no we never took anything. In reality the money was never taken.

Mr. Reynolds asked the \$300,000.00 that was left over, where does it go?

Mr. Montgomery stated it goes to the reserve fund.

Mr. Reynolds stated Okay that's what we used.

Mr. Montgomery stated we didn't spend any of the reserve for two years.

Mr. Reynolds stated I don't care if we didn't spend it for two years or not. To sit there and say let's go dipping into it right now, let's go on a spending spree. I just wanted the residents to know that.

Mr. Montgomery stated but we didn't spend it.

Mr. Reynolds asked, if we meet all of that, are we going to go into the reserves Jon?

Mr. Drager stated yes. Just one thing I wanted to mention, this year's budget, we did incorporate two different accounts. One for Sewer and one for General Fund for emergency landslides and I believe it totals \$275,000.00. Just that type of activity, whether it happens or not, it has to get fixed. That is already incorporated in the use of the reserve fund. If you know somehow, we get lucky and there's no landslide this year, that'll just ultimately stay in the reserve fund. But we did add a few things in here to kind of cushion for those unexpected expenditures throughout the year.

Mr. Reynolds stated we even used the money that we got from refinancing, correct?

Mr. Drager stated that's just additional expense that we saved.

Mr. Reynolds stated that's not going to be here in years to come.

Mr. Drager stated 2023 year will be the last year for that cost savings.

Mr. Reynolds stated these are daily, weekly, and monthly expenses. Those expenses are still going to be here, if not higher at that point. That money that we're using there is going to be gone. Heaven forbids if you want to bring this up and you want to do this here, why don't we start talking about how bad the sewage program is? So, the residents actually know how much danger is coming down their way danger.

Public Works Director:

Nothing further

Police Chief:

Nothing further

Mayor:

Nothing further

Manager:

Not present

Solicitor:

I would just like to note for the record Council did meet in executive session prior to this agenda meeting to discuss personnel matters and Council will reconvene into executive session for an emergency services matter after this agenda meeting concludes.

33. General Business

Mr. Reynolds:

Nothing further

Mrs. Ruscitto:

Nothing further

Mrs. Budd:

Nothing further

Mr. Lynch:

Nothing further

Mrs. Steffey:

I'm going to take up everyone's minutes that they pass by. I apologize in advance for the length of this explanation. But last week, unfortunately, I didn't have a chance to comment on why I chose to nominate Councilman Joe Lynch sitting next to me. I wanted to take that opportunity because there's been some chatter amongst some residents and rightfully so. At the closure of the meeting last week, we didn't have the opportunity to speak in General Business like we're doing right now. I wanted to do that and take that opportunity. A little over two years ago, I was appointed to a vacant seat after the former Council President Chris King had decided to step down. The Council at the time called for letters of interest to be written and submitted for the vacancy. I was a candidate during that general election that had just concluded and after the county calling it a tie between myself and another candidate. I went through the process of a recount. During that recount it was determined that there were missing absentee ballots that were never sent into the county by one of our polling places. The director of elections for Allegheny County looked at me and said, well I can't count any votes that are not here plus it wasn't guaranteed that those votes would have been for myself. I ended up losing the recount by one vote. The past Council ended up choosing me to be appointed to the vacancy position. I have no idea if there were other interested individuals at that time that sent in a letter of interest or even why they chose to appoint me. I was not privy to that information back then.

The procedure for appointing during a vacancy is very vague. It is simply designed to allow the sitting council members to appoint whomever they wish as long as there is a majority vote or in our occasion a tie breaking vote by the mayor. It does not have to be somebody that ran in an election or even the next highest vote earner. I do feel that my situation was a little different from what we were tasked to decide upon recently. All of us up here, new former Council President Polick. Some of us were closer to him than others. Some of us up here also had many meetings and heart to heart conversations with Keith Polick over the past year, as the four of us candidates began our race in the election. Joe Lynch walked the campaign trail with us every single day that we went out and knocked on every single door with us as well. To say that he got to know all of us, let alone Keith Polick is an understatement.

We discussed in great detail the visions that Keith Polick had for this community. Joe Lynch was involved in those discussions and Joe Lynch was on the very same path as Keith and the three of us were. November came and Jefferson Hills residents wanted their voices heard, it was evident. All four candidates were elected to serve the Borough. To be clear, I have always stated that party affiliation in my mind has little to do with municipal policies and I'm using that last sentence to help explain my thought process.

The louder voices that were heard came from the residents overwhelmingly voted for our dear friend Keith Polick as he was the highest vote earner overall. That spoke volumes to me at that time of the election. It also spoke volumes to me again when it came time for us to decide on the vacancy appointment. To me in my very own opinion, us as a Council along with the residents that voted for Keith Polick, were given a second chance by way of an unfortunate terrible tragedy to appoint a person that was not only close to Keith but specifically emulated Keith's vision for the future of our Borough. I appreciated the four other candidates that came here to speak last week, but I know that three of them have very differing views when it came to what Keith had looked for in the future. The fourth candidate, unfortunately I didn't know much about him other than what he spoke to here and what he had written in his letter of interest. In closing, speaking for myself, I feel that I certainly did listen to the residents and that was the majority of the residents that voted for Keith Polick and that's why I chose to appoint Joe Lynch.

Mrs. Bucy:

Nothing further

Mr. Montgomery:

SHACOG Report:

The police chiefs met, and defensive tactics training is to begin February 14th until April 1st, three days a week for 4,300 officers.

Driver training will be March 7th and March 8th.

The CERT team had two call outs, one in December, one November.

The Accident Reconstruction team had three call outs in December.

The fire chiefs met at a major training event February 5th.

Pennsylvania Department of Fire is to make a presentation to the fire personnel and fighters.

The sewer vac is to be purchased in this year.

Rock salt is to be bid in the spring.

The Public Works Advisory Committee met, and the solid waste bidding processes is beginning.

Act 152 demolition asbestos mitigation part of the process has begun. Those two projects are in the Borough.

Senator Robinson presented Senate Bill 252 for an update of the legal advertising. Which is a problem now. What the state law states is that you have to advertise all meetings in a newspaper. Newspapers are going away, and this bill would eliminate that. You could advertise it on the Borough website.

CDBG 46 has five projects complete. Four in progress. CDBG 47 has four projects under contract, two out for bid. One rejected. An early decision early made for decision on CDBG 48.

Mr. Montgomery adjourned the meeting at on a motion by Mrs. Ruscitto, seconded by Mrs. Budd 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. 871 CD 2020, SA-19-000748; PICCO Superfund site- potential litigation involving WESA and Ashland; Potential acquisition of real estate.*