

Borough of Jefferson Hills
Agenda Meeting of Council
July 5, 2023

The agenda meeting of Council was called to order by President Steffey at 7:04 p.m. in the Municipal Centers, 925 Old Clairton Road. Following the Pledge of Allegiance, Council Members Bucy, Vice President Budd, Lynch, Montgomery, Reynolds, Ruscitto, and President Steffey answered to roll call. Finance Director Drager, Solicitor Gabriel, Chief Dziezgowski, Engineer Glistner, Consulting Engineer Minsterman, and Public Works Director Volpe were also present. Mayor McCaffrey and Borough Manager Stinner were absent.

4. Report from Borough Boards and Commissions

None

5. Borough Resident/Taxpayer Comments on Agenda Items

None

6. Discussion to approve the monthly bills

7. Discussion to approve the monthly payroll

8. Discussion to approve minutes of agenda meeting June 7, 2023

Mr. Montgomery stated on page 246 it should be \$10.00 per ton.

9. Discussion to approve minutes of regular meeting June 12, 2023

Mrs. Budd stated on page 250 there are two different spellings for Dr. Judith Kaufmann.

Mr. Montgomery stated on page 253 it should be “ADA” not “DA”.

10. Discussion to present a proclamation to the Thomas Jefferson High School students for their community dedication by serving as poll workers during the recent primary election

11. Discussion to recognize Officer Michael Halterlein, Officer Bailey Fertig, and Officer Benjamin Olsen for their response and actions during a critical incident on April 23, 2023, which quickly stabilized a volatile situation and saved lives

12. Discussion to appoint _____ to one seat on the Borough of Jefferson Hills Police Pension Advisory Committee

Mrs. Steffey stated as of right now we only have one potential candidate.

13. Discussion to appoint J. Deron Gabriel as existing litigation attorney for the Borough of Jefferson Hills

14. Discussion to retain Kerry A. Fraas as Planning Solicitor for the Borough of Jefferson Hills

15. Discussion to appoint _____ as the Borough of Jefferson Hills Solicitor

16. Discussion to adopt Ordinance No. 902 authorizing and fixing charges for costs, expenses, and fees to be added to delinquent accounts pursuant to the Acts of the Commonwealth of Pennsylvania, and/or the policy of the Borough of Jefferson Hills and further authorizing a fee to be charged to any account and account holder who has tendered a negotiable instrument which was dishonored or stopped payment by the drawee for any reason, which fees and charges shall be added to customers using and served by the sewers, sewage system, or sewage treatment works of the Borough and to the garbage and rubbish collection and disposal fees

Mrs. Budd stated outside agencies that have to shut off water may charge a fee that we have to pay. Then we get reimbursed for it. Am I understanding that correctly?

Mr. Montgomery responded yes.

17. Discussion to authorize negotiations to enter into a sales agreement with the owner of South Hills Dek Hockey for an amount not to exceed \$400,000.00, with hand money of \$1,000.00, to be held by an entity of the Borough's choice. The sales agreement shall include, but not be limited to, reasonable conditions relating to geotechnical analysis by Gateway Engineers, financial viability, and insurability

Mrs. Bucy asked if that also includes an appraisal of the property?

Mrs. Steffey responded yes, that is in the sales agreement.

Mr. Reynolds asked are any studies on parking included?

Mrs. Steffey responded you can put whatever you want in the sales agreement.

Mr. Reynolds stated there were residents that said they did not have enough parking for the last hockey tournament. Yet, we are telling residents that we might put a pickleball court or playground down there. When they have to have a crossing guard there because they overflow their property, I think there is an issue with parking. I do not think we should be selling it to the residents that they are going to get other recreational amenities there when their parking lot is not large enough to hold what they have right now. It is your taxpayer money.

Mr. Montgomery asked is there a work authorization for the geotechnical study?

Mrs. Budd stated we would have to vote to approve this first.

Mrs. Steffey stated we would have to approve the purchase of it first. This is all contingent.

Mr. Glistler stated the walkthrough with Joe Fagan from Gateway, and reviewing the report that was previously prepared for the land development application when the dek hockey was first put in is not going to be very time consuming.

Mr. Reynolds asked who will negotiate with this owner, and make an offer?

Mrs. Budd stated that would go under the solicitor. Other real estate discussions go with the solicitor.

Mr. Reynolds asked is the solicitor is going to decide how much we offer on this?

Mrs. Steffey stated it would be brought back to Council. Council decides, the solicitor then puts forth the negotiations.

Mr. Reynolds stated the owner really wanted us to buy it. One of the reasons being was the other people that looked at it wanted to turn it into storage sheds. He wants us to buy it because we are committed to keeping it a dek hockey arena. So, if everybody else thinks the best route for that property is storage sheds, I do not understand why we are trying to go against the majority of the people that walked through it that are real estate developers.

Mrs. Steffey stated you are talking about a majority, but what if only one or two people walked through it?

Mr. Reynolds stated it was 5. If you guys want to waste the taxpayer money, you can.

Mrs. Steffey stated to Mr. Reynolds you have a vote. A lot of taxpayer residents out there do not feel that it would be a waste of money, as opposed to probably some who do. That is the way a borough works.

18. Discussion to move up to \$2,000,000.00 to the Borough of Jefferson Hills PLGIT account to capitalize on higher interest earnings

Mrs. Steffey stated change this to “an additional” \$2,000,000.00 to the Borough of Jefferson Hills PLGIT Account to capitalize on higher interest earnings. The reason for adding those two words is because we previous moved a sum of money over, so we are making sure it says “additional”.

19. Discussion to recommend to SHACOG the award of a bid to Jet Jack, Inc. for the Sanitary Sewer Lining Project – Year 17 – Contract B (MH-MH Lining) in the amount of \$167,940.00 with the Borough’s share being \$56,125.00.

20. Discussion to approve the Work Authorization dated February 3, 2023, from Gateway Engineers, Inc. for work on the revised voting district mapping and legal descriptions that was previously completed in the amount of \$10,000.00.

21. Discussion to approve the proposal from _____ to clean out the wet well of the 837-pump station in the amount of \$_____

Mrs. Steffey stated we are going to have a discussion regarding WESA. We are going to ask Mrs. Lori Bartrug to step up to the podium. If we have questions, or if you can add something in here and there, that would be great.

Mrs. Bartrug sits on our WESA board along with Chief Doug Pascoe who is not in attendance tonight. Vice President Budd has attended pretty much every single WESA meeting since she was sworn into office, as well as Mrs. Ruscitto and me. We are going to discuss how we would like to pursue our

next bit of negotiations with WESA. We were asked to have an engineers' meeting all together, just like we did last year which would be beneficial. We have a draft letter that is ready to go out.

Mr. Glister stated we were going to request the meeting with the WESA engineers to discuss the ongoing concern they have regarding odor and hydrogen sulfide at the treatment plant. For everybody that is not aware, the West Elizabeth Sanitary Authority put a new treatment plan online a little over three years ago. That corresponded to the same time we started our 837-pump station by where Johnny's Diner used to be. After about a year and a half of operation, we started hearing some concerns about an odor. We were logging data for a while, asking for some feedback from their plan operators. Then, it seemed like the issue may have gotten worse. About a year ago, we did have the engineer meeting that was just referenced and the recommendation from WESA's engineer was to install a Bioxide drip system. Bioxide is a sodium nitrate mixture. We last talked about that at the April or May 2022 council meeting because it was on the agenda to authorize the purchase of the system, the chemical, and to make sure we could get the system installed. We finally got the system online in the fall last year. We did some follow-up sampling. It seemed like the H₂S levels were within reason, which sort of correlates with a trend of more wet weather, we would see in the fall and the winter. We did some more testing in February, and it correlated to the same readings we got in December after we had the system online. When we got into the springtime this year, when things started to get dry again, we started getting some more questions or concerns from WESA that they think the problem is worse or has gotten worse. Our public works has been down, taking samples two or three times a week, probably for the last month and a half. We have been adjusting the rate of Bioxide that we are dripping into the system from anywhere between 4 and 8 gallons a day, all the way up to, fourteen and sixteen gallons a day. The readings were not really having a major change down there. You would think the more of the chemical that's supposed to take care of this problem that you had, you would see some results, but it seemed to be inconsistent and was more tied to wet weather. We get a heavy rain event, then the infiltration that comes into the lines. It seems to dilute the system, and the problem goes away. When it starts to dry out after a couple of days, the odor concerns continue to come back.

We have discussed this extensively at our monthly engineer committee meetings over the last year. We have some ideas that were discussed when we met with WESA last year. We are working on a draft letter to talk about the work we did at the pump station, the amount of money we put into that Bioxide drip system and follow up on some of the other ideas. I do not want to get too specific because the letter is in draft form. That is the higher-level summary of where we are at with this.

Now, as it pertains to this item on the agenda, regarding cleaning out the wet well at the pump station. This is something that is routine maintenance. It is going to need to be cleaned out every so often, anyways. There might be a correlation between getting the wet well cleaned out and the H₂S and the odor concerns.

I do apologize that there are not actual bids attached to this yet. We were waiting on one more. We have two in hand. It is less than the actual bid threshold, so we do not have to do a formal advertisement for bid with specifications. We met with the one last contractor today. They understand they need to get us something by Friday morning. Mr. Volpe and I will take a look at that. We will make a recommendation and get all that information into the packets for the meeting on Monday. WESA is very concerned about this. I hate to lose another month to award this work.

Mrs. Steffey stated we will make sure that once the letter is completed, all of Council will review that before it gets sent over. We want to make sure that we are maintaining our relationship with WESA as well.

Ms. Lori Bartrug, WESA Board, stated it is a great idea. I think having the meeting is the best next step at this point.

Mrs. Bucy stated in the dialogue with the engineers on both sides, Gateway has offered numerous suggestions on how to deal with the situation other than the chemical dispersion. I want to make sure that those suggestions are also listed in the letter because we have honored diligently the suggestions by WESA. We have other suggestions on how to deal with this situation that should also be heard.

Mrs. Budd asked if part of the letter was going to be to request an engineer's meeting, but we have a request already for an engineer's meeting, couldn't some of these items just be discussed in that meeting as opposed to a letter, or was there more of a specific purpose for the letter at this point?

Mrs. Bucy stated when they suggested at the engineer meeting to have a letter, it was to promote having a meeting. We would send a letter and state we had some suggestions and that they would like to meet.

Mrs. Ruscitto stated the meeting would be best. Problems can go back and forth, so can letters go back and forth. If everybody sits down and discusses things together, that is probably the best option.

Mr. Minsterman added that the idea would be to document the meeting. The letter is almost like an agenda. It lists dates, facts, and figures to talk through. It is not argumentative. It is creating the history, and what could be for the future. Ideas that have been brought up; the work that has been done. That is the intent of the letter. I think that the letter is turning out well as far as giving ideas and ways to continue to pursue the issue. There are a lot of facts associated with this.

Mr. Montgomery stated I would like to see the concept of putting the pipe down in the tank be considered. It seems like that has been rejected. From what Gateway has said, it makes sense to me that that should at least be tried and not ignored.

Mr. Minsterman stated that is in the letter.

Ms. Bartrug asked is the letter going to request the meeting? And do we think that will be out before the next WESA Board meeting this month?

Mr. Glistler stated the intent was to request the meeting in the letter. After the last board meeting, a meeting was already discussed. WESA engineer Larry Lennon Jr. did reach out to me already. I think it gives us time to complete our draft and get it finalized and get it submitted before the meeting.

Mrs. Budd stated what Mr. Minsterman was saying about it being more of an agenda to drive the meeting makes sense. As a whole, we have worked hard to establish a more neighborly relationship with WESA. I would like to see that continue because going in the other direction is not going to solve anything.

22. Discussion to approve Proposal No. P123003945 from DLZ Pennsylvania, LLC to complete asphalt coring in the Patriot Pointe plan in the estimated amount of \$2,995.00

Mr. Glister stated there is a math error in the quote that was provided by DLZ. I did not catch it till after the fact. The coring equipment they have listed at \$200.00 per day. They are estimating this to be 2 days, so it should be \$400.00, but they kept it at \$200.00. The actual amount should be \$3,195.00.

23. Borough Resident/Taxpayer Comments on Non-Agenda Items

Mrs. Steffey stated Councilman Reynolds is going to wear his resident hat tonight.

Mr. Reynolds stated I will wear my resident hat on Monday. I want to be a little bit more prepared to make the residents are aware of the situation and when in fact a resident and a taxpayer should be supplied due process. I believe that a resident and a taxpayer should always have due process. It is their right, and we will discuss that more in depth on Monday when I am more prepared.

24. Reports

Fire Chief

Not Present

EMS

Not Present

Engineer

Mr. Glister had nothing further to add to the written report on file in the administration office.

Consulting Engineer

Mr. Minsterman had nothing further to add to the written report on file in the administration office.

Finance Officer/Treasurer

Mr. Drager had nothing further to add.

Public Works Director

The Public Works report is on file in the administration office.

Mr. Volpe stated we finished up painting all the lines on the pickle ball courts redoing the one at the GBU and the three down at Lobbs. We will finish putting the nets up tomorrow after the paint dries tonight. They will be up and running as of tomorrow.

Mrs. Steffey stated they look great. Thank you.

Mr. Reynolds stated I beg to differ. Is there somebody going to do a final walk-through? I would like to be there for that.

Mr. Volpe stated I did a walk-through with the contractor the day after he was done painting.

Mrs. Steffey stated the only thing left is to put up nets.

Mr. Volpe stated we put the one temporary net up. The other two are up but against the fence. They are temporary on wheels; we just have to move them and lock them in place. The GBU has the permanent net.

Mr. Reynolds stated so we have not paid yet. What if the work is deemed unsatisfactory?

Mr. Drager stated we put down a deposit, but it was not the full amount.

Mrs. Bucy stated it was \$9,055.00.

Mrs. Steffey asked Mr. Reynolds, is there anything you wanted to share that Council should be made aware of?

Mr. Reynolds stated I will on Monday.

Police Chief

Chief Dziezgowski stated he will submit his report on Friday.

Mayor

Not Present

Manager

The Manager's Report is on file in the administration office.

Solicitor

Solicitor Gabriel noted for the record that Council did meet in executive session prior to the meeting to discuss a personnel and a legal matter.

25. General Business

Mr. Reynolds stated since we have number 17 back on the agenda. Part of the discussion was to bring this on because it generated revenue at the tune of \$80,000.00, not profit, just revenue. I would like to have a discussion to authorize negotiations to enter into a sales agreement with the owner of the Blue Flame restaurant for the amount not to exceed a million dollars with a hand money of \$1,000.00 to be held by an entity of the Borough's choice. The sales agreement shall include but not be limited to reasonable conditions relating to geotechnical analysis by Gateway, financial viability, and insurability. The Blue Flame is a landmark in this community. If we are going to be big government and take over some of the

businesses, I think this is a viable option. We can run a lot of programs out of there as a community center. They have a room in the back. There could be meetings. There could be food programs for our residents. If we are going to start looking to purchase businesses, I think the Blue Flame would be a fantastic one. It is on the market for a million dollars. It generates far more revenue than what dek hockey does. Can we put that on the agenda?

Mrs. Steffey stated I agree. We can add that onto the agenda.

Mr. Reynolds stated we have renamed baseball fields for people. We lost a valuable member of this community. Going back, I still call him Mr. Mitruski just because he taught me back in middle school. He was a great individual. You are not going to find a better resident. We should consider renaming the building at the GBU, the Hoppy House. I think it would be a great statement for somebody that poured his heart into this community. He had such an effect on so many residents. John "Hoppy" Mitruski brought joy to other people. We should consider renaming the GBU the Hoppy House.

Mrs. Steffey stated we can add that to the agenda.

Mr. Lynch stated I hope everybody had a wonderful 4th of July.

At the EAC front, we had to push our meeting back to July 12th just because we had so many people out of town. We are looking forward to continuing on with the collecting data for the benzene levels and looking to kick off discussions about the temporary batch plant that is going to be taking place where they are building the turnpike.

Mrs. Bucy stated due to the July 4th week, the Cloverleaf Food Pantry in July that is located at the St. Elizabeth's old high school is on July 11th and July 25th. Finleyville had closed their food bank due to the fact that they did not have a location. The Cloverleaf Ecumenical Food Bank has helped them reestablish a food bank in Finleyville in the basement of St. Francis Church.

I would like to thank the people that sent numerous pictures of the playgrounds at the GBU, Beedle Park, and also 885 Andrew Riley Park. Due to some expedient effort, we submitted paperwork to our representative, Andrew Kuzma. We are attempting to get new playground equipment at the tune of approximately \$186,000.00 to replace and maintain those parks. It took a lot of different people to have that happen. Hopefully, we will receive that money, and we can make improvements on the parks that we already have in existence.

In our packets, we received a 41-page document on the 2024 garbage bids for our assessment. We have many things to consider on this matter. I have spent time doing spreadsheets on the cost analysis of this matter. I want to notify people that the garbage is going to change dramatically in January. Residents in Jefferson Hills should look in your basement, and in your garage for rubbish to be put out to the curb in the next six months because you are basically going to get one container. It is a 96-gallon container and if it doesn't fit in that container, it might not be picked up or you might have to make an appointment to have something picked up. I advise that very strenuously a clean out of your household because it will be changing coming 2024. That is a little word to the wise in case you want to have some incentive to get yourself motivated to clean out some stuff.

Mr. Reynolds stated I know it was just a forecast, could you share some general numbers as to what these residents are looking at as an increase?

Mrs. Bucy stated I am going to wait till Monday because I just found out today that one of the decimal points was incorrectly placed. It was to be moved to the left, which made a big deal. But it is going to be an increase.

Mr. Reynolds asked is it a dramatic increase?

Mrs. Bucy responded yes. The same traditional way that we put our garbage out is not going to be doable anymore. That is why I think people should recognize that fact and start cleaning some stuff out.

Mr. Reynolds stated if somebody had a 4th of July party and they have 15 bags of garbage sitting up by their driveway, when the garbage people come, those 15 bags will still be in your driveway. They are not going to pick them up. I think the residents need to be aware. I would like to see us actually make the proposals public. Allow the people, allow the residents to see what is actually going in the nuts and the bolts behind a decision that is going to impact their lives dramatically. In this kind of scenario if it is the 4th of July, everybody that comes to your party, you may have to send their garbage home with them because it is not going to go anywhere. It is going to stay there. It is going to cost you a lot of money to get rid of it. If somebody wants to take a look at the bids, there's no harm in allowing them to see it.

Mrs. Budd asked is it on the SHACOG website for residents to view?

Mr. Montgomery responded no.

Mr. Drager stated I want to make something clear for larger families. There are options where the resident would work directly with the vendor to pay an annual payment to receive a second 96-gallon garbage can. I am not sure what the amount is, but there are options there.

I am putting together some scenarios from the bid packet for everybody.

Mr. Reynolds stated the residents should be made aware of which direction this Borough is heading.

Mrs. Bucy stated there are some other options in this 41-page document which we might be able to have some dumpsters if you do accumulate a lot of garbage. We might have to have some dumpsters where you come up and you have to pay a fee to put it in that dumpster. This whole garbage issue is extremely complicated. Some of this is definitely out of our control. We want to make the best decision. The document is very extensive, and it takes a lot of time to go through this document.

Mr. Reynolds stated everything that we are talking, any scenario in this thing is going to cost money. If you want two cans, you are going to have to pay for two.

Mr. Montgomery stated on the first can, you get a 96-gallon can. That comes with the contract. If a family wants another can, that is between the hauler and that family.

Mr. Montgomery stated it is recommended that you do not go buy a Home Depot can because the hydraulic arm is so strong, it will crush the can.

Mrs. Steffey stated I have one from Home Depot and the arm uses it.

Mr. Reynolds stated there are families that have a lot of people living in the same house, under the same roof. This is going to create a dramatic difference for them.

Mr. Montgomery stated the 96-gallon can holds five 30-gallon bags of garbage. I have seen the 96-gallon can. It is as tall as me. It is a big can.

Mr. Drager stated one other thing too, right now, residents can have one large item like a recliner or mattress to throw out every week. That is going to be changing to once every other week.

Mr. Montgomery stated once a month on big items. You would put it out once a month and notify the hauler, and they pick it up. There will not be a weekly pick up of large items anymore.

Mr. Drager stated it is a different truck. It is going to be one item twice a month. You will have to notify them.

Mr. Montgomery stated everybody started talking about what I was going to talk about. I am glad everybody is focused on it. This is a big deal. The automated is the lowest price with Waste Management and the traditional is cheaper with Westmoreland Sanitary. We will have to do a deep analysis of this to make sure we are making the right choice. If it is based on the cost of it, then you would probably prefer Westmoreland. We know Waste Management; we know what the quality work they do. If we get in the position that Waste Management is too expensive, then we would have to do some checking with communities that have Westmoreland and what is their track record there. The last time we did not use Waste Management, we had Republic and they were adequate, a little above adequate. They were not as good as Waste Management. Waste Management is the best. You have to pick one company. That is in the specification. We have to feel that the situation with whatever one we think has most of the factors that we are satisfied with. The leaf pick-up worries me. That has to be clarified for me, leaves do not fit in a dumpster, in a container, a cart. I do not know how that is going to work. Act 101 requires us to do something with leaves. We have always used the contractor because it works better here. That is something that I will need a better understanding of. Waste Management was very high on leaf pick up.

Mrs. Bucy stated leaf pick up was the page with the decimal point error.

Mr. Montgomery stated that makes it better. There are so many factors involved in this. We are all going to have to really think about what we want to do with this. Do we want price? Do we want quality?

Mr. Reynolds stated with that being said, I think it should be open to the public so that they could offer their input. It is them that will have to live with the decision that is made here.

Mr. Montgomery stated I have been talking about this for six months. I want everybody to know about it.

For the SHACOG report the police chiefs met and the CIRT team had no call outs. Accident reconstruction team had three. Driver training is November 23. The tactical vests will be paid for by a donation from Peters. A fitness coordinator and a taser training is in development. The fire chiefs met, and they had training, recruitment, and retention. The public works committee met. The salt current contract is ending in June. It had six months that we can use the salt that is left over from last season before the \$10.00 a ton storage fee kicks in. There will be a 3.5% reduction in the price of salt for 2023 and 2024. The emergency service specifications have been written and will be bid. We use that for an emergency repair for a sewer. Act 152, there are seven applications from SHACOG for demolition. CDBG 47, that is the June 2021 projects. Five of them are complete. CDBG 48, that's June of 2022, all projects have been bid and they have a 180-day extension on that. CDBG 49, all demolition requests have been taken off so we cannot get demolitions this year from CDBG 49. Our hope for demolition is Act 152 and it has more money than CDBG ever did.

26. Adjournment

President Steffey adjourned the meeting at 7:56 p.m. on a motion by Mr. Lynch, seconded by Mrs. Budd and carried unanimously.

John P. Stinner
Secretary/Borough Manager

Executive Session: Personnel, Lawfully Privileged/Confidential, Public Safety Preparedness, Litigation 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, 328 WAL 2021, 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; threatened litigation from WESA, Patrick Lucas v. Jefferson Hills Borough, GD 22-004622; JHFR-162 CD 2023, 30 MN 2023; Nat. Casualty Co.-2:23-CV-429; AG v. GHVFC-No. 6007 of 2022