

Borough of Jefferson Hills  
Agenda Meeting of Council  
April 5, 2017

The agenda meeting of Council was called to order by President King at 7:00 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Cmar and Council Members Ielase, Khalil, Montgomery, Sockman, Weber, and King answered to roll call. Borough Manager Levander, Finance Officer Bennett, Solicitor Shimko, Chief Roach, Consulting Engineer Minsterman, and Public Works Director Lovell were also present. Council Member Reynolds was absent.

1. Pledge of Allegiance
2. Roll Call
3. Motion to promote Police Officer Stephanie Behers to the rank of Sergeant
4. Citizens/Taxpayer Comments

None

5. Report from Borough Boards and Commissions

A) David Graffam

- Stated Marilyn Jenkins, head of Allegheny County Library Association, is writing a letter for InCommunity Magazine discussing how connected the libraries are now within the ACLA system because of their computer system.
- Stated the phone problems have been corrected
- Stated they are in the process of getting quotes for two additional access points for Wi-Fi from the EIN network.
- Stated the Friends of the Library Book Sale preview party is on Thursday, April 27, 2017 with the sale continuing through Sunday, April 30, 2017.
- Stated they are in the final stage of the third Little Library in Jefferson Hospital in the Emergency Room.

B) Brian Konick and Holly Rubinoff

- Stated Community Day now has 16 vendors signed up
- Stated the band and the Zambelli fireworks agreements have been given to Administration

Mr. Weber stated moving forward there should be a postponement or rain date picked. Chief Roach stated there will be Officer presence dedicated to the site for safety. Mr.

Khalil stated he will reach out to Chief Pascoe for EMS service.

- Stated the Community Center Task Force will have two School Board members, two Pleasant Hills Residents, two Council members, two Recreation Board members, and two West Elizabeth residents.

6. Motion to approve minutes of agenda meeting March 8, 2017

Mr. Khalil asked if the Work Authorization for item 17, the resident coordination of the proposed work, can have notation regarding the Borough doing a portion of that work due to the significant cost savings. Mr. Khalil is confirming that the closing on WESA PENNVEST on page 7 is scheduled for May 3, 2017.

7. Motion to approve minutes of regular meeting March 13, 2017

Mr. Montgomery stated to add Mrs. Ielase to the minutes.

8. Motion to approve the monthly bills

9. Motion to approve the monthly payrolls

10. Motion to adopt Resolution No. 11-2017 adopting a Borough Credit Card Use Policy

Ms. Levander stated that the proposed policy is an updated policy from the one that was passed a few years ago. Ms. Levander also stated that there are no limits in the proposed policy which will enable us to increase or decrease the limit if needed without amending the policy. Council needs to discuss and assign monthly limits to each card member. The monthly amount will be the standard amount and if the amount needs to be increased, it will need to be requested by the card holder, reviewed and approved/denied by Mr. Bennett, and noted in the file. Mr. Sockman asked what type of purchase will be made with the card. Ms. Levander stated that the initial intention was to use the card to pay vendors bills, such as the garbage bill, to receive the cash back benefit, but it can also be used to make daily purchases such as supplies, travel reservations, and online purchases. Ms. Levander noted that Council needs to discuss and assign limits. Ms. Levander also noted that anything over \$1,000.00 needs to be approved by Mr. Bennett and her which would be a good starting point for the card limits. Mr. Bennett noted that the Department Head cards need to have a limit on them possibly \$1,000.00, but the card that will be used for the recurring vendor payments will have a much larger limit. The bank calls this card a "ghost card." Mr. Weber suggested to put together a spreadsheet with specific names, limit amounts and some examples of types of payments and to show it to Council. Mr. King stated he would like that no Council member or Board member, elected or appointed official in the Borough, be given permission or access to use a card added to the policy.

11. Motion to adopt Resolution No. 12-2017 authorizing the proper Borough officials to submit the Gaming Economic Development Fund Grant Application for Beedle Park Phase 2 Project to the Redevelopment Authority of Allegheny County (RAAC)

Mr. Montgomery asked for a description of this work to forward to Rick Saccone.

12. Motion to adopt Resolution No. 13-2017 authorizing the proper Borough officials to submit the Grant Application for the Beedle Park Phase 2 Project to the Department of Conservation and Natural Resources

Mr. Khalil stated there is a need for a spreadsheet with all projects listed, total project cost, percent of work done, and cost paid out by the Borough to date per project. Mr. Montgomery stated this was discussed at the engineering meeting and is being created. Ms. Levander stated the spreadsheet will be kept and tracked in house.

13. Motion to adopt Resolution No. 14-2017 naming the Borough of Jefferson Hills a 2017 Community Banner Recipient

Mr. Shimko stated the language at the top and bottom of the Resolution is not cohesive. Ms. Levander stated she will make the adjustments.

14. Motion to adopt Resolution No. 15-2017 granting preliminary and final approval to the Subdivision Plan known as S-3-2017, Ronald and Teresa Bezak

15. Motion to recommend to SHACOG the award of a bid to Robinson Pipe Cleaning Company for Joint Municipal SHACOG O&M CCTV Year 7 Project in the amount of \$212,306.50 with the Borough's share of \$93,188.75

16. Motion to approve Work Authorization dated March 24, 2017 from Gateway Engineers, Inc. to continue to work on the WESA Act 537 Plan in an amount not to exceed \$10,000.00

17. Motion to approve Work Authorization dated March 29, 2017 from Gateway Engineers, Inc. for the 2017 MS4 Program in an amount not to exceed \$32,000.00

Mr. Khalil asked for an explanation of MS4. Mr. Minsterman explained this is a Federal Program with a 5 year renewable permit. There are 6 major requirements that have to be met called minimum control measures. Gateway Engineers works with Borough staff to ensure the Borough is pursuing the six requirements and good housekeeping is being practiced at Borough facilities. This year the Borough is renewing its permit so there will be a notice of intent issued. The original budget was \$40,000.00 and items were identified that Borough staff could do internally which saved \$8,000.00. Mr. Khalil asked if an audit was pending. Ms. Levander stated the DEP audit was a month or so ago and the Borough passed. Mr. Shimko stated the Borough did well for the DEP audit and also mentioned the Borough needs to update their stormwater maintenance Ordinance to bring it into compliance with DEP and EPA guidelines.

18. Motion to approve Work Authorization dated March 29, 2017 from Gateway Engineers, Inc. for the 2017 Preventive Maintenance Work in an amount not to exceed \$10,000.00

19. Discuss Road Improvement Program-Contract A bids (Bid opening 10:00 am on 4/3/2017)

Mr. Minsterman stated we estimated \$550,000.00 and the recommended bid came in at \$400,000.00 with all of the alternates being included.

20. Discuss the Joint Municipal SHACOG O&M Repairs Year 6 contract

Mr. Minsterman stated this is the annual Operation and Repair contract for SHACOG for the repairs to the sewers.

21. Discuss the proposal of Woltz & Wind Ford, Inc. in the amount of \$47,479.00 to purchase one (1) 2017 F550 Cab and Chassis Public Works Vehicle under the PA COSTARS Cooperative Purchasing Program

Mr. Sockman and Mr. Khalil will go to the Public Works Department and look at truck currently in inventory to decide if we can get another year out of it. Mr. King stated the next two items are related to this agenda item, number 21.

22. Discuss the proposal of Walsh Equipment in the amount of \$29,707.00 to purchase body, hydraulics and spreader for the Public Works Vehicle under the PA COSTARS Cooperative Purchasing Program

23. Discuss the proposal of Push & Pull in the amount of \$6,693.00 to purchase a snow plow for the Public Works Vehicle under the PA COSTARS Cooperative Purchasing Program

24. Discuss the Design Memorandum from Clairton Municipal Authority regarding proposed changes in their combined and separate flow percentages

Mr. Minsterman stated this is in relation to the CMA Agreement that was signed and they would like the Borough to put a Resolution on agenda to resign the agreement for CMA.

25. Discuss 2017 Community Day logistics and the Zambelli fireworks proposal

26. Discuss the Municipal Center Wall Refinishing Project bids

Ms. Levander stated we received two bids. Mr. McLean stated in his letter that his recommendation is to award the bid to The Roach Brothers at \$93,700.00. Mr. Sockman stated this is over our \$75,000.00 budget by about \$15,000.00. Mr. Bennett stated the budget is \$72,500.00. Chief Roach stated the support areas can be cut from the Police side which is back in the cell block area. Mr. King stated if we go with the main common area, Borough Admin area, and Police Admin area it puts us closer to budget. Mr. King stated that would be Base bid, Alternate 1, and Alternate 2. Mr. Shimko stated that Mr. Bennett disclosed to the Borough that his wife works part-time for Roach Brothers and his son had worked there in the past. Because of this, if the contract is awarded to Roach Brothers then the Borough will need to take additional steps because of the relationship between the contractor and a Borough employee. The Borough Code does not restrict any such contract, only that a borough needs to follow the Public Official and Ethics Act

when this circumstance arises. That Act states if the Borough is going to contract with an entity related in some manner to a Borough employee, his/her spouse or child, the Borough must make an extra effort to show the contract has been awarded through an open and public process. Mr. Shimko stated this contract has been bid three different times and has been open and public so the Borough has no problem showing that. The Borough has to show there was prior public notice given of the contract, which was taken care of. Then the Borough will have to make a subsequent public disclosure of all proposals considered and contracts awarded. The Borough will have to take out an advertisement which explains the situation. Pursuant to this statute, the Borough gives a notice of award to an entity related to a Borough employee and explains the entire process as succinctly as possible, going back to Doug Arndt's initial work on the project. Finally, Mr. Bennett cannot be involved in any manner with the awarded contract.

#### 27. Discuss Jefferson Hospital parking agreement

Mr. Shimko stated that many years ago the Borough considered enacting a transaction tax on nonpublic parking lots. Instead the Borough and Jefferson Hospital agreed to have the Hospital pay an in lieu of tax payment. The Agreement for the payment is \$60,000.00 per year. \$55,000.00 per year goes to the Borough and \$5,000 goes to the applicable Volunteer Fire Company. The contract expires every two years and it expires at the end of this year. The contract has a 4 month negotiation period prior to the expiration which begins August 31, 2017.

#### 28. Reports

Fire Chief:

- Nothing to report

Engineer:

- Mr. Minsterman asked for Peter's Creek Stream Restoration Work Authorization to be added to Agenda for \$20,000.00. The estimate for construction is \$180,000.00.

Mr. King asked if any of this project is covered by a grant. Mr. Bennett stated we have \$202,800.00 budgeted and almost 50% funded.

- Montour Trail wants Gateway to come up with ideas to remedy Peters Creek Road where it is narrowing and the crossover at route 51. This will cause a Work Authorization.

Mr. Montgomery stated the grant is due at the end of the month. Mr. Minsterman stated this study would kick off all the opportunities for grant funding available for this work.

- Clairton Municipal Authority (CMA) 537 Project received an extension on the time schedule to add 15 homes which are in Clairton into the Borough's soon to be built pump station. Mr. Minsterman explained there are many advantages to the Borough if we move forward with this including Capital Improvement costs coming from Clairton as well as it using eminent domain or Sheriff's sale to acquire the original proposed site of the pump station. Mr. Minsterman asked for guidance from Mr. Shimko on how to best accomplish this. Mr. Shimko stated for now a letter by the Borough accepting their request with their design. Ultimately, it will be memorialized by an Agreement. The DEP is agreeable for extension of project if we join with CMA's request.
- Mr. Minsterman stated he would like a metering Agreement with Drnach Environmental to be placed on Monday's Agenda as CMA is asking for a meter to be installed at the base of the Wall Plan for 6 months to define the amount of flow for these homes and estimates for treatment can be calculated for these 50 homes which have previously been unmetered.
- Mr. Minsterman stated we received a letter back from West Elizabeth about force main alignment through West Elizabeth and where to relocate it. One issue remains unresolved which is crossing the railroad in West Elizabeth. West Elizabeth is proposing a different location back by the ballfield and then routing the forcemain down First Street. The Borough is proposing a crossing at Border Street and the forcemain coming down Second Street. The biggest problem with changing this location is that it could take a year to get the applicable design and permits to move the location and such a delay would basically stop the project. The requirements of the DEP meeting was the Wastewater Treatment Agreement be signed and the Street Opening Permit be issued to Jefferson Hills by April 12, 2017. Mr. Shimko stated he and Mr. Minsterman had a conference call with WESA this morning regarding the agreement and stated the Borough would like to know the issues surrounding where the crossover takes place at the railroad and pointed out West Elizabeth has had the permit for a year and a half and never raised this location issue previously. Mr. Shimko also made it clear that if the Borough doesn't feel this is going to work and West Elizabeth isn't going to allow the Borough to go in the direction it wants to, we will pursue any options necessary to do so. Mr. Khalil stated he will send Mr. Lew Miller an email stating we need to talk, stating you've cancelled 'x' amount of meetings, you've never gotten back to the Borough, this needs to happen now, it's the Borough's understanding that your complacency has jeopardized an almost \$5 million grant.

Finance Officer/Treasurer:

- Mr. Bennett stated the auditors are in the office for the 2016 Audit. Real estate taxes for all of the Borough Funds, Fire and Ambulance Tax Funds are all reconciled.
- Mr. Bennett stated we received the new Healthcare rates renewal from Teamsters 205 for Police and Administration and it's a 4.4% increase. We budgeted 8.5% in December. The paving budget was increased this year to \$575,000.00.

Public Works Director:

- Mr. Lovell stated Ms. Milner requested a reminder for Earth Day which is Saturday, April 22, 2017.
- Stated he received correspondence that Gill Hall Road repaving is being done by the State this year.
- Stated he received a letter on the bridge over Peter's Creek.
- Stated Council will need to make a decision on Monday on whether or not to extend the salt contract through SHACOG and Cargill for 2017-2018. The price will be going up \$1.87 per ton. He is only recommending ordering 2,000 tons next season due to the amount of salt left over.
- Stated he will be out of work for at least the next four (4) weeks due to knee surgery.

Police Chief:

- Chief Roach Stated the SHACOG joint Police testing announcement came today and they will need commitments by May 24, 2017 by way of written confirmation from the Chief. The Borough has exhausted the current eligibility list and is in need of new testing. Council authorized Chief Roach to give the written confirmation.
- Stated Animal Control in Mt. Lebanon hosts the South Hills Cooperative Animal Control Joint Program with 11 municipalities that contribute to funding the joint cooperative effort for their animal control needs. Baldwin and Brentwood Boroughs have expressed interest in becoming part of the cooperative. This might be an option for our Borough moving forward as well.
- Officers King and Beatty are playing basketball at TJ High School against the Steelers on Wednesday April 12, 2017.

Manager:

- Spring Commodities bids have been opened through SHACOG, but are running behind schedule getting the bid tabulations out so we may have to ratify them at the May meeting.

Solicitor:

- Mr. Shimko stated he and Mr. Minsterman were on a conference call with WESA regarding the Wastewater Treatment Agreement. They met with the Engineering Committee yesterday to let them know where the Agreement stood and what they were going to try to accomplish during the conference call. The big issue for the Borough is there is some language WESA inserted regarding Eastman and how Eastman was billed and used terminology the Borough had never seen before from WESA. The end result is the language is the postulated best case scenario and exactly what the Borough is looking for regarding accurate billing to Eastman. WESA agreed to make some other language changes regarding rate changes. Specifically a change in language was made from “as needed” to “as requested” allowing Jefferson Hills and Union, not WESA, to make the decisions as to what they need in terms of information from WESA on proposed rate increases. The Borough wanted to have language around Borough involvement in planning of major capital improvements which WESA didn’t want, but came back in this draft and said anything that’s over 100% of our annual budget, \$600,000.00, you can have some consultation. WESA wanted the Borough to be aware they are subject to PA law and anything WESA does over \$19,400.00 has to be authorized for advertisement, have a bid opening and has to have an award. Therefore, as long as the Borough’s representatives are attending the WESA Board meetings the Borough will be aware 1-2 months in advance of any Capital Improvements over \$19,400.00, which is approximately 3% of WESA’s annual revenue. Both Mr. Shimko and Mr. Minsterman are comfortable with this. WESA hopes to have the new agreement with these changes to Mr. Shimko by Friday and if so it will be in Council’s Friday packet with the recommendation for approval.

Mayor:

- Ms. Cmar stated St. Thomas A’ Becket is inviting the Police Department and Chief Roach to come in to the church for a free meal on Friday between 11:00 a.m. and 1:00 p.m. or 4:00 p.m. and 7:30 p.m. in order to show our appreciation for all the police do in our community.

## 29. General Business

Mr. Montgomery:

- Stated he would like to commend the efforts of the Borough for the TVing of the sewers. It’s going very well and to date 45,000 feet have been TVed,

30,000 feet has been entered in to the software system, and \$50,000.00 has been saved by the Borough as a result of these efforts.

Mr. Sockman:

- Stated the idea to move the Engineering Committee meeting to the day before the Council Agenda Meeting is working well and allows the members to better work through issues and be better prepared for Council meetings.
- Stated he wishes Mr. Lovell the best and a speedy recovery.
- Stated we should consider lowering sewer rates by 50% for qualified senior citizens.

Mr. Weber suggested either removing \$12.00 of the \$17.00 fee or lowering by 50%. Mr. King asked Mr. Bennett to run some numbers to see what impact a 50% reduction might have for senior citizens. Mr. Bennett will run the numbers on this proposition.

Mrs. Ielase:

- Nothing to report

Mr. Weber:

- Stated best wishes for Mr. Lovell.
- Stated Mr. Lovell took great advantage of an educational opportunity to the residents of our community regarding MS4 during the last meeting.

Mr. Khalil:

- Stated Jefferson Fire Rescue thanked Council numerous times for the tools. JFR would like to have the fire departments have their picture taken with all their gear on and get that out to the community.
- Stated Mr. Chalfant said the Feasibility Study for fire departments should be ready in about a months' time, at which point Chief Sohyda will reach out to meet with Council prior to a public presentation of the study.
- Stated BJ Pugh asked if volunteers on the Recreation Board, Planning Commission, and other volunteer committees might obtain a discounted or free rental at one of the parks because of their commitment to the Borough.

Mr. King stated when he and Mr. Khalil were on the Recreation Board members used to have one free rental per year at 885 park. Mr. King stated he doesn't see an issue with a discounted rate.

- Stated Chief Pascoe will have EMS at Community Day.

Mr. King:

- Stated prayers and best of luck to Mr. Lovell on his procedure.
- Stated he and Mr. Sockman will serve as Council representatives on the Community Center Task Force

30. Mr. King adjourned the meeting at 9:40 p.m. with an executive session to follow from which Council would not return on motion by Mr. Khalil, seconded by Mr. Sockman and carried unanimously.

31. Executive Session – Personnel, Labor, Real Estate, Legal, Privileged, Legally Confidential and/or Legal Investigatory Matters

Tricia Levander  
Borough Manager