

Borough of Jefferson Hills
Agenda Meeting of Council
July 3, 2018

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, Council Members Ielase, Khalil, Montgomery, Sockman, Vice President Weber and President King answered to roll call. Finance Officer Bennett, Solicitor Shimko, Borough Engineer Glistler, Consulting Engineer Minsterman and Public Works Director Volpe were also present. Mayor Cmar and Council Member Reynolds were absent.

1. Pledge of Allegiance
2. Roll Call
3. Citizen/Taxpayer Comments

A) Keith Reynolds, of 1313 Collins Avenue, stated he has been using his personal equipment to maintain the field at Beedle Park and asked if he continues to do so, may he bring any repair bills for his equipment to the Borough. President King replied no. Mr. Reynolds asked if there was anyone who will be able to drag the field. President King asked Mr. Volpe if it were possible for Public Works to drag the field and Mr. Volpe replied that would be done. Mr. Reynolds also stated clay is needed to repair the erosion on the field and asked if it were an option that he purchase the clay and provide receipts to the Borough for reimbursement. President King responded Mr. Reynolds may not purchase materials for the field and bring the invoices to the Borough. President King asked Mr. Volpe to discuss purchasing the field clay with the Recreation Board.

4. Report from Borough Boards and Commissions

A) Jim Kingsley, of the Library Board, addressed Council with the following:

- Community Day was a success. The Library had their traditional booth providing free library cards. Thanks to the Recreation Board for a well-organized event.
- The Library web page and the Library itself have updated looks.
- The Summer Reading Program is continuing and is called Libraries Rock.
- A Mahjong group meets on Monday and Wednesday evenings.
- Planning for fall programs is ongoing and suggestions will be appreciated.

B) Andrew Tomer, Fire Chief for Jefferson 885 Fire Department and Emergency Management Coordinator, addressed Council with the following:

- Regarding Emergency Management, we are in a holding pattern waiting for FEMA to approve the Presidential Declaration with respect to the February storms, which will most likely be denied and the denial will be appealed. This is the usual course and is normally initially denied.

- With respect to the storms over the last two (2) or three (3) weeks, it does not appear that the Borough will have any damage worthy of a Presidential or Federal Declaration, but it looks as if the area will qualify for Small Business Association (“SBA”) low interest loans for commercial and residential properties affected by the flooding.
- Over the last three (3) weeks in Jefferson Hills, there were five (5) people who needed to be rescued from water conditions. They were physically trapped in their vehicles in fast moving water. Chief Tomer stated that Chief Chalfant and he agree that the fire companies need to get into swift water response training. This weather trend is expected to continue or get worse in future years.
- Thanks to Mr. Volpe for all of his help with damage assessment.
- Mr. Khalil asked if Mr. Tomer would be able to send information to the Borough regarding the SBA loan so that it may be put on the website.
- Vice President Weber commented he believes swift water training and resources are needed and Council will review the information and seriously consider it.

C) Don Withers, Floreffe Fire Department, addressed Council with the following:

- Due to the recent flooding, Engine #178 has been taken out of service because of brake locking issues. The cost for parts alone will be about five thousand, four hundred dollars (\$5,400.00). Jefferson Hills Fire Rescue is responsible for the cost, but the engine is owned by the Borough so he just wanted to inform Council.

5. Update on Zoning Ordinance Use Chart revisions from Borough Planning Consultant John Trant

Mr. Trant provided a handout and explained this is not the formal adoption process, but is an opportunity for him to update Council on the next step in the Zoning Ordinance and Zoning Map process. Mr. Trant stated the focus tonight will be on the Use Chart. The handout begins with a reiteration of the new zoning districts and zoning purposes that was talked about in his last meeting with Council. There are three (3) types of uses: by right, which uses are permitted as long as the basic requirements of the zoning ordinance are met and do not get reviewed by Planning Commission or Council; conditional, which have additional requirements and are reviewed by the Planning Commission with a recommendation to Council who decides to hold a public hearing; and special exceptions, which are similar to conditional uses, but they go to the Zoning Hearing Board, so Council does not review those, but the Planning Commission does review and make a recommendation to the Zoning Hearing Board. Mr. Trant explained there are also Comparable Uses Not Listed and Uses Not Listed to account for uses not offered on the Use Chart because the Borough Zoning Ordinance has to provide for all conceivable land uses. If a proposed use is not listed, but a comparable use is found, the use may be permitted as a special exception under Comparable Uses Not Listed. If no comparable use can be found anywhere in the zoning districts, the Uses Not Listed will apply and a special exception may be granted. If there were no all-encompassing provisions for this, the use may be permitted anywhere in the Borough without restriction. Mr. Trant noted this is a comprehensive rezoning with a new Zoning Map and new Zoning Ordinance and is not an amendment.

Mr. Khalil suggested that Council members start to attend the Planning Commission meetings in order to be better prepared to ask questions as the process gets closer to coming back to Council. Mr. Khalil thanked Mr. Trant and the entire group for all of their work on this project.

6. Motion to approve minutes of agenda meeting June 6, 2018
7. Motion to approve minutes of regular meeting June 11, 2018
8. Motion to approve the monthly bills
9. Motion to approve the monthly payrolls
10. Motion to enact Ordinance No. 869 Pursuant to the Borough Code and Eminent Domain Code to authorize the filing of a Declaration of Taking in order to acquire an easement interest in the land now or formerly of William, Edward, John and Charles Wilson and Emily Pauls (Block and Lot No. 1135-J-112) for the purpose of constructing, operating and maintaining a sewer line
11. Motion to adopt Resolution No. 20-2018 granting modification requests to the Borough Subdivision and Land Development Ordinance Sections 22.609.2, 22.609.10 and 22.610.2 and final approval to the Subdivision Plan known as S-4-2018, Hunters Preserve Plan No. 1 Subdivision located West Bruceton Road (Block and Lot No. 563-H-410)

Mr. Khalil asked, on request number one (1), how many times has this been done this in the past and is this something that is needed and acceptable. Mr. Glister responded this is not a global change and is only in a few places where it is necessary due to the layout of the site and existing topography. Vice President Weber asked, regarding request number two (2) showing supporting justification as adequate velocity of the storm sewer exists at lesser slope to ensure adequate flushing of the system, is this the opinion of the Borough or the applicant. Mr. Glister responded the request for justification is from the applicant, but it was reviewed by Gateway Engineers and they took no exception to this. Mr. Glister continued to say this was, again, a limitation in the layout and some flooding issues. Mr. Sockman asked why the change in distance between the cleanouts is being requested. Mike Salai, of Wind Ridge Engineering Co., who prepared the plans, replied usually in the rear yards a cleanout is put every other lot and, on the outside of the curves, that distance becomes greater than what is allowable. Mr. Salai stated, if they stayed with the allowable distance, the cleanout may end up in the middle of a yard and they like to try to keep them on the lot lines. Mr. Sockman asked if the Borough is responsible for cleaning these. Mr. Glister replied the Borough is not responsible since they are less than fifteen (15) inches in diameter.

12. Motion to ratify award of contract to Charles Swenglich & Sons in the amount of \$35,800.00 for the Pennsylvania DEP Stream Improvement Program Grant program with funding to be provided by DEP and requiring no Borough match or reimbursement
13. Motion to approve Payment of Invoice 18-319 from Test Boring Services, Inc. in the amount of \$4,874.00 for the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project

14. Motion to approve Application for Payment No. 1 and Final to Soli Construction, Inc. in the amount of \$12,592.50 for the Peters Creek Emergency Repair Project
15. Motion to approve Application for Payment No. 1 to Mele & Mele & Sons, Inc. in the amount of \$574,458.39 for the 2018 Paving Program
16. Motion to approve Application for Payment No. 5 from Global Heavy Corporation in the amount of \$172,350.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A
17. Motion to approve Application for Payment No 3 from Jet Jack, Inc. in the amount of \$205,770.17 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract C
18. Motion to approve Application for Payment No 3 from Jet Jack, Inc. in the amount of \$342,640.53 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract D
19. Motion to approve Work Authorization dated June 27, 2018 from Gateway Engineers, Inc. for general engineering and consulting services within the Borough in the amount not to exceed \$10,000.00
20. Discuss Waterman Road West Slope Stabilization Bids (Bid opening 10:00 a.m. on 7/2/2018, recommendation letter to be provided on 7/3/2018)

Mr. Glister stated six (6) contractors picked up the specifications, three (3) bids were received. Mr. Glister identified the overall low bidder as Geobuild, LLC and is the recommended bid. Mr. Khalil asked if there was a warranty with Geobuild, LLC. Mr. Glister responded there was a five (5) year warranty included in the bid and the contract also requires a two (2) year, fifty percent (50%) maintenance bond. Mr. Montgomery asked if there was any experience with the contractor. Mr. Minsterman replied Gateway Engineers has experience and they come highly recommended by their references.

21. Discuss SHACOG CD 44 7.5 Borough Building ADA Door Project

Mr. Bennett stated SHACOG notified the Borough about ten (10) days ago that the Borough was approved for a grant for up to twenty thousand dollars (\$20,000.00) or a fifty percent (50%) match, whichever is less, to replace the door handles in the Borough Building to make them ADA compliant. The Borough must inform SHACOG of their intention to move forward with this project. Mr. Bennett continued to say he believes the project will be far under the limit. President King asked for a consensus of Council and Council agreed to the approval of this project.

22. Discuss T-Mobile National Lease Renewal Program A4J0085A

Mr. Bennett stated a renewal notice was received from Md7, acting on behalf of T-Mobile, for the cell tower lease, which the Borough has had with them since 1997. Mr. Bennett said Md7 asked that some terms be

changed with the renewal. Mr. Bennet explained, with the present lease, there is a fifteen percent (15%) escalation after every five (5) years and Md7 is proposing a ten percent (10%) escalation, along with some additional language added. Vice President Weber asked if the Borough could make a counteroffer. Mr. Bennett replied absolutely and stated this item will be removed from the Agenda and he will provide Council with more information next month.

23. Discuss proposed purchase of a power broom attachment for the Bobcat skid loader in the amount of \$4,739.60 under State Contract Number 4400011419

Mr. Volpe stated, with all the flooding and storms, a power broom attachment to the new Bobcat would decrease the number of man hours needed to manually clean the streets. Mr. Sockman stated he had spoken with Mr. Volpe after the storms and Mr. Volpe indicated the Borough had a power broom attachment on loan, but would soon have to start making lease payments if the use continued. Mr. Sockman suggested the power boom attachment would get use during various aspects of paving work as well and stated he feels the purchase would be to the Borough's advantage. President King instructed Mr. Bennett to add this item to the Agenda for Monday.

24. Discuss quotes for purchase of Polaris Ranger Unit road utility vehicle

Mr. Volpe stated, with the numerous off-road flood damages and sewer problems with access challenges, the demand on the over nine (9) year old Gator unit currently being used is causing frequent break downs. Mr. Volpe stated he provided three (3) quotes for the new purchase. Vice President Weber asked Mr. Volpe if he had any interest in trading in the Gator. Mr. Volpe responded the Gator would still be usable for dragging fields and doing other field work; it is just not capable for doing the rugged off-road tasks. Vice President Weber questioned the fact that only one (1) of the quotes included accessories. Mr. Volpe explained only the base quotes are being compared and additional accessories may be purchased later at after-market pricing. Mr. Khalil asked where this would be applied to the budget. Mr. Volpe replied, under the parks capital equipment, a mower was proposed to be replaced, but that can be put off until next year. President King instructed Mr. Bennett to add this to the Agenda for Monday.

25. Reports

Engineer Glister reported:

- Nothing to report.

Consulting Engineer Minsterman reported:

- Nothing to report.

Finance Officer/Treasurer Mr. Bennett reported:

- Council and the residents have been asking UPMC to hold a meeting to discuss its potential hospital project. A meeting has been set up with UPMC for July 26 from 5 p.m. to 7 or 8 p.m. at the Municipal Center. There have been no plans submitted to

the Planning Commission or the Borough at this time, but the Borough has asked UPMC to get out in front of this. President King explained this will **not** be a Council or Planning Commission run meeting.

- Tax bills have been mailed and the Borough millage has not changed in five (5) years.
- The second draw down has been received from PENNVEST.

Public Works Director Mr. Volpe reported:

- Nothing to report.
- President King thanked Mr. Volpe and the Public Works Department for all the hard work they have done with the flooding issues and damage and also with the work on Community Day.

26. General Business

Mr. Montgomery noted the following with respect to SHACOG:

- The SHACOG meeting was held in our Borough this month and he thanked Mayor Cmar for the wonderful meal and Mrs. Ielase for her help as well.
- The Joint Civil Service Test is August 11.
- Cargill exercised its third year option. The price for salt will be \$70.93/ton.
- Solid Waste Disposal bid openings will be July 11 in Scott Township and there will be three (3) bidders. Due to the change in recycling guidelines, there will be a need for a massive reeducation of the public.
- Would like to recommend the two (2) individuals who expressed interest in becoming members of the Planning Commission and the Hearing Zoning Board.

Mr. Sockman noted:

- Congratulations to Al's Cone Zone for winning the Best Ice Cream in Pittsburgh.
- Attended a Planning Commission meeting last week, was very impressed and plans to attend more.

Mrs. Ielase noted:

- Attended the School Board Meeting where there were many presentations for retirees.

Vice President Weber noted:

- Asked Mr. Glistler, with regards to the Gill Hall Park Building and possible change order for the structural and aesthetic value of the railings, to enlighten Council what was discussed with the Engineering Committee. Mr. Glistler stated there was an issue with the door intended to be used in the Gill Hall Park ADA chair lift and door project. While the contractor is waiting for a new door, it has submitted a change

order to replace the existing railings that were not part of the original project so that they match the railings that were replaced to accommodate the lift that Council can consider. Mr. Glister noted some of the existing railings are a little wobbly and the replacement is recommended, which may also be less expensive having it done now since the contractor is on site. Mr. Glister stated he would provide additional information at next week's meeting. Vice President Weber asked Mr. Glister if he could put the information in the Friday packet so it could be reviewed by Council for the Monday meeting. Mr. Glister replied he would do so.

Mr. Khalil noted:

- Mr. Thatcher contacted him concerning the interview process for the Fire Chief and Assistant Fire Chief positions and would like to know if it is Council's will to allow him to tell Mr. Thatcher and allow the Task Force to discuss this at their next meeting so that process may begin. President King asked for any objections and stated Mr. Khalil may do so.

President King noted:

- Thank you to the Recreation Board for the fantastic job on Community Day.

27. Adjournment

President King adjourned the meeting at 8:28 p.m. with an executive session to follow from which Council would not return on motion by Mr. Sockman, seconded by Mr. Montgomery and carried unanimously.

28. Executive Session – Personnel, Real Estate, Legally Privileged/Confidential and Litigation (*EQT Production Company and ET Blue Grass Clearing LLC v. Borough of Jefferson Hills*, Supreme Court of Pennsylvania, Docket No. 4 WAP 2018; *Peters Creek Sanitary Authority, Borough of Jefferson Hills and Union Township v. Clairton Municipal Authority*, Court of Common Pleas of Allegheny County, Docket No. GD-17-17711 and potential personnel matter)

Charles W. Bennett
Secretary/Interim Borough Manager