

Borough of Jefferson Hills
Agenda Meeting of Council
June 6, 2018

The agenda meeting of Council was called to order by Vice President Weber at 7:02 p.m. in the Municipal Center, 925 Old Clairton Road to account for arrival of students for presentation. Following the Pledge of Allegiance, Mayor Cmar and Council Members Ielase, Khalil, Montgomery, Reynolds, Sockman and Vice President Weber answered to roll call. Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glistler, Consulting Engineer Todd and Public Works Director Volpe were also present. President King was absent.

1. Pledge of Allegiance
2. Roll Call

Mayor Cmar presented certificates to the Gill Hall Fourth Grade Student Government for their diligent work acting in the roles as Mayor, Borough Councilmembers and Borough Administrators.

3. Citizen/Taxpayer Comments

A) Tom Donohue, of 204 Fawn Drive, Chairman of the Environmental Advisory Council (“EAC”) stated for many years the EAC has been toying with the idea of a Beams Run Trail and some things have happened recently to propel the idea forward. With the School District’s purchase of part of the property in building of the High School, the Science Department has always been very involved with environmental activities and have already gotten two (2) Allegheny Conservation District grants for an outdoor classroom and some other projects on the site. There are only two (2) properties where a Beams Run Trail could go before getting to the School District property. The owner of the largest property has been contacted and, although there was no formal commitment, he was interested in the concept and idea. The other property owner is presently out of town, but will return in. Vice President Weber asked Mr. Donohue to contact Mr. Bennett with a date and time when the property owner would like to meet and stated Mr. Bennett will provide the information to Council.

B) Jonathan Marcus, of Marcus & Shapira, LLP, stated he is requesting Council to resolve to consider your constituents’ proposed Ordinance, which was provided in writing to Mr. Shimko yesterday. Mr. Marcus stated the residents are asking for a public hearing and, to give them that, he would like Council resolve to schedule and advertise one for this proposed Ordinance.

Vice President Weber stated Mr. Shimko did pass along the communication, but was all of the members just received it at the meeting this evening. Vice President Weber explained normally information is provided on Friday, which allows the weekend to digest it and ask questions early in the week, so he has not had the opportunity to read through it and formulate any questions. Vice President Weber asked if any other Councilmembers

have any questions and received no response. Vice President Weber indicated to Mr. Marcus the Borough will consider it and will get back to you.

4. Report from Borough Boards and Commissions

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

- The Library staff is preparing for the Summer Reading Program, which involves eighteen (18) weekly events.
- The Libby smart phone application is available for everyone with a library card and gives access to over three hundred fifty thousand (350,000) eBooks and eighty thousand (80,000) audio books. There will be a Library tent at Community Day to sign up for a library card if you do not have one.
- The Library has enrolled in a program with the Pennsylvania Library Association and the Allegheny Library Association to improve the quality of services being implemented state wide and have obtained the second level. Of the forty-five (45) libraries in Allegheny County, our Library is one (1) of seventeen (17) to achieve this level so far. The plan is to continue to progress further.

B) Holly Rubinoff, of the Recreation Board, addressed Council with the following:

- Thanked Mr. Volpe for his work on the fields for the All Star Game on Saturday. Three (3) bids will be presented to the Recreation Board next week for the repair of the fields.
- There are fifty (50) vendors signed up for Community Day. There will be a crew Friday night and Saturday morning to help vendors set up their area.

5. Motion to approve minutes of agenda meeting May 9, 2018

Mr. Khalil stated he and Vice President Weber had changes to make to these minutes and would like to provide the changes in writing, have the minutes updated, give to everyone for review and approve at Monday's meeting. Council approved.

6. Motion to approve minutes of regular meeting May 14, 2018

7. Motion to approve the monthly bills

8. Motion to approve the monthly payrolls

9. Motion to adopt Resolution No. ___ granting preliminary approval for a land development known as SP-1-2018 – Allegheny Health Network – Jefferson Hospital ER Renovation, located at 565 Coal Valley Road

Michael Kostiew, of Reed Smith, stated he represents Allegheny Health Network and Jefferson Hospital and is joined by Brad Grostefon, the CFO of Jefferson Hospital, and Jim Gade of Stantec Engineering. Mr.

Kostiew explained the application is for a minor expansion of the Emergency Room at Jefferson Hospital. As part of the application, a modification has been requested by the applicant from the Borough's subdivision and land development ordinance. Mr. Kostiew stated they have asked for concurrent review of preliminary and final land development and submitted a modification. The addition is 11,000 square feet. Mr. Gade stated it is basically less than .1% increase in the building coverage and most of the construction is being put over top of where existing impervious is, making the increase in impervious .06% of the entire lot. Mr. Gade stated approval has been received from the County Conservation District, comments were received and satisfied from the County planning agency and the Borough's engineer has recommended approval for both preliminary and final plans. Mr. Sockman asked if there were any projected needs for parking. Mr. Gade explained a parking analysis was done and was found to have 27 parking spaces over the required amount.

10. Discuss granting final approval for a land development known as SP-1-2018 – Allegheny Health Network – Jefferson Hospital ER Renovation, located at 565 Coal Valley Road

Michael Kostiew stated this is the exact same plan as just discussed, with the request of having the preliminary and final run concurrently. Mr. Kostiew indicated the Borough Planning Commission has recommended approval of the modification.

11. Motion to adopt Resolution No. ___ granting preliminary and final approval for a subdivision known as S-5-2018 – Moses Subdivision located at 1390 Marion Drive

Mr. Khalil asked Mr. Glistler to confirm the plan as has been presented is satisfactory to him. Mr. Glistler confirmed and noted the plan was recommended for approval at the May Planning Commission meeting, but has since come to his attention that a driveway goes through part of that subdivision to a house that is not on the subdivision. Mr. Glistler stated a revision has been made to include a private access easement.

12. Motion to authorize the proper Borough officials to execute a Mutual Aid Agreement for Police Services between the South Hills Area Council of Governments and the Borough of Jefferson Hills
13. Motion to recommend to SHACOG the award of a bid to State Pipe Services, Inc. for Joint Municipal SHACOG O&M Preventative Maintenance – Year 8 Project in the amount of \$82,971.50 with the Borough's share of \$16,795.00
14. Motion to approve Application for Payment No. 5 from Swede Construction Corporation in the amount of \$4,225.70 for the work completed on the Beedle Park Baseball Field Improvements Phase 1B Project
15. Motion to approve Application for Payment No. 4 from Global Heavy Corporation in the amount of \$494,460.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A

16. Motion to approve Application for Payment No. 2 to Jet Jack Inc. in the amount of \$347,431.50 for the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract C
17. Motion to approve Application for Payment No. 2 to Jet Jack Inc. in the amount of \$372,520.75 for the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract D
18. Motion to approve Application for Payment No. 1 to Select Contracting, LLC in the amount of \$5,229.00 for the SHACOG CD 43- ADA Wheelchair Lift and Doors Project, subject to a receipt of an invoice from SHACOG
19. Motion to approve Application for Payment No. 2 to Select Contracting, LLC in the amount of \$22,050.00 for the SHACOG CD 43- ADA Wheelchair Lift and Doors Project, subject to a receipt of an invoice from SHACOG
20. Motion to award the 2018 Manhole Rehab Program Bid to State Pipe Services in the amount of \$115,275.00
21. Motion to approve the Work Authorization dated May 31, 2018 from Gateway Engineers, Inc. for construction administration and inspection services for the 2018 Paving Program in the amount not to exceed \$7,000.00
22. Motion to approve the Work Authorization dated May 31, 2018 from Gateway Engineers, Inc. for the preparation of the specifications and bid package for the Waterman Road West Stabilization project in the amount not to exceed \$12,000.00
23. Discuss rescheduling a public hearing date/time on the Carol Ann Bucar Landowner Curative Amendment

Mr. Shimko stated a Landowner Curative Amendment was submitted on April 23. Last week, the landowner approached the Borough and said that she had found other properties that she wanted to be involved. Mr. Shimko stated she was asked to withdraw her application and submit a new one so that the record was clean in case of any appeals. Mr. Shimko indicated the applicant agreed to do so. Mr. Shimko asked this be left on the agenda for Monday in the event an amended application is received between now and then. Mr. Khalil questioned the applicant made the request to change the date, but the Borough had already paid for the advertising, so will the next advertising be paid by the applicant. Mr. Shimko stated, as part of his communication with the applicant's attorney, the Borough said, as part of withdrawing their application, another application fee would not need to be submitted, but the application fee would have to be reimbursed to the extent the Borough advertised any hearings.

24. Discuss resolution to establish procedures for the sale of Borough personal property valued at less than \$1,000

Mr. Shimko noted this is the outcome of the proposed resolution discussed two (2) months ago. Mr. Shimko continued to say, when he drafted the Resolution, he opened it up to have a department head be permitted to sell the Borough personal property less than \$1,000 instead of just the Public Works Department.

25. Discuss Application for Payment No. 4 and Final to Roach Brothers in the amount of \$4,986.00 for the Wall Refinishing Project

Mr. Sockman asked if the project was finished. Mr. Shimko responded Roach Brothers came back to secure the small section of wall base in the police department, but it is still not properly affixed to the wall. Mr. Sockman stated, in that case, he is not in favor of approving payment. Vice President Weber indicated, because the work is not completed satisfactorily, this item will not be on the agenda for payment Monday and asked if that was Council's will. Council agreed. Chief Roach expressed he will let Council know if it is repaired before Monday.

26. Motion to appoint a member to the Civil Service Commission for an unexpired term ending December 31, 2018
27. Reports

Engineer Glistler reported:

- The 2018 Paving Program is underway. Milling is approximately two-thirds (2/3) complete and some asphalt has been put down.
- At last month's meeting, there was discussion about the need for stop signs in the Washington Square development. A letter was provided to Council showing the engineering justification for a stop sign at the intersection of Greene and Hindman Drives in lieu of a traffic study. Based on this, the Borough will reach out to the developer and, once permission is received from them, installing the stop signs will be discussed. The developer will pay for the signs as is standard with the developer's agreement.
- A response to the Borough's letter to the Pennsylvania Turnpike Commission regarding the Lewis Run erosion was received acknowledging receipt of the letter and expressing their willingness to meet. Once some dates are confirmed, Mr. Glistler will provide the information to Council.

Finance Officer/Treasurer Mr. Bennett reported:

- The 2017 Municipal Annual Audit has been provided to Council. It was a good economic year and the Borough did not have to use reserve funds in 2017. The sewer rate increase adjustment in 2017 helped greatly. The first PENNVEST draw down that was received will be mostly put back into the reserves of the sewer revenue

account that has been paid since 2014. The drawback is the Borough will have to start paying back the PENNVEST loan since they are starting to be drawn down.

- There was a Liquid Fuels Audit yesterday which was a clean audit and produced no findings or recommendations. That report should be received from the Auditor General's Office in four (4) to eight (8) weeks.
- The 2006 F-550 One Ton Dump Truck was sold at the Perryopolis Auto Auction.
- Mr. Khalil asked Mr. Bennett if it would be best to hold the funds in the sewer revenue fund to see what takes place with the Clairton Municipal Authority or use some to pay down the PENNVEST loan. Mr. Bennett suggested to wait until the dust settles on the PENNVEST loan to be sure there are no change orders or any unforeseen slides or projects the Borough will have to undertake.

Public Works Director Mr. Volpe reported:

- The pickle ball court has been completed.
- Both the PEMA and FEMA representatives toured the areas that were affected by the recent heavy rains. The Borough should hear back in the coming weeks to see if there will be any reimbursement for the work that has been done to improve these areas.

Police Chief Roach reported:

- The SHACOG joint police test advertisements will go out next week. Nine (9) departments of the municipalities in SHACOG have committed and the test date is August 11.
- Vice President Weber asked is the list of available officers provided around November. Chief Roach explained the testing process and timeline ending at the beginning of October and an eligibility list is created. Background checks are then completed on the top candidates which takes about four (4) to six (6) weeks. That would take it to about the first or second week of November and, at that point, they are ready for hire. Vice President Weber asked Chief Roach if he would be looking to hire one (1) to two (2) officers. Chief Roach responded he would like two (2) considering a current officer is leaving to take a school district position.

Mayor Cmar reported:

- Would like to recognize Louise Urban and Janet O'Brien for their help in getting a donation from Highmark Health and Allegheny Health Network for the Recreation Board to provide fireworks for Community Day. Vice President Weber asked Mr. Bennett to draft a thank you letter.

Solicitor Shimko reported:

- Regarding one (1) of the WESA Sewershed projects, the Borough contractor has been successful in getting all but one (1) required easement agreements because the property owner cannot be located. It is believed the property owner is deceased and

no relatives are able to be located, so that easement will have to be pursued by eminent domain. In order to do that, Council must enact an ordinance. Mr. Shimko requested approval to place a motion on the agenda to authorize appropriate officers of the Borough to draft and advertise such ordinance.

- An email was received from the DEP regarding the Lewis Run stream remediation project the DEP has been considering with the property owner and the DEP is ready to proceed. Mr. Shimko requested approval to place a grant agreement that the Borough would enter into with the DEP to become the local sponsor and a resolution for emergency bidding for the project on the agenda.

28. General Business

Mr. Montgomery thanked Mayor Cmar for her work on the Memorial Day event and noted the following with respect to SHACOG:

- Cargill exercised their third year option and the salt price will be \$70.93/ton for next year.
- The joint manhole rehabilitation got little or no interest from other communities, so this will not happen.
- CDBG 43 is closes June 30; CDBG 44 project awards should be coming soon from the County; CDBG 45 likely to occur due to the congressional budget agreement
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- Solid waste bid is being complicated by recycling. One of the problems is that recycling is not being sorted and/or packaged properly by the consumer. The DEP is aware, but has no solution. One simple answer is better public education.
- The Borough will be hosting the next meeting on June 21.

Mr. Sockman noted:

- Thanks to Mr. Volpe's efforts, the State has done some work on Ridge Road at the intersection of Gill Hall Road.
- Engineering Meeting highlights:
 - State Pipe Services, Inc. was awarded the SHACOG O&M Preventative Maintenance – Year 8 Project.
 - Beedle Park still has some touch up work to do, which will be covered by the retainage. There was an in-depth discussion about concession stands, restrooms and storage areas and referred some of that back to the Recreation Board regarding location. Some of the work for the electrical and water lines will be able to be done in house to save on the cost.
 - Diligent work being undertaken on Waterman Road.
 - Peters Creek Stream restoration is complete, except for the punch list items.
 - Regarding the West Elizabeth Watershed, there have been some problems with marking utility lines.

- The ADA Wheelchair Lift has been installed at the Gill Hall Park and has been tested. The sidewalks have been poured; the doors will be installed mid-June; and the handrails will be installed once the proper profile is found.
- Regarding the DEP required Coal Valley Road work, Gateway Engineers will prepare a map showing the affected houses with additional information for the DEP to show how difficult it will be to sewer those homes and, if the Borough did sewer, the homeowners could suffer serious financial burdens. This may cause the DEP to change their mind or find another option.

Mrs. Ielase noted:

- Many people have been calling from part of the Borough saying their garbage has not been collected. Mr. Bennett expressed the calls are coming in and are being addressed as much as possible and report any problems to the company.
- Community Day is Saturday from 11 a.m. to 9 p.m. and the fireworks will start at 9:15 p.m.

Mr. Khalil noted:

- Mr. Sockman had touched on the fact of bringing water and electrical lines to Beedle Park and the cost will be about \$50,000.00. Mr. Khalil requested Council's approval to get the work started. Mr. Sockman asked if the Recreation Board had decided on a final location. Mr. Khalil responded he was not sure if it was finalized yet and he would speak to the Recreation Board to confirm.
- The projects on Walton Road and Route 837 were trying to be timed to coincide with the completion of the treatment plant in West Elizabeth, but, unfortunately, West Elizabeth is behind schedule. Mr. Montgomery asked if that means the lines will be constructed and then sit there vacant. Mr. Khalil confirmed that would be the case until the plant comes online and then would be switched over.

Mrs. Reynolds noted:

- At Beedle Park in the children's playground, there is no mulch under the swings and play area. Mr. Volpe responded the mulch was placed yesterday. Mrs. Reynolds thanked Mr. Volpe.

Vice President Weber noted:

- He would like to get a consensus from Council to start the infrastructure for the shelter/restrooms at Beedle Park because the grant may not be disbursed until August. Council directed Mr. Volpe to move forward once the location is known.

29. Adjournment

Vice President Weber adjourned the meeting at 8:38 p.m. with an executive session to follow from which Council would not return on motion by Mr. Sockman, seconded by Mr. Khalil and carried unanimously.

30. 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)

Charles W. Bennett
Secretary/Interim Borough Manager