

Borough of Jefferson Hills
Agenda Meeting of Council
June 7, 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, and King answered to roll call. Borough Manager Levander, Finance Officer Bennett, Solicitor Shimko, and Chief Roach were also present. Council Members Reynolds and Weber were absent. Consulting Engineer Minsterman arrived at 7:09 p.m. Mr. Tom Lovell sat in the audience.

1. Pledge of Allegiance
2. Roll Call

Mr. King recognized and thanked Boy Scout Troop 1823 for attending the Council meeting.

3. Recognize the students from West Jefferson Hills School District participating in Borough Days

Mr. King stated Gill Hall Elementary school and Mrs. Froehlich put together several days each school year when members and employees of the Borough go to speak to the fourth graders and answer questions the students have. The students hold elections in the classroom and appoint members of Administration, Police, Fire and Rescue. The students also have an opportunity to tour of the Municipal center before the Council Meeting prior to receiving their certificates. This is the second year for Government Day and Mr. King stated hopes it continues.

4. Citizen/Taxpayer Comments

Tom Lovell, former Public Works Director, thanked Council and staff for the last wonderful seven years working for the Borough. He stated he will continue to help the Borough in any way he can no matter how big or small just call him. Mr. King thanked Mr. Lovell for coming in and stated he left the Borough a better place.

Don Voland of 209 Glendale Drive spoke about his concerns regarding addresses in the Borough of Jefferson Hills. He stated his road was accepted and dedicated by the Borough about a year ago. There was a small fire on that road and he stated the Fire Company told him they had a difficult time finding the road because it wasn't in their GPS app. Mr. King asked what steps the Borough took to record the road. Ms. Levander stated the Borough accepted the road; the Fire Company was definitely updated along with 911 and the post office. Mr. King stated the Borough will reach out to the County and make sure their information is up to date and will then let Mr. Voland know the County's response. Mr. Voland also asked to have the telephone poles on a nearby property to his to be removed that are lying flat next to the road. He stated if the aerial truck from Gill Hall VFC would have tried to get on the road, it would not have been physically able to make the turn. Ms. Levander stated the Borough will investigate the request.

Nicole Ruscitto of 1524 High Road spoke about EQT case. Ms. Ruscitto stated Constitutional protection should never take second place to zoning laws and she believes Article 1 Section 27 of the Pennsylvania Constitution will legally prevail in the EQT case. Ms. Ruscitto cited several studies regarding health concerns and serious health issues for people who live near fracking. Act 13 allows the local government to defend the residents and asked Council to continue protecting their residents.

5. Report from Borough Boards and Commissions
6. Motion to approve minutes of agenda meeting May 3, 2017

Mr. Khalil asked to change Consulting Engineer Minsterman from “was absent” followed by “Mr. Minsterman arrived at 7:10” to read “Mr. Minsterman arrived at 7:10.” Mr. Khalil asked if the meeting with Maronda was set to discuss West Bruceton Road. Ms. Levander stated she has not set up a meeting and asked for specific day or time to which Mr. Khalil replied any day. Mr. Khalil asked Mr. Bennett about steps taken in establishing a Fund Balance Policy. Mr. Bennett stated he has looked at other Fund Balance Policy and it seems a 3-6 month reserve in time of emergencies is the norm. Mr. Bennett stated the Borough can establish a committed and restricted fund balance for future Capital expenses. r. Khalil stated Council can use that information when budgeting in 2018.

7. Motion to approve minutes of regular meeting May 8, 2017

Mr. Khalil stated his name is misspelled twice.

8. Motion to approve the monthly bills

Mr. Khalil stated the Borough spent \$77,000.00 in engineering expenses, not including Escrow accounts. He asked everyone to keep that number in mind and he will elaborate on that later in the Agenda.

9. Motion to approve the monthly payrolls
10. Motion to enact Ordinance No. 862 (1) repealing Chapter 1, Part 4, Subpart D of the Borough of Jefferson Hills Code of Ordinances regarding the Educational Service Agency to align with the Borough’s current roles in School Crossing Guard regulation within the Borough, (2) increasing the Real Estate Tax Collectors annual compensation beginning in year 2018 to \$15,000.00, (3) amending Ordinances 677, 741, 764 and 858 to provide for the reduction of residential sewage service charges and user fees for certain qualified senior citizens
11. Motion to adopt Resolution No. 17-2017 approving the submission for the Active Allegheny Grant Program for Peters Creek Road Montour Trail Planning Study to the Redevelopment Authority of Allegheny County (RAAC)

Mr. Khalil explained this is related to the Borough’s possible financial commitment to the redevelopment and improvements to the trail.

12. Motion to adopt Resolution No. 18-2017 granting preliminary approval to the Subdivision Plan known as PS-1-2017, Betler Plan of Lots
13. Motion to authorize the proper officials to execute the Memorandum of Understanding between the Steel Center for Career and Technical Education and the Borough of Jefferson Hills
14. Motion to authorize the proper officials to execute the Second Amendment to Articles of Agreement with Cargill, Inc. to extend the period for compliance of the minimum purchase requirement to December 31, 2017

Mr. Sockman asked Mr. Lovell to update Council on the Borough's salt storage. Mr. Lovell stated the Borough has not reached their quota and still need to buy 800 tons. He also stated his understanding was there would be no further charge to store the salt as long as the Borough received the salt by December 31, 2017. Mr. Lovell stated his recommendation for next year is to lower the salt purchase to 2000 tons.

15. Motion to authorize the sale of a used Code Enforcement Vehicle, a 2001 Chevy Impala, at the Perryopolis Auto Auction
16. Motion to recommend to SHACOG the award of a bid to State Pipe Services, Inc. for Joint O&M Preventive Maintenance Project – Year 7 in the amount of \$92,023.00 with the Borough share being \$22,672.00
17. Motion to approve Work Authorization dated May 31, 2017 from Gateway Engineers, Inc. to continue to work on the WESA Act 537 Plan in an amount not to exceed \$10,000.00

Mr. Khalil stated he has concerns seeing five Work Authorizations and can't reference or utilize anything on a spreadsheet to monitor this work. He requested the spreadsheet be completed. Mr. Montgomery stated there's been a lot of progress on this and Gateway is almost complete with the spreadsheet.

18. Motion to approve additional Work Authorization dated June 1, 2017 from Gateway Engineers, Inc. to complete the 2017 Remote Sanitary Inspection work in an amount not to exceed \$5,000.00

Mr. Montgomery stated Gateway, in connection with Public Works, is trying to determine why there has been an increase in the Clairton flow. Mr. Montgomery stated the increase is above any beyond the new homes being built. Mr. Minsterman stated of the total increased volume we've seen, only 15% of that is related to new homes. 85% is due to an unaccounted infiltration. Mr. Khalil asked what part of the Work Authorization the Borough can do in house. Mr. Minsterman stated there are two parts to this work. The first is looking for sources of infiltration with Public Works and the second is setting up the baseline mapping system, which shows manholes, streams, and piping in relation to each other. The baseline mapping is a specialized process and not for in house work. Next year Gateway expects Public Works to be able to perform the inspection alone once the baseline mapping is completed.

19. Motion to approve Work Authorization dated June 1, 2017 from Gateway Engineers, Inc. for Construction Administration and Inspection services for Beedle Park Phase 1B in an amount not to exceed \$17,000.00
20. Motion to approve additional Work Authorization dated June 1, 2017 from Gateway Engineers, Inc. for Construction Administration and Inspection services for the CDBG Year 42 Demolition Project in an amount not to exceed \$1,000.00

Mr. Montgomery stated this Work Authorization is for asbestos remediation during a demolition.

21. Motion to approve Work Authorization dated May 30, 2017 from Gateway Engineers, Inc. for preparation of the Pollution Reduction Plan in an amount not to exceed \$30,000.00

Mr. Montgomery stated the Pollution Reduction Plan is part of MS4 regulations regarding the hydraulic unit for watersheds. Coal Valley #1 is the only watershed in the Borough affected. The DEP determines which watersheds need remediated and this is the only one in the Borough currently. The Borough needs to reduce the sediment by 20,000 pounds per year. Mr. Minsterman stated the Pollution Reduction Plans are new, so as they do more of these plans Gateway is learning how to get work done quicker and ways and means to be more efficient. Mr. Minsterman expects this amount to be revised and reduced as they proceed with the work.

22. Discuss the single bid received from Meadville Land Services, Inc. in the amount of \$299,325.00 for the Peters Creek Stream Restoration Project

Mr. Sockman stated the Engineering Committee decided to recommend re-bidding this project at yesterday's engineering meeting. Mr. Khalil asked what the cost is to re-bid. Mr. Minsterman stated this is the Grant Project the Borough has for stream restoration projects. The bid came in at about \$100,000.00 over the estimated budget. Mr. Khalil asked where this work was taking place along Peters Creek. Mr. Lovell stated the location is slightly upstream, about 100 yards, from where the Iron Bridge goes over Peters Creek. The stream is eroding back toward the road. The scope of work is to change the direction of Peters Creek so it does not erode the bank and go up and erode the roadway. Mr. Minsterman stated Gateway will look at the site again to be sure this project will fix the problem. He would like to do this work quickly to capture the cost savings for this year.

23. Discuss Jefferson Estates Sanitary Sewer Rehabilitation bids (Bid opening 10:00 am on 6/5/2017)

Ms. Levander stated the Borough received two bids one from Insight Pipe Contracting, LLC and the other from Stefanick's Contracting. Insight Pipe Contracting, LLC was the lower bid at \$139,286.00 and Gateway Engineer is recommending moving forward with Insight Pipe Contracting, LLC.

24. Discuss the Jefferson Hospital Payment In Lieu of Taxes Agreement

Mr. King asked Ms. Levander and Mr. Bennett to get together and look at the Agreement and come up with some suggestions for Council about what a new Agreement might look like and then email those

suggestions to Council once complete.

25. Discuss Delinquent Tax Collection

Mr. Shimko stated the current Agreement with the Delinquent Tax Collector expires on July 9, 2017. The Borough received proposals from two collectors including their current collector. Notice was given to current delinquent tax collector which led them to submit a new proposal. Council would make a decision tonight or at next month's meeting regarding the direction they wish to proceed. Mr. Khalil stated the prices on the Agreements look almost identical. Mr. Shimko stated the fees are similar but there are differences. However, both of the Agreements are based on Act 20 and put the fees on the delinquent tax payer, not the Borough. Mr. Shimko stated he would like to see an agreement from the entity who sent only a proposal. Mr. King stated Ms. Levander will get that Agreement from them.

26. Discuss rental options for Boards and Commissions to use park shelters/pavilions

Mr. Khalil spoke about different proposals he developed for Borough Volunteers to use park shelters/pavilions for a reduced cost. Mr. King stated the use of a pavilion is proposed to be at no cost, however a security deposit would still be required to ensure any issues would be remedied. The GBU building would require \$50.00 for a cleaning fee and a security deposit to ensure any issues would be remedied. Mr. Khalil stated volunteers would be limited to one rental once per year, and no more than two (2) times in a Volunteers' four (4) year term. Mr. King stated they should look through the list of Boards and Commissions to determine which ones would be eligible for the proposed cost reductions.

27. Discuss the local tax credits on real estate and earned income taxes for volunteer Firefighters and EMS, per Act 172 of 2016

Mr. Khalil stated the Chiefs of the Fire Company's should provide the parameters of what to consider a volunteer Firefighter. He also stated the tax credit dollar amount should be capped at \$1000.00 for either real estate or earned income tax. Mr. Shimko stated this will take a lot of work to define what to consider an active volunteer and also the Real Estate Tax break and an Earned Income tax break to consider. Mr. Shimko stated the Earned Income Tax Break is set up as a specific dollar amount. The Real Estate tax break can be set at a certain percentage of the homes assessed value, but he hasn't seen it capped at a certain dollar amount. Mr. Shimko stated this will be an involved process and suggested a meeting with representatives from all entities that need to be involved in drafting an ordinance for the tax breaks.

28. Discuss application for LED Street Light Conversion Pilot Program through Duquesne Light Company

Ms. Levander stated Duquesne Light Company has a minimum of 10 street lights with a \$109.00 fee per street light to convert over to LED. The application is due August 1, 2017. Mr. Bennett stated we pay about \$2,800.00 per month to Duquesne Light Company for street lights and that's for about 167 lights located in the 885 corridor and Coal Valley. Duquesne Light Company says it's about a 5-8 year payback period.

29. Discuss Planning Commission pre-application meeting regarding the potential business purchase

of property between State Route 837 and the Monongahela River

Jim Ross is the Senior Directing Manager at General Trade Corporation (“GTC” located in Braddock, PA. GTC is a wholesaler of basic materials, including coal. Mr. Ross stated they are interested in purchasing the 14 acre piece of property at 1000 Glass House Road. The Zoning Ordinance states this area is zoned I-2. I-2 District uses by right refer back to I-1, where wholesaling is listed as a use by right and, therefore, GTC believes its use would be a use by right. Therefore no variances or zoning use processes would be needed. This property has property frontage on the Monongahela River, the railroad, and easy access to road transportation, utilities, and power. The property is surrounded by Norfolk Southern Railroad, Elrama Power Station, and Marathon Fuel Depot. This operation would bring about 25-30 jobs to the Borough. The property is classified as Act 2 which encourages the private sector to clean up contaminated, vacant or otherwise underutilized properties and return them to productive use. Mr. Khalil asked what type of structure would be built. Clifford Wise, President and owner of General Trade Corporation, stated there would be mostly hoppers and conveyers on the land. An office structure would eventually be built as will a truck wash station. Mr. Sockman asked if fly ash would be stored at the location. Mr. Wise stated most fly ash comes in by barge in a sealed container and used in cement making, it is not the fly ash that’s dumped into landfills. Mr. Montgomery asked if the trucks are tarped. Mr. Wise stated yes and most of the trucks that would come to this proposed facility are also washed prior to leaving the Conemaugh site. There are about 90 trucks each day that make runs. Mr. Khalil stated if citizens asked about any potential health concerns as a result of the facility, what his answer to that question is. Mr. Wise stated there really aren’t any health concerns and stated there’s certainly less health concern than the Elrama plant. Mr. King asked if they are receptive to Borough representatives touring their facility, to which Mr. Lampl agreed. Mr. King stated the Borough would take this under consideration.

30. Reports

Engineer:

- Mr. Minsterman stated the Work Authorization for Clairton Municipal Authority and the 537 Plan Revision for the location of the force main tie in is almost completed. The new location was moved 2000 feet further down Route 837 for the tie in which caused an increase to the budgeted cost.
- Mr. Minsterman stated the WESA project Lincoln Street Crossing application for the Railroad crossing permit and the force main alignment have been submitted to West Elizabeth. A work authorization will be submitted next month for the additional work with West Elizabeth to implement that within the Bid Document, the work Gateway has done already to get the permit out, and the design for the Lincoln Street Crossing.
- Mr. Montgomery asked if he got a Street Opening Permit from West Elizabeth. Mr. Minsterman stated we have not received a Street Opening Permit yet.
- Mr. Minsterman stated the Stormwater Ordinance the Borough has is old and needs to be revised as a result the recent DEP audit. Act 167 is underway through the County and also mandates accepting a new Stormwater

Ordinance. Gateway asked the regulators to wait for Act 167 to come in and then utilize that language to write the new Ordinance for the Borough. Gateway is waiting for an answer and will let the Borough know once it's received.

- Mr. Minsterman stated Gateway is relocating a sewer line for the Walsh Granite Rapid Bridge Project on Walton Road. This will allow PennDOT to fix the Bridge and they are reimbursing the Borough 75% of the construction cost. The manhole PennDOT was initially going to replace is leaking heavily with a lot of infiltration into the WESA sewer shed. PennDOT is willing to replace the Manhole and make the 75% reimbursement payment to the Borough. Council had no objections.
- Mr. Minsterman stated there was a grant program many years ago offering 50% reimbursement for the cost associated in developing Act 537 plans. The Act 537 Plan task activity reports for WESA and CMA were completed and sent in to the DEP years ago. Gateway completed all of the necessary paperwork for reimbursement and then the grant program was shut down. The grant program is back and Ms. Levander and Mr. Bennett collected dozens of cancelled checks and invoices from 10 years ago to submit to the DEP in order to receive reimbursement now. It would be about \$100,000.00 in reimbursement. The response was received that the Borough is on the list to be reimbursed and in the rotation to receive money as it becomes available.

Finance Officer/Treasurer:

- Mr. Bennett stated the 2015-2016 Pension Fund Financial Audit with DCED is on Monday, June 12th.
- Mr. Bennett stated tax bills are going out at the end of June with a cutoff period for delinquent taxes on January 1.

Police Chief:

- Chief Roach stated the Superior Court decision regarding multi-jurisdictional DUI, drug, and sobriety check points ruled police officers' are covered under the municipal task force but an Ordinance written for each municipality would be best practice. The Allegheny County Chiefs are reaching out to Pennsylvania DUI Association and to the Pennsylvania District Attorney's association to craft that Ordinance.
- Chief Roach stated eight (8) municipalities committed to the SHACOG Joint Testing.
- Chief Roach stated Officer Patrick Lucas is released to full duty and is exceeding expectations.

Manager:

- Ms. Levander stated there are two vehicles which were taken out of use when the Police Department purchased two new vehicles. One vehicle is now the Code Enforcement vehicle. Council agreed to keep the other vehicle at this time and Administration will use the vehicle for business trips.
- Ms. Levander stated she would like to add the State Pipe 3rd and Final payment to Monday's agenda.
- Ms. Levander stated she would like to add an approval to receive janitorial bids to Monday's agenda.
- Ms. Levander stated she and Mr. Opfar will be going to Whitehall to look at their Pickleball court.
- Ms. Levander stated Wednesday, June 14th is the Wallpaper Refinishing Project pre-construction meeting.

Mayor:

- Ms. Cmar thanked Council for applying for the grant for the Montour Trail Project. Ms. Cmar stated Ned Williams is also pleased about the work the Borough approved.

31. General Business

Mr. Montgomery:

SHACOG Report:

- Stated the Fire Chiefs met in April for training.
- Stated 19 municipalities are committed to the Joint Trash and Recycle Program.
- Stated the Joint Paving bids have 5 communities participating.
- Stated our Borough will be hosting the SHACOG meeting and Dinner on Thursday, June 15th at the Borough Building.
- Stated there will be a golf outing at Lindenwood on Monday, July 17, 2017.

Mr. Sockman:

- Stated Fish for Fun Day was nice and he thanked Mrs. Ielase for her work

Mrs. Ielase:

- Stated when mowing the parks, please have public works please check the slides for abandoned kittens.

Mr. Khalil:

- Stated Chief Sohyda will have reports done soon and would like to meet with some Members of Council the last week of June.

Mr. King:

- Stated his thanks to Mrs. Ielase for Fish for Fun Day.
- Stated his thanks to Mr. Lovell for all the work he did for the Borough during his employment.

32. Adjournment

Mr. King adjourned the meeting at 9:21 a.m. with an executive session to follow from which Council would not return on motion by Mrs. Ielase, seconded by Mr. Sockman and carried unanimously.

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

Tricia Levander
Borough Manager