

Borough of Jefferson Hills  
Agenda Meeting of Council  
November 8, 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, Council Members Ielase, Khalil, Montgomery, Reynolds, Sockman, Vice President Weber and President King answered to roll call. Borough Manager Levander, Finance Officer Bennett, Solicitor Shimko, Chief Roach, Consulting Engineer Minsterman and Public Works Director Volpe were also present. President King asked that everyone keep the families of the victims in San Antonio, Texas area in your thoughts and prayers.

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

Larry Bucar of 733 Waterman Road spoke against the fire company consolidation and does not want to see an increase in taxes and insurance due to the consolidation.

Bob Gulla of 1301 Collins Avenue spoke against the fire company consolidation and stated his belief the centralization of the fire company will cause a delay in response time.

Henry Lantz of 1305 Collins Avenue suggested posting on the website what is discussed in Executive Sessions so that the residents are more informed. Mr. Lantz said that Mr. Khalil made a statement at a Boy Scout Dinner regarding Floreffe Fire Hall closing and felt this was not the correct venue for the comment.

Alan Rowe of 2043 Laurel Ridge Drive spoke in support of the fire company consolidation and stated he feels it will allow the firefighters to be better trained and better equipped.

Michael W. Siemon of 1155 Alice Avenue spoke against the fire company consolidation and questioned the reason for the consolidation. President King asked that he and anyone else interested in the consolidation stay to hear the discussion on the report of the Feasibility Study of Consolidation of Fire Services at number thirty (30) on the Agenda.

John Thatcher of 604 Gill Hall Road spoke in favor of the consolidation and volunteered to be part of a task force to work through it because he feels there are some advantages.

Nicole Schmidt of 1137 State Street spoke against the fire company consolidation because she believes the travel for the fire trucks may be hampered due to the mergers on Route 51, possible train traffic and flooding of Peters Creek.

Shawn Nowakowski of 1479 Village Green Drive spoke in support of the fire company consolidation and knows that there are others qualified individuals who agree, but are afraid to voice their opinion. Mr. Nowakowski stated that he has served in the fire service for at least fifteen (15) years in both rural and suburban departments. Mr. Nowakowski also stated he joined the Gill Hall Fire Department in October 2012 and has served as Trustee, Captain and, most recently, Lieutenant, but resigned his position effective November 6, 2017 stemming from members using department money to alarm the public with false information regarding the consolidation.

Keith Reynolds of 1313 Collins Avenue spoke against the fire company consolidation. Mr. Reynolds stated he feels the feasibility study does not consider if the consolidation is right for our community and it also pushes the responsibility onto surrounding communities.

Rich Yosi of 1097 Antler Drive spoke in favor of the fire company consolidation and stated he feels there has been a lot of misleading information. Mr. Yosi stated he was very unhappy to get the letter from Gill Hall Fire Department that showed his insurance and taxes would go up due to the consolidation, which is untrue. Mrs. Reynolds asked Mr. Yosi who paid for the feasibility study and Mr. Yosi responded that he thought it was paid for by Council and/or the fire companies.

Krishna Mascio of 341 Hunters Field Circle spoke against the fire company consolidation, but does not feel it should be left as status quo. Ms. Mascio stated she feels there is a lot of common ground and she would like to volunteer to help with the task force to do what is best for the community.

Andrew Tomer of 1312 Hornbake Drive responded to Mrs. Reynolds question regarding who paid for the feasibility study with the Pennsylvania DCED (Department of Community Economic Development) and stated no money came from the Borough or the fire departments for the study. Mr. Tomer stated that Jefferson 885 Fire Department fully supports the fire company consolidation. Mr. Tomer also stated, regarding the distribution of the Foreign Fire Funds, 885 has housed the shift crew for at least the past fifteen (15) years which has caused them to incur extra costs in electricity, heat, water, paper products, etc. and also wear and tear on equipment and providing personal protective equipment. Mr. Tomer said that members from both Floreffe and Gill Hall agree that there is a disproportionate burden on 885 because of that and asked Council to distribute the Foreign Fire Funds according to the study which is based on call volume.

#### 4. Report from Borough Boards and Commissions

A) Lisa Albrecht, Library Board, provided the following information:

- Congratulated members of Council on their reelection.
- The Library is offering free one-on-one computer workshops every Tuesday from 2:00-6:00 p.m. Please sign up in the Library.
- The Library has been approved as an AARP Foundation Tax Aid Site and two (2)

more volunteers are needed to provide the tax help. Training will be provided for the volunteers.

- Light Up Night is Monday, November 27 from 6:00-8:00 p.m.
- On behalf of the Library and the Board, we would like to thank the Borough Staff, the Police Chief and Police, the Mayor and Council for your continued support.

5. Motion to approve minutes of agenda meeting October 4, 2017

6. Motion to approve minutes of regular meeting October 9, 2017

Mr. Khalil stated that the comment made by Vice President Weber to Mr. Reynolds regarding communication with regards to issues at Beedle Park being addressed to the Recreation Board instead of directly to the contractor or the Borough Manager was omitted and asked that it be included in the minutes.

7. Motion to approve the monthly bills

8. Motion to approve the monthly payrolls

9. Motion to tentatively adopt the proposed 2018 Borough Budget

Mr. Bennett stated the proposed balanced budget keeps the millage rate the same for 2018. Mr. Khalil asked to confirm the savings on debt service had the highest savings in 2016 and 2017. Mr. Khalil asked Mr. Bennett to explain the reduction to the police budget. Mr. Bennett responded that the hiring of new officers at lower salary to replace retired officers, the savings to worker's compensation insurance and hospitalization and a lower MMO payment contributed to the lower budget. Mr. Khalil asked about the engineering budget and the fact that it was an increase from last year's budget, but it is lower than the year to date amount paid. Mr. Bennett responded there has been talk about hiring an in-house engineer and part of that cost would go down if we do so. Mr. Khalil asked if Mr. Bennett would put together a narrative on the capital budget. Mr. Khalil expressed his concerns regarding the sewer account and forecasting additional costs. Mr. Bennett responded it depends on how aggressive we want to be with respect to the CMA loan.

10. Motion to enact Ordinance No. 864 regarding the PENNVEST application through the Local Government Unit Debt Act

11. Motion to adopt Resolution No. 27-2017 granting modification request to the Borough Subdivision and Land Development Ordinance Section 603.3.D and final approval to the Land Development Plan known as S-4-2017 – Betler Plan of Lots

12. Motion to adopt Resolution No. 28-2017 authorizing Stanley L. Gorski of SHACOG to file Year 44 Community Development Block Grant application in the amount of \$60,000.00 for the Lewis Run Stream Restoration Project estimated at \$92,000.00 with a Borough share of \$32,000.00

Vice President Weber stated the Engineering Committee met Monday and indicated this agenda item and the following two (2) agenda items will need action this evening because SHACOG requested an answer

yesterday, but allowed an extension until Thursday. Vice President Weber asked Council to relax the rules and allow voting on these agenda items 12-14 tonight because they are time sensitive. Council consented to relax the rules. Vice President Weber moved to adopt Resolution No. 28-2017, seconded by Mr. Montgomery and carried unanimously.

13. Motion to adopt Resolution No. 29-2017 authorizing Stanley L. Gorski of SHACOG to file Year 44 Community Development Block Grant application in the amount of \$26,400.00 for the Borough Building ADA Door Project estimated at \$40,600.00 with a Borough share of \$14,200.00

Mr. Montgomery moved to adopt Resolution No. 29-2017, seconded by Mr. Sockman and carried unanimously.

14. Motion to adopt Resolution No. 30-2017 authorizing Stanley L. Gorski of SHACOG to file Year 44 Community Development Block Grant application in the amount of \$45,192.00 for the Wall Road Sewer Project estimated at \$69,526.00 with a Borough share of \$24,334.00

Mr. Montgomery moved to adopt Resolution No. 30-2017, seconded by Mrs. Ielase and carried unanimously.

15. Motion to appoint \_\_\_\_\_ to the position of Police Officer conditioned upon the conditional appointee undergoing a physical and psychological medical examination and a determination that the conditional appointee is capable of performing all the essential functions of the position
16. Motion to approve bids for the SHACOG Purchasing Alliance 2017 Fall Commodities
17. Motion to authorize the proper Borough officials to execute the Hardware and Software Support Service Agreements with Edmunds and Associates for the period January 1, 2018 through December 31, 2018 for a cost of \$5,804.00
18. Motion to authorize the proper Borough officials to execute the Memorandum of Understanding between The Allegheny District Attorney and the Borough of Jefferson Hills to comply with the Pennsylvania Legislature-mandated referral of all requests for audio and/or video recordings relating to criminal matters to the District Attorney for review and intervention as necessary to ensure and/or prevent the dissemination of such recordings to protect the integrity of criminal investigations and prosecution
19. Motion to approve Application for Payment No. 1 and Final from Niando Construction, Inc. in the amount of \$47,456.34 for the SHACOG Sanitary Sewer O&M Point Repairs Project, Year 6 Contract, subject to the receipt of an invoice from SHACOG

Mr. Montgomery commented this project came in well under budget and was originally bid at \$84,382.00.

20. Motion to approve Payment Application No. 2 to State Pipe Services, Inc. for the 2017 Manhole Rehab Project in the amount of \$23,731.92
21. Motion to approve Application for Payment No. 1 from Jet Jack, Inc. in the amount of \$30,346.02 for the SHACOG Sanitary Sewer Lining Project, Year 11 Contract B, subject to the receipt of an invoice from SHACOG
22. Motion to approve Payment Application No. 1 to Swede Construction Corporation for work completed on the Beedle Park Baseball Field Improvements Phase 1B Project in the amount of \$37,287.00
23. Motion to approve Payment Application No. 1 and Final to Russel Standard Corp. for work completed on the 2017 Seal Coating Program in the amount of \$88,835.53
24. Motion to approve Work Authorization dated October 25, 2017 from Gateway Engineers, Inc. to assist the Borough in providing the needed PENNVEST documentation and requirements and to complete the bid award process for the Jefferson Hills/West Elizabeth Sewershed Act 537 Plan in the amount of \$35,000.00
25. Motion to approve Work Authorization dated November 3, 2017 from Gateway Engineers, Inc. for the CMA Act 537 Plan work in the amount of \$75,000.00
26. Discuss the distribution of the Pennsylvania Foreign Fire Insurance allocation in the amount of \$64,929.19

Vice President Weber stated that this distribution is done yearly and has been made disproportionately in the past and has been made evenly in the past. When distributed disproportionately, it was based on training, recruitment, number of calls, etc. Last year it was distributed evenly with the intention of having it pinned to a performance standard this year as an incentive. Vice President Weber stated the feasibility study shows how he recommends this distribution should be made: seventy percent (70%) to Jefferson 885 VFC Relief Association, twenty-three percent (23%) to Gill Hall VFC Relief Association and seven percent (7%) to Floreffe VFC Relief Association. Mrs. Reynolds commented that she did not agree with this recommendation. Mrs. Reynolds asked if it were true that 885 did not put calls into Floreffe. Mr. Andrew Tomer stated that this is based on the district where the calls occurred not which fire company responded to the call. Mr. Khalil stated that he mirrors the recommendation by Vice President Weber for the disproportionate distribution. President King stated, in the past, he supported an even distribution, but is now in support of Vice President Weber's recommendation. Vice President Weber asked Mr. Brian Chalfant to come forward and asked him about a hydraulic rescue tools and, more specifically, electronic tablets that were requested last year for the fire companies. Mr. Chalfant responded that the request was for eight (8) tablets that would have internet access, be linked to the County 911 Center and have an application called Active 911. Vice President Weber asked Mr. Chalfant if the tablets have been utilized by the companies. Mr. Chalfant responded that the tablets were installed in the 885 fire trucks; the tablets were distributed and installed at Gill Hall Fire Station and, as of about three (3) weeks ago, Floreffe picked up their tablets. President King asked Mrs. Reynolds what her recommendation for distribution is since she does not agree with Vice President Weber's recommendation. Mrs. Reynolds responded she recommends each company

receive one-third (1/3) of the distribution. President King asked for a consensus from Council as to how to place this item on the Agenda for next vote week. President King stated that agreed consensus signaled placing the disproportionate distribution on the Agenda for vote.

27. Discuss the Project Status Report dated October 30, 2017 from Gateway Engineers, Inc. in preparation of an application for a Green Light Go Grant for upgrades to the traffic signal at the intersection for SR 837 and Walton Road

Vice President Weber stated that this item was discussed at the Engineering Committee meeting and asked if Mr. Minsterman would provide a brief synopsis. Mr. Minsterman responded just the poles and signals may be replaced, a pedestrian signal may be added or the signals may be entirely eliminated, but would need to have a traffic count done for this. Mr. Minsterman mentioned that the deadline to apply for the grant is soon approaching and will be closed after that point, but the grant will not be approved until sometime in 2018 and the work may be done in 2019. Mr. Minsterman recommended the application be submitted for replacement of the poles and signals and, in the meantime, have the study done to see if the signals may be removed and replaced with stop signs. Mr. Minsterman stated that this is an eighty percent (80%) grant, but the Borough may turn the grant down if desired at that time. Mr. Sockman asked Mr. Minsterman to discuss why the Borough is considering this. Mr. Minsterman stated both poles on each side of the road are starting to tilt and the foundation is being exposed. Mr. Minsterman continued to say the signals are also antiquated and the signal system does not have the current up to date controlling systems.

28. Discuss Property Maintenance Board of Appeals

President King asked if there has been any success finding members for the Board. There were no positive responses and Council will continue to try to recruit members.

29. Discuss Act 172 Tax Credit Ordinance

Mr. Shimko stated this is an Ordinance to provide tax credits to emergency responders and the Borough has been looking into it as a way to help increase emergency volunteer participation. Mr. Shimko said the Borough needs to decide how much and what type of a credit they would like to provide. The Ordinance states that Borough Council will establish by Resolution what it means to be a qualifying volunteer. Mr. Khalil stated he, Mr. Sockman and Vice President Weber should put their notes together from the meetings they have had with the fire companies, come up with a definition and provide that to the fire companies for a decision of the definition of qualifying volunteer. President King asked if everyone was okay with that and Council agreed. Mr. Montgomery stated he believes something should be added to include false reporting and an appeal process. Mr. Shimko responded that the appeal process is included.

30. Discuss report of the Feasibility Study of Consolidation of Fire Services

President King stated, in response to Henry Lantz's suggestion to put on the website what is discussed in Executive Session, what happens in Executive Session is by Pennsylvania law private and the details are not provided to the public. President King stated the consolidation discussion is not new and has been especially active for the past year, but the reason why it is taking so long is that Council wants the fire companies to make the decision. President King commented that any decision he would make would be

based on his knowledge of the facts and that of experts in the field and he would not be able to base any decision on his heart since he is an elected official and only has community safety in mind.

Mr. Khalil stated Mr. Sohyda is not a resident and receives no benefit from the report results. Mr. Khalil declared that he lives in the Floreffe Fire Hall district and has a rental home in the district as well. Mr. Khalil stated in the three (3) meetings he has had with the fire companies he has seen there is certainly a lack of trust. Mr. Khalil said 885 is all in, but Floreffe and Gill Hall are not. Mr. Khalil recommended, if the consolidation happens, the chief not be from one of the fire companies, but be a member of the community, examples being Scott Albrecht or Doug Pascoe, so that there is no bias. Mr. Khalil called Mike Plavcheck of 1387 Peterson Drive, member of 885 Volunteer Fire Company for forty-two (42) years, to come forward. Mr. Khalil stated he and Mr. Plavcheck attended a meeting where Jefferson Fire Rescue was reorganizing and rewriting their bylaws and Mr. Plavcheck, who was part of Jefferson Fire Rescue since 1976, stood up at the meeting and said the legacy members should not have a vote because he felt it was not proper for them to vote. Mr. Khalil said that he applauded him for making his organization better and looking toward the future rather than thinking about himself. Mr. Plavcheck added this is not a new concept and this study mirrors what was talked about for ten (10) years and feels it is moving in the right direction.

Vice President Weber reiterated the consolidation of fire companies has been going on for at least two (2) years and was not withheld because of the election. Vice President Weber stated when he asked Mr. Eric Welsh, of Floreffe Volunteer Fire Company, why the tablets were not in circulation and being used Mr. Welsh shrugged his shoulders. Vice President Weber stated this was not acceptable and he stated he told Mr. Welsh the same. Vice President Weber thanked Mr. Thatcher for his offer to be part of the task force. Vice President Weber stated that he and some of his neighbors were upset after receiving the letter from the fire department regarding higher taxes and insurance due to the consolidation, felt it was inappropriate and wanted to publically admonish those who mailed the letter.

Mr. Sockman stated he does not believe he has the expertise or knowledge to make a decision like this, but believes a bipartisan group perhaps could meet and solve some of the things Council cannot solve. Mr. Sockman stated that he agrees with President King about voting for safety and not with his heart, but would never vote to close a fire department.

Mrs. Ielase stated she agrees that there has to be a task force and an umbrella over this. Mrs. Ielase stated she is not taking this personally and is only concerned for safety of the residents. Mrs. Ielase continued that the fire companies have to work together and be civil. Mrs. Ielase concluded that she is not in favor of closing any of the fire departments.

Mr. Khalil stated he talked to Mr. Brian Chalfant and asked him to reach out to Mr. Lenny Baily, the Fire Chief of Elrama, regarding mutual aid and Mr. Baily replied back that they would be honored to provide fire, rescue and other emergency services and assist the companies of Jefferson Fire Rescue. Mr. Khalil called Mr. Baily to come forward to reaffirm his station's position in offering support to the Floreffe area and Mr. Baily did so. Mr. Khalil asked if anyone from Floreffe has reached out to his organization in the last three (3) years for mutual aid and how far Floreffe is from your station. Mr. Baily responded they had not and Floreffe is about a half mile away. Mr. Sockman asked the size of the area covered by Elrama. Mr. Baily responded approximately 17.9 square miles, but works very closely with New Eagle Fire Department and has a mutual aid agreement with that department. Mr. Sockman asked if there were an emergency at

Trax Farms and a call came in from Floreffe, you would not be available. Mr. Baily responded that would be correct, but that is why we have mutual aid. Mr. Khalil called Mr. Chalfant, of Jefferson 885 Volunteer Fire Company, back to the podium and asked if they had a formal training program. Mr. Chalfant responded in the affirmative. Mr. Khalil asked if Floreffe had participated in any of the cooperative trainings offered by 885. Mr. Chalfant responded they had not.

Vice President Weber asked if there was anyone present from Floreffe that would like to answer a few questions. Mr. James Sweeney, a lifetime member of Gill Hall Fire Department, stated they had a monthly meeting today. Vice President Weber asked if Mr. Sweeney was representing Floreffe and Mr. Sweeney responded that he misunderstood. President King asked if Mr. Sweeney was an active firefighter and Mr. Sweeney said he was not, but was a lifetime member. President King asked if Mr. Sweeney voted on the consolidation letter and Mr. Sweeney refused to answer. Mr. Sweeney stated that the reason the letter was sent was because the public was not informed about the feasibility study and possible merger. Mr. Sweeney asked if the public was informed regarding the feasibility study. President King and Vice President Weber responded there are two (2) meetings a month and this matter has been discussed for months. Vice President Weber asked Council to consider three (3) things: 1. Consolidation, 2. Training requirements and 3. A fire chief over all appointed by the Borough. Mr. Khalil stated he is in favor of Vice President Weber's recommendation and would like to get a consensus for the consolidation even if there are three (3) stations. Council agreed. Mr. Khalil asked Council if everyone agreed to have all the assets put together. President King stated he agreed, except for the Floreffe Ladies Auxiliary because they are a stand-alone organization. Mayor Cmar asked if another department did a fundraiser would that money stay at that department. President King responded this matter would need to be discussed. Council agreed that the overall assets should be combined determined by the task force.

President King called Jay Girman of 1385 Third Street, Treasurer of Floreffe Volunteer Fire Department and Jefferson Fire Rescue, to the podium. Vice President Weber asked Mr. Girman to explain the delay in tablets being deployed for their firefighters. Mr. Girman responded they didn't know about the tablets and said that one officer said they did not need them when they were mentioned. Mr. Girman stated that in their first meeting Mr. Chalfant let Mr. Welsh know he could pick up the tablets and Mr. Girman believes Mr. Welsh just picked them up a few weeks ago. Vice President Weber then asked for an explanation of why Elrama is not called for back-up if needed by Floreffe. Mr. Girman responded that he could not answer and that the Chief would have to answer that question. Mr. Girman stated that the feasibility study did wake them up about missing calls due to lack of manpower. Vice President Weber asked Mr. Girman if the thought of having standardized training, rules, regulations and bylaws made sense to him. Mr. Girman agreed and said that he liked the idea of one organization, but would need guidelines ahead of the consolidation. Mr. Girman and Mr. Chalfant stated they would like to have another meeting. Mr. Chalfant stated that training standards need to be set across the board, put egos aside and think about the safety of the citizens. Mr. Chalfant stated he believes there should be one (1) fire chief, one (1) assistant chief and a battalion chief at each station that will report problems they have to the fire chief. Vice President Weber stated Council should look at the budget provided to fire fighting to keep the firefighters from using their time fundraising. Mr. Chalfant commented that other departments, such as the police and public works, do not have to spend time fundraising when they need new equipment.

President King recognized Mr. Thatcher, again, for everything he and his family has done for the community and for his coming forward for the task force. President King also wanted everyone to understand that

Council is not trying to pass this responsibility on to anyone else, but are just looking for a group to come together to get the best ideas for the consolidation.

### 31. Reports

Fire Chief, Andrew Tomer reported:

- Thanked Council for considering Act 172 tax credit for active emergency responders.

Consulting Engineer Mr. Minsterman reported:

- Requested confirmation to submit the Green Light Go application to move ahead with Option 1. President King confirmed.

Finance Officer/Treasurer Mr. Bennett reported:

- A legal advertisement will be placed regarding the 2018 budget.
- Demographic information was received for the CDBG Wall Grant.
- McGrail and Associates, the new delinquent tax collector, has collected approximately \$100,000.00.
- Audit scheduled for workers compensation on November 15 and a state audit on liquid fuels on December 4.

Public Works Director Mr. Volpe reported:

- A handout was provided regarding financing a new skid steer (926M).
- The emergency generator did not come on when there was a power outage recently. There is a problem with the switch gears mechanism and it will be repaired or replaced.

Police Chief Roach reported:

- The school district would like an updated agreement for police services for school events and asked that it be added to the Agenda.

Manager Levander reported:

- A payment application from Roach Brothers was received and would like to add to the Agenda.
- 2018 PELRAS conference scheduled in March and requested permission to attend. Council granted permission.

Mayor Cmar reported:

- Recognized the Floreffe Ladies Auxiliary for all of their contributions to the community.

## 32. General Business

Mr. Montgomery noted:

- The SHACOG fire department chiefs met with continued emphasis on training, recruitment and retention.
- The SHACOG rock salt pre-bid meeting was held with public works personnel on October 19.
- The SHACOG Fall Commodities bids were opened on September 25.
- The SHACOG police and passenger vehicles bids were opened on November 2.
- The Cohen Law Group had a public notice for public input on Verizon service.
- The SHACOG joint sewer project are proceeding and we will act on them this month.
- The SHACOG solid waste collection and disposal specification is being finalized.
- The SHACOG CDBG funding letter from HUD has not been received and the County cannot access funds as of the October meeting.
- Beedle Park Phase 2 is looking very promising for the GDF Fund.

Vice President Weber:

- Thanked the audience and the firefighters in particular.

Mr. Khalil noted:

- He had a few things that Mr. Chalfant had asked him to bring up, but will do so on Monday.

President King noted:

- It is always nice to see people here at the meeting.
- A task force is a great idea for the fire consolidation.
- He feels the Floreffe Ladies Auxiliary is a completely separate issue from the fire consolidation.

33. Adjournment

President King adjourned the meeting at 10:28 p.m. with an executive session to follow from which Council would not return on motion by Vice President Weber, seconded by Mr. Sockman and carried unanimously.

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

Tricia Levander  
Borough Manager