

Borough of Jefferson Hills
Regular Meeting of Council
April 9, 2018

The regular meeting of Council was called to order by Vice President Weber 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, Reynolds, Sockman and Vice President Weber answered to roll call. Borough Manager Levander, Finance Officer Bennett, Solicitor Shimko, Chief Roach, Borough Engineer Glistler, Consulting Engineer Minsterman and Public Works Director Volpe were also present. President King was absent.

CITIZENS/TAXPAYERS COMMENTS:

Attorney Daniel Stuart of 301 Grant Street, Pittsburgh, stated he represents 47 Borough of Jefferson Hills residents that live near the Practice T, which is near land that they know was recently purchased by UPMC. These residents are demanding to know what is going on with the UPMC development. Mr. Stuart stated the residents are very upset with what is happening in their backyards and want to know what the Borough knows about it and what the Borough is doing about it. Mr. Stuart stated there are three (3) things that can help us get there together, so that the residents and Council has a mutual understanding. The first thing the residents want to know is what the Borough knows about UPMC's plans and about the meetings the Borough representatives had with UPMC. Mr. Stuart stated these meetings are not confidential and may be shared with the residents. The second point is, if Council does not have complete information regarding this development, UPMC should be told to make their plans public. The third point Mr. Stuart continued to say Council has the power, as a governing body in this community, to voice that Council will not take any action until the full plans are revealed. Mr. Stuart summarized what the residents are asking is, no more action be taken until the plans for this development are made public and he will leave it to the residents to explain why they are opposed to a hospital being built there. Mr. Stuart asked Council to confirm there is nothing on the agenda tonight related to the property. Vice President Weber responded there is nothing on the agenda, but there is always the possibility that under general business a member of Council may talk about it. Mr. Stuart provided a letter from a resident that was unable to attend.

Anthony Moranelli 2023 Laurel Ridge Drive signed in to speak, but commented that his questions were answered during Mr. Stuart's address to Council.

Tom Poljak of 5005 Alta Vista Drive stated one of the main things that concerned him was, in a letter from Mr. Shimko to Council pertaining to a meeting with UPMC last October, it was stated UPMC wants to avoid challenges to its project for its sake and the Borough's sake. Mr. Poljak stated the residents just want everything to be transparent. There are many alarming rumors spreading about this. Mr. Poljak said the residents want Council to look out for their best interest and not for UPMC. The traffic with the new high school and the rumors that one of the exits for the hospital will be on Old Clairton Road is alarming due to the safety of the children. Mr. Poljak continued to say noise pollution and general pollution are also concerning, along with property values going down.

Charlotte Sprites of 595 Old Clairton Road claims she is the resident that will be affected the most because her husband, Raymond Sprites, built the Practice T and their property is part of that. She also has concerns with the traffic.

James Sprites of 609 Old Clairton Road stated the proposed land is presently the Par 3 location. Mr. Sprites said there would be dirt, noise and dangerous situations caused by the access roads off Old Clairton and commented pollution will be an issue.

Carolina Guenther of 5020 Alta Vista Drive stated she and her husband moved here because it was a safe and quiet neighborhood, but with this development there will be much more traffic and less privacy. Mrs. Guenther also stated, if the main entrance is on Old Clairton Road, it will be dangerous for children waiting for school buses in the morning.

Frank LaBarbera of 209 Stettler Drive thanked the Borough Council for making the decision to fund the two (2) firemen and thanked the Fire Departments for their quick response to a fire at his residence.

Keith Reynolds of 1313 Collins Avenue stated he feels Council should not be endorsing a consolidation. Mr. Reynolds suggested Council not vote in favor of hiring a Fire Chief and Assistant Fire Chief in order to slow the process down before a mistake is made that damages our community and cannot be reversed. Mr. Reynolds stated there are people that want to build houses here, but they are denied because the sewage system cannot handle it right now. Mr. Reynolds asked so does it make sense to consolidate to one (1) fire hall. Vice President Weber responded the sewage has nothing to do with the fire halls and asked Mr. Shimko to explain what is on the agenda tonight regarding the Fire Chief and Assistant Fire Chief. Mr. Shimko first explained the sewage issue was a Clairton Municipal Authority issue and had nothing to do with the size of the Borough of Jefferson Hills. It had to do with the amount of water coming from the City of Clairton and into the Clairton Municipal Authority, which is why the tap ban was issued. Mr. Shimko stated a proposed Ordinance is regarding the appointment of a Fire Chief and Assistant Fire Chief and is not to hire a Fire Chief and Assistant Fire Chief. The Borough is not going to hire either because that is one of the many things done that resulted in another Borough ultimately having to employ a full-time fire department. Mr. Shimko continued that forward-thinking, progressive communities do not want to run into that issue. Mr. Shimko stated the volunteer fire companies through the feasibility study asked Council to consider consolidation of the companies and the Consolidation Task Force asked Council to appoint a Fire Chief and Assistant Fire Chief now and not wait until the Bylaws were finished because a Fire Chief may be able to help put the Bylaws together. Mr. Shimko stated Council is reacting to that request by authorizing him to prepare an Ordinance allowing Council to appoint these positions to a future organization.

Nicole Solomon of 352 Yarrow Lane noted the School District's redistricting of the schools has moved a lot of Pleasant Hills' students to Jefferson and Gill Hall Elementary and discussed the staffing of police officers in schools. Vice President Weber stated he and Mr. Khalil met with the Chief of Police on March 1 and with the School District in mid-March and met with the Chief of Police again at the end of March to discuss this issue. Vice President Weber stated he will be briefing the rest of Council on the discussions in Executive Session due to the fact that it is a

personnel issue. Mr. Khalil stated staffing these officers is something and the Borough will continue to discuss with the School District.

Amanda Neeley of 217 Stevens Drive stated she was with Nicole Solomon and noted they feel very strongly about this subject and are definitely in discussion with the School Board as well.

MINUTES:

Mrs. Ielase moved the minutes of the agenda meeting March 7, 2018 be approved, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved the minutes of regular meeting March 12, 2018 be approved, seconded by Mrs. Ielase and carried unanimously.

MONTHLY BILLS:

Mr. Montgomery moved the March bills be approved, seconded by Mr. Sockman and carried unanimously.

MONTHLY PAYROLLS:

Mr. Khalil moved the payrolls for the month of February in the amount of \$246,900.36 be approved, seconded by Mrs. Ielase and carried unanimously.

AGENDA ITEMS:

Mr. Khalil moved to adopt Resolution No. 8-2018 joining the Allegheny League of Municipalities in declaring April 8 – 15, 2018 as Local Government Week, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 9-2018 granting modification request to the Borough Subdivision and Land Development Ordinance Section 607.B and preliminary and final approval to the Subdivision Plan known as S-1-2018, McGuirk Family Limited Partnership Subdivision, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to adopt Resolution No. 10-2018 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), seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved to adopt Resolution No. 11-2018 amending the salaries, compensation and wages for Borough employees for the year 2018, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to authorize the Borough Solicitor and appropriate Borough officials to prepare an ordinance for enactment regarding the appointment of a Fire Chief and Assistant Fire Chief,

seconded by Mrs. Ielase. A roll call vote was taken. Council members Ielase, Khalil, Montgomery, Sockman and Vice President Weber voted yes. Mrs. Reynolds voted no. Motion carried 5-1.

Mrs. Ielase moved to authorize the proper Borough officials to execute an agreement with UGI Energy Services, LLC for natural gas, seconded by Mr. Khalil. A roll call vote was taken. Council members Ielase, Khalil, Montgomery, Sockman and Vice President Weber voted yes. Mrs. Reynolds voted no. Motion carried 5-1.

Mr. Montgomery moved to award the 2018 Paving Program Base Bid including Add Alternate 2, Add Alternate 3 and Add Alternate 4 to Mele & Mele & Sons, Inc. in the amount of \$626,442.50, seconded by Mr. Sockman and carried unanimously.

Mr. Sockman moved to hire a Steve Horhut as Park Laborer contingent upon passing a background check and drug test, seconded by Mr. Khalil and carried unanimously.

Mr. Khalil moved to authorize the proper Borough officials to execute an agreement with Pyrotecnico in the amount of \$5,250.00 for the fireworks display for Community Day, seconded by Mrs. Ielase and carried unanimously.

Mr. Montgomery moved to authorize the proper Borough officials to execute an agreement with Rockin' Bob's Disc Jockeys in the amount of \$2,500.00 for Community Day, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to authorize the proper Borough officials to execute an agreement with Family Fun Attractions in the amount of \$1,110.00 for Community Day and ratify payment of the deposit due April 7, 2018, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to authorize the proper Borough officials to execute an agreement with The Stickers for Community Day subject to the approval of the Solicitor, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to approve Application for Payment No. 2 from Global Heavy Corporation in the amount of \$172,800.00 for work completed on the Jefferson Hills/West Elizabeth Sewershed ACT 537 Plan Capital Improvements Project Contract A, seconded by Mr. Sockman and carried unanimously.

Mr. Montgomery moved to approve Invoice 18-101 from D & D Engineering, Inc. in the amount of \$1,415.68 for Electrical Engineering Design Services for the Jefferson Hills/West Elizabeth Sewershed 537 Plan Capital Improvement Project, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to approve Application for Payment No. 2 and Final to Ward Building & Highway Specialties, Inc. in the amount of \$4,410.00 for the Waterman Road Guiderail Project contingent upon the approval of the maintenance bond by the Borough Solicitor, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to approve Work Authorization dated March 22, 2018 from Gateway Engineers, Inc. for the emergency permitting, bidding, construction, administration and inspections for the Lewis Run Road Stream Restoration Project in the amount not to exceed \$25,000.00, seconded by Mr. Sockman and carried unanimously.

IN-HOUSE ENGINEER'S REPORT:

Nothing to report.

CONSULTING ENGINEER'S REPORT:

Mr. Minsterman stated he wanted to make Council aware of a situation along Route 837. The contractors that are working as part of the pump station and West Elizabeth Sewershed 537 Plan construction project discovered strong odors from a manhole as they opened it to inspect. The Borough previously discovered the responsible party for these odors to be Hercules and another source is a result of a tank farm contamination beneath Route 837 that leaches into the sanitary sewers during high rain events and causes harmful vapors to get into the sanitary sewer system. It is typical practice to ventilate those systems when work is being done. About five (5) years ago, the Borough proposed to the DEP that Hercules line the Borough sewer under Route 837 to stop the infiltration of the contaminated water and the generation of vapors in the sewer system, but after initially gaining some traction, the proposal ultimately was rejected by the DEP. Mr. Minsterman feels this idea should be resurrected and a letter be sent by the Borough Manager to the DEP telling them about the recent occurrence and insist that the sewer pipe be lined to keep the contaminated water and vapors from entering the sewer system, new pump station and force main that is being constructed. Vice President Weber asked if it was Council's will to have this letter sent and Council agreed. Mr. Montgomery asked when the last time was that the Borough had conversation with the DEP on this issue. Mr. Minsterman responded that it was initially about five (5) years ago, but it was mentioned again in December 2016 and was basically ignored. Mr. Sockman asked what the logic was behind the DEP not wanting to line this pipe. Mr. Minsterman replied what the DEP wanted to do was force Hercules to use the Borough's sewer line as a collection system of the contaminated water and have Hercules install a new sanitary sewer for the Borough's sewage. The DEP felt that because the broken sanitary sewer line was acting as a drain for the contaminated water, they should use that sanitary sewer for that function. Mr. Shimko asked if the DEP's idea was. Mr. Minsterman responded it might be complex and may not even be feasible because the new sewer line would be right next to the new sewer line under Route 837. It seems to be to the Borough's benefit to keep the Borough's sewer line in place, but line it. Mr. Khalil stated he feels the Borough's letter should state the Borough is going to line the pipe and DEP can figure out what to do about getting the other stuff out of the way. Mr. Montgomery asked if the DEP is able to not allow it to be lined. Mr. Minsterman replied that he did not know, but he did not believe so. Vice President Weber asked how Council would feel about copying Senator Guy Reschenthaler and Representative Rick Saccone on this letter. Council agreed.

FINANCE OFFICER/TREASURER:

Nothing to report.

PUBLIC WORKS DIRECTOR'S REPORT:

Nothing to report.

POLICE CHIEF'S REPORT:

Nothing to report.

MAYOR'S REPORT:

Mayor Cmar stated she regrets to say that Clean Up Day has been cancelled since the State is not providing supplies for the function. The High School is going to present a program on opioids and alcohol use on Friday at 7:45 p.m. at the High School. Mayor Cmar stated she has been working with Jefferson Hospital to provide programs for teens concerning depression and mental health issues. Jefferson Hospital just opened a behavioral unit and they are willing to provide some sessions and classes that teens can attend.

MANAGER'S REPORT:

Nothing to report.

GENERAL BUSINESS:

Mr. Montgomery stated he had the privilege of representing the Borough, along with Vice President Weber and Mayor Cmar, at the Allegheny League of Municipalities Conference over the weekend. There were many subjects discussed, but the two (2) that would have general interest would be the one (1) hour presentation by the DEA, the Health Department and various law enforcement agencies regarding the opioid epidemic. Mr. Montgomery continued to say he also attended a class conducted by the Cohen Law Group who is doing the review of the Verizon Franchise Agreement with SHACOG and their concern is with the distributed antenna system, which is evolving rather quickly. This Agreement gives Verizon the right to install ninety (90) foot towers in the municipal right-of-ways and there is a Bill before the House, House Bill 1620, which would eliminate all municipal control of that. Mr. Montgomery noted he has a copy of a Resolution that could be passed next month that would express the Borough's opposition to losing that control and will give a copy to the Manager.

Mr. Sockman welcomed Steve Horhut as a new Park Laborer for the Borough.

Mrs. Ielase stated Kenny Burkett, the President of Floreffe Fire Department, passed away last night and our condolences are with the Department and his family.

Mrs. Ielase stated the Library Book Sale is this week and they are still looking for volunteers to set up on Wednesday and Thursday and to break down on Sunday.

Mrs. Ielase stated Fish for Fun Day will be held on Saturday, May 5, 2018 at Peters Creek from 10:00 a.m. to 3:00 p.m.

Mr. Khalil stated last week the Recreation Board came before Council talking about the potential of the feasibility study and that he had talked to John Trant on Friday about having an independent feasibility study done for a community center and the timing of a new comprehensive plan for both the Borough and Recreation. Mr. Khalil reported Mr. Trant said (1) the timing is right in the wheelhouse of beginning the process for both comprehensive plans; (2) if the Borough wanted to do an independent feasibility study for a community center, it could and the study could be incorporated into the recreation comprehensive plan; and (3) the Borough may want to put the brakes on the feasibility study because the comprehensive plan may be a little counter to the feasibility study. Mr. Khalil stated he believes Council should be ready to make a decision next month as to whether to do just the feasibility study and/or one (1) or both comprehensive plans. Mr. Montgomery asked if there would be grants available for the comprehensive plans since it has not been ten (10) years. Mr. Khalil said Mr. Trant did not think that would be a problem. Vice President Weber stated the Borough could ask the Manager to look for available grant money for this, but he expressed he is not inclined to let the grants hold the Borough back on this. Vice President Weber stated he also spoke with Mr. Trant and Mr. Trant told him that the small amount of grant money for the comprehensive plans is not as important as getting the comprehensive plan completed and then using it as a catalyst to get the real grant money to do the construction. Mr. Montgomery asked if the comprehensive plans were done together the last time they were done. Mr. Khalil and Vice President Weber both replied yes. Vice President Weber stated Mr. Trant suggested his getting together with the Recreation Board and providing information to Council. It was agreed Mr. Khalil would contact Mr. Trant, Mr. Konick and Ms. Steffy about a meeting.

Mr. Khalil asked Mr. Bennett when the hard financial numbers for 2017 will be available. Mr. Bennett replied by the end of April and will be provided in the packet for May.

Mr. Khalil asked Mr. Glister and Mr. Volpe if they could start putting together a basic facility design with a restroom, concession stand and storage and also running out the electrical and sewage for Beedle Park so the Borough can look into building it by the end of this year.

Mr. Khalil asked Mr. Glister if there would be estimated financial numbers available on the pinning of Waterman Road before the next Engineering Meeting. Mr. Glister replied he is hoping so. Mr. Glister stated he sent a lot of information to the design/build firm and has not heard back from them yet, but when he does, he will bring it to Council.

Mr. Khalil asked that the residents having concerns about UPMC continue to come to Council Meetings and Planning Meetings. Those meetings are open to the public to hear discussion and to be informed. Mr. Khalil stated the more often they come to the meetings the more informed they will be and the better prepared they will be to address Council with questions moving forward.

Mr. Khalil thanked everyone for their help in the Borough receiving the Banner Community Award. Criteria for this award included: professional development, financial management, transparency, accountability and proactive communication.

Mr. Khalil addressed Mr. Reynolds' speaking about the fire consolidation and stating one (1) fire hall. Mr. Khalil stated that is incorrect. It is one (1) organization with three (3) fire halls.

Mr. Khalil pointed out Mr. Reynolds' use of the word deceit and stated deceit was also used about four (4) months ago when Mr. Khalil chaired a meeting. Mr. Khalil highlighted two (2) examples of thirteen (13) regarding deceit in an article primarily quoting Mr. Reynolds from the Post-Gazette in November 2017. Mr. Khalil read from the article that Mr. Reynolds said that at the meetings Councilman Tracey Khalil told Floreffe firefighters their station would be closed and all of their savings and equipment would be given to Jefferson Hills 885 Fire Department. Mr. Khalil stated that was not true. Mr. Khalil again read from the article that Mr. Reynolds said councilmembers who supported the closure are trying to keep the matter quiet until Tuesday's general election. Mr. Khalil stated that is a lie because he went back and highlighted three (3) meetings in a row before the election, he believes to have been September, October and November, in which the consolidation was discussed publically and noted in the meeting minutes. Mr. Khalil stated Mr. Reynolds said the feasibility study was the most biased document he had ever read, but, unfortunately, Mr. Reynolds has never produced the document and highlighted what he felt was biased. Mr. Reynolds spoke from the audience several times and was told he would be asked to leave the meeting if it continued. Mr. Reynolds continued and Vice President Weber asked Chief Roach to remove Mr. Reynolds from the meeting.

Mrs. Reynolds stated we should bow our heads and thank Mr. Kenny Burkett, the President of Floreffe Fire Hall, who passed away yesterday.

Vice President Weber stated he would be happy to help answer any questions Mrs. Reynolds may have regarding meeting procedures that she voiced. Vice President Weber stated when he was off ill, he called councilmembers regularly to find out what happened during the meetings and suggested that Mrs. Reynolds do the same.

Vice President Weber stated he would like to call for an Executive Session to discuss the School Resource Officer/School Police Officer because he has information to present based on the meetings that we had with the School District and Chief Roach, since it is a personnel issue.

ADJOURNMENT:

Mr. Montgomery moved to adjourn the meeting and go into executive session for a personnel matter not to return at 8:30 p.m., seconded by Mr. Sockman and carried unanimously.

Executive Session – Personnel matter.

Tricia Levander
Borough Manager/Secretary