

***REVISED**

Borough of Jefferson Hills
Regular Meeting of Council
November 14, 2016

The regular 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 and King answered to roll call. Borough Manager Levander, Solicitor Shimko, Public Works Director Lovell, Finance Officer Bennett, and Consulting Engineer Omer were also present. Council Vice-President Weber and Police Chief Roach were absent.

Executive Session taken at 7:01 p.m. for personnel matters. Council reconvened at 7:16 p.m.

PROCLAMATION FOR GILL HALL VOLUNTEER FIRE COMPANY:

Mayor Cmar presented Gill Hall Volunteer Company with a Proclamation for their Federal Grant award.

CITIZENS/TAXPAYERS COMMENTS:

Larry Bucar spoke about wanting the zoning changed on his family property to allow for deep oil and gas fracking on his property and the prior zoning ordinance/map approval process.

Carol Ann Bucar spoke about the long history her family has in the Borough. She feels her farm is the perfect area to put in deep wells as there will be very little impact to residents.

Bob Breisinger stated he purchased property on Waterman Road and Pearson and negotiated the Oil, Gas, and Mineral Rights in the purchase. He is desirous of this area being zoned to allow for drilling and does not think it is logical to eliminate this area along Waterman Road.

Chuck Cudlipp would like to ask for a donation of a police car to the West Elizabeth Volunteer Fire Company to use for a quick response vehicle.

Michael Thompson spoke about the feral cat problem in the Patriot Pointe Community. He stated the cats are destroying property, killing wild and plant life, and may have disease. He is asking for help from Council to get this feral cat problem under control.

Debra Cudlipp stated she is a volunteer with Floreffé VFC. She stated she has trained, but it has not happened with the members of 885 VFD, but she has trained with other communities.

Robert Burn stated his for support the Bucar Farm deep well drilling.

Jeff Lynch stated he is in favor of the Bucar's getting rights to drill on their property.

MINUTES:

Mr. Sockman moved the minutes of the agenda meeting October 5, 2016 be approved,

seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved the minutes of regular meeting October 10, 2016 be approved, seconded by Mr. Montgomery and carried unanimously.

MONTHLY BILLS:

Mr. Khalil moved the October bills be approved, seconded by Mrs. Ielase and carried unanimously.

MONTHLY PAYROLLS:

Mr. Ielase moved the payrolls for the month of October in the amount of \$208,119.17 be approved, seconded by Mr. Montgomery and carried unanimously.

AGENDA ITEMS:

Mr. Sockman moved to authorize the proper officers to execute the hardware and software support service agreements with Edmunds and Associates for the period January 1, 2017 through December 31, 2017 for a cost of \$5,804.00, seconded by Mr. Khalil and carried unanimously.

Mr. Khalil stated the next Budget Committee Meeting will be on December 1, 2016 and he will meet with the Chief prior to that to learn what his needs are.

Mr. Khalil moved to authorize the proper Borough officials to prepare and advertise an ordinance for enactment to set the following sanitary sewer rates: (1) \$9.78 per 1,000 gallons water usage for the monthly Sanitary Sewer Service Charge; (2) \$17.00 per customer monthly, flat rate user charge; (3) \$39.10/month for residential, non-metered, occupied uses plus the monthly, flat rate user charge; (4) the aforementioned monthly, flat rate user charge for residential, non-metered, vacant uses; (5) \$91.25/month for non-metered, individual accounts not administered by the Borough and/or unmetered by Clairton Municipal Authority; (6) the aforementioned monthly, flat rate user charge for non-residential user, vacant commercial uses, unless usage exceeds 1,000 gallons per month and then billed as occupied; and, (7) non-residential, non-metered uses to be based on either a temporary meter on the sewer line or estimation of the usage pursuant 25 Pa.Code Section 73.17 with billing per 1000 gallons plus the aforementioned monthly, flat rate user charge, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to authorize Gateway Engineers to inspect for acceptance of the Oneida Drive Sanitary Sewer Extension dedicated by Jason Janosko and for the proper Borough officials to prepare and advertise an ordinance for enactment accepting the sanitary sewer extension, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to authorize the proper Borough officials to prepare and advertise an ordinance for enactment repealing and superseding ordinances and/or resolutions with respect to the Educational Service Agency, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to authorize the proper Borough officials to prepare and advertise for enactment an ordinance with respect to commercial alarm and emergency access regulations, seconded by Mr. Montgomery and carried unanimously.

Mr. Montgomery moved to accept bids for the SHACOG Purchasing Alliance 2016 Fall Commodities, seconded by Mr. Sockman and carried unanimously.

Mr. Sockman moved to table the proposal of Traffic Systems and Services in the amount of \$19,100.00 to replace the 885 VFC warning light that was damaged in a storm, seconded by Mr. Montgomery and tabled unanimously.

Mr. Montgomery moved to approve Change Order No. 1 and Payment Application No. 1 and Final to Youngblood Paving, Inc. in the amount of \$98,434.05 for the 2016 Roadway Seal Coating Program ó Contract B, subject to receipt of the Maintenance Bond and approval of the Bond by the Borough Solicitor, seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved to approve Change Order No. 1 and Payment Application No. 2 and Final to Lawson Excavating, Inc. in the amount of \$12,827.25 for the Walton Road Relocation Project subject to receipt of the Maintenance Bond and approval of the Bond by the Borough Solicitor, seconded by Mr. Sockman.

Mr. Khalil asked Ms. Omer to give overview of Change Order. Ms. Omer stated this project was for the sanitary sewer work for the Walton Road bridge work involves the State and rapid bridge replace. The Change Order wasn't really over budget, it was added due to some of the sewer work to go around the bridge which is a field condition change that happened while they were there. The Borough will receive approximately 75-80% reimbursement for this project. Gateway cannot process the 75-80% reimbursement until the Change Order is filled.

Motion carried unanimously.

Mr. Montgomery moved to approve Payment Application No. 1 to Jet Jack, Inc. in the amount of \$46,312.98 for the SHACOG Sanitary Sewer Lining Project ó Year 10 - Contract B, subject to the receipt of an invoice from SHACOG, seconded by Mr. Khalil and carried unanimously.

Mrs. Ielase moved to approve Payment Application No. 2 to RedZone Robotics, Inc. in the amount of \$37,106.95 for the SHACOG O&M CCTV ó Year 6 Project, subject to the receipt of an invoice from SHACOG, seconded by Mr. Montgomery and carried unanimously.

Mrs. Ielase moved to reject the single bid received by SHACOG from Liokareas Construction Company, Inc. in the amount of \$51,062.00 for CDBG Year 42 Demolition Project ó 6612 Sixth Street and direct SHACOG to re-bid the project, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to accept the proposal from Fire Fighter Sales and Service Company to provide Fire Sprinkler System Inspection and Testing for the Municipal Center and Public Works Facility in the amount of \$1,380.00, seconded by Mr. Sockman and carried unanimously.

Mrs. Ielase moved to authorize Kratzenburg and Lazzaro to file real estate tax lien revivals for the year of 1993 at \$30.00 each for properties delinquent over \$100.00 as identified by Borough officials in the lien review packet provided to Council, seconded by Mr. Khalil and carried unanimously.

Mr. Sockman moved to authorize the proper officers to execute an agreement with the West Jefferson Hills School District to retain law enforcement services for School District events, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to authorize the purchase of nine (9) Samsung Galaxy Tablets for Jefferson Fire Rescue to include all required hardware in the amount of \$2,362.14 and pay the monthly data plan for the tablets in the amount of \$359.91 per month, seconded by Mr. Sockman.

Mr. Khalil stated he would like to amend this motion to include a twelve month cap on the monthly data plan fees, then the monthly data plan fees can be paid in house. Amended motion carried unanimously.

Mr. Khalil moved to approve Work Authorization from Gateway Engineers dated October 31, 2016 to provide continued work on the WESA Act 537 Plan in an amount not to exceed \$5,000.00, seconded by Mr. Montgomery and carried unanimously.

Mr. Sockman moved to authorize the proper officers to advertise for bids for the Municipal Center Wall Refinishing Project from McLean Architects, seconded by Mrs. Ielase and carried unanimously.

Mr. Khalil moved to change the exoneration of tax collection of current year real estate taxes from June of each year to January of each year, beginning in tax year 2017, as adopted by the West Jefferson Hills School District, seconded by Mr. Sockman.

Mr. Khalil asked Ms. Levander to give an explanation about this change. Ms. Levander stated the West Jefferson Hills School Board approved a change in turning over their delinquent real estate taxes from July 31st to December 31st. Ms. Lipnicki, West Jefferson Hills Tax Collector, asked Borough Council to follow suit and change their date in turning over delinquent real estate from July 31st to December 31, as well. This is the end of the Calendar year for the Borough.

Motion carried unanimously.

Mr. Sockman moved to authorize the equal distribution, 1/3 to each fire company, of the Pennsylvania Foreign Fire Insurance allocation (tabled from 10/10/16 regular meeting), seconded by Mrs. Ielase.

Mr. Khalil spoke about Mr. Stanton's statements on Wednesday, November 9th regarding membership at Floreffe VFC not having the volunteers they currently need. Mr. Khalil still believes Floreffe VFC does not have the same immediate need for funds as Gill Hall VFC and 885

VFC do. Therefore he stands by his distribution of 45/45/10 and believes set criteria should be used to determine the distribution in 2017 and into the future.

Mr. Sockman stated that his personal opinion is that until an explanation is given and expectations are in writing the distribution should be equal.

Mrs. Ielase feels it should be equal distribution because Floreffe VFC budgets with this money in mind and to take it away would hurt its budget.

Mrs. Reynolds feels it should be equal distribution.

Mr. Khalil wanted to clarify he is not advocating Council taking money from any volunteer fire company, he is just looking to distribute it differently.

President King stated Mr. Khalil's work has been admirable and not just this year, but going back 6-7 years. He also believes there is an issue and things are not balanced and needs to be fixed. However, he would prefer if parameters were set up and written down on the front end to determine the distribution.

A roll call vote was taken. Council members Ielase, Montgomery, Reynolds, Sockman and President King voted yes. Council member Khalil voted no. Motion carried 5-1.

Mrs. Ielase moved to issue a street opening permit to Pennsylvania American Water Company for the purpose of replacing a water main for a distance of 1,800 feet on Alice Avenue between Third and State Streets subject to approval of a maintenance agreement acceptable to the Solicitor, seconded by Mr. Montgomery and carried unanimously.

Mr. Khalil moved to authorize the sale of Borough property (Lot and Block Numbers 881-H-148, 881-H-152 and 881-H-320) and for the proper Borough officials to prepare sale documents and advertise for acceptance of bids, seconded by Mrs. Ielase and carried unanimously.

* Mr. Khalil moved to hire a Public Works Park Laborer, Cody Estok subject to any applicable pre-employment testing, background checks, and contractual clearances, seconded by Mr. Sockman and carried unanimously.

Mr. Khalil moved to hire a Public Works Laborer, Matthew Cidboy subject to any applicable pre-employment testing, background checks, and contractual clearances, seconded by Mrs. Ielase and carried unanimously.

CONSULTING ENGINEER'S REPORT:

Ms. Omar stated the DEP meeting will be from 3:00-4:00 P.M. but would like feedback on which date works best for Council; December 1, 2, or 7. Council picked Wednesday, December 7, 2016.

FINANCE OFFICER/TREASURER:

Mr. Bennett thanked Council for their help on the Budget and stated we are not recommending a millage increase.

PUBLIC WORKS DIRECTOR'S REPORT:

Mr. Lovell thanked Council for new hires and thanked Tricia on keeping him focused.

MAYOR'S REPORT:

Mrs. Cmar thanked Public Works for removing military banners.

Mayor Cmar stated there is an Opium/Heroin crisis meeting on Thursday, November 17, 2016 from 6:30-8:30 P.M. at the Pleasant Hills Middle School.

MANAGER'S REPORT:

Nothing to report

GENERAL BUSINESS:

Mrs. Ielase thanked everyone on the Budget Committee and thanked Ms. Levander and Mr. Bennett for finding money in the budget to hire two Public Works Laborers.

Mr. Khalil stated November 28, 2016 is the WESA meeting and asked if the people attending should have a prep meeting/conference call prior. Mr. Shimko stated a call and/or brief meeting beforehand on November 28th should be sufficient.

Mr. Khalil stated he would like to address the Bucar's statements. Mr. Khalil stated the Oil and Gas Zoning Ordinance process took a year or maybe longer to get where it is. Mr. Khalil stated there were public meetings with people from the oil and gas industry who talked about their point of view, there were attorneys talking about negative points of view, there were citizens comments, and opportunity for every citizen in this community to come to those meetings, hear what had to be said and provide input. Mr. Kahlil stated that the zoning process will take place again. This process will take place on the Borough's timetable, because there is a procedure we go through. Each time we go through we try to do the very best we can and make sure it accommodates and addresses every concern of citizens and the Council and the staff. Mr. Khalil stated Council will move forward with its new review, and everyone is welcome and encouraged to attend the meetings. Mr. Khalil stated that before Mr. Bucar comes to the next Council meeting and makes a claim or an assertion that someone on this Council did something that was underhanded or against law, please make sure that he has facts, because he is way off base. Mr. Khalil stated he found Mr. Bucar's claims made against President King completely offensive and that he then made claims about the rest of Council that are absolutely unfounded and untrue. Mr. Khalil stated he understands Mr. Bucar's passion, his needs, and his concerns and encouraged Mr. Bucar to come

to the meetings Council is going to have. Mr. Khalil stated Mr. Bucar can voice his opinion there and help guide the Council and the members of that ordinance group to further review the Borough's zoning ordinances and move forward from there. Mr. Bucar wanted to respond to Mr. Khalil and President King explained this is not a question and answer session and he can come to the next meeting and speak.

Mrs. Reynolds stated that Monday, November 28, 2016 is the Holiday Celebration at the Borough Building.

ADJOURNMENT:

Mr. Sockman moved to adjourn the meeting at 8:33 p.m., seconded by Mrs. Ielase and carried unanimously.

Tricia Levander
Borough Secretary