

cc: Council
Mayor
Manager
Engineer
Solicitor
Police Chief
Public Service Coordinator

Borough of Jefferson Hills
Discussion Meeting of Council
April 6, 2005

President McFarland called the discussion meeting of Council to order at 7:30 p.m. at the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Larcinese and Council Members Becker, Cmar, Militzer, Oskin, Serapiglia and McFarland answered to roll call. Engineer Omer, Assistant Engineer Orié, Police Chief Maple, and Borough Manager Clark were also present. Council Member Kulish and Public Service Coordinator McVicker were absent. Solicitor LoPresti arrived at 8:20 p.m.

Mr. McFarland called for a moment of silence in the death of Pope John Paul II, and he expressed sympathy to the Roman Catholic family.

Mr. McFarland reported retired police officer John Yanik passed away and gave the viewing schedule at Slater Funeral Home.

The following tentative agenda for the regular meeting of April 11, 2005 was reviewed and discussed:

1. Pledge of Allegiance
2. Roll Call
3. Engineer's Report (Ms. Omer was excused from the meeting following completion of her report.)
4. Citizens (Solicitor LoPresti arrived)
 - A. John Thatcher - 604 Gill Hall Road - gave an update on Gill Hall VFC and distributed a list of the certificates showing local training, with 15 essentials as of today and after training, there will be 18 with a total of 22 active members. He advised copies of all the certificates were given to the Public Service Coordinator about 1½ years ago, but they were misplaced, so second copies were made and handed in. Mr. Thatcher reported they have started a Firefighter of the Month program and have had success in renting their firehall. He then invited all Council members to come and tour the facility to see all the good programs going on by the Gill Hall Fire Company.

Mr. Thatcher stated regarding the lawsuit between Gill Hall and Floreffe VFCs versus Jefferson Fire Rescue, Gill Hall and Floreffe were successful and Gill Hall just received their fire tax money two days ago. For the record, he advised prior to the trial, Solicitor LoPresti called the fire companys' attorney and said the borough was remaining neutral. As a goodwill gesture, their attorney offered Mr. LoPresti, that Mr. McFarland and Brian Militzer were not required to testify on their subpoena orders. He advised they got blasted at the trial because the Mayor and the ex-president of Council showed up. Mayor Larcinese explained she has been trying to get the fire companies to communicate better and work together. She advised the fire tax was established so the fire companies could quit fundraising and have more time for training.

Mr. Thatcher stated Council asked for a 5th member be added to Jefferson Fire Rescue, possibly the Fire Marshal for accountability purposes. He stated they were confused over memos sent to JFR regarding audits. He advised for the \$175,000 renovations to Large Fire Hall, that Gill Hall and Floreffe Fire Companies were never allowed to vote for the choice of contractors. He also reported Council distributed the Foreign Fire Tax monies 50% to 885 Jefferson, 25% to Gill Hall and 25% to Floreffe. According to the resolution, Council can distribute the fire tax money as they see fit. He requested the money be split into thirds. Mr. Becker replied he does not understand why Gill Hall and Floreffe Fire Companies will not accept the Fire Marshal as a member of the JFR. Mr. Becker also explained he thinks the borough should distribute the fire tax money according to the size of the area covered by each fire company.

Mr. McFarland advised at a previous JFR meeting, a motion was made to appoint the Fire

Marshal, a non-political person to the JFR board, and Mr. Thatcher seconded the motion. Mr. McFarland stated Gill Hall Fire Company came back to Council with a unanimous vote to reject the appointment, and Mr. McFarland asked Mr. Thatcher what changed his mind after he left the Council meeting. Mr. Thatcher replied what changed his mind was the apparent bias of Council towards 885 Jefferson Fire Company for calls. Mr. McFarland stated he supplied all of Council with figures stating the percentage of calls to each fire company that were given to him by each of the three individual fire companies, and he thought that was a fair way to distribute the money. In addition, each company was furnished the accounting along with the check.

Mr. Thatcher requested Jefferson Ambulance be dropped from the JFR, which would take out the possibility of ties. He advised the fire companies do not have a say in the ambulance tax, so why should the ambulance have a say in the fire tax.

Mr. McFarland stated for a system that people are complaining about, Gill Hall Fire Company is driving a half a million dollar fire truck they don't have to pay for or fundraise for. Floreffe Fire Company is next on the list to receive new equipment paid for out of the fire tax. Mr. McFarland stated this borough should not continue to pay over the funds without representation and accountability.

- B. Michael Plavchak - Peterson Drive - stated his concern is over a proposed resolution. Mr. Serapiglia explained Council asked to create a seat on the JFR board for the Fire Marshal. Mr. LoPresti explained the resolution, in question, was not requested by this Council in particular, but as an alternative to that which was requested. The resolution is not before Council this evening, and he does not endorse it. He explained the reason he did not move forward with the resolution as directed by Council is because by state law, it is his personal opinion as a lawyer, that we cannot dictate to JFR, as a private entity, to put someone on their board. He advised the Mayor consulted people in Harrisburg, and information is to be forthcoming to shed some light on this subject.

Mr. Plavchak explained when the resolution was changed in 2002, it was set up so that JFR would distribute the fire tax money so they could qualify for equipment loans.

Mr. Plavchak advised he's been involved with Jefferson 885 VFC for 30 years, but started to semi-retire until 6-7 years ago when asked to assist with JFR . He advised Gill Hall and Floreffe Fire Companies only joined so they could collect their money. He announced 885 Jefferson has been awarded the Silver Certification with 21 Firefighter 1s, the most in the County. They have 15 Firefighter 2s with 5 more taking the test in September, stating they are the most-qualified fire company in the Borough. He advised at the September or October JFR meeting, Mr. Thatcher seconded the motion to spend \$150,000 to renovate the Large Firehall. Mr. Plavchak, at that time, stated if anyone wanted to get involved, he had all the contractor's bids with him at the meeting to be looked at. He stated they were accused of not submitting the minutes of the meeting, but Secretary Pascoe had fax confirmations that they were faxed to both Gill Hall and Floreffe Fire Companies. He stated 1/2 to 1/3 of 885 Jefferson's membership is here tonight because they are tired of being dragged through the mud. He asked who put out the last house fire in Gill Hall and who put out the last house fire in Floreffe? He answered 885 Jefferson did.

- C. Gene Esken - 404 Julian Drive - explained when you turn off Rt. 51 onto Old Clairton Road, the first thing you notice is the old municipal center. He thinks it represents a bad image for the borough and that the borough road department deserves a better facility. He advised across the street, there is an abandoned house that has been flooded a few times and he would like someone to investigate to make sure there is no mold, bacteria or other health issues growing in it. Mr. McVicker is to look into this matter. Mr. McFarland advised the borough has been looking into building a new maintenance facility also.
- D. August Smarra - 408 Payne Hill Road - a member of Jefferson 885 Fire Company for 26 years, stated it makes him sad to hear people fight over a fair share of the money. He stated he does it for the people of the borough, not for the money.

- E. Doug Pascoe - 1951 State Street - Secretary of JFR - stated he was upset when he heard Mr. Thatcher suggest Jefferson Ambulance be dropped from JFR. He stated it is JFR-EMS. He stated the executive members of JFR-EMS believe they have a judiciary responsibility to hold the money pending the audit of \$20,000 to each department. He advised everything was received in November. He advised Eric Rossi, CPA and member of 885 Jefferson, volunteers his professional services each year to audit the money. He explained for the daylight fire fighters, 885 Jefferson staffs the truck approximately 90% of the time, and Jefferson Hills Ambulance staffs it the other 10% and bills for services rendered. He advised he thinks it's absurd to ask Jefferson Ambulance to give up their right to vote as JFR-EMS, as we support the entire borough for protection.

Mr. Becker advised for the 7½ years he had been on Council, they have done nothing but try to get money for JFR for more training, and stated he was upset because Council is not allowed representation on the board.

Following a lengthy discussion, Mr. LoPresti reported JFR is a private entity not a government agency, therefore, we cannot appoint a member to their board. Mr. Serapiglia stated at a JFR meeting, he suggested if they didn't like the appointment of the Fire Marshal, then what about the Mayor, Police Chief or Borough Manager, and all suggestions were shot down. From a legal standpoint, Mr. LoPresti suggested Gill Hall Fire Company give Attorney Bootay some authority to meet with Council and come to a decision.

Mr. McFarland stated Council will be addressing this issue next month. It is up to JFR to contact the delegate and alternate on Council, and he advised Solicitor LoPresti will be made available to help.

5. Bills
6. Payrolls
7. Reports
8. Communications
9. Consider preliminary and final approval of Lamenza Consolidation Plan (lots 121 & 122 Thomas Jefferson Drive) by Hector & Dana Lamenza
10. Consider adopting Resolution No. 7-2005 amending the fee resolution for minor and major earth disturbance application fees and review escrow deposits
11. Consider adopting Resolution No. 8-2005 approving transfer of Club Liquor License No. C-2584 into the Borough of Jefferson Hills for Jefferson Volunteer Fire Company Route 885 Area at 380 Wray Drive
12. Consider authorizing the proper officers to prepare and advertise bids for: two 10 ton dump trucks and two 1 ton dump trucks as provided in the 2005 budget
13. Consider authorizing the Solicitor to advertise an ordinance amending the Codified Zoning Ordinance to: (1) revise the definitions of collector street and common open space; (2) insert vehicle sales and service as a permitted use in the I-1 District; (3) delete a duplicate paragraph in the I-1 District regarding approval procedures; (4) limit the size of detached garages and accessory storage buildings in the residential districts; and (5) rezone certain property in large from CD, Special Conservation District, to I-1, Planned Industrial District
14. Consider authorizing the Solicitor to advertise an ordinance amending the Subdivision & Land Development Ordinance to: (1) add plan requirements for a traffic study and a geotechnical study; and (2) require easements for active gas wells and their transmission lines if present on a development site
15. Consider awarding the bid for Paying Agent for refinancing of the 1993 & 1999 bonds
16. Consider an appointment to the Educational Service Agency for the term ending December 31, 2007
17. Discuss exoneration of 2004 penalty for Lot & Block No. 660-P-50
18. General Business

Mr. McFarland adjourned the meeting at 10:00 p.m. on motion by Mr. Becker, seconded by Mr. Militzer and carried unanimously, with an executive session to discuss personnel matters.

Sandra J. Mortle
Secretary/Treasurer

