

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

Borough of Jefferson Hills
Regular Meeting of Council
June 13, 2005

The regular meeting of Council was called to order by President McFarland at 7:30 p.m. in the Municipal Center 925 Old Clairton Road. Following the Pledge of Allegiance, led by Jeff Betler of Boy Scout Troop 231, Council Members Becker, Cmar, Kulish, Militzer, Oskin, Serapiglia and McFarland answered to roll call. Borough Manager Clark, Engineer Omer, Acting Solicitor Gobel, Police Chief Maple and Public Service Coordinator McVicker were also present. Mayor Larcinese arrived at 7:40 p.m.

CITIZENS:

George R. Taylor - 101 Dale Street - wished to speak on agenda item no. 27, but declined to speak as what he wanted to say would take more than three minutes. Mr. McFarland advised there was no item no. 27 on the agenda.

Mary Ann Dale - 1452 Walton Road - complained her neighbor in 1980 started putting fill in a floodplain zone with the Borough's knowledge, and reported to Council on numerous occasions that she now gets flooded since the pipe was installed in the stream. She advised he is filling in the other side of the stream now, and asked Ms. Omer or Mr. McVicker how he is allowed to do this. Mayor Larcinese arrived. Ms. Omer replied the DEP issued the permit for the stream, and Mr. McVicker advised he has stopped the neighbor from filling anymore. Mr. McFarland instructed Ms. Omer to research this problem and report back to Council. At the insistence of Mrs. Dale, Ms. Omer agreed to call her tomorrow and set up a time to discuss this problem.

Troy Baxendell - 376 Saratoga Drive, Pleasant Hills and coordinator of Thomas Jefferson Youth Football, which is the PHARA Program, advised in the past four years the program has grown from 89 to 170 players. They currently practice on Mowry Park field in Pleasant Hills, play their games at the high school, and pay the school district \$2,900 a year for lights and custodial fees. PHARA is requesting Jefferson Hills supply them with a place to play from August to November, as half of the members are from our borough. Mr. McFarland advised the Borough may be having some property donated and requested Mr. McVicker see if it would be suitable. Dr. Kulish suggested Mr. Baxendell call Bill Kunkel at Mon Valley School and inquire about the field there that is not being utilized, to which he replied about three years ago they were told by Mon Valley they could not use the field. Mr. Baxendell stated they start their practicing in August at the Roosevelt School, but have to move later to Mowry Park because they have lights.

Dr. Kulish moved the minutes of regular meeting March 14, 2005, be approved seconded by Mr. Becker and carried on a 6-0-1 roll call vote. Council Member McFarland abstained.

Mr. Militzer moved the minutes of public hearing May 4, 2005 be approved seconded by Mr. Oskin and carried unanimously.

Dr. Kulish moved the May 2005 bills be approved as follows: General Fund \$187,631.54 Disbursement Pension Fund \$3,892.75, Sewer Revenue Account \$326,923.80, Escrow Account \$14,322.62, Highway Aid Fund \$24,075.79, Storm Sewer \$4,387.20 and Sewer & Water Assessment \$3,791.46. Motion was seconded by Mr. Militzer and carried 6-1 on roll vote. Council Members Becker, Kulish, Militzer, Oskin, Serapiglia and McFarland voted yes. Council Member Cmar voted no.

Mr. Becker moved the payrolls for the month of May 2005 be approved as follows: General Fund \$141,793.81, Sewer Revenue Account \$3,143.28, and ESA General Fund \$2,380.44, seconded by Mrs. Cmar and carried unanimously.

PUBLIC SERVICE COORDINATOR'S REPORT:

Mr. McVicker reported the following fire calls for May: Gill Hall 27 and Floreffo 10. He advised the road department is installing the playground equipment purchased last year for 885 Park. He stated although Council wants the road department to pave the roads, the weather has not cooperated, so they are repairing

catch basins. Since March, he has sent out 35 violation letters with 20 of the violations being corrected.

ENGINEER'S REPORT:

1) **Corrective Action Plans**

West Elizabeth Sewershed: It was discussed by the Council at the May 26, 2005 and June 1, 2005 meetings to authorize us to begin the design, permitting and submittals required to make the February 1, 2006 PennVEST deadline.

Mrs. Omer gave a presentation explaining how the sewage charge is divided, and modifications that are going to be needed at each of the treatment plants to comply with DEP.

The Borough has submitted the Walton Road upsizing to SHACOG requesting \$150,000 towards the project with the balance to be paid through PennVEST. Currently, we are working with Representative Levdansky and Senator Pippy's office on a Penn Works application. Mr. McFarland moved to authorize the Engineer to begin the PennVEST application process for an amount not to exceed \$250,783.00, seconded by Mr. Oskin and carried unanimously.

Clairton Watershed: A Corrective Action Plan was adopted by Council on the 29th of December and forwarded to the DEP for approval on the 30th.

The plan summarizes the actions that will be taken by the Borough to try to resolve the various questions that are being asked by both the Health Department and the DEP. Their approval of the plan will facilitate the release of taps and allow continued development in the Borough.

The plan includes the following components, status is as follows:

1. Dye Testing - Enough historical information was present such that this task does not need to begin until year two of the plan.
2. CCTV and Cleaning - This is currently out to bid and bids will be opened on June 13, 2005.
3. Mapping - The survey of the interceptor is complete.
4. Repair and location of manholes - This will occur later in the year and will be in the area of the interceptor.
5. Flow monitoring - Ongoing
6. Repair contracts - Will be sent out for bid once the CCTV is completed and a scope of work is determined.
7. Hydraulic model - Preliminary model is complete and is being reviewed by the engineer's working group. This allows all parties to have their comments addressed now and prevents conflicting opinions about the model results.
8. Manhole dishes - We are investigating where these may be effective.

There are tap restrictions being imposed by DEP in this watershed.

2) **Planning Commission**

Ciccanti Lot Consolidation - Recommended preliminary and final approval of a 2-lot consolidation known as Ciccanti Plan, located at the corner of Route 51 and Coal Valley Road, owned by Frank Ciccanti.

Ciccanti Land Development - Recommended preliminary and final approval of a 3-story office building located at the corner of Route 51 and Coal Valley Road, owned by Frank Ciccanti.

3) **Mapping/Storm Water Phase II**

A second round of testing has to occur at the outfalls listed on our MS4 permit. DEP has granted our request that the second round be included in this upcoming year. This was critical due to the fact that the weather was preventing the second round from occurring. This includes approximately 13 outfalls. A public meeting was held and an additional meeting will be scheduled in the next year.

The reporting for the second year is required to be completed by June 9, 2005. There is a copy of the report attached to these minutes.

4) Landslides on Bedell Road

The current stop sign configuration is adequate for managing traffic on the site. The repair of the road should be placed on a capital improvement schedule or other funding sources sought out.

The repairs as noted by the Geo-Technical Engineer have not yet been implemented but are on the schedule for completion.

5) Landslide Waterman Road West

The current stop sign confirmation is adequate for managing traffic on the site. The repair of the road should be placed on a capital improvement schedule or other funding sources sought out. The estimated cost is \$1,500,000. This would stabilize the road and prevent areas around the slide from failing.

6) Development Status

Jefferson Estates Phase III - The infrastructure for Phase III is being installed, a letter has been drafted for the items that the Borough needs to see addressed for safety reasons.

DiMarco - Paving is completed

Chamberlin Ridge - Construction is underway

Patriot Pointe Phase 1 - Paving is completed

Hunters Field - With the execution of the agreement, construction will begin within the next month

7) Route 51 Corridor Development/LGA Internship

Amber Keech is continuing to work on the resource book and will also be assisting the Borough in the pursuit of Penn Works funds for the West Elizabeth Sewershed.

8) Traffic Study Status

The permits were received from PennDOT for approval of flashing school signals and Allegheny County for highway occupancy on Old Clairton Road so the project can be put out to bid. Mr. Clark advised previously the West Jefferson Hills School District agreed to reimburse the borough for installation costs for the school signals, and the Borough will pay for the future annual maintenance and operation of the lights.

Dr. Kulish moved to authorize the Engineer to prepare specifications and advertise bids for the school warning signals at the Thomas Jefferson High School, seconded by Mr. Miltzer and carried unanimously.

9) FEMA Projects

We are working with the contractor on the guide rail on Scotia Hollow because we feel it was placed too far into the roadway.

We are having difficulty establishing a line of communication with FEMA since their Pittsburgh Field Office was relocated. Once the approved scope of work is finalized then we will approach the Council for authorization to proceed.

10) Demolition Grants

The specifications have been prepared and were forwarded on to SHACOG.

11) Payne Hill Road Vacation

We would like to present the information to the Council on the vacation of the right-of-way on Payne Hill Road to determine if it is still in the interest of the Borough or it's residents to complete the vacationing process.

12) Sewer Tap-in Fee Requirements

Based on the 2003 amendment to Act 203, we have reviewed the tap-in fees and the fee needs revised. We are determining the additional costs that were associated with the plan expansions and pump station construction and the impact on the administration fees.

POLICE CHIEF'S REPORT:

The Police Chief reported police activities for May as follows: 80 citations issued, 12 traffic accidents with no injuries, and 1,073 calls answered. Mr. McFarland advised the second page of the report that lists the officers and the number of citations given by each was omitted, and Mayor Larcinese advised she intentionally left it out, because there are no other reports submitted to Council reporting on other employees.

SECRETARY/TREASURER REPORT: MONTH OF MAY, 2005

Josephine Lipnicky reported \$12,976.39 collected in 2004 Real Estate Tax for April 15 - May 2, 2005 (deposits #179- #184). She submitted a bill for tax expenses in the amount of \$57.38. She enclosed a list of 2 refunds due to official Change Orders totaling \$900.85 as follows for 2004: Gill Hall Land Co. \$3.72 and \$897.13.

Ramona Burns, former tax collector, settled her checking account and remitted checks totaling \$505.83, including an accounting of outstanding checks still due to taxpayers totaling \$148.30 as follows for 2002: J. Moore \$4.75; H. Kerlin \$6.28; M. Frankczak \$9.82; L. Chabrecky \$8.47; D. Miller \$3.80; J. Kudrna \$105.86; Veterans Affairs Admin. \$3.49; and J. Newmeyer \$5.83.

Pa. Municipal Service Company remitted \$159,239.35 collected in Earned Income Tax, enclosed a bill for commissions due \$3,582.89; \$2,830.37 collected in Occupational Privilege Tax, enclosed a bill for commissions due \$63.68 and collected \$233,458.67 in sewage charges, enclosed a bill for account status letters and commissions due \$4,774.17.

Central Tax Bureau of Pennsylvania reported \$11,430.33 collected in Mercantile Tax for May and enclosed a bill on tax commissions due \$228.61.

The Commonwealth of Pennsylvania remitted \$13,182.31 in Sales Tax.

Berkheimer Associates remitted \$3,604.15 collected in garbage fees and enclosed a bill for commissions due \$90.10.

Creditech, Incorporated remitted \$3,205.84 collected in delinquent garbage fees and enclosed a bill for \$739.61 commissions due.

The Public Service Coordinator reported \$4,820.00 in building permits, \$7.00 in building pouches, \$210.00 in street opening permits, \$200.00 in grading permits, \$150.00 in Planning Commission fees, \$710.00 in occupancy permits, \$1,925.00 in escrow fees, \$4,500.00 in tap-in permits, \$52,192.91 in sewage charges and \$225.00 in dye tests.

The Secretary/Treasurer reported receipts as follows: General Fund \$205,975.07, Payroll Account \$158,587.28, Sewer Revenue \$293,856.94, Sewer & Water Assessment \$1,500.00, Storm Sewer \$40.00, Escrow Account \$3,640.50, Police Pension \$4,041.86, Disbursement Pension Fund - Class "A" \$3,939.99, Fire Tax Account \$540.06 and Ambulance Tax Account \$120.01.

The Secretary/Treasurer reported bank balances on hand May 31 as follows: General Fund \$79,919.18, Payroll Account \$3,064.64, Sewer Revenue \$24,281.99, Sewer & Water Assessment \$902.71, Storm Sewer \$2.88, Escrow Account \$1,159.64, Highway Aid \$3.49, Police Pension \$-0-, Disbursement

Pension Fund - Class "A" \$-0-, Service Employees Pension Fund - Class "B" \$-0-, Police Dept. DARE Program \$2.85, General Fund Contingency Account \$10.66, Gill Hall Park Renovation Fund \$3.72, Forfeiture Account \$8.72, Special Account No. 1 \$6.43, Fire Tax Account \$8.18, and Ambulance Tax Account \$.68.

The Secretary/Treasurer reported investments with Sky Bank totaling \$2,784,485.00.

Mr. Oskin moved the commissions and refunds be paid, seconded by Mr. Serapiglia and carried unanimously.

COMMUNICATIONS:

The Secretary/Treasurer read a letter from the Planning Commission advising at the regular meeting May 23, 2005 members unanimously recommended the following:

1. Preliminary and final approval was granted for a Land Development known as Ciccanti Site Plan, subject to the April 28, 2005 review from Gateway Engineer's Land Development Review.
2. Preliminary and final approval was granted for a Minor Consolidation Plan known as Ciccanti Consolidation Plan, subject to the May 3 and May 12, 2005 review from Gateway Engineer's Consolidation Plan Review.
3. Approval was granted to amend the Ordinance to permit uses in the OP Zoning District to include funeral homes, subject to the revisions that were attached.

The Secretary/Treasurer received a letter from Douglas Pascoe resigning from the Civil Service Commission for his term expiring December 31, 2006.

The Secretary/Treasurer received a letter from R. Scott Deutsch resigning from the Civil Service Commission for his term expiring December 31, 2010.

AGENDA ITEMS:

Mrs. Cmar moved schedule a public hearing for Wednesday, August 3, 2005 at 7:15 p.m. on a zoning ordinance amendment to change permitted uses in the OP zone to include funeral homes, seconded by Mr. Becker and carried unanimously.

Mrs. Cmar moved to grant conditional use approval on the application of Robert & Lori Laskovics to operate a nail salon as a home occupation at 1118 State Route 885, subject to compliance of the written Findings of Fact; Conclusion of Law and Decision; and furnishing proof of the PA License, seconded by Mr. Serapiglia and carried unanimously.

Mr. Oskin moved to grant preliminary and final land development plan approval for a 5-level parking garage with associated site improvements known as Jefferson Regional Medical Center New Parking Garage located at the southern portion of the hospital development adjacent to the existing surgery center, owned by Jefferson Regional Medical Center, seconded by Mr. Militzer and carried unanimously. Mrs. Omer advised she will contact the developer to schedule a pre-construction meeting.

Mr. Becker moved to grant preliminary and final approval of Ciccanti Consolidation Plan located on Coal Valley Road at Route 51 by Frank & Theresa Ciccanti, seconded by Mrs. Cmar and carried unanimously.

Dr. Kulish moved to grant preliminary and final land development approval for a 3-story office building known as Ciccanti Site Plan located on Coal Valley Road at Route 51 by Frank & Theresa Ciccanti, seconded by Mrs. Cmar and carried unanimously. Mrs. Omer advised she will contact the developer to schedule a pre-construction meeting.

Mr. McFarland read Resolution No. 16-2005, "NAMING THE POLICE OFFICERS WHO ENFORCE THE LAWS IN WEST ELIZABETH BOROUGH". Mr. Becker moved to adopt Resolution No. 16-2005, seconded by Dr. Kulish and carried unanimously.

Mr. McFarland read Resolution No. 17-2005, "AMENDING THE FEE RESOLUTION TO PROVIDE AN ANNUAL FREE GILL HALL PARK COMMUNITY CENTER SLEEP OVER FOR THE BOY SCOUTS AND THE GIRL SCOUTS." Mrs. Cmar moved to adopt Resolution No. 17-2005, seconded by Mr. Serapiglia and carried

unanimously.

Mr. Oskin moved to authorize the second-year renewal option for Municipal Center janitorial services and cleaning supplies for August 1, 2005 through July 31, 2006 (\$1,495 per month), seconded by Mrs. Cmar and carried unanimously.

Mr. McFarland moved to authorize the second-year renewal option for Gill Hall Park Community Center janitorial services and cleaning supplies for September 1, 2005 through August 31, 2006 (Upper level \$45, Lower level \$70, Additional Special Cleaning \$250) , seconded by Mr. Oskin and carried unanimously.

Mr. Militzer moved to authorize the Manager to award low bids for SHACOG Spring Commodities, seconded by Mrs. Cmar and carried unanimously.

Mr. McFarland referred to a report from the Manager comparing costs for new candidate police testing by the Borough giving the test versus South Hills Area Community Of Governments giving the test. Mr. McFarland suggested the Borough raise it's rate to break even and continue giving the test locally. Mr. Becker moved to reject participation in SHACOG Joint Police Testing on October 29, 2005, and authorize the Civil Service Commission to amend the fee rates to \$75 per candidate, seconded by Mrs. Cmar and carried on a 6-1 roll call vote. Council Members Becker, Cmar, Kulish, Militzer, Serapiglia and McFarland voted yes. Council Member Oskin voted no. Mr. Clark was instructed to send a letter to SHACOG advising of Council's decision.

Mrs. Cmar suggested the Borough not obtain proposals for insurance every year as they have the last three out of five years since it discredits the Borough. She pointed out the Borough does not obtain proposals for a Solicitor or Engineer yearly, and thought it unnecessary to do so for insurance. Mr. McFarland advised the Borough's premium went down \$27,000 when the Borough changed insurance agents three years ago. Mr. Becker moved to authorize the proper officials to accept insurance proposals, seconded by Dr. Kulish. Council agreed to allow Mr. Persichetti to evaluate existing insurance limits for adequate coverage. Motion carried on a 6-1 roll call vote. Council Members Becker, Kulish, Militzer, Oskin, Serapiglia and McFarland voted yes. Council Member Cmar voted no.

Mr. McFarland advised the slide on Elliott Road, which has closed the road to one lane, is the responsibility of the homeowners who have not responded to previous requests; therefore a borough letter was sent giving the homeowners until June 25 to correct it. Mr. Serapiglia asked if the homeowner does not correct it soon, can the Borough use our equipment to move the dirt from the road only. Mr. Gobel advised if the Borough does that and causes further damage, we will be liable. Mr. McFarland advised the previous homeowners refused the registered letter, the current homeowners signed for it, but have not contacted the Borough to date. Mr. Oskin moved to authorize the Solicitor to take the appropriate action to correct the slide onto Elliott Road if not corrected by June 25, seconded by Mr. Militzer and carried unanimously.

GENERAL BUSINESS:

Mr. Oskin asked if the Borough had to pay the deductible on the police car that was hit, and Mr. Clark advised yes, but we will recover it from the other driver's insurance company.

Mr. Militzer reported he has been working with Mike Ambrosia of Dick Corp. about using the field for PHARA. He is trying to obtain a storage trailer, but no lights are available.

Mr. Serapiglia moved to authorize the Manager to send a letter to Senator Pippy and Representative Levdansky voicing Council's concern to keep our independence instead of merging our Borough with Allegheny County, seconded by Mr. Militzer and carried unanimously.

Mr. Serapiglia moved to authorize the Manager to send another letter to Congressman Murphy asking him to send a letter to the U.S. Postmaster requesting Jefferson Hills be allowed to use the 15039 zip code that used to be for Floreffe and is no longer in use. Mayor Larcinese reported she has been working with Congressman Doyle to research this same request. Mr. Serapiglia was advised the 15039 zip code was inactive not retired, and could possibly be reactivated. Motion seconded by Mr. Becker and carried unanimously.

Mayor Larcinese asked if an agreement was made between the contractor and the County regarding the slide on Chamberlin Road. Ms. Omer stated she was given the impression it would be corrected soon, and will bring it up at the staff meeting on Wednesday.

Mr. McFarland advised he and Mayor Larcinese were invited on June 20 at 1:30 to the school district about it's application for grants for drug-free schools, but as he will not be able to attend, asked if any member of Council could take his place. Mr. Serapiglia and Mrs. Cmar agreed to attend.

Mr. McFarland corrected Mayor Larcinese's comment that no other employees are reported on, by showing the Public Service Coordinator's 4-5 page report on the activities of the Public Works employees.

Mr. McFarland adjourned to an executive session at 9:12 p.m., on motion by Mr. Becker and seconded by Mr. Militzer and carried unanimously.

Saundra J. Mortle
Secretary/Treasurer