

Borough of Jefferson Hills  
Special Meeting of Council  
December 28, 2005

The regular meeting of Council was called to order by President McFarland at 7:00 p.m. in the Municipal Center 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Larcinese and Council Members Kulish, Militzer, Oskin, Serapiglia and McFarland answered to roll call. Acting Engineer Orié, Solicitor LoPresti, Police Chief Maple and Public Service Coordinator McVicker were also present. Mayor Larcinese advised Council Member Becker was ill, but thanked everyone for his eight years. Borough Manager Clark arrived at 7:07 p.m. Council Member Cmar arrived at 7:10 p.m.

Dr. Kulish moved the minutes of regular meeting June 13, 2005 be approved, seconded by Mr. Militzer and carried unanimously.

Mr. Militzer moved the minutes of special meeting June 29, 2005 be approved, seconded by Mr. Oskin and carried unanimously.

Mr. Militzer moved the minutes of regular meeting July 11, 2005 be approved, seconded by Mr. Oskin and carried on a 4-0-1 roll call vote. Council Members Kulish, Militzer, Oskin and McFarland voted yes. Council Member Serapiglia abstained as he was absent from the meeting.

Mr. Serapiglia moved the minutes of regular meeting August 8, 2005 be approved, seconded by Mr. Oskin and carried unanimously.

Mr. Militzer moved the minutes of discussion meeting September 7, 2005 be approved, seconded by Dr. Kulish and carried on a 3-0-2 roll call vote. Council Members Kulish, Militzer and Oskin voted yes. Council Members McFarland and Serapiglia abstained as they were absent from the meeting.

Mr. Clark arrived.

Mr. Oskin asked if it was necessary to abstain from voting on minutes if a council member was absent and the Solicitor advised it is not a problem as you can rely on the other members of council that were present.

Mrs. Cmar arrived.

In response to Mrs. Mortle's inquiry, Mrs. Cmar voted yes to approval of the discussion meeting of September 7, 2005; therefore, the voted was 4-0-2.

Mr. Militzer moved the minutes of regular meeting September 12, 2005 be approved, seconded by Mr. Oskin and carried on a 5-0-1 roll call vote. Council Members Cmar, Kulish, Militzer, Oskin and Serapiglia voted yes. Council Member McFarland abstained.

Mrs. Cmar moved the minutes of discussion meeting October 5, 2005 be approved, seconded by Mr. Oskin and carried unanimously.

On the recommendation of Mr. McFarland, Dr. Kulish moved the minutes of regular meeting October 10, 2005 be approved, with the following correction: that under citizens, Mr. Taylor read a letter "to" the Commonwealth of Pennsylvania "from" Teamsters Local 205, seconded by Mr. Militzer and carried unanimously.

Mr. Oskin moved the minutes of discussion meeting November 9, 2005 be approved, seconded by Mr. Militzer and carried unanimously.

Mr. Oskin moved the December 2005 bills be approved as follows: General Fund \$191,307.41, and Sewer Revenue Account \$3,823.75. Motion was seconded by Dr. Kulish and carried on a 5-1 roll call vote.

Council Member Kulish, Militzer, Oskin, Serapiglia and McFarland voted yes. Council Member Cmar voted no.

#### AGENDA ITEMS:

On the recommendation of the Planning Commission and Borough Engineer, Dr. Kulish moved to grant preliminary and final approval of the 1<sup>st</sup> Amendment to Patriot Pointe Phase 1 (Lots 103 & 108) on Jefferson Ridge Drive by Southersby Development Corporation, seconded by Mr. Militzer and carried unanimously.

Dr. Kulish reported Ms. Sarraf submitted a letter to Council detailing her duties and her involvement, and moved to authorize the proper officers to execute the 2006 Agreement with Roberta J. Sarraf, AICP for Professional Planning Consulting Services to a maximum of \$8,200.00, seconded by Mr. Oskin and carried on a 5-1 roll call vote. Council Members Kulish, Militzer, Oskin, Serapiglia and McFarland voted yes. Council Member Cmar voted no.

Mr. McFarland advised audit proposals were obtained and distributed to Council and reported all exceeded the cost currently offered. Mr. Militzer moved to authorize the proper officers to execute an agreement for 2005 Audits to Seals & DeMillion, P.C.: Borough \$8,150 & Library \$825, seconded by Dr. Kulish. In answer to Mrs. Cmar's inquiry, Mrs. Mortle advised the services are performed by Certified Public Accountants. Motion carried unanimously.

Mr. Clark advised about six years ago the Borough hired the firm of Campbell, Durrant and Beatty as our legal attorney for police negotiations, and the Borough did well. Mrs. Cmar questioned if the Borough could find an attorney who could do as good a job, but for less than the \$175 per hour they charge. Mr. LoPresti advised most trial work is billed in excess of \$225 per hour. He also explained the firm's credentials are recognized throughout the state for municipal, government and police work including from arbitration to jury trials. He advised if Council appoints Special Counsel tonight, it does not mean this case cannot be settled. If the case is settled before the trial date, then Campbell, Durrant and Beatty will not act in any matter. In response to Mr. Serapiglia's question, Solicitor LoPresti advised the Borough insurance carrier will not pick up any costs of this case. Dr. Kulish moved to retain the law firm of Campbell, Durrant and Beatty as Special Counsel to represent the borough regarding the John L. Maple Case GD03-18299, seconded by Mrs. Cmar and carried unanimously.

Mr. McFarland read Resolution No. 28-2005, "ADOPTING THE 2006 BUDGET IN FINAL FORM." Mrs. Cmar moved the money for a new Recreation Director be transferred to the Recreation Authority for them to handle. Mr. McFarland reported the motion died for lack of a second. Mr. Militzer moved to adopt Resolution No. 28-2005, seconded by Mr. Oskin and carried unanimously.

Mr. McFarland read Resolution No. 29-2005, "AMENDING CERTAIN FEES FOR 2006." Mr. McFarland moved to adopt Resolution No. 29-2005, seconded by Dr. Kulish and carried unanimously.

Mr. McFarland read Resolution No. 30-2005, "SETTING SALARIES AND WAGES FOR 2006." Mrs. Cmar moved to adopt Resolution No. 30-2005, seconded by Mr. Oskin and carried unanimously.

Mr. McFarland read Resolution No. 31-2005, "ADOPTING THE POLICY AND PROCEDURES MANUAL FOR THE POLICE DEPARTMENT." Mayor Larcinese advised after Council adopts Resolution No. 31-2005, it needs to go to the union and it may come back to Council with some revisions. The Solicitor advised some of the procedures will have to be negotiated. Mr. Militzer moved to adopt Resolution No. 31-2005, with revisions as distributed, seconded by Dr. Kulish and carried on a 5-0-1 roll call voted. Council Members Cmar, Kulish, Militzer, Serapiglia and McFarland voted yes. Council Member Oskin abstained as he needed more time to study it before voting.

Mr. McFarland read Ordinance No. 776, "SETTING THE REAL ESTATE TAX AT 5.63 MILLS FOR 2006: GENERAL 5.08; FIRE .45; AND AMBULANCE .10 MILLS". Mr. Militzer moved to adopt Ordinance No. 776, seconded by Mrs. Cmar and carried unanimously.

Mr. McFarland read Ordinance No. 777, "VACATING A PORTION OF PAYNE HILL ROAD." Mrs. Cmar moved to adopt Ordinance No. 777, seconded by Dr. Kulish and carried unanimously.

Mr. McFarland read Ordinance No. 778, "VACATING JAMES DRIVE." Mr. Militzer moved to adopt Ordinance No. 778, seconded by Mr. Oskin. Mr. Clark advised this does not affect the borough as it is a paper street. Motion carried unanimously.

A discussion ensued regarding the use of Bond Issue Capital Projects proceeds. Mr. Clark advised Council, at the time of the borrowing, had set the priorities of the Capital Projects in the following order:

1. Road garage
2. Salt dome
3. Repairs to the Municipal Center

Any money left over was to be used for the other projects on the list including a \$200,000.00 extension to the public safety/library side of the building. Mr. Clark advised there was \$375,000.00 appropriated for repairs to the Municipal Center, and it included: repairs to the pillars; all the windows caulked; and repairs and cleaning to the outside building wall surfaces. The Solicitor reported the amounts are earmarked and can be changed closely to as stated in the Official Statement. Mayor Larcinese reported she previously researched grants for the expansion of the Municipal Center and found none available at the time. She stated Keystone Grants are every two years and the new due date will be June 2006 and is to be submitted from the municipality, not the Library. She encouraged talking to Representatives Levdansky, Pippy and Murphy.

Before Council would discuss appealing the Mercantile Tax Decision regarding Large Auto Sales, Mr. Lopresti requested an executive session as it involves possible litigation.

#### GENERAL BUSINESS:

Dr. Kulish commended Mayor Larcinese and Mr. McFarland for their service to the Borough, and thanked all three including Mr. Becker for their service. Mr. Oskin, Mr. Serapiglia and Mr. Militzer agreed with Dr. Kulish.

Mr. McVicker reported one of the new dump trucks was in.

Mr. Clark reported today was trash day, but many of residents did not set it out because they thought it would be a day late due to Christmas. He advised the Borough obtained a dumpster and the Road Department drove around today picking up bags of trash and will go out again tomorrow. Mr. Serapiglia requested Mr. Clark look into a recycling grant that will permit purchase of refrigerator magnets with the recycling dates on it for our residents. Mayor Larcinese stated the deadline is over.

Mayor Larcinese thanked everyone for her 16 years as an elected official. She asked that during negotiations and the transition to County 911, to consider keeping the Municipal Center open 24 hours a day. She has heard comments from other municipalities that have gone to County 911, that they are trying to reverse their policy so they can keep their offices accessible 24 hours a day. Chief Maple thanked Mayor Larcinese for her help with the Police Department. Mayor Larcinese advised she wanted to surprise Council with a \$50,000 grant to help with the transition to County 911, but hopefully will be available next year.

Mr. LoPresti thanked all present and previous Council Members for the privilege of being the Borough Solicitor after 48 years of living in the Borough. Mr. LoPresti advised Mr. Becker, even though he was absent this evening, he appreciated his intelligence and wit, and appreciate the advice he has given him. Mr. LoPresti stated he admired the tenacity with which Mr. McFarland tackled his job as President of Council. Mr. LoPresti pledged that he will again provide objective, non-partisan legal advice to the new Council.

Mr. McFarland thanked Mr. Lopresti for his service and wished him, the new Council and staff luck. Mr. McFarland recognized the late Council Member and Mayor Emmy Christofel, his mentor.

Mr. McFarland adjourned to an executive session as requested by the Solicitor and to discuss personnel matters at 8:00 p.m., on motion by Mr. Militzer and seconded by Dr. Kulish and carried unanimously.

Saundra J. Mortle  
Secretary/Treasurer