

Borough of Jefferson Hills
Regular Meeting of Council
December 11, 2006

The regular meeting of Council was called to order by President Militzer at 7:30 p.m. in the Municipal Center 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Green and Council Members Cmar, King, Kulish, Militzer, Serapiglia and Weir answered to roll call. Engineer Omer, Interim Solicitor Gobel, Interim Borough Manager Arndt, Public Service Coordinator McVicker and Police Chief Reagan were also present. Council Member Oskin was absent due to illness.

CITIZENS:

None.

Mayor Green read the following Proclamation dated December 11, 2006 honoring Raymond Ackerman:

As Mayor of the Borough of Jefferson Hills, I hereby issue this Proclamation recognizing Raymond Ackerman for his outstanding effort and instruction given, assisting with our Police Department's Firearms Training Program. Mr. Ackerman has been selfless in volunteering his time to our officers and has passed on vast amounts of knowledge to our instructors.

We hold forth Raymond Ackerman as an example to be held in high esteem by all officers of this Department and residents of this community, as an embodiment of the values that all citizens of the Borough of Jefferson Hills hold dear.

I extend heartfelt gratitude on behalf of the officers of the Borough of Jefferson Hills Police Department.

Scott Deutsch awarded a plaque to Dr. Kulish for his assistance to Jefferson 885 and Pleasant Hills Fire Companies on Coal Valley Road on October 5th for a traffic accident where a car with occupants were 20 feet into a tree. Dr. Kulish assisted by bringing his backhoe and stabilizing the car with the boom. This allowed the vehicle to be secured enough for the fire companies to cut the windshield out of the car and rescue the victims. Without the help of the backhoe, the firemen were afraid that since the fire truck trying to stabilize the vehicle was on an angle, it might roll over when the weight shifted from the victims being removed. Dr. Kulish stated he was filled with respect while he watched all the police, EMS and fire personnel assist on this rescue.

Mrs. Cmar moved the minutes of discussion meeting November 8, 2006, be approved seconded by Mr. Militzer and carried unanimously.

Mr. King moved the minutes of regular meeting November 13, 2006, be approved seconded by Mr. Serapiglia and carried on a 5-0-1 roll call vote. Council Members Cmar, King, Serapiglia, Weir and Militzer voted yes. Dr. Kulish abstained as he was absent.

Mr. Weir moved the November 2006 bills be approved as follows: General Fund \$1,086,549.12, Disbursement Pension Fund \$6,892.08, Sewer Revenue Account \$130,174.54, Escrow Account \$7,304.83, Highway Aid Fund \$28,273.49, Sewer & Water Assessment \$96.10,

Fire Tax Account \$1,612.16 and Ambulance Tax Account \$4,881.48. Motion was seconded by Dr. Kulish and carried unanimously.

Mrs. Cmar moved the payrolls for the month of November 2006 be approved as follows: General Fund \$176,724.53, Sewer Revenue Account \$3,178.33, and ESA General Fund \$2,409.12, seconded by Mr. Serapiglia and carried unanimously.

ENGINEER'S REPORT:

1) Corrective Action Plans

West Elizabeth Sewershed: The West Elizabeth Sanitary Authority (WESA) has transmitted the latest version of the agreement to the Borough and its solicitors for review.

There are no tap restrictions being imposed by DEP in this watershed, but the treatment plant does not have adequate dry weather capacity for future growth.

Clairton: The Corrective Action Plan (CAP) is continuing to move forward with the status as follows:

1. Dye Testing - The Borough may be participating with SHACOG in the dye testing program in the upcoming year.
2. CCTV and Cleaning - The CCTV work is scheduled for around the first of the year to coincide with the new budget.
3. Mapping - The mapping has been completed and is available at the Borough office.
4. Repair and location of manholes - work on this item is ongoing.
5. Flow monitoring - Ongoing.
6. Repair contracts - The lining through SHACOG is to commence within the next two months.

At a meeting with the CMA, Jefferson Hills was asked to review alternatives for long-term planning options. We are in the process of determining the cost for this analysis so it can be presented to Council for consideration.

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

2) Planning Commission

Eastern Industrial Subdivision - Preliminary and final approval for subdivision of the Marathon Ashland Parcel located at the intersection of State Route 837 and Walton Road, was approved by the Planning Commission and Borough Engineer.

3) FEMA Projects - Waterman Road East

The plans and specifications are complete; all that is needed is the County Conservation District's approval for grading and permission of adjoining property owners. We are working with the Interim Manager on obtaining permission from the owners.

4) Bond Issue Projects

Lick Run

The Lick Run Road II permit has been issued and we are awaiting the beginning of construction by Maronda. There are a few minor details that need to be resolved and one of them is the acquisition of one easement. We are working with the owner to obtain the easement.

Salt Storage Facility & Public Works Garage

The staff will be meeting with the Borough Council on January 10th at 7:00 p.m. to review the project.

Maintenance to Municipal Building

The staff will be meeting with the Borough Council on January 10th at 7:00 p.m. to review the project.

5) Sewer Charges to West Mifflin

Staff met with the Authority representative and described the method that South Park is billed and offered for West Mifflin to be equal of that of South Park. We will work with the Interim Manager on notifying West Mifflin of this decision.

6) Feasibility of Drilling on Borough Property

The exploration company has provided us with a proposal. The Borough should determine the need for solicitation of other proposals as part of a public bidding process.

Ms. Omer reported there is a conflict with the January 10th date for the new salt storage facility, public works garage and Municipal Center renovations meeting, and after asking Council's wishes, reported the meeting would be held January 23rd at 7:30 p.m. instead. She advised the architect will be present.

POLICE CHIEF'S REPORT:

The Police Chief reported police activities for November as follows: 103 citations issued, 18 traffic accidents with 8 injuries, and 897 calls answered.

SECRETARY/TREASURER'S REPORT: NOVEMBER 2006

Josephine Lipnicky reported \$140,460.42 collected in Real Estate Tax for October 28 - November 20, 2006 (deposits #149 through #159). She submitted a bill for tax expenses in the amount of \$286.28. She enclosed 1 refund due to Official Change Order totaling \$96.54 for D. Pruni.

Pa. Municipal Service Company remitted \$134,842.27 collected in Earned Income Tax, enclosed a bill for commissions due \$3,033.95; \$16,338.64 collected in Emergency Municipal Service Tax, enclosed a bill for commissions due \$367.62; and collected \$181,898.13 in sewage charges, enclosed a bill for account status letters, postage and commissions due \$2,044.86.

Keystone Municipal Collections remitted \$18,276.98 collected in delinquent Real Estate Tax for October 26, 2006 through November 25, 2006 and enclosed a bill for \$3,411.35 for commissions and costs advanced.

Central Tax Bureau of Pennsylvania reported \$2,000.00 collected in Mercantile Tax, for November and enclosed a bill on tax commissions due \$100.00.

The Commonwealth of Pennsylvania remitted \$17,075.21 in Sales Tax.

Berkheimer Associates remitted \$4,255.73 collected in garbage fees and enclosed a bill for commissions due \$106.39.

Creditech, Incorporated remitted \$551.46 collected in delinquent garbage fees and enclosed a bill for \$127.23 commissions due.

The Public Service Coordinator reported \$2,281.00 in building permits, \$500.00 Zoning Hearing Board hearings, \$100.00 in grading permits, \$300.00 in Planning Commission fees, \$340.00 in occupancy permits, \$3,400.00 in escrow fees, \$4,500.00 in tap-in permits, \$17,935.77 in sewage charges, and \$180.00 in dye tests.

The Secretary/Treasurer reported receipts as follows: General Fund \$494,429.60, Payroll Account \$196,258.83, Sewer Revenue \$162,791.08, Sewer & Water Assessment \$4,700.00, Escrow Account \$1,100.00, Highway Aid \$400.00, Police Pension \$5,679.29, Disbursement Pension Fund - Class "A" \$4,535.58, Police Department DARE Program \$2,161.25, Fire Tax Account \$15,960.23 and Ambulance Tax Account \$3,546.72.

The Secretary/Treasurer reported checking bank balances on hand November 30 as follows: General Fund \$103,527.65, Payroll Account \$2,954.38, Sewer Revenue \$2,127.29, Sewer & Water Assessment \$3.73, Storm Sewer \$6.52, Escrow Account \$55.33, Highway Aid \$9.12, Police Pension \$-0-, Disbursement Pension Fund - Class "A" \$-0-, Service Employees Pension Fund - Class "B" \$5.00, Police Dept. DARE Program \$6.13, General Fund Contingency Account \$5.00, Gill Hall Park Renovation Fund \$3.72, Forfeiture Account \$8.72, Special Account No. 1 \$6.43, Fire Tax Account \$6.38, Ambulance Tax Account \$7.93, CMA Sewer Truck Line Ext. Account \$6.03, 2005 GOB Project Fund \$5.00, and 2005 Special Capital Account \$5.00.

The Secretary/Treasurer reported investments with Sky Bank totaling \$8,268,992.23.

Mr. Serapiglia moved the commissions and refund be paid, seconded by Mr. King and carried unanimously.

PUBLIC SERVICE COORDINATOR'S REPORT:

Mr. McVicker reported the following fire calls for November: Gill Hall 22 calls, and Jefferson 885 42 calls.

In response to Council's wishes to promote cooperation between communities and the school district, Mr. McVicker attended a meeting with the Maintenance Director, the Athletic Director, and the Business Manager on revitalization of Beedle Park. He distributed copies of a proposal for field renovation at the park, and asked Council if they have any objections or want to be included with the School District at no cost to the Borough. Mr. Weir stated in light of all the vandalism at Beedle Park, maybe they should consider security at the park first. Mr. King suggested Mr. McVicker make sure none of the current users of the park are negatively impacted by this proposal. Mr. Serapiglia

advised there are grants available to build handicapped-accessible restrooms in parks. Mr. Serapiglia moved to enter into an agreement with the school district to redo the field at BeedlePark, with the Borough putting the work out for bid since it will be over \$10,000 and owned by the Borough, seconded by Mrs. Cmar. Mr. King asked Mr. Serapiglia if he knew if the grant would also help with bringing the sewer line to the restrooms, and he replied he wasn't sure. Motion carried unanimously.

Mr. McVicker reported the dilapidated bleachers by the soccer field at Beedle Park have been removed.

COMMUNICATIONS:

The Secretary/Treasurer read a letter from the Planning Commission advising at the regular meeting November 28, 2006 members unanimously recommended the following:

1. Final approval was granted for a subdivision known as Eastern Industrial Services, located on the east side of Glass House Road, owned by Marathon Ashland Petroleum LLC, to subdivide portion of parent tract for land transfer.
2. Adoption of the "Comprehensive Community Plan" (CCP) document dated November 15, 2006 (as revised by the Planning Commission at its meeting of November 28, 2006), and further requests Council's utmost consideration for financing to initiate this important project in 2007.

Dr. Kulish reported receiving a letter from Ira Weiss withdrawing his proposal for solicitorship.

AGENDA ITEMS:

Mrs. Cmar moved to remove the agenda item for a request by Ridge Road and Siler Drive residents for the Borough to finance a new sanitary sewer line along Ridge Road because at the previous discussion meeting it was disclosed that the cost was huge and it has never been financed before, seconded by Mr. Serapiglia and carried unanimously.

Mrs. Cmar moved to authorize the proper officers to execute the Findings of Fact, Conclusions of Law and Decision granting conditional use approval to the application of Dorso LLC to drill one gas well known as West Jefferson School #2 on property owned by the West Jefferson Hills School District on Old Clairton Road (Block & Lot No. 768-K-100), seconded by Dr. Kulish and carried on a 5-0-1 roll call vote. Council Members Cmar, King, Kulish, Serapiglia and Militzer voted yes. Mr. Weir abstained as he came late to the hearing.

Mr. Militzer read Resolution No. 35-2006 "GRANTING FINAL APPROVAL TO A LAND DEVELOPMENT PLAN OF EASTERN INDUSTRIAL SERVICES SUBDIVISION." Ms. Omer reported she and the Planning Commission recommended approval of the plan. Mr. Housley brought a new plan that states that the Floreffe VFC will grant the necessary easement, and if the Floreffe VFC is no longer there, it reverts back to Marathon Ashland Petroleum LLC. Dr. Kulish moved to adopt Resolution No. 35-2006 subject to the engineer reviewing and approving the new plan, seconded by Mr. Serapiglia and carried unanimously.

Mr. Militzer read Resolution No. 36-2006, "AMENDING CERTAIN FEES FOR 2007." Mrs. Mortle advised this resolution amends the building permit and engineering fees. Mrs. Cmar

moved to adopt Resolution No. 36-2006 seconded by Mr. King and carried unanimously.

Mr. Militzer read Resolution No. 37-2006, "APPROVING AND ACCEPTING A DEED OF CONVEYANCE OF 3.949 ACRES OF VACANT REAL ESTATE ALONG STILLEY ROAD AS A GIFT AND FOR NO CONSIDERATION FROM DEVON AND JOANN CLARK." Mr. Weir moved to adopt Resolution No. 37-2006, seconded by Mr. Serapiglia and carried unanimously.

Mr. Weir moved to authorize the proper officers to execute the 2007 Agreement with Roberta J. Sarraf, AICP for Professional Planning Consulting Services to a maximum of \$9,280, seconded by Mr. Militzer and carried on a 5-1 roll call vote. Council Members Cmar, King, Serapiglia, Weir and Militzer voted yes. Council Member Kulish voted no.

Mr. Serapiglia asked since the total amount for auditing services for the borough and the library exceed \$10,000, why doesn't this need bid, to which Mr. Gobel replied you do not have to bid professional services. Council suggested receiving proposals for auditing services, but the Manager recommended the time would be midyear for the following year's services. Mr. King moved to authorize the proper officers to execute an agreement for 2006 audits with Seals & DeMillion, P.C.; Borough \$8,975 & Library \$975, seconded by Mr. Militzer and carried unanimously.

Mr. Militzer read Resolution No. 38-2006, "ADOPTING THE 2007 BUDGET IN FINAL FORM." Mr. Serapiglia moved to adopt Resolution No. 38-2006, seconded by Mr. Weir. Mr. King asked what the major changes were from the draft budget, other than what was included on the distributed list, and was told the Library carpeting was taken out because there will be future renovations to the Library and the carpeting can be purchased then. Mr. Arndt was instructed to notify Mr. Christ that the date for the new meeting with the architects will be January 23rd. Motion carried unanimously.

Mr. Militzer read Ordinance No. 790, "SETTING THE REAL ESTATE TAX AT 5.63 MILLS FOR 2007 (GENERAL 5.08; FIRE .45; AND AMBULANCE .10 MILLS). Mr. Serapiglia moved to adopt Ordinance No. 790, seconded by Dr. Kulish and carried unanimously.

Ms. Omer stated they have previously applied for grants to improve the Peters Creek Watershed and streambed. Mrs. Cmar moved to support the exploration of a Grant Application through the Pennsylvania Community Conservation Partnership Program by the Borough Environmental Quality Board, seconded by Mr. Serapiglia and carried unanimously. Ms. Omer stated for the record, that no matter what happens, the results should all go to the Borough Manager, then reported to Council for all grants.

Dr. Kulish moved to adopt Rules of Procedure for Borough Council Meetings, seconded by Mr. Serapiglia and carried unanimously.

Dr. Kulish moved to schedule a special meeting of Council on Wednesday, December 20, 2006 at 8:00 p.m. for appointment of a Borough Solicitor and for general business, seconded by Mr. Weir and carried unanimously.

Dr. Kulish moved to schedule a special meeting of Council on Tuesday, January 23, 2007 at 7:30 p.m. for the Architects Presentation on the Municipal Center Renovations and the new Public Works Facility, seconded by Mr. Serapiglia and carried unanimously.

Mr. McVicker advised he will be requesting a model 550 or smaller truck for inclusion in next year's budget. Mr. Arndt suggested a list of all vehicles be created. Dr. Kulish requested when a vehicle is not in service for major repair or is damaged, Council be notified. He also requested whenever a truck is parked, it should be standard procedure to chock the truck tires. Mr. McVicker replied that has never been done, but it is now part of new safety procedures implemented.

Mr. King moved to ratify payment in the amount of \$121,551.21 from the Sewer Revenue Account in lieu of the General Fund for the 2007 International dump truck, seconded by Mrs. Cmar and carried unanimously.

Mrs. Cmar moved to appoint William Mattes to the Recreation Authority for the term ending December 31, 2011, seconded by Mr. Serapiglia and carried unanimously. Mr. Serapiglia explained that there always has to be a member of the old GBU that sits on the Recreation Authority, as long as one is still living, because that is the agreement that was in place when the Borough received the property.

GENERAL BUSINESS:

Each Council member wished everyone a Merry Christmas and Happy New Year, thanked Mr. Gobel for agreeing to be Interim Solicitor, and thanked Mayor Green and Karen May for the Christmas decorations throughout the Municipal Center.

Mr. Arndt stated, at Council's request, that HT Capital Markets indicated it will make any information available on a potential bond for next year, and since he just received a copy of the Recreation Authority's 2005 audit, he will make sure Council gets a copy.

Mr. Arndt asked if all Council Members were comfortable with keeping the same meeting night and times for 2007 Council Meetings and everyone agreed.

Mr. Arndt reported contacting the DCA concerning Council's question of funding the Comprehensive Plan before receiving the grant, but he has received no response yet.

Mr. Arndt announced the special meeting for hearing solicitor proposals is scheduled for December 13 at 7:00 p.m. Dr. Kulish advised he will be unable to make the meeting as he must attend a funeral. Mr. Arndt reported he has scheduled each applicant in 20-minute increments. He asked Council to draft a few questions they would like asked.

Mayor Green invited Council to a holiday luncheon he is hosting on Friday, December 15 at 2:00 p.m. in the Community Room.

Chief Reagan thanked Dr. Kulish for his award this evening. He stated he felt Council is 110% in favor of the police department, and have helped and aided them in any way possible during budget time.

Mr. Serapiglia stated for the record, it is great to be able to back the police and he commended Chief Reagan on his efforts so far as Chief.

Mr. Gobel thanked Council for giving Mr. LoPresti and himself the opportunity to serve as counsel for the last seven years. He stated it was nice to see the startup of Jefferson Fire Rescue, which he considers a phenomenal success. He stated it was a pleasure to work with developers Don

Housley and John Thatcher, and Dorso LLC with gas well drilling.

Mr. Militzer congratulated Dr. Kulish for his soccer team making the playoffs again this year. He commended him for also teaching his team morals. He also commended the West Jefferson Hills Football Team for another outstanding season.

Mr. Militzer suggested a joint meeting with the Planning Commission and Economic Development Committee so they can work together. Mr. Militzer stated Mr. Arndt is doing an excellent job and got the budget together smoother than any other time.

Mr. Militzer adjourned to an executive session to discuss personnel matters at 8:40 p.m., on motion by Mr. Serapiglia and seconded by Mrs. Cmar and carried unanimously.

Sandra J. Mortle
Secretary/Treasurer