

Borough of Jefferson Hills
Regular Meeting of Council
January 8, 2007

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, Oskin, Serapiglia and Weir answered to roll call. Engineer Omer, Acting Solicitor Gabriel, Public Service Coordinator McVicker, Police Chief Reagan and Interim Manager Arndt were also present.

Mr. Militzer introduced Deron Gabriel, an associate of Solicitor Brimmeier, who will be acting on her behalf this evening.

CITIZENS:

- A. Rich Beam - 1106 Hilltop Street - asked if the reconstruction of the stage at 885 Park will be by advertised bid, and asked if Council wanted the Recreation Authority to help in the process. Mr. Weir replied it is a huge expense and would appreciate any input Authority members might have. Mr. Beam asked when the renovations were slated to be finished, as the Authority is concerned about it's availability for Community Day in August. Ms. Omer advised a structural engineer from Gateway Engineers will meet with Mr. McVicker and evaluate the necessary renovations.

Mr. Beam advised the Authority received the resolution regarding relatives of current members not being allowed to serve on the same board, and therefore, made a recommendation of Nancy Lackner and Patty Schaffer as new members. In response to Mr. Oskin's question of when the expansion of seats to the Authority will happen, Mr. Arndt replied Mr. Gobel was supposed to file resolution to expand the number of members of the Authority with the state.

- B Tracey Khalil - 5035 Walton Road - distributed a disclosure regarding real estate property values due to the delay of the proposed rezoning by Jefferson Landings development, and read portions of same. He asked if the Borough ever received verification of what tenants were to move into the development, and was told no. he acknowledged the fact that if the rezoning process continues and is denied by Council, that at any future time a developer can begin anew application process. A discussion ensued on the type of disclosure someone in the area would present to a prospective buyer if Council denies this current rezoning application.

- C. Mark Pastore - 1343 High Road - advised Council has stated they are interested in fairness to the residents around the proposed rezoning by Jefferson Landings development. Last month McHolme Builders Inc. submitted a letter requesting an extended tabling of this rezoning application, and in lieu would be pursuing a conditional use variance from the Zoning Hearing Board. He stated previously Donald Housley addressed Council on an unrelated sewage matter and discussed a current civil matter by the Clairton Municipal Authority against him. He researched this case and Mr. Housley is represented by Attorney Robert Boyle, who is the Solicitor for the Jefferson Hills Zoning Hearing Board. Mr. Pastore requested when McHolmes goes to the Zoning Hearing Board, Attorney Boyle recuse himself due to

Mr. Housley's consulting association with the developer, and if he does not, then he requested Council, in all fairness, to withdraw all applications from McHolme Builders.

In the absence of Congressman Tim Murphy, who was to attend tonight's meeting, Mayor Green presented Douglas Pascoe of Jefferson Hills Area Ambulance Association Inc., a check in the amount of \$35,910.00 for a Safety Initiative Grant. Mr. Pascoe explained their new turbo diesels run for an additional 5-8 minutes after shutting them off, until they cool down to a safe temperature, and this grant will allow them to clean the air in their facility. This grant is a 90/10% match through FEMA and the Department of Homeland Security.

Dr. Kulish moved the record of conditional use hearing December 6, 2006 - Dorso LLC be approved, seconded by Mrs. Cmar and carried on a 5-0-2 roll call vote. Council Members Cmar, Kulish, Oskin, Serapiglia and Militzer voted yes. Council Members King and Weir abstained as they were absent.

Mrs. Cmar moved the minutes of discussion meeting December 6, 2006 be approved, seconded by Mr. Oskin. Mr. Weir suggested Council table these minutes for more explanation in the discussion regarding the carryover in the new budget. Mr. Weir moved to table the minutes of discussion meeting December 6, 2006, seconded by Mr. Serapiglia and carried unanimously.

Mr. King moved the minutes of special meeting January 24, 2006 be approved, seconded by Mr. Oskin and carried 6-0-1 on roll call vote. Council Members Cmar, King, Kulish, Militzer, Oskin, and Serapiglia voted yes. Council Member Weir abstained as he was absent for a family emergency.

Mrs. Cmar moved the minutes of regular meeting December 11, 2006 be approved, seconded by Mr. King and carried unanimously.

Mr. Oskin moved the minutes of special meeting December 13, 2006 be approved, seconded by Mr. Serapiglia and carried unanimously.

Mr. King moved the minutes of special meeting December 20, 2006 be approved, seconded by Mr. Oskin and carried unanimously.

Dr. Kulish moved the December 2006 bills be approved as follows: General Fund \$203,225.74, Disbursement Pension Fund \$4,646.63, Sewer Revenue Account \$247,136.80, Escrow Account \$3,083.50, Highway Aid Fund \$7,410.79, Sewer & Water Assessment \$236.40, Police Dept. DARE Account \$3,996.59, and CMA Sewer Trunk Line Ext. \$57,734.88. Motion was seconded by Mr. Serapiglia and carried unanimously.

Mrs. Cmar moved the payrolls for the month of December 2006 be approved as follows: General Fund \$210,442.75, Sewer Revenue Account \$5,922.17, and ESA General Fund \$2,781.96, seconded by Mr. Weir and carried unanimously.

PUBLIC SERVICE COORDINATOR'S REPORT:

Mr. McVicker reported the following fire calls for December: Jefferson Ambulance 148, Floreffe 19 and Jefferson 885 46.

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 includes the following components, status is as follows:

1. Dye Testing - The Borough is 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 month.

The approximate cost for the review of alternatives for long-term planning options is \$15,000. This includes updates to the modeling based on seven different possible locations for off-line storage. This is as requested by the CMA staff. Mr. Oskin moved to authorize Gateway Engineers to review alternatives for long-term planning options by Hatch McDonald not to exceed \$15,000, seconded by Mr. Serapiglia and carried unanimously.

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

Lick Run:

The Lick Run Part 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:

The staff will be meeting with the Borough on January 30th at 7:00 p.m. to review the project.

Maintenance to Municipal Building:

The staff will be meeting with the Borough on January 30th at 7:00 p.m. to review the project.

5) 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.

6) 2007 Road Program

We have met with the Manager and Public Service Coordinator to review the schedule for the upcoming year. We request being authorized to work with the Public Service Coordinator and determine the list of streets to be paved for presentation to the Council for consideration at the February meeting.

Ms. Omer advised she will be creating the list of roads to be considered for the Pavement Management Program and will have it by May. She explained this program is different than the 2007 Road Program, because this one looks at the good roads in the Borough and what can be done to extend their life. Dr. Kulish and Mr. Serapiglia requested appointment to the committee.

Mr. Weir advised the Borough received a letter from Representative Levdansky stating the cleanup of borough culverts is a problem everywhere, and gave authority to the municipalities to go in and clean their own culverts. Ms. Omer replied she and Mr. McVicker have visited the culverts along Rt. 51 to create a list of what needs done, and will bring it to the staff meeting. Mr. Arndt agreed the Borough will probably have to clean out our own culverts, but recommended the Engineer and Solicitor review and evaluate work to be done. Mr. Serapiglia reported Representative Levdansky sent a letter explaining the procedure for the cleanup, and advised the Borough needs to do this quickly. Mr. Gabriel advised the Solicitor would be happy to review all correspondence from the State and FEMA and render a legal opinion. John Wallace, of Lewis Run Road, replied the Borough is required to maintain the waterways from Dick Corporation to 1,500 feet above Coal Valley Road. Al Henderson, Emergency Management Coordinator, stated the Borough adopted the Hazard Mitigation Plan which allows the Borough to apply for funding for cleanup of the waters, so the project will get on the books and possibly receive grant money. This is a funded program through FEMA to try to prevent residents from getting flooded. Mr. Serapiglia moved to send notification to Allegheny County Emergency Management Office to add our culvert cleanup projects to the

Hazard Mitigation Plan for funding including the details to prevent flooding from properties in the Borough, seconded by Dr. Kulish and carried unanimously. Council gave Gateway Engineers and the Borough staff the approval to start the cleanup process, and instructed Mr. McVicker to keep track of the time spent on this project.

7) Stormwater pond Transfer for Woods of Jefferson

The developer, Beams Run Ltd. has prepared the deed for the transfer of the parcel that contains the stormwater management pond. The pond has been inspected previously and is ready for transfer to the Borough.

Ms. Omer stated in light of Council's concern regarding her leaving the Discussion meetings early and citizens having engineering questions later in the meeting, she advised she will ask if there are any questions for her from the audience before she leaves.

BOROUGH MANAGER'S REPORT:

Mr. Arndt reported regarding the grant application for the Comprehensive Plan, a meeting has been scheduled for later in the month with two State Representatives.

Mr. Weir asked if it was a reasonable assumption that since a part-time clerical employee was hired as full time, the overtime hours would decrease, and Mr. Arndt said yes.

POLICE CHIEF'S REPORT:

The Police Chief reported police activities for December as follows: 84 citations issued, 16 traffic accidents with 10 injuries, and 812 calls answered. In response to Mr. Weir's question of future overtime, Chief Reagan stated regular overtime should decrease because of three additional officers, and the Borough is reimbursed for overtime for the West Jefferson Hills School District functions, and for the DARE Program.

SECRETARY/TREASURER'S REPORT: DECEMBER 2006

Josephine Lipnicky reported \$10,425.04 collected in Real Estate Tax for November 24 - December 8, 2006 (deposits #160 through #166). She submitted a bill for tax expenses in the amount of \$61.87.

Pa. Municipal Service Company remitted \$47,004.77 collected in Earned Income Tax, enclosed a bill for commissions due \$1,057.61; \$371.39 collected in Emergency Municipal Service Tax, enclosed a bill for commissions due \$8.36; and collected \$131,369.58 in sewage charges, enclosed a bill for account status letters, postage and commissions due \$1,718.18.

Keystone Municipal Collections remitted \$5,416.08 collected in delinquent Real Estate Tax for November 26, 2006 through December 31, 2006 and enclosed a bill for \$2,566.89 for commissions and costs advanced.

Central Tax Bureau of Pennsylvania reported \$610.51 collected in Mercantile Tax, for November and enclosed a bill on tax commissions due \$30.53.

The Commonwealth of Pennsylvania remitted \$14,791.45 in Sales Tax.

Berkheimer Associates remitted \$4,934.60 collected in garbage fees and enclosed a bill for commissions due \$123.37.

Creditech, Incorporated remitted \$419.12 collected in delinquent garbage fees and enclosed a bill for \$96.70 commissions due.

The Public Service Coordinator reported \$1,285.00 in building permits, \$7.00 in building pouches, \$315.00 in street opening permits, \$500.00 Zoning Hearing Board hearings, \$200.00 in grading permits, \$320.00 in occupancy permits, \$1,000.00 in escrow fees, \$3,413.00 in tap-in permits, \$68,314.16 in sewage charges, \$200.00 in sanitary sewer assessments and \$180.00 in dye tests.

The Secretary/Treasurer reported receipts as follows: General Fund \$321,646.16, Payroll Account \$235,911.49, Sewer Revenue \$213,125.71, Sewer & Water Assessment \$5,747.73, Escrow Account \$19,697.55, Highway Aid \$360.00, Police Pension \$5,638.06, Disbursement Pension Fund - Class "A" \$6,892.08, Police Department DARE Program \$50.00, General Fund Contingency Account \$900,000.00, Fire Tax Account \$1,267.33 and Ambulance Tax Account \$401.55.

The Secretary/Treasurer reported checking bank balances on hand December 31 as follows: General Fund \$1,170.23, Payroll Account \$8,389.91, Sewer Revenue \$51.46, Sewer & Water Assessment \$5.36, Storm Sewer \$6.52, Escrow Account \$8.05, Highway Aid \$5.63, Police Pension \$-0-, Disbursement Pension Fund - Class "A" \$-0-, Service Employees Pension Fund - Class "B" \$5.00, Police Dept. DARE Program \$8.68, 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 \$-0-, Ambulance Tax Account \$-0-, 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 \$8,030,271.15.

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

COMMUNICATIONS:

The Secretary/Treasurer read a letter from the Planning Commission advising at the regular meeting December 18, 2006 members unanimously recommended the following:

1. Preliminary and final approval was granted for subdividing Lot. No. 118 through newly-constructed units to create party walls, known as 10th Amendment to Patriot Pointe, located off Gill Hall Road on Jackson Drive, owned by Southersby Development Corporation.
2. Final approval was granted for a subdivision known as Chamberlin Ridge Plan of Lots Phase 2, consisting of 35 single-family lots, located on the west side of Old Clairton Road at the intersection with Coal Valley Road #4 also known as Chamberlin Road at terminus of Laurel Ridge Drive in Phase 1, owned by MB2K Development, Inc. conditioned on the Developer addressing the comments included in Gateway Engineer's memo dated December 28, 2006.
3. Deny approval for a re-subdivision of four lots known as the Revised Second Amendment to the Jefferson Estates Phase 1, located on the west side of Rosemont Court - a private road, owned by Gill Hall Land Company and owners of units 111A, 111B, 112A and 112B as the Planning Commission does not have the authority to

recommend approval due to the problems associated with the properties and the filing (or lack thereof) of deeds.

4. Borough Council retain the services of Mr. George Gobel as Solicitor for the Planning Commission.
5. Borough Council adopt the December 13, 2006 secondary means of access amendment to the Borough Subdivision and Land Development Ordinance.
6. Borough Council adopt the November 28, 2006 draft of proposed amendment to the Borough Subdivision and Land Development Ordinance.
7. Borough Council adopt a proposed amendment to the Borough's Zoning District Map to re-zone property owned by Franco Moscatiello at 5900 Peters Creek Road from CD to I-1.
8. Borough Council adopt a proposed amendment to the Borough's Zoning District Map to re-zone eight properties on Route 885 from C-1 to R-2.

AGENDA ITEMS:

Mr. Militzer read Resolution No. 1-2007, "GRANTING FINAL APPROVAL TO A LAND DEVELOPMENT PLAN OF CHAMBERLIN RIDGE PLAN OF LOTS PHASE II." Mr. Serapiglia moved to adopt Resolution No. 1-2007, seconded by Dr. Kulish and carried unanimously.

Mr. Militzer read Resolution No. 2-2007, "GRANTING FINAL APPROVAL TO A LAND DEVELOPMENT PLAN OF REVISED SECOND AMENDMENT TO JEFFERSON ESTATES PHASE 1." Mrs. Cmar moved to adopt Resolution No. 2-2007, seconded by Dr. Kulish and carried unanimously.

Mr. Serapiglia moved to authorize a sleep over at Gill Hall Community Center for Boy Scout Troop 1843 on February 9, 2007, seconded by Mr. Weir. Mr. King suggested revising the rules of the center and park permits to charge the applicants of free rentals if the property is left unclean. It was noted that the Parks personnel check the cleanliness of the building every day, and if they report damage or it's unclean, the Borough is to charge the group the cleaning fee. Motion carried unanimously.

Chief Reagan explained the Borough currently purchases two police vehicles per year at a cost of \$55 - 56,000, and has been looking into leasing which will cost \$56,000 annually, but will give the Borough eight vehicles instead of two, and at the end of the lease, the Borough only has to pay \$1 to Ford Motor Company to purchase each vehicle. Mayor Green reported these leased police vehicles will come equipped with light bars and new radios that will be updated and more compatible with the radios of EMS. Mr. Weir reported the Borough will be sending a letter to Senator Pippy regarding the \$50,000 grant received, and requesting the \$20,000 earmarked for an undercover car outright purchase be permitted that the funds be applied to the \$20,000 of the first year's lease payment. Mr. Serapiglia moved to authorize the lease purchase of eight (8) new 2007 Ford Crown Victoria police vehicles and equipment through SHACOG Joint Purchasing, per proposal of Day Fleet Sales dated December 19, 2006, seconded by Mrs. Cmar. Mr. Militzer requested he be allowed to negotiate a better deal on the option packages.

Mrs. Cmar moved to authorize the proper officers to execute the deed from Beams Run Ltd. for Parcel "A" on the Woods of Jefferson Phase 1 recorded plan known as Block & Lot No. 661-K-31, seconded by Mr. Oskin and carried on a 6-0-1 roll call vote. Council Members Cmar, King, Kulish, Oskin, Serapiglia and Militzer voted yes. Council Member Weir abstained.

Mrs. Cmar moved to authorize the proper officers to execute an Agreement with Teamsters Local Union No. 205 representing the Police Department effective January 1, 2006 to December 31, 2009, seconded by Mr. Serapiglia and carried unanimously.

Dr. Kulish moved to appoint Rudy Skrinovich to the Educational Service Agency for the term ending December 31, 2009, seconded by Mrs. Cmar and carried unanimously.

Mr. Militzer moved to appoint Michael Plavchak to the Civil Service Commission for the term ending December 31, 2012, seconded by Dr. Kulish and carried on a 6-0-1 roll call vote. Council Members Cmar, King, Kulish, Oskin, Weir and Militzer voted yes. Council Member Serapiglia abstained.

Dr. Kulish moved to appoint Robert Radecki to the Planning Commission for the term ending December 31, 2010, seconded by Mrs. Cmar and carried unanimously.

As no one submitted an application for an Alternate to the Zoning Hearing Board for the term ending December 31, 2011, Mr. Serapiglia moved to table this appointment and advertise it as a public service announcement and on the website, seconded by Mrs. Cmar and carried unanimously.

Mrs. Cmar moved to appoint August Kwitowski to the Board of Library Directors for the term ending December 31, 2009, seconded by Mr. Serapiglia and carried unanimously.

Mrs. Cmar moved to appoint Tracey Dunlap to the Board of Library Directors for the term ending December 31, 2010, seconded by Mr. Oskin and carried unanimously.

Mr. Serapiglia moved to appoint Carol Shanahan to the Environmental Quality Board for the term ending December 31, 2010, seconded by Dr. Kulish and carried unanimously.

Mrs. Cmar moved to appoint Lisa Marcucci to the Environmental Quality Board for the term ending December 31, 2010, seconded by Dr. Kulish and carried unanimously.

Mr. Serapiglia moved to appoint Gary Meckley to the Environmental Quality Board for the term ending December 31, 2010, seconded by Mr. King and carried unanimously.

Dr. Kulish moved to appoint Shawn Greg to the Recreation Authority for the unexpired term of John Hutchison ending December 31, 2010, seconded by Mr. Oskin. Mr. King stated he did not know Mr. Greb, but voiced concern when at a Recreation Authority meeting with TJ Youth Football, Mr. Greb supposedly made the comment to Donna Moresea, Chairman of the Recreation Authority,

say who was responsible for sending the card.

Mr. Serapiglia moved to appoint Nancy Lackner to the Recreation Authority for the unexpired term of Tracey Khalil ending December 31, 2009, seconded by Mr. King and carried unanimously.

GENERAL BUSINESS:

Mrs. Cmar requested Council readdress the policy for the Recreation Authority regarding two family members being allowed on at the same time. She said since the Authority needs a lot of volunteers, she felt it didn't matter if they were related. It was reported that portion had been amended in the adopted resolution.

Dr. Kulish reported for 2005 overtime for the police department totaled \$33,000. Although Chief Reagan was not in charge for the entire year, he appreciated the Chief's and Mayor Green's efforts in lowering this cost.

Mr. Weir asked Chief Reagan if he will have a draft of the Emergency Procedures for the Borough and schools by the end of this year and if the Chief needs assistance he is willing to work on this. Chief Reagan replied he has met with Al Henderson, Emergency Management Coordinator and the school district's Safety Committee towards this goal.

In response to Mr. Oskin's inquiry to the status of the Maronda project on Bruceton Road, Ms. Omer replied they are still trying to get a Developer's Agreement finalized by the Solicitor.

Mayor Green reported:

- by February 1st they will have the Operational Plans for the fire departments in place.
- there was a fire Christmas Day in Pleasant Hills, and he was very proud of our fire departments who came out on Christmas Day to help fight the fire.
- he appreciated Council adopting the Economic Development Commission. He explained the EDC was created for development of the businesses along Rt. 51. He stated it is also to help work with, direct and make developers feel comfortable to work in Jefferson Hills.
- thanked Council for their support through the budget to the Police Department.

Mr. Serapiglia advised Ms. Brimmeier agreed to sit in at the EDC meetings.

Mr. Militzer reminded the newspapers to allow Jefferson Hills a public service announcement for the appointment of an alternate to the Zoning Hearing Board.

Mr. Militzer adjourned to an executive session to discuss personnel matters at 9:23 p.m., on motion by Mr. Serapiglia and seconded by Mr. Weir and carried unanimously.

Sandra J. Mortle
Secretary/Treasurer