

Borough of Jefferson Hills
Regular Meeting of Council
May 14, 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, Police Chief Reagan, Interim Manager Arndt, and Public Service Coordinator McVicker were also present.

Dr. Kulish moved the minutes of regular meeting March 12, 2007 be approved, seconded by Mr. Weir and carried unanimously.

Mr. Oskin moved the minutes of special meeting March 27, 2007 be approved, seconded by Mr. King and carried unanimously.

CITIZENS:

- A. Chris Opferman - 3037 Scenic Court - advised she built a house 18 months ago and last week received a sewage bill for \$969.00. After contacting PA Municipal Services, it was discovered her account was coded incorrectly, and she was responsible for the amount. She thought it unfair that she should have to pay the bill since it was an error on the part of PA American Water Co. Mrs. Cmar moved to allow Mrs. Opferman to make 18 monthly payments with no penalty or interest on the \$969.00, seconded by Dr. Kulish and carried unanimously. Mr. Arndt was instructed to notify PAMS and to send a letter to the water company to correct the problem from recurring.
- B. Geneva White - 4020 Ridge Road - stated she heard rumors of what was going to be built on the McHolmes Development site, asked if anything has come before Council, to which Mr. Militzer replied nothing has been brought to the staff meeting. A discussion ensued regarding the nearest working fire hydrant to Mrs. White's house, and Mr. McVicker was instructed to call the water company and ask if the fire hydrant closest to her, located at the water tank compound, could be made available for fire protection. Howard McBride, Chief of Jefferson 885 VFC advised he can set up a meeting with the residents for discussion. Mrs. White is to be kept informed of the status.
- C. Rich Beam, Recreation Authority Chairman - asked Mr. Gabriel to explain correspondence received today from the DCED regarding the outstanding grant closure report for the Recreation Authority. Mr. Gabriel advised they do not provide the original application filed as they want groups to provide receipts that match to keep things honest. Mr. Serapiglia asked if Council is responsible for the grant if the Authority cannot provide the necessary receipts, and Mr. Gabriel replied the state will not allow the Authority to dissolve until the grant is closed out. He advised the state told him the grant was for use for baseball, but that was all the information they would give him. After ideas were shared, the Mayor offered to contact the prior officers for information to try to close out the grant, and he will update Mr. Beam.

Mr. Beam updated Council with the following:

- The Fishing Tournament will be held June 9th at 10:00 a.m. - 2:00 p.m.
- Stage pre-bid meeting will be this Thursday at 2:00 p.m. at 885 Park. Ms. Omer invited all interested contractors to attend.
- There will be a Recreation Authority Special Meeting on May 29 at 7:30 p.m. regarding Community Day and potential vendors are invited to attend.

Dr. Kulish moved the April 2007 bills be approved as follows: General Fund \$186,248.85, Disbursement Pension Fund \$5,141.68, Sewer Revenue Account \$333,325.60, Escrow Account \$34,090.59, Highway Aid Fund \$9,739.77, Sewer & Water Assessment \$96.10 and Police Dept. DARE Account \$2,046.00. In regard to Mr. Oskin's question on plugs purchased at Elizabeth Electric, Mr. McVicker advised it was for the trailer. Motion was seconded by Mr. Oskin and carried unanimously.

Mrs. Cmar moved the payrolls for the month of April 2007 be approved as follows: General Fund \$146,332.69, Sewer Revenue Account \$5,567.89 and ESA General Fund \$2,100.81, seconded by Mr. Serapiglia and carried unanimously.

PUBLIC SERVICE COORDINATOR'S REPORT:

Mr. McVicker reported the following fire calls for April: Jefferson Ambulance 133 and Floreffe 10. He reported the field drag was ordered and was shipped today. Mr. McVicker was instructed to give the fire reports from now on to Mr. Arndt to be included in the Week in Review.

ENGINEER'S REPORT:

1) Corrective Action Plans

West Elizabeth Sewershed: We are attempting to meet with the engineers to review the status.

Clairton: The Correction Action Plan (CAP) is continuing to move forward, and a status meeting was held with the Borough staff. The status as reviewed is as follows:

1. Dye Testing - A pre-construction meeting will be set up for Friday, May 11 at 11:00 a.m. with Hydro Technical Services.
2. CCTV and Cleaning - The CCTV work will be starting shortly due to delays in the contract with SHACOG. The contractor is Sewer Specialty Services. We are in the process of reviewing the status.
3. Mapping - The mapping is being reviewed for completion.
4. Repair and location of manholes - We are working with the staff on the PDA's status and work.
5. Flow monitoring - Ongoing
6. Repair contracts - The pre-construction meeting for the lining will be scheduled shortly with State Pipe Services.
7. Modeling Efforts - We are working on the modeling of the interceptor as authorized. A meeting is set up to review and start the process.

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

A meeting was held on April 4th at Clairton Treatment Plant and various issues were discussed. Currently, the solicitors are working on a new sewer agreement.

2) Planning Commission

There are no plans to review.

A revised cul-de-sac detail was presented and recommended for approval by the Commission. Mrs. Cmar moved to adopt the Jefferson Hills Borough Standard Detail Cul-De-Sac Without Islands, Drawing J-17, seconded by Mr. King and carried unanimously.

3) FEMA Projects - Waterman Road East

A meeting was held with the appraiser to review the property in the field. We anticipate a report shortly.

4) Bond Issue Projects

Lick Run

A meeting was held with the developer and engineers to review the status.

Salt Storage Facility and Maintenance Building

A meeting was held with Council and we are waiting on a direction.

Municipal Building Renovation

A meeting was held with Council and we are waiting on a direction.

5) Feasibility of Drilling on Borough Property

The exploration company has provided the Borough with a proposed lease agreement which the Borough Solicitor is working on.

6) 2007 Road Program

A meeting was held with the Borough's Road Committee. An overall plan needs to be prepared to analyze and look at what needs to be done with the road system. The Borough has approximately 50 miles of roads to maintain. A Pavement Management Plan would allow the Borough to gather all the existing data on the streets and prepare a plan to repair the roads, maintain the roads, and plan the appropriate budget.

The Borough needs to take a step back and set a clear direction so it is prepared for the work and the necessary funding. We have prepared a proposal to prepare a plan in conjunction with utilizing the Borough's intern. If interns are used, it assists in reducing the costs. We recommend the Borough consider the proposal.

7) Sanitary Sewer Repair Contract

The Borough's trunk sewer is located in a tributary to Lick Run adjacent to the Patriot Pointe Development. The pipes and manholes of the Borough's trunk sewer are exposed and are susceptible to damage from the stream. The highly-eroded stream banks have also undermined the toe of the slope adjacent to the stream, creating a slide-prone area which threatens to do damage to the sewer in the future.

We plan to use natural channel design methods to relocate the stream a safe distance away from the sewer and from the toe of the slope to permanently stabilize both the sewer and the unstable hillside. The overall project is estimated at approximately \$80,000 and is in the approved budget under line item 8.429.244.

As approved by Council, we are currently working on this issue.

8) Peters Creek Riparian Buffer Zone Project

The project is complete and the project was discussed on the paper. The next step is to look at protecting the area from hikers and ATVs.

9) Grant Opportunities

The Borough authorized Gateway to work with the staff on a Growing Greener grant application for the stabilization of the Peters Creek Corridor. The grant will be for Phase II of the work. The first phase was funded by the sewer budget and was to correct a sewer line that was accepting water from the stream.

There is also a portion of the stream that is encroaching on Peters Creek Road and our sewer that lies on the edge of the roadway. The Borough will be applying for Growing Greener funds for a construction project to use natural channel design methods to relocate the stream a safe distance away from the sewer and roadway. Applications were due to DEP on April 13th.

In addition, we are working with the Greenway Committee which is a sub-committee of the Borough Environmental Quality Board.

10) Patriot Pointe

The developer has requested acceptance of the public improvements for Phases I and II. We are working with the developer and the punch list.

11) Dave Fiore Coal Refuse Agreement

The Solicitor and I are working with Mr. Fiore on the agreement. Mr. Fiore will be coming to the staff meeting to discuss.

12) Stage Work

The project will be advertised on May 11, 2007 and bids opened on May 30, 2007. The project will be presented to Council on June 6, 2007. The required completion date is July 31, 2007.

13) Reed Drive

As requested, we have reviewed the drainage issue along Reed Drive. It is our opinion that the most feasible solution is to do some grading to divert the water away from 208 Wray Large Road. The estimated cost for this construction and engineer work should be approximately \$16,000. If we are going to receive quotes for this, a plan should be prepared. One alternative would be to have the Borough road crew complete temporary grading to help the situation.

In accordance with the Borough's Stormwater Phase 2 Report due June 9, Ms. Omer distributed an article titled "Protecting Area Waterways Starts in Your Own Yard", then read it for public education.

Mr. Arndt was instructed to contact SHACOG on the status of the demolition of structures.

Ms. Omer advised at the staff meeting, they will discuss the swell problem brought to their attention by Claudine Campano. To Mr. Militzer's inquiry, Ms. Omer replied the changes to the Clairton Municipal By-laws to add a member from Jefferson Hills, was in the hands of the Solicitors and at this week's staff meeting she will ask Ms. Brimmeier.

BOROUGH MANAGER'S REPORT:

Mr. Arndt reported the Economic Development Commission meeting was rescheduled to May 31 at 7:30 p.m. and they invited the Planning Commission to attend. SHACOG advised they will be negotiating cable TV franchising with Verizon.

Mr. Arndt reported an intern will begin work this week with the Local Government Academy paying for half her salary. He recommended a new sound and visual system for the Council Chambers be addressed during the Municipal Center renovations.

MAYOR'S REPORT:

The Mayor reported police activities for April as follows: 100 citations issued, 14 traffic accidents with 9 injuries, and 1,514 calls answered.

Mayor Green and Chief Reagan asked Council to consider restructuring the lower ranks of the Police Department. They would like to create the position of Captain, who would act as assistant chief. He advised it would help morale to move the officers up the ranks to a new captain position then fill the open sergeant positions. In response to Mrs. Cmar's question of the budget, Chief Reagan advised there is money in the budget to fill the sergeant positions, but there is nothing in the budget or the collective bargaining agreement for a captain position or salary. Mayor Green explained to be eligible for the captain position, the applicant must have been a Jefferson Hills officer for 10 years with at least two of those years in the position of sergeant. The Captain would work daylight to help supplement the minimum of two officers on that shift. As the Borough has been paying a lot of overtime on the daylight shift to cover court appearances, this new position should pay for itself in those overtime savings. Dr. Kulish requested the estimated savings in overtime and an estimate of the captain salary from other communities. It was the consensus of Council that Chief Reagan present information to justify the position.

Mayor Green requested Council donate the 2002 police car to the Jefferson 885 VFC to use as a first line officer's vehicle. Jefferson 885 VFC Chief McBride advised it will be used only by the department, and not taken home. Mr. Serapiglia moved to donate old car #30 to the Jefferson 885 VFC, seconded by Mr. Weir and carried unanimously.

SECRETARY/TREASURER'S REPORT: APRIL 2007

Josephine Lipnicky reported \$19,216.28 collected in Real Estate Tax for March 2 - April 13 (Deposit #181 through #186). She submitted a bill for tax expenses in the amount of \$939.82. She enclosed a list of nine refunds due to Official Change Orders totaling \$2,019.25, as follows: Year 2006 - C. Brooks \$217.38, J. Gillot \$140.75, T. Kasserman \$361.40, C. Kelly \$728.93, W. Kunkel, Jr. \$22.07, O. Sharma \$22.07, P. Wroblewski \$180.97, D. McGrew \$262.92 and D. Wildman \$82.76.

Pennsylvania Municipal Service Company remitted \$115,618.03 collected in Earned Income Tax, enclosed a bill for commissions due \$2,601.41; \$1,758.46 collected in Emergency Municipal Service Tax, enclosed a bill for commissions due \$39.57; and collected \$189,913.98 in sewage charges, enclosed a bill for account status letters, postage and commissions due \$2,291.04.

Keystone Municipal Collections reported \$10,275.20 collected in delinquent Real Estate Tax for March 26 - April 25 and enclosed a bill for \$2,059.43 for commissions and costs advanced.

Central Tax Bureau of Pennsylvania reported \$42,795.08 collected in Mercantile Tax for March and April, and enclosed a bill on tax commissions due \$862.22.

The Commonwealth of Pennsylvania remitted \$14,960.48 in Sales Tax.

Berkheimer Associates reported \$51,916.92 collected in garbage fees and enclosed a bill for commissions due \$1,297.92.

Creditech, Incorporated remitted \$5,873.57 collected in delinquent garbage fees for March and April and enclosed a bill for \$1,355.11 commissions due.

The Public Service Coordinator reported \$1,377.00 in building permits, \$22,924.40 in street opening permits, \$500.00 Zoning Hearing Board hearings, \$50.00 in grading permits, \$150.00 in Planning Commission fees, \$390 in occupancy permits, \$125.00 in community room rentals, \$2,750.00 in escrow fees; \$35,455.20 in sewage charges and \$195.00 in dye tests.

The Secretary/Treasurer reported receipts as follows: General Fund \$288,196.43, Payroll Account \$165,782.47, Sewer Revenue \$311,901.63, Sewer & Water Assessment \$1,500.00, Escrow Account \$7,435.00, Highway Aid \$215,224.87, Police Pension \$4,042.05, Disbursement Pension Fund - Class "A" \$4,460.70, Fire Tax Account \$1,535.94 and Ambulance Tax Account \$341.32.

The Secretary/Treasurer reported checking bank balances on April 30 as follows: General Fund \$23,138.10, Payroll Account \$1,345.99, Sewer Revenue \$17,992.92, Sewer & Water Assessment \$4.96, Storm Sewer \$1.52, Escrow Account \$8.06, Highway Aid \$15.66, Police Pension \$-0-, Disbursement Pension Fund - Class "A" \$-0-, Service Employees Pension Fund - Class "B" \$5.00, Police Department DARE Program \$4.33, General Fund Contingency Account \$5.00, Gill Hall Park Renovation Fund \$3.72, Forfeiture Account \$8.72, Special Account No. 1 \$2.43, Fire Tax Account \$5.97, Ambulance Tax Account \$2.44, CMA Sewer Trunk Line Extension Account \$10.15, 2005 GOB Project Fund \$5.00, and 2005 Special Capital Account \$5.00.

The Secretary/Treasurer reported investment balances on April 30 totaling \$8,069,734.52.

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

COMMUNICATIONS:

The Secretary/Treasurer read a letter from the Planning Commission advising at the regular meeting April 23, 2007 members recommended Borough Council change the "Jefferson Hills Borough Standard Details for Cul-De-Sacs Without Islands" (Gateway Engineers' Drawing J-2) to the new "Teardrop" design as indicated on the Gateway Engineers, Inc. Drawing Number J-17. This would apply to all new developments going forward.

The following plans were tabled until the May 21, 2007 meeting as requested by:

1. Mr. Columbus' letter for final approval of a subdivision known as Andrew Acres Phase 2.
2. Mr. Donald Housley's letter on behalf of True Line Corporation, for preliminary and final approval of a subdivision known as Scarlet Oaks Plan of Lots Phase 1.

The conditional use request for approval of North Ridge Outdoor Recreation Club was withdrawn by letter from Mr. Jeff Costa on behalf of Venetia Road Associates, L.P.

Mrs. Cmar moved to accept the resignation of Donna Moresea from the Recreation Authority, seconded by Mr. Oskin and carried on a 5-2 roll call vote. Council Members Cmar, Kulish, Oskin, Serapiglia and Militzer voted yes. Council Members King and Weir voted no.

AGENDA ITEMS:

Mr. Militzer read Resolution No. 14-2007, "APPROVING PAYMENT OF COSTS FROM THE GENERAL OBLIGATION SERIES OF 2005 PROJECT FUND." Mrs. Cmar moved to adopt Resolution No. 14-2007, seconded by Mr. Serapiglia and carried unanimously.

Mr. Militzer read Resolution No. 15-2007, "ASSIGNING FINAL APPROVAL FOR THE BLACKWOOD ACRES RESIDENTIAL LAND DEVELOPMENT PLAN TO NEW OWNERS AND DEVELOPERS." Ms. Omer explained this plan was previously approved by a different owner, and if this resolution is approved, it will be subject to the original developer's agreement, posting of all financial securities required, and 12 conditions set by Council. Mr. Serapiglia moved to table the resolution until next month. Mayor Green asked Matthew Kearing, Attorney representing RCH Jefferson, LP, if they plan to honor an agreement with residents of Deer Park and Arnoni Drive, and Mr. Kearing indicated that the new owners will honor any written agreements. Mr. Omer advised Council's approval tonight is subject to them honoring this agreement. Mr. Serapiglia withdrew his motion to table. After a lengthy discussion, Mr. Serapiglia moved to adopt Resolution No. 15-2007, subject to the execution of the Developers Agreement between RCH Jefferson, LP and the Borough of Jefferson Hills as prepared by the Borough Solicitor, posting of financial security by RCH Jefferson, LP in the amount specified in the Developers Agreement, and satisfaction by RCH Jefferson, LP of all 12 conditions set by Borough Council, any previous written commitments made by the developers to any adjoining property owners, the proper plat being prepared and submitted to the Borough for consideration, and subject to the written agreement which is acknowledged to exist, seconded by Mrs. Cmar and carried on a 5-2 roll call vote. Council Members Cmar, King, Serapiglia, Weir and Militzer voted yes. Council Members Kulish and Oskin voted no.

Mr. Serapiglia moved to authorize the Interim Borough Manager to execute the 2007 Municipal Intern Program Project Contract with the Local Government Academy, seconded by Mr. Weir and carried unanimously.

Mr. Oskin moved to authorize awarding low bids for SHACOG spring Commodities, seconded

by Mrs. Cmar and carried unanimously.

Mr. Weir moved to authorize filing Year 34 CDBG Pre-Application to SHACOG for Demolition of Unsafe Structures - Phase 3, seconded by Mr. King and carried unanimously.

Mr. Serapiglia moved to reject authorizing the Solicitor to advertise an ordinance amending the Codified Zoning Ordinance No. 712, as amended, to revise the zoning district map to reclassify certain properties from C-1 Highway Commercial District to R-2 Low Density Residential District, seconded by Dr. Kulish and carried unanimously. A letter is to be sent to all the property owners advising that Council decided not to rezone their properties.

Mr. Oskin moved to authorize the Solicitor to advertise an ordinance accepting the public improvements in Patriot Pointe Phase 1, seconded by Dr. Kulish and carried unanimously.

Mrs. Cmar moved to authorize the Solicitor to advertise an ordinance accepting the public improvements in Patriot Pointe Phase 2, seconded by Mr. Oskin and carried unanimously.

After a discussion, Mr. King moved to authorize the Engineer and Borough staff to implement the Pavement Management Program as proposed by the Borough Engineer, seconded by Mr. Oskin and carried unanimously.

Mr. Weir moved to appoint Melanie Gillot a Member to the Recreation Authority for the unexpired term of Donna Schultz ending December 31, 2008, seconded by Mr. King and carried unanimously.

Mrs. Cmar moved to appoint Patricia Shaffer a Member to the Recreation Authority for the unexpired term of Donna Moresea ending December 31, 2008, seconded by Mr. Serapiglia and carried unanimously.

Mr. Serapiglia moved to appoint Patrick All a Member to the Library Board for the unexpired term of Ronald Christ ending December 31, 2008, seconded by Mr. Weir and carried unanimously.

Mr. Serapiglia moved to appoint Tena Pasqualina an Alternate Member to the Zoning Hearing Board for the unexpired term of Lawrence Krutules III ending December 31, 2010, seconded by Mrs. Cmar and carried on a 6-1 roll call vote. Council Members Cmar, King, Kulish, Oskin, Serapiglia and Militzer voted yes. Council Member Weir voted no.

Mr. Serapiglia moved to donate borough road millings for the use of and hauling by TJ Youth Football Boosters, Inc., at their cost, seconded by Dr. Kulish and carried unanimously.

Mr. Serapiglia moved to authorize the Borough Architects to prepare specifications and the budget for Municipal Center major renovation projects to include the following major components: new roof; brick existing exterior building and war memorial; replace all building entrance columns; repair and/or replace existing windows; replace sidewalks; new audio/visual system for Council Chambers; and new entry access system, seconded by Mr. Weir. After a discussion, motion carried unanimously.

Ms. Omer was instructed to research an estimated cost for pre-fabricated public works facility and report back to Council. Council also requested a new estimated cost for the renovations to the Municipal Center and when all are received, the Council will be aware of what may be available for the pre-fabricated building.

Mr. Weir moved to change the Council meeting dates to the second and fourth Wednesdays effective September 7, 2007, seconded by Mrs. Cmar and carried unanimously.

GENERAL BUSINESS:

Mr. King asked the status of the turnstyles, walking path, and speed humps at Beedle Park. Mr. McVicker stated he hopes the speed humps will be installed this summer. Ms. Omer offered to bring a presentation to the staff meeting put together by Trans Associates on different traffic calming devices for neighborhoods and what works and doesn't work.

Mrs. Cmar announced applications for Summer Day Camp are available at the library. She thanked everyone who participated with Clean-up Day, especially Ms. Omer, Ms. Brimmeier, Cusumano Insurance Agency, Mr. Serapiglia and Mr. Oskin for their donations.

Dr. Kulish instructed Mr. Arndt to send a letter to Donna Moresea thanking her for her service to the Recreation Authority.

Mr. Weir asked if anyone on Council objected to the West Jefferson Hills Historical Society placing a display case under the deed on the wall in Council Chambers and no one objected. He announced to the audience that on Election Day, he has procured recycling bins for all the political handouts, and encouraged everyone to use them instead of the trash cans.

Mr. Oskin reported the Tri Anglers Association has requested a \$1,000 donation to help with their continual cleanup of Peters Creek. Mr. Oskin asked if Council could be made aware of problems residents have before they come before Council with the problem. Mr. Arndt advised sometimes that's possible, but sometimes he is not aware of the problems ahead of time, or that someone will be showing up unannounced at a meeting.

Mayor Green announced the Public Safety Day is May 19 from 1-4 p.m. Memorial Day Services will be held May 28 at 10:00 a.m. at the Floreffe Fire Hall with a parade. He advised the Recognition Board outside Council Chambers will be changing to recognize one outstanding performance for the Borough, including citizens, police officers, fire or EMS personnel.

Chief Reagan thanked the fire departments and EMS for their help with the 24 crashes in the month.

Mr. Militzer asked the status of the cat issue on Cassia Drive, and Chief Reagan replied he has not been able to talk to the owner of Ferree Kennels, but he will not forget about the problem.

Mr. Militzer encouraged everyone in the audience to vote on Election Day.

Mr. Militzer adjourned the meeting at 10:17 p.m. with an executive session to follow to discuss labor and legal matters on motion by Mr. Weir, seconded by Mr. Militzer and carried unanimously.

Sandra J. Mortle
Secretary/Treasurer

