

Borough of Jefferson Hills  
Agenda Meeting of Council  
January 9, 2008

The discussion meeting of Council was called to order by President King at 7:30 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Green and Council Members Cmar, Khalil, King, Reynolds, Serapiglia, Weber and Weir answered to roll call. Engineer Omer, Solicitor Adams, Police Chief Reagan, Manager Shepherd, and Public Service Coordinator McVicker were also present.

The following tentative agenda for the agenda meeting of January 9, 2008 was reviewed and discussed:

1. Pledge of Allegiance
2. Roll Call
3. Engineer's Report - Ms. Omer reminded Council of the Special Meeting of Council at 6:00 p.m. before the January 9<sup>th</sup> Regular Meeting. (Ms. Omer was excused following the completion of her report.)
4. Report from Borough Boards, Commissions or Authority

Mr. King reported there was no one in attendance from any of the above, and suggested this line item be removed from the agenda in the future and pass on the word to them. As Council receives minutes of each of their meetings, he didn't think it was necessary to take Council's time to reiterate what occurred. If a group has a particular subject they deem important and wish to discuss with Council, they are more than welcome to call Mrs. Mortle to be added to the agenda. Mr. Serapiglia did not agree, as he thought if they came to an agenda meeting with an issue, it would give Council several days to solve the issue before the regular meeting. Mr. King reiterated that they can request a place on the agenda if there is a particular issue, but he is trying to streamline the meeting and not have people repeat the same issues over and over again. Mrs. Cmar agreed with Mr. King since Council could read the minutes and not have to sit through it again. Tracy Khalil stated he didn't see any problem with leaving this item for each agenda meeting, as long as the topic is something new and not addressed in the minutes. Mr. King advised he will leave the item on the agenda, but will use his discretion on how long the person can speak on a subject. Mr. Weir suggested the item remain only on the Wednesday agenda meeting, and Council agreed.

5. Citizens
  - A. Lisa Marcucci - 123 Oakwood Drive - distributed handouts regarding her testimony at the December 10, 2007 public hearing on the proposed Gulli Mining Project. She requested Council vote at Monday's Regular Meeting to direct either the Solicitor and/or Engineer to submit a written request before January 28<sup>th</sup>, to the PA DEP Mining Offices, with a copy to the Federal Office of Surface Mining, requesting an informal conference held with regard to the Gulli Mining Project. She also requested an informal conference be held in the Municipal Center with all parties to have issues listed in her handout discussed in detail.
  - B. Carole King - 1375 Fourth Street, behind Beedle Park - stated she was upset to read in the newspaper today that Dorso LP has been granted permission and an agreement to put

two gas wells in Beedle Park. She stated on the December agenda, the following item was included, "Consider authorizing the proper officials to execute the oil and gas lease between the Borough of Jefferson Hills and Dorso LP." but did not state at Beedle Park. She didn't believe a gas well belonged in a park where children play. She reported the Borough has already mined coal and lumbered the good trees from Beedle Park without cleaning up. She advised Mr. Serapiglia has on many occasions made sure the residents around an area being affected by an issue have been notified by mail, and asked why the residents of the Floreffe area were not notified of the gas wells. In response to Mrs. Cmar's question of who authorized the lease, Mrs. King replied the newspaper reported Mr. Militzer, past president of Council, signed the lease. Mr. Shepherd advised the lease was being prepared by the Solicitor prior to December and was voted on in December. Ms. Omer explained the process had to start with an agreement, then they have to come back to Council with an application for conditional use approval. Mr. King requested Solicitor Adams look at the agreement and make sure that if Council cannot agree on a location for the gas wells, there won't be a legal battle because of the signed agreement. Mr. Serapiglia replied residents in affected areas by proposed gas wells have always been notified of the public hearing addressing the matter. He suggested that Beedle Park may have been chosen for the gas wells because it's in a rural undeveloped area. Mr. Serapiglia asked if someone could look into who received the finders fee revenue from the timbering of the Beedle Park trees.

- C. Tony Bekavac - 2240 State Route 51 - advised he came before Council requesting a zoning change to 25 acres of land at the intersection of Elliott Rd. and Rt. 51 from O-P to C-3 , and he asked the status of his request. Mayor Green advised he would like Council to hold a Public Hearing on the zoning change, to hear residents' concerns. Ms. Omer explained Mr. Bekavac has two options: 1) waiting for Council to update the Comprehensive Plan where land can be rezoned that would take at least two years, and Mr. Bekavac can be included in this, or 2) a faster process would be for Mr. Bekavac to apply for a rezoning through Mr. McVicker's office, which will go to the Planning Commission for review, then to Council at which time a Public Hearing will be set. Mr. Bekavac asked a realistic timeline for his request to be completed, and was told anywhere from six months to two years. Mr. Weir advised because of the proposed commercial development on High Road, there was a desire to create a new zoning district to help protect the residents and the Planning Commission and the EDC got together and to create a proposed C-3 zoning district. Council was then informed to create an ordinance for C-3 zoning, specific property must be included . There were two pieces of property that wished for rezoning, and after all the approvals from the Commissions, it came before Council to schedule a Public Hearing. Mr. Weir asked if that was the proper procedure. Solicitor Adams explained Mr. Bekavac, as a property owner, has the right to request a rezoning. Mr. Serapiglia stated if Council granted Mr. Bekavac's rezoning request, he was afraid it would be considered spot zoning, and would open the door for anyone who wished to rezone their property. Mr. Khalil suggested the Planning Commission, EDC, and Council meet and agree upon available property for commercial business, and create a standard to give to prospective developers. Mr. Serapiglia replied that's the purpose of the Comprehensive Plan. Mr. Bekavac voiced frustration that he started this process in October 2005 and is now being told it could take another six months to two years to achieve his rezoning request.

6. Minutes of agenda meeting December 5, 2007 - Mr. Serapiglia pointed out three changes to be corrected to the minutes, then resubmitted for approval at the regular meeting.
7. Minutes of regular meeting December 10, 2007
8. Minutes of special meeting December 27, 2007
9. Bills
10. Payrolls
11. Reports
  - Borough Manager
  - Solicitor
12. Communications
13. Consider approving the Findings of Fact and Conclusions of Law for the Neiswonger Construction, Inc. application for conditional use approval to allow surface mining on property owned by Gulli Aurelio (tabled 12/10/07) Mr. Adams advised after reading the material handed out by Mrs. Marcucci, he thinks there is a conflict in the MPC and the statutes. He will check it in the morning and find out if there is a deadline for which the information meeting must be held. Mr. Shepherd is to contact Jack Fulmer who owns the adjoining property and advise him of the Findings of Fact and Conclusions of Law.
14. Consider adopting Ordinance No. 799, an ordinance of the Borough of Jefferson Hills, Allegheny County, Pennsylvania, adopting the PSAB Master Retirement Trust and Joinder Agreement known as the Borough of Jefferson Hills Police Pension Plan
15. Consider approving Resolution No. 4-2008, authorizing Union Township, Washington County, to connect to the Jefferson Hills sewage disposal system
16. Consider approving the offer of Elizabeth Township to purchase four (4) strain poles in the amount of \$3,000
17. Consider approving the resurfacing of the McElheny Road Bridge deck surface and approach ways in conjunction with South Park Township
18. Consider approving the RAD Tax payment for the year 2007 to SHACOG in the amount of \$2,724.84
19. Consider ratifying the street opening permits for Pennsylvania American Water Company on Hillview Drive (1,220 feet) and Nielson Drive (1,300 feet)
20. Consider authorizing Keystone Municipal Collection to revive unpaid 1984 real estate tax liens, subject to the approval of the Solicitor and payment of Prothonotary's filing fees (\$25) and abstractor's search fee (\$5) per revival
21. Pleasant Hills Authority Pre-Treatment Standards – discussion
22. Selection of remainder of 2008 meeting dates – discussion
23. General Business

Mr. Khalil advised he would like Council to agree upon short and long-term goals they would like accomplished during the next four years. He offered to prepare a draft for Council to discuss.

Mr. Serapiglia suggested Council elect a delegate to Allegheny League of Municipalities to attend the Seven Springs Conference, to save the cost of all Council Members attending. Mr. Weir and Mr. Serapiglia stated they volunteered not to go, but thought maybe the Mayor and one Council Member should attend. Mrs. Cmar replied she has gone many times, found the information she learned very useful, and thought it was a good idea for all Council Members to attend if they wished.

Mr. King adjourned the meeting at 9:30 p.m. with an executive session to follow on motion by Mr. Khalil, seconded by Weber and carried unanimously.

Sandra J. Mortle  
Secretary/Treasurer