

Borough of Jefferson Hills
Special Meeting of Council
January 24, 2008

The special meeting of Council was called to order by President King at 6:32 p.m. in the Municipal Center, 925 Old Clairton Road. Following the Pledge of Allegiance, Mayor Green and Council Members Khalil, Serapiglia, Weber and King answered to roll call. Solicitor Adams, Manager Shepherd, Engineer Omer, Chief Reagan and Public Service Coordinator McVicker were also present. Council Member Weir arrived at 6:33 p.m. and Council Member Cmar arrived at 6:38 p.m. Council Member Reynolds was absent as she was recently discharged from the hospital and is in no condition to attend tonight's meeting.

Mr. Weir arrived.

Victor Graves, Architect, presented two sample boards for Council's review and choice of brick for the Municipal Center renovation project. In response to the Council's inquiry of the architect's choice, Mr. Graves advised they recommend a light brick with smooth texture to mimic limestone with doors and window trims in dark bronze or black for a stately appearance. He advised the decision will need made when bids are awarded, but Council will also need to advise of a color range.

Mrs. Cmar arrived.

Mr. Graves distributed several copies of both floor plans and they were reviewed.

After a discussion, Council agreed additional alternate bids be included for the following:

- 1) Security doors and cameras (but not for Council Chambers)
- 2) Sidewalk installed to Old Clairton Road
- 3) Replacement of second floor lobby railing

The Borough will remove necessary landscaping, will try to preserve any that is mature, and will replace after the renovations are finished.

Mr. Graves advised the alternates will not slow down the bid advertisement or the work completion. He advised the bid opening is scheduled for February 28, can be awarded at March 10 regular meeting, and completed in six months (September or October).

Solicitor Adams advised he reviewed a proposed draft ordinance to create a C-3 Zoning District and made no revisions, so it could be used. Mr. Weir suggested a public hearing in the end of February or March. A discussion was held regarding what property would be included in the ordinance. The Solicitor advised if Council wants a hearing, to submit the draft ordinance to the Planning Commission and Economic Development Commission for recommendation as specific procedures of law must be followed for a hearing. He advised he will coordinate dates with the Manager. Mr. McVicker was advised to distribute the Rt. 51 Corridor CD and map.

The Engineer distributed and reviewed the three site options for a proposed facility to house road salt as follows:

- 1) current property on Brickyard Road;
- 2) a new road created in front of the Municipal Center parking lot to extent toward Shellbark St; and
- 3) a new road from Old Clairton Road on borough property near Shellbark St.

The Mayor advised Jefferson Fire Rescue will allow the Borough to take some of its property for the site, that it is fairly flat, good access and noise would not be an issue. He was requested to coordinate a meeting with Council Members King and Weir.

Ms. Omer advised the cost of going to the West Elizabeth Treatment Plant is \$55.89 per month per equivalent dwelling unit. She had met with WESA, but she was not comfortable with the numbers given to her. She advised since that meeting West Elizabeth recently went to DEP to get the proper paperwork approved to expand the plant and not have Jefferson Hills go to an equalization tank. Since they have no figures yet, she cannot make a recommendation without solid numbers. Ms. Omer requested the Manager and Solicitor go with her for a meeting with DEP before the end of the month. She stated the goal of the meeting is to get DEP to agree to allow Jefferson Hills to create a Task Activity Report (TAR) so flows can be verified, and 50% of the report will be paid by DEP, and should be ready for review in 90 days.

Mr. Serapiglia reported at a previous executive session with DEP, we were told the DEP was looking for joint authorities before they would give permitting for new sewage treatment authorities. He stated when the Solicitor and Engineer go to the next meeting, the Articles of Incorporation of West Elizabeth and Clairton should be officially changed to give Jefferson Hills representation on these Boards. Mr. King suggested we wait until we decide which option to choose, to which Mr. Serapiglia replied, he wanted confirmation that we would have representation on both Boards before we chose an option. Ms. Omer reported we have two representatives on the WESA Board already, but they were not appointed per the Articles of Incorporation, and can be dismissed at anytime. Ms. Omer stated DEP cannot enforce WESA to give us representation on their Board, but they can encourage it. Ms. Omer advised she gave Council a 5th Draft of the Witherall Agreement, and one of the concepts is that no matter what option Council goes with, we need to update our sewer agreements.

In response to Mr. Khalil's question, Mr. Kurt Todd of Gateway Engineers explained that a TAR report projects the needs for the next 20-30 years, to make sure that the sewage plant will not be outgrown.

Mr. Khalil advised he read in Ms. Omer's report that the DEP is encouraging Option One. Ms. Omer replied DEP was considering Option B, which is to build our own plant, until the meeting in early January when WESA came in with a plan that they can expand their plant to take on additional flows from Jefferson Hills. DEP then encouraged Option B. She advised the same process would happen for new tapins at WESA as with Clairton. DEP will distribute the tapins to WESA, then WESA will distribute them to their customers upstream.

Mr. Khalil stated he was focusing on controlling the cost of the option, and not paying for anything more than what is needed at the plant. Mr. Serapiglia advised under the Authorities Act, the host communities will always maintain control of the Board.

Under agenda item #7 - reopen the 2008 budget, Mr. King opened the floor for questions from Council Members. Mr. Serapiglia reported he was absent at the February 14th meeting when Council reopened the budget, and he advised if he had been present, he would have voted no to reopen it. Mr. King

advised if a Council Member wishes for their vote to count, they must be present at the meeting. The following discussions were held:

- An intern from the Local Government Academy is requested to update the Personnel Policy and Procedure Manual. Ms. Omer advised the deadline to request an intern is February 4, 2008. Mr. Weber suggested the intern be given two projects to complete: 1) update the Personnel Policy and Procedure Manual, and 2) website development. Mrs. Cmar suggested Council ask if a student from the high school Gifted Class could help redesign the website or ask Mr. Patrick All to help. Mr. Weber stated he thought the Borough should designate \$20,000 from the EDC line item to put toward a professional redesign and updated Borough website. Possibly office staff could be trained to maintain a new website. Mr. Weir did not agree to take the \$20,000 out of the EDC line item. Mr. Weber stated the reason he suggested the money come from the EDC budget, was because it would be considered a marketing tool when out of town companies search our website for information. Ms. Omer advised she had an alternative project for the proposed intern. She stated for the Stormwater Phase 2, within a year the Borough needs to have the stormwater map completed. She stated the intern could assist Mr. McVicker and herself in collecting data in the field and putting into the database. Mr. Weber moved to reduce the appropriation for the EDC to \$50,000 and add a line item for website development, maintenance and training of office staff for future maintenance for \$20,000, and earmark \$3,000 for a summer intern's salary, seconded by Mr. Khalil. Mr. Serapiglia requested the \$20,000 be put back into the EDC later. Motion passed on a 5-1 roll call vote. Council Members Cmar, Khalil, Serapiglia, Weber and King voted yes. Council Member Weir voted no.
- Mr. McVicker was to get prices on storage sheds to protect the lawnmowers and other small equipment that currently sit out.
- Solicitor Adams advised his firm does not charge their public clients for copies or parking fees, and since he personally lives across the street, there will be no mileage charges also. Mr. Serapiglia asked Solicitor Adams if he would provide pro bono legal representation to the EDC like the two previous Solicitors, and Solicitor Adams replied this was the first he heard of the request. Mr. King advised the EDC was not formed until after Solicitor LoPresti and Acting Solicitor Gobel were no longer employed by the Borough. The only Solicitor who provided pro bono legal representation to the EDC was Ms. Brimmeier. Mr. Weber asked if Council was comfortable reducing the legal fees to \$90,000 and Mr. Khalil asked what the previous years' final figures were. Mr. Shepherd replied they were: 2005 - \$161,000, 2004 - \$130,000, 2003 - \$107,000, 2002 - \$108,000, 2001 - \$92,000, 2000 - \$73,000, 1999 - \$83,000, 1998 - \$60,000. Mrs. Cmar advised it was decided last year that only the President of Council, Engineer, and Manager contact the Solicitor to keep down the fees. Mr. Weber moved to keep the legal fees at \$90,000 with no cap, seconded by Mr. Khalil and carried on a 5-1 roll call vote. Council Members Cmar, Khalil, Weber, Weir and King voted yes. Council Member Serapiglia voted no. In response to Ms. Omer's question, Mr. King advised Mr. Shepherd and Ms. Omer to use their discretion when contacting the Solicitor, thus not making it mandatory for them to go through the President.
- In regard to the Engineer's fees, Ms. Omer advised her fees are based on projects. She needs Council approval to work on the projects; therefore, Council controls her fees. Mr.

Serapiglia stated for the record, in 2004 and 2005 he was asked by a resident to put caps on the legal and engineering fees. He attempted to do that, but withdrew his motion because it was stated it could not be done. He advised it could be done, and was in fact done last year with the legal fees. Mr. Serapiglia moved to reduce the engineering fees to \$80,000 with the offset going to road paving, seconded by Mr. Weber and carried unanimously.

- Mr. Shepherd was to find out why the line item for Dues, Subscriptions and Memberships was increased 20%.
- After further inspection of the current Solicitor's bill from the General Fund for Ms. Brimmeier, Mr. Weir moved to pay the recent bill for services rendered in both 2007 and 2008, seconded by Mr. Serapiglia and carried unanimously. After Mrs. Mortle advised there were also a sewer revenue and an escrow bill, Mr. Weir moved to pay these two bills also, seconded by Mr. Khalil and carried unanimously.

Mr King temporarily adjourned the special meeting for an executive session to discuss personnel matters at 9:20 p.m. He reconvened the meeting at 9:30 p.m.

Mr. Weber moved that non-union employees contribute 1% to their healthcare costs effective next payroll, which will make all full-time employees contributing equally, seconded by Mrs. Cmar and carried unanimously.

Mr. Shepherd advised he will readvertise the budget as proposed by Council tonight, and Council can adopt it at the February regular meeting.

Mr. King apologized for the outburst this evening, and stated as President he will try to control future outbursts during the meeting.

Mr. King explained the rule for motions will be to get a first and a second before there is a discussion. Once the discussion has ended, a roll call vote will be made. At that point, no further discussion will be allowed including the reason why a Council Member voted a particular way.

Mr. Weir requested Mr. Shepherd send a letter to Senator Pippy for clarification regarding Senate Bill 1063 for the local wage tax.

Mr. Weber reported Mr. Weir attended the SHACOG meeting this month in his place, as Mr. Weber was attending a Local Government Academy class.

Mr. King adjourned the meeting at 9:42 p.m. with an executive session to follow to discuss Patriot Pointe on a motion by Mr. Weir, seconded by Mr. Weber and carried unanimously.

Sandra J. Mortle
Secretary/Treasurer