

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
REGULAR COUNCIL MEETING**

Date: January 12, 2015

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

Present: Council Members Colella, Gibbons, Hannan, Harrison, McLean and O'Brien

Absent: Council Members Dixon, Moury and Pape

Also Present: William J. Spagnol, Manager, Mayor Jack Allen; Judith L. Miller, Assistant Manager; Robert L. McTiernan, Solicitor; Gerard Duke, Director of Community Services, Chief David Rogan; Joseph Villella, Finance Director; Jean Statler, Municipal/Environmental Engineer

Meeting Note: Vice President Hannan served in the capacity of Acting President in the absence of Mr. Moury.

2. Pledge of Allegiance

3. Chair Announcement

Mr. Hannan announced that an Executive Sessions of Council were conducted on Saturday, December 13, 2014 and Monday, December 15, 2014 respectively to discuss personnel issues and on Monday, January 12, 2015.

Reports of Officials

4. Library Director's Report

Library Director, Christine McIntosh, stated that the Bethel Park Public Library provides services to inform, inspire and enrich the community.

Ms. McIntosh announced the current Library programs. The Winter Reading Program includes programs for children in January and for adults, 18 years of age and older in February. Each program has prizes, raffle drawings and a grand prize.

On Wednesday, January 21, 2015, the Town Hall Speaker Series will be held at 7:00 p.m. at the Community Center. Bob Cranmer, author of Demon of Brownsville Road will speak. The series is a joint venture between the Recreation Department and the Library and is sponsored in part by a grant from the Bethel Park Community Foundation.

Strategies to Maximize your Social Security Benefits program will be held on Thursday, January 22, 2015 at 7:00 p.m.

Google Drive, how to create and use your own free cloud with Google, will take place on Friday, January 23, 2015 at 10:00 a.m. as well as on Thursday, January 29, 2015 at 7:00 p.m.

Ms. McIntosh announced that interior painting of the Library is being done until the end of February. The Library will not close, but sections of the Library may be closed at some times.

She then reminded residents to check for winter weather closing on WTAE, WPXI or KDKA, as well as the Library Facebook and Twitter pages.

Ms. McIntosh thanked Chief Rogan, Officer Rigatti and the Police Department for granting their request to have photo I.D.'s made for the Library staff.

For more information on these and the many other programs and services offered by the Library, visit the Library's web site at bethelparklibrary.org. You can also follow the Library on Facebook or Twitter.

5. Police Chief's Report

Chief Rogan reported on the success of last month's Holiday Food Drive. It was the most successful one ever. They distributed 238 boxes of food to residents and several truckloads to SHIM. Chief Rogan thanked the community, the volunteers, including the Public Works Department, Community Center staff, Police Department, Fire Company, Tri Community South EMS, as well as all the corporate partners, Two Men and a Truck, Pepsi Corporation, and Walmart.

The Adopt-A-Family Program was also very successful by helping 61 Bethel Park families. He thanked all the volunteers, Cathy Rigatti, Eva Parker and Bob Knestrick who were especially helpful.

The Citizen's Police Academy and the Law Enforcement Apprenticeship programs begin on Wednesday, January 14th. There are currently 37 people taking part in the Citizen's Police Academy and 11 students for the LEAP program. Spots are still available by contacting the Records Room or online for an application.

The next Crime Watch meeting is Monday, January 19, 2015 at 6:30 p.m. at the Community Center. The February meeting, which will be held on February 16th

will have a special guest speaker, Senator Matt Smith. Please plan to attend as you do not need to be a member to take part in this program.

6. Fire Chief's Report

Chief David Gerber gave the fire report for the year 2014 and for the month of December.

The lottery calendars for the year 2015 are still available for \$25. You can purchase one at Evey True Value Hardware or from a Bethel Park fireman.

He also spoke of the fire on Willow Glen on Sunday, January 11th and the problem they encountered with a frozen hydrant. He assured the community that this situation is not a normal happening and that residents should not worry. The water company is taking care of the problem.

7. Mayor's Report

Mayor Allen announced the winners and honorable mentions of the annual Holiday Lighting and Decorating Contest and presented those in attendance with certificates.

Mayor Allen presented the annual State of the Municipality Report in accordance with the Home Rule Charter.

(Verbatim text of Mayor Allen's State of the Municipality Report):

"It is my honor and privilege to provide the annual State of the Municipality as required by our Home Rule Charter. I would like to begin by recognizing and commending the Council, Municipal Staff, the Police Department, the Volunteer Fire Department and the Emergency Medical team for all their hard work and dedication to the community. In addition, I must also mention the men and women that serve on our various boards, commissions and authorities. These people serve by appointment of Council, and for the most part their pay is our gratitude and the good feeling they get serving in the community. I am pleased to report that again this year, the auditing firm of Maher Duessel has completed the 2013 Municipal Audit Report and that, and I quote, 'we noted no matters involving internal control of its operation and we consider to be reportable conditions under established standards by the American Institute of Certified Public Accountants'. Which means we did good. The financial department like all other departments, continually seek ways to be more efficient and readily accept the advice and recommendations of all the auditors on matters that are beneficial to the people of Bethel Park. Thank you, Joe and your staff, for your work.

"Bethel Park continues to be a hot spot for new businesses and developers. Many people consider us to be a maturing community and in many respects, that's true. However, it is important to consider that while Bethel Park continues to grow with new developments, it is also very encouraging. I know that we have

significant new redevelopments in our town. 2014 was a good year for new developments and these include KFC, Dunkin Donuts and Auto Zone. 2015 will be a banner year. The residential developments this year, we have Millennium Woods, which is located off Baptist Road near the entrance to Millennium Park, 49 single-family residential homes, and that's under construction. South Hills Village and Port Authority property, located off Village Drive adjacent to the parking garage, 305 apartment units. The plans are submitted and it's under review. Former Logan School property, Bethel Park Retirement Community Living, located on Keystone Drive, and former BP School District Logan School, 132 unit development, independent senior living building. Partial approvals obtained and detailed site plans aren't yet received. Knaus apartment development located on Library Road near the intersection of Brightwood, construction of a 24 unit apartment building and the zoning is under review. Detailed site plans have not yet been received.

"Commercial developments, we have Enterprise Car Rental on South Park Road, the new building is being constructed and in operation. Spoonwood Microbrewery, the former Duke's Station on Baptist Road, is scheduled to be opened in January or February this year. Allegheny Health Systems, formerly Jefferson Regional Medical Center, new office site, Higbee Drive and Paxton Drive near Baptist Road, approved and under construction and it looks like it's going to be opened fairly soon. Cool Springs Golf Center on Hamilton Road and Baptist Road, remodeling of existing buildings and construction of new medical sports rehabilitation facilities and athletic field, approved and under construction. Hillcrest Christian Academy, new classroom construction, approved, construction is not started yet. Stepusin Veterinary Clinic on Clifton Road, approved, construction not started. Eat 'n Park on Library Road is approved, construction not started. Bruce Brother Tires on Hillside Drive near Sheetz, approved, construction not started. And finally, Millennium Shops, Shopping Center, on Library Road adjacent to Sheetz, zoning under review, detailed site plans not yet received. As you can see, there is a lot going on in Bethel Park in 2015. Perhaps the largest project that will be starting in 2015 and finishing in 2016 is the Bethel Park Volunteer Fire Department's new home. Construction is slated to begin later this year and to be finished in 2016.

"I believe that we, as a Council and staff, must continue to have the vision that Bethel Park will always be a work in progress and it is our responsibility to walk that delicate line between development and protecting our residents and our neighborhoods. Mr. President, it is my observation and my opinion is that the State of the Municipality is strong in all areas and I think that it continues to go forward and we are in a position to adequately meet our immediate and future challenges. Bethel Park continues to be blessed in so many ways. Thank you."

8. Approval of Minutes

Regular Council Meeting Minutes of December 8, 2014.

Motion by Mr. McLean and seconded by Mr. O'Brien to approve the Regular Council Meeting Minutes of December 8, 2014. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

9. Bills and Payrolls

Motion by Mr. McLean and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #011215 in the amount of \$1,474,428.10. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

10. Residents' Comments (non-agenda items only)

Beverly Moot, 5990 McPherson Avenue, updated the insurance matter relative to the fire in October next door to her at 5985 McPherson that caused water damage to her property. Since then she has appeared at each Council meeting to make Council aware of the situation. Since her last visit, the insurance agent for the fire company assured her that they would cover the damages and seek reimbursement from the other homeowner's agency. Even though it didn't happen as expeditiously as she was led to believe, she is pleased to say that an amicable settlement has been reached. While she has yet received the settlement, she was told the check is in the mail. She said that this entire process took much too long and was extremely hard on her and her husband both physically and emotionally. She would like to suggest that should a similar situation ever occur to someone else, that some of the younger, stronger volunteer fireman offer their assistance. The fire department now receives a dedicated tax from the residents of Bethel Park and it would go a long way in showing their appreciation for our support and tax dollars. She feels they should not have had to work and fight so hard for what is right. She hopes that Council chooses to listen and fix this problem before it happens to another family now that they know the long uphill battle that they faced.

James Guffey, 4135 Steiger Street Pittsburgh, Executive Director of South Hill Interfaith Ministries, spoke in regard to Chief Rogan's report on the Holiday Food Drive. Mr. Guffey thanked the Bethel Park Police Department and the Bethel Park community for the food donations made to SHIM. He wanted to make everyone aware of the outstanding work that Officer Rigatti and the other officers did in support of the community and the community outreach. On behalf of SHIM, the Board of Directors and the families that they serve, he said thank you. He also want to make us aware of the partnership with Allstate Insurance Company. Allstate was looking for a local partner to benefit and it was Officer Rigatti's suggestion that their support go to SHIM. In lieu of Officer Rigatti taking the check to purchase more food, it was arranged that the check go directly to SHIM to be used as leverage at the food bank and for other opportunities. A check in the amount of \$5,000 was donated to SHIM by Allstate Insurance.

Mr. Harrison mentioned that the check was in the amount of \$5,000.

11. Citizens' Comments – General Policy and Finance Items

None

GENERAL POLICY AND FINANCE

12. General Policy and Finance Items

Reappointment – Building and Fire Code Appeals Board

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Joseph P. Neidermeyer II to the Building and Fire Code Appeals Board for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

13. Reappointment – Building and Fire Code Appeals Board

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Raymond K. Woshner to the Building and Fire Code Appeals Board for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

14. Reappointment – Cable TV Board

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint Mathew K. McKee to the Cable TV Board for a term to expire on December 31, 2018. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

15. Reappointment – Civil Service Commission

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint Carl Denson to the Civil Service Commission for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

16. Reappointment – Library Board

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Kenneth L. Moir to the Library Board for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

17. Reappointment – Municipal Authority

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint George W. McTall to the Municipal Authority for a term to expire on December 31, 2019. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

18. Reappointment – Board of Parks, Recreation and Leisure Services

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Joshua I. Armstrong to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

19. Reappointment – Board of Parks, Recreation and Leisure Services

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint Bill Bonaccorsi to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

20. Reappointment – Board of Parks, Recreation and Leisure Services

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Leonard F. Spagnolo to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

21. Reappointment – Board of Parks, Recreation and Leisure Services

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint Mary Ann McArdle to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

22. Reappointment – Planning and Zoning Commission

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Thomas W. Klevan to the Planning and Zoning Commission for a term to expire on December 31, 2018. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

23. Reappointment – Zoning Hearing Board

Motion by Mr. McLean and seconded by Mr. O'Brien to reappoint Steven M. Regan to the Zoning Hearing Board for a term to expire on December 31, 2019. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

24. Reappointment – Zoning Hearing Board, Alternate

Motion by Mr. McLean and seconded by Mrs. Gibbons to reappoint Carol Stewart to the Zoning Hearing Board, Alternate, for a term to expire on December 31, 2017. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

25. Acceptance of Resignation of Municipal Planner Michael Smith

Motion by Mr. McLean and seconded by Mr. O'Brien to accept the resignation of Municipal Planner, Michael Smith, effective January 9, 2015. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

Mr. Harrison said:

“As I’ve indicated many time from this dais, my mother brought us up on adages and sayings and so the one I’m going to elude to tonight is that this country is going to Hades in a hand basket. Now, I’m sure if she was living today, she’d use stronger language and that but I’m speaking to it because we have a President of the United States that routinely violates the constitution. The people finally, apparently, got fed up with that and they changed the character of the Congress this time and hopefully that will rectify some of the problems that we have. The reason I am referring to that is because Bethel Park’s governing body ignores what I call the constitution of Bethel Park which is the Home Rule Charter that they actually passed an ordinance, well anybody that reads plain English can see that the Home Rule Charter says that an ordinance passed by this governing body does not become effective until thirty days after the action is taken. This Council put the fire company question on the ballot, submitted the paperwork within three days of Council taking the action. I actually spoke to that fact that night before the vote was taken indicating that it was clear that that was in violation of the Home Rule Charter. Now I’m not a lawyer, but I looked in my dictionary and that’s what I allege is misfeasance of this governing body when they knowingly violate the law of Bethel Park. It’s important to talk about this this time because this year 2015 is what’s called a local election, that’s when people that are serving on local governing bodies like Council are up for election. In the case of Bethel Park, there’s four seats on this Council, the second ward, the fourth ward, the sixth ward and the eighth ward which will be on the ballot this year. If people are upset with this governing body, living by the law to the best of their ability and they live in one of these four wards, they may want to consider whether they want to get involved in local government and the reason I’m speaking to it tonight is to get your name on the ballot, you have to file certain paperwork and that’s regulated by the elections board, it’s County and the date to start circulating the petitions is mid-February. So, if you have any interest and you want to learn about it, you can call the election bureau or you can call Don Harrison and I’ll tell you everything I know about it. It is important that the people recognize that we have a Home Rule Charter community and I, for one, expect that we would try to live with the law and this Council knowingly violated the Home Rule Charter. Thank you very much”

26. Citizens’ Comments – Planning and Zoning Items

None

PLANNING AND ZONING ITEMS

27. Planning and Zoning Items

Application No. 2014-0603 – Dawson Company, Construction of Apartments on Village Drive

Motion by Mr. Colella and seconded by Mrs. Gibbons to approve Application No. 2014-0603, Dawson Company, Construction of Apartments on Village Drive, in accordance with the Director of Community Services correspondence dated January 8, 2015. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

Mr. McLean thanked the developer, the Dawson Company, who was present, for having a neighborhood meeting. This is Mr. McLean's ward and he appreciates that they reached out to the people in Ward 7 and for those who will live closest to this development, it was very helpful. Also, Mr. McLean said he was present at the Planning Commission meeting when they considered and gave their recommendation for approval and he feels it is noteworthy to mention that he was a 20-year member of the Planning Commission prior to becoming a Council member. He said the Planning Commission was very high in praise in terms of the quality of the project and the ability of the developer in working with the Planning Commission. He also noted that the property is going to be leased by the Port Authority and, in discussions between the developer and Mr. McTiernan, even though it is leased there will be a transfer tax, the property is taxable and a block number will be assigned to this property. Mr. McLean said he thinks this is a quality project and that it will be an asset to the community and offered his thanks to the developer.

28. Ordinance – Amending Zoning Ordinance

Motion by Mr. Colella and seconded by Mr. O'Brien to approve an Ordinance of the Municipality of Bethel Park amending the zoning ordinance by transferring certain properties from Zoning Classification R-3 (One Family Residential District) to R-4 (Multiple Family Residential District) Zoning Classification, said property being located at 5625 Library Road (SR 88), and near the Library Road and Brightwood Road intersection. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

HEALTH, SAFETY AND WELFARE ITEMS

29. Health, Safety and Welfare Items

No Items

30. Citizens' Comments – Public Works and Maintenance Items

None

PUBLIC WORKS AND MAINTENANCE ITEMS

31. Public Works and Maintenance Items

Approval of 2015 Blanket Sewer Contract – B. Pepenella Company

Motion by Mrs. Gibbons and seconded by Mr. O'Brien to award the 2015 Blanket Sewer Contract to B. Pepenella Company for the hourly rate of \$949.00 for 2015 and \$949.00 for option year 2016. Motion Carried 6 – 0. Council Members Dixon, Moury and Pape absent.

32. Adjournment

Motion and second to adjourn at 8:20 P.M.

Manager

