

MUNICIPALITY OF BETHEL PARK

MINUTES OF REGULAR COUNCIL MEETING

Date: February 13, 2012

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

Present: Council Members Allen, Dixon, Gibbons, Hannan, Harrison, McLean, Moury, O'Brien and Pape

Absent:

Also Present: Mayor Morton; William Spagnol, Manager; Robert McTiernan, Solicitor; Judith Miller, Assistant Manager; Police Chief John Mackey; Gerard Duke, Municipal Planner; Mark Romito, Finance Director; Mike Smith, Environmental Engineer; Jean Statler, Municipal Engineer

2. Pledge of Allegiance

Flag Ceremony performed by Brownie Troop 55043 of the Bethel South Girl Scouts; Sarah Runco, Troop Leader

3. Chair Announcement

Mr. Moury announced that the February 27, 2012 Council Committee Meeting will be held at 7:30 p.m. in Council Chambers. The meeting will be televised live on BPTV.

Reports of Officials

4. Librarian'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 that the Library received \$85 in monetary donations from patrons to replenish the fish in the aquarium.

Upcoming programs include free AARP Tax Aide on Tuesdays from 10:00 a.m. to 2:00 p.m. through April 10th. This is a first come, first serve basis for those with low and middle income with special attention to those over age 60. Free computer classes are held each week for Microsoft Word, Basic Internet, Using e-mail, and Laptop Class for Windows 7. Ms. McIntosh said that registration is required and there is a wait list for the Windows 7 class.

She then announced that on Saturday, February 18 from 2:00 to 4:00 p.m., Donuts with Dads will take place. This program involves activities with you and your dad for students from K through 5th grade. Registration is required. Bark for Books will be held on Sunday, February 19th from 2:00 p.m. to 4:00 p.m. Sign up to read to a furry friend. Trained therapy dogs are great listeners. Each child will sign up for a 15 minute time slot to read. Registration is required.

Ms. McIntosh then announced Fundraising events. The Mother-Daughter Tea was a success with 86 participants, raising approximately \$1,000 to support the library's youth services programs. Chick-Fil-A Spirit Night will be on Monday, February 27th from 5:00 to 8:00 p.m. Mention the Bethel Park Library and the library will receive a percentage of the total sales for the evening. February is Love Your Library month. You can purchase a Paper heart for \$1.00 that can be displayed in the library behind the Circulation Desk.

At this time, Ms. McIntosh asked everyone to save the date for the Annual Gala. This year's event will be held on Friday, May 25th from 6:30 to 9:30 p.m. at the Bethel Park Community Center. The theme is Monte Carlo Night and tickets are \$25.00 each which includes appetizers, drinks and some play gambling money.

For more information on any of the programs and services offered by the library, visit the new, updated website at www.bethelparklibrary.org

At this time, Councilman McLean presented Ms. McIntosh with a monetary gift from Council for surveillance as a result of the recent fish theft.

5. Police Chief's Report

Chief John Mackey announced that the Bethel Park Crime Watch is going very well, and still recruiting new members. The next Crime Watch meeting will be held at the Community Center on Thursday, February 23, 2012 at 6:30 p.m.

He then mentioned that, as in the past, the Police Department will partner with the Drug Enforcement Administration on the National Drug Take Back Program. The next event will be held on Saturday, April 28, 2012 from 10:00 am to 2:00 p.m. at the Bethel Park Community Center. If you have expired or unwanted medications, you can bring it to the drop-off and the Drug Enforcement Administration will dispose of them in a safe manner. This is for pill form only and they ask that you do not bring the prescription bottles with your name, but to place them in a baggie.

Chief then thanked Dave Cable from BPTV. Dave has been assisting Officer Tom Rigatti in updating the Bethel Park Police website. You can now go to the website to file police reports, such as traffic issues, street light outages or Municipal Ordinance violations. The website is www.bethelpark.net then click on the Police tab, then chose your option.

Chief Mackey announced that the annual Police Pals vs. Steelers benefit basketball game will be held on March 16, 2012 at the new Bethel Park High School gymnasium. A pre-game between the police and fire departments will begin at 6:00 p.m., and the Police Pals vs. Steelers game begins at 8:00 p.m. The concession stand opens at 5:30 p.m. Proceeds go the Sergeant Charles Bonczek Bethel Park Police Association College Scholarships, which are awarded to LEAP students. Tickets are \$7.00 in advance or \$9.00 at the door and can be purchased at Evey Hardware, Eat 'n Park on Route 88 or the Police Records Room at the Municipal Building.

Mr. Moury said that he and Mr. Hannan attended the Citizens' Police Academy two weeks ago and he wanted to thank the Port Authority for sending their officers who did a demonstration with their dogs. He said this is a very interesting program and he hopes we have money in the budget for next year. He thanked Chief Mackey and Officer Rigatti and all the members of the police department.

6. Fire Chief's Report

Third Lieutenant Tom Kelton of the Bethel Park Volunteer Fire Company announced that they are still taking applications for new members. He then gave the fire report for the month of January.

Lt. Kelton reminded residents to check their chimneys and fire places annually even if you don't use them. He then said that the new fire truck has arrived. The truck is not available for fire calls until all the equipment is installed and training takes place. He said that they are always taking donations and you can do so on the website at www.bethelparkvfc.com and that the mailers will be coming out in the next month or so.

Mr. Harrison said that he promised the fire company that each month he would remind the public that the fire company is a volunteer group and they rely upon donations from the public and he thoroughly encourages people to make their contributions.

7. Mayor's Report

The Mayor announced the 90+ Club birthdays for February. Mayor Morton then said he saw Mr. Leonard Tischler recently who gave him an old copy of the Bethel Township News. The Mayor read excerpts from an edition from July of 1939.

Mr. Moury mentioned that there was a wonderful article recently in the Pittsburgh Post Gazette about Mayor and Joan Morton. He read two excerpts from the article about how Mayor and Mrs. Morton met. He offered his congratulations to the Mayor and his wife.

8. Approval of Minutes

Regular Council Meeting Minutes of January 9, 2012.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of January 9, 2012. Motion Carried 9 – 0.

9. Bethel Park Ward Reapportionment Plan Public Hearing of January 23, 2012.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Bethel Park Ward Reapportionment Plan Public Hearing Minutes of January 23, 2012. Motion Carried 9 - 0.

10. Bills and Payrolls

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #021312 in the amount of \$1,761,017.44. Motion Carried 9 - 0.

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

None

GENERAL POLICY AND FINANCE

12. Citizens' Comments – General Policy and Finance

None

13. Reappointment – Building and Fire Code Appeals Board

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Raymond K. Woshner to the Building and Fire Code Appeals Board for a term to expire on December 31, 2014. Motion Carried 9 – 0.

14. Reappointment – Cable Board

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint George Zifchak to the Cable Board for a term to expire on December 31, 2015. Motion Carried 9 - 0.

15. Reappointment – Civil Service Commission

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Carl Denson to the Civil Service Commission for a term to expire on December 31, 2014. Motion Carried 9 - 0.

16. Reappointment – Library Board

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Kenneth L. Moir to the Library Board for a term to expire on December 31, 2014. Motion Carried 9 - 0.

17. Reappointment – Municipal Authority

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint William W. Ruhl to the Municipal Authority for a term to expire on December 31, 2016. Motion Carried 9 - 0.

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

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Josh Armstrong to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2014. Motion Carried 9 - 0.

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

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Bill Bonaccorsi to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2014. Motion Carried 9 - 0.

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

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Jeffrey Greer to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2014. Motion Carried 9 - 0.

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

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Mary Ann McArdle to the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2014. Motion Carried 9 - 0.

22. Reappointment – Planning & Zoning Commission

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Tony Fisher to the Planning & Zoning Commission for a term to expire on December 31, 2015. Motion Carried 9 - 0.

23. Reappointment – Planning & Zoning Commission

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Harry A. Fuerher to the Planning & Zoning Commission for a term to expire on December 31, 2015. Motion Carried 9 - 0.

24. Reappointment – Planning & Zoning Commission

Motion by Mr. Hannan and seconded by Mr. Allen to reappoint Mark Viehman to the Planning & Zoning Commission for a term to expire on December 31, 2015. Motion Carried 9 - 0.

25. Appointment – Zoning Hearing Board

Motion by Mr. Hannan and seconded by Mr. Allen to appoint T.J. Willetts to fulfill a vacancy on the Zoning Hearing Board for a term to expire on December 31, 2016. Motion Carried 9 - 0.

26. Appointment – Board of Parks, Recreation and Leisure Services

Motion by Mr. Hannan and seconded by Mr. Allen to appoint Arlene Bakey to fulfill a vacancy on the Board of Parks, Recreation and Leisure Services for a term to expire on December 31, 2013. Motion Carried 9 - 0.

Mr. Hannan said that he appreciates all the people that are appointed to the various Boards and Commissions as they help the community by doing a good service to our town. They make this community what it is and he thanks them for their efforts.

Mr. Harrison said he hopes the public notices his red flag warning. It is there to call attention to the general public, his supporters that have interest in the operation of our local government. He said he wants to tell them what has been discussed. He said the Mayor scared the Gold Card Club members by being allowed to provide to them with what he considers untruths, scare tactics, relative to the Tax Petition. He said the Tax Petition Committee was not allowed to interact with the Gold Card Club, because the table was positioned out of site. Mr. Harrison then spoke about the budget approval process and the need for time for tax payers to challenge the ordinance. He spoke about Council and Mayor salaries and how our local rules address the fact that Council has authority to determine the pay. Mr. Harrison talked about his disease and how it affects his ability to park and access the building. He then explained his request to use the parking space that is specified for viewing the Veterans' Memorial. He said he's received warnings from the Police Department for parking at the Veterans' Memorial spot and that when Sergeant McLean delivered his Council mail that Thursday, he did not slam the door in his face. Mr. Harrison said he was not involved in the discussion on the 14.4% tax increase nor did he receive information in his Council mail packet. He said he will dispense his elected duties regardless of the roadblocks and harassment employed by the local government.

Mr. Hannan addressed Mr. Harrison's comments by reading portions of the Bethel Park Home Rule Charter as well as the Constitution of the State of the Commonwealth of Pennsylvania and how they relate to compensation for Council Members and Mayor. He said that Mr. Harrison directed the Manager to prepare two ordinances, one that would reduce compensation, the other to remove compensation. Mr. Hannan said he cannot do this as it takes a consensus of five Council Members to direct the Manager. Mr. Hannan then explained his position on the Tax Petition Committee by saying that he did not interfere with the work by the Committee, but that he was explaining his position and stating to one individual that they cannot sign the petition if they were not registered to vote.

Mr. Allen said he was at the Library that morning after receiving a call from one of his residents asking if it was true that their taxes would increase by 34.4% as she was told by someone on the Tax Petition Committee. Mr. Allen explained to her that the tax increase would affect the Municipal tax only.

Mr. O'Brien addressed the issue of the Veterans' Memorial parking spaces and that they were created for use by veterans who come to visit the memorial anytime of the day. He explained the process of how the parking spaces became a reality and that Council agreed to put up the signs without instituting an ordinance.

Mr. Harrison said he thinks he requested the solicitor to render an opinion on the State and local law regarding Council salaries and that he never proposed that we change salaries during someone's term. He said he will run for office again next year and if we decide to change salaries, anybody that gets elected will get the pay that's specified in any change we make in 2013. Mr. Harrison then said that Mr. O'Brien said there is no ordinance on the signs and that he does not seem to care that officers are issuing tickets and warnings when there is no basis for it. He then said that he, too, is a veteran.

Mr. O'Brien said that Mr. Harrison should honor the parking situation. They are there for the Veterans' Memorial, not municipal business.

Mr. Harrison said he challenges Mr. O'Brien to go out there any night and see that the spaces are available, and that he is currently parked there.

Mr. Pape said that in 1977, Mr. Harrison asked the Municipal Manager to pay for his wife to attend a convention in Philadelphia. He also said that he has received calls from his constituents asking if their taxes would increase \$1,000 or \$1,200 a year. Mr. Pape told them no and that if this increase would raise taxes that high, he would sign the petition himself.

Mr. Moury said Mr. Harrison has beat up on everyone tonight. He said that most of what Mr. Harrison is saying is not true. He said the Tax Petition Committee did not, in fact, submit the required signatures by the required date. They did not meet the mandated 60 days with the 2,800 signatures. He said that Mr. Harrison never contributed anything to reduce the budget and that he received many calls from people complaining about the Tax Petition Committee and how the

committee treated people at various locations around Bethel Park. Mr. Moury then described the situation that occurred at the Community Center during the Blood Drive in late December, as well as the Mayor's involvement with explaining the facts of the tax increase to the Gold Card Club. Mr. Moury then explained the policy for setting up tables in municipal buildings to collect signatures on petitions and the like and that Mr. Harrison did not follow procedure. He then described the budget process and the tax increase and how Mr. Harrison was asked for input. He said Mr. Harrison did not want to deplete reserves, but voted against the tax increase, which is his prerogative.

Mr. Dixon made some clarifications to what Mr. Harrison stated. He said he is alarmed by Mr. Harrison's behavior and the erratic nature of his reasoning. Mr. Dixon said that no one on Council wanted to raise the millage 1.25 mills, instead they worked together to wrangle something lower than that and that upset Mr. Harrison. Mr. Dixon said there was no interference with the Tax Petition Committee and that Council was clarifying points that needed to be clarified. He said that he is also defending the Mayor regarding comments made by Mr. Harrison as to the Mayor's so called scare tactics on the tax situation to the Gold Card Club.

Mr. Moury said that Mr. Harrison alluded to the fact that he did not receive a memo from staff about the \$1.3 Million surplus. He said that everyone on Council did receive the memo and did not understand why Mr. Harrison did not bring up the fact that he did not receive a copy while they were at the meeting. He said that there is no conspiracy against Mr. Harrison, he just did not read his mail. Mr. Moury thanked the staff for all they do.

Mr. O'Brien then thanked Mr. Moury for his leadership and dedication to this Council, especially during these difficult times. He said as far as the Veterans are concerned, he honors them for why they are on the memorial, especially the ones who gave their lives for this town.

Mr. Allen apologized to the people of Bethel Park for having to endure watching these meetings.

PLANNING AND ZONING ITEMS

27. Citizens' Comments – Planning and Zoning Items
28. Ordinance – Reapportionment

Motion by Mr. Dixon and seconded by Mr. Allen to approve the Ordinance adopting the Reapportionment Plan for the Municipality of Bethel Park. Motion Carried 9 - 0.

Mr. Dixon commented that the map of the Reapportionment will be available for public viewing in the Bethel Park Public Library.

Mr. Dixon had one additional item. He spoke about the beginning of the long awaited Broughton/Baptist Road intersection project. Preliminary work has begun. Step are being taken to alleviate traffic nightmares. He asked Mr. Duke to give an outline of the plans.

Mr. Duke said the work is scheduled to begin on March 15th. Council met and discussed the options for control traffic. Council employed Trans Associates to perform a traffic study. As a result, Trans Associates made recommendation that will be forwarded to PennDOT for final authorization before construction begins. The traffic changes will affect Broughton Road, Locust Road, Pinette Street and Jordan Street. If PennDOT is in agreement with the findings, these items will be put into place.

Mr. Dixon said it was a consensus of Municipal Council to go with this plan and are awaiting approval from PennDOT.

HEALTH, SAFETY AND WELFARE ITEMS

29. Citizen's Comments – Health, Safety and Welfare Items

None

30. Health Safety and Welfare Items

Resolution – Disposition of Records

Motion by Mr. McLean and seconded by Mr. Allen to adopt the resolution for the disposition of public safety records, in accordance with the Pennsylvania Historical and Museum Society regulations. Motion Carried 9 - 0.

Mr. McLean said that residents of Ward 7 report that some people are parking in the Oakhurst neighborhood since the new school opened. He believes this situation is temporary and will be rectified once parking lots are completed on the high school campus. Mr. McLean stated that this evening, Council adopted a Manager's 90-Day Clause for the installation of no parking signs on sections of Oakhurst, Carlton and Marbury Roads which will prohibit parking on Monday through Friday between 8:00 a.m. and 2:00 p.m. He wanted residents in that area to be aware of this and get the word out to people that effective tomorrow, you can be ticketed for parking there.

PUBLIC WORKS AND MAINTENANCE ITEMS

31. Citizens' Comments – Public Works and Maintenance Items

None

32. Public Works and Maintenance Items

Front Loader/High Lift Purchase

Motion by Mr. O'Brien and seconded by Mr. Allen to approve the purchase from Groff Tractor and Equipment of a Case 621E High Lift, with 4-year warranty for \$64,000, which includes a \$55,000 trade-in for the current Case 621D High Lift, in accordance with the Community Services Director's correspondence dated January 6, 2012. Motion Carried 9 – 0.

33. Sewer System Blanket Construction Contract

Motion by Mr. O'Brien and seconded by Mr. Allen to award Contract 2012-01, a time and material Sewer System Blanket Construction Contract valued at \$300,000.00 to the B. Pepenella Company, in accordance with the Municipal Environmental Engineer's correspondence dated January 19, 2012. Motion Carried 9 – 0.

34. Adjournment

Motion and second to adjourn at 8:56 p.m.



Manager