

MUNICIPALITY OF BETHEL PARK

MINUTES OF REGULAR COUNCIL MEETING

Date: March 10, 2014

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

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

Also Present: Mayor Allen; William Spagnol, Manager; Judith L. Miller, Assistant Manager; Gerard Duke, Director of Community Services; Robert McTiernan, Solicitor; Police Chief John Mackey; Michael Smith, Municipal Planner/Assistant Director of Community Services; Joseph Villella, Finance Director; Jean Statler, Municipal/Environmental Engineer

2. Pledge of Allegiance

3. Chair Announcement

Mr. Moury announced that there is one item added to the agenda, an appointment to the Municipal Authority under General Policy and Finance

Executive Session of Council was conducted on Monday, February 24, 2014, to discuss Police Personnel matters and on Monday, March 10, 2014, to discuss Police Personnel matters.

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 gave the Year 2013 State of the Library Report.

She then said that the Fireplace Room is currently undergoing renovations to add additional space for programming when needed.

Ms. McIntosh announced the current programs at the Library. AARP Tax Assistance is available on Tuesdays through April 8th, from 10:00 a.m. to 2:00 p.m. for seniors and low income residents. Volunteers can assist with simple returns only.

An Affordable Care Act 101 presentation will be held on Thursday, March 13th at 1:00 p.m. by PA Health Access Network to review the insurance reforms and explain choices. From 2:00 to 8:00 p.m., Certified Application Counselors will be available in the Library to assist with the application process. Appointment is needed.

The Library will be closed on Sunday March 23rd and Monday, March 24th for County-wide computer systems software upgrades. The Library will reopen on Tuesday, March 25th at 1:00 p.m. with a new circulation system.

For more information on these and the many other programs and services offered by the library, visit the library's website at bethelparklibrary.org.

Mr. Moury asked how the fish were doing and Ms. McIntosh said they are fine.

5. Police Chief's Report

Police Chief John Mackey announced that the next Crime Watch meeting will be held on Monday, March 24, 2014 at 6:30 p.m. at the Bethel Park Community Center.

Chief then announced that the next Drug Enforcement Administration Drug Take Back program will be held on Saturday, April 26, 2014 from 10:00 a.m. to 2:00 p.m. at the Bethel Park Community Center as well as the Highmark Direct Building at Norman Center. Only unwanted or expired pills are accepted, no liquids or needles.

The Police Pals vs. Pittsburgh Steelers Basketball Game is scheduled for Friday, April 4, 2014 at 8:00 p.m. at the Bethel Park High School Gymnasium. A pre-game between the Bethel Park Police and the Bethel Park Volunteer Fire Company will be held at 6:00 p.m. Tickets can be purchased at Evey Hardware, Eat 'n Park on Route 88 and the Police Records Room for \$7.00 each, or at the door the evening of the event for \$9.00 each. Proceeds from this event will benefit the Sgt. Charles Bonczek Scholarship Fund.

Donations were made by several businesses for the raffle. Chief Mackey thanked the following people for their donation: Miller Hardware for a 60-inch HDTV and a Steelers grill, I-Pad donated by Best Buy, Penguins tickets donated by Giant Eagle and Fridays, Foursome of golf at South Hills Country Club donated by Dr. Snyder, legal services donated by Dan Flynn, laser hair removal donated by Allegheny Physical Medicine, autographed memorabilia from the Pittsburgh Steelers and Pittsburgh Penguins and numerous gift certificates from Bethel Bakery, Delallos, Fridays, Al's Café, Olive Garden and Bed Bath and Beyond.

6. Fire Chief's Report

Fire Chief Dave Gerber gave the fire report for February. In addition, Chief Gerber reminded residents that when we change our clocks, we should also check batteries in both the smoke and C.O. detectors. He reminded residents that there is no open burning allowed in Bethel Park. If you have leaves, they must be placed in bags and recycled. Small recreation fires in fire pits are allowed.

Chief Gerber said that the fire company has moved out of their facility on Brightwood Road in anticipation of the construction of the new fire station. In the meantime, the phone lines to reach him are temporarily down, but you can still reach him on their website or online.

Mr. Moury clarified that all emergency calls are not affected and still being taken by dialing 911 or 412-833-2000.

7. Mayor's Report

Mayor Allen introduced our new Council Member, Brandon Colella.

Mr. Colella thanked the Mayor and said that he was recently appointed to Ward 2 Council. He then thanked his fellow Council members for this opportunity and the appointment. He said he appreciates all the help and direction given to him in the past few weeks. He said he looks forward to working with all the department and department heads and most importantly with the residents of Ward 2 and Bethel Park as a whole. His contact information is available on the Bethel Park Website.

Mayor Allen announced the upcoming Spring Clean Up Day which will be held on Saturday, April 26. More information, registration and locations that need attention, can be obtained by contacting Michelle Baynham at the Municipal Building at 412-831-6800 extension 203.

Mayor Allen gave an overview of the snow season for 2013-2014. He then introduced Public Works Supervisors Jim Adkins and Susan Dolinar and several of the Public Works employees who worked so diligently on this season's snow removal operations, during the day, evening, weekends and holidays. In attendance were Bob Edkins, Greg Miller, Ron Gorecki, Jeff Lorenzato, Joe Forte, Doug Hudson and Dan Kloshen. Most notably, Mayor recognized that Doug Hudson and Dan Kloshen, as well as Kevin Sweitzer and Bryan Weiland, who were not in attendance, did not miss one of the 47 call outs during the entire snow season. On behalf of Bethel Park, he thanked them for all they've done and for the month of March, they are the ones that make Bethel Park a Better Place to Live.

Mr. Duke thanked the men and women of Public Works as this was an extremely hard and difficult winter. He thanked members of Council for providing the equipment that we need to fight the snow. We have some of the best equipment in the South Hills. It is newer and kept in great shape by our staff. The men and

women behind the orange trucks are the ones that keep it going. He thanked them for all their hard work.

Mr. Harrison said that we may remind the people that if you believe the weather prognosticators, it is not over yet.

Mr. Spagnol congratulated everyone here because every year our crew does a great job on the roads. Last year, Bethel Park was recognized by the Post Gazette for having the best roads in the South Hills, Allegheny County. He said the men who do the snow removal do a great job, but also our Supervisors are out there all the time, behind the scenes making sure everything gets done. He then said that Jerry Duke, our Director of Community Services, comes out for every snow event as well, working with Jim Adkins and Susan Dolinar and the men of our crews. He thanked them all for a job well done.

8. Approval of Minutes

Regular Council Meeting Minutes of February 10, 2014.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of February 10, 2014. Motion Carried 8 – 0. Council Member Colella abstained.

9. Bills and Payrolls

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #031014 in the amount of \$1,225,419.75. Motion Carried 9 – 0.

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

Mr. Chuck Schmeler, property owner of apartment building located at 5388-5398 Main Street. He said he represents the 22 families that live there. He is requesting help in solving a health and safety problem associated with the Municipal alleyway located directly behind the apartment building. He said that the Municipality has performed little or no maintenance on the alleyway where the trash dumpsters have been stored since the apartments were constructed several decades ago. During the winter weather, Waste Management is unable to access the area due to the condition of the unkempt alleyway and Waste Management has sent them notices that they are prevented from picking up the trash. In September 2013, Todd Carter sited them for the unmaintained and dilapidated drive aisle located at the read of said property. After referring the matter to their house counsel, conversations were held between them and the municipal staff. Mr. Carter and Mr. Sarver were asked to clarify the Municipality's position in writing on several occasions. To date, they have not received anything in writing. Bethel Park has not maintained the alleyway, it was adopted for red dog maintenance only and the complex was not allowed to relocate the dumpsters to the front or side of the building without a variance. He said that they have contacted Solicitor McTiernan by letter and phone and have

not yet received a reply. He asked that Bethel Park take written responsibility for the alleyway and Bethel Park enter into a constructive dialog with them to work out a solution, otherwise they will have to seek relief from the courts.

Mr. Harrison asked if this was the time to announce an additional item to General Policy and Finance.

Mr. Moury replied that he announced it at the beginning of the meeting.

GENERAL POLICY AND FINANCE

11. Citizens' Comments – General Policy and Finance Items

None

12. Appointment – Planning and Zoning Commission

Motion by Mr. McLean and seconded by Mr. O'Brien to appoint Kirk L. Thompson to the Planning and Zoning Commission for a term to expire December 31, 2017. Motion Carried 9 – 0.

13. Appointment – Zoning Hearing Board, Second Alternate

Motion by Mr. McLean and seconded by Mr. O'Brien to appoint Shane E. Hollerich to the Zoning Hearing Board, Second Alternate, for a term to expire December 31, 2015. Motion Carried 9 – 0.

14. Appointment – Municipal Authority

Motion by Mr. McLean and seconded by Mr. O'Brien to appoint Daniel J. Cheberenchick to the Municipal Authority for a term to expire December 31, 2018. Motion Carried 9 – 0.

Mr. Harrison said:

“I have two items I'd like to inform the public on. Number one is for some eight years now, I've been working on getting the Prevailing Wage legislation in Pennsylvania modified. Representative Maher has been very cooperative in past years. Twice he's introduced legislation. Just quickly, I won't go into detail, but Prevailing Wage Legislation was signed by Governor Lawrence in 1961 and it says if a project that a body like Bethel Park Municipality wanted to do, if it was valued at \$25,000 or more, then it required what's called the Prevailing Wage Determination. The result of that basically is the cost of the project is greater because the determination tends to be paying Union wages versus paying the wages of a lot of these projects are done by what I call the mom and pop type organizations that are not Union. In January, I indicated from this seat that I once again am going to work on this project and indicated, as I did now, that Representative Maher has been helpful. The day after the January meeting, I sent an email to Representative Maher letting him know I spoke to it and asking him to

inform me of the status. At the February meeting, I told, for the record, that I had not heard from Representative Maher. At the March meeting, I am going to tell you I have not heard from Representative Maher and the reason I'm mentioning that is that I know the public is not really familiar with the prevailing wage but it does cost the Municipality more money to do the projects we have to do on behalf of the public. So, if they think at least Representative Maher ought to communicate with me, maybe they could give this office a call. The second think I wanted to talk about, and it's probably even more obscure is a so called Card Check. Now what Card Check is, if a Union wants to organize a group of people, they have to determine the size of the group and then they have to get a card signed by 50% plus one of that group to require a vote to determine if that group wants a union. I can tell you that personally, I've gone through three attempts by Unions to organize a group where they got the number of cards but yet in the secret vote, the people that were in the Union voted it down. The problem is that when the Union wants the card to be signed, they intimidate people, they threaten people, they harass people, they call the families, like I say I've been through it, and one of the reason I wanted to discuss it tonight is that if you pay attention to the news, the Union, a Union, tried to organize the VW Plant down in Tennessee and they got the number of signatures they needed but yet when the secret vote came, the Union did not win, they lost. And in a Card Check situation, if they get 50% plus one of the people in the unit, then there is no vote. Well, I just think that's contrary to our form of government. So I just wanted to inform people that that is another item that I'm going to keep you posted on. And unfortunately, our national representative, the Congress, Murphy, supports Card Check and I called his office to let him know that I am going to be discussing it, but I haven't heard from them. Thank you very much."

Mr. O'Brien said:

"Just to let people know, I am a card carrying Union member and no one's ever threatened me or coerced me. It has provided a great living for me with benefits, vacation and overtime."

Mr. O'Brien said that we still have time to file an appeal for taxes for 2014 for property assessment. The deadline is March 31, 2014. If you think you did not have your due in 2013, you get another chance this time.

PLANNING AND ZONING ITEMS

15. Citizens' Comments – Planning and Zoning Items

None

16. Planning and Zoning Items

Ordinance – Rezoning Property Located at 5150 Library Road

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the Ordinance transferring certain properties from Zoning Classification R-3 (One Family

Residential District) to C-2 (General Commercial District) Zoning Classification, said properties being located at 5150 Library Road (SR88). Motion Carried 9 – 0.

17. Resolution – Jefferson Regional Medical Center, Bethel Park Expansion, 1000 Higbee Drive

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the resolution for the Jefferson Regional Medical Center Expansion, 1000 Higbee Drive, Sewage Facilities Module Resolution. Motion Carried 9 - 0

18. Ordinance – 2014 Bethel Park Agreement of Sale to Cool Springs Associates, L.P.

Motion by Mr. Dixon and seconded by Mr. Hannan to approve the 2014 Bethel Park Agreement of Sale to Cool Springs Associates, L.P., Block and Lot No. 317-M-150. Motion Carried 9 - 0.

19. Resolution – Park Avenue Athletic Field Improvements

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the resolution for requesting an RAAC Grant for the Park Avenue Athletic Field Improvements. Motion Carried 9 - 0.

20. Resolution – Easement, Millennium Park for Pennsylvania American Water Company

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the resolution for Pennsylvania American Water Company requesting an easement in Millennium Park. Motion Carried 9 - 0.

Mr. Moury said that for the record that is a small area along Baptist Road on both sides of the newly erected bridge.

Mr. Harrison asked what other restrictions there are on the use of our property over there and will it keep up from developing the area.

Mr. Moury replied that it will not. It is adjacent to the bridge.

HEALTH, SAFETY AND WELFARE ITEMS

21. Citizens' Comments – Health, Safety and Welfare Items

None

22. Health, Safety and Welfare Items

Resolution – Disposition of Records

Motion by Mr. O'Brien and seconded by Mrs. Gibbons 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.

PUBLIC WORKS AND MAINTENANCE ITEMS

23. Citizens' Comments – Public Works and Maintenance Items

None

24. Public Works and Maintenance Items

2013 Road Program

Motion by Mrs. Gibbons and seconded by Mr. O'Brien to award the 2014 Road Program Contract to Morgan Excavating, Inc., in the amount of \$1,424,570.60, in accordance with the Municipal Engineer's correspondence dated February 20, 2014. Motion Carried 9 – 0.

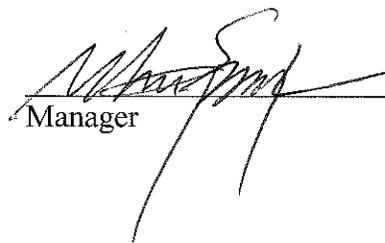
Mr. Moury thanked Jean Statler for all her work putting this together. It is a bit more than what we normally spend in an average year, but with the winter we have had, it is much needed.

Mr. Dixon commented that his family welcomed his brave warrior home. His son, Barry, was discharged from the U.S. Army last week. He welcomed him home and said as happy as he is, we should see the smile on his mother's face.

Mrs. Gibbons said she wanted to let residents know that due to how dirty the streets currently and after the long, cold winter, we are in the process of obtaining information on street sweeping and will be voting on it next month.

25. Adjournment

Motion and second to adjourn at 8:15 P.M.


Manager