

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** May 13, 2013

**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

Also Present: Mayor Morton; William Spagnol, Manager; Judith 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 Vilella, Finance Director; Jean Statler, Municipal/Environmental Engineer

2. Pledge of Allegiance

3. Chair Announcement

Executive Session of Council was conducted on Monday, April 22, 2013 to discuss Police personnel issues and on May 13, 2013 to discuss personnel issues and Police Department issues.

### **Reports of Officials**

4. Mayor's Report

Mayor Morton introduced Rachel Thieroff, Reference Librarian and President of the Rotary Club, and Bonnie Pierce and spoke about the Positive Athlete Awards Program which was begun by former Pittsburgh Steelers Hinds Ward. The students are chosen by their coaches because they demonstrate optimism, encouragement, leadership, heart for others, they admit imperfections, are a positive but not perfect athlete, give 100 percent, and always put their teams first. Awards were given to twenty-five Bethel Park High School Student Athletes.

Mayor Morton announced the 90+ Club birthdays for May.

Mayor Morton read a Proclamation honoring Tri Community South EMS. National EMS week is May 19 through 25 with the theme, EMS, One Mission, One Team. Phil Vargo was present to accept the proclamation and he introduced several of the EMS paramedics. Mr. Vargo encouraged residents to subscribe to EMS and also to take a CPR class.

Mr. Harrison said he would like to do a dedication for the plaque with the Eagle Scouts for the stone planter project in front of the building. A date will be announced.

5. 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 that the Children's Choice Awards, a Countywide program for 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> graders, was held on Friday, May 10, 2013 at the Community Center. Senator Matt Smith attended and spoke to the students.

Upcoming programs were announced. Predator Prevention Program will be held on Tuesday, May 14 at 7:00 p.m. This program is presented by Pro Martial Arts of Bridgeville who will instruct kids and parents about real safety issues and the importance of good communication and appropriate behavior between parents and children.

Instruction to Drawing will be held on Wednesdays from 11:00 a.m. to 12:30 p.m. beginning May 15 through June 5. Steve Korpa, a retired Art Teacher from the Pittsburgh Public Schools who suffers from Macular Degeneration, will instruct the class. This is a free four week course and is perfect for beginners.

Puppet Workshop will be held on Saturday, May 18<sup>th</sup> from noon to 3:00 p.m. at the Community Center with staff from the Children's Department. Cheryl Capezutti will attend and is an award winning puppet maker.

Ms. McIntosh thanked everyone who attended the book sale and purchased books. The sale raised just under \$3,000. She also thanked Michele Loria, Circulation Director, for her work organizing this event.

In addition, she announced that Christmas in July Lottery Raffle tickets are available in the Library for \$5 each.

For more information on any of the programs and services offered by the Library, visit the website at [www.bethelparklibrary.org](http://www.bethelparklibrary.org)

6. Police Chief's Report

Police Chief John Mackey announced that this is Police Memorial Week. Chief provided blue ribbons and invited residents to attach to vehicle antenna in support of the services provided by the police department and to honor the sacrifices made

by two officers who passed in the line of duty. They are Bethel Park officer Joseph Chmelynski in March 1948 and Detective Lynn Sutter in March 1987. Ribbons are available in the Police Records Room, Skip Young Auto on South Park Road at Drake Road or at Evey Hardware on Route 88.

The next Crime Watch meeting will be held on Monday, May 20<sup>th</sup> at 6:30 p.m. at the Bethel Park Community Center. Guest Speaker is Dr. Tom Muller from California University. Dr. Muller is involved, along with his students, in a Crime Mapping Project.

The recent National Drug Take Back Program on April 27<sup>th</sup> was a great success. They collected 350 pounds of unused or expired medications. The next event will be held in the fall. The date will be announced.

Chief Mackey spoke about the tragedy that took place a few weeks ago in Boston. Shortly thereafter in Bethel Park, there was an issue where a person at South Hills Village made reference to the Boston bombings and that he possessed the same materials that were used there. Two very alert citizens heard this and called the police. Chief reminds all citizens to be vigilant and report any suspicious matters, either by calling the Dispatch Department or the Tips Line.

Chief said he spoke at several Council meetings about the Child Identification Program. He introduced Cindy Cooney who represents the Murdoch family. Cindy, on behalf of the Murdoch Family and South Park Shops and through the Community Foundation, presented a check to the Police Department for \$2,000 for this program. She thanked the Police, Fire Company and EMS for their partnership with South Park Shops. Chief Mackey thanked Cindy and the Murdoch family on behalf of the Police Department and the entire community for their generous donation.

#### 7. Fire Chief's Report

Fire Chief Dave Gerber gave the fire report for the month of April.

Chief Gerber said that there will be an Open House at the Brightwood Fire Station on Sunday, May 19<sup>th</sup> from 12:00 noon until 4:00 p.m. He invited the residents to stop by. He then introduced Jeff Prichard, President of the Fire Company.

Mr. Prichard spoke about the upcoming Referendum on the May 21, 2013 Election Ballot. He said that the fire company looked for many ways to keep financially sound after donations from residents and businesses declined. After meeting with government leaders from the federal to the local levels and discussing how they could remain financially strong and the result was that they would have to be funded at the local level. A committee was formed by Bethel Park so that they could discuss how the fire company could continue to provide the emergency needs and the residents and business of Bethel Park. After three years of meetings, it was determined that a dedicated stream of funding was necessary. A long term financial plan was discussed with Municipal Council with a final outcome that the creation of a referendum which would give the

Bethel Park residents an opportunity to vote on either providing a dedicated support for the fire company or defeat the referendum and cause the volunteer fire company to cease to exist. That would result in a paid fire department. The Bethel Park Volunteer Fire Company wants to avoid this path. The Fire Company would like the referendum to do two things, create a dedicated funding in the amount of .34 mils that will be used for day to day operations, as well as the construction of the new fire station on Brightwood Road and to keep the fire company out of the political arena. The fire company has placed the large Vote Yes signs in yards and will send information cards out to the residents. Fire company members will be stationed at polling place on Election Day to answer any questions the voters may have. He encourages residents of Bethel Park to vote yes for the referendum.

Verbatim Text:

Mr. Moury said:

"I just want to make a few comments, I guess now is the time to be appropriate from the Municipal side. I think we talked about the upcoming election on May 21<sup>st</sup> and the number of people I've talked to have a lot of questions which is really healthy, I think, for the community. Just to go over some of the issues and some of the things that we've talked about. I guess first and foremost, it's a .34 mil dedicated funding source for the fire department. I believe on average it's going to be about \$47 per household. This will not go into effect until the tax year of 2014. It will not be this year, it will be 2014. And the way the process is going to work is the Municipality will collect all the money and we will issue all checks to all the vendors. It will be done through a separate line item in our budget. Those numbers will be audited. No disrespect to the Fire Department, we felt it would be very clean if we were to take over all three of the properties. And that is probably one of the big things the Fire Department is giving up is ownership of the facilities. If this passes, this Council, along with our Solicitor, will develop a long-term agreement that we will own and operate the buildings themselves. The .34 mil dedicated tax, we have money built in there, we have projected what a debt service for about a \$8.2 Million bond issued would be, we have money built in there for the operations and also a Capital Improvement plan because we know there are three fire stations, and we know in the future they're going to need some work. So, all this will be operated, it will be all owned by the Municipality, all funds will be audited by our auditor, it will be in our yearly budget for access for everybody to view. I really think this is the best alternative. I was part of the group that met with the Fire Department. They were very open and honest. We dealt with a lot of issues, but I think in the end this is the way the group chose, I think the Department chose. We appreciate everybody coming here tonight in support. It's a challenge asking people to vote to increase taxes but I think for more than 80 years we were able to get this service at no cost to the Municipality. We did not, there is no Municipal tax dollars that go into the operation of the funding of the Fire Department. That is one of the things that people also asked me because they assumed that we covered a lot of things. We don't. We cover their insurance, we cover the fire hydrant rental and I believe right now, a few years ago, we give them a stipend for fuel every year. But, there's no tax dollars

going to the operation of the Fire Department. As I've said before, I support this. Hopefully, this will be the last time I talk about it. And really for the public's perspective and from Council from my perspective is this isn't about me, this isn't about everybody sitting up here. This is about the Fire Department, this is about securing a long-term dedicated funding source. They don't want to get involved with us even though they kind of like us, I think. They don't want to have to deal with us every year. They want to be able to fight fires. And one appreciation I've grown for the firemen over the years is the time they dedicate, the hours to train, it's just phenomenal, 160-180 hours your first year. The number of calls you have to be on. The number of training you have to go to. It's truly astounding that we get this service today and for the 80 plus years at no cost to the tax payers. So, in conclusion, I am going to be voting yes and I would ask the residents and community to also support the Fire Department and vote yes. Thank you."

Mr. McLean said:

"I'd like to echo some of the things that Mr. Moury just said, but I want to mention as well, there is a very important vote in this town next Tuesday on this referendum and I want to just address it briefly on the assumption that people are not interested in our rhetoric that we sometimes exchange up here. They're actually interested in the issues. As I've been saying for the past couple of months, it's those people I want to address these comments to because I believe that there are people who really want to think about this and consider the arguments for it and the arguments against it and they want to make up their mind when they go to vote. I'm going to be voting yes in favor of this referendum and I want to explain why that is. Here in my view is the situation. We have a volunteer Fire Company that has been providing services for 85 years. They have a facility that has reached a point where it needs to be addressed. They have come to us asking for help, as you heard all other sources of potential help to them have not resulted in anything they are able to do. So they've come to us for help. But here, in my summary, are the five reasons why this referendum should be supported by everyone. Number one, it's necessary. The fire company cannot do this on its own. It can no longer think about putting in a new fire hall facility on the basis of the contributions that it's been receiving. Two, it's equitable. And what I mean by that is this referendum, if it passes, will result in all properties in Bethel Park contributing to the fire protections they receive. Residential and commercial. Up until now, it's been the contributions of a few that have benefitted everyone. But this will now be equitable because all properties will pay. The third is that the assessment being made here, the .34 mils, is fair and limited. And what I mean by that is if you own a home that is worth \$100,000 or property that's worth \$100,000, you should be paying \$34 a year for the fire protection that you have the benefit of. It's also limited because it's specifically targeted to what we need to do in order to provide for the facilities. Nothing more and nothing less. And the way the referendum will work, because it's going into the Home Rule Charter, it will be .34 mils, year in and year out until the people decide that they want to change it. But it will be predictable. That is my fourth reason is that it is very transparent. Everybody will see it. They will know it is .34 mils and they will know that is what it is going to be every year. The fifth reason I like the referendum is it's going to be a decision of the people. It's not

going to be a 5 to 4 vote or some people up here on Council telling them you're going to pay this this year and that next year. It's going to be the people of Bethel Park making this decision. Now, there have been some arguments made against the referendum and I want to address those because in fairness, they should be addressed. The first argument we heard was that Council's adoption of the ordinance in February was improper or shouldn't have permitted this referendum to be placed on the ballot. Basically, the argument was we passed an ordinance in February, our ordinances are not supposed to be effective for thirty days so that meant March, and even though this isn't going on the ballot until May, we had to go to the County to tell them we would like this referendum placed on the ballot. I'm going to allow that that was a fair question when it was raised. It was an okay question to say, what about the fact that our ordinances were not effective for thirty days? But what we did as a Municipality and Council, we went first to our solicitor, asked him that question, asked him to research it, he provided us an answer, and then we went to Allegheny County, and asked them. And they provided us with an answer. So, it was a fair question, but it's been answered. And the result of it is that this will be on the ballot in May. The other argument you've heard is that this particular financing, if you want to think of it that way, for the new fire hall shouldn't be done through the Home Rule Charter. Well, last meeting I talked about how there are other statutes in place for forms of government that have exactly these kinds of provisions in them. But, really what we are talking about is fact that when we decided to become a Home Rule Community a generation ago, it meant that we, the people of Bethel Park, get to decide the form of government we want to have. And if the people decide that for this particular reason for financing the facilities that the fire company is going to have, we want to have a dedicated tax, we can do that, and the people will get to decide. The third reason I heard is that, well it's going to be hard to change it because it's going to require a vote of the people if you ever want to change it from the .34 mils. The response to that argument is that's exactly right. And as you heard the Fire Company explain, they aren't prepared to turn over their property and facilities to us unless they know that that dedicated source of the funding is going to be there. So the answer to that is that's exactly right. It's going to take another referendum to change it, but that's the way we want it because it allows us to have the predictable funding. So, for all those reasons, when I consider the positives and I listen to and consider the arguments against it, I come out in favor of the referendum. As Mr. Moury indicated, this is the way we are going to be able to move forward from this point in time to continue to have a volunteer fire company in Bethel Park. If we don't do this, then we will have to consider other alternatives that will be a paid fire company instead of a volunteer fire company and a lot more expensive. So for all those reasons, I'm voting yes and I encourage everyone in Bethel Park to do the same. Thank you."

Mr. Allen said:

"I just wanted to touch on one item and Mr. Pritchard mentioned it and that was he wanted to make sure that there would be no politics in this. We could have actually had a vote and raised the taxes .34 mils and that would have been said and done. But the problem is when we do that, over the years we don't know what the future is going to bring. And we don't want to be in the position that

five years from now, we'd have to go back to the fire company and say, look, we just can't give you .34 mils. We're going to have to cut it down to .25, .24. That's where the politics comes in. By putting it to a vote on a referendum, this secures the total future of the fire company and that's why the majority of Council went this route as opposed to saying, let's just raise the taxes and be done with it. So, this actually gives protection, no matter who's sitting up here in 10, 15, 20 years, it goes back to the people to change it, and that's exactly what it needs to be. So, personally, based on those facts and the facts that Mr. McLean said, I certainly support this 100% also. Thank you."

Mr. O'Brien said:

"I guess around ten years ago, I was asked and very honored to do and participate in the 75<sup>th</sup> Anniversary with Dave Cable and members of the fire department, and I just happened to be the narrator of the program. And, reviewing the history when you do something like that, I really wasn't going to speak tonight, but it just brought it to my mind. You know, 85 years ago, as Mr. McLean said, there was a real tragedy in this town. This town didn't have a fire department. There was a group of individuals that stood tall and stepped forward to create a fire department. They knew what was the right thing to do. And they were bold, they were proud and they stepped forward. And I want to be remembered at this point in time to be bold, to be proud and know what the right thing is to do. And I am supporting this referendum. It's necessary. Just remember those individuals that had no idea what to do at that time. They knew something had to be done. We know what's right to be done now and I support it. Thank you Mr. Chairman."

8. Approval of Minutes

Regular Council Meeting Minutes of April 8, 2013.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of April 8, 2013. Motion Carried 9 – 0.

9. Bills and Payrolls

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #051313 in the amount of \$882,628.76. Motion Carried 9 – 0.

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

Mr. Carl Denson, 2615 Santa Barbara Drive, spoke in support of the Bethel Park Volunteer Fire Company and urged the residents of Bethel Park to vote yes for the Referendum on May 21.

Mr. David DeHaven, 2648 Milford Drive, asked Council if they ever approved the use of PA Systems for Bethel Baseball Association or any other Little League baseball teams or government entity. Mr. Moury replied no.

**GENERAL POLICY AND FINANCE**

## 11. Citizens' Comments – General Policy and Finance Items

None

## 12. Resolution – Support for the Bethel Park Volunteer Fire Department

Motion by Mr. Hannan and seconded by Mr. Allen to adopt a resolution of support for the Bethel Park Volunteer Fire Department. Motion Carried 8 – 1. Dissenting vote was by Mr. Harrison.

Mr. Harrison said:

“About three weeks ago, Mr. Pritchard, President of the Fire Company, and I had a rather extensive conversation which I thought was congenial where he expressed the concern, I’ll just summarize it, the concern that although I say I’m in support of the Fire Company, my demeanor or actions or whatever seems to object the image that that’s not true, and I reminded him of two things. One, I attended a meeting at the Fire Company well over a year ago and at time, I said that at each meeting I will encourage people to make contributions to the Fire Company and I always emphasize that it’s a volunteer fire company and I did that. And the second thing is that I’ve tried to make as clear as I can is that my concern and my continuing concern is that I think we have to live with the laws in our case I called the Constitution of Bethel Park, the Home Rule Charter, and we didn’t and that doesn’t mean that we can’t provide support for the fire company. But I’m concerned about that. So two weeks ago tonight when Council had their Committee meeting and at that time I told them I had the conversation with Mr. Pritchard and when I talked to him I told him that Council would just let it go to the ballot the I won’t be saying anything, so I told the Council members that I talked to Mr. Pritchard. I basically said I willing to not speak to it again if they will just let it ride and at that time they said they were going to introduce this resolution and I said well, I used the adage that my mother taught me forewarned if forewarned that if your going to push this then I’ll be speaking to it. Therefore, they put the motion on the floor tonight. So, I’m going to speak to it. The efficient and excellent fire service of the Bethel Park Volunteer Fire Company contributes to the Municipality is well recognized and appreciated by the residents of Bethel Park. The Bethel Park Volunteer Fire Company, and I always emphasize volunteer, was in operation when I moved into Bethel Park. I’ve never received a complaint about the Bethel Park Volunteer Fire Company in my forty years of service on the Bethel Park Council. The recent actions of this Council and the many recent newspaper articles on the subject have made the public more aware of the dedicated service of the Bethel Park Volunteer Fire Company. The public is also now more aware of the plan of the Municipality to provide financial assistance to the Bethel Park Volunteer Fire Company. In light of the above facts, one would have to wonder why Council feels the need to prevent this fluff resolution tonight. I suggest Council’s purpose is to distract the public contingent from Council’s inept action in passing the ordinance on February 11<sup>th</sup> to place a

question on the May 21<sup>st</sup> ballot. The need for this inept action results in Council's inadequate planning after meeting with the Bethel Park Fire Company officials for three years to plan the action. In order to be in compliance with the Home Rule Charter, the ordinance should have been passed no later than January 18<sup>th</sup>. Passing the ordinance prior to January the 19<sup>th</sup> would have been a routine action. Passing the ordinance on February 11<sup>th</sup> was done with pompous foreknowledge and disdain for the Home Rule Charter and the interest of the public. Two facts support this claim. On February 11<sup>th</sup>, Mr. Moury displayed for the camera that he had brought to the meeting a copy of the Home Rule Charter for Mr. McTiernan. An unusual event as if Mr. McTiernan needed to have someone to present the Home Rule Charter to him. Also the passage of the ordinance resulted in what I call a Philadelphia lawyer like ruling for Mr. McTiernan to allow the question to appear on the May 21<sup>st</sup> ballot. I suggest that the immediate ruling strongly indicated that Mr. McTiernan was aware of the need of such a ruling prior to the Council action. This indicates his foreknowledge of the violation of the Home Rule Charter. In my forty years on Council, I don't remember an incident where the lawyer was asked to make a legal ruling on the floor that the time an ordinance was passed by Council. One would think that at my age I wouldn't be so naïve. However, I find it astounding that Council has the gall to ask the public to vote for a change in the Home Rule Charter on the May 21<sup>st</sup> ballot. When Council demonstrated by their action on February 11<sup>th</sup>, that they don't feel the need to abide by the Home Rule Charter, Council violated the constitution of the Home Rule Charter of Bethel Park that became effective in January 1978. The Home Rule Charter specifies that an ordinance passed by Council does not become effective for thirty days after passage. In this case, the effective date of the February ordinance is March 13<sup>th</sup>. The Election Bureau required a request for a question on the May 21<sup>st</sup> ballot to be submitted by February 19<sup>th</sup>. The ineffective ordinance was submitted to the Election Bureau on February 13<sup>th</sup> by Mr. McTiernan. This is twenty-eight days prior to the ordinance becoming effective. Many Bethel Park residents have expressed concern about the Federal elected officials ignoring the Federal Constitution almost on a daily basis. The concern of these Bethel Park residents is their local elected officials are guilty of violating our constitution of the Home Rule Charter. This generates consternation for them relative to the ballot question. They favor providing the necessary financial assistance to the Bethel Park Volunteer Fire Company and every single person I talked to professes they are contributors, but they have this concern. But do not want to support actions by their local government by ignoring the effective date of the ordinance specified by Home Rule Charter. I've had conversations with many residents over the last three months relative to the ballot vote. Of the people who contact me, the gist of the conversation is that they are in favor of providing support for the Bethel Park Fire Company if needed but they oppose the violation of the Home Rule Charter. They are aware that the support for the Bethel Park Volunteer Fire Company can be and surely will be provided without violating the Home Rule Charter. Many of these residents will vote no on the ballot question. If the question fails to get the majority of votes, these residents want everyone to understand that they are not voting against supporting the Bethel Park Fire Company but are voting against the unnecessary violation of the Constitution of Bethel Park, the Home Rule Charter, by Council. Thank you."

Mr. Hannan said:

“I think you could just see why we are doing what we are doing. Plain and simple. Mr. Harrison thinks he has a technically. He thinks he knows the law. We have our lawyer we pay to represent the town, provide an opinion. The County Elections Bureau which could reject putting anything on the ballot. Everything is in order with us. But everything is not in order with Don. I think, I had the honor of serving on the subcommittee of Council to work with the Fire Department for the last three plus years and I think I’ve learned a lot, I think I have a lot of admiration for the guys who put their life on the line every time the bell rings. I’m going to support the vote on Tuesday and I’m telling everybody that I know to support it. Thank you very much.”

Mr. Pape said:

“I can’t concur more with all those here this evening. This man, I nicknamed him Dr. No. Because everything is no, no, no. He took off on this solicitor one night here, and he’s a Harvard graduate. He’s been here for years, hasn’t lost a case yet for us. Yet, this sidewalk attorney comes at him. All he talks about is the Home Rule Charter, this and that. I’m going to tell you, believe me when I tell you, I am on this Council as long as him, this man, I don’t know how we take it, it’s every month the same story, same story. My opinion, what you people have done all these years is fantastic and they should be applauding you. Not him. He’s the type of guy, he’d take a screwdriver and drive you far in the ground so he could get you. It’s sickening that we’ve got to put up with this. I very seldom come out like this, but believe me, I’m fed up with it and I wish he’d wise up.”

Mr. Moury said:

“Ok, I don’t know where to begin here but I’ll try to be brief. Majority of what Mr. Harrison said tonight and in the past is simply not true. He likes to cast a shadow of doubt on a question where number one, Mr. Harrison, I did not bring a copy of the Home Rule Charter. You can check the minutes, Mr. Harrison, you can check the video. You’re incorrect yet again. The reason why the solicitor was prepared to discuss it because we followed his direction from day one and when we asked him back in October, November to look into this, he brought all this information to this Council including Mr. Harrison, and we followed the direction of our Solicitor. So, that’s where we came up with a plan of attack. Now, you would think this would be important or be relevant to the item in front of us and once again it is not. Mr. Harrison is talking about the referendum question, and I will read into the minutes the resolution that we have before us, then I’ll let the public decide on Mr. Harrison, why he would make his comments. It is a resolution of the Municipality of Bethel Park, Allegheny County, Pennsylvania, in support of the Bethel Park Volunteer Fire Department. WHEREAS, the Bethel Park Volunteer Fire Department began over 80 years ago when 11 residents of Bethel decided that their homes and their community in general, needed protection from fires; WHEREAS, their service has expanded, not only for fire protection but to include natural disasters and any incident that

may affect the life and property of the Bethel Park residents; WHEREAS, over the past 80 years much has changed in Bethel Park, Pennsylvania, and in the Bethel Park Volunteer Fire Department, but the willingness of volunteers to donate their time, their talents, and their hard work remains the same; WHEREAS, in recent years, the Bethel Park Volunteer Fire Department has worked in partnership with the Bethel Park Police Department and Tri Community South EMS and cooperates with other fire departments and emergency services throughout the area to protect the citizens of the South Hills of Pittsburgh; WHEREAS, the Service of the Volunteer Fire Department has protected our homes and community since its inception and has been funded solely by donations from the residents and businesses of Bethel Park. THEREFORE, the Council and Mayor of the Municipality of Bethel Park, herein, declare its support for the Bethel Park Volunteer Fire Department. It has nothing to do with the question that going to be on the May 21<sup>st</sup> ballot. I put this together and maybe because the number of people I talked with in the community really challenge Mr. Harrison's support of the department. While he comes up here every month and claims to support it, when it really counts, when the department really needs him, he doesn't. So, Mr. Harrison, I'm doing this as a gesture of good will. I am giving you an opportunity to redeem yourself to all those people out there in the community that feel that you do not support the fire department. That's why this was done. So, of a gesture of good, I would encourage you, Mr. Harrison, to show your support for the department and vote yes. Thank you."

Mr. Dixon said:

"I have to weight in on this, too. I appreciate Mr. McLean's comments very much because they were instructive and I have always endeavored in my comments to try to inform the residents of the community about the issues that we're dealing with and voting on. And, so, that's why I appreciate Mr. McLean's comments and I'll try to add to them. But first I have to say Mr. Pape was right on the money when he referred to Mr. Harrison as Dr. No. One of the first things I learned when I became a Councilman was that Don votes no on everything except the motion to adjourn. He voted against Millennium Park, he voted against the Community Center. Way back before my time, he voted against the expansion of this building which now houses the library. He voted against the new recreation wing that we put up there, and yet when the photographers were there to cut the ribbon, Don was right in front with the biggest pair of scissors you ever saw. And he's on the cover of Bethel Park Magazine for that, too, even though he voted against it. He is, I think, engaging in trying to confuse people on the issue. This issue of somehow we violated the Home Rule Charter is really absurd on its face. Every member of Council, the Mayor, our Solicitor, who was named by the way one of the top fifty lawyers in America a couple of years ago, he really does know his business. Everybody, the election department, everybody signed off on this and said this was the way to go. So, this notion that somehow or another, the Home Rule Charter is being violated is absurd on its face. The referendum is not a tax increase. It's a question to the citizens of Bethel Park, to the voters, to allow the voters to decide. When Don initially began to oppose this, he actually proposed that we increase taxes, we just do a line item on the budget, increase taxes to fund the fire department and the residents, the voters, the taxpayers would

not have anything to say about that. We would just do that as a Council, if Don had his way. But we decided that the best way to do this, and my comments last month were this is a sea change in the way we do business with the fire department. This is always been a volunteer organization. It will remain a volunteer fire company. We are simply covering some of the operation expenses and the increase for the debt service on the new building. So, we're dedicated to the notion that the tax payers should have a say in what happens here. I think that we need to realize that eventually and inevitably there will be a tax increase. One way or another, we have to have a volunteer fire company. We have to. If this referendum goes down and the fire department continues its financial problems, then what? Then we may have to just raise taxes, float bonds, who knows what the options are but I think the best, cleanest way to go is to include it in the Home Rule Charter as a dedicated source of funding. And I will give you an example of how politics can come into play. We pay for garbage collection for the whole community. And the notion that we can't help the fire department is crazy. We pay for garbage collection. And yet, with the recent budget problems that we've had over the last few years, everything was on the table, including garbage collection. The suggestion was discussed whether we should take garbage collection out of the budget and institute a fee per household for garbage collection. Now that never had any legs, we never even voted on that. That was not a good idea. Nobody wanted to do that, but the issue was discussed. If we were to just do a tax increase, as Mr. Harrison suggested, then your funding would be on the budget table every year and we just can't have that. My wife and I have always supported the fire department personally, and we'll continue to do that. But, I not only support the referendum, but I urge everybody else to vote in favor of it, as well. So thank you, thank you for all you do, as well."

Mrs. Gibbons said:

"Ok, I'm just going to end on a positive note. I just want to say that I support the fire department and I think a yes vote will support the fire department from the public. So, that is my recommendation. Thank you."

Mr. O'Brien said:

"I am honored that we are going to include the fire department in our constitution. What they should be. Today is May 13<sup>th</sup>, Monday. Election Day is Tuesday, May 21<sup>st</sup>. Be there, your vote, let it be heard. Thank you, Mr. Moury."

## **PLANNING AND ZONING ITEMS**

### 13. Citizens' Comments – Planning and Zoning Items

None

### 14. Resolution – Millennium Woods Sewage Facilities Planning Module

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt and submit to the Pennsylvania Department of Environmental Protection a revision to the

Municipality of Bethel Park's official sewage facilities plan to include the approved development known as Millennium Woods. Motion Carried 9 – 0.

#### **HEALTH, SAFETY AND WELFARE ITEMS**

15. Health, Safety and Welfare Items

No Items

Mr. McLean mentioned that Council has always been very appreciative of the services that Mr. McTiernan provided over the year. He has been a solicitor for many, many years and his counsel and advice is appreciated. Recently, Mr. McTiernan was once again named one of the 2013 Best Lawyers of the Year for the Pittsburgh area specifically in the area of municipal law. Mr. McLean thanked Mr. McTiernan for his years of service and congratulates him on this honor.

Mr. Dixon asked if Mr. Harrison's name was on that list anywhere.

Mr. Moury said he didn't hear Mr. Harrison clap either.

#### **PUBLIC WORKS AND MAINTENANCE ITEMS**

16. Public Works and Maintenance Items

No Items

Mr. O'Brien announced that Memorial Day is Monday, May 27<sup>th</sup>. The Memorial Day celebration begins at 7:20 a.m. with coffee and donut in Council Chambers and the ceremony begins outside at 7:50 a.m. with honored guest speaker, Mayor Cliff Morton. The parade follows and the service at the cemetery thereafter. Everyone is invited to come out and support your veterans in this great day of remembrance for those who have served and who have lost their lives. Also, for the month of May, the flags on the plaza are in honor of the Merchant Marines.

17. Adjournment

Motion and second to adjourn at 8:52 P.M.

  
Manager