

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
REGULAR COUNCIL MEETING**

Date: August 10, 2015

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

Present: Council Members Colella, Dixon, Gibbons, Hannan, Harrison, McLean and Moury

Absent: Council Members O'Brien and Pape

Also Present: Mayor Jack Allen; William J. Spagnol, Manager
Judith L. Miller, Assistant Manager; Solicitor Robert L. McTiernan; Gerard Duke, Director of Community Services, Chief Timothy O'Connor; Jean Statler, Municipal/Environmental Engineer; Ashley Moore, Municipal Planner

2. Pledge of Allegiance

3. Chair Announcement

None

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 that the summer programs include Environmental Heroes for grades 2-4, on Saturdays in August at 11:00 a.m., where you can learn about farming, planting, honeybees and how you can help the environment.

Monday through Friday, August 17 to 21 at 11:00 a.m., Superwhy Reading Camp will take place at the library. Children entering kindergarten this fall can reinforce their letter recognition and develop reading skills through games, stories and crafts.

On Monday, August 31 at 7:00 p.m., join author Kate DiCamillo and participate in fun activities based on her Newbery Award winning book *Flora & Ulysses: The Illuminated Adventures*. This program is for students in grades 3 through 6.

Conversation Salon for adults will take place on Friday, August 21st at 10:00 a.m. Join the Library for face-to-face conversation on topics that will challenge and enlighten.

Wise Walk Kick-off Meeting will be held on Thursday, August 27th at 10:00 a.m. at the Library. This will be followed by a ten-week walking program at the park geared towards adults 50+, and provides participants with pedometers, walking guides and healthy snacks.

Computer Classes including Intro to Computers, Microsoft Word, Intro to the Internet and email, group classes, take place several times per week at either 10:00 a.m. or 2:00 p.m. Also, there are one-on-one help sessions. You must call for an appointment.

Ms. McIntosh said there are several services offered at the Library including Freegal where you can download free music; Law Depot, where you can use access fillable legal forms such as leases, wills, divorce/separation. This service is free. Additionally, you can obtain eBooks, eAudio and eVideo on Overdrive. There are over 70,000 items available.

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 O'Connor said that Bethel Park Police participated in National Night Out on August 4th. This was the first time Bethel Park had this night out and it was very successful. He also said that the next Crime Watch Meeting will be held on Monday, September 14 at the Bethel Park Community Center at 6:30 p.m.

In addition, Chief said that updates go on the Bethel Park Police Facebook Page daily.

Chief O'Connor presented this year's Meritorious Awards. Every year, the Police Meritorious Award Foundation provides scholarships to college age children of Bethel Park Police Department employees who have achieved academic excellence. This year's winner, in attendance, is Kayla Kirsch, daughter of Lt. Tim Kirsch. Winners not in attendance are Kimberly Roberts, daughter of Communications Officer Warren Roberts, Mia Rigatti, daughter of former Police Officer Tom Rigatti; and Carly Tanney, daughter of Communications officer Michelle Tanney.

6. Fire Chief's Report

There was no Fire Chief's Report

7. Mayor's Report

Mayor Allen announced that the Shredding event which in the past had been sponsored in part by Senator Matt Smith, which was scheduled for August 22, has been cancelled.

He then said that the Recreation Department's Rev 'em Up For Kids event took place in late July. The event brought in 824 cars, over 1,000 adults and 3,000 kids. The main sponsor was Pasta Too and Mayor said a special thank you to Ray and Beth Piacquiado. Jim Gastgeb and the Recreation Department put a great deal of work into this event. Cool Springs sponsored Johnny Angel and the Halos.

Mayor Allen reminded everyone that Community Day will take place on Saturday, September 12. It kicks off with the parade that begins in front of the Municipal Building at 9:00 a.m.

8. Approval of Minutes

Regular Council Meeting Minutes of July 13, 2015.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of July 13, 2015. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

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 #081015 in the amount of \$2,598,452.50. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

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

Richard Chongaway, 5027 Belmont Avenue. He said that the agenda says "Reports of Officials". He asked if the Borough Manager gives a report about the Borough because he never heard one. He said that the Borough Manager, once upon a time signage, said election signs would be removed seven to eight days after election. He removed signs from Route 88 this past weekend. He asked why they were there for so long. He said borough trash and highway litter, is that the image of Bethel Park? He said there was an article recently in the Almanac that Bethel Park has a deer problem. He said he wrote a letter to Mr. Spagnol asking for the plan for 2015 and was told it was the same at 2014. He said he then asked for the plan for 2014 and is still waiting for a response. He asked if there is a deer management program for Bethel Park for 2015? He asked who's in charge,

who has the data, how many road kills, how many car accidents, property damage, how many people have been injured, what is the quota that should be killed, how many have been killed in the last 5 years? He said Mt. Lebanon has a 5-year plan using archers to hunt in hopes to provide sufficient kill. He said he would like to know what is going on in Bethel Park as far as deer, he sees them every day. He said there were several road kills in Bethel Park over the weekend and asked who picks them up? He asked if it was someone in an unidentified red truck with no uniform. Animal Control personnel have shirts that say Animal Control, but they show no identification. He believes that the contract should require the Animal Control personnel to be better identified than they are. He asked that at some time, could someone explain in a town meeting setting, perhaps the Borough Manager, the plan for 2015 deer management in Bethel Park. He said he will attend and Richard Garner, who put the article in the paper, will be there also. He said he was leaving the signs for the Borough Manager to put on his wall as a reminder and pickup the trash along the way.

Mr. Harrison said that if Mr. Chongaway looks at the Almanac this week, part of his questions will be answered. Mr. Harrison said he responded to the article that was in last week's Almanac and he received a call that his letter would be published.

Mr. Moury said that we have been doing a controlled hunt with Whitetail Management for nearly 20 years. The challenge we have is that with the developments in the community, there are smaller areas in which we can do the hunt. There is a whole process they go through from a proficiency test, they have to have a history of killing a large game. He said he believes that in the last 20 years, Bethel Park averages about 60 deer a year with Whitetail Management which includes the South Park portion of Bethel Park.

Mr. Dixon said that Whitetail Management does not charge us. We do not expend any tax revenue on the deer hunt.

11. Citizens' Comments – General Policy and Finance Items

None

GENERAL POLICY AND FINANCE

12. General Policy and Finance Items

Motion by Mr. McLean and seconded by Mrs. Gibbons to approve the DROP Pension Retirement Election of Police Officer Frederick Paganico with an effective date of August 1, 2015, in accordance with Ordinance 08-10-09. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

13. Motion by Mr. McLean and seconded by Mrs. Gibbons to approve the resolution providing for the reimbursement to the General Fund or other Operating or Reserve Funds for expenditures associated with the design and engineering costs in connection with the acquisition, renovation, rehabilitation, equipping and or

improvements associated with the construction of one or more facilities prior to the issuance of certain tax exempt bonds or other financing. Motion Carried 7-0. Council Members O'Brien and Pape absent.

Mr. Moury said that over the last several years, we have updated and done a number of the municipal facilities, a little bit of work in the Municipal Building, a number of parks, enhancing some of our community center. He said what we are currently doing is exploring options for our Public Works facility. The original facility was built in the early 1950's, and an addition in the 1970's. We have not spent a lot on it over the last 40 plus years. With the change in equipment and the condition of the building, we employed an architect to look at options. We have not made a commitment whether we plan to move forward or not. The estimated total cost for the project, including all site demolition, is in the neighborhood of \$10 Million. This is not a commitment to do a bond issue, this is if we in fact decide to do a bond issue and move forward with any part of the project and can reimbursement ourselves for the expenses prior to the building being built. He said we will be talking about this for the next couple of months as well as talking about the upcoming budget which is due by September 1st.

Mr. Harrison said:

"I have a follow up to discussion last meeting. The Advertiser was the predecessor to the Almanac. Several years ago the Advertiser staff opted to endorse local candidates. I declined the invitation to appear but the Advertiser staff encouraged me to consent to be interviewed. Shortly after the interview commenced, an Advertiser staff member stated, the problem with you, Mr. Harrison, is that you refuse to go along to get along. I responded that that is true and will continue to be true. At the end of the interview, the Advertiser gave my opponent the endorsement. I won anyway. I think the Advertiser staff did a disservice to me and their readership. The implication of the Advertiser was that an elected official should go along with the majority of the governing body even if the elected official believed that the majority is wrong. I recite this history now to highlight the fact that Mr. O'Brien is resorting to the same tactic. At the last meeting, Mr. O'Brien verbally listed a number of items that he considers needed attention and suggested that I am holding up action on these items. He is showing disrespect to the public when he wants them to believe that one member of a nine member Council, by not going along, can prevent action on an item that Council chooses a side on. The illegal action by Council of placing the Bethel Park Volunteer Fire Company tax vote on the primary ballot contrary to the constitution, the Home Rule Charter of Bethel Park, proves the point. Prior to the vote of the Council on this issue, the ordinance on the ballot, I spoke to the fact that the action violated the Home Rule Charter. Super Lawyer McTiernan sat mum in his chair and ignored my comment. Super Lawyer McTiernan delivered in effect the ordinance, not yes ballot ordinance to the election bureau three days after its passage. A couple of weeks after the Council voted, he added an adjective to the word ordinance in the Home Rule Charter in his opinion letter to rationalize his opinion that the action of Council was legal. Only the voting public has the authority to change the Home Rule Charter. I allege the action of Council and McTiernan were unjustified. I will continue to address the public

from this dais when I judge it is necessary to keep the public informed. In particular, I will inform the public if I think any action taken by the governing body is illegal. Finally, I will not go along to get along. I will continue to vote no on any item that I believe is not in the best interest of the public. Thank you.”

Mr. Moury passed the gavel to Mr. Hannan and said:

“I just have a quick, I don’t need to defend Mr. O’Brien, of course he is not here this evening. But I think the point Mr. O’Brien was making, all of Don’s discussion comes after the vote when everything’s decided. He doesn’t participate in the discussion when you’re talking about doing things, as with the Fire Department. What he said about the illegalities is simply not true. He may believe it but nobody else does. Don’t think the go along to get along, that’s not the attitude Mr. O’Brien, I don’t think was referring to. He’s encouraging to participate upfront. Mr. Harrison is always a critic and never an author of anything. After everybody makes a decision, then that’s when Don does his work. It’s not going along to get along, he just then decides, how can I go against what the majority did? If you go back in history and I’m not going back and read the minutes or Almanac’s from twenty years ago, but the reality is Don does all his research until after the decision has been made.”

PLANNING AND ZONING ITEMS

14. Planning and Zoning Items

No Items

HEALTH, SAFETY AND WELFARE ITEMS

15. Health, Safety and Welfare Items

No Items

16. Citizens’ Comments – Public Works and Maintenance Items

None

PUBLIC WORKS AND MAINTENANCE ITEMS

17. Public Works and Maintenance Items

Motion by Mrs. Gibbons and seconded by Mr. Hannan to award the West Munroe Endwall Project for a low bid amount of \$36,700 to Rhino Construction, Inc. Motion Carried 7 – 0. Council Members O’Brien and Pape absent.

18. Motion by Mrs. Gibbons and seconded by Mr. Hannan to award the Rock Salt Contract, per agreement with SHACOG joint purchasing program, for the 2015-2016 winter season, to Cargill, Inc., for a low bid price of \$69.29 per ton with an option to annually extend the contract for three years, in accordance with the

Community Services Director's correspondence dated July 16, 2015. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

19. Motion by Mrs. Gibbons and seconded by Mr. Hannan to approve the Ordinance making Park Avenue one way in a southerly direction from South Park Road; restricting a left hand turn from easterly direction of South Park Road to Park Avenue, and restricting traffic on a northerly side of Park Avenue / South Park Road intersection to right turn only to South Park Road. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

Mr. Moury said the signs went up last week and we are looking at them to see if they are up correctly and see if we need any additional signs.

20. Motion by Mrs. Gibbons and seconded by Mr. Hannan to adopt the resolution authorizing the Council President to execute the appropriate documents to enter into the agreement with the Pennsylvania Department of Transportation for winter maintenance of State highway roads located within the Municipality and the acceptance of reimbursement for providing these services. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

Mr. Moury said this is something we have done in the past and that we are extending the contract.

Mr. Harrison said:

“Regardless of what you folks think about my comments on the Bethel Park Volunteer Fire Company, I’ll remind Council, the public and in particular the Police Department that the Ordinance that was just passed under Item C is not effective for thirty days. So, I hope people will abide by the signs but I hope we don’t issue any citations before the Ordinance becomes effective, in accordance with the Home Rule Charter. Thank you.”

21. Adjournment

Motion and second to adjourn at 7:59 P.M.

Manager

