

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
REGULAR COUNCIL MEETING**

Date: August 13, 2012

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

Present: Council Members Allen, Dixon, Gibbons, Hannan, Harrison, McLean, Moury, and Pape.

Absent: Council Member O'Brien

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

2. Pledge of Allegiance

Mr. Moury asked for everyone to continue standing following the Pledge of Allegiance for a moment of silence for three individuals who recently passed away. They are Mr. James Fox, Mr. Mark Poole and Mr. Al Lowe.

3. Chair Announcement

Executive Session of Council was conducted on Monday, July 23, 2012 to discuss Police personnel matters.

Executive Session of Council was conducted on Monday, August 13, 2012 to discuss Police personnel matters and Tri Community South EMS issues.

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 said that the summer reading club has concluded. They had several hundred children participate and dozens of adults. A pool party was just held at the YMCA and a bowling party for the kids. She said that next year the theme will be Underground. She then announced that a program called Construct a Tale will be held on Wednesday, August 15th at 7:00 p.m. at the Community Center for children from Kindergarten through 5th grade. Tim Hartman, an actor and singer, will perform a very interactive program of good story telling.

Ms. McIntosh invited adults 50 and older to join the Library for a 10-week Wise Walk Program. To register or get more information, a Kick Off meeting will be held on Thursday, August 30th at 9:30 a.m. at the Library. Walks are held on Thursday mornings at 9:30 at South Park.

The Christmas in July raffle was successful raising just under \$3,000. The 2013 Winter Raffle tickets will be available at the end of October in the library for \$10.

Ms. McIntosh announced that there will be a Chick-Fil-A Spirit Night on Monday, September 17th from 5:00 to 8:00 p.m.

Proceeds of all fundraising activities support the programs and services of the library.

For more information on this policy or any of the programs and services offered by the Library, visit website at www.bethelparklibrary.org

5. Police Chief's Report

Police Chief John Mackey announced that the next Crime Watch meeting will be on Monday, August 20th at 6:30 p.m. at the Community Center. Everyone is welcome whether you are a member or not. At this meeting, Assistant Special Agent in Charge of the Secret Service Matt LaVigna will make a presentation on credit card theft and how to recognize counterfeit money.

Chief then mentioned that on Community Day, September 8th at 3:00 p.m., the Police Department and Fire Department will hold a softball game. At the game, there will be a 50/50 raffle benefiting the Bethel Park Community Foundation. The Community Foundation recently provided the Police with a grant in excess of \$9,000 to erect flashing speed limit signs in the community.

He also mentioned that the next Drug Enforcement Drug Take Back Program has been scheduled for Saturday, September 29, 2012 from 10:00 a.m. to 2:00 p.m. at two locations, the Bethel Park Community Center and the Highmark Direct Building, 1175 North Highland Road. You can bring all expired or unwanted medications, out of the bottles, to be disposed of properly. No liquid medications or needles will be accepted.

Chief John Mackey asked Council President Moury to join him in presenting this year's Merit Awards. Every year, the Police Merit Award Foundation awards scholarships to college age children of Bethel Park Police Department employees

who have achieved academic excellence. This year's winners are Keally S. Cristiano, daughter of Officer Dean Cristiano; Justine Modrak and Emily Modrak, daughters of recently retired Resource Officer Jim Modrak; Kayla Kirsch, daughter of Sergeant Tim Kirsch; and Andrew Roberts, son of Police Dispatch Officer Warren Roberts. The only students present were Kayla Kirsch and Andrew Roberts. Kayla is attending California University studying art, and Andrew Roberts is a student at the Penn State School of Music at University Park. Kayla and Andrew thanked Chief Mackey and the Awards Foundation.

Chief Mackey then asked Mia Rigatti to join him. Mia is the daughter of Officer Tom Rigatti. Chief Mackey said he recently attending the annual Pennsylvania Chiefs' of Police Conference. At this conference, the Governor provides for ten citizens awards. Chief said he had the honor and the pleasure to represent a recipient of Bethel Park. Mia Rigatti is an 11th grade student at Bethel Park High School. Mia was nominated by her father, Crime Prevention Officer Tom Rigatti, because she attends all the Crime Prevention events. She volunteered over 200 hours this past year to help with the food drive, child identification program, and updating emergency contact lists. Chief said it was an honor to accept the award on her behalf. Along with State Representatives, Matt Smith and John Maher, Chief Mackey presented the award to Mia. Mia said she enjoys helping the community and thanked Governor Corbett for this honor and Chief Mackey for accepting it on her behalf. She also thanked her father and mother for being there for her.

Mr. Harrison asked if it would be appropriate for Chief Mackey so say a few words about school starting and bus safety.

Chief Mackey said school begins on September 4th. He asked the motoring public to be careful of the students on the street walking to bus stops and warned that the Traffic Division is on alert at the beginning of the school year because the safety of the students is paramount. He asked that everyone observe the speed limits especially in school zones.

At this time, State Representatives Matt Smith and John Maher presented an award to Chief Mackey. Representative Maher said that at the Chiefs' of Police Conference, Chief Mackey was selected as the Chief of the Chiefs' of Police Association of Pennsylvania. He and Representative Smith presented him with a citation from the House of Representatives commemorating this honor.

Representative Smith asked Council Member Dixon to join them. Representatives Smith and Maher sponsored a House Resolution honoring Mr. Dixon's sister, Martha Dixon and the Dixon family for all they do with Martha's Run that occurs every year in April in Mt. Lebanon. It is a special event honoring Martha's memory and children in the South Hills because the funds raised by way of Martha's Run is utilized for playgrounds. It is a testament to everything Martha did during her life. He read a brief section of the resolution. Representative Smith said it is an honor to present this award to Councilman Dixon in honor of his sister who paid the ultimate sacrifice in the line of duty while engaged in the protection of others.

Representative Smith announced that there will be a shredding event in Bethel Park on Saturday, August 18, 2012 at Independence Middle School from 10:00 a.m. to 1:00 p.m.

Mr. Dixon said that Chief Mackey appeared on the cover of a magazine for the Chiefs' of Police Association.

Mr. Harrison asked Representative Maher to speak on the prevailing wage issue.

Representative Maher replied that it is by no means predetermined what he will be doing in January. He said the Legislature and the House as a whole are in recess currently, yet there is still a lot of activity going on. One of the subjects is the prevailing wage and, although there is certainly a lot of passion, he would like to see it done and off his to-do list. They need 102 votes in the House and 26 in the Senate and they are not quite identified yet. They are working on it.

Mr. Harrison said that he has been working on it for seven years and he appreciates all the work Representative Maher puts in.

Representative Maher replied that they are close, but not yet there.

6. Fire Chief's Report

Mr. Moury said that due to a fire in a neighboring community, there would be no one in attendance from the Fire Company as they are assisting with the fire. He then said that if you have not yet donated to the Fire Department, he would encourage you to do so. All their operational money comes from donations and it is extremely important that every resident and business owner donates to the Fire Department.

Mr. Harrison said that we know that he is committed to the Fire Company and he suggests that people not forget to make their contributions, and he added that Tri Community South EMS get subscriptions from people, but also welcome contributions and that they both are fantastic service organizations.

7. Mayor's Report

Mayor Morton was not in attendance. In his absence, Mr. Allen announced the 90+ Club birthdays for August.

8. Approval of Minutes

Regular Council Meeting Minutes of July 9, 2012.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of July 9, 2012. Motion Carried 8 – 0. Council Member O'Brien absent.

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 #081312 in the amount of \$3,690,738.68. Motion Carried 8 - 0. Council Member O'Brien absent.

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

Mr. George Girty, 3602 Valley Drive, Pittsburgh, PA 15234, addressed Council on his concern of the lack of sidewalks for students to walk to the bus stop from Valley Drive to Lucille. In addition, he mention that the vegetation on the left side as you go up the hill, although recently cut back, encroaches way out into the road. On the other side is a parking lot, but there is no way to cross. They would love a sidewalk that would link to the sidewalk further up the street not only for students, but for commuters that use the park and ride at the Port Authority T-Station. He asked if Council would address this issue on their behalf.

Mr. Moury replied that before school starts, a crosswalk will be placed. The Police are looking at it now and identifying the area. In addition, Code Enforcement will be looking into the vegetation issue along the side of the road.

GENERAL POLICY AND FINANCE

11. Citizens' Comments – General Policy and Finance Items

None

12. General Policy and Finance Items

Financial Accounting Software Purchase

Motion by Mr. Hannan and seconded by Mr. Allen to purchase Financial Accounting Software at a total setup cost not to exceed \$34,540.00. Motion Carried 8 – 0. Council Member O'Brien absent.

Mr. Moury said this is a new financial software. He thanked Mr. Romito and his staff for getting together with a number of communities in the area and doing a joint RFP to get the best price which is significantly lower than what was anticipated. Startup implementation is this fall, and Council has been assured that it will not impact the budget process. That part of the software will not go into place until January of next year.

Requested Verbatim by Council Member Pape

Mr. Harrison said:

“At the last month’s meeting, I spoke about the upcoming 2013 budget submittal by Staff. I encouraged Staff to sharpen their pencils and recommend the minimum tax consistent with maintaining the present local municipal services. I

also told the public that I will keep them informed. After my presentation, Mr. Moury passed the gavel and commented. After trashing me, as usual, he said quote the tax petition committee had two opportunities to submit signatures but did not. The public responded to that, Mr. Moury, by asking that I set the record straight. They feel that Mr. Moury is disingenuous in his comments and likely had a clandestine motive. His disingenuousness is that he knows that the first petition was not submitted because the Staff informed the public that a review of the tax income late in the year showed that the tax income was sufficient to cancel any need for a tax increase. So the tax petition committee trusted Council and reacted to that information. He is clandestine, they claim, because he informed the Almanac reporter that a successful second petition campaign challenging the second tax increase would cause the actual tax increase to revert to the original tax increase. That sort of complex, but the final one was 11-1/2 and the previous one was 34.4%. The actual tax increase would be three times higher than the tax increase being challenged at 11-1/2%. This result was not presented to the public or to this Council Member, I am speaking of myself. The tax commission committee did not continue the petition campaign because of the risk that Mr. Moury was correct and so the petition campaign was terminated. The legal decision stating this reversion that is reverting back to the original tax increase, was never officially provided to the public nor to this Council Member. I requested last meeting that the solicitor be directed to provide a written opinion stating his decision. I emphasized his decision because it sounds to me like a legal question, a decision that is important to the public, important to the public because we are coming into another tax era and the public has to decide what they think about what's recommended. As of this moment, to my knowledge, a written opinion by the solicitor has not been provided. This is a continuation of actions by this staff and governing body that does not keep all the Council Members and public informed. In a recent executive session, an executive session that Mr. Moury spoke to earlier in this meeting, Council was briefed on a legal concern. I never heard of the incident, but it was apparent that Council Members in the meeting were aware of it. To authenticate that that's true, one Council Member provided additional information about the incident not provided by the Staff. I expressed my concern to the Municipal Manager about being left out of the loop. The Manager told me that the Assistant Manager had provided a written notification of the incident to Council. So I requested a copy of the notification. A few days later, I was informed by the Manager that the notification had not been provided. I simply speak to this because the public needs to be aware of these unacceptable practices by the Staff and the governing body. Thank you very much."

Mr. Moury said:

"Ok, I'll be brief. Everything he said isn't true, as usual. The tax petition committee basically had two opportunities, did not turn in any signatures. And Mr. Harrison continues to perpetuate the lie that staff said that it would cancel the tax increase. That is not true. Once again, Mr. Harrison, he spends all his time living in the past while we, the rest of us are planning for the future. He is always good at talking about things that happened months ago, the way he saw it happen, but that simply is not true. The second issue is the second tax increase whether it

would revert to the original tax increase if the petition committee was successful. I think it was explained on the floor, I think if you care to see the explanation, Mr. Harrison, you can review the minutes. Mr. McTiernan, I thought, did a very nice job. Once again, Mr. Harrison wants to spend hundreds of dollars, no disrespect to our solicitor, to create an opinion that's going to repeat what he said on the floor. Mr. Harrison, the self-proclaimed genius behind the Home Rule Charter, you think he of anybody should know what the Charter reads and what the intent was, but once again, he doesn't. So, I just, for the record, everything he said tonight isn't true. Thank you."

PLANNING AND ZONING ITEMS

13. Planning and Zoning Items

None

Mr. Dixon gave an update to the residents of the Lawrence, Kevin and Locust Drive area. A meeting was held last Friday with a representative from PennDOT, Mark Magalotti from Trans Associates, Municipal Engineer Jean Statler and Mr. Dixon. They looked at the intersection and it was a very positive meeting, as the representative from PennDOT was very receptive to the suggestions and requests. The PennDOT representative suggested we send a formal letter to PennDOT requesting a number of things including a pedestrian opening to the guiderail. We received a draft letter from the traffic engineer and anticipate getting it off to PennDOT within the next few days. The process is continuing and residents will be updated as thing progress.

HEALTH, SAFETY AND WELFARE ITEMS

14. Health, Safety and Welfare Items

None

Mr. McLean said, as Representative Smith announced, the paper shredding event is scheduled for Saturday, August 18th. Mr. McLean noted that having attended the event last year, it was extremely well attended, so much so that many cars were snaked through the IMS parking lot. Mr. McLean reminded Chief Mackey that assistance will be needed with the traffic on Bethel Church Road.

Mr. McLean said, in Mr. O'Brien's absence, he would like to remind everyone of the Community Blood Drive on August 28th at the Community Center from noon to 6:00 p.m. He said there are some Pirate tickets for people who donate.

Mr. Moury reminded everyone that Community Day will be held on Saturday, September 8th from 11:00 a.m. to 4:00 p.m. at the Bethel Park High School. The parking lot on the left hand side will be complete. The parade starts at 10:00 a.m.

PUBLIC WORKS AND MAINTENANCE ITEMS

15. Public Works and Maintenance Items

None

16. Adjournment

Motion and second to adjourn at 8:09 p.m.



Manager