

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** April 9, 2012  
**Time:** 7:30 P.M.  
**Location:** Municipal Building

1. Roll Call

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

Absent: Council Member Dixon

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 Boy Scouts Troop 215.

3. Chair Announcement

Executive Session of Council was held on Monday, April 9, 2012 to discuss Police personnel matters and legal issues and other personnel matters.

### **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 upcoming programs at the Library. April 10<sup>th</sup> is the last Tax Tuesday for free tax help from 10:00 a.m. to 2:00 p.m. National Library Week is this week and in celebration the Library is providing guided tours where you will be introduced to print and electronic resources as well as the many other services provided. Wednesday, April 11 at 2:00 p.m. and Friday, April 13 at 10:00 a.m., there is a program called Fear Factor for students in Grades 5 and older. This program is to help students conquer their fears.

Ms. McIntosh said that fund raising programs continue. She asked everyone to save the date of Friday, May 25<sup>th</sup> for the Annual Gala being held at the Bethel Park Community Center from 6:30 to 9:30 p.m. Tickets are \$25 and are available at the Library. Also, Christmas in July Daily Raffle tickets are now on sale for \$10. Prizes range from \$50 to \$200 based upon the PA Daily Number. The ticket is good for every day in the month of July.

Mr. McLean asked how the fish are doing. Ms. McIntosh said the fish are doing well and the frogs are very popular.

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

#### 5. Police Chief's Report

Police Chief John Mackey introduced Representative Matt Smith. Representative Smith was present to speak about the Grant for the Bethel Park Police Department that provided protective body armor for the officers. The Department received a grant in the amount of \$9,658.00 for seven vests and three ballistic shields from the Department of Community and Economic Development. The items that were procured were demonstrated by Sergeant Ron Dziezgowski and Officer Michael Dunn.

Representative Smith said that it is always good to bring some of the tax dollars to Bethel Park. This was a grant that they started working on late in 2008. It took some time to work through the bureaucracy, but it has come to fruition. He said that there is no better use of tax dollars then to provide protective equipment to law enforcement personnel to ensure that they have top-flight safety material and it is an honor for him to obtain the grant to provide the equipment to the community.

Sergeant Dziezgowski said this equipment is well needed and thanked Representative Smith.

Chief Mackey said that since Representative Smith began to represent our district, he has been a strong supporter of law enforcement and the entire police force sincerely appreciates his efforts.

Chief reminded the community that the next Drug Enforcement Administration Drug Take-Back Day will be on Saturday, April 28, 2012, from 10:00 a.m. to 2:00 p.m. at two locations, the Bethel Park Community Center and the Highmark Direct Building at 1175 North Highland Road. Please drop off any unused, unwanted or expired pills, out of their bottles, to one of the locations and they will be disposed of in a safe manner. No liquids or needles will be accepted. This is our fourth program and it has been extremely successful.

The Annual Police Pals vs. Pittsburgh Steelers Basketball Game was held at the new Bethel Park High School gym. He thanked Officer Tom Rigatti for

coordinating the event and the many sponsors who made it all possible. He then proudly announced that the Police Department defeated the Fire Department in the pre-game. The event was a success and enough money was raised to provide eleven scholarships for high school students who plan to go on and pursue and a career in law enforcement.

Chief Mackey said that they are still recruiting members for Crime Watch. Over 800 residents have already signed up. He said that 17 reports have been made by Crime Watch members and several of those incidents have resulted in criminal arrests. You can sign up by calling the Police Department or on the website.

Chief announced that there have been several vehicle code upgrades including the ban on texting which includes the use of all devices such as iPods and iPads. This is now a primary offense. The seat belt law has become a primary offense for drivers and occupants under the age of 18. Bicycle law requires the motoring public to give a sufficient amount of space, four feet, to bicyclist on the road and you are not allowed to make a right turn in front of a bicyclist that is traveling in the same direction. Drivers with junior driver's licenses are not permitted to have more than one person under the age of 18 in the car if they are not a family member. He said if anyone has questions on the changes in the vehicle code, please ask any of the police officers on patrol or call the station.

Mr. Harrison asked Chief Mackey to define a primary offense.

Chief Mackey used the example of the seatbelt law. In the past, not wearing a seatbelt was not a primary offense which means a police officer could not pull you over for not wearing a seatbelt. If he pulled you over for going through a stop sign and you were not wearing your seatbelt, he could write a citation for the secondary offense of not wearing a seatbelt. It is now a primary offense if you are not wearing a seatbelt.

#### 6. Fire Chief's Report

Chief Dave Gerber said he has awards to present and asked the line officers of the fire company to join him, along with Police Officer Mike Dunn and Sergeant Ron Dziezgowski. Gallantry awards were presented to Captain Rob Uselman of the Fire Company and Sergeant Dziezgowski and Officer Dunn of the Bethel Park Police Department for their efforts in rescuing a person from a hazardous carbon monoxide condition at a home on January 14, 2012. Sergeant Dziezgowski and Officer Dunn were on the scene when the fire company arrived. Upon forced entry, a resident in the home was unresponsive. Captain Uselman's CO detector advised that there was a dangerous level of carbon monoxide, so they proceeded to find and remove the unconscious victim and perform first aid before the medics arrived. EMS then transported the patient to the hospital where he was treated and saved. Chief Gerber thanked them for showing great courage with unselfish actions and swift response to help protect the resident. A medal of honor and ribbon were also presented to Captain Uselman from the fire department.

Chief Gerber suggested that you should always have detectors in your home. If they go off, please call the police and the fire company will respond. The fire company recently received \$12,000 from the State for new CO meters.

Chief Gerber gave the fire report for the month of March. The first notices for the yearly fund drive were mailed recently. An information form was sent with the fund drive requests for residents to fill out and return. This information will be compiled and placed in their computer system that can be accessed should they be called to an emergency at your home.

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

Chief Gerber said that anything you donate will help.

7. Mayor's Report

Mayor Morton introduced Bethel Park's Recreation Director Chuck Stover, as well as Assistant Director Cathy Muscato, and announced that the Recreation Department recently received an award from the Pennsylvania Recreation and Parks Society for NAMS JAM, a program offered to 5<sup>th</sup> and 6<sup>th</sup> graders in Bethel Park. This award is for excellence in programming in the children and youth category. A certificate of distinction was awarded at the annual banquet in March. Mayor asked Mr. Stover to speak about this award.

Mr. Stover said that NAMS stands for Neil Armstrong Middle School. They sponsor a supervised Fun Night Out five times a year for 5<sup>th</sup> and 6<sup>th</sup> graders. This program is coordinated by Michele Pilotta, Youth Coordinator, with the help of volunteers. Michelle and Cathy Muscato administrate it. Mr. Stover said he is proud that we won this award because it comes from their peers and is a great honor. He thanked Municipal Council, the Bethel Park School Board for allowing the use of their facilities, and for all the support from Administration and staff.

Mayor Morton thanked Boy Scouts Troop 215 for presenting the Flag Ceremony and he looks forward to the next troop to attend an upcoming meeting.

The Mayor announced the 90+ Club birthdays for April.

Mr. Moury announced that County Councilman Vince Gastgeb is in attendance. Mr. Gastgeb gave an update on the recent Town Hall Meeting at the Bethel Park High School Auditorium. He thanked School Administration, Municipal Council and Mayor Morton for the educational forum. There were over 500 residents of Mr. Gastgeb's County district in attendance. He said that Allegheny County presented a great forum and education as to what the options are for formal and informal appeals. Mr. Gastgeb said his office is still available to help out in regard to any information needed for your appeals. He then thanked Council for unanimously passing the resolution recently asking the State to consider opposing

a three-year freeze on the assessments state-wide that would apply to our county. He asked Representative Smith to talk about the law that the House passed, which is a monumental achievement. Allegheny County has been working closely with Representative Smith in a bipartisan effort with Mr. Fitzgerald and Governor Corbett.

Representative Smith said that they passed this unanimously in the State House. It was supported unanimously by Republicans and Democrats alike. Representative John Maher enthusiastically supported it and is working with Councilman Gastgeb and County Executive Fitzgerald on imposing a moratorium on any Court Ordered reassessment until December 31, 2013. The purpose of the proposed change, which goes on to the State Senate, is to allow the state to fix the current reassessment system. The system is broken and needs to be fixed and it needs fixed at the State level. This moratorium would stop the court ordered reassessments in Allegheny County until December 31, 2013. He said that he is receiving positive feed back from the State Senate and they will act on it without delay. Governor Corbett has pledged his support.

Mr. Gastgeb thanked Representative Smith for his leadership. He said there is a chance that the assessments that we know now may in fact be frozen or stopped. Basically, the way the legislation works is that the County could voluntarily opt in to decide the issue.

Mr. Gastgeb then spoke about construction in Bethel Park. Last year, Bethel Church Road was paved. This year, Brightwood Road was put on the agenda and it will be paved. At the same time, the Baptist and Broughton project is going on. Allegheny County Public Works announced that Brightwood Road will be milled and paved mid-summer during daytime hours with one-lane traffic and no detours. Additionally, the Port Authority is currently working on a retaining wall on Brightwood Road.

On Flag Day, June 14<sup>th</sup>, there will be a ceremony at the Flag Retirement Plaza at South Park. The Plaza is one of a kind in the Country. It honorably disposes of our retired flags in the proper manner and allows veterans and current active service personnel to take part in a ceremony on Flag Day. He invited the public to attend.

Representative Smith announced that last week, the State House passed historic legislation to cut the size of the General Assembly. The size of the House has been cut from 203 to 153, and the size of the State Senate has been cut from 50 to 38 members. It now moves on to the State Senate and he is hopeful that they take it up as soon as possible.

Mr. Harrison asked Mr. Gastgeb what time the Flag Day Ceremony will be.

Mr. Gastgeb will advise the time as soon as it is announced.

8. Approval of Minutes

Regular Council Meeting Minutes of March 12, 2012.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of March 12, 2012. Motion Carried 8 – 0. Council Member Dixon 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 #040912 in the amount of \$1,009,815.60. Motion Carried 8 - 0. Council Member Dixon absent.

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

Mr. Dino Bello, 3339 Altherton Drive, presented information packets to the Board. He then spoke about the tax increase voted in last month. He said he does not like it because when he talks with residents they are scared to death. He said some of the people here when out and scared the devil out of people and that was cruel and unkind. He said you can fool some of the people all the time, all the people some of the time, but you can't fool all the people all the time. These people are scared. He said Council got the raise that they have been panting for and it will produce about \$450,000 and he understands that we need \$35,000 and do not come up with ideas. He said he can give ideas right now, to take the same pay the school board takes and you know what that is, it is pro bono just like him. He said he did a lot of these appeals for the people pro bono and feels sorry for the people. They need help. He asked Council to back off and give them a chance. If Council does that, they will be stand-up people. He said he wrote a pretty good letter and has copies of it and he has a way to honorably save face and do it honorably. He said God Bless America, God Bless Bethel Park and means it will all his heart. He said to back off and give the seniors a break, don't let them loose their house because that is terrible and Council is the only people that can help them. He said he begs, not asks, begs to save Bethel Park. The seniors and young married raising families need help. Please think it over. He again said God Bless America and God Bless Bethel Park.

Steven Condre, 2307 Longcrest Avenue, Boy Scout in Troop 215. He is currently working on his Eagle Scout Project. His reason for attending the Council meeting is to ask for sponsorship or donations of any amount to establish or implement the "Yellow Dot" Program. The "Yellow Dot" Program is a public safety program that benefits motor accident victims. This program has yet to be implemented in the state of Pennsylvania. A sticker is placed on the back of your car and a pamphlet with your information goes in the glove compartment. If you are in an accident, first responders can check the emergency information and better treat you on the spot if you have certain conditions or ailments. Mr. Condre asked Council for any ideas they may have to assist him financially with his project.

Mr. Moury asked where to call if someone has donations.

Mr. Condre replied that he can be reached at 412-835-4163 or 412-818-4085.

Mr. McLean suggested that Mr. Condre contact the Bethel Park Community Foundation for assistance by filling out an application and submitting it.

Mr. Condre said he has done that and is awaiting their reply.

Mr. Moury asked Mr. Spagnol to have copies of the pamphlet available at the Municipal Building office and the Bethel Park Public Library.

Mr. Harrison suggested he contact the State officials and said that this is an Eagle Scout project. The concept is a test case and would cover a subset of the Municipality to see how it works and how people accept it. According to the research he's done, it has bloomed in other areas. This is similar to the Vile of Life. Mr. Harrison said he discussed this with Nora Helfrich of Tri Community South EMS and she thinks it would be helpful to the emergency responders.

Mayor Morton said he agrees with Mr. Harrison. Mayor said he received a letter from Mr. Condre explaining the program and he thinks this is a great program for the Scout and the people who would benefit from it. He thanked Mr. Condre and said that he would work with him.

Mr. O'Brien suggested Mr. Condre contact Dave Cable of BPTV to do a small commercial on local access television to help get the idea out and look for donations.

Mr. Harrison said the pilot program is not inexpensive and asked people to dig deep down in their pockets and that it would be appreciated.

## **GENERAL POLICY AND FINANCE**

11. Citizens' Comments – General Policy and Finance

12. Approval of Retirement – Lt. David E. Rogan

Motion by Mr. Hannan and seconded by Mr. Allen to approve the DROP Pension Retirement Election of Police Lieutenant David E. Rogan with an effective date of April 1, 2012, in accordance with Ordinance 08-10-09. Motion Carried 8 – 0. Council Member Dixon absent.

13. Ordinance – Authorizing and Directing the Incurrence of Lease Rental Debt

Motion by Hannan and seconded by Mr. Allen to approve an Ordinance authorizing and directing the incurrence of lease rental debt of the Municipality in an amount not to exceed \$11,500,000 by guarantying an estimated principal amount not to exceed \$11,500,000 to be issued by the Bethel Park Municipal Authority in order to provide funds to advance refund \$8,595,000 of the total outstanding amount of \$14,455,000 of the Authority's Guaranteed Sewer

Revenue Bonds, Series of 2004. Motion Carried 8 – 0. Council Member Dixon absent.

Mr. Moury said that in summary, we are looking to refinance a bond issue for the Municipal Authority. He asked Mr. Chip McCarthy of Piper Jaffray to speak on this matter.

Mr. Harrison also asked that someone give a simple overview to the public on what this is all about.

Mr. McCarthy said that Piper Jaffray and Company is the bond underwriter for the Municipality and the Authority. The Authority is taking advantage of an opportunity of interest rate reduction by advanced refunding of a portion of their outstanding 2004 bond issue to achieve a net value savings acceptable to the Municipality and the Authority. The \$8,595,000 may fluctuate a bit depending on market conditions.

Mr. Moury said we are not extending the life of the bond, just basically reducing the interest rate. We are going to receive cash at closing and that will be used for the Municipal Authority to fund existing or additional projects.

Mr. McCarthy replied that he is correct. We are not extending the life of the loan nor are we increasing the life of the loan.

Mr. Moury said we are taking advantage of the current market condition.

Mr. Hannan said that this is basically like refinancing a mortgage to get a better rate, just as you may do when refinancing a house. We are saving the Municipality money that will be poured back into the sewer systems.

Mr. Moury thanked Mr. McCarthy and Mr. Wayne Gerhold, our legal council on the bond issue, for attending the meeting. The Municipal Authority took similar action this evening.

## **PLANNING AND ZONING ITEMS**

### **14. Planning and Zoning Items**

None

Mr. Moury asked Mr. Duke to give update everyone on the Broughton/Baptist Intersection regarding the traffic associated with the project.

Mr. Duke said that the two-to-three year project started earlier last month. Broughton Road has one-way traffic. Baptist Road, the portion from Paxton to Broughton, is totally shutdown and may be reopened later in the Fall. Part of what we want to avoid, due to what Council recognized with the activities of the past Baptist Road Bridge Project, is the potential of cut-through traffic in the area. Council directed Trans Associates to work with PennDOT to look at additional

road signage and restrictions in order to keep cut-through traffic to a minimum, particularly on Locust Road and Jordan Street. Trans Associates has been working with staff and the Traffic Division to develop different plans for PennDOT. We have not yet received official approval for traffic control off Broughton Road. When we do receive the approval, we will begin implementation per Council's direction.

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

### 15. Health, Safety and Welfare Items

None

Mr. McLean said that the Spring Leaf collection is the week of May 14 – 18. We also do this for six weeks in the fall. You must use the proper paper leaf bags or receptacles that can be easily be dumped. Also, on April 21, 2012 from 10:00 a.m. to 2:00 p.m., there will be an E-Waste collection at South Park for anyone who would like to discard a variety of electronic items, batteries, cassette tapes, fluorescent tubes and small appliances containing Freon. Some items are free to discard and some for a small fee. The location is the VIP parking lot on Corrigan Drive.

Mr. McLean then made recognition of the Bethel Park Ice Hockey Team. They recently won the Penguin Cup as the best Western Pennsylvania hockey team. They made a valiant effort but lost in the State Championship game to LaSalle from Philadelphia. He wanted to recognize Coach Jim McVay and his squad for a great season.

## **PUBLIC WORKS AND MAINTENANCE ITEMS**

### 16. Citizens' Comments – Public Works and Maintenance Items

None

### 17. West Library Avenue Retaining Wall Rehabilitation

Motion by Mr. O'Brien and seconded by Mr. Allen to award the West Library Avenue Retaining Wall Rehabilitation Contract to Rhino Construction for a low bid of \$11,450.00, in accordance with the Municipal Engineer's correspondence dated March 21, 2012. Motion Carried 8 – 0. Council Member Dixon absent.

### 18. West Library Avenue Retaining Wall Railing Replacement

Motion by Mr. O'Brien and seconded by Mr. Allen to award the West Library Avenue Retaining Wall Railing Replacement Contract to Allegheny Fence Construction Company, Inc., for a low bid of \$10,478.00, in accordance with the Municipal Engineer's correspondence dated March 21, 2012. Motion Carried 8 – 0. Council Member Dixon absent.

## 19. 2012 Road Program

Motion by Mr. O'Brien and seconded by Mr. Allen to award the 2012 Road Program Contract to Morgan Excavating in the amount of \$1,025,296.60, in accordance with the Municipal Engineer's correspondence dated April 4, 2012. Motion Carried 8 – 0. Council Member Dixon absent.

Mr. O'Brien thanked Municipal Engineer Jean Statler for her work on the Road Program. It is very difficult and time consuming and thanked her for her efforts, especially in this difficult time. Mr. O'Brien also recognized Recreation Director Chuck Stover. He said that Mr. Stover received an award for the Recreation Department, and that Mr. Stover has a passion for recreation and has really embraced this community and the people around it. He wanted him to know that Council notices the effort that he puts forth.

## 20. Adjournment

Motion and second to adjourn at 8:37 p.m.



Manager