

# **MUNICIPALITY OF BETHEL PARK**

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** July 11, 2011

**Time:** 7:30 P.M.

**Location:** Municipal Building

1. **Roll Call**

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

**Absent:** Allen and Pape

**Also Present:** Mayor Morton; William Spagnol, Manager; Robert McTieman, Solicitor; Judith Miller, Assistant Manager; Robert Cygrymus, Director of Community Services; Lt. David Deremer; Gerard Duke, Municipal Planner; Mark Romito, Finance Director; Mike Smith, Environmental Engineer; Jean Statler, Municipal Engineer

2. **Pledge of Allegiance**

3. **Chair Announcement**

An Executive Session of Council was held on Monday, July 11, 2011 to discuss personnel issues.

**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 that the Library is still looking for Board members, although they have a full compliment of board members, two members terms are soon to expire. This is an opportunity to give back to the Community, and be an advocate for the Library at the local level, the county and the state. This is an excellent leadership development opportunity that only requires about a two hour per month commitment. The board meets once a month and committees meet quarterly. They are seeking candidates with experience in fundraising and marketing. If you are interested, send a letter of interest and current resume to the director's attention.

The Library is using Constant Contact as a way to keep in touch with patrons, it is an affordable email marketing software. Information on programs and services is sent out electronically to all library card holders.

Summer Reading Programs are in full swing and will go through the beginning of August. On Tuesday, July 12<sup>th</sup> at 7:00 p.m., the Pittsburgh South Writers Group will meet. This group offers each other inspiration and constructive criticism to improve their work. On Wednesday, July 20<sup>th</sup> from 4:00 to 5:00 p.m., the Zinghoppers, one of the top rated children's entertainment groups, will come to the library for children from birth through kindergarten with their caregiver. Registration is required. Rob Katchthaler, reference librarian, is teaching a class on digital cameras on Thursday, July 21<sup>st</sup> at 2:00 p.m. On Wednesday, July 27<sup>th</sup> at 6:00 p.m., the Youth Services Department offers a program called A Brighter Tomorrow for grades K thru 5 to do service projects including letters to soldiers, crafts for retirement homes and more. Registration is required.

Christmas in July Instant Lottery Ticket Wreath fundraiser is currently going on at the library for \$2.00 per chance. Drawing is Friday, July 29<sup>th</sup> at 5:00 p.m. Winners need not be present.

For more information on these or any of the library programs and activities can be accessed by visiting the website at [www.bethelparklibrary.org](http://www.bethelparklibrary.org)

5. Police Chief's Report

In Chief Mackey's absence, Lt. David Deremer announced that there is an ongoing problem in Bethel Park, as well as in neighboring communities, with vehicle break-ins. The Police Department is asking that residents lock up their cars at night and leave nothing of value in your vehicle.

He also announced that on Sunday, July 17<sup>th</sup> from 11:00 a.m. to 6:00 p.m., there will be a free community sponsored event at the South Park Oval, the Rev Up for Kids car cruise. The Bethel Park Police Department will be there doing I.D. Cards for the kids. The Bethel Park Fire Department and Tri Community South EMS will also be there.

The Bethel Park Police Pals and the Bethel Park Recreation Department are providing the community with an opportunity to purchase tickets to two upcoming Pittsburgh Pirates games; July 22nd against the St. Louis Cardinals; August 19<sup>th</sup> against the Cincinnati Reds. Order forms are available in the Chronicles and on the Police Department website.

6. Fire Chief's Report

Deputy Fire Chief Bob Brown announced the fire report for the month of June. He reminded residents that carbon dioxide detectors and fire detectors in the home save lives. It is recommended that there be at least one carbon dioxide and one smoke detector in each home; ideally one on each floor of your home.

He then announced that the weekly Bingo is being held on Saturdays at the Brightwood Station. The doors open at 5:00 p.m., Bingo starts at 7:00 p.m.

The second mailing for the annual fundraising will go out this week.

Assistant Fire Chief Dave Gerber asked that Bob Cygrymus, Mayor Morton and Councilman Moury come up to help with a special presentation. He then proceeded to report that on June 24<sup>th</sup>, there was a fire call to assist the Police and EMS in bringing to safety a gentleman who was trimming a tree and had a medical emergency. Public Works employees were asked to come to the scene with the bucket truck and they assisted in getting this man to safety. In appreciation for their help, the Assistant Fire Chief, on behalf of the Bethel Park Volunteer Fire Company, awarded plaques to the following employees of the Public Works Department in special recognition for helping to save a persons life. The employees are: Bob Edkins, Dan Kloshen (in attendance), Greg Miller Jonathan Winfield and Ron Gorecki (not in attendance). Assistant Fire Chief Gerber also thanked Bob Cygrymus, Mayor Morton, Council President Moury and Municipal Council for allowing the Public Works Department to drop what they were doing to come down and assist the Fire Department, Police Department and EMS with this emergency.

7. Mayor's Report

Mayor Morton began by announcing the 90 Plus Club Birthdays for the month of July.

Mayor Morton invited Jim and Judy Willison, in period costume, to come up and give a short presentation. Mrs. Willison spoke about the Bethel Park 125<sup>th</sup> Celebration and gave a brief history of the patriots of Bethel Park who fought in the Revolutionary War. Some of these veterans are buried in the Bethel Cemetery. She then invited the Bethel Park residents to walk with them through this historic burial ground and as one of the many attractions of the 125<sup>th</sup> anniversary celebration. Living history re-enactors from the Oliver Miller Homestead, Bethel Park Library (Christine McIntosh) and Bethel Presbyterian Church will be there to take you back in time on Saturday, July 23<sup>rd</sup> and August 15<sup>th</sup> from 1:00 to 4:00 p.m. with tours beginning on the hour. They will meet up at Bethel Cemetery. Mr. Willison said that he and Mrs. Willison will be portraying James and Mary Miller who were two of the early settlers. He also invited residents to come to the Oliver Miller Homestead on any Sunday from 1:30 to 4:30 p.m. This coming Sunday, July 17<sup>th</sup>, they are re-enacting the first shots of the Whiskey Rebellion which were fired on that site in 1794.

8. Approval of Minutes

Regular Council Meeting Minutes of June 13, 2011.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of June 13, 2011. Motion Carried 7 - 0.

## 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 #071111 in the amount of \$799,238.63. Motion Carried 7 - 0.

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

Jan Pasquini, 168 Iron Run Road, spoke of her dissatisfaction of the developers' agreement with Wadwell Group. She expressed her inconvenience with this project and with her yard being dug up for utility lines along with her driveway being dug up. She asked that her original contractor be given the bid to do the work and he was not given the bid. She presented photos. Last year, she contacted Mr. Welsch and Jean Statler, and was told that it was too late in the season to pour the driveway and would it be first on the agenda this spring. She contacted Jean Statler this spring and was then told that it was no longer the borough's problem, but between her and Wadwell Group. She was at the meeting tonight to verify what was in the developer's agreement. She also addressed the early morning they worked on the weekend. She called the police on the weekend regarding the work hours and got no satisfaction. She is not sure whose job it is, but asked Council for assistance with this problem.

Mr. Moury asked that she leave the pictures. As this is normally a private issue, we will ask Mr. Cygrymus to check into it about getting the driveway taken care of and have staff follow up with Mrs. Pasquini. As far as the after hours work, she should continue to contact the Police Department. We will speak with the Police Department about this situation.

Mrs. Pasquini asked that her home be restored to the way it used to be.

**GENERAL POLICY AND FINANCE**

## 11. Citizen's Comments – General Policy and Finance Items

None

## 12. General Policy and Finance Items

Appointment – Municipal Authority

Motion by Mr. Hannan, Seconded by Mr. McLean to appoint Jerry Pifer to the Municipal Authority for an unexpired term to end on December 31, 2012. Motion Carried 7 - 0.

Mr. Harrison stated that Mr. Pifer worked for the Municipality previously. He left for financial considerations for his family and no other reason. He is very familiar with the Municipality and the work that needs to be done. We are very fortunate that Mr. Pifer applied for this position.

Mr. Harrison then gave an update on his ongoing work to get changes to the State Prevailing Wage Legislation. He encourages residents to contact their legislators asking for the change. The prevailing wage is currently at \$25,000. He would like to see it changed to \$200,000, which would save a considerable amount of money for the Municipality. The time is right to get this done.

### **PLANNING AND ZONING ITEMS**

13. Citizens' Comments – Planning and Zoning Items

None

14. Planning and Zoning Items

Application No. 2010-1080 – Bethel Park High School, Revision to Construction Schedule, Major Land Development, 309 Church Road, Bethel Park School District, Applicant

Mr. Moury asked Mr. Duke, Municipal Planner, to give a brief overview on what Council will be voting on tonight.

Mr. Duke said that this application is for the construction of the Bethel Park High School. This application has been reviewed and approved by Municipal Council two years ago. One condition of the approval for the original land development was that if there were any modifications to the construction schedule, the school district would have to review it as a new land development. It became apparent to the district that they were not going to be able to live with the approved schedule due to a number of factors. One issue was the demolition of the existing building and the construction of Parking Lot A, which is on the area where the current buildings are on campus. They presented a new schedule for construction of the high school and also a schedule for building the parking lot. One major issue looked at by the Planning Commission was the bus drop-off and pick-up schedule. They met with the Planning Commission a number of times and came up with an effective plan that will work in the interim time period until the parking lot is put together. However, under this new application, there are still a couple of conditions of approval that we are recommending. One is that a variance will be needed to construct the parking lot. There will be a parking deficiency of approximately 331 spaces. Our recommendation is that this plan be approved subject to them receiving the variance.

Mr. Harrison said that he is voting against this motion. The school district mentioned they wanted to use the building in January 2012. Mr. Duke indicated that they have not met all of the requirements. They have to seek legal relief. Mr. Toal mentioned that there are a variety of things that can be done. If we don't approve this tonight and they don't get their legal relief, there is no harm done. If they get legal relief in a timely manner and put it before us then the slate is clear. Mr. Harrison does not see any reason to put on the record a motion that may, in fact, not survive because they may not get the legal relief that they need, then Council will not have to take any action.

Mr. Dixon made a point of clarification that we routinely do this for any developer. In this case, there are conditions that have to be met. There were a list of conditions and several have been met. They do have to go before the Zoning Hearing Board to get at least one variance, maybe more. It is not uncommon for this Council to approve a plan for an applicant based on the fact that these conditions have yet to be met. If they do not get the variance, then this approval is null and void and then go back to square one or appeal it.

Mr. Harrison wanted to indicate that what Mr. Dixon says is true, but one of the things that have to be done by the contractor requires a variance and in many cases if they need these variances, they seek them before they ask for approval.

Mr. O'Brien said if you are in favor of it tomorrow, what is wrong with being in favor of it today.

Mr. McLean pointed out that the variance that will be sought will not have any affect on the plan that is before us now. If the plan is approvable, then it is approvable tonight just as if it would be if we waited. In many cases, the applications have been moved forward where it is complete enough for approval. This is done on a regular basis by the Planning Commission.

Motion by Mr. Dixon, Seconded by Mr. Hannan to approve Application No. 2010-1080 – Bethel Park High School, Revision to Construction Schedule, Major Land Development, 309 Church Road, Bethel Park School District, Applicant, in accordance with the Municipal Planner's correspondence dated July 7, 2011. Motion Carried 6 – 1. The dissenting vote was by Mr. Harrison.

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

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

None

16. Health Safety and Welfare Items

Ordinance – Installation of Stop Sign

Motion by Mr. McLean, Seconded by Mr. O'Brien to approve an ordinance for the installation of a stop sign to stop traffic in the southerly direction on Murdock Avenue at Long Street. Motion Carried 7 – 0.

## **PUBLIC WORKS AND MAINTENANCE ITEMS**

17. Public Works and Maintenance Item

None

Mr. O'Brien announced that the Veterans' Memorial Committee, for the month of July and in honor of the Fourth of July, changed all eleven 3 x 5 flags in the memorial to Old Glory.

18. Adjournment

Motion and second to adjourn at 8:12 p.m.



Manager