

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
REGULAR COUNCIL MEETING**

Date: July 13, 2015

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

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

Absent: Council Member Pape

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

2. Pledge of Allegiance

3. Chair Announcement

Executive Sessions of Council were held on Monday, June 22, 2015 and on Monday, July 13, 2015 to discuss Police Personnel issues.

Mr. O'Brien arrived at 7:35 p.m.

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 reading programs will run through August 8th. She said that there will be a Powerpoint Online class on Tuesday, July 14, 2015 at 10:00 a.m. The class is two hours long and registration is required. There will be a Google Drive class on Thursday, July 16th at 2:00 p.m. Conversation Salon will be held on Friday, July 17 and August 7 at 10:00 a.m.

This class helps to seek satisfaction and inspiration of face-to-face conversations about topics that are enlightening and relevant.

Ms. McIntosh then announced that the YWCA will be taking appointments to assist with health insurance applications on Friday, July 24th from 10:00 a.m. to noon. Please call the Library or 211 to make an appointment.

Both Bethel Bakery and the Library will be celebrating their 60th birthdays in the fall. From now until the end of August, you can purchase half-dipped strawberry shortbread cookies at Bethel Bakery and the proceeds will be split three ways among the Joey Fabus Childhood Cancer Foundation; the Bethel Park Library; and the Bethel Park Community Foundation.

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 announced that there will be no Crime Watch meeting in August. The next meeting will be held on Monday, September 14th at 6:30 p.m. at the Community Center.

National Night Out will be held on Tuesday, August 4, 2015 from 6:30 – 8:30 p.m. You can register through the Crime Prevention Office. This is a nationwide event to promote community involvement and crime prevention activities with strong community law enforcement partnerships to send a message to criminals that crime is not welcome.

Chief announced that the Police Department is on Facebook. Daily activities and announcements are placed on the Police Department site.

6. Fire Chief's Report

Chief David Gerber gave the fire report for the month of June.

Chief Gerber said that the Fire Company is still actively seeking new members. In addition, the Fire Company is available to attend block parties in the community. He also spoke about National Night Out and that the fire company will be out and about with the Police Department.

Chief mentioned that the second fund raising letter is being sent out at the end of July and hopes that residents will be generous.

He reported that the new fire station building is coming along. Cement is currently being poured and steel will begin to go up on July 27th.

7. Mayor's Report

Sunday, July 26th is Rev 'em Up For Kids day at the South Park Fairgrounds from 11:00 a.m. to 6:00 p.m. The cost is \$5.00 per car. Proceeds benefit the Bethel Park Recreation Department.

At this time, Mayor introduced four Girl Scouts from Troop 51385. They are Allison Kurtz, Madison Podsiadly, Brianna Gieske and Emily Carter. Mayor Allen was happy to announce that these four young ladies completed a project in conjunction with the American Legion that consisted of locating and recording all the recently installed Veteran's banners in Bethel Park using a GPS system developed by the company that makes the banners. Mayor presented each of the girl scouts with a citation and thanked them for their work and dedication to the community. This project allows you to access information located on the Bethel Park website by clicking on Veterans' Memorial, clicking on American Legion under the Hometown Heroes Program and clicking on *Find a Banner*.

Mayor Allen announcement that Brightwood Road construction is scheduled to begin on July 30th with a full closure from West Munroe Street to 1,000 feet from the Brightwood Road/South Park Road intersection near Lois Johnson Day Care in order to install a W-Pile wall. After the completion of the W-Pile wall, flaggers will be utilized to restrict one lane alternating traffic flow to complete the remaining road construction. This work will be accomplished between the hours of 7:00 a.m. to 5:00 p.m. and last approximately a month.

The following is verbatim text.

Mr. Harrison said:

"At this juncture of the meeting last month, I asked for the floor and the reason I asked for the floor is my continuing concern of our governing body. We have a President who basically thumbs his nose at the constitution every day. At the last meeting we have a Mayor that did not meet a mandated criteria in the Home Rule Charter that says he is to give a State of the Municipality at the June meeting. I requested the verbatim recording of what I said (unintelligible) within the meeting minutes which was done. I did that because I wanted to review what I had said and make sure I said what I wanted to say and yes I did. And in having reviewed the record, there is no content of what I had to say which is untrue. This is important to note because of the statement made by Council President Moury immediately after my presentation. The minutes, which every person gets a copy of, records the following statement by Moury. "Most everything he said is not true. I don't want to go into all the dynamics but we go on and on about the same thing because Don said it's true, it's gospel. I don't even want to get into...what he says isn't true. That's all." What he say's isn't true. Council Members elected Moury to the Council President seat. He is responsible to maintain the order and decorum of the meeting. From his seat he often accuses me of lying, as he did as noted above. Moury never explains the basis for his accusations. This is unacceptable conduct by Moury. His accusations deserve an explanation. I often note that my mother used adages between my siblings and me. One adage

that is apropos to this situation under discussion is silence is consent. Moury's fellow Council Members quietly sit like a bump on a log, that's another one of my mother's expressions, and therefore implicitly support Moury's false statements about me. This is unbecoming of your governing body. Maybe we have come to expect such conduct of our governing body. Note that your governing body violated the Bethel Park constitution, the Home Rule Charter, by their action to place the Bethel Park Volunteer Fire Company question on the primary ballot. The question was okay but the timing violated the Home Rule Charter. Rest assured that I am one Councilman that will endeavor to keep you informed of any unacceptable conduct and highlight any actions contrary to the Home Rule Charter. Thank you."

Mr. Moury said:

"One quick comment, I'll just say what I said last month, most of what he said is not true. I don't want to get into this again, over and over. Any other discussion?"

Mr. O'Brien said:

"Yes Mr. Chairman. Don, I understand you have your say here. It's disturbing in a lot of ways. There's so many issues that are pending for this community on the edge to start working on, to develop, to look for the future. Just sitting here listening to you, I wrote down like, the design of the fire department, the actual building, to make sure that's right. To even look at, a possibility of looking at, our Public Works which we discussed earlier before which I missed because I had to work. And that project. The reorganization and development of a new Police Department for the next generation. To work to prepare our community for an ever changing world which we see on the World News Tonight. How about our emergency management plan to upgrade? You're needed in all these things. These are things that are positive, they're going forward, they are issues that we have right in front of us that we need to deal with, not dealing with all the old things that are just negative. The energy that you take for these issues that are far in the past is amazing to me when we have so many difficult issues facing us. Redevelopment, new buildings coming in. You know, we're in a position, we're between Washington County and Pittsburgh, and that corridor is really growing and closing. What is our future going to be like? Where are we going to be 25-30 years from now? That's our job too. And I hope you join us with that because there's many of us that discuss this with our constituents, with each other, to figure out how we better can serve this community instead of spending this type of time whacking and negative - let's move in positive things to better this community. Thank you, Mr. Chairman."

Mr. Harrison said:

"As you say, he goes on and on. Mr. O'Brien goes through all this flowery type talk all the time. Every one of those things you mentioned, not a one of them, nothing we do deserves violating the law and anybody that can't understand that the Mayor violated the law of Bethel Park for not giving the State of the Municipality which is mandated in the Home Rule Charter, that this Council even

though they were told on this floor that they were violating the Home Rule Charter, put a question on the ballot, as I say, the question was okay, but the timing violated the Home Rule Charter and I am not going to keep quiet when we have a governing body that doesn't care to abide by the rules of this. Thank you."

Mr. O'Brien said:

"Mr. Chairman, my last thing. Don, any of these issues or any other issues that may come up in the future, have you participated in any of these discussions or activities in the last year? I mean, that's what it's all about. You tend to just go back to the old. I understand your point, I don't particularly agree with it. But there's so much to do. Please join us in the work that we need to get done. Please join us. Thank you."

Mr. McLean said:

"Mr. Moury, I just want to make one brief comment, and Mr. Harrison indicated that in your most recent remarks, Mr. Moury, you haven't gone into the details and he was trying to suggest that there is something about that that means it's lacking in validity or credibility. The truth is, we've gone over this issue about the submission of the question on the referendum on this floor so many times that it is not productive for us to keep going over it when the reality is we've had one person, one person who has ever said that what was done was improper and every other person who has looked at it including our solicitor, and the County Election Department has said that what was done was proper. So what was done was proper, what is done is done and we should move on. And Mr. Harrison, you can have your opinion and you stated it. But, there isn't anything additional productive being done by continuing to repeat the argument. That is wrong. A wrong argument does not get better by repetition. It is still a wrong argument. So we have defended it, but as Mr. O'Brien is pointing out, we've got other business we'd like to get on to. And so that, the position though is clear. What was done in the sending of the adopted ordinance to the election department was perfectly appropriate. It's been determined to have been appropriate, properly and appropriate and it has been done. We need to move on. That's the message that we're trying to get across to you but if you want to use your time on the floor or your time on this Council to continue to address an old issue, you're entitled to do that, but do not try to suggest to people that because we want to move on and do other things, that somehow there is some validity to your argument. There is not and we already crossed that road before so we need to move on. Thank you."

8. Approval of Minutes

Regular Council Meeting Minutes of June 8, 2015.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of June 8, 2015. Motion Carried 8 – 0. Council Member 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 #071315 in the amount of \$1,983,860.77. Motion Carried 8 – 0. Council Member Pape absent.

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

Mr. Robert McCormick, 2856 Cherry Street, Community Impact Coalition, spoke about the home at 2853 Cherry Street which was abandoned twelve years ago. The Coalition is requesting the assistance of Municipal Council. The Coalition would to make this property into a historical landmark by restoring it to its original condition and utilize it as a tourist location in the old mining area.

Mr. Harrison asked what would happen after the building is restored.

Mr. McCormick said that this would be an historical site that could be used for tours. He said that what they are attempting to do is preserve Bethel Park mining history and that the house sits directly in the center of Coverdale.

Mr. Harrison asked if his request is to exonerate the delinquent taxes.

Mr. McCormick said that the school district is the biggest tax there and that they have that taken care of it. He said the bank washed their hands of the property twelve years ago and told him he needs get the municipality to take the house over.

Mr. Moury said that Council received the information from Mayor Allen, will look at it and get back in touch with him.

11. Citizens' Comments – General Policy and Finance Items

None

GENERAL POLICY AND FINANCE

12. General Policy and Finance Items

Resolution – Pension Custodial Agreements – Wilmington Trust/M&T Bank

Motion by Mr. McLean and seconded by Mr. Hannan to adopt the resolution agreeing to the Custodial Agreements with Wilmington Trust/M&T Bank associated with the Police and Non Uniform Pension Plans. Motion Carried 8 – 0. Council Member Pape absent.

Mr. Moury said that Bethel Park had what we believe to be the last Fourth of July Fireworks display at South Hills Village because of the construction of the new

apartment complex. He thanked the Police Department, Public Works, Recreation Department and all who helped put it together. He received a lot of compliments on the traffic control. He then thanked Mr. McLean for his help with this event happen. Without which, the fireworks would not have taken place.

Mr. O'Brien said he attended the fireworks, it was a beautiful night. He commended police presence and traffic control and Public Works for their hard work.

PLANNING AND ZONING ITEMS

13. Planning and Zoning Items

None

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

None

HEALTH, SAFETY AND WELFARE ITEMS

15. Health, Safety and Welfare Items

Appointment – Police Operations Lieutenant

Motion by Mr. O'Brien and seconded by Mr. Hannan to appoint James T. Kirsch, Jr., to the position of Operations Lieutenant with an effective start date and annual salary to be set by the Chief of Police. Motion Carried 8 – 0. Council Member Pape absent.

16. Appointment – Police Administration Lieutenant

Motion by Mr. O'Brien and seconded by Mr. Hannan to appoint Blake T. Babin to the position of Administration Lieutenant with an effective start date and annual salary to be set by the Chief of Police. Motion Carried 8 – 0. Council Member Pape absent.

Mr. Moury said that we are promoting two of our officers to Lieutenants. He said that Council made the decision to get the new Chief on board and it was important that he be the guide of the Police Department and get his recommendations. He thanked Chief O'Connor for the work he's done to move the department forward. More activity is forthcoming in August and September with new hires.

17. Ordinance – Civil Service Rules and Regulations

Motion by Mr. O'Brien and seconded by Mr. Hannan to approve the ordinance approving amendments to the Rules and Regulations of the Civil Service

Commission of the Municipality of Bethel Park. Motion Carried 8 – 0. Council Member Pape absent.

Mr. Harrison stated that although he has an issue with one item in the Rules and Regulations, which he asked Council to address, he will vote in favor of it.

18. Citizens' Comments – Public Works and Maintenance Items

None

PUBLIC WORKS AND MAINTENANCE ITEMS

19. Public Works and Maintenance Items

Park Avenue Field Improvements

Motion by Mrs. Gibbons and seconded by Mr. Hannan to approve the Park Avenue Field Improvements Project for a low bid amount of \$43,900 to Plavchak Construction Company. Motion Carried 8 – 0. Council Member Pape absent.

Mr. O'Brien commented on small town connections despite the fact that Bethel Park is a large community. Mr. O'Brien read a poem written by local poet Judith Mayer about the late John McClelland, a Bethel Park mailman.

He also spoke about Mrs. Alice W. Sloan, who also passed away recently. She, her husband and sons were a staple on Fairview Drive. She endured a great deal of tragedy in her life but taught many people how to deal with their own sorrow and tragedy. Mrs. Sloan had strong biblical foundations and a smile and a kind word for everyone. He said she will be greatly missed and is happy that she touched his life.

20. Adjournment

Motion and second to adjourn at 8:10 P.M.


Assistant Manager