

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** November 8, 2010

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

**Location:** Municipal Building

1. Roll Call

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

**Absent:** Council Members Allen, Pape

**Also Present:** Mayor Morton; William Spagnol, Manager; Robert McTiernan, Solicitor; Judith Miller, Assistant Manager; Robert Cygrymus, Director of Community Services; 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 welcomed new Ward 7 Council Member Jim McClean to Council and asked if he wanted to say a few words.

Mr. McClean thanked Council for the appointment. There were a lot of very well qualified candidates and he appreciates the confidence they've shown in him and hopes he can measure up to the expectations. He thanked Mayor Morton for swearing him in and making all of this official. He wanted to let all of the citizens, particularly the residents of the 7<sup>th</sup> Ward, know that he is here to serve them. His contact information is on the website. It will also be in the next Bethel Park Chronicles. Please do not hesitate to contact him with any questions. He will do everything he can to address concerns.

3. Chair Announcement

Executive Sessions of Council were conducted on October 25, 2010 to discuss personnel issues, a real estate issue and a legal issue and on November 8, 2010 to discuss personnel issues, real estate issues and a legal issue.

**Reports of Officials**4. Librarian's Report

None

5. Police Chief's Report

Chief Mackey began by thanking the Giant Eagle on Route 88 for donating the candy that the police officers gave out on Halloween night as well as the two events they participated in at South Park Shops and the South Hills Village. He was extremely happy to announce that we had another non-eventful Halloween.

He went on to address soliciting in the municipality. Religious and charitable organizations, organizations that promote the public good such as "clean water" and "clean air" are not required to have a solicitor's permit. In some instances a permit is issued to them free of charge so they have something in their possession to show they are out in the community. He displayed a permit and said that residents have the right to require the solicitor to show their permit and if they don't have one or refuse to show it he encouraged residents to call the police department. Everyone who is issued a solicitor's permit has their information on file with the police department. A permit is issued with the date the permit was issued and when it expires. It also has a permit number with a photograph of the solicitor attached. There is no soliciting on Sundays. On Saturdays people are permitted to solicit from 10:00 a.m. until noon and during the week it's 10:00 a.m. to 4:00 p.m. These permits are issued to people who go from door to door to sell goods or services. Permits are not issued to high school students selling band hoagies or religious or charitable organizations. Residents should ask to see the permit issued to a solicitor. Give the police department a call if you have any questions regarding solicitor permits.

The annual Police Pal food drive will run from November 29<sup>th</sup> through December 15<sup>th</sup>. Last year they donated 219 boxes of food to needy families in Bethel Park. The goal this year is 250. One aspect of the program that they do not typically advertise as part of the food drive is the Adopt a Family program. We accept donations from individuals and businesses who essentially adopt one of our families. The family names are kept in confidence. Last year we had four families and this year we are projecting that we are going to need help for twelve of our neighbors. He thanked Best Buy, the Bethel Park Rotary, the Bonnie Kepple family and the Officer Tom Rigatti family and he especially wanted to recognize the Marine Corps League South Hills Detachment 726 for their donation of \$500. Any gift, no matter how small, is welcome. Donations are combined to provide gift packages for the adopted families. Questions regarding the program should be directed to Officer Tom Rigatti at 412-831-6800 ext. 104.

Applications continue to be accepted for the Citizens' Police Academy and the LEAP program for the high school students. Both programs begin in January and run for ten consecutive weeks.

Those with listed telephone numbers are automatically enrolled in the SwiftReach notification program unless you choose to opt out. Those with unlisted telephone numbers who want to be part of the program can enroll on the website or by calling the police department. This program notifies residents of Bethel Park emergencies.

6. Fire Chief's Report

Bethel Park Volunteer Fire Department Assistant Fire Chief Dave Gerber gave the Fire Chief's Report for the month of October.

He reminded residents to change the batteries in smoke and carbon monoxide detectors. Smoke detectors should be replaced every ten years or so. The sensors tend to go bad after ten years. Carbon monoxide detectors should be replaced every five years.

He reminded residents that the borough provides leaf collection service. Leaves are not to be burned. Small recreational fires are those that are contained in a pit or stand.

Donations for the fire department are down this year. Those who are interested in donating and have not yet done so can do so by going on to their website which is [bethelparkvfc.com](http://bethelparkvfc.com). Donations can also be mailed to 5213 Brightwood Road.

7. Mayor's Report

Mayor Morton announced the ninety-plus birthdays for November.

He said that the Marine Corps will be celebrating its 235<sup>th</sup> birthday.

He invited Kay Stepp of the Assembly of God to speak.

Kay Stepp said she loves Christmas but there are some families in our community that look to Christmas with a little bit of dread as they do not have a very merry Christmas to look forward to. She said that Compassionate Connection Toy Treasures is a project that helps the less fortunate. You will find boxes around the community at thirty different collection sites. They are collecting toys for needy children in the area. Last year they gave out Christmas gifts to 412 children in the South Hills area and are looking toward even more this year. Toys can be dropped off at those collection sites. Monetary donations are accepted on line at [www.compassionconnectioninc.org](http://www.compassionconnectioninc.org). The money is used to fill in the gaps. This is different from other toy distributions as the parents actually shop and pay ten percent of the retail value of the toy. That money is used to purchase more toys. They feel that they need to affirm the parents' dignity. So instead of Compassionate Connection giving them the toys, they let the parents shop, gift wrap them on site so that the parents can give their children the toys. The distribution date is December 11<sup>th</sup>. Anyone who wishes to get involved can call 412-835-8900 ext. 104.

The Mayor invited John Walsh and Lauren Hurley to the floor along with those Council Members on the Veterans Memorial Committee.

The Mayor said that this is something that happened a number of years ago and just by the circumstances of this young man he never was properly recognized for what happened to him in his life. Lauren Hurley is here to present a proclamation from State Representative Matt Smith.

Ms. Hurley said that Representative Matt Smith and his Staff want to thank any other veterans that are present since we are coming up on Veterans Day. She read some of the House of Representatives' citation for Jeffrey Michael Walsh and presented the citation to his brother John Walsh.

The Mayor then read a proclamation honoring Marine Lance Corporal Jeffrey Michael Walsh. He presented the proclamation to his brother John Walsh.

Mark O'Brien said this has been a long time coming. The committee has been dedicated to trying to find those that are missing. This was a young man that was killed in the Viet Nam War over forty years ago and was forgotten. We were excited that we found him. It was like Divine Intervention. Lauren Hurley offered to help with trying to find these lost soldiers. Within weeks she found someone from Bethel Park. It is his time to be recognized. His name will be placed on the Memorial with a star next to his name and a service for Jeffrey and his family on Memorial Day. Then from here-on-in his name will be read as one of our fallen heroes.

John Walsh read a poem titled "A Soldier's Prayer" that he wrote while Jeffrey was in Viet Nam before he was killed.

8. Approval of Minutes

Regular Council Meeting Minutes of October 11, 2010.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of October 11, 2010. Motion Carried 6-0-1. Council Members Allen and Pape absent. Council Member McLean abstaining.

9. Public Hearing of October 25, 2010 – 2011 Municipal Budget

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Minutes of the Public Hearing of October 25, 2010. Motion Carried 7 – 0. Council Members Allen and Pape absent.

10. Bills and Payrolls

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #110810 in the amount of \$2,998,544.85. Motion Carried 7 - 0. Council Members Allen and Pape absent.

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

Christine Whitman, 5622 Rolling Green Drive, said she wanted to bring a couple of items to Council's attention and also to the attention of the residents of Bethel Park. She has been unsuccessful in her attempts to have signs posted in South Park about the deer hunt. She received approval from the Game Commission and White Tail Management and was told that the signs would be posted by last week. They are not posted yet. She feels that this is a safety issue and anyone who walks in the park should know that it is taking place. It has come to her attention that there are some municipalities that are no longer using White Tail Management. The reason for this is that White Tail Management has recruited some younger hunters and they are only interested in killing bucks. So White Tail Management has made the requirement that you must kill a doe first before you can kill a buck and another doe before you kill another buck. There are does that still have young and once the doe is killed the fawns will struggle to survive and will not survive the winter. She is looking to Council for help. She has spoken before about the hunt, obviously she is not for it. She would like to see a little more involvement so the residents know what's going on.

Mr. Moury asked the Chief to check to see that the signs are posted and to see if White Tail Management's policy has changed with regard to what the requirements are for a hunter. To his understanding nothing has changed but we will look into it.

**GENERAL POLICY AND FINANCE**

## 12. Citizens' Comments – General Policy and Finance Items

None

## 13. General Policy and Finance Items

Ordinance – 2011 Real Estate Tax Rate

Motion by Mr. Hannan and seconded by Mr. O'Brien to approve the ordinance fixing the tax rate for real estate taxes at 2.18 mills for the fiscal year 2011 for the Municipality of Bethel Park. Motion Carried 7 - 0. Council Members Allen and Pape absent.

## 14. Ordinance – Establishing Membership Categories and Fees for the use of the Bethel Park Community Center Gymnasium and Walking Track.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the ordinance establishing membership categories and fees for the use of the Bethel Park Community Center Gymnasium and Walking Track. Motion Carried 7 - 0. Council Members Allen and Pape absent.

Mr. Moury asked Assistant Manager Judy Miller to give a brief overview of what this is. This is something that we have talked about for a couple of months now and the bottom line is with the increased usage by Bethel and out-of-town people we have decided to enact a membership fee to the people that use the gym and the walking track.

Ms. Miller said due to the popularity and excessive use of the facility Council and Staff thought it was prudent to establish a membership program establishing minimal fees for residents and reasonable fees for non-residents to help defray the additional maintenance expense associated with the use of the gym and the walking track. The rest of the facility can still be used without having a membership, the adult lounge, the youth lounge, the game room for the kids. Next month we will have a demonstration of the process you will go through to get a membership card and how the membership card will work at the facility once you arrive. She thinks it will be very user friendly. It is definitely cost friendly especially to residents and even to non-residents when you compare it to other facilities you can join.

Mr. Moury asked if this would be up and running the first of the year.

Ms. Miller said yes. There are annual memberships that will run for twelve months. If you feel that you don't want it you can come in for the day and pay a dollar to use the gym and the walking track.

Mr. Moury said for Bethel Park residents the yearly membership fee for youths is, \$5.00, for adults, \$10.00, for families \$25.00, seniors, \$5.00. Members can buy guest passes at a cost of five passes for \$4.00. Some will be included with the membership. The fees are a little higher for non-residents. It is a good thing we are having a lot of people using it. We had more people present at the meeting discussing this than we have had for a lot of other things in the past.

Mr. Harrison asked if there would be a period in December so people can start applying for their membership cards.

Ms. Miller said the card system has come in. We are also in the process of trying to establish a means by which residents can come in and pay by debit or credit card. This is very important as a lot of people do not carry cash or checks these days. We are going to have it up and running beginning in December at some point. There will be an article in the Bethel Park Chronicles. The facility will be posted so that when people come in and start to use it they will see that beginning January 1<sup>st</sup> this membership program will be in place.

Mr. Harrison asked if for whatever reason somebody didn't become aware of it or didn't take advantage of it in December are we going to have a grace period?

Ms. Miller said there will be a grace period the whole month of January and it will become mandatory in February.

## 15. Ordinance – Year 2011 Budget

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the ordinance enacting the year 2011 Budget for the Municipality of Bethel Park. Motion Carried 6 - 1. Council Members Allen and Pape absent. Council Member Harrison Dissenting.

Mr. Harrison said he would be voting against the Budget again this year as he did last year. If the history of this board is any indication of future actions he would expect to be verbally trashed by Mr. Moury and possibly others as happened last year, but that is okay because it gets people's attention and helps to make the point. In 2009 this governing body increased the three items that provide most of the funds for the General Fund and that's Real Estate Tax, the Earned Income Tax and the Local Service Tax. At that time for those that follow what we do up here, there was a lot of chatter from the dais of sort of patting ourselves on the back saying that we hadn't raised taxes for years, and that's true, we hadn't, and so one could expect that the time has come. In 2009 we raised those three taxes and the actual increase in the money brought in for the first year was over a million dollars. There is a fund called the Reserve Fund commonly called the rainy day fund and because of that increase in taxes the percentage was 8.02. In other words in our Reserve Fund we had a little over 8 percent of funds. In 2010 we transferred a considerable amount of that rainy day fund to balance the General Fund so the rainy day fund went down to 5.9 percent. In the Budget we are voting on now we are transferring money to balance the General Fund and the of the rainy day fund is projected to go down to 4.3 percent. That's less than we typically over the years have maintained and is generally recommended. His concern is that for the 2012 Budget we are going to have to raise taxes again unless the economy gets significantly better and he doesn't read anywhere where people think it is going to get better next year or maybe for a few years. He said we have an excellent staff and many of them are here and they do a very professional job of running the day in and day out government so he is very complimentary of the staff. The way they run the municipality is at the direction of the governing body and the feed back he gets when he says what are we going to do about the fact that we may have to increase taxes is that we have a very nice community, we have a very nice services and if you try to cut any of them it will be deleterious to the community and he is not sure that is true. For the last few years he has suggested to Council that they direct staff to look at all of the expenditures that we do as they are most familiar with the day in and day outs and make a list of things we could consider either eliminating or reducing the amount of and start out with what would have the least annoying impact on the community. Council chooses not to do that and therefore the staff doesn't do it and that is rightfully so. He suggested that residents talk to their Council Representatives if they feel that the municipality should try to trim things to avoid raising taxes next year. Many of the people he represents are less well off and a lot of those folks are worried about maintaining their residences and cannot afford a tax increase.

Mr. O'Brien said each of us who have been here for a long time know exactly what we have in front of us, what this Budget is and what we are faced with. This Staff has done a fabulous job of identifying things that can be cut. We are as bare bones as we can be. We eliminated a position and a lot of different things. We are as lean as we have ever been and we all know what the next step is. We all know where we are at right now. We are at cutting services. To just throw that out there because you don't want to be responsible for it, that's irresponsible. Every Councilman here except for Mr. McClean knows where we are in this Budget. Staff went through this Budget. Each department trimmed things. They are willing to do it because people are hurting. We've held the line. Our reserves are down. The economy is down. Revenues are down. We're trying to hold the line and maintain the services that we have. This is a good Budget. Council has to learn to say no. We have always been very generous in trying to do little things for people across this community as much as we can. Those answers this year are no because we don't have the money. We know what the next step is. We are all very nervous about taking the next step as the next step is cutting into services. We don't know if this community is ready for this. We know that this community expects certain things, such as snow removal, police department, in-house dispatch. We are there.

Mr. Hannan said he agrees with about half of what Mr. Harrison said. We are borrowing from our reserves to balance the Budget to keep the tax rates where they are. The only way we get revenue is from the Earned Income Tax, the Business Privilege Tax and property taxes. We haven't raised the property taxes for three years. The assessments haven't been raised so that is a fixed number. The issue is how much municipal service can you provide? At some point you start talking about potentially eliminating whole departments. As Mr. O'Brien said, we tend to run a fairly lean operation. We don't have a lot of fat. There are things that are thrust upon us. For instance, one third of the Budget is for garbage collection. That is something we write a check for. We don't have anything to do with it other than bidding out a contract. So when those contracted rates go up we pay the higher rate. We don't raise taxes every year that the rate goes up but those rates go up every year. Our fuel costs go up. All of those increases are not kept up with because we have some reserves that we use. It's tight. Should we have probably raised things a little this year to make next year's increase potentially a little less onerous? Potentially, but we can always hope something will come in. We can always hope that we have a large property transfer that gives us hundreds of thousands of dollars that we didn't have budgeted. That hasn't happened for the last seven years. There are only a few other ways that we get money in here. Mostly because when people work, they pay their taxes. We get revenue to pay our people to clean the streets in the winter time, to patch the roads and spend \$800,000 dollars in resurfacing roads every year. We can cut back on those, but are we wasting future money by doing that. That is the kind of decision that is made at this table that is not always the easiest thing to do because we have to maintain the infrastructure we have. If we let it go, everybody would be happy because we would have low taxes but within five years everything would fall apart and we would be spending three times as much money to get it back to where it was. You have to spend money as long as it's prudent. We have a great staff. They do amazing things with very little resources. We all pay taxes

too. At some point we're going to have to do it again. We have requirements for pensions for our employees, for our future employees. When those things come due we have to pay them. Some of those things get state funded. If the state funding gets cut they still have to be paid. The staff has made it workable. There have been a significant amount of cuts from the first run through the Budget. Half a million dollars or so has been cut from that Budget. Staff does work at things. We used to give \$5,000 a year to the Montour Trail. That's gone. We can't afford it. It's one of the niceties. It's nice to have, but we just can't afford it. If things shape up maybe we can afford it again in the future. We pay a nice check every month to support the library. We've kept them at the same level as last year without any increase. This is the first time in six or seven years that they didn't get an increase in their subsidy from us. Those are the things that your taxes paid that stayed the same. Those of you who are retired do not pay the wage tax. You only pay property taxes to allow us to operate things that we think are the mainstay of this community. It's not a great Budget. It's tight, but it's workable. Next year is another story. Don't be surprised if next year things are a little different. We can't print money. We have to get it from somewhere. We are running a very tight ship.

Mr. Moury said short of repeating what Mr. Hannan and Mr. O'Brien said we did spend a lot of time, contrary to what some people say. Staff did cut over a half million dollars before it came to us. We cut a couple hundred thousand dollars. We eliminated a position. What it really comes down to is making a decision on what we want to do. Mr. Harrison refers to not getting a list and sending it back to staff and coming up with a list and what it would cost. It is the same thing every year. At the meeting that Mr. Harrison did attend we talked about eliminating Community Day, the Fourth of July Fireworks, closing the Community Center, reducing the number of street lights or the hours, elimination of a Crime Prevention Officer, reducing the road program, redirecting the budget for snow removal, reducing allocation to the library, reducing the overall Capital Budget, or even the Memorial Day Parade. Mr. Harrison sat silent. That's what we're down to with this Budget. It's down to these things that the majority of this Council hopefully believes if this is adopted that we think the community expects. To be able to sit up here year after year and say they are going to raise taxes. Some day we may. It's not our goal. We try to be frugal. We get quarterly reviews. When Mr. Harrison comes to these meetings he likes to bring props and puts phone numbers up, so he thought it would be interesting to put up everything Mr. Harrison suggested we cut from the Budget. As you can see he can come up here and talk and say a lot of things but he's not willing to do and make the tough decisions we need to make on some of the programs we talked about. It's not a perfect Budget. It doesn't end tonight with the vote. We get a quarterly update from our Finance Director and monthly reports. Because it is in the Budget doesn't mean we are going to spend it. We will reevaluate at the end of the first quarter. If we're ahead on revenues, that's great. If we're behind then we will look at making additional cuts. It's going to be tight. It's not going to be easy. It's a Budget that he thinks we can live with. It is within our means.

**PLANNING AND ZONING ITEMS**

## 16. Citizens' Comments – Planning and Zoning Items

None

## 17. Planning and Zoning Items

Ordinance – Providing for a Columbarium as a Permitted Accessory to Churches and Permitted Cemeteries

Motion by Mr. Dixon and seconded by Mr. Hannan to approve the ordinance to provide for a Columbarium as a Permitted Accessory to Churches and to Permitted Cemeteries. Motion Carried 7 - 0. Council Members Allen and Pape absent.

Mr. Harrison said that when they got into this he did not know what a columbarium is and asked that Mr. Duke speak on this.

Mr. Duke said a columbarium is a place for the placement of ashes of human remains. It's either going to be within a separate structure on the property or it could be within the church itself. The petition was received from one of the churches within Bethel Park to consider this. We did not have a provision in our ordinance to allow this. This ordinance is to allow, under certain restrictions, to have this be permitted with churches and cemeteries.

Mr. Dixon said there was a significant amount of discussion and research that went into this ordinance.

**HEALTH, SAFETY AND WELFARE ITEMS**

## 18. Health Safety and Welfare Items

None

**PUBLIC WORKS AND MAINTENANCE ITEMS**

## 19. Public Works and Maintenance Items

None

Mr. O'Brien said the Bethel Park Veterans Memorial Committee is having a fundraiser to raise money to go to the maintenance of the Memorial. They are selling hand bags for \$5.00. The bags say: "Sacrifice is Meaningless Without Remembrance". They come in black, blue and green. They can be purchased from any Veterans Memorial Committee Member or at the Library. He thanked staff for helping with the Jeffrey Michael Walsh proclamation.

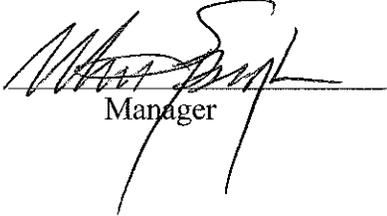
Mr. Dixon asked if the colors of the bags are black for the Army, blue for the Coast Guard and Navy, and green for the Marines, maybe.

Mr. O'Brien said that he didn't think that that much thought went into it, but it works.

Mr. Dixon said that Thursday the 11<sup>th</sup> is Veterans Day. Please keep that in mind. If you see a Veteran, shake his hand and say thank you. The sacrifice our Veterans have given us is just invaluable and they continue to do that to this day in every corner of the world.

20. Adjournment

Motion and second to adjourn at 8:35 P.M.



Manager