

MUNICIPALITY OF BETHEL PARK

MINUTES OF REGULAR COUNCIL MEETING

Date: November 14, 2011

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

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

Absent: Council Members O'Brien and Pape

Also Present: Mayor Morton; William Spagnol, Manager; Robert McTiernan, Solicitor; Judith Miller, Assistant Manager; Robert 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

3. Chair Announcement

Executive Sessions of Council were conducted on October 24, 2011 by the Contract Negotiations Sub-Committee and on November 14, 2011 to discuss Labor Negotiations, Police personnel issues and 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 Kindle owners can now download e-books from the library catalog, as well as Sony E-Reader, the Kobo, Nook, I-Pad and I-Phone. Currently, there are 3,500 e-book titles to choose from across the County and they are adding more constantly. Downloadable e-audio books, some e-video and Disney videos that can be downloaded are also available.

There are a few upcoming programs. The Finishing Well, Five Wishes Living Will, will be held on Tuesday, November 15th at 1:00 p.m. APPRISE (State Health Insurance Assistance Program) will conduct individual appointments to assist seniors with assessing their Medicare coverage options for the open enrollment season on Wednesday, November 30th from 1:30 to 4:30 p.m. Gingerbread House Family Workshop will be held on Saturday, December 3rd from 12:00 to 4:00 p.m. The Staff Christmas Play will be held on Sunday, December 11th at 2:00 p.m. at the Bethel Park Community Center. Registration is suggested.

Ms. McIntosh mentioned that the 3rd Annual Fall Craft & Vendor Fair was held on Saturday, October 29th and 24 crafters and vendors participated. Lottery Wreath tickets are available at \$2 each. The raffle dates are from November 28th through December 18th. She also mentioned that the Annual Fund Drive appeal via email is on the library website and asked that you consider the library for your year-end giving. She reminded everyone about the Gift Books Program. For a \$25 donation, you can purchase a book in honor of a teacher, child or friend.

The library will close at 5:00 p.m. on Wednesday, November 23rd and will be closed on Thursday, November 24th in celebration of the Thanksgiving holiday. The library will be open on Friday, November 25th and throughout the weekend.

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

5. Police Chief's Report

Chief John Mackey asked Deb Chebatoris and Karen Sable to join him. Deb is the owner and operator of Chartiers Custom Pet Cremation in Bridgeville. She joined with Karen in providing pet first aid classes for the community. Together they created a pet first aid kit with oxygen masks to first responders for dogs and cats. Deb explained the program and presented Chief Mackey and Assistant Fire Chief Dave Gerber each with a pet first aid kit. Chief Mackey offered his thanks for their generosity.

Chief then asked Crime Prevention and Community Resources Officer Tom Rigatti and Tom Zabielski from Guardian Protection Services to come up. There are a number of Bethel Park Crime Watch signs through the community. The Police Department partnered with Guardian about 10 years ago who provided the funds to have the signs made. A number of the signs have faded, been damaged and needed replaced. Guardian Protection donated \$2,400 to have 75 new signs made for the community to replace the old, damaged ones. Officer Rigatti thanked Guardian Protection for undertaking this project. Mr. Zabielski said they do this project all over the country, and are happy to partner with Bethel Park.

Chief Mackey talked more about the Crime Watch program. He would like to see more people sign up as captains and can do so by contacting Officer Rigatti at the Police Station, or by email.

The Police Department is still accepting applications for the Citizens' Police Academy and Law Enforcement Apprenticeship Programs. The first class for both programs is January 18, 2012 and runs for 12 consecutive weeks. The program for the high school students will be conducted at the school district, and the program for adult classes is conducted at Tri Community South EMS.

Chief is also encouraging people to participate in the Adopt a Family Program. All families adopted are Bethel Park residents, so you can be assured that your money and efforts will go to help one of your neighbors.

Chief Mackey announced that the annual food drive will be held from Monday, November 28th through Wednesday, December 14th. Officers will be collecting food on December 10th at Giant Eagle, Shop 'n Save and Walmart, all located on Route 88.

Chief then sent a special thank you to General Manager Dan Clunan of Giant Eagle Market District for once again donating candy that our police officers distributed on Halloween to children at South Hills Village, South Park Shops and Home Depot.

6. Fire Chief's Report

Dave Gerber, Assistant Fire Chief, gave the fire report the month of October. The Fire Chief asked him to mention that this is the time of year when we change our clocks back and we should use this as a reminder to change batteries in our smoke and carbon dioxide alarms. Even plug-in type detectors have back-up batteries that need replaced. Also, this is the time of year that we put up Christmas lights and the begin use of space heaters. Please be sure that you use the proper size of extension cord for the lights and do not plug too many sets together. Read the recommendation on the package for proper use, be sure the extension cords have no cracks and the insulation is good in order to prevent fire. Check to be sure all extension cords are UL rated. With the use of fireplaces and wood burning stoves, another prevention recommendation is to have your chimney checked and cleaned by a qualified chimney sweep.

Assistant Chief Gerber also asked that if you did not already donate, they are still accepting donations for this year's fund drive. You can drop a check off to the fire station or you can donate on line at www.bethelparkvfc.com

7. Mayor's Report

The Mayor began by introducing Pastor Kay Stepp of South Hills Assembly of God. Pastor Stepp spoke about Compassion Connections. The program called Toy Treasurers collects toys for children whose families are less fortunate due to the recession. This program is aimed to help these families at Christmas time. Last year, the program helped 300 children at South Hills Assembly and over 200 at another site. Collection boxes have been placed around the Bethel Park area including the Municipal Building and Community Center. Cash donations are also accepted on the website or through South Hills Assembly of God. These

donations are used to purchase age appropriate gifts for the children. Distribution will be on December 17th. Pastor Stepp thanked the people of Bethel Park for their continued generosity and asked to contact her if you know anyone in need that can be helped through this program.

The Mayor announced the 90+ Club birthdays for November.

Mayor Morton then mentioned that the Annual Tree Lighting Ceremony will be held at the Community Center on Monday, December 5, 2011. At this event, the Bethel Park 125th Anniversary Time Capsule will be dedicated, therefore, concluding the 125th Anniversary celebration. Festivities begin at 6:30 p.m.

8. Approval of Minutes

Regular Council Meeting Minutes of October 10, 2011.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of October 10, 2011. Motion Carried 7 - 0. Council Members O'Brien and Pape absent.

9. Public Hearing of October 24, 2011 – Liquor License Transfer

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Public Hearing Minutes of October 24, 2011 – Transfer of Liquor License – SAWA Steak House, Inc. Motion Carried 7 - 0. Council Members O'Brien and Pape absent.

10. Public Hearing of October 24, 2011 – Liquor License Transfer

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Public Hearing Minutes of October 24, 2011 – Transfer of Liquor License – Jeff/Wilkins LLC. Motion Carried 7 - 0. Council Members O'Brien and Pape absent.

11. Public Hearing of October 24, 2011 - 2012 Municipal Budget

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Public Hearing Minutes of October 24, 2011 – 2012 Municipal Budget. Motion Carried 7 - 0. Council Members O'Brien and Pape absent.

12. Bills and Payrolls

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #111411 in the amount of \$1,243,609.85. Motion Carried 7 - 0. Council Members O'Brien and Pape absent.

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

None

GENERAL POLICY AND FINANCE

14. Citizens' Comments – General Policy and Finance

Ron Werkmeister, 4750 Robert Drive, Bethel Park, PA, spoke on the 2012 Municipal Budget. His concern is on the percentage increase on the real estate tax and how it will impact and create hardships upon the residents during this time, especially those on fixed incomes. He discussed the budget and the increases on several items and is concerned about the upcoming arbitration, the amount of employee contributions to healthcare, the amount of vacation time, and reserves in the budget.

Dino Bello, 3339 Altherton Drive, Bethel Park, PA, spoke of his concerns on the 2012 Municipal Budget. Mr. Bello said he spoke with several thousand people in the last month about the 57% tax increase. He asked why the budget meetings were not televised and said that people felt they were being kept in the dark. He spoke of the people on fixed income and how the increase would affect them. He said someone dropped the ball and feels it stinks.

15. General Policy and Finance Items

Ordinance – Non-Police Employee Pension Plan Amendment

Motion by Mr. Hannan and seconded by Mr. Allen to approve the ordinance relative to the amendment of the Non-Police Employee Pension Plan for the purpose of compliance with Internal Revenue Code Requirements. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

16. Ordinance – 2012 Real Estate Tax Rate

Motion by Mr. Hannan and seconded by Mr. Allen to approve the ordinance fixing the tax rate for real estate taxes at 2.93 mills for the fiscal year 2012 for the Municipality of Bethel Park. Motion Carried 6 – 1. Council Members O'Brien and Pape absent. Council Member Harrison Dissenting.

Mr. Moury passed the gavel to Mr. Allen.

Mr. Moury said he'd like to give some overview and maybe answer some of the questions that people came to the microphone on tonight. He said when we adopted the budget last year, they felt that 2011 was going to be a very lean year. We were facing about a 4.62% decline in revenues which equates out to about \$775,000,000 that we were projecting from 2010 to 2011. Adjustments and cuts were possible. Where the 1.25 mill increase came from was that Council has always asked staff to look at the budget, plan three, four or five years out where we think we need to be financially. Based on those numbers, we received a budget of 1.25 mills which is usually the ceiling of what the staff is recommending. It is up to Council to set the direction and decide where we want to be financially in 2012 and in the future. It has not been an easy process. We have had several meetings and have followed the same budget process as we've

followed in years past for the Public Hearing. At last month's meeting, we mentioned that the budget is available in the Public Library and if anybody had questions to contact your member of Council. Every Council Member was asked that if they received suggestions to get them to us so we can talk about them. We've had several meetings to discuss this and looked at anywhere between a 1.25 and a .95 increase. Tonight, we looked a little closer at a one year route versus three, four or five years out to see where we can cut the budget and where we would like to be to try to lessen the impact on all the home owners of Bethel Park. Tonight, it was a consensus of this board to go up .75 mills versus a .95 or 1.25. On a house that is \$116,000 assessed value, which is the average house in Bethel Park, it equates to \$87 per year or \$7.25 per month. It is not an easy thing to do as no one up here wants to raise taxes, but we weighed the services we provide and what we could afford. We looked from top to bottom, we looked at everything. We eliminated probably a couple hundred thousand dollars across the board. We eliminated one Public Works position as well as one position upcoming in the Bethel Park Police Department. In addition, we are retiring our canine officer. Bethel Park Chronicles was discussed, something that we have had for probably the past ten years. We asked staff to put together a program to start communicating via the internet for the people that have internet. In six months we'll look at it again and hopefully we will have a system in place that we can notify people, even for the people who don't have internet. We will make copies available for our Recreation programs. What the net result is for the 2012 Proposed Budget is about a 3.4% increase in what our spend rate is. There has been a significant increase in police cars as the new models have gone up to \$35,000. We didn't really cut any type of major capital that would defer pavement of roads, or the purchasing of public works trucks, as it could cost more in maintenance on the ones you keep. Structurally, we did not touch a lot of the capital, but we made some true cuts in personnel which are ongoing. Two-thirds of our income is derived from wage tax so maybe we will see a bigger increase. We will hopefully weather the storm and get back on the positive side over the next two years. Just because we adopt something tonight doesn't mean that we are not going to continue to look at the budget on a monthly basis. We get quarterly reviews. Staff has been instructed that major capital projects come through us for approval and we are going to continue on a monthly basis to watch the bills and payrolls because that is where it is all spent. It is not an easy thing to do, but it is something that is prudently, fiscally, responsible for us to do in order to develop a budget to be able to pay our bills.

Mr. Harrison said he will speak now and will provide the guys with a target to shoot at. Based on the Home Rule Charter, we must approve our budget in November, but feel it is irresponsible to come out here tonight and pose a new millage which he hadn't heard of until ten minutes before coming onto the floor. He put a spreadsheet on the table and encouraged everyone to look at it because, as Mr. Moury said, there were several proposals from 1.25 to .95 which the Municipality has supplied information. He stated that Mr. Romito agreed that the numbers on this table are the numbers that were provided to the governing body. If the so-called Option 1-D on here which is an increase of .95, by 2013 we put the reserve 21.2% less than we have right now. The table says that we expect to have \$748,000 reserved with the present millage in 2011. By going to .95, we

would have \$2,148,000. In two years, we are 21% less than we have this year. Clearly, there is going to have to be another increase. He thinks the public has to make a decision and communicate to us whether they want to continue to have these increases or whether they want to start cutting back on niceties. At the October 24th hearing, Mr. Harrison thanked the Almanac for publishing the letter he wrote which informed people that we're talking about 57.3% increase in real estate taxes if we went to the 3.43. He said he was just as surprised as Mr. Bello that we didn't have the budget hearing televised, as we generally do have cameras when we present the budget. Mr. Harrison then commented on the verbatim text taken from the Budget hearing by quoting several Council Members comments and asked why his thoughts were questioned and not those of Mr. McLean who indicated that he would not support the proposed budget either. Mr. Harrison then stated that he would be voting against the budget.

Mr. Hannan replied to Mr. Harrison's comments. He said we asked staff to put a list together of things that we cannot necessarily live with. We went through this list of about 15 items and put a consensus on every one of them, whether they stay in or stay out. Basically, Mr. Harrison voted to take out the \$1,500 for the Veterans' luncheon on Memorial Day. Everything else he voted to keep in the budget.

Mr. Allen commented that Mr. Harrison said that we continue to have increases over the years. After being on Council fourteen years, he's seen two increases. He stated that Bethel Park is not the only one that picks up garbage, but there are a lot of communities that charge their residents to have garbage picked up. We elect to include it in our operating budget. Next year, we're proposing \$900,000 to continue with road maintenance. We could easily cut that out for one year, but then we would only be hurting ourselves in the long run. Nobody likes to increase taxes one bit, but sometimes you have to live with the programs we have. We have 911 in Bethel Park which many communities don't and he is sure most of the people agree that just a split second difference between calling Bethel Park for EMS and calling the County for EMS could be of a great difference to your loved ones. We looked at this item by item. We are not going to jeopardize the health, safety and welfare of the community and we are going to continue to do business as usual. We get reports on a quarterly basis. If we can eliminate things or tweak things, we will certainly do that as we do every year.

Mr. McLean said that when we were presented with the proposed 1.25 mill increase, he spoke first with Mr. Romito to understand the projections and why there was a 1.25 mill increase. What he learned from Mr. Romito is that he did a three-year projection and when you do projections that far into the future, you have to be conservative. What he noticed was, in 2014, they were projecting about 14 to 15% increases in the expenditures and he thought that is not going to happen. But, when you take the projections out and then you bring it back to the current time period, you need a 1.25 mill increase to cover what we are projecting. For people on a fixed income, there are things you can do to help yourself. You can turn down your thermostat or you can drive less as the cost of gas goes up, but can't do anything about that tax bill when it shows up. When it shows up, you have to pay. He asked what reductions we can make with the

expenditures. The fact that we did not see a .75 until tonight did not bother him. It is lower than anything we saw before tonight and what he's been trying to do is see if we can bring that tax down as much as we can. A .75 is better than .95. He is in favor of it because at the end of the process that he's gone through, this is a shorter term look, this is the net result and the best we can do right now. Folks should know that our real estate tax millage is one of the lowest in Allegheny County. With the .75 mill increase, we will still be lower than 113 out of 130 communities in Allegheny County.

Mr. Harrison then asked for the floor to make a motion that we table this item until later in the month. Since we have to act on it in November, it would give staff an opportunity to provide the numbers just like they provided the numbers for all the other millage increases.

Motion by Mr. Harrison to table the vote for the ordinance fixing the tax rate for real estate taxes at 2.93 mills for the fiscal year 2012 for the Municipality of Bethel Park. There was no second. The table in motion fails.

Mr. Moury then comments on Mr. Harrison's motion. He continued to say that probably 25% of our assessed value in Bethel Park is commercial property owners. Commercial property owners would not be impacted at all. He said that 25% of the public does not currently pay earned income tax so it wouldn't affect them at all. For working families, it's going to go from \$12 on an average family if we did the property tax, to \$18, a 50% increase on the people that pay the earned income. Two-thirds of our revenue is derived from the earned income tax, we thought that was enough. If we were going to do anything, we were going to focus on the property tax. Some people like to say your taxes are going up 57%, which is simply not true. We as a group survive by a compromise by coming up with things to look at, and talking to the residents. How much more can we cut before we start impacting the level of services. This process has been a challenge, but enlightening. It is not over. It is difficult to vote for an increase for anybody, but we are doing what we think is the best we can do. It is not over because we vote on it tonight.

17. Ordinance – Year 2012 Budget

Motion by Mr. Hannan and seconded by Mr. Allen to approve the ordinance enacting the year 2012 Budget for the Municipality of Bethel Park. Motion Carried 6 – 1. Council Members O'Brien and Pape absent. Council Member Harrison Dissenting.

Mr. Harrison said that he finds it astounding that he can quote the budget after we just lowered the real estate tax.

18. Approval of Retirement – Sgt. Clifford Snitzky

Motion by Mr. Hannan and seconded by Mr. Allen to approve the DROP Pension Retirement Election of Police Sergeant Clifford Snitzky with an effective date of

October 1, 2011, in accordance with Ordinance 08-10-09. Motion Carried 7 – 0.
Council Members O'Brien and Pape absent.

PLANNING AND ZONING ITEMS

19. Citizens' Comments – Planning and Zoning Items

None

20. Resolution – Transfer of Liquor License No. R-16622 by SAWA Steak House, Inc., from Munhall Borough into the Municipality of Bethel Park into South Hills Village on Village Drive.

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the resolution approving the request of SAWA Steak House, Inc., for a transfer of Liquor License No. R-16622 from Munhall Borough into the Municipality of Bethel Park into tenant space located in the South Hills Village, Unit 2000C, Village Drive, Bethel Park, Pennsylvania. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

21. Resolution – Transfer of Liquor License No. R-19643 by Jeff/Wilkins LLC, from the Municipality of Penn Hills into the Municipality of Bethel Park, 5001 Library Road.

Motion by Mr. Dixon and seconded by Mr. Hannan to adopt the resolution approving the request of Jeff/Wilkins LLC, for a transfer of Liquor License No. R-19643 from the Municipality of Penn Hills into the Municipality of Bethel Park into facilities located at Shop 'n Save, 5001 Library Road, Bethel Park, Pennsylvania. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

Mr. Moury stated that we are require by law to have Public Hearings and adopt this resolution for liquor licenses, but in essence, for an application to make it to our level, it already met the State requirements so there is nothing we can do to change it. We are just required to have the Public Hearing. In the past, we opposed one. We were taken to court and lost. It is more just a notification process.

22. Application No. 2011-0955 – CSS Plan of Lots, Major Subdivision, 2590 Summit Street, 2-lot Subdivision, Carol S. Stewart, Applicant.

Motion by Mr. Dixon and seconded by Mr. Hannan to approve Application No. 2011-0955 – CSS Plan of Lots, Major Subdivision, 2590 Summit Street, 2-lot Subdivision, Carol S. Stewart, Applicant, in accordance with the Municipal Engineer's correspondence dated November 9, 2011. Motion Carried 7 – 0. Council Members O'Brien and Pape absent.

Mr. Moury asked Municipal Engineer Jean Statler if this included the Sidewalk Delay Agreement. Ms. Statler replied yes.

HEALTH, SAFETY AND WELFARE ITEMS

23. Health Safety and Welfare Items

None

Mayor Morton stated that he has applications from Pastor Kay Stepp. If anyone knows a family that could benefit from this program, the envelope contains all the information needed to take advantage in order to receive gifts for their children. The applications are also available in the library.

Mr. McLean mentioned that several people asked him to remind everyone that we are a recycling community. If you are recycling, thank you. If you are not, please consider doing it by using the orange and black crates. If you do not have crates, you can use a large container visibly marked "RECYCLING". If you need to know what can or cannot go into recycling, you can read the information on the website or call the Municipality.

Mr. Harrison said that from his observations, many people in Bethel Park recycle. He observed that not many people recycle their newspaper. He asked Mr. Duke about this.

Mr. Duke responded that we have had an increase in paper and cardboard recycling in the last few years as the program has been enhanced by our contract with Waste Management. There has also been a large increase in commercial recycling or institutional. There are a number of places such as churches and schools who have paper drop offs, and we see an increase in that. Overall, our paper has been up. We would like to have everything recycled but there are many options to either put it on the curb or into dumpsters.

Mr. Harrison asked if it has been mandated that businesses recycle.

Mr. Duke replied that institutions are required; commercial institutions are required. They provide us with reports at the end of the year which we turn over to the state and we get some money back from the landfill tipping fee to help support our program.

PUBLIC WORKS AND MAINTENANCE ITEMS

24. Public Works and Maintenance Items

None

Mr. Harrison requested the Manager direct the Finance Officer to provide Council with the numbers that correspond with the approved .95 millage.

Mr. Moury said that Mr. Harrison can make the request to Mr. Romito tomorrow.

25. Adjournment

Motion and second to adjourn at 8:52 p.m.

A handwritten signature in black ink, appearing to be the initials 'WS', is written over a horizontal line.

Manager