

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** January 8, 2018

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

**Location:** Municipal Building

1. **Roll Call**

**Present:** Council Members Consolmagno, Dixon, Hannan, Harrison, McLean, O'Brien, Moury and Mayor Jack Allen

**Absent:** Council Members Colella and Gibbons

**Also Present:** Shawn Arbaugh, Manager;  
Judith L. Miller, Assistant Manager;  
Solicitor Robert L. McTiernan; Chief Timothy O'Connor;  
Joseph Villella, Finance Director

2. **Pledge of Allegiance**

3. **Chair Announcement**

An Executive Session of Council was conducted on Monday, January 8, 2018 to conduct Police Interviews, personnel and legal issues.

**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 it is Winter Reading Club time. Currently Children's Winter Reading Club which is for birth through age high school age, continues through January 27<sup>th</sup>, stop in to register and pick up your reading log. Earn tickets for prizes that will be drawn on January 27, 2018. All participants are invited to a magic show on Saturday, January 27<sup>th</sup> at 2 p.m.

The Adult Winter Reading Club is for ages 18 and older runs February 5<sup>th</sup> – March 4<sup>th</sup>. We ask that you come in and register at the library. Read or listen to any book,

No magazines or newspapers. Complete and submit an entry form for each item read or listened to. For each week of the club, one winner will be drawn for a \$25 gift card. All entries received before the end of business on March 4<sup>th</sup> will be entered into the final grand prize drawing. Which is a Google Home Voice Activated Assistant. We will announce this winner on March 5<sup>th</sup>.

Ms. McIntosh announced that Bethel Park Library is a PA Forward Silver Star Library. The PA Forward program is part of the PA Library Associations 21<sup>st</sup> Century Literacy Initiative focusing on elevating the quality of life in PA through the five types of Literacy: Basic, Informative, Civic, Social, Health and Financial. There are three levels of libraries in the PA Forward Program: Bronze, Silver and Gold. Three of the 46 library entities in Allegheny County have achieved star status: Bethel Park Public Library has achieved Silver Star Status, Gold Star requirements have been achieved but not accepted yet by PA Library Association. Mt. Lebanon Library has achieved Bronze Star Status and Western Allegheny Community Library has achieved Gold Star Status.

Ms. McIntosh announced that the Library will be closed on Monday, February 19<sup>th</sup> for Staff Development Day. The Library will regular hours on February 20, 2018. Fines will not be charged for days the Library are closed.

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](http://bethelparklibrary.org). You can also follow the Library on Facebook & Twitter.

5. Police Chief's Report

Chief Timothy O'Connor wanted to thank everyone for participating in "Presents from Police". On December 21<sup>st</sup>, the police took the presents to Children's Hospital that were donated.

The next crime watch will be Monday, February 5<sup>th</sup> at 7 p.m. at the Community Center. If you can't make it please follow us on Facebook and Social Media for updates.

6. Fire Chief's Report

There was no fire Chiefs report

Mr. Consolmagno stated, this week, January 9-15 is National Law Enforcement Appreciation Week. Tomorrow January 9, we are providing a meal for each shift. Mr. Consolmagno thanked the Bethel Park Community Foundation and Dan Duff for their donation to pay for the meals being provided to the police. He thanked Bethel Park Council and the Community Center for hosting the banner, it will be at the Community Center for the next week for anyone who would like to sign it. We will be selling blue bulbs and candlelight bulbs for \$5 so citizens can display a blue light to show appreciation for law enforcement. Mr. Consolmagno also thanked the

Bethel Park Historical Society for having the banner over there and for selling the bulbs. The main thing is to have the community involved with displaying the light and having the children involved. We have pictures the children colored to show their appreciation. Mr. Consolmagno thanked the residents that came out to sign the banner.

7. Mayor's Report

Mayor Allen thanked Mr. Consolmagno. As Joe mentioned the 8<sup>th</sup> - 15<sup>th</sup> is Police Appreciation week. He asked the Chief to come back up and introduced Allegheny Council member Sue Means.

On behalf of Allegheny County Council, Sue Means presented the following Proclamation "National Law Enforcement Appreciation Day"

"WHEREAS, every day across the Commonwealth of Pennsylvania , police officers bravely and courageously risk their lives to protect and serve their communities and preserve the peace and order to which every citizen is entitled; and

WHEREAS, January 9, 2018 has been designated as "National Law Enforcement Appreciation Day" to honor the police officers who put their lives on the line to keep our communities safe; and

WHEREAS, the Bethel Park Police Department consists of 34 full-time police patrol/investigative officers, and 5 emergency dispatchers. The Police Department is responsible for 24-hour community-wide law enforcement and responds to all requests for emergency services. The Police Department responds to an estimated 16,000 calls for set-vice per year; and

WHEREAS, the members of the Bethel Park Police Department are dedicated to ensuring public safety and enhancing the quality of life in Bethel Park by sel-ving as leaders and teachers, educating the community about the importance of public safety; and

WHEREAS, we appreciate the extraordinary efforts and sacrifices made by officers and their family members daily, to protect our schools, workplaces, roadways, and homes; and

WHEREAS, National Law Enforcement Appreciation Day is an opportunity to show our support for law enforcement;

NOW, THEREFORE BE IT RESOLVED, that the Allegheny County Council does hereby honor and thank all the police officers in the Commonwealth of Pennsylvania and the Municipality of Bethel Park during National Law Enforcement Appreciation Day and commend those officers for their willingness to give their life to protect and serve." Sponsored by Sue Means and all of Allegheny Council.

Mayor Allen thanked Sue Means and presented the Chief with a Proclamation from the Municipality.

Proclamation, 2018 Bethel Park, Law Enforcement Appreciation Week, to designate the week of January 8th – January 15th, 2018  
Bethel Park Law Enforcement Week

“Whereas, The Bethel Park Police Department was established on April 1, 1941, with a single officer, John Miskunas; and  
Whereas, The Bethel Park Police Department has grown to a current staff of 39 Officers, 5 Communication Officers, 2 civilians and 29 School Crossing Guards; and  
Whereas, The Bethel Park Police Department protects several shopping districts, including South Hills Village Mall and Village Square Mall, several strip malls, several 7 and 8 story apartment and office buildings, several large medical office complexes, an industrial complex in addition to single family homes; and  
Whereas, Our Law Enforcement personnel lay their lives on the line each and every day for the residents of Bethel Park and we want to show our appreciation for their dedication and service; and  
Whereas, In appreciation of the outstanding efforts of our Bethel Park Law Enforcement, it is appropriate to recognize the value and the accomplishments of the Bethel Park Police Department by designating Bethel Park Law Enforcement Appreciation Week; now  
Therefore, I, Mayor Jack Allen, as Mayor of the Municipality of Bethel Park, do hereby proclaim the week of January 8th – January 15th, 2018, as:  
Bethel Park Law Enforcement Appreciation Week  
I encourage the community to observe this day with appropriate programs, ceremonies and activities. Please place a BLUE light in your home window to show appreciation to Bethel Park Police Department Law Enforcement during this week.”

Mayor Allen announced the winners and honorable mentions of the annual Holiday Lighting and Decorating Contest and presented those in attendance with certificates. Mayor Allen thanked the community for their participation, the winners and all judges who made this program a success this year.

#### 8. Municipal Manager’s Report

Municipal Manager, Shawn Arbaugh stated that PennDOT is hosting an Informational Meeting about the South Park Rd and Logan Rd Intersection Project on January 18, 2018 at 5pm. The project entails adding left turn lanes, a new traffic signal and storm water improvements in that area.

Mr. Arbaugh said he was excited to announce we just launched a Citizens Action Line. The new Citizen Action Line, allows Citizens to make complaints from home and track the status of complaints. Internally it allows us to track all complaints so nothing is missed. We will also have a database of all issues, so we can see if a problem continues to occur. Mr. Arbaugh thanked Judy Miller and Nicole Starzynski for working to get this program up and running.

Mr. Arbaugh stated the Mr. Harrison just turned 90 years old and presented a Birthday cake to him. Everyone sang Happy Birthday to Mr. Harrison.

#### 9. Approval of Minutes

Regular Council Meeting Minutes of December 11, 2017

Motion by Mr. Hannan and seconded by Mr. Dixon to approve the Regular Council Meeting Minutes of December 11, 2017. Motion Carried 7– 0. Council Members Colella and Gibbons absent.

10. Special Council Meeting Minutes of December 18, 2017

Motion by Mr. Hannan and seconded by Mr. O'Brien to approve the Special Council Meeting Minutes of December 18, 2017. Motion Carried 7– 0. Council Members Colella and Gibbons absent.

11. Reorganization of Council Meeting of January 2, 2018

Motion by Mr. Hannan and seconded by Mr. O'Brien to approve the Reorganization of Council Meeting Minutes of January 2, 2018 Motion Carried 7– 0. Council Members Colella and Gibbons absent.

12. Bills and Payrolls

Motion by Mr. Hannan and seconded by Mr. McLean to approve the Bills and Payrolls for the Municipality per Bill List #010818 in the amount of \$2,178,779.43 Motion Carried 7– 0. Council Members Colella and Gibbons absent

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

None

**GENERAL POLICY AND FINANCE**

14. Citizens' Comments – General Policy and Finance Items

None

15. General Policy and Finance Items

Resolution No R1-8-18A – Oxford Drive Transportation District Refunds

Motion by Mr. Hannan and seconded by Mr. Dixon to adopt a resolution authorizing the refunding of payments made into the Oxford Drive Transportation District in accordance with the Transportation Partnership Act .Motion Carried 7– 0. Council Members Colella and Gibbons absent.

Mr. Moury said many years ago, probably 15-20 years ago, we did an intersection upgrade in the Oxford Drive area. The project was paid for by the businesses in the area. We floated the bond and assessed each property owner. All the work was done, we have now paid the bonds off. Whatever money is left in the fund will be given back to the property owners in accordance of how they paid in. Mr. Moury thanked everyone there, where well over a million dollars' worth of improvements were completed.

Mr. Harrison said:

"I would like to remind Mr. Mclean that we agreed to pass a piece of recommendation on to the senate. Would this be the appropriate time to do that?"

Mr. Moury said:

"No, that would be under Health, Safety & Welfare."

Mr. Harrison said:

"Ok. Then I would like to have the floor. Happy New Year. The people of the 5<sup>th</sup> ward awarded me four more years, the man upstairs has to decide if I can serve four more years or not. I will continue to serve the public of Bethel Park as I have the last 44 years. I am starting on my 45<sup>th</sup> year. I am going to do a quick review of history pertinent to possible future Council actions. Council knowingly, blatantly violated the Home Rule Charter, based on their vote on the Ordinance for the Bethel Park Volunteer Fire Company dedicated Tax. The Ordinance was in violation of election "inaudible" logs. I informed Council before the vote, the affirmative vote on that Ordinance was a violation of the Home Rule Charter. The Home Rule Charter Section 1107, which incidentally I was the author of, says the effective date of an ordinance, shall, and I emphasize shall be mandatory, no sooner than 30 days after its adoption. Mr. McTiernan our solicitor was complicit in the violation. He delivered the ineffective Ordinance that was in violation to the electoral 3 days after it was illegally enacted. That was 27 days before the effective date of the ordinance. Now why am I rehashing this history? There are rumors on this governing body that a question may be put on the ballot to destroy the benefits of section 1107 of the Home Rule Charter. Section 1107 of the Home Rule Charter has allowed 6 challenges to Council actions. The first 5 times the challenge was successful. The sixth challenge led to the biggest mistake I have made as a council member. The challenge was to overturn a tax increase, the petition campaign was successful in getting the required number of signatures but had not submitted to the Municipality on my recommendation. At a monthly public meeting, like the one tonight, the finance officer announced that a reevaluation of the finances had been done and it was determined that there was no need for the tax increase. My mistake was I recommended it because the petition not be submitted. The submittal of the petition would have imposed an unneeded expenditure of time and effort to validate the petition. The Petition was not submitted and Council immediately decreased the tax increase after the petition maybe got the necessary amount of signatures, didn't submit the petition because the finance officer said there was no need for a tax increase after the time expired for the petition committee to send the petition to the municipality. The municipality, council here increased the taxes. Now to the bottom

line the reason why I'm doing this. The murmurs are suggesting, I'm talking about Council, that the ability to challenge taxes and signatures will be eliminated from section 1107. In my opinion that would destroy the usefulness of the section. Don't let that happen. Veto it. I will keep you informed. Thank you very much."

Mr. Moury said:

"Happy Birthday Don and none of that is true."

#### **PLANNING AND ZONING ITEMS**

16. Citizens' Comments – Planning and Zoning Items

None

17. Planning and Zoning Items

No Items

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

18. Health, Safety and Welfare Items

Promotion - Police Sergeant

Motion by Mr. O'Brien and seconded by Mr. Dixon to promote Colby Grubich to the position of Sergeant for the Bethel Park Police Department, with a start date aggregable to Police Chief Timothy O'Connor. Motion Carried 7-0. Council Members Colella and Gibbons absent.

19. Promotion - Police Sergeant

Motion by Mr. O'Brien and seconded by Mr. McLean to promote Sean McGrail to the position of Sergeant for the Bethel Park Police Department, with a start date aggregable to Police Chief Timothy O'Connor. Motion Carried 7-0. Council Members Colella and Gibbons absent.

Mr. Moury thanked both the officers and the Civil Service Commission.

20. Resolution No. R1-8-18B - Motor Vehicle Speed Timing Equipment

Mr. Harrison said Pennsylvania is the only state that does not allow police to use radar for safety purposes and now senate has passed that. We need to encourage the Pennsylvania House to pass it.

Motion by Mr. O'Brien and seconded by Mr. Dixon to adopt a resolution in support of Senate Bill 251 enabling all municipal police to use the same motor vehicle

speed-timing equipment as the Pennsylvania State Police. Motion Carried 7- 0. Council Members Colella and Gibbons absent.

Mr. O'Brien thanked Council Joe Consolmagno for organizing Police Week. It took a lot of effort. Mr. O'Brien stated he comes from a family of Police Officers, it means a lot and thanked Joe for all his efforts.

Mr. O'Brien stated that the proposed cell tower at Irishtown and Logan has not gone away but it is tabled at this point in time. When it comes available again in front of the Planning and Zoning Commission, he said he will personally let everyone know who is affected. If it is before the next month's meeting we will take the necessary actions to inform everyone and the signs will be up at the corner of Irishtown and Logan.

#### **PUBLIC WORKS AND MAINTENANCE ITEMS**

21. Citizens' Comments – Public Works and Maintenance Items

None

22. Public Works and Maintenance Items

No Items

23. Adjournment

Motion and second to adjourn at 8:07 P.M.

  
\_\_\_\_\_  
Manager