

MUNICIPALITY OF BETHEL PARK

MINUTES OF REGULAR COUNCIL MEETING

Date: July 9, 2018

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

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

Absent: Council Members Colella and McLean

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 tonight, Monday, July 9, 2018 to discuss personnel items.

Reports of Officials

4. Library Director's Report

Library Director, Christine McIntosh, announced that it is not too late to join a Summer Reading Club, they are available for all ages. The Adult Summer Reading Club ends on July 30th. The Youth Summer Reading Club ends on August 18th with a party, prizes and entertainment.

Ms. McIntosh announced that there were a few activities she wanted everyone to know about. First is the Bethel Park Community Star Party, which will be held on Wednesday, July 18 at 8:30 p.m. This event is hosted by The Amateur Astronomy Association of Pittsburgh. It will begin at 8:30 pm with an astronomy presentation. Then everyone will go outside to view the night sky. Bring your binoculars if you have them. Telescopes will be set up for viewing as well. All ages are welcome. The next event is Monday Movie Matinees for Kids; it's every Monday during the month of July at 2:00 PM. A different musical will be shown with popcorn and drinks provided. Call ahead for the movie title or come and be surprised! For grades K-4.

Monday Night Movies for Teens at 6:30 PM. Skip the theater and come to the Library for free movies and snacks! Bring a friend and enjoy a musical movie such as Grease or Pitch Perfect. For grades 7 and up.

Ms. McIntosh wanted to remind everyone that the Library is closed on Sundays during the summer.

5. Police Chief's Report

Chief O'Connor stated that he hopes everyone is continuing to have a safe summer and he hopes everyone that suffered damage from the storm and the flooding is on their way to recovery.

Chief O'Connor stated that there will be no Crime Watch in August. So please follow the police on Crime Watch email, Facebook and social media. Chief O'Connor stated that they will also be sending out Swift Reach Messages when necessary, during the storm recovery process.

6. Fire Chief's Report

Assistant Chief Brent Kimberland stated that their calls doubled for the month of June. There were 76 calls, 36 calls were not related to flooding, 39 calls were directly related to the flooding. One vehicle stuck in high water, 5 road closures, 18 flooded homes, 2 foundation collapses, 4 fire alarms, 3 gas odors in homes, 1 structure fire and rescued 30 people from high water from building's and vehicles.

Assistant Chief Kimberland stated that the fire company assisted with the clean up afterwards. He stated that over two days they handed out over 250 of the flood relief kits. He also thanked the community, residents and businesses for everything they did. People donated food to the fire station for the fire fighters and other volunteers. He stated it was great support from the community.

Assistant Chief Kimberland announced that the second mailing for their donations went out and he asked the community to support the fire department.

7. Mayor's Report

Mayor Allen personally thanked the fire department and all the volunteers. He stated that some of the fire fighters needed help with their own homes but they did not leave the station so they could help others.

Mayor Allen wanted to remind everyone that the Farmers Market is open every Tuesday from 3-7 and is located at the South Park Ice Rink parking lot. The Farmers Market goes to the end of September.

Mayor Allen announced that the 90 Plus luncheon is October 5 at the Community Center. Last year there was between 80 and 100 people. This is a way we recognize our seniors. If you or anyone you know is, 90 plus you can contact Janet Davin at 412-831-6800 x 211.

Mayor Allen announced that this Saturday, we are having a program in Council Chambers, called Time of Hope from 2-5. The purpose is for people of faith who were affected by the flood to surround themselves with prayer.

At this time, Mayor Allen introduced Becky Luzier, President of the Black Hawk Family Relief Fund.

Becky stated that the Black Hawk Family Relief fund stated a year ago to raise money for students at Bethel Park High School. They did not expect that they would need to raise money for another cause until they received a call the night of the flooding. Within 24 hours, the Black Hawk Family Relief fund was gathering volunteers and reaching out to various resources, posting things on social media to coordinate everything from meals to babysitting for the victims of the flood.

Becky said so far they have received \$15,000 in donations for flood victims that is three times as much as it was a few days ago.

Becky announced that on July 22, they are having a Rummage Sale at Rutherford Baseball Field any community members that would like to donate any goods they don't need and gently used items that can be sold, all proceeds will go to the flood victims. On August 12, they are hosting a Community Festival at Independence Middle School. There will be food vendors, music and family activities.

Becky thanked Council and the community for their support. She also thanked Lauren Bradley, Sydney Litzenburger and Courtney Smith for coordinating meals, delivery of appliances and numerous other things.

Mayor Allen stated that Bethel Park is a great town to live in. So many people came together to help people they didn't even know. Mayor Allen stated he can't recognize everyone because there are so many people who have helped. He didn't want to leave anyone out but because there are so many people he is just going to recognize the people who went above and beyond.

Mayor Allen thanked David Spinnenweber, Jeff Simqu, Tina & Erin Carter. Mayor Allen thanked John Kuchma the Municipalities Emergency Management Coordinator for everything he has done over the past few weeks.

At this time Mayor Allen introduced Chris Van Dyke for volunteering his services to numerous residents. Mayor Allen also introduced Lisa and Jim Jenkins who also volunteered. Lisa and Jim Jenkins had trucks everywhere, helping people move things and numerous other things. Mayor Allen presented Chris Vandyke and The Jenkins with Citations for their dedication to the Bethel Park Community.

Mayor Allen thanked Bill Haberthur of the Historical Society for coordinating the collection of product and distributing products to residents. Mayor Allen thanked Public Works for all their hard work, cleaning up and assisting residents.

Mr. Moury thanked the Citizens of Bethel Park on Facebook. They were a tremendous asset to aide in getting information out to residents and coordinating volunteer efforts.

8. Municipal Manager's Report

Municipal Manager, Shawn Arbaugh stated that staff has been extremely busy working on the flooding event. We have had over 400 people report damages to their homes in one fashion or another. We have had numerous infrastructure issues, roadways, storm and sanitary sewers. Public Works has been doing a tremendous job of cleaning culverts, removing debris from the area. Mr. Arbaugh thanked staff for all their hard work and their continued efforts.

Mr. Arbaugh stated that there are dumpsters available still at the Community Center, Clifton Road Fire Station and Milford Road Fire Station. The dumpsters will be available until Monday, July 16.

Mr. Arbaugh stated that for the most up to date news please go to our website. We are working with some Church organizations and other groups to bring volunteer efforts to Bethel Park. To help those that have mold growth, power washing basements and numerous other things. Our website is updated frequently as well as the Savvy Citizen App. If you have not downloaded the app yet, Mr. Arbaugh recommends downloading the app, a lot of important information is put on Savvy Citizen such as road closures, flooding updates and other items.

Mr. Arbaugh stated the Republic recently sent out a mailing to residents regarding a change in Friday trash pickups. Republic inadvertently sent out the notification out to too many people. They should have only sent it out to about 25% of the people they were supposed to send it too. Some people's day for trash and recycling will be changing from Friday to Tuesday. Please check our website for clarification on what streets are changing days. Republic will be sending another notification out to residents to correct their error.

Mr. Moury asked Mr. Arbaugh, what could he look up on the internet to see this information, if I do not have Facebook?

Mr. Arbaugh stated that you can go to Bethel Parks website, you can also sign up for the Savvy Citizen App, even if you just have texting on your phone, it can send you a notification via text or send you an email. You do not have to have a smart phone to use Savvy Citizen. We also use Swift Reach calls to notify residents of important information.

Mr. O'Brien said:

"Wish I could have done more, however the group of people Jack recognized along with Mr. Moury. They were just phenomenal. They are everywhere they never stop. In fact things we don't think about after the flooding and after everyone's gone. They are still finding people may have not been aware because of their condition or their age, that they were affected. We are almost two weeks out. If you know some older people who are not getting out of their house too much. Check on them, check on your neighbors. Given the fact that this was so random, it was historic and somewhat biblical in the way the water hit this town. It didn't follow a normal flooding procedure, like some people here know.

It hit people randomly, so we need everyone to reach out. It's amazing how they gave up their lives for the people of Bethel Park to stand and load some wet boxes in someones house with 40 years of memories or watching an older man with his baseball card collection, he had since he was a kid then its gone. Some people lost everything in their basement and the next day the same lady who lost everything is down making a contribution to other people, that is pretty moving. This is a good place to live. Mr. Moury received an award in Harrisburg for his dedication and lifelong service and it really did continue in this flood. I'd like to thank him personally."

Mr. Arbaugh asked if anyone has not reported flood damage to please do so as soon as possible by calling 412-831-6800 x 130. Also if there is anyone out there who wants to volunteer please call us.

Mr. Moury reminded everyone to please check on your neighbors. If a senior citizen tells you their basement is fine please insist that you want to see it. Take the time to go in and check their basement. As we discussed tonight a lot of people who had water never had water before.

Mayor Allen stated in order to receive a Swift Reach call outside of the 15102 zip code you have to go online and register yourself and your phone number to receive the swift reach calls.

9. Approval of Minutes

Regular Council Meeting Minutes of June 11, 2018

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of June 11, 2018. Motion Carried 7- 0. Council Members Colella and McLean 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 #070918 in the amount of \$2,575,487.73. Motion Carried 7- 0. Council Members Colella and McLean absent.

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

Catherine Sturman, 3067 Greenwald Road, Bethel Park, spoke about observing the construction of large viaducts over the years. She said there is a large sign on Church Road, which reads "Constructed by Commonwealth of Pennsylvania, Bethel Park Flood Protection Project, maintained by borough of Bethel Park". She bought her house in good faith in believing this area was now protected from flooding. She believes this sign is a misrepresentation and false advertising. She has lived in Bethel Park now for 4.5 years and her house has flooded several times. The creek is not a little stream in a farmer's field, this is a major life threatening flood. She said the water flooded and quickly reached her 8ft dyke. She believes the tax payers have a right to be informed of the engineer departments accountability. She believes that tax payers have a right to see the dated reports from the

past 4 years, addressing their concerns relevant to future flooding, their recommendations to correct these issues and how these known flooding areas were maintained. She is specifically concerned about the dyke that was installed in her area. Which continues all the way up Greenwald Road the drainage water coming down into the creek from the area at the top of the hill on Eastview. She said it overloads the creek. If this situation is beyond the training, the experience and the capability of the Municipalities Engineers than it is time to reevaluate and have someone better suited to fix this issue. She would like the sign taken down regarding the Bethel Park Flood Protection Project, so future buyers are not misled as she was. Her property along with many others is depreciated, her basement destroyed. She doesn't believe it's worth it to remodel since her property continues to flood, she also doesn't believe she can sell this house. She looks forward to Council addressing this issue as quickly as possible.

Joann Zawilla, 1224 Cobblewood Drive, Bethel Park, spoke about the flooding that comes from Monongahela Avenue into her yard. She did not get flooding in her house. She said the water is supposed to flow into two ditches that's for the entire hill coming down. When this happened we had water coming all the way down, down her drain, went into the ditch, came from there, went to the people across the street, they received 3-5 feet of water. She said this has been going on for 10 years. The municipality has done things but nothing has helped. Now people were flooded because nothing was done right. We feel there should be more ditches. On the road there is only 2 storm drains on Cobblewood Drive, in the cul-de-sac there are no storm drains and she feels there should be. She feels that things should be put underneath the ground not above the ground because when people throw their leaves down, they receive all of that in the drain. She is not happy about this a lot of people will not be able to sell their houses.

Kerry Ann Stare, 669 Horning Road, Bethel Park, said her husband Ryan and her became residents of Bethel Park in 2010. Its eight years to the day that they closed on their house at 669 Horning Road. They live there with their two daughters age 5 and age 2. They have experienced 3 floods since 2013. Her house was built in 1979, they purchased it in 2010 for \$180,000 hoping to raise their family in a great community like Bethel Park. It wasn't the biggest or fanciest house that Bethel Park had to offer, but they liked the bedrooms, the level backyard and the finished basement complete with late 70s décor. The house also has a two car garage. Since then they have had 3 storm water related floods, July 10, 2013, June 14, 2017 and again on June 20, 2018. The first storm in 2013 was referred to as the 100 year storm. After the 100 year storm they availed themselves and took out a small business loan totaling \$44,000 and they rebuilt. As required by the loan they obtained NFIP Flood insurance. They flooded again in 2017 and they learned that anything below grade like a basement, contents, furniture, drywall, flooring anything that makes the space livable is not covered. What is covered is removal of mud, cleanup and removal of debris. They rebuilt again using \$10,000 from savings and adding additional flood mitigation measures. On June 20th of this year has been referred to as a 500 year storm and their house filled with storm water again. The water destroyed half of their living space and rendered her car a total loss. Their bathroom, family room and all-purpose room are gone. They no longer have any resources federal or otherwise to rebuild and as others have mentioned to do so would be a poor investment. They still have \$155,000 to pay off their house and an additional \$38,000 to pay off the small business administration loan that they have lost the benefit of twice. Combined they owe more than what their house is worth and an experienced realtor has given them little hope of ever selling the house for what they owe on the mortgage. Last month's flood has affected hundreds of other homes and businesses,

she is certain many of those people will qualify for federal loans and assistance pending a disaster declaration. However, she believes the water problem in Bethel Park is beyond what private citizens can fix on their own, it is going to happen again and again. She said the citizens lack the resources and lack the authority to make meaningful changes to the storm water management problem. The borough council has the responsibility and the authority to take action and implement meaningful measures to protect their homes. She acknowledged Councilman Paul Dixon for coming to look at the damage and the source of the damage in person. She has also taken steps to assemble a task force of public officials who are committed to addressing flood abatement and storm water management in Bethel Park. She has been in contact with both State Representative Maher and State Senator Reschenthaler who have agreed to lend their support to such an effort. Council Commitment to this effort along with the Borough manager and Borough engineer are critical to its success. The mission of this group is to meet, clearly identify the actual problems, identify the solution and then implement these solutions. She is asking Council to appoint individuals who have a strong desire to protect the community and to make every effort to prevent what has happened to her family from happening to any other family in Bethel Park. She will be following up with both Representative Maher and Senator Reschenthaler within the next week to begin scheduling and ask Council to provide her with names and contact information for the Council members who plan to attend.

Jason Hill, 411 Horning Road, Bethel Park, stated that he attended a council meeting months ago to inform council about the flooding at his house. If it rains his house gets water, it does not take record amounts of rain for his house to flood. His house floods with even the smallest rain from the water that is coming off Horning Road due to the way it slopes in the direction of his house. He is aware that he lives at the bottom of a hill and there is not much he can do about the runoff from people's yards. However, the water that comes from the streets he feels can be fixed. There are two catch basins on the opposite side of the street but the water goes directly to his side and does not hit the catch basins. He has videos and pictures of several different flooding events. He continues to call the Municipality and they say they have to come out when it is raining. He wants the municipality to see the water come down his street and straight onto his driveway, neighbor's driveway and then forms a pond in his back corner of his yard before it works its way into his basement, through his garage and through his basement door. He has lived here for two years and fighting the flooding issue the entire time, he has lived there. He has sandbags in front of his garage and basement door. He just wants the flooding issue to be resolved. The sandbags are a safety issue for his wife and children. If something were to happen, they cannot get out of the basement because of the sandbags. They moved to this community because Bethel Park is a wonderful community, school district is great, people are great and they want to stay but if they cannot get this flooding issue resolved, they will have to move. The value of their house has depreciated and he has no idea if he will even be able to sell his house. As homeowners, we have to list these problems to anyone who may buy our house. All he is asking for is a little bit of help from the Municipality to work through and fix these issues.

Bruce Virgin, 5575 Clarene Drive, Bethel Park, spoke about his hillside and sewer line that is sunk and is spewing sewage in their back yard. They have been dealing with this now for 5 months. Today Dom Folino came to his house and said they are only replacing 30 feet of a 200 feet line. He said he is responsible as the homeowner to pay to tie in the

laterals. His lateral was tied in before any of this started. He said the Municipality is going to take the taxpayers money, spot repair a sewer line in the middle of an active hill slide, make him pay for it and in five, six months back to where we started today. He would like to know what he is supposed to do about that as taxpayers. He is not downgrading the problems people have with flooding but he has been dealing with this for almost six months. He would like to know if he is supposed to pay for this because it was not one of the options that were presented to the residents of Clarene Drive. We were presented with four options and what Folino is doing tomorrow is not one of those four options. He just wants to know what is going on since Folino just showed up.

Mike Coriale, 6086 Library Road, Bethel Park, stated that his girlfriend Cathi Schwab owns the house but they live there together. Their house is located next to the old Corner Brew Building. His house is the first house before a section of homes and then Sandy Creek Apartments. He has been dealing with flooding for the past 30 years. Last year he was flooded 5 - 6 times. This year was worse than Hurricane Ivan. He noticed a sewer discharge because there is a main trunk line of the sewer runs along the stream bank, opposite side is the trolley line. There was a sewer discharge; his legs are disfigured because he was forced to work in the water by Code Enforcement. Municipal Engineers told him there was no complaints of flooding in that area. There is a storm water management act from 1978 that goes from the State to the County to the Municipality that requires you to designate a flood management person and to control development in the Municipality since 1980. This is all man made, this is due to Dan Ryan homes, Heartland Homes. If it flooded in the last 30 years, it came from the podium to over the stream bank. The water came 200 ft. up to his house, rose up 18 inches, barely missed his basement. He said that the sewer line is taking storm water in. He is getting backflow and his neighbors are getting backflow. Now he faces prosecution in the County Courts. He is asking the Municipality to withdraw their Code Enforcement Violations so he does not have to go to court. He stated see you in federal court.

Mr. Moury stated that the Municipality is still in the cleanup phase. We are still finding out what damage has been done, what the Municipality needs to fix as well as look at projects we need to complete with storm sewers and sanitary sewers. We talked about storm water ordinances from 20 years ago. We implemented a storm water ordinance with any development. The developer needs to contain 80% - 90% of predevelopment flow. We have been looking at some of the storm water ponds we have, some are privately maintained, and some are publicly maintained. We are currently reviewing those again. Most were operating efficiently and we will have some corrective actions for the ones that were not. We are looking at a number of other projects. Between roads and all the damage will cost the taxpayers in excess of a half a million dollars. There was roughly \$200,000 in roads that were damaged. It is a long process but everyone is working through it. We are going to be much more aggressive citing people for dumping. It may not affect you but if you dump something in the stream, it affects the people down the stream, whether it is being caught up on a bridge or a culvert.

GENERAL POLICY AND FINANCE

12. Citizens' Comments – General Policy and Finance Items

None

13. General Policy and Finance Items

No Items

PLANNING AND ZONING ITEMS

14. Citizens' Comments – Planning and Zoning Items

None

15. Planning and Zoning Items

No Items

HEALTH, SAFETY AND WELFARE ITEMS

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

None

17. Health, Safety and Welfare Items

Ordinance No. 7-09-18- Civil Service Rules Amendment

Motion by Mr. O'Brien and seconded by Mrs. Gibbons to approve an ordinance amending certain sections of the Police Civil Service rules and regulations regarding the oral examination of candidates. Motion Carried 6– 1. Dissenting vote was by Mr. Moury. Council Members Colella and McLean absent.

Mr. O'Brien said:

“This is a very unique motion; I looked at it from both sides. I understand the arguments from either side. I also understand the timelines that this needs to be accomplished because of the way we do our testing now. I don't disagree with the way we used to do it but I'm okay I think, with the way we are going to proceed. Once this proceeds we will reevaluate in a year to see if it works out.”

PUBLIC WORKS AND MAINTENANCE ITEMS

18. Citizens' Comments – Public Works and Maintenance Items

None

19. Public Works and Maintenance Items

No Items

20. Adjournment

Motion and second to adjourn at 8:20 P.M.



Manager