

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** February 12, 2018

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

**Location:** Municipal Building

1. Roll Call

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

**Absent:** Council Members Colella and Moury

**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, February 12, 2018 to discuss personnel 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.

AARP Tax Aide. Every Tuesday, now through April 10th, free tax assistance and preparation for taxpayers with low and middle income, with special attention to those over 60 will be available. AARP Tax-Aide volunteers will be available every Tuesday from 10:00 a.m. to 2:00 p.m. Registration is first-come, first served. For more information, call the library at 412-835-2207.

Special Needs Trust Seminar, Tuesday, February 20th at 7 p.m. To discuss the importance of this type of trust for those with disabilities and how a PA ABLE account can fit into the financial plan for a special needs individual.

Building Confidence and Self-Esteem in Children and Adolescents, Wednesday, February 21st at 7 p.m.

Prepare Your Home for Sale on a Budget, Thursday, February 22nd at 7 p.m. Options will be discussed along with a checklist for easy planning.

Technology Classes, Introduction to Google Photos, Tuesday, February 13th at 10 a.m.

Basic Internet Class, Wednesday, February 14th at 28th at 2 p.m.

Basic Email Class, Friday February 16 at 10 a.m.

3D Printing, Wednesday, February 21st at 6 p.m.

Appy Hour, Tuesday, February 27th at 7 p.m.

Family Movie Night, Friday, March 9th at 7 p.m. at the Community Center

Bring a blanket to sit on and join us for a viewing of the Disney/Pixar vibrant tale of family, fun and adventure, where an aspiring young musician named Miguel embarks on an extraordinary journey to the magical land of his ancestors.

Registration is required. Call the Recreation Department at 412-831-1328 to register. Sponsored by the Bethel Park Library and BP Recreation Center.

Popcorn and soft drinks will be available.

From Tree To Table: A PA Maple Syrup Adventure (Day Trip). Offered in Conjunction with Passport to Pittsburgh. \$60 per person includes: Luxury roundtrip, transportation, guided escort, admission to the Somerset Historical Society, pancake brunch at Listie Volunteer Fire Company, admission to an operating Maple Sugar Camp (Driver Gratuity Not Included). Saturday, March 10th Pick-up at the Library at 8 a.m.; return to Library around 4:30 p.m.

American Girl Tea Party Fundraiser, Sunday, March 11th from 2 – 4 p.m. At the Community Center. Children and their adult guest of honor are invited to share in games, crafts, conversation, light refreshments and fun.

Children are encouraged to bring their American Girl doll, or any doll, with them to the event. Dress up, sip tea, and enjoy an elegant afternoon together.

Attendees will have the option of participating in a fashion show and will be automatically entered to win the American Girl Doll of the Year, Luciana Vega!

Tickets are \$25 per pair and \$10 each additional family member.

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 O'Connor announced that tonight is the Police annual merit awards presentation. This goes to members of the police department that have acted professional and handled their tasks throughout the year in a meritorious way.

We have 3 awards, 3<sup>rd</sup> place Officer Justin Beer, 2<sup>nd</sup> place Officer Ryan Weister and 1<sup>st</sup> place Officer Andy Volchko. Chief thanked the Merit Award Board, Mayor Allen, Mr. Moury, Mr. Bailey, Mr. Flinn and Andy.

The next crime watch will be first Monday in March 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

Deputy Fire Chief Brown stated that the reason they weren't present at last month's meeting was due to being called out to a fire in a neighboring town.

Calendar Year 2017 the Fire Company responded to 490 calls, that's 50 more calls than 2016.

Out of Area Calls was 41

Ward 1 had 40 calls, Ward 2 had 39 calls, Ward 3 had 33 calls, Ward 4 had 94 calls, Ward 5 had 51 calls, Ward 6 had 38 calls, Ward 7 had 50 calls, Ward 8 had 82 calls and Ward 9 had 22 calls.

Other man hours include administrative duties 706 man hours, Community Service 437 hours, Duty Crews, which is something new the Fire Department started last year, which is manning the stations on certain weekends throughout the year, was a 120 hours, Fire Prevention 431 hours, Fundraising was 241 hours, meetings was 1, 982 hours, misc. things was 158 hours, training was 3, 731 hours, work details 381 hours, Total hours responding to calls 6,685 hours., 14, 872 total man hours for the year of 2017.

Deputy Fire Chief Brown gave the fire report for the month of January.

Deputy Fire Chief Brown thanked the Bethel Park Police Department, Tri-Community EMS and the Public Works Department for all the assistance they gave the fire department throughout 2017.

He gave a fire prevention tip on candle safety. You should use common sense when using candles by extinguishing them when you leave the area, do not allow children in the room alone with burning candles, keep candles 12 inches away from anything flammable and to keep matches and lighters locked and out of the reach of children.

Mr. Consolmagno asked Deputy Chief Brown how many active members the Fire Department has. Deputy Chief Brown said possibly 30 and that would be on the high side. Usually there is a group of 10 they can count on most of the time, time of day dictates manpower.

7. Mayor's Report

Mayor Allen congratulated the police on the great job they do, and the board that picked them. It was close and they are voted on by their peers.

For any groups interested our Spring Cleanup will be April 21<sup>st</sup>. So it's not too early if you have a group. Mayor stated that he would announce it at the next two meetings as well.

The Bethel Park Veteran's Memorial, last day to have a name engraved on the Memorial or a paver the deadline is April 2<sup>nd</sup>. The telephone pole banners the deadline will be the end of April.

The Mayor announced that Bethel Park will host Fireworks this year. They will be June 30<sup>th</sup> at Millennium Park from 3 p.m. – 10 p.m., there will be a DJ, food vendors and entertainment. This will be our first annual fireworks display alone.

The Mayor introduced Dan Duff the President of the Community Foundation.

Dan Duff thanked the Mayor and Council for the opportunity to speak at tonight's meeting. Dan stated that for those who know him, he is normally holding a big check to give away money. In the past the Community Foundation has provided funds to the Fire Department for fitness equipment, electronics for the fire engines, and furniture for the Community Center and a variety of other things. Since 1999 The Community Foundation has given more than \$775,000.00 back to Bethel Park. Dan stated tonight we have something very interesting, Mike Panarella, who is opening up a Jersey Mikes Subs, located in South Park Shops. On the first day they are opened they are going to donate a 100% of their revenue to the Community Foundation.

8. Municipal Manager's Report

Municipal Manager, Shawn Arbaugh went over the list of contracts that staff is currently working on. He stated that they are getting ready for construction season even though it is still cold out. Mr. Arbaugh stated that they have a total of 5 contracts, Road Program, Storm Sewers , Sanitary Sewer Repair Contract, Church Rd Bridge repair Contract: they will be replacing the bridge over Church Road this year and the Village Green Contract.

Mr. Arbaugh stated that the Village Green Contract is to upgrade the park by adding an AstroTurf field and a grass soccer field. It's consistently been a very wet place to play, with these improvements that are being made it should fix that issue. Additionally there will be a new walking path along those fields.

9. Approval of Minutes

Regular Council Meeting Minutes of January 8, 2018

Motion by Mr. McLean and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of January 8, 2018. Motion Carried 7– 0. Council Members Colella and Moury absent.

10. Bills and Payrolls

Motion by Mr. McLean and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #021218 in the amount of \$2,210,761.46  
Motion Carried 7– 0. Council Members Colella and Moury absent

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

Mr. Jason Hill, 411 Horning Road, spoke about the issues he is having with sanitary overflow. He stated that he has brought it up to the Municipality. Every time we get a rain storm his backyard is under feet of water. He stated that he has a video of where the water is coming from. He got a pump from work, went home and plugged it in, and rented a gas pump and it took over 6 hours to pump the water out of his backyard. He stated there are no blockages and there has to be something else causing this issue. He has little kids and a baby on the way. All he is looking for is a little bit of help finding a solution to the water issue. He can't continue to deal with this every time it rains.

Mr. Hannan stated that from his understanding staff is looking into the issue, we have had discussions with the County Health Department about it. That process is underway. Until we hear something back from them, we can't do anything further at this time.

Mr. Hill stated that he wanted to make sure council was aware of the issue.

Mr. Hannan confirmed that council is aware and Municipality Staff is doing everything they can.

## **GENERAL POLICY AND FINANCE**

12. Citizens' Comments – General Policy and Finance Items

None

13. General Policy and Finance Items

Ordinance No 2-12-18 – Foreclosure Ordinance

Motion by Mr. McLean and seconded by Mrs. Gibbons to approve an ordinance amending section 26.13.2 of Ordinance No. 10-9-17A that requires registration of properties in foreclosure by updating the definition of Registrable Property.  
Motion Carried 7– 0. Council Members Colella and Moury absent.

Mr. Harrison said he will continue to remind the public that this governing body violated the Home Rule Charter. By blaintingly violating, when they cast an affirmative vote on the motion to put the question on the primary ballot for the Tax Portion for the Fire Company. Mr. Harrison stated that he uses the word blaintingly because Council was informed that an affirmative vote on that ordinance would violate the Home Rule Charter. Mr. Harrison stated the result was that Council



decided to do what he calls “CYA” to distract the public from the fact that they violated the Home Rule Charter and formed an Ad-Hoc Review Committee of the Home Rule Charter, claiming it was about 35 years old and it needed the attention of people.

Mr. Harrison stated that at the time and it’s been proven more and more. That is an unnecessary and a useless committee. They spent about \$8,000 dollars of the tax payer’s money. He stated that everyone can make up their own mind if anything worthy happened. The reason he is mentioning this tonight is that there was murmur to change the Home Rule Charter that would do away with the citizen’s involvement in challenging ordinances. Mr. Harrison stated at the committee meeting in January, Mr. McLean spoke about it, he was not only a member but the chair of the committee. At the Committee meeting, Mr. McLean suggested that in addition to the recommendation that the committee made relative to this part of the Home Rule Charter that there were two other considerations that he thought should be involved. Mr. Harrison stated that if Mr. McLean thought there were other things that should have been addressed in this section of the Home Rule Charter he either should have brought them to the attention of the Committee and if he did they turned him down. Mr. Harrison stated that if Mr. McLean did not bring it up with them, he feels it is untimely to do so now. Mr. Harrison stated we will have to wait and see what happens and thanked everyone.

Mr. McLean stated we formed a Home Rule Study Commission because it was the judgment of Council that since 35 years had passed since the original Home Rule Charter was adopted. It was time for council as a body through the Study Commission to take a look at the Home Rule Charter and just consider whether it was appropriate to change anything at all. Mr. McLean stated that the Study Commission did that as a group. This group met over a year a half, there were a number of meetings. The group that looked at the Home Rule Charter included not just members of Council, members of the public, some of which are seated in this room this evening. Mr. Mclean stated that the report that came out of the Home Rule Study Commission is available on the Bethel Park website. Mr. McLean encouraged anyone interested in these issues to read the report. He stated that the report will confirm the seriousness the Home Rule Study Commission approached its task and the thoroughness which it looked at each of the issues that came before it. Mr. Mclean stated there were a number of recommend that emerged from the Home Rule Study Commission, some of which have been proposed to the voters and they have voted in favor of them.

Mr. Mclean said to Mr. Harrison:

“With respect to the initiative related proposals that came out of the Home Rule Study Commission, we did look at a number of options and I did propose to the Home Rule Study Commission, one of the alternatives that is still available for council to consider. If you look at the report near the end of it, I included a statement, were I specifically reviewed the alternatives that were available and the alternatives that I would have preferred verses the alternative the Home Rule Study Commission itself came up with, but the Home Rule Study Commission was making recommendations, It’s up to this body as council to consider whether they want to adopt a particular ordinance proposing a change and then it ultimately goes

to the voters to decide. So we will of course be discussing what those alternatives are as a constituted governing body and we will be discussing it with the public. We will make the public aware of the reasons why the changes were being considered and the reasons why whatever particular alternative is set, that is ultimately decided on is the one that fits. So I just ask like Mr., Harrison, I encourage everybody to stay tuned and to listen and we will continue to discuss this and to be doing it with the public as we have throughout the process from the beginning.”

Mr. Harrison:

“I want to conclude by saying that if the public has seen the alternatives, because I haven’t seen them. I think Mr. McLean ought to provide those to council so they can be brought up at the committee meeting. I just want to tell the public, if you allow this governing body to modify the home rule charter which will eliminate them from challenging the ordinances and the ordinances that would be challenged would have to deal with money, it’s all about money, but if council put that on the ballot and the community votes for it then you get the type of government that you want. I don’t think we want a Zurich type thing, it seems it’s almost as if you get elected to council your anointed with the special talent. So we know more than the public know about what they need the government to be. I don’t agree with that, thank you very much.”

Mr. O’Brien:

“I remember the committee meeting very vividly, there was recommendations, there was alternatives but its interesting the commission pointed out a slight problem and how do we want to deal with it, with the current home rule charter. We are discussing it, it is a real issue, how do we proceed, we leave it, do we change the whole things, do we change a portion of it, what are really interested in and what is the real issue. So it’s a conversation, I think it’s a good conversation, its open it’s honest and it’s truthful. Thank you.”

## **PLANNING AND ZONING ITEMS**

14. Citizens’ Comments – Planning and Zoning Items

None

15. Planning and Zoning Items

Application No. 2017-0859 – Bethel Park Animal Clinic, Major Land Development, 4792 Library Rd.

Motion by Mr. Dixon and seconded by Mrs. Gibbons to approve Application No. 2017-0859 Bethel Park Animal Clinic, Major Land Development, 4792 Library Rd. Motion Carried 7– 0. Council Members Colella and Moury absent.

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

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

None

## 17. Health, Safety and Welfare Items

Resolution No. R2-12-18A– Emergency Operations Plan

Motion by Mr. O'Brien and seconded by Mrs. Gibbons to adopt a resolution allowing for approval and adoption of emergency operations plan for the Municipality of Bethel Park. Motion Carried 7– 0. Council Members Colella and Moury absent.

Mayor Allen stated that this is an action they have been working on for over a year. John Kuchma was appointed a little over a year ago. He is the one who wrote the Emergency Operations Plan. This plan makes us compliant with the state and the county. Mayor Allen mentioned prior to this we only had a semi operation plan, but with this plan that John has worked so hard on we are in full compliance now. John will keep updating it. The Mayor thanked John for all the hard work he has done creating the Emergency Operations Plan.

Mr. Consolmagno wanted to thank a few people. Last month in January we held the Law enforcement Day/Week. January 9-15 and he wanted to send a thank you out to everyone who participated in that program and made it happen. Mayor Allen, President Moury and all of Bethel Park Council. Mr. Consolmagno also thanked Dan Duff from the Community Foundation for their donation, Allegheny Council representative Sue Means, Bethel Park School District and especially Bethel Park Art Teacher Kristin Richie and her students for coloring blue the law enforcement coloring pages we sent them. He also thanked Chuck Stover and Cathy Muscato for proudly displaying the banner at the community center that was signed by so many residents over at the community center. Bill Haberthur and the Bethel Park Historical Society for letting us sell the blue bulbs that weekend and displaying the banner. He thanked Evey Hardware and Andy Amrhein for selling the blue bulbs in support of law enforcement. Pasta too for the delicious meals they provided law enforcement on January 9. Thank you to all the residents that proudly displayed the blue bulbs in their windows during that week and if you are still driving around the community, some still have blue bulbs displayed in their windows. Mr. Consolmagno gave a special thank you to our law enforcement to the job they do each and every day and making the community safe.

Mr. O'Brien thanked Mr. Consolmagno for taking the time and step up to help us recognize our men in blue. To help the residents realize the job that the police does. That the police are part of this community, they are real people. Mr. O'Brien stated this goes a long way with the officers and thanked Mr. Consolmagno for doing this.

**PUBLIC WORKS AND MAINTENANCE ITEMS**

## 18. Citizens' Comments – Public Works and Maintenance Items



None

19. Public Works and Maintenance Items

Resolution No. R2-12-18B – DCED Grant

Motion by Mrs. Gibbons and seconded by Mr. O'Brien to adopt a resolution to apply for the Pennsylvania Department of Community and Economic Development Commonwealth financing authority grant for lateral Grouting and Manhole Rehabilitation in accordance with the Municipal Environmental Engineers correspondence dated January 18, 2018. Motion Carried 7– 0. Council Members Colella and Moury absent.

20. Sodium Bicarbonate Contract


Motion by Mrs. Gibbons and seconded by Mr. O'Brien to award a three-year contract for Sodium Bicarbonate (fifty pound bags) at the Piney Fork Waste Water Treatment Plant to Barbers Chemicals Inc. for a low bid of \$.34 per pound for 2018; \$.35 per pound for 2019; and \$.36 per pound for 2020, in accordance with the Municipal Managers correspondence dated February 7, 2018. Motion Carried 7– 0. Council Members Colella and Moury absent.

21. Resolution No. R2-12-18C - CITF Grant Application

Motion by Mrs. Gibbons and seconded by Mr. O'Brien to adopt the resolution authorizing the Manager of the Municipality of Bethel Park to file a Grant application for a Community Infrastructure and Tourism Fund grant to fund improvements to Miner's Memorial Park. Motion Carried 7– 0. Council Members Colella and Moury absent.

22. Adjournment

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

  
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Manager

**MUNICIPALITY OF BETHEL PARK  
REGULAR COUNCIL MEETING  
February 12, 2018**

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