

MUNICIPALITY OF BETHEL PARK

**MINUTES
OF
REGULAR COUNCIL MEETING**

Date: July 10, 2017

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

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

Absent: Council Members Colella and O'Brien

Also Present: Mayor Jack Allen; Shawn Arbaugh, Manager;
Judith L. Miller, Assistant Manager;
Solicitor Robert L. McTiernan; Chief Timothy O'Connor;
Joseph Villella, Finance Director;
Ashley Moore, Municipal Planner

2. Pledge of Allegiance

Flag Ceremony performed by Boy Scouts Troop 215 Honor Guard.

3. Chair Announcement

An Executive Session of Council was conducted on Monday, June 26, 2017 for Police Interviews and personnel issues and on Monday, July 10, 2017 for Police Interviews.

Mr. Moury said Item A of the Planning and Zoning section of the agenda, the Ordinance regarding Additional Parking Requirements dealing with parking on the lawn, is being removed from the agenda. This item will be placed on the Committee meeting agenda for July 24, 2017, and with approval of Council, it will potentially be placed on the August 14, 2017 Regular Council Meeting Agenda. Those who have signed up to speak can do so if they wish.

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 Summer Reading is in full swing. There are many classes, services and events for all ages.

For the month of June, the Library had 14,799 visitors. She then announced services of which people may not be aware of. Overdrive; Flipster; Ancestry Library; Comics Plus; Universal Class; Quello Concerts; Freegal; 3D Printer services and classes; One-on-One Technology appointments; Non-traditional items such as GoPro Camera, Audio Visual equipment, guitars, and Take It Play It Kits. There are six book clubs; Pinochle Club; Scrabble Club; Button Club; Conversation Salon; Memory Café; Walking Club; Appy Hour. The Library has a YouTube Channel as well.

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. You can also follow the Library on Facebook or Twitter.

5. Police Chief's Report

Chief Timothy O'Connor announced that National Night Out will be held on Tuesday, August 1. To register, please contact Detective Dixon.

Chief spoke about the gas pipeline replacement project and asked that motorists follow the posted detours and watch your speeds in the area. Enforcements efforts are in place.

He reminded everyone that there are no Crime Watch meetings in the summer.

Chief O'Connor acknowledged the Civil Service Commission and thanked them for all their work during the police officer hiring process.

You can follow the Police Department news on Facebook, Twitter and Instagram.

6. Fire Chief's Report

Assistant Fire Chief Bob Brown gave the fire report for the month of June. In addition to the fire report, he spoke about the recent heavy rains and flooding in the area, most especially on Route 88 near Walmart, at Route 88 and Corrigan Drive South Park intersection and Route 88 and the Clifton Road/Sandy Creek Apartments. The Fire Company recommends not to drive through flooded streets. He mentioned that on Google, you can search how to make a Storm Preparedness Kit which you can put together for your home or car.

A resident asked Chief O'Connor about the detours for the gas line work. Chief replied that the detours and signs are going to remain as they are, no changes will be made.

7. Mayor's Report

Mayor Allen said that the 90 Plus Club Luncheon will take place on Friday, October 6, 2017 at noon at the Community Center. Anyone that is not already signed up as a member of the 90 Plus Club can contact Janet Davin at the Municipal Building.

On Saturday, July 22, 2017 from 9:00 – 11:00 a.m., Representative John Maher will sponsor a paper shredding event at the Upper St. Clair High School.

He also reminded residents that on the third Saturday of each month from April through September, there is a yard waste recycling collection by Republic Services. You must place your yard waste in brown paper recycling bags. Shrubbery and tree trimmings, must be tied securely and bundled not to exceed 4' in length and 4" in diameter, and placed on the curbside by 7:00 a.m.

The Bethel Park Farmers' Market takes place each Tuesday from 3:00 – 7:00 p.m. at St. Thomas More until September 26th.

The Tower Concert Series takes place at the Community Center on Sundays from 2:30 – 4:00 p.m. now through August 13. Admission is free but donations are accepted.

8. Municipal Manager's Report

Municipal Manager Shawn Arbaugh announced that there will be a Town Hall Meeting on Thursday, August 31, 2017 at 6:00 p.m. at the Community Center. Light refreshments and snacks will be provided. You can meet staff from the Police Department, the Planning and Parks Departments.

The 2017 Road Program work will begin this week. Storm water inlet repairs are being done by Mele & Mele & Sons around the community. Soon thereafter, they will continue with paving. This work will continue through September.

Mr. Arbaugh said that the 2017 Storm Water Project Contract is out to bid. Contract recommendation to approve the project will take place at the August 14, 2017 Council Meeting and construction will begin shortly thereafter. Over 40 basins are on the list this year to be repaired. It is close to a \$200,000 program.

Phase 1 of the Public Works Complex project is nearing completion by the end of August. Phase 2 will begin shortly thereafter. Construction of the salt storage shed has begun and is scheduled to be completed by early September.

9. Approval of Minutes

Regular Council Meeting Minutes of June 12, 2017

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of June 12, 2017. Motion Carried 7 – 0. Council Members Colella and O'Brien 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 #071017 in the amount of \$1,483,582.41. Motion Carried 7 – 0. Council Members Colella and O'Brien absent.

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

None

At this time, Mr. Moury asked if the two residents who signed up on the Planning and Zoning Residents' Comments to speak on the item which was removed from the agenda, would like to speak tonight.

Mr. Dave Parks, 1616 Wallace Avenue, Bethel Park, PA. Mr. Parks said he read this in the Almanac and it sparked some concern for him. Because of the width of the streets in Bethel Park and the size of vehicles, that would only allow a small amount of space for emergency vehicles. He said that car insurance costs will increase due to parking on the street. He said that through our taxes, Bethel Park residents are entitled to snow removal, street sweeping and garbage pickup. If people cannot park on their lawn or small pads, this would be a hindrance. The view can be blocked for walkers and children on bikes with the cars parked up and down the street. Someone could get hurt or run over. He said he'd like to hear some things at the July 24th meeting as to what Council's study on this was. He also wants to know what happens if someone is selling door-to-door and they park in front of your house or somewhat in your yard. Who will be fined? He said the Police in Bethel Park have their hands full with issues such as drug problems and bank robberies, and this is the last thing they need to go around enforcing. He said that houses built in the 1950's have garages in the front, so he does not understand why this is such a big issue. He thinks this will turn Bethel Park into a Knoxville or Carrick, and if this ordinance is passed, that is what will happen.

Mr. John DeLallo, 1565 Lucille Drive, Bethel Park, PA. Mr. DeLallo said asked if this ordinance applies to motor vehicles only or does it also apply to boats, camping trailers, utility trailers, recreational vehicles, motorcycles, mopeds and other such conveyances? He asked to please define "paved". He said that recent rains have proven that there are areas in Bethel Park prone to flooding. Additional paving will exacerbate that problem and asked if a storm water runoff study was considered. He asked if paving will be mandatory or if a variance must be applied for and if there will be a cost to apply for a variance.

Mr. Moury said boats and recreational vehicles must be parked behind the property line. We will address issues and concerns at the July 24th meeting.

GENERAL POLICY AND FINANCE

12. Citizens' Comments – General Policy and Finance Items

None

Mr. Moury said that the next four items on the agenda are not because we have a crime wave in Bethel Park. The process is that SHACOG does testing for officers; agility tests and written tests, and are ranked based on their scores. The Commission does testing. The list with the candidate's total scores come to Council. Background checks are done and Council interviews the candidates. Due to several Bethel Park Police Officer's retirements this year and early next year, and potentially one officer on military leave for a year, we will be hiring four officers tonight and potentially one in August. This should last us until the end of next year. Mr. Moury thanked the Civil Service Commission and the Chief for all the hard work that goes into this very long process.

13. General Policy and Finance Items

Employment – Police Officer

Motion by Mr. McLean and seconded by Mr. Hannan to hire Michael Antonace as a Police Officer for the Bethel Park Police Department, in accordance with Chief O'Connor's correspondence dated July 6, 2017. Motion Carried 7 – 0. Council Members Colella and O'Brien absent.

14. Employment – Police Officer

Motion by Mr. McLean and seconded by Mr. Hannan to hire Charles Thomas as a Police Officer for the Bethel Park Police Department, in accordance with Chief O'Connor's correspondence dated July 6, 2017. Motion Carried 7 – 0. Council Members Colella and O'Brien absent.

15. Employment – Police Officer

Motion by Mr. McLean and seconded by Mr. Hannan to hire Anthony Agliori as a Police Officer for the Bethel Park Police Department, in accordance with Chief O'Connor's correspondence dated July 6, 2017. Motion Carried 7 – 0. Council Members Colella and O'Brien absent.

16. Employment – Police Officer

Motion by Mr. McLean and seconded by Mr. Hannan to hire Britteny Richter as a Police Officer for the Bethel Park Police Department, in accordance with Chief O'Connor's correspondence dated July 6, 2017. Motion Carried 7 – 0. Council Members Colella and O'Brien absent.

Mr. Harrison said:

“Last month I made a presentation why I thought Judy Miller, Assistant Manager, should be promoted to the Manager’s job. Mr. Moury, as he usually does, feels the need to make a comment about me making comments on the floor, so he came through last meeting and did that. In the comments he made, he suggested that I hadn’t taken an opportunity before that meeting to discuss my concerns. Well, I guess Mr. Moury is getting old and his memory is not as it should be, I’ll tell you just that right after the interviews with the Police Officers that we are hiring tonight, I sent an email to all of Council members outlining my arguments for promoting Judy Miller to being the Manager of Bethel Park. Only one Council member responded, Lorrie down at the end responded, she commented on every single suggestion I made saying that she considered all of those in her evaluation and comes to the conclusion that Shawn was the correct person. I simply mention that because in trying to take an opportunity to do your job and communicate with the Council and they don’t care to respond to it. I don’t know any other way to handle the situation except to make a comment on the floor. Thank you very much.”

Mr. Moury said:

“The reason we don’t communicate via email is it’s illegal to communicate in a non-advertised, deliberate in a non-advertised meeting. So, it is kind of interesting that Mr. Harrison always talks about the illegal actions, well tonight, he’s admitting that he does these illegal actions, so that’s why we don’t communicate. When we get together, we meet, we discuss and we had ample time on all these issues to talk about. So, read the Sunshine Laws. We should not deliberate via email or a non-advertised meeting. Thank you.”

Mr. Harrison said:

“Mr. Moury, I would ask our super lawyer who has an opinion on that, but I’m not sure I, a Philadelphia lawyer type thing, but I suggest that when I left Council members know my opinion on certain items, I’m not asking them to accept them. I’m simply letting them know that we do need further discussion on considerations. So, if I violated the law, I apologize for it, but I guess I still don’t understand why you consider that a violation of the law. Thank you very much.”

Mr. Moury said:

“I’ll turn to Mr. McTiernan about deliberations via non-advertised meetings.”

Mr. McTiernan said:

“Mr. Moury statement of the law is absolutely correct and I hope that is a simple enough statement of the Pennsylvania law, so there is no confusion, Mr. Harrison. You’re not permitted to deliberate by email and when you make a comment, or you invite comments from a fellow elected official, you are inviting a violation of state law, which is not met with an apology. It carries fines and other

consequences. So that is a brief summary of what the law is, what the consequences of the law are, and what true conduct constitutes which is inviting deliberation which is a violation of the Sunshine Act. It's not saying I hope we will have an opportunity to discuss a subject in an upcoming meeting, you're saying these are considerations we should take into account. You're inviting deliberation and response and I think it's disingenuous to suggest that that kind of comment that you're not. That's all I have to say."

17. Citizens' Comments – Planning and Zoning Items

None

PLANNING AND ZONING ITEMS

18. Ordinance No. 7-10-17 – Additional Parking Requirements

This item was removed from Agenda. It is intended to be placed on the August Regular Council Meeting Agenda.

HEALTH, SAFETY AND WELFARE ITEMS

19. Health, Safety and Welfare Items

No Items


PUBLIC WORKS AND MAINTENANCE ITEMS

20. Public Works and Maintenance Items

No Items

21. Adjournment

Motion and second to adjourn at 8:06 P.M.



Manager