

MUNICIPALITY OF BETHEL PARK

MINUTES OF REGULAR COUNCIL MEETING

Date: June 10, 2013

Time: 7:30 P.M.

Location: Municipal Building

1. Roll Call

Present: Council Members Allen, Dixon, Gibbons, Harrison, McLean, Moury and O'Brien

Absent: Council Members Hannan and Pape

Also Present: Mayor Morton; William Spagnol, Manager; Judith Miller, Assistant Manager; Gerard Duke, Director of Community Services; Robert McTiernan, Solicitor; Police Chief John Mackey; Michael Smith, Municipal Planner/Assistant Director of Community Services; Joseph Villella, Finance Director; Jean Statler, Municipal/Environmental Engineer

2. Pledge of Allegiance

3. Chair Announcement

Executive Session of Council was conducted on Monday, June 10, 2013 to discuss legal and personnel issues.

Reports of Officials

4. Fire Chief's Report

Fire Chief Dave Gerber gave the fire report for the month of May.

Chief Gerber introduced members of the Fire Company. Jeff Pritchard, President of the Fire Company, spoke about the overwhelming success with the referendum vote and on behalf of the officers and the membership, thanked those on Council who supported their efforts, specifically Jim McLean, Jack Allen, Tim Moury and Jim Hannan who spent tireless hours. He also thanked the residents of Bethel Park for coming out on Election Day.

Mr. Moury said that even though the Election is over, the subcommittee has been meeting with members of the Fire Company. An agreement is being crafted and it will become a line item that will be included in the 2014 Municipal Budget. The vote has to be certified and he is hopeful that will be within the next thirty days. Then the Home Rule Charter will be amended. He thanked the members of the Fire Company and the community who stepped up and listened to what the Fire Company had to say.

5. 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 the upcoming summer programs. "Dig into Reading" will kick off on Saturday, June 15 from 6:00 to 9:00 p.m. Teen puppet troupe will perform as well as a magician and a Fire and Ice show. Refreshments will be served. Summer reading programs are available for all ages from kindergarten to adult.

Fundraising continues with the Christmas in July lottery raffle. Tickets can be purchased at the Library for \$5 each with 31 chances to win from \$25 to \$500. In addition, Bruster's Scoop Night will be held at Bruster's on Tuesday, June 18 from 6:00 to 10:00 p.m.

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

6. Police Chief's Report

Police Chief John Mackey announced that there will be no Crime Watch meeting in July. The next meeting will be on Monday, August 19, 2013 at 6:30 p.m. at the Community Center. Chief said there was a very good turn out at the last meeting when Dr. Muller of California University spoke about the Crime Mapping Project that the students at Cal U conduct. Chief said there are currently over 1,000 members of Crime Watch program. If anyone is interested in becoming a member, call Officer Tom Rigatti.

Chief announced this year's winners of the Sergeant Charles Bonczek College Scholarship awards. They are Casey Cory, University of Pittsburgh; Melissa Eiler, Indiana University of Pennsylvania; Joseph Mulhair, Youngstown State University; Mia Rigatti, California University of PA; Taylor Fishman, undecided; and Stephanie Fulman, Slippery Rock University. The college scholarship program started several years ago in memory of Sergeant Bonczek. The program is funded through the annual Police Pal's Steelers' Basketball game as well as generous donation received from residents. Chief thanked everyone for their help with this program.

Chief Mackey talked about the recent auto thefts in the community. He again reminded everyone to lock all parked cars. Every single incident of theft resulted in the fact that doors were left unlocked.

He then spoke about the Ordinance in Bethel Park where all house numbers should be a minimum of four inch high numbers, installed somewhere in the vicinity of the front door. This aids EMS, the Fire Company, as well as the Police in locating your home in the event of an emergency. Chief said the numbers should not be installed on a garage door.

At this time, Chief addressed a recent resident's comments about the deer population problem in Bethel Park. He said that since 1996, a controlled archery hunt has taken place which harvested over 1,000 deer. The Police Department, under the direction of Municipal Council, is continuing to address the problem and investigate other methods to help with deer over-population and any related issues they cause. He spoke with Chiefs from other police departments. There are other options, but we need to see what methods are best and safest for our residents.

Mr. Harrison asked about parking on the streets and the ordinance regarding this. He asked if it is a state level law.

Chief replied that it is not a state law, but when the law is enforced they do so under the state motor vehicle code. There is an ordinance in the Municipality prohibiting parking on the street from 10:00 p.m. to 6:00 a.m. It has not been enforced a great deal over the years unless it creates an additional problem such as parking close to an intersection or stop sign, a fire hydrant or blocking a neighbor's driveway. Any complaints received are responded to and will issue a warning to educate the drivers first before enforcement action is taken.

Mr. Harrison said he's seen people not only parking on the street, but heading in the wrong direction which he finds dangerous.

Chief said that we have to take the effort to park in the driveway, lock the doors and he encourages residents to call if there is a problem in their neighborhood.

7. Mayor's Report

Mayor Morton announced the 90+ Club birthdays for June.

Mayor Morton said that he received correspondence from Goodwill CEO Michael Smith regarding the recycling of unwanted electronics and the fees now being charged for bulk collection of electronics due to increasing recycling costs.

Mayor Morton presented the annual State of the Municipality Report in accordance with the Home Rule Charter.

(Verbatim text of Mayor Morton's State of the Municipality Report)

"Mr. President, it is my honor and privilege to provide the annual State of the Municipality as required by the Home Rule Charter. Again this year, I would like to begin by recognizing and commending this Council, the Municipal staff, the Police Department, the Volunteer Fire Department, which you saw most of here a little bit ago, and the Emergency Medical team for all their hard work and for their dedication to this community. Thank you all so very much. I must also mention how appreciative Bethel Park is of all those folks who serve on our various Boards, Commissions and Authorities. These folks serve by appointment of Council and for the most part their pay is our gratitude and the good feeling they get in serving our community. It's now payday so let's show them our gratitude by a little applause for all these volunteers.

"I am pleased to report that again this year the auditing firm of Maher Duessel has completed the 2012 Municipal Audit and report that we noted no matters involving internal control in its operations that we considered to be reportable conditions, under standards established by the American Institute of Public Accountants. That's a lot of words to say that we had a good audit and good results as a result of it. The Financial Department, like all departments, continually seeks ways to be more efficient and regularly accepts the advice and recommendations of the auditor on matters that are beneficial to the folks here in Bethel Park.

"Tonight, I would like to provide you with a brief overview of some of the more significant developments regarding new homes, new commercial developments and businesses that are redeveloping. However, before I do that, I want to make this point. Many people think that Bethel Park is a maturing community and in many respects this is true. However, it is important to consider that while Bethel Park continues to grow with new developments, it is also very encouraging to know that we have significant, very significant, new redevelopment in our town as well. And these are done, hopefully, without TIF's and other public monies being held out as a carrot on a stick. And we do see that and I am going to give you some examples here in a minute. It is encouraging to note that developers in the market consider Bethel Park a prime location for a variety of businesses and I believe a sign that Bethel Park can and will continue to grow as a community. For example, it appears that private construction is on the increase. Code Enforcement has recently seen a steady stream of building permit applications. Since the beginning of 2013, the number of parties inquiring about the land development process has also increased. Correct me on the pronunciation of this company, Bove. Bove Development Corporation is proposing to create 49 new lots for single family development located off Baptist Road and next to Millennium Park. Bove plans to start construction of the roads and utilities this summer or this fall. AutoZone Retail Auto Parts is planning to construct a new facility at 5230 Library Road between the Eat 'n Park and the Burger King restaurants. The site is currently home to a vacant gas station and convenience store. AutoZone is proposing to demolish the existing buildings and to construct a 7,382 square foot auto parts store. It is anticipated that construction, again, will start this summer or this fall. The Kuhn's Group is planning to construct a new Kentucky Fried Chicken restaurant at 5153 Library Road between the Level 20 Restaurant and Danny's Pizza. Currently, there are two vacant buildings and

active drop-off center for material donations. This site has been chronically vacant over the past few years. Kuhn's Group is proposing to demolish the existing buildings then to construct a 7,382 square foot Kentucky Fried Chicken restaurant. It is anticipated this will begin this fall. And as you all know, Sheetz opened their new convenience store and gas station this week and this was on the site of the old Columbia Gas building which was demolished to make way for the Sheetz store. So, I know a number of people have already been down to Sheetz because I ran into them down there. So, Mr. President, this is my observation, my opinion, that the State of the Municipality is strong. I think it continues to go forward and we're in a position to adequately meet our immediate and future challenges. Bethel Park is indeed blessed in so many ways. Thank you."

8. Approval of Minutes

Regular Council Meeting Minutes of May 13, 2013.

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of May 13, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

9. Special Meeting of May 23, 2013 – Municipal Authority Bond Issue

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Special Meeting Minutes of May 23, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

10. Bills and Payrolls

Motion by Mr. Allen and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #061013 in the amount of \$878,581.36. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

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

None

GENERAL POLICY AND FINANCE

12. General Policy and Finance Items

No Items

Mr. Harrison said:

"I would like to discuss with the public comments that I'm getting from the segment of the public that I deal with that is very concerned about Bethel Park being a very nice community and yet they have a governing body that's not very respectful, in their opinion. And in particular the feedback I get is that I make a lot of comments and get a lot of chatter from this dais and again it is not unusual

that I make comments and members of this Council, in particular, Mr. Moury the President, seems to feel the need to verbally trash me and then several of his backing cohorts here jump on and people just, they're disturbed about that. I'll tell you, it doesn't bother me, I bring to the job what I always bring to the job and if Council doesn't like it, that's fine. I am going to give you a specific example just so you know the type of thing that happens. At the last meeting, at the May meeting, I commented that Mr. Moury had, at the February 11th meeting when (unintelligible) sat in his seat and acted like he was the personal authority on the Home Rule Charter which I call the constitution of Bethel Park and waved in front of the people and the camera a thing he claimed was the Home Rule Charter that he brought for Mr. McTiernan's benefit, as if Mr. McTiernan needed that. When I made that claim, Mr. Moury immediately took the floor and called me a liar saying what I said is not true, he did not do that and he in fact said why don't you check the records. Well, I took him up on his challenge. I looked at the February 11th meeting and anybody who wants to look at it will see Mr. Moury waiving what he claims to be the Home Rule Charter (unintelligible) and made comments on it. I tell you that because I think you have to decide who you think is credible up here. Anybody that wants to check this story can go on YouTube, you go to bethelpark.net administration leads you right to the link to the meetings and very quickly, you don't have to search it too deep, very quickly bring up the May meeting, see what I have to say, see what Mr. Moury had to say and in particular see what several of the other Council Members had to say and I consider it verbal trashing, and then, go to the February 11th meeting which is also on YouTube, very convenient, and listen to what Mr. Moury had to say and you will find out that his comment that I am lying about him doing that. Somebody lied, and I don't lie and YouTube will clear it up for you. Thank you very much."

Mr. Moury said:

"I don't want to waste a lot of time. Yet again, Mr. Harrison is distorting the truth and what he says is simply not true. I never called him a liar, I suggest he look at the record and I think we'll let the vote on the Fire Department speak for who has credibility in this community, Don. I think it was very clear what you tried to do to the volunteers in this community is very unfortunate and I think the public has spoken. This is just another diversion, Mr. Harrison, because his unsuccessful opposition to the Fire Department, the public had the last say and they voted yes. Thank you."

PLANNING AND ZONING ITEMS

13. Citizens' Comments – Planning and Zoning Items

None

14. Planning and Zoning Items

Application No. 2013-0062 – AutoZone Store Development, New Structure, Major Land Development

Motion by Mr. Dixon and seconded by Mr. Allen to approve Application No, 2013-0062, AutoZone Store Development, New Structure, Major Land Development, 5230 Library Road, AutoZone Retail Auto Parts, Applicant, in accordance with the Municipal Planner's correspondence dated June 6, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

15. Application No. 2012-0863 – Manor Care, Change of Use – Conditional Use

Motion by Mr. Dixon and seconded by Mr. Allen to approve Application No. 2012-0863, Manor Care, Change of Use – Conditional Use, 60 Highland Road, DaVita, Inc./Michael Lynch, Applicant, Current Zoning R-T, Ward 8, in accordance with the Municipal Planner's correspondence dated June 6, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

16. Resolution – Gaming Economic Development Fund Grant Application (GEDF)

Motion by Mr. Dixon and seconded by Mr. Allen to adopt a resolution granting authorization for the filing of a grant application for a Gaming Economic Development Fund Grant (GEDF), and for the Council President to execute contracts and contract amendments for the GEDF grant. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

HEALTH, SAFETY AND WELFARE ITEMS

17. Health, Safety and Welfare Items

No Items

Mr. McLean made reference to two upcoming household recycling collections. In July, one will be held downtown on Second Avenue. In September, a collection will be held at the South Park Wave Pool. This is an opportunity for people to dispose of gasoline, paint, insecticides and like items at a charge of \$2 per gallon. Additional information is available on the Bethel Park website.

PUBLIC WORKS AND MAINTENANCE ITEMS

18. Citizens' Comments – Public Works and Maintenance Items

None

19. Public Works and Maintenance Items

Public Works Complex – Parking Lot Phase 3

Motion by Mr. O'Brien and seconded by Mr. Allen to approve the Public Works Parking Lot Phase 3, Alternate Bid No. 1, to A. Folino Construction, Inc., in the amount of \$88,557.10, in accordance with the Municipal Engineer's correspondence dated May 16, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

20. Simmons Park and Oak Tree Park Basketball Courts

Motion by Mr. O'Brien and seconded by Mr. Allen to approve Simmons Park Basketball Court, Alternate Bid No. 1, in the amount of \$25,206.80 and Oak Tree Park Basketball Court, Alternate Bid No. 1, in the amount of \$32,193.50, to El Grande Industries, Inc., in accordance with the Municipal Engineer's correspondence dated May 16, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

21. Liquid Chlorine and Sulfur Dioxide Contract

Motion by Mr. O'Brien and seconded by Mr. Allen to award a one-year contract with an option for second year for Liquid Chlorine and Sulfur Dioxide at the Sewage Treatment Plant to JCI Jones Chemicals, Inc., for the following low bids: Liquid Chlorine - \$370.00 per ton; Sulfur Dioxide - \$850.00 per ton, in accordance with the Community Services Director's correspondence dated May 16, 2013. Motion Carried 7 – 0. Council Members Hannan and Pape absent.

Mr. O'Brien said that June is Army month at the Veteran's Memorial, so the plaza is decorated with the Army flag. Also, at the display case, a flag given to Lt. Colonel Knaus by a Congressman is currently on display.

Mr. O'Brien spoke about the Memorial Day Celebration. He thanked everyone responsible for their work on all three programs on Memorial Day including Dave Cable for filming it for BPTV for those who could not attend. He also thanked Municipal Staff and the American Legion for their hard work. He then thanked Mayor Cliff Morton for doing an outstanding job on this wonderful day, all of Council and the Veterans' Memorial Committee. The support has been great and he is so proud of the people of this community how they honor their veterans.

22. Adjournment

Motion and second to adjourn at 8:16 P.M.



Manager