

# ***MUNICIPALITY OF BETHEL PARK***

## **MINUTES OF REGULAR COUNCIL MEETING**

**Date:** February 9, 2015

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

**Location:** Municipal Building

1. Roll Call

Present: Council Members Colella, Dixon, Gibbons, Hannan, Harrison, McLean, Moury, O'Brien and Pape

Also Present: William J. Spagnol, Manager, Mayor Jack Allen; Judith L. Miller, Assistant Manager; Robert L. McTiernan, Solicitor; Gerard Duke, Director of Community Services, Chief David Rogan; Joseph Villella, Finance Director; Jean Statler, Municipal/Environmental Engineer

2. Pledge of Allegiance

3. Chair Announcement

Mr. Moury announced that Executive Sessions of Council were conducted on Monday, January 26, 2015, Saturday, January 31, 2015 and Monday, February 9, 2015 to discuss Police 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.

Ms. McIntosh announced that February is Library Lovers' Month.

Currently, the Library is being painted and although it is not closed, certain sections may be closed and the study rooms are not available during the month of February. The Library will be closed to the public on February 20 for Staff Development Day

The AARP Tax Aide program begins on Tuesday, February 10 and will continue on Tuesdays from 10:00 a.m. to 2:00 p.m. This is a first come, first served

program. You must provide last year's return and pertinent information for the 2014 return. Photo ID is required.

On Tuesday, February 17, 2015 at 7:00 p.m., Speak Up! Program will be held which teaches girls effective negotiation skills. The goal is to assist girls with good decision making, improving relationships, reducing conflicts and taking more control over their lives. This program is for girls in Grades 5 through 8. Registration is required.

Sensory Storytime will be held on February 22, 2015 at 2:00 p.m. for children in Grades K through 3. This is an interactive story time designed for children with special needs, accompanied by a caregiver. Children with sensory integration challenges, autism or ADHD will benefit the traditional story time, but with therapeutic activities to allay anxiety. Registration is required.

Landscape Design Program with The Landscape Center by Evanovich will take place on Tuesday, February 24, 2015 at 7:00 p.m. You can learn how to enhance your home or business by designing and shaping shrubbery beds, using height and shapes and by coordinating textures, colors and flower patterns. A Jonathan Green representative will discuss spring lawn seeding and feeding.

Reiki – Discovery the Power, will take place on Saturday, February 28, 2015 at 11:00 a.m. You can discover the many benefits of Reiki.

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 or Twitter.

##### 5. Police Chief's Report

Chief Rogan reported that there is a continued problem with outage of street lights and having them repaired in a timely fashion. Municipal Staff is working diligently trying to correct this and has made contact with the utility companies and some progress is being made. He said that if a street light is out, residents can contact either Duquesne Light at 412-281-4285 or West Penn Power at 800-720-3600. In addition, residents can access the link on the Bethel Park Website to report a street light outage.

Chief announced that the Bethel Park Police Pals vs. the Pittsburgh Steelers Benefit Basketball game will take place on Friday, March 6, 2015 at 8:00 p.m. at the Bethel Park High School Gymnasium. Doors open at 5:30 p.m. with the preliminary game beginning at 6:00 p.m. Tickets can be purchased in advanced for \$7 each at Evey True Value Hardware, Eat 'n Park on Library Road, or at the Police Records Room. Tickets at the door will be \$9. Raffles will take place including a drawing for a 65" HD television for \$1 each. Proceeds from this event will benefit the Sgt. Charles Bonczek Bethel Park Police College Scholarships that are awarded to students in the LEAP program who are interested in a career in law enforcement.

Chief Rogan said the Annual Bethel Park Police Meritorious Awards Foundation was founded by Dr. David McNary in 1969. This program annually honors three police officers for their outstanding and meritorious service in the past year. This foundation is administered by a Board of Trustees. They are Chief Rogan, Daniel Flynn, Andy Amrhein, Tom Bailey, Mayor Jack Allen and Council President Tim Moury. The vote is done by fellow police officers in the department, along with input from the Board of Trustees. Mr. Amrhein and Mr. Flynn joined Chief Rogan to present the awards to this year's winners. The third place award went to Officer Ken Radinick. Second place award went to Officer Ed Kach. First place winner went to Sgt. Blake Babin. The awards include a framed recognition, a monetary gift as well as a gift certificate from Bob Smoker of Buggy Bath. The last award was a special award given to honorary Police Officer Joey Fabus, who tragically passed away. Chief Rogan presented the Fabus family with Joey's award.

6. Fire Chief's Report

Chief David Gerber gave the fire report for the month of January. In addition, Chief Gerber reminded everyone about the dangers of space heaters when used improperly. He said that if you must use an extension cord, use the appropriate gauge and be sure the space heater has a three foot area free all around the unit.

Chief Gerber also asked that residents shovel snow away from around fire hydrants during the winter season to allow quicker access to them in the event of a fire.

Mr. Moury said two weeks ago, Municipal Council awarded the contract for the construction of the new fire station. The Official Ground Breaking Ceremony for the new Brightwood Fire Station will take place on Saturday, February 28, 2015 at 11:00 a.m. at the Park Avenue side of the construction site. Everyone is invited and welcome.

7. Mayor's Report

Mayor Allen presented his monthly recognition award to four Middle School girls who made Bethel Park a Special Place. He said that he was made aware of a young girl from South Park that spent the Christmas of 2013 at Children's Hospital. This year, she wanted to collect and donate gifts to the children that would have to spend the Christmas of 2014 at Children's Hospital. Tri Community South EMS employee, Rick Polano, learned of this young lady's wish and proceeded to lend a hand with the project. Four young students at IMS Middle School also heard of this project and asked to be involved. Autumn Platt, Lauren Wandel, Macey McKinney and Stormie Paslow. Autumn, Lauren and Macey were present and given the Mayor's recognition award for their participation with this special project. Stormie was not able to attend. The girls went caroling and requested donations for the gifts, collecting \$350. Along with the help of Andy Amrhein, 1,000 gifts were purchased, loaded into an EMS vehicle and delivered to the hospital.

Mayor Allen recognized Boy Scouts Troop 4 who was in attendance to observe the Council meeting for the purpose of merit badges with their leader, Andrew Barnhart.

At this time, Mayor Allen introduced Senator Matt Smith. Senator Smith said that the Joey Fabus story is one in which we are all aware. The impact that Joey had on the community in his short life is immeasurable. Senator Smith said he is honored to present, on behalf of the State Senate, a Condolence Citation to the entire Fabus family. Throughout Joey's life, and by his dedication and his dream to become a police officer, he raised the attention and support in what we all should have for our law enforcement professionals. At this time, Senator Smith asked the Fabus family to once again come up to accept the Condolence Citation from the State Senate. He thanked them for their strength and courage through this very difficult time.

Senator Smith then presented citations from the State Senate to Mr. Ray Piacquadio of Pasta Too, who was in attendance and to Mr. William Knaus, not in attendance, for their achievements and contributions to the Bethel Park community as well as the school district. Mr. Knaus's citation will be sent to him.

Mr. Harrison said that when Senator Smith was a freshman representative, they locked horns over a piece of legislation called Card Check. He said that he misquoted Senator Smith's position and apologized for that. He continued by asking what Senator Smith's position on Card Check is at this time.

Senator Smith replied by saying he is still does not support it.

Mr. Harrison said that they disagree now as they did then. He said it absolutely positively takes away the rights of people to vote (unintelligible) and he'll never agree with that.

Mr. Moury said that he would like to thank Senator Smith for assisting with the street light repair problem that Bethel Park is experiencing. Mr. Hannan reached out to him and within a day, had a response from the utility company. They are going to bring in a crew and hopefully the lights that have been out will be back on within the next two weeks.

8. Approval of Minutes

Public Hearing of August 25, 2014 – Spencer Family YMCA

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Public Hearing Minutes of August 25, 2014 – Spencer Family YMCA. Motion Carried 9 – 0.

9. Public Hearing of December 8, 2014 – Knaus Rezoning

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Public Hearing Minutes of December 8, 2014 – Knaus Rezoning. Motion Carried 9 – 0.

10. Regular Council Meeting Minutes of January 12, 2015.

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Regular Council Meeting Minutes of January 12, 2015. Motion Carried 9 – 0.

11. Special Meeting of January 26, 2015 – Bethel Park Volunteer Fire Company Project Bid Award

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Special Meeting Minutes of January 26, 2015 – Bethel Park Volunteer Fire Company Project Bid Award. Motion Carried 9 – 0.

12. Bills and Payrolls

Motion by Mr. Hannan and seconded by Mrs. Gibbons to approve the Bills and Payrolls for the Municipality per Bill List #020915 in the amount of \$1,843,808.07. Motion Carried 9 – 0.

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

Bob Swiech, 2842 West Munroe Street

Mr. Swiech said:

“Good evening, my name is Bob Swiech, I live at 2842 West Munroe Street in Bethel Park here. And Mr. Pape, I know we haven’t talked about this, I will be calling you to, we can discuss this in some detail, but this is my fifth appearance since August of 2014 at a Council Meeting. The topic of my discussions has been the placement of a problematic, mental behavior treatment facilities in the residential neighborhoods throughout the Bethel Park Municipality. As I reported to Council at the December 8, 2014 meeting, I received a response letter from the Solicitor, Robert McTiernan. In that letter he states that, quote, the Municipality is not quite sure what is meant by your phrase problematic mental behavioral treatment facilities. To the knowledge of Bethel Park, there are not any treatment facilities of any kind located in any residential neighborhoods. First, the federal authorities have stated that no matter what the politically correct names such as group homes, handicapped residences, etc., that what the Bethel Park Municipality has decided to give the houses, they are exactly what I’ve labeled. In a letter from the U.S. Department of Justice as a response to my inquiry, quote, your constituent, Mr. Swiech, is concerned about treatment houses in his neighborhood for people with problematic mental behavioral issues due to potential safety issues that might arise. There are two federal statutes that may apply to the situation described by Mr. Swiech, the Fair Housing Act, the FHA, and Title II of the American’s with Disabilities Act, ADA. This confirms they are treatment houses. I sent a letter to each member of Council, the Mayor and the Municipal Manager asking to be notified if they did not agree to the position and opinion of Mr. McTiernan. I also reported to the Council at that meeting on December 8<sup>th</sup> that Congressman Tim Murphy has proposed a Bill, HR3717,

entitled The Helping Families With Mental Health Crisis Act. I understand the Bill will use the residential treatment facilities to treat these additional people. To be eligible under this Bill, the participants must have a history of violence, incarceration or medically unnecessary hospitalizations and without supervision and treatment may be a danger to self or others in the community. That sounds like potential danger. Since the Mayor, Manager, nor any other Councilman has responded to me, I offer that they are in total agreement with the Solicitor. I have found on my own since, Council and Municipality refuses to provide information, multiple treatment facilities in Wards, 1, 4, 7, 8, with more coming. My question to the Council is then, will you support any attempt to have the laws amended?"

## PLANNING AND ZONING ITEMS

### 14. Citizens' Comments – Planning and Zoning Items

None

### 15. Planning and Zoning Items

Application No. 2014-0701 – Bethel Park Retirement Living Properties, L.P.,  
Keystone Drive, Major Land Development

Motion by Mr. Dixon and seconded by Mr. O'Brien to approve Application No. 2014-0701, Bethel Park Retirement Living Properties, L.P., Major Land Development, 5851 Keystone Drive, in accordance with the correspondence dated January 22, 2015. Motion Carried 9 – 0.

Mr. O'Brien said:

This new development resides in my ward. Some time ago, the School District announced that they were selling this property to this developer and just kind of served it up on our plate and it offered some very difficult issues from the beginning. Walking through it, all the issues, whether the property could be rezoned, what would it be other than this development in the future, it just brought a lot of uneasiness to the residents over there. There's been lots of discussion over the years since the School District basically closed Logan School, what it could be or what it could not be. I have nothing but praise for the developer. The people in this neighborhood who were willing to listen, were willing to adapt, were willing to understand that something positive can come from this property. I would also like to really praise Municipal Staff for being creative, and Council and the Mayor. After several meetings, the developer offered a meeting of information right up front, understood what was on the table, understood what the people wanted and this Council expected, we reached a beautiful plan that I think will just absolutely enhance the neighborhood. And I didn't realize at the time that this could happen because of the comments from the neighbors. But we had an opened mind, we walked through it, and I am just very pleased to represent the members of the 6<sup>th</sup> Ward for their openness and the developers for their honesty in what they are going to do. So, Mr. Chairman, I am for this as a representative of the 6<sup>th</sup> District. Thank you."

## 16. Millennium Woods Proposed Easement and Maintenance Agreement

Motion by Mr. Dixon and seconded by Mrs. Gibbons to approve the Millennium Woods Proposed Easement and Maintenance Agreement for Wall and Landscaping on Municipal Property. Motion Carried 9 – 0.

## 17. Resolution – CITF County Grant – Brightwood Road Storm Sewer

Motion by Mr. Dixon and seconded by Mrs. Gibbons to adopt the resolution requesting funds through the CITF grant program for the Brightwood Road Storm Sewer Relocation Project. Motion Carried 9 – 0.

**GENERAL POLICY AND FINANCE**

## 18. General Policy and Finance Items

No Items

Mr. McLean announced that the Home Rule Study Commission will be holding a Public Hearing on Wednesday, February 18, 2015 at 7:00 p.m. in Council Chambers. The hearing will also be broadcasted on Channel 7. They will be reviewing, in particular, a proposal to consider whether to have the Chief of Police report directly to the Municipal Manager instead of to Municipal Council. The minutes of the meetings held so far are available on the Bethel Park Website. The public is invited to attend and their participation is welcome.

**HEALTH, SAFETY AND WELFARE ITEMS**

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

None

## 20. Health, Safety and Welfare Items

Civil Service Rules and Regulations

Motion by Mr. O'Brien and seconded by Mrs. Gibbons to approve the final Draft of the Civil Service Rules and Regulations for the Bethel Park Police Department. Motion Carried 9 – 0.

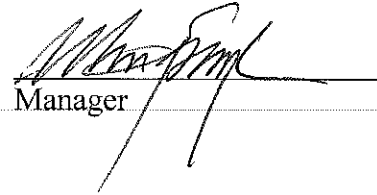
**PUBLIC WORKS AND MAINTENANCE ITEMS**

## 21. Public Works and Maintenance Items

No Items

22. Adjournment

Motion and second to adjourn at 8:15 P.M.



Manager