

## **Borough of Munhall – Regular Council Meeting – April 15, 2015**

- I. Call to Order – Council President Dan Lloyd called the meeting to order
- II. Pledge of Allegiance – Dave Cannon led the pledge
- III. Preliminary Announcements – None
- IV. Role Call – All present except Councilman Inglis who was excused

Council President Lloyd advised that there would be a couple of special speakers to address council including the Boy Scouts.

### **Boy Scouts –**

- Scouts attending for Citizenship in Community merit badge. They have to attend a meeting and write about what they saw.

### **Councilman Ballas –**

- Motion 4 to exonerate Munhall Borough Tax Collector for 2014 uncollected real estate taxes. He is asking if we ever got Mr. Tomasic's report. Borough Manager Bob Callen advised we did not but he did request another copy. Council President Lloyd stated that from what he understood the audit was inconclusive and it didn't show that there were any inconsistencies with the tax office. He did say he would like to see it again himself.

### **Councilman Brennan –**

- Motion 5 - Bakers waterproofing at a cost of \$3,882.00 to correct water infiltration in VFD #2 facility
- Motion 6 to contract with Hoss's Plumbing in the amount of \$10,500.00 to correct the interior deficiencies and restoration activities within VFD #2 facility. Were we to see any of the projected costs of what they are going to do? What do they plan on doing for \$10,500.00? Have we gone over the specs? He feels that this motion should be tabled for now.
- Motion 7 – Motion to approve a three-year lease for two (2) police vehicles from Day Ford at the SHACOG Joint Bid price of \$87,890.20 total. Are two needed at this time? Cant we get one now and one later?
- Where is the estimate for the backhoe? Borough Manager Bob Callen said that there is an estimate for repair forthcoming.

### **Persons requesting time per prior arrangement to address Council:**

1. Donna Mercuri - Munhall Borough Tax Collector

## **Borough of Munhall – Council Meeting – Wednesday – April 15<sup>th</sup>, 2015**

- 2. Mario – Meter Feeder – Paring Meter Technology**
  - a. Advised of GPS phone application to pay for meter that can be monitored by police, via their enforcement device, to tell when a car has paid for a particular amount of time or it is out of time in a space.
    - i. There is no hardware
    - ii. If someone doesn't have smartphone they can still use meter on street
    - iii. Concerns from Council about expired meter on street and residence not understanding that the person in front of them is using meter feeder and will park without paying because they see the person in front of them at an expired meter.
    - iv. They do send notification to car owner that they are running out of time but they can not send to police because they do not track the space the car is in, they track the vehicle by its plate number only and general vicinity.
- 3. Kate Bolger – 252 W Schwab Ave – Munhall – Concerns about facility in area of her home and business that housed pedophiles.**
  - a. Council President addressed spoke and said that in what he believes happened:
    1. It was brought to his attention in 2008He had the Code Enforcement officer pull the permit for the facility2002 the Borough issued a permit for a day care center
    2. They turned it into an adult day care center but did not have a permit to do so.
    3. Then they turned it into transitional housing which they did not have a permit for either
    4. Then it was a half way house and it was still only permitted for the day care center.
    5. Council asked for a cease and desist order for the business they were running there. They applied for a permit for transitional housing. This is conditional use for an R1 district. They requested a hearing with the Zoning board and it was held here (all of which was recorded by a court reporter and is public record).
      - a. Zoning board voted against the transitional housing permit
      - b. Cleft of Rock sued the Borough along with the ACLU, attorney Vic Walzak and threatened us saying they felt we should issue it.

**Solicitor Evashavik** stated that the Court of Allegheny County said that because they are maintaining a faith based outreach and they are guarded

under their transitional housing as a church. We were court ordered to issue this permit. We understand that there may be sex offenders within the program and they are allowed there as part of the faith based program but they must register with our police department. We will have to abide by the court order but it has just been brought to Boroughs attention that they may have more residents than allowed and Borough will follow up to be sure that court order is followed on both sides. Councilman Ballas asked Chief Campbell if we are notified when they move into our area. Chief Campbell said that we are notified by State Police. Chief Campbell said once or twice a year they receive notification that they have to go door to door advising residents that a certain person is within a neighborhood.

What happened last week. **Council President Lloyd** said, is what brought this to the forefront for residents in the neighborhood along with the Channel 4 news store about a car theft where one of the persons listed their address as a home for sexual offenders in Munhall Pennsylvania and as far as he knew there was no such program or home in Munhall. That anyone seeking to live in the home, were seeking to live in a home for non violent offenders and how this program moved from non violent offenders to pedophiles and rapist doesn't make any sense. He states that he spoke to Rich Fitzgerald's office to find out why the county would be sending these types of people to a Borough that is just now becoming a viable area and Mr. Fitzgerald's office assured him he would look into the situation for him.

**Chief Campbell** said he had a conversation with Senator Costa's office regarding the same issue right after the Homestead fires.

There were discussions of the fact that the residents are locked out during the day and wandering the streets until the evening. Are they participating in the religious services? If not, there may be violation of the court order. President Lloyd said that we will be diligent in checking into this without violating either side of the court order.

## **V. Public Comment on Agenda Items Only**

### **a. Donna Dreshman -**

- i. Motion 2 – Asked how many currently have CDL licenses and will this motion only affect CDL drivers. The Borough Manager advised at this time it is state law for CDL drivers only.**
- ii. Motion 4 – Asking what the amount is we are exonerating the Tax Collector for. Answer \$349,000.00**
- iii. Motion 8 – Clarification of intern's salary and job duties with Borough Manager.**

- iv. Motion 9 – Clarification of photographers package and sessions with Borough Manager.
- v. Motion 10 and 11 – Clarification of fund balances with Borough Manager.
- vi. Asked about outcome of hearing with previous Borough Manager. Answered that it was postponed to July 7<sup>th</sup>, 2015.

VI. **Minute from March 18<sup>th</sup>, 2015 Regular Council Meeting** – Tabled as not received by all of Council.

**VII. Reports from Borough Officials**

**Mayor** – Absent (recuperating)

**Solicitor** – Greg Evashivik

Westfield contract – Completing the final construction agreement.

CDL testing contract – Tabled because they limit their liability on errors. Example they give us a false positive, we take corrective action, there is a lawsuit, they take no liability for that, they will only retest to correct their mistake. They will hold no liability for their error. There was discussion amongst Council regarding this concern and that they feel that the company should carry insurance to cover these liabilities. There were also discussions about the automatic renewal of the contract after 1 year unless written 30 day cancellation and this was also concern for Solicitor and Council. Solicitor to follow up to see if this is standard practice. The Motion (2) will be tabled for now.

COG Street Sweeping Contract – Red Flag for no liability insurance for equipment and operator. This is passed along to Borough. The Borough carries an umbrella policy that will cover them but we will check to be sure.

Donald K. Duda Lawsuit – Munhall Borough and New Horizons – for property at 236 21<sup>st</sup> Ave Munhall. Says New Horizons run by his father, transferred the property into his name without his consent back in 2005 and now there are several years of tax liens. The attorney is asking if the Borough wants the property. The property is dilapidated. No we do not and the Solicitor will let them know.

Question from Councilman Brennan regarding the Matt Galla hearings. Should the Borough have representation at the hearings? Answer from the Solicitor is that we do indeed have representation and as the victims, the District Attorneys office is our representation.

## **Solicitor CONT.**

Councilman Brennan wanted to clarify, at a meeting, that nothing is being “swept under the rug” and that things are being addressed. The Solicitor assured Council and residents at the meeting that things are in the hands of the DA and moving as quickly as possible at this time.

## **Borough Manager – Bob Callen**

Parks and Recreation Board – Will be setting up interviews for each applicant within the next two weeks.

Public Works bargaining agreement – He is working on past pension numbers and then they can work out an executed contract. His deadline for the pension numbers only will be Friday the 17<sup>th</sup>.

Westfield renovations – Nothing will happen until Allegheny County Conservation district issues a permit for erosion control. Could take up to 90 days.

VFD#3 – Bid totals 0 – Asked about storing some of the things we normally store under bleachers (during Westfield renovations) in #3 until we sell the building. Discussions of options of how to sell the building with a real estate sales person. Council advised Bob to contact local realtor.

Allegheny County Vacant property recovery program – Waiving fees – your property must be attached to the vacant property. Will be posted on our Borough home page.

Flagger training – Public works only – PennDot required and they will be certified if they pass the test following the training.

Summer workers – Applications taken until May 7<sup>th</sup>. \$8.00 per hour.

Website – Potential new Logo – Pictures being taken for each department. New website work is evolving.

## **Engineer – Lindsay Jewert**

Demolition – Worked with COG to draft specifications for that project and one outstanding property that still needs investigated.

Borough Manager states there are about 3 or 4 properties at this time.

## **Engineer CONT.**

St Francis School Project – Still waiting for environmental clearance software– Sidwalk plans are submitted but still waiting and PennDot advises they will help set up the initial meeting. Its just a slow process.

## **Public Works – Bob Biscey**

Report passed out.

Rat Licensing – Sent two guys

## **Chief of Police – Pat Campbell**

Report passed out.

Looking at new vendor for emails – County system may be free.

Councilman Brennan asked how many prisoners we held in our cells. He stated that this was supposed to be part of the issue with County 911. He also asked for a schedule with the desk clerk. Chief advised of schedule with clerk and Officer Tracy. Council asked who covered Officer Tracy's schedule in the field and the Chief advised they have moved schedules around and it has been covered.

## **Fire Chief - Ed Pletsch**

38 Responses

SVSD allowing use of auditorium for training

Siren – New Westfield project asking about siren specs - Chester engineer was project managers at time of installation so they will need to be consulted about the specs.

The Red Cross trailer is stored at VFD #3 at this time. We need to know where it will go. It is a disaster relief trailer for the Borough. Please consider a place that it is. It has bedding and supplies to help for a couple of days.

First Vehicle not turning vehicles around quick enough. There are concerns about how the training is handled within their company. First vehicle doesn't cover vehicles over 15 yrs. old. Only 4 vehicles covered under their contract. Discussions went back and forth about

## **Fire Chief CONT.**

benefit of having First Vehicle vs. not having them. On the plus side having maintenance records.

Will get estimates for repair of #5 doors

Will be talking to Borough Manager about routine extermination of fire halls and routine maintenance of doors to help save money overall in repair bills.

## **Code Enforcement – Dave Cannon**

Report submitted

Question from Councilman Shields about concrete stacked at corner of Park School . Dave will look into it.

## **VIII. Items for Consideration:**

1. Motion to enter into an Agreement with the Char West Council of Governments for Vactor/Catch Basin/Lateral Cleaning Services at \$875.00 per day.  
Motion to table - Councilman Falce - Second - Councilman Brennan  
Vote - Unanimous  
Tabled because of concerns regarding liability insurance coverage.  
  
Question if this will delay street sweeping. It will until vote next month.  
  
Motion to approve on condition that we carry an insurance rider policy.  
(this will stop delay of street cleaning for an additional month)  
Motion – Councilman Shields - Second – Councilman Votedian  
Vote - Unanimous
2. Motion to contract with Spectrum Medical Corporation for the provision of Random Drug/Alcohol onsite testing for Munhall Borough employed CDL Drivers at \$95/random test & analysis.  
Motion to table – Councilman Shields - Second – Councilman Falce  
Vote – Unanimous  
Tabled because of contract concerns

**Items for consideration CONT.**

3. Motion to enter into an Intergovernmental Cooperation Agreement with Homestead, West Homestead and Steel Valley COG to continue with the Waterfront TIF district Maintenance Fund & assigned the Steel Valley COG as the agent to administer the Fund.  
Motion – Councilman Shields – Second – Councilman Votedian  
Vote – Unanimous
4. Motion to exonerate Munhall Borough Tax Collector for 2014 uncollected real estate taxes.  
Motion – Councilman Ballas – Second Councilman Votedian  
Vote – Unanimous
5. Motion to contract with Baker’s Waterproofing at a cost of \$3882.00 to correct water infiltration in VFD#2 facility.  
Motion – Councilman Ballas – Second – Councilman Votedian  
Vote – 4-1-1 (Lloyd – Abstain and Brennan – No)
6. Motion to contact with Hoss’s Plumbing in the amount of \$10,500.00 to correct interior deficiencies and restoration activities within VFD#2 facility.  
Motion to table– Councilman Falce – Second – Councilman Brennan  
Vote – unanimous  
Tabled for specifications
7. Motion to approve a three-year lease for two (2) police vehicles from Day Ford at the SHACOG Joint Bid price of \$87,890.20 total.  
Motion – Councilman Votedian – Second – Councilman Ballas  
Vote – Unanimous
8. Motion to hire Rachel Boss as an Intern at a cost of \$10.00 per hour, no benefits with ½ the cost to be reimbursed by the Local Government Academy upon successful completion of the 5 Year Capital Improvement Plan.  
Motion – Councilman Brennan – Second – Councilman Ballas  
Vote – Unanimous
9. Motion to contract with Heather Nyapas at a total cost of \$850.00 to conduct professional photo shoot sessions for all Borough  
Motion – Councilman Ballas – Second Councilman Brennan  
Vote – Unanimous



**Items for Consideration CONT.**

10. Motion to pay the bills for period March 19, 2015 through April 14, 2015 as in the Monthly Bill List, summarize as:

Administration:	\$ 76,277.09
Police:	\$ 136,449.51
Fire:	\$ 8,9321.69
Health and sanitation:	\$ 20,735.90
Public Works:	\$ 110,591.34
Recreation:	\$ 5,794.92
Miscellaneous:	<u>\$ 30,833.06*</u>
	\$ 389,613.51

\*=\$20,904 Casualty Ins, \$7794 Tax Collector, \$11247 Property Tax Refunds

Motion – Councilman Votedian – Second – Councilman Falce  
Vote – Unanimous

11. Motion to approve Payroll for the period March 13, 2015 through April 9, 2015 as follows:

March 13, 2015:	\$ 134,408.98
April 9, 2015:	<u>\$ 139,548.36</u>
	\$ 273,957.34

Motion – Councilman Falce – Second – Councilman Votedian  
Vote – Unanimous

Adjournment - Motion to adjourn – Councilman Falce – Second – Councilman Ballas  
Vote – Unanimous

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Approved by Council President Dan Lloyd

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Date