

Munhall Borough Regular Council Meeting  
Wednesday, September 18, 2013  
Recorded by Harry R. Faulk, Intern

6:30pm Caucus meeting started by Council President Joe Ballas.

**Roll Call:**

Present: Councilman Dan Lloyd, Councilman Harvey Inglis, Council woman Dana Ditillo, Councilman Bernie Shields, Councilman Rich Votedian, Councilman Joe Ballas

Absent: Councilman Rob Falce

Also Present: Lindsey Jewart, Chester Engineering; Dave Cannon, Code Enforcement; Mayor Raymon Bodnar, Tim Little, Borough Manger; Joe Cibula, Acting Police Chief; Bob Bicsey, Public Works; Ed Pletsch, Deputy Fire Chief; Greg Evashavik, Borough Solicitor

Review of last week's workshop meeting:

1. **Manager Tim Little:** A motion to enter into a lease and hold harmless agreement with Brian Sandwich Shop doing business as Pyrotopia for the Pyrotopia event on May 10, 2014. **Solicitor Greg Evashavik** questioned paragraph two with a line through the payment section.
  - **Manager Tim Little** stated that's how the borough received it from Pyratopia. Solicitor stated otherwise the agreement is OK. Also double check their insurance or damage deposit. **Councilman Ballas** wanted a deposit fee for cleanup and field damage. Place paragraph two back in the contract of payment. Example \$1500 fee and \$1000 return to Pyrotopia if no damage. **Councilman Lloyd** stated that is consistent with teams that use the field. **Councilman Sheilds** concerned about police. Lloyd states why should we pay for our police for a private event. Lloyd stated there's going to be 3,000 people in attendance. **Mayor Bodnar** stated ask Pyratopia to hire Borough Police for event. **Councilman Sheilds** would like to scratch motion tonight to draft our own contract. **Councilman Ballas** agrees.
  
2. **Manager Tim Little:** Move to accept the Municipal Insurance Package Proposal of \$488,950 submitted by Allegheny Professional Insurance Agency for the 2013-2014 year. Council has summary sheet and council knows workers comp has gone up from \$210,000 to \$341,000 a 62% increase, overall increase is \$127,000 a 35% increase.
  - **Councilman Lloyd:** It's out of control.
  - **Councilman Ballas:** Yep. There are a few things that we had talked about and looking into, however its not going to bring it down in the next year or two.
  - **Councilman Lloyd:** There may be a change. This is going into effect Oct. 1,<sup>st</sup> but it may have well have changed on the public officials and

employment practices, liabilities side. It can include prior accidents claims made and can increase between now and then.

- **Councilman Sheilds:** If it goes into effect Oct 1 then it can affect not only this year's budget, but next year's budget.
- **Councilman Lloyd:** Yes but you don't have to pay it all this year. \$18,412 dollars for public officials and employment practices may not be a good number. Its based on what they do at the time of application and it has since changed.
- **Manager Tim Little:** In addition Mr. Evashavik provided comments, council members have hard copy concerning a proposed agreement with the Munhall Fire Relief Association, part of the package of workers comp.
- **Solicitor Greg Evashavik:** Munhall Fire Relief Association sent for a simple agreement that they want this council to sign. Council doesn't have to sign any agreement if they don't want to . His research showed that the Boro Code and Pa Statue showed boro has the option to pay for workers comp insurance for vol. fire, its not mandatory. Workers comp statue are indeed to be employees of the borough and therefore you are responsible for your employees that are injured on the job. You don't have to pay for workers comp but if you don't you are self-insured and have to pay out of the general fund. If you want to sign agreement you can, if not, the relief association can send over an invoice every month and pay without a written doc. What they sent over is not sufficient and you need some more points and that was the subject of the memo I sent September 17 and he outlined 3 points, the penalty of 100 bucks a day, that in {?}I also added in 6 points, but if you want to sign something I suggest an agreement should be modified to include these points otherwise, just make a motion that they will send a bill every month and you pay it.
- **Councilman Ballas:** I thought we have to pay all this by October 1<sup>st</sup>? We have to do something today with this so we can move to pay it.
- **Solicitor Greg Evashavik:** If they want you to sign something, and we are not required to and you're ok with it, they should modify that doc to add these points and in the mean time you can vote pay their insurance. That is fine a well.
- **Councilman Ballas:** That is the \$34,000.
- **Councilman Lloyd:** I don't think we can get a 60 day notice, only a 30 day notice. That is what the law requires. That was the only thing that I saw.
- **Solicitor Greg Evashavik:** We will change that.
- **Councilman Ballas:** We will have to resubmit them and they can have to go through it and bring it back.
- **Solicitor Greg Evashavik:** Yes, just give them the memo and have them add these point and change to 30 day and you can vote tonight to pay it. You don't need an agreement. You can vote tonight to pay on

motion number two. You are authorizing the payment. You don't have to act on the agreement with the relief association. They need to redraft and resubmit.

- **Councilman Ballas:** For auditing purposes the relief has to pay and we pay the relief fund.
- **Councilman Lloyd:** They got that from the auditor general, it doesn't matter to us. I don't have a problem with that. They are helping us out.
- **Councilman Votedian:** State advised us to do that.
- **Councilman Ballas:** Everyone ok with that. Everyone agreed.

3. **Manager Tim Little:** A motion to advertise a Public Hearing on October 16, 2013 at 6:00pm for the requesting rezoning of the old St. Michaels's School Building (0120-m-00065-000-00) on 9<sup>th</sup> Ave from R-1 to B-2

- **Solicitor Greg Evashavik:** Engineer should take a look also have recommendation from planning commission.
- **Engineer Jewart:** Any parking or traffic issues?
- **Solicitor Greg Evashavik:** This has to be advertised.
- **Agnes Hogg:** From planning commission stated we sent in our minutes.
- **Solicitor Greg Evashavik:** I have to draft an ordinance and change the zoning map. This can be spot zoning if just this parcel.
- **Councilman Lloyd:** In the work session it was explained that it was going to be the North side of 9<sup>th</sup> Ave.
- **Solicitor Greg Evashavik:** This has to be done by ordinance. The zoning map has to be changed, drawing done by engineer to show what area is being rezoned. Is it just the parcel or more? The motion is just the parcel not the whole area.
- **Agnes Hogg:** Just the odd numbers on 9<sup>th</sup> from Andrew to McClure. I gave Tim Little the minutes the next day.
- **Solicitor Greg Evashavik:** We need to know the exact areas that are being rezoned so to be sustainable if challenged. I need to see that to give my opinion.
- **Manager Tim Little:** Suggested move ahead with public hearing and then council and vote on it in November.
- **Solicitor Greg Evashavik:** Motion is for one parcel. Planning wants a whole block.
- **Donna Dreshman, 3629 Forest Ave, Munhall** asked the council that if you change one parcel is that spot zoning?
- **Solicitor Greg Evashavik:** It depends on the overall picture.
- **Donna Dreshman:** They did spot zoning when they did the senior residence

- **Councilman Sheilds:** We are getting off subject here.  
Donna sat down with no conflict.
- **Walt Viola:** Owner of the property on 9<sup>th</sup> Ave. He was looking at commercial aspect of property and has been going back and forth with planning commission and it makes sense to take north side of 9<sup>th</sup> Ave and combine it with Boone Way and look at a complete B-2 rezoning. What we are seeing from north side of 9<sup>th</sup> Ave, this property will benefit from this rezoning.
- **Councilman Votedian:** This motion needs changed and it will take longer.
- **Matt Bovee:** Isn't the south side of 8<sup>th</sup> ave already B-2? If so, then this property isn't spot zoning. Its not spot zoning to look at one parcel if its adjacent to it. Also the existing uses on the north side of 9<sup>th</sup> ave will become non conforming uses. So you have to issue nonconforming permits for every residential structure.
- **Donna Dreshman:** Years ago you talked about extending that up when someone wanted to put offices up
- **Councilman Ballas:** No one came in.
- **Donna Dreshman:** I remember when we rezoned Boone alley to 22<sup>nd</sup> to R-1, it was brought up that any further change and a mailing would have to be done.
- **Manager Tim Little:**I plan on doing a mailing on side of caution.
- **Solicitor Greg Evashavik:** We will do what the MPC says.
- **Walt Viola:** We are turning the ground floor into a resturant. I have a lot of money tied up in this property and I am at a standstill. I need the county to come in to do an inspection. I understanding I have to go in front of the planning and zoning commission. I understand the process, but I need help from council.
- **Manager Tim Little:** Suggest to council if they want, make a motion pursuant to the motion of the planning commission tonight or to move it along to the public hearing on Oct 16<sup>th</sup>.
- **Solicitor Greg Evashavik:** Every parcel has to be specifically identified.
- **Councilman Lloyd:** He is the only parcel on Boone Way, just make a motion to extend the zoning from Andrew to McClure and for properties fronting Boone Way. It would make it all of Boone Way. And its not spot zoning
- **Solicitor Greg Evashavik:** Needs visualization.
- **Councilman Sheilds:** We don't want to do anything to delay it any further. How can we write this motion to proceed on it today?
- **Solicitor Greg Evashavik:** Describe it according to street, that's fine for motion, but we need to immediately determine that we are encompassing that changed
- **Councilman Ballas:** We can do that in the public hearing to finalize the parcels for zoning.

- **Councilman Lloyd.** We can change it to include all lots and blocks.
- 4. **Manager Tim Little:** Move to authorize the Borough Manager to issue a warrant in the amount of \$2,500.00 to the Main Street Business Association to help defray the cost of the Halloween parade.
- 5. **Manager Tim Little:** A motion to advertise for candidates for appointment to the Munhall Municipal Authority.
- 6. **Manager Tim Little:** A motion to approve the purchase of Tasers and Holsters for \$1,756.95 and an ID scanner for \$1295 from DOJ Drug Forfeiture funds.

**Councilman Ballas:** Any questions? No one had any.

- I. **Call regular Council meeting to order at 7:19pm. Pledge of Allegiance. Moment of silence for Navel Yard incident.**
- II. **Pledge of Allegiance**
- III. **Preliminary Announcements – none**
- IV. **Roll Call: Present: Lloyd, Inglis, Ditillo, Shields, Votedian, Ballas  
Absent: Falce**
- V. **Daily News is present taking notes.**
- VI. **Public Speakers Notice**
- VII. **Public Speakers**

❖ **Walter Viola-Vacant Properties**

The issue that we have is 9<sup>th</sup> Ave is that there are several houses that are vacant and we are trying to find out who are the owners. 617 9<sup>th</sup> Ave, Richard Hall passed away several years ago. No one knows how to get a hold of the mortgage company. I'm trying to find out what to do to get that property referred to in some way so it can be bought. Any property on 9<sup>th</sup> Ave between Library Way and Andrew, we are taking care of unkept properties. This property is the worst. Property owned by William O'Donald, bought it in 2007, no roof, no floor. There is no way this property will be turned around unless the boro acts on it. Maybe back taxes on it. 630 east 9<sup>th</sup>, is vacant, boarded up and condemned. These property create problems for that street. I want to find out what it takes to get these properties. Problem for me is that I can't regenerate a block with these properties. Its hard to get investment dollars into this block.

- **Councilman Ballas:** We've talked about this in the past about other properties. The borough doesn't own these properties, and haven't found an easy way to do this.
- **Solicitor Greg Evashavik:** There are laws to protect these properties. The easiest way is for Walt to find the owners and go after them.
- **Walt Viola:** I'm at a dead end and want the borough to help to get those properties.
- **Solicitor Greg Evashavik:** I don't know
- **Walt Viola:** Mentions a tax burden on these properties. The borough should go after them. 617 is listed as back tax service corp out of California. Let's find out why.
- **Councilman Lloyd:** There is a program through county that cost 5,000 to get property that now includes buildings.
- **Manager Tim Little:** Contact Ann Lewis at COG about a program.
- **Walt Viola:** Interrupted, I know where you are going with this!
- **Solicitor Greg Evashavik:** Eminent domain through public purpose? I don't think anyone would challenge, because sounds like there is no one around. Unknown if it is legal to take property and sell it to a private person for use. Recently it's been done.

Dan, Tim, Bodnar, Ballas will be on a committee to work with Walt.

- **Councilman Ballas:** 300 vacant houses in the boro. Doesn't believe many can be revamped.
- **Councilman Lloyd:** North Munhall is hopping and we need to take advantage of it. Has to do with the Music Hall bringing in great business.
- **Walt Viola:** I just want to raise the value of the homes and sell them.

#### ❖ **Scott Stevens: Caroline Street Parking**

Aug 22, 2013, ordinance to stop parking on Caroline Street across from Met House. The residences want the council to reconsider. This took parking away from residents, nurses, patients and staff also from the dentist office. Has petition started with 100 signatures and will continue with getting signatures.

- **Mayor Bodnar:** Safety is the biggest concern, that is why it was done. The first person that complained was a lady that was out of town that goes to the dentist. Unless council does something else to change it, it will be enforced.
- **Acting Police Chief Cibula:** From center of driveway at the top of the hill, maybe provide parking there.
- **Councilman Ballas:** There was a lady that thanked me and now her name is on the petition. I question if people know what petition they are signing.
- **Scott Stevens:** I explained the petition to people before they sign. Also my family apologizes about the shooting incident behind the fire department and congratulations Chief Cibula, and Caterino. We are very apologetic.

#### ❖ **Nick Havrilla, 179 West Larkspur St, Munhall, PA Pension**

Concerned about the changing of the vendor of the pension plan. I think PNC has done a fantastic job over 45 years. We invested in a very conservative matter. I

understand that PNC didn't notify council that some of the MMO was missing from the year 2010-2012. How would they? The money is put in by check from the general fund. Its money from the insurance casualty money goes in as a pass-through. Its written on the check. I don't see how PNC would be responsible for not notifying council. They should know themselves.

- **Councilman Lloyd:** It wasn't with respect with the MMO.
- **Nick Havrilla:** Questioned with a way they are doing their bonds. We are above the bar. The fund is doing fine. We have 21 men that are eligible for pensions that haven't paid in. It's that well managed. I heard at the last workshop meeting that there will be changes because they are blaming PNC for not informing council that payments were not made.
- **Councilman Lloyd:** Not correct, what was said that I did find it amazing that its not the MMO. The MMO is the difference between what the states pays us to the pension fund every year that is \$180,000-\$225,000. We are required to deposit it into the pension fund within 30 days of receiving the money. That had nothing to do with the MMO. MMO is the difference between what is in the fund and what is required to be put in to the fund to keep it solid for 10 years. Sometimes no money is required by us to put in. It was over funded by 1.7 million a few years ago. That surplus has been shrinking every year. The more return we get on our money the less MMO the boro has to make up. The point made about PNC is that we went every year, 180,000-225,000 put into the fund and no deposit was made and no one said hey how come you didn't send that state money over. The state doesnt stop sending money, that's automatic, based on what the officers make. The point is we are not looking at changing, I stated that we should have someone else look at it that's an expert in the field and see how we are doing.
- **Councilman Sheilds:** It's not unheard of. I have a person that shows me how his fund outperforms PNC. We leave it up to you guys to choose your plan.
- **Nick Havrilla:** That same guy lost half their pension plan. This is my income and I am satisfied how PNC is handling it. Pension board will probably stay with PNC. What I can't figure is in 2010 there is a missed payment of \$61,000, 2011 \$63,069, 2012 \$70,000, there was an actuary evaluation report done in 2011, why wasn't it picked up in our evaluation by the corporation.
- **Councilman Lloyd:** I agree
- **Nick Havrilla:** I don't want to see PNC unfairly viewed. Let's bring in Mr Sapiro in to ask him these questions.
- **Councilman Lloyd:** That's why I addressed it in a public meeting and to meet with the committee of people to discuss the pension fund.
- **Nick Havrilla:** I know when Mr. Galla left, there was a deposit made of two days \$230,500 of the general fund into PNC pension. That money went to both pension funds. Mayor, Ballas and Galla were notified from the compliance auditor of the auditor general 2009-2011 in a letter that you are out of compliance of four difference area and one is the MMO.

## VIII. Public Comments on Agenda Items Only

- **Donna Dreshman:** How many candidates are we looking for the Munhall Municipal Sewer Authority?
  - **Councilman Ballas:** 1 for sure.
  - **Councilman Sheilds:** 1 at the beginning of the year no matter what.
  - **Donna Dreshman:** Are we going to advertise for one seat or two seats?
  - **Councilman Ballas:** We will advertise for candidates.
  - **Donna Dreshman:** Under bills to be paid, are we going to take out a tax anticipation loan out?
  - **Manager Tim Little:** I am monitoring the fund balance and something that will be discussed at length at the next work session. Right now it is 1.5 million.
  - **Donna Dreshman:** There is rumor that we won't make payroll in Oct.
  - **Manager Tim Little:** We talked about this in the work session. There is no budget for 2013, until a month ago in QuickBooks. Mr. Faulk inputted all the numbers needed and we are in the process of getting caught up of putting in the wage tax. I am also waiting for all the expenses of the personnel cost. It has been a slow process. People will get paid in Oct. May have to take out the tax anticipation loan in 2014.
  - **Donna Dreshman:** are we looking to adding any new items in tonight's agenda.
  - **Councilman Lloyd:** Depends what happens in the executive session. I am going to ask council to if they want to put a motion back on the floor to re-advertise to make Dixon Street one way from 8<sup>th</sup> to 9<sup>th</sup>. We have to rescind the motion or ordinance that we passed making it one way from 9<sup>th</sup> to 8<sup>th</sup>. For safety reasons, we had to pull it. I'm going to reintroduce that.
  - **Donna Dreshman:** We do have a turning lane that no one looked at. A mail truck went up the do not enter.
  - **Councilman Lloyd:** That's why we took the signs down.
  - **Donna Dreshman:** Are we still paving this year?
  - **Engineer Jewart:** Yes, we started Tuesday will be done be next week.
  - **Councilman Ballas:** Any other questions?
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## IX. Move to approve the minutes of the Aug 14<sup>th</sup> 2013 work session meeting minutes.

- **Manager Little:** They have been delayed. We didn't have a work session on the 14<sup>th</sup>. Also on the Aug. 21; those minutes are not complete yet. Table this to next meeting.

Motion: Bernie S. Second: Rich V **Passed**

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## X. Reports from the Borough Officials.

**Mayor:** Homestead Duq Road, I understand that they called off our police.

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- **Acting Police Chief Cibula:** Officers are no longer directing traffic. They didn't give me a time frame of on when the road will be shut down.
- **Mayor Bodnar:** The safe routes to school, everyone has a copy. The program will be available after May 2014, to the funding constraints from PENDOT, however they can't guarantee that funding for it will be avail after the that date.
- **Engineer Jewart:** We have met. We have been submitting everything. We have a draft. It takes time to complete.
- **Mayor Bodnar:** I want to make sure that we have all the paper in; we have been waiting three years. Project Lifesaver; the bracelets will be \$300. The golf outing is coming up and I would like to encourage publicity because this is a great program.

**Solicitor Greg Evashavik:** We are in the process of receiving the condemnations. We have forwarded the information to Tim Little with our instructions. 2718 Homestead Duquesne Road, 2020 East 8<sup>th</sup> Ave, 1329 Margret St. He will schedule those and there will be a hearing in front of council within the next couple months. The county solicitor states that the borough should give them a repair estimate for Ravine Street, we did that, he wants to know what we are willing to put in. Things have changed financially since the last time we discussed this. I authorized a proposal if he could contribute \$200,000. Before I go back, what can we afford now. The discussions are ongoing.

- **Councilman Lloyd:** Next year we can use the liquid fuels fund next year around 200,000.
- **Councilman Ballas:** We need to sit down with budget committee before we decide anything.
- **Solicitor Greg Evashavik:** Outside detail of police work, I reviewed the contract, and its addressed under article 21. There is no question, the agreements are under control of the council. The program is under control of the Council. Setting rates and whether the detail will be performed or not.
- **Manager Tim Little:** Currently it is time and a half of the captain's rate. The contract ends in 2015 and the captains rate of 2015 is being used. There's nothing in the contract on that. There are separate agreements when a company comes in and wants a detail. We would put in a figure of that hourly amount. Right now we are charging time and a half of the 2015 captain rate.
- **Councilman Lloyd:** That doesn't make sense. Why are we charging a rate that is not even enforced yet by us. The confusion happened when the police dept. executed a contract without councils knowledge that was getting a rate that didn't include SS, taxes, and the taxpayers are picking that up. That's not fair. The taxes need to be covered too.
- **Councilman Ballas:** Administration fees too.
- **Solicitor Greg Evashavik:** The agreements are approved by council for authorizing boro manager to sign. The police are not a separate entity. The

police come to an agreement and come to the council to approve. Admin fee should be included.

- **Councilman Lloyd:** We should be consistent with what other police departments are doing.
- **Acting Police Chief Cibula:** I would like to have Sgt Fullard explain what is going on.
- **Detective Tom Fullard:** What we do is the captain's rate over time plus 4.21 an hour to cover fee.
- **Councilman Lloyd:** We are currently using a 2015 rate for 2013. Why?
- **Detective Tom Fullard:** What we did with Matt Galla, is that every year we would get a raise, and we would have to worry about changing the rate, so what we did was the life on the contract so we only have to do it when the contract is up.
- **Councilman Lloyd:** Why wouldn't you use a composite rate from beginning to end, you're just charging the highest rate.
- **Detective Tom Fullard:** We have been doing this since I have been here in 1994
- **Solicitor Greg Evashavik:** I never knew about it and when I first heard about it I said it's not the way it should be done.
- **Acting Police Chief Cibula:** We have different rates for different details.
- **Solicitor Greg Evashavik:** Those rates should be set by this council.
- **Detective Tom Fullard:** The water company doesn't have to be held to the contract that the police have with the boro. We came up with this contract and submitted it to the solicitor. Unsure which one, they okayed it and we have been using it ever since. It's a contract between the police and whoever hires us.
- **Solicitor Greg Evashavik:** It doesn't look familiar to me. It could have been someone before me or in my office. It says requesters are hereby requesting the Boro on Munhall the agreement has to be with the Council. You are not your separate entity.
- **Acting Police Chief Cibula:** It's all legal. Whatever we get goes straight to the Borough.
- **Solicitor Greg Evashavik:** The council needs to establish the rate. They can also decide what details to work.
- **Councilman Shields:** How can we change the rate now?
- **Detective Tom Fullard:** How is it going to work when the waterfront only pays a certain amount. They sent a check up every month to the boro. We accept a rate whatever the waterfront pays even if it differs from what we regularly charge. Every week we get a detail down at the waterfront.
- **Councilman Lloyd:** When it came to light is when we knew we had to pay you but we weren't getting enough money to cover the rate so we were digging into the general fund to subsidize your detail. That was the incident that brought this to light.
- **Manager Tim Little:** I suggest that you would find out where you have a detail you have regularly and a non-regular detail at. Figure out those rates

and present it to council with hourly rate and fee that you are willing to accept.

- **Detective Tom Fullard:** Everything is set right now. If you go and say its \$60.00 an hour, we will loose the waterfront and the football games.
- **Solicitor Greg Evashavik:** How does payroll know
- **Detective Tom Fullard:** The captain does the payroll and knows the rates.

The mayor and council are going back and forth on who runs the police department.

- **Solicitor Greg Evashavik:** Council sets the rates and what outside work is done outside of the contract. Mayor is in in charge once its happening.

Mayor is concerned what his duties are.

- **Manager Tim Little:** Does council agree with my above suggestion?
- **Councilman Lloyd:** I agree, we have to look at how to recalculate the workers comp since it has risen.
- **Officer Mike Valiska:** You say that council needs to say what we can do or not do for details, then you say its about money. A water main breaks overnight, im the OIC, council just said that you must be approved what we work as a detail.
- **Councilman Sheilds:** It's about the money.
- **Officer Mike Valiska:** A person wants a contract, who do I call in the middle of the night.
- **Manager Tim Little:** What you're taking about is what I want to put forth.
- **Officer Mike Valiska:** I must have misunderstood what you guys were talking about. Also Dan Lloyd said that we need to look at what other department are charging. Pittsburgh gets cash from the bar. Monroeville gets paid \$90.00 an hour for details. You can't compare us to them.
- **Councilman Lloyd:** When we were negotiating a contact, we were comparing other towns.
- **Officer Mike Valiska:** That was for the salary, not the details. We charge less than everyone else.
- **Councilman Lloyd:** I represent the taxpayers of Munhall, if I want to investigate it I will.

**Borough Engineer:** The current paving project started yesterday and will be done next week. Any complaints, please make sure they come to me so I can get it to the field guy. I will be doing site inspect Friday the 27<sup>th</sup> for the demo project and will give you a report before the meeting in Nov. I wanted to touch on the waterfront. There is maintenance money that is part of the TIF and they are looking at using the maintenance money to maintain of public areas that needed to be upgraded. Basically the money has to be spent. The boroughs have to be in agreement for this to be done. They want to do paving work before Thanksgiving.

- **Councilman Ballas.** They are going to take that to the TIF committee. They have to look over it and agree to what's on it. They want to pave majority of

Waterfront Drive. There is \$790,000 in the maintenance fund. The last people never used it. You have to use the money that year.

- **Engineer Jewart:** The benefit to Munhall is that in a few years when you take ownership and maintenance of the road, it will be well built and new and will last about 20 years. The current owners want to fix everything they can before the end of the TIFF.
- **Councilman Ballas.** The benefit from the fund was the pump house. They replaced the rails that were eaten away. That money came out of the maintenance fund.
- **Sewer Authority Mike Terrick:** Also maintaining the pump house will be an issue; we got our first bill for the five-year renewal from the DEP for the permits. We will have to get that resolved. They also want to know the operator information. We don't have an operator. We got it because they found we didn't have a permit. Homestead hasn't taken over their pump station.

**Public Works** – I have nothing.

**Police:** Civil Service Update?

- **Councilman Sheilds:** I just talked to him and he acted like he was going to resign.
- **Acting Police Chief Cibula:** Handicap parking issue is that we found 130 parking signs. I will mail out a list to see if they still need it. The suspension on new applicants can be unsuspended. The uniforms for the guards, the school offered to pay half the cost of vest and raincoat. A whopping \$500. Total cost for new uniforms to look profession is \$3,700 for 11 guards. They would last for a few years.
- **Councilman Lloyd:** Do we have a dress code?
- **Acting Police Chief Cibula:** That's what I want to do is to get them uniforms.
- **Mayor Bodnar:** Who's going to pay for it?
- **Acting Police Chief Cibula:** Is does say in the Borough Code that they shall be in considerable uniforms. I believe that the borough can enact an ordinance to put the guards back on the school district. Currently it says nothing about the borough paying for uniforms and scheduling. The school asked the borough to take over the school guard's years ago.
- **Sewer Authority Mike Terrick:** I suggest approaching the school board again at the next meeting with reports. They didn't have anything to look at at last nights meeting. When you see someone in uniform, they have more authority.
- **Councilman Ballas:** Two of the guards came up to me and said they don't want a uniform, just a pair of shoes for winter and coat.
- **Acting Police Chief Cibula:** We do have times that guards to call off and the detail is covered by a police officer. Now, if there is a shooting, I have to take that cop off the crossing detail and if a child gets hit, we will be liable. That's a major issue. The best thing to do is give it to the school district.

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- **Councilman Lloyd:** I agree with you Joe. If we are going to do this and there is a code that covers this shouldn't we have a written agreement with the school with respect to this?
- **Solicitor Greg Evashavik:** It's not mandatory for the boro to have crossing guard.
- **Acting Police Chief Cibula:** We pay for crossing guards for Steel Valley, even when they don't have school because we provide them for St. Therese. Also the ordinance we are working on with no guns in the boro building except police to notify people
- **Solicitor Greg Evashavik:** We can pass a resolution
- **Larry Retteger:** Did you research it, West Mifflin tried it and couldn't do it.
- **Acting Police Chief Cibula:** Complaints about bicycles on the Waterfront not obeying stop signs, I will put people down there. What about Dixon St.
- **Councilman Lloyd:** I will put a motion out there tonight.
- **Acting Police Chief Cibula:** Gaming funds, maybe we can get some money from that, I gave council a paper on that. Last thing is the rules what we can buy from the forfeiture funds; I received a copy of the agreement for future reference. Letters will go out soon for handicap parking that will require doctor's signature for the sign. There about 100 signs out there. Have three new applicants in the office, I don't know where the older ones are. I don't know how many of the older ones there are. We are just going to have to start over again.

**Fire Chief:** I don't have a prepared copy. Aug had 23 calls. The Longfellow Drive fire was our major fire. No injuries. Rope rescue class was completed. Few guys are in essentials. Fire prevention Oct 23 at St Theresa.

- Glenn Cole 409 East James Street: We have firefighters all day up at park school Oct 11. Oct 10 we will be at Franklin. We teach them fire prevention. Jr Fireman have to speak. We pass out brochures, pencils and stickers. We have a very successful program. Anyone is more than welcome to watch us.

**Code Enforcement:** You have a copy of my report. 700 East 8<sup>th</sup> Ave., it's been abandon for several years, Im going to meet with a guy that will tear it down and develop it by next year.

**Sewer Authority:** Mike Terrick: the meeting last week with Dept. of Environmental Protection, we are involved with an 8 million dollar project and can reach 11 million, to remove the current interceptor from Ravine Street Creek to the ravine street. Munhall is the only one with the need to do this versus waiting until 2026 with everyone else. I looked a little further, the first item is why we are forced to do this in our consent decree because the swiller that was going to be installed at the mouth of the river we had to have the sewer line rehabilitated to be able to deliver treatable to the plant. Since that was taken off the drawing board, we shouldn't have

to do the project any longer. They said the reason was to upsize to 48 inches and repair everything. There was a discharge at the mouth of the river, was overflowing even during dry weather event. We received fine of 8500 back in the day. They reduced that fine from \$100,000 to \$8,500 when we established the Authority. That was taken care of within 8 months. The boro cleaned it out and was no longer an issue. Now they are saying it was because we had a discharge we longer had, we should have until 2026 to do this. The reason we want to wait because the major capital projects, no one has an answer. Alcosan is not going to answer anyone until 2026. We shouldn't have to move forward on anything until everyone knows what's going on. There also has been some discussion about ALCOSAN taking over certain interceptors. If they do, we would be more than willing to do that. It won't cost us anything and they have to bring it up to standard. It could happen within the next few years. They would be more than willing to take it over after we fix it. It only makes sense to me and board member to stop the project from moving forward until we know what is going to happened. The DEP said in our consent order to fix the interceptor, its leaking, there leaking all over Allegheny County and the most they gave us is to come back in 90 days to have a cost estimate and how long it's going to take. We were supposed to be with it this year and won't be started until next year. It seems they might grant us an extension and not have fines. But now that we have West Mifflin's and Whitakers attention, we are going to meet next week with them to look at a less expensive alternative and go back to DEP with the alternative to that line overflowing that are less expensive, they might consider it. The swirller and flapper are no longer issues. We like to spend the money are redoing the sewer lines rather than spend money on issue that ALCOSAN will inherit or is no longer needed. We spent the money on sewer reduction and were too successful. We have basement flooding because the lines are so tight.

**Councilman Lloyd:** isn't that ravine street where it comes out, the wet weather problem is that ALCOSAN's pipe that goes to the river.

**Sewer Authority Mike Terrick:** Our pipe is 48 inches and their pipe is 18 inches. They don't know what they want to do with the pipe. They talked about tunneling along the railroad line up from Hazelwood. Our responsibility would be cost per foot to come to the tunnel.

**Councilman Lloyd.** Its seems ludacris to me to make us spend 10 million dollars upsizing to a 48 inches pipe that goes into an 18 inch pipe.

**Sewer Authority Mike Terrick:** We might be able to just reline the pipe which is cheaper. There are a lot of more things we want to investigate before we spend that kind of money. And the question came up if we do this and it still pollutes whose responsibility is it. Also, the greener initiative to remove water from the system and combine sewer source. A lot of these green initiatives sound great, and compare it to the alternatives, seen like the lower end of the cost scale, green initiative do work and are cost effective, however at the high end scale, they are not cost effective. That report will come out on Monday.

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XI. Items for Consideration:

1. Move to ratify payment of:

- a. Prepaid bills: Aug 22, 2013 – Sept 18, 2013 \$259261.28
  - i. Two of these are pension payment, \$179,000 to the police and \$79,000 to non-uniform.
- b. Bills: Sept 19<sup>th</sup>, 2013 \$211489.32
- c. Payroll: Aug 30, 2013 \$122080.74  
Sept. 13, 2013 \$113834.73

Motion: Shields                      Second: Lloyd                      **Passed**

1. A motion to enter into a lease and hold harmless agreement with Brian Sandwich Shop doing business as Pyrotopia for the Pyrotopia event on May 10, 2014.

Motion to table: Sheilds              Second: Inglis                      **Passed**

2. Move to accept the Municipal Insurance Package Proposal of \$488.950 submitted by Allegheny Professional Insurance Agency for the 2013-2014 year.

Motion: Rich V.              Second: Dana D.                      **Passed**

3. A motion to advertise a Public Hearing on October 16, 2013 at 6:00pm for the requesting rezoning from north end of Boone way to McClure and Andrew from R1 to B2. All lots and blocks and drafting of an ordinance.

Motion: Dan L              Second Bernie S.                      **Passed**

4. Move to authorize the Borough Manager to issue a warrant in the amount of \$2,500.00 to the Main Street Business Association to help defray the cost of the Halloween parade.

- Janet Hvizdos, 415 Brierly Lane: The Main Street Business Association writes all the checks out for the parade. She has the checkbook.

Motion: Dan L.              Second Dana D.                      **Passed**

5. A motion to advertise for candidates for appointment to the Munhall Municipal Authority.

Motion: Bernie S.              Second Dan L.                      **Passed**

6. A motion to approve the purchase of Tasers and Holsters for \$1,756.95 and an ID scanner for \$1295 from DOJ Drug Forfeiture funds.

Motion: Harvey I.              Second: Dana D.                      **Passed**

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## XII. Other Items

- **Councilman Lloyd:** I want to make a motion to re-advertise Dixon Street one way south from 8<sup>th</sup> to 9<sup>th</sup> Ave.

**Councilman Sheilds:** second.

**Passed**

- **Mayor Bodnar:** The Halloween Parade Oct 26 at 3:00 on Main Street. Trick or Treat night will be Thursday the 31, 6-8p. Please look at the posters that were just posted throughout the building. The Enterprise will put up the wreaths and take them down.

**Councilman Sheilds:** We are looking for a place to store them. We don't know if it will be one big place or every town will store their own.

- **Mayor Bodnar:** Do we have a key to the 12<sup>th</sup> Ave playground. There is garbage pilling up.

- **Acting Police Chief Cibula:** What happened to the keys?

- **Public Works Bicey:** Randy probably has the keys.

Mayor Bodnar stated the borough code of who runs the police department.

- **Solicitor Greg Evashavik:** Only the borough and council can enter into contractual agreements with payment of money that comes to this borough. When an outside agency wants a contract for Munhall Police, the money has to come through the borough and that's why this council must agree.

- **Mayor Bodnar:** Im not sure what my job is tonight with the police department anymore.

- **Manager Tim Little:** Council has the authority to have the detail say the waterfront. You, the mayor has the authority to oversee it. They set the parameters of how the police departments operate.

- **Mayor Bodnar:** It says I have full control over the police department. Council only does their weekly hours.

**Councilman Ballas.** We will now take a break for an executive session.

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## XIII. Executive Session –Personnel & Litigation.