

**Borough of Munhall
Regular Council Meeting Minutes
Wednesday
March 21, 2018 7:00 P.M.**

- I. **Call to Order – President Falce – Apologized for not announcing the Executive Session from the evening of February 21st.**
- II. **Pledge of Allegiance - David Hahner**
- III. **Preliminary Announcements -**
- IV. **Roll Call: Councilman Ballas; Councilman Inglis;
Councilman Petruzzi; Councilman Stein;
Councilman Tichon; Councilman Votedian;
President Falce. - All present.**

NOTICE TO ALL PUBLIC SPEAKERS ADDRESSING COUNCIL

- **COMMENTS WILL BE LIMITED TO THREE MINUTES**
- **MUST AVOID REFERENCES TO PERSONALITIES AND PERSONNEL RELATED ISSUES.**

V. Speaker(s):

Mayor Brennan – Storm Water Management – Read Allegheny County Health Department storm-water management ruling regarding storm water drainage. Borough code doesn't speak to discharge line specifics so Allegheny County advises their rules apply when local municipality codes do not address. Discussion between Councilman Ballas and Mayor Brennan regarding the Allegheny County code. He asked Council to bring the current Borough ordinance in line with specific guidelines set by the County. He also referred the resident to Mr. Ruffing at the Allegheny County Health Department as they may get involved.

Recreational board meetings and summer programs – Mayor Brennan asked about the recent recreation board meeting and what was discussed. Expressed his interest in, and concern about not being invited to, the recent meeting. He believes it should have been advertised and is in violation of the open meeting laws of Pennsylvania Sunshine laws. Councilman Ballas advised he was not invited to the meeting because he is not on the committee and there was no need to advertise as this was a committee meeting.

Councilman Ballas said he had notes to share. Solicitor Nick Evashavik supported Councilman Ballas' statement and went in to a discussion about the difference between a committee and a quorum of Councilmen that would then need an advertisement. Mayor Brennan disagreed with the Mr. Evashavik. There was an in depth discussion, between Council, the Solicitor and Mayor Brennan regarding a quorum and the Sunshine Act. President Falce discussed information he received from Solicitor Evashavik regarding the meeting. Mayor Brennan again disagreed and read the State Sunshine Act regarding the meetings.

Discussed Panique game – Mayor Brennan and that it might be something Council may be interested in this game to be set up at Vine Street playground.

VI. Reports from Borough Officials:

Mayor – Stated Munhall Gardens asking about one way streets. He advised he has visited several Boroughs and is showing Council several examples of Borough Newsletters and ask that Council consider one for Munhall.

Solicitor – No Report

Manager – Advised of several Borough reports completed, the Banner program award, a visitation to the West Mifflin Borough building and the demolition of 537-539 E 9th

Councilman Votedian - Discussed parking signs on Main Street as well as landlord issues. **Councilman Inglis** advised he asked 2-3 years ago about signs on Main. **Police Chief Campbell** said they will have to figure out a way to enforce the signs as part of the street are residents and part are businesses. **Solicitor Evashavik** said if the signs were there before, there should still be an ordinance and PW would be able to put them back up. There was a discussion between Chief Campbell and Council regarding overflow from Main Street to the side streets.

Engineer – Safe Routes to school meetings with PennDOT coming up and that they, PennDOT, have discussed full reimbursement for all expenditures for the project. He and Joe Varhola have been looking in to alternative, microsurfacing, for paving. Possible Grant money for Dickson and 8th Ave. At the very least there may be cost sharing with Allegheny County.

Act 167, passed in 1978, put the County responsible for storm-water management and they pushed the responsibility to the municipality. In 2018, Allegheny County adopted a storm-water ordinance that they suggest

all Municipalities adopt. The DEP is currently reviewing and once they approve, all municipalities have 6 months to adopt.

Councilman Ballas – Asked Colin to discuss the report received about the Waterfront property. He stated that there are two phases. Phase one is looking at the property to see what was previously on the property. Phase two, there are core samples taken. Jr Achievement hired KU to do a study on the property that they had declared as a drainage swale. The testing on the site was limited. There were 4 soil samples and all 4 tested high for lead and pcb found. The specialist at Hatch/Chester recommend further testing and to meet with DEP (Act 2- a voluntary program). And meeting these standards with DEP would release the land owner of any future issues. **Solicitor Nick Evashavik** discussed disclosure for lease, developing or selling the property. He advised the Borough would need to decide what it wants to do with the property first. Mayor Brennan states he spoke to KB Enterprises who did 15 samples and only 1 was high. Colin states 15 were taken but only 4 on the borough property. Mayor Brennan said all 15 were on the borough property. Colin and Mayor Brennan discussed lead levels and the KB report which states the lead level is not harmful to current or future human health or environment. He also noted that none of the property in the Waterfront has been Act 2 tested. He said there is programs and money available for studies on properties like this. **Councilman Inglis** advised Mayor Brennan of the reasons Jr. Achievement didn't sell the property, assessed at \$275,000, instead of giving it to Munhall Borough. It was donated by continental real estate to Jr. Achievement "as is". Jr. Achievement did testing and found it would be too expensive to develop the ground. The report stated there were too many gaps and voids, after the compactor pass, to try to build on. The couldn't develop the property. They tried to sell it several times and only had one business make an offer and then back out. Councilman Stein stated he felt we should defer to Colin and the Hatch/Chester experts as they represent the Borough. **President Falce** advised he thinks it would be okay to invite the gentleman from KB to go over the test results with Council. President Falce also invited the person from Hatch/Chester to attend as well. Colin advised their stand and the difference between leasing and selling the property. **Councilman Ballas** asked why Jr. Achievement didn't have to release this information when they gave us the property. No one knew why but all agreed it should have been released.

Public Works Supervisor – Report submitted. Several councilmen thanked all of Bicseys crew for their great job on the streets after the snow.

Police Chief – Report submitted.

Fire Chief – Report submitted. Also clarified usage of the sign at Munhall Central. Advised if there is ever an issue he should be contacted. He stated

the number 4 stations sign is digital and can run more information and announcements.

Code Enforcement Officer – Report submitted. In addition he gave Council an abandoned or vacant property ordinance. He stated it gives the Borough the ability to bill landlords or home owners for extra patrol of vacant properties or boarding of abandoned properties. There was a discussion between Dave Cannon and the Solicitor regarding what constitutes “abandon or vacant”. He advised as long as there is a for sale sign or someone is working on their property to rent, he will not consider it abandoned. Chief Campbell advised the problems these properties cause the department.

Parks and Recreation Committee – Joe Ballas – Discussed the recent meeting. He said that the Parks and Rec board, Mike Pavlik, approached him about a game called Panque (similar to Bocce ball). They were talking about the possibility of playing the game in Vine Street playground. Said he is also interested in starting a summer program at Woodhill park. The committee is applying for a county program for lunch delivery for the kids.

Motion to apply for the Allegheny County summer food program.

Motion: Councilman Ballas; Second: Councilman Tichon;

Question on the motion: Donna Dreshman – Asking about the housing of the food. Councilman Ballas advised they will use the concession stand.

Vote: Unanimous.

President Falce invited all committees who wish to share their meeting reports to any Council meeting.

VI. Public Comments on Agenda items:

Donna Dreshman – Motion 1 – She ask that we inform the bid winner for the paving project not to pave over drainage pipes at the curb. States this has been done in the past. There was a discussion between Donna and the Borough Engineer, Colin regarding the plans for paving at the curb. **Motion 4** – Asked for explanation of what the policy is. Borough Manager, Joe Varhola, advised her what it is. She asked if the policy will be open for public review? The policy will be for review in the Borough office if someone wants to look at it. Asked about committee meetings.

David Hahner – Asked if we have heard about grant money that the three boroughs, who were meeting about Parks and Recreation hiring a landscape architect, stands. Borough Manager Joe Varhola, advised the study was

completed and is in the hands of the DCNR. They will give it back to us with their recommendations.

David Kasiorek – As he has been videotaping the Council meetings, he is asking the Solicitor the legality of publishing them, on UTube, under the Borough of Munhall name. Solicitor advised that Council would have to give consent. There was discussion how the process works and that we will be able to upload them to the Borough website once he uploads to UTube. Council consented as long as no editing takes place. David advised he doesn't start recording until "roll call" and Council agreed this is okay.

VIII. Items for consideration:

1. Motion to authorize Borough Engineer advertising for 2018 Paving Project.
Motion: Councilman Ballas; Second: Councilman Inglis; Vote: Unanimous
2. Motion to appoint 2 councilmen as PSAB delegates. Councilman Ballas and Councilman Tichon. President Falce stated Councilman Tichon will be receiving a 40 Years of Service award.
Motion: Councilman Inglis; Second: Councilman Petruzzi; Vote: Unanimous
3. Motion to hire the following for summer workers at the rate of \$8.25 per hour.
 - a. Matthew Toth
 - b. Nate McCullough
 - c. Camden Tichon
 - d. Christian Miller
 - e. Alex Ligeros
 - f. Evan Kostelnik
 - g. Silas Krupa

Secretary, Becki Wirth, advised two additional people applied. Silas Krupa applied via email to the Borough Manager and a paper application was received from Andrew Hill.

Motion: Councilman Ballas – Motion Withdrawn below

President Falce asked Council if there were any objections to giving the summer help a 25 cent raise and bring the per hour rate to \$8.50. They were all in agreement. Also Mayor Brennan advised Silas Krupa is a returning applicant. Council added him to the list above.

Motion to hire the above applicants as summer help with the hourly rate of \$8.50 per hour.

Question on the motion – Donna Dreshman – Asking if it will apply to all summer help and not just the returning employees. Council advise it will be for all.

Motion: Councilman Ballas, Second: Councilman Votedian; Vote: 5-0-1-1 (Councilman Tichon abstained because of Camden Tichon and Councilman Inglis abstained because of Evan Kostelnik)

4. Motion to approve implementation of a Conduct policy for all Borough employees immediately. Councilman Tichon noted the policy is part of the collective bargaining contract.

Motion: Councilman Inglis; Second: Councilman Tichon; Vote: Unanimous

5. Motion to exonerate the Tax Collector for 2017 in the amount of \$276,925.01.

Motion: Councilman Ballas; Second: Councilman Tichon; Vote: Unanimous

6. Motion to approve for Chief Campbell to attend the Mass Casualty Incidents conference in the amount of \$895 plus \$220 for hotel accommodations to be paid out of the Asset Forfeiture account. Chief Campbell explained his interest in the training. Councilman Votedian asked if Fire can attend and Chief Campbell said yes.

Motion: Councilman Inglis; Second: Councilman Votedian; Vote: Unanimous

7. Motion to approve the Steel Valley Enterprise Zone Corporation as administrative agent for the Main Street/Tax Increment Financing Program for 2018 for the amount of \$9000 which will be paid out of the TIF fund. The Steel Valley Enterprise Zone coordinates and directs the utilization of Main Street/Tax Increment Finance funds.

Motion: Councilman Tichon; Second: Councilman Ballas;

Question by Councilman Inglis – Asking Mayor Brennan what the \$9000 is used for. Mayor Brennan referred him to Borough Manager Joe Varhola.

Vote: Unanimous

8. Motion to approve handicapped sign to be placed at 809 E 10th Ave as approved by Officer Williams and Chief Campbell.

Motion: Councilman Tichon; Second: Councilman Ballas; Vote: Unanimous

9. Motion to approve handicapped sign to be placed at 109 E Virginia Ave as approved by Officer Williams and Chief Campbell.

Motion: Councilman Votedian; Second: Councilman Inglis; Vote: Unanimous

10. Motion to approve handicapped sign to be placed at 129 E 20th Ave as approved by Officer Williams and Chief Campbell.

Motion: Councilman Ballas; Second: Councilman Tichon; Vote: Unanimous

11. Motion to approve the February 21, 2018 minutes.

Motion: Councilman Stein; Second: Councilman Petruzzi; Vote: Unanimous

12. Motion to pay bills for the period Jan 18th thru Feb 20th, 2018, summarized as follows:

Administration	\$	25,590.56
Police:	\$	57,537.90
Fire:	\$	12,925.90
Health & Sanitation:	\$	17,510.08
Public Works:	\$	207,313.48
Recreation:	\$	3,098.44
Miscellaneous:	\$	<u>27,319.81</u>
TOTAL:	\$	351,296.17

Motion: Councilman Inglis; Second: Councilman Votedian; Vote: Unanimous

13. Motion to approve Payroll for the period of February 8th and 22nd, 2018 as follows:

2018: Feb 8	\$	144,306.11
2018: Feb 22	\$	<u>133,636.77</u>
TOTAL:	\$	277,942.88

Motion: Councilman Stein; Second: Councilman Ballas; Vote: Unanimous

Other Matter(s):

President Falce reminded everyone about the next Community Day meeting April 2nd at 6pm.

IX. Adjournment:

Motion: Councilman Tichon; Second: Councilman Votedian; Vote: Unanimous


Robert M. Falce
Robert Falce – President of Council