

BOROUGH OF CANONSBURG
REGULAR COUNCIL MEETING
FEBRUARY 13, 2012

I. CALL TO ORDER:

The meeting was called to order by Mr. Bevec at 7:05 P.M.

II. MOMENT OF SILENCE:

III. PLEDGE OF ALLEGIANCE:

IV. ROLL CALL:

Present:

Richard Russo, Paul Sharkady, Joseph Graff, Joseph McGarry, John Bevec, Patricia Romano, Fran Coleman, Timothy Bilsky, and R. Mont Miller

Others Present:

Borough Manager Terry Hazlett, Engineer Harvey Treschow, Attorney Patrick Derrico, Mayor David H. Rhome, Police Chief R. T. Bell, and Sam DiTullio

Absent:

None

V. GUESTS:

- A. Michael Alterio – Canonsburg-Houston Joint Authority
Mr. Michael Alterio of 104 Woodcrest Drive, who represented the Canonsburg-Houston Joint Authority, was present to give Council an update and to make the new members familiar with Act 537.

Mr. Alterio read information from the Pennsylvania Sewage Facility Act 537, updated Council on the steps that have been taken and reviewed the future plans.

Mr. Alterio also informed Council that at the Joint Authority's last meeting the conceptual design was awarded to Wade Trim and Chester Engineers. In order to fulfill the requirements, the Authority is required to show DEP the design. Next week Wade Trim Engineer, Mark Poole, will be presenting the tentative design to DEP. Once they approve it, the Authority will be authorized to finalize the design.

Mr. Alterio stated that the Authority's January meeting

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minutes reflect the fact that they intend to have a workshop with Council and Wade Trim to go over the complete design. He stated that the Authority is asking Council to consider a workshop so they can present in total and authorize DEP construction plan. He asked Mr. Hazlett to set up the workshop.

Mr. Alterio reviewed some of the Authority's improvements:

1. Acquired from Chartiers for the sum of \$1.00 the interceptor from the boundaries of Houston up to Danny's Restaurant in Meadowlands. This was done in anticipation of additional customers the Authority will get. Over \$840,000 was invested to bring the Chartiers Interceptor up to the requirements of DEP. The Authority received Local Share Grant of \$500,000 and is also in the process of finalizing the H2O Grant of \$355,641. This means that there is no rate increase. The Authority has not asked for a rate increase since 2005.
2. In anticipation of this expansion, the Washington County Commissioners have recommended that Midland be given a share of the Casino's profits to help put in their sewer. That will come to the Authority. There will be approximately 200 taps, which means \$160,000 to the Authority.

The Mosites property (where the Coke plant is in Chartiers) will be coming into the system. This will be 134 taps for \$107,200.

Mr. Alterio stated that they anticipate another 300 taps for 2012, for an additional \$240,000.

Total anticipated tap revenue for 2012 and 2013 should be \$747,200.

Mr. Alterio explained what the Authority did with the Chartiers interceptor. They ran a parallel inter-

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ceptor and eliminated the flooding DEP was so concerned about in Houston.

3. Mr. Alterio informed Council that Mr. Mark Poole was very adamant about the good work of the previous chairman, Mr. Eric Kline, who with the help of Attorney Derrico, acquired several acres at the plant for the Authority's future use. This allows the Authority to expand in any direction, and they have plenty of area.

In reference to Engineer Diane Altland, Mr. Alterio informed Council that she has resigned her position. Katherine Gilmartin was hired in November. Prior to that Ms. Altland had worked up the Request for Proposal to go out to four different engineering firms. She was offered part-time employment to assist the new employee in transition. She is to monitor plant personnel processes for efficiency, develop scope of work for plant and pump station and capital improvements and repairs, monitor plant personnel and operations and maintenance activities, prepare request for proposals for engineering design work and small constructive projects, and engineer consultant for design projects. The agreement was that Ms. Altland would work ten hours every two weeks and slowly drop off. Her position will be completely phased out by the end of the year, but the Authority needs her to review the plan as a professional engineer. She does not receive any insurance benefits or professional liability insurance.

Mr. Alterio stated that Ms. Gilmartin, who is not a professional engineer, handles 18 items. Her list of duties is available.

Mr. Alterio reviewed the hourly wages for various positions in the engineering society.

Mr. Alterio highly recommended that the new Council representatives get the book of what is required by Act 537 Sewage Facilities and Updates.

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He also informed Council that the members of the Authority receive no compensation or benefits. They do this gladly and for the town's benefit because they know this town needs a future. Mr. Alterio suggested that Council ride with this until the final design is done, and the members of the Authority will do everything they can to try to control costs, as they always have.

Discussion was held pertaining to the upcoming workshop, which will be held after DEP approves the plan.

Mr. Alterio also invited Council to visit the sewer plant.

Mr. Sharkady asked if the Authority came up with anything in reference to the billing.

Mr. Alterio explained that the Borough, not the Authority, is responsible for the billing. An Executive Session was held at the Authority's last meeting, and their recommendation to Mr. Hazlett is to get a third party to do the billing.

Mr. Russo asked if the Council representative to the Authority (Mr. Sharkady) is permitted in the Executive Sessions.

Mr. Alterio responded by saying that he would like to be invited to any Sewer Authority business for which Council calls an Executive Session – if it's permissible with Attorney Derrico. Attorney Derrico felt that if the Sewer Authority has an Executive Session, all Council representatives should be permitted to be involved in that session. Executive sessions are based on personnel matters, and all those affect Council. He said if he were the Authority's solicitor, he would permit Council representatives, as well as the Borough WWTP Consulting Engineer, Mr. Zollinger, to attend. Attorney Derrico said he would like to discuss this with the Authority's solicitor.

VI. PUBLIC COMMENTS:

- A. Mr. Joseph Milioto, of 157 Smith Street, addressed Council in reference to Item 6 in Voting Items – Proposed Landlord-Tenant Ordinance. He said he tried all week to find out about this Ordi-

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nance, and no one seemed to know anything.

Mr. Bevec replied that his recommendation to Council is going to be to table this matter until they have a copy of the ordinance, have a chance to review it, discuss it at the next Agenda meeting, and possibly act on it at the next Council meeting in March.

Mr. Milioto asked, if there's something there, if he would be able to make comments at that time.

Mr. Bevec replied that he could make comments only if it is going to go to a vote.

Attorney Derrico gave Mr. Milioto a copy of the proposed Ordinance and a copy of the proposed regulations.

- B. Mr. Robert Luksis, of 230 Belmont, informed Council that he is in favor of moving forward with the landlord-tenant matter. This was supposed to go into effect in October. Nothing is getting done, and our town is rotting to the core.

Mr. Bevec replied that he agrees; however, he isn't going to vote on something he hasn't read.

Mr. Luksis asked what the deadline is.

Mr. Bevec said that it will be discussed at the Agenda meeting on March 5th, and the vote will be March 12th.

VII. PRESIDENT'S COMMENTS:

- A. Mr. Bevec appointed a Negotiating Committee for the Teamsters 205 contract:

Fran Coleman – Chairperson

Timothy Bilsky

Joseph McGarry

- B. Mr. Bevec stated that there will be an Executive Session tonight for real estate -- possibly litigation.

VIII. VOTING ITEMS:

- A. Approval of Minutes – January 3, 2012

Mr. Russo motioned to approve the minutes of the Reorganization Meeting of January 3, 2012.

Mr. Graff seconded the motion.

The motion was passed unanimously.

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B. Approval of Minutes – January 9, 2012

Mr. Graff motioned to approve the minutes of the Regular Council Meeting of January 9, 2012.

Mr. McGarry seconded the motion.

The motion was passed unanimously.

C. Approval of \$500,000 Ten-Year Loan

Mr. Graff motioned to approve a \$500,000 ten-year loan from PNC Bank at a fixed, tax exempt, bank qualified interest rate of 3.2% through the maturity of the note.

Mrs. Romano seconded the motion.

ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes
Timothy Bilsky	Yes
Mont Miller	Yes
John Bevec	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

D. Motion to Approve Contract – Building Project

Mr. Graff motioned to approve a contract with Hayes Design Group to bid and oversee the Canonsbrg Borough Building Project.

Mr. McGarry seconded the motion.

ROLL CALL ON THE MOTION:

Mont Miller	Yes
Timothy Bilsky	Yes
Fran Coleman	Yes
Patricia Romano	Yes
Joseph McGarry	Yes

(continued)

Joseph Graff	Yes
Paul Sharkady	Yes
Richard Russo	Yes
John Bevec	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

E. Motion to Approve Request for Proposals

Mr. Bilsky motioned to approve a Request for Proposals for an economic development consultant.

Mrs. Coleman seconded the motion.

ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes
Timothy Bilsky	Yes
Mont Miller	Yes
John Bevec	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

F. Motion to Advertise Proposed Landlord-Tenant Ordinance

Me. Russo agreed with Mr. Bevec that Council should have a copy of the final draft. He updated Council on what has been done in reference to this matter. The intent is try to get a handle of how many units are out there, who owns the units, and the names of the tenants.

Discussion was held pertaining to the cost that may be assessed on the landlords.

Mr. Russo stated that currently the Ordinance will say there is no cost for registration, no cost for the inspection, unless the Borough passes by public resolution, a fee to offset the cost.

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Attorney Derrico will provide a copy of the Ordinance to all of Council tonight. He said that the vote for tonight is only to authorize him to advertise it, which he recommended doing. Council won't be able to vote on it in March if it isn't advertised.

Mr. Sharkady motioned to advertise the proposed Landlord-Tenant Ordinance.

Mr. Russo seconded the motion.

Remarks: Mr. Miller stated that Council doesn't have any of the specifics of the Ordinance.

Mr. Graff said he can't vote on this.

Further discussion was held.

Mr. Russo withdrew his second

Mr. Sharkady withdrew the motion.

G. Motion to Award Lawn Maintenance Bid

Mr. Bevec asked if reference checks were done on the top two bidders.

Mr. Hazlett replied that he did a reference check on the low bidder – Pittsburgh Lawn Care – and the second bidder has already worked for the Borough. The references he checked were the Port Authority of Allegheny County and West Mifflin School District. The third reference, United States Army Corps of Engineers, did not get back with Mr. Hazlett.

Mr. Sharkady motioned to award the Lawn Maintenance Bid to Pittsburgh Lawn Care for the years 2012, 2013, and 2014 in the amount of \$31,500 per year, making a total of \$94,500.

Mr. Bilsky seconded the motion.

ROLL CALL ON THE MOTION:

Mont Miller	No
Timothy Bilsky	Yes
Fran Coleman	No
Patricia Romano	No
Joseph McGarry	No
Joseph Graff	No

(continued)

Paul Sharkady	Yes
Richard Russo	Yes
John Bevec	Yes

RESULTS OF THE MOTION: Four Yes, Five No. Motion denied.

The question was raised as to whether the second bid could be accepted.

Attorney Derrico stated that this could not be done. The Borough Code provides that more than \$18 is spent in any one year it must be put out for bid and the lowest responsible bidder must be accepted, which is one reason why Mr. Hazlett did a background check. If he found that they were not responsible, Council would have the right to reject the lowest bid on the basis of irresponsibility. It looks like the lowest bidder is responsible, Council has no choice but to vote on it. Otherwise, Council could be surcharged.

Discussion was held pertaining to whether this could be re-bid, the cost of advertising, and options on how to proceed.

Attorney Derrico suggested that Council take another vote, and those who personally do not want to vote against Mr. Stopperich (who has done this work for the Borough in the past) can abstain. Mr. Graff motioned to re-bid.

Mr. Bevec called three times for a second, but there was none. MOTION DIED FOR LACK OF A SECOND.

Further discussion was held, with Council members being given the opportunity to explain their no votes if they chose to do so.

Mr. Bilsky motioned to award the Lawn Maintenance Bid to Pittsburgh Lawn Care for the years 2012, 2013, and 2014 in the amount of \$31,500 per year, for a total of \$94,500.

Mr. Sharkady seconded the motion.

Remarks: Mr. Miller asked about the difference between voting to abstain versus voting no.

Mr. Bevec explained.

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ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	No
Joseph McGarry	Abstain
Patricia Romano	Abstain
Fran Coleman	Abstain
Timothy Bilsky	Yes
Mont Miller	No
John Bevec	Yes

RESULTS OF THE MOTION: Four Yes, Two No, Three Abstain. Motion carried.

H. Motion to Approve Closing of Streets

Mr. Russo motioned to approve closing of various streets and parking lots in the Borough, as proposed in the Mayor's report, for the Memorial Day, Fourth of July, Perry Como Birthday Celebration, and Pennsylvania Bavarian Oktoberfest.

Mrs. Coleman seconded the motion.

The motion was passed unanimously.

I. Borough Manager's Report

Mrs. Coleman motioned to approve the Borough Manager's Report of February 6, 2012.

Mrs. Romano seconded the motion.

ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	No
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes
Timothy Bilsky	Yes
Mont Miller	Yes
John Bevec	Yes

(continued)

RESULTS OF THE MOTION: Eight Yes, One No. Motion carried.

I. Engineer's Report

Mr. Graff motioned to approve the Borough Engineer's report of February 6, 2012.

Mrs. Coleman seconded the motion.

The motion was passed unanimously.

IX. MANAGER'S REPORT:

A. RFP for Sewer Billing

Mr. Hazlett explained that he put together an RFP for sewer billing to try to get some proposals for other companies to do our sewer billing. No vote is necessary tonight. There are several components involved, and there is no requirement to take the low bidder.

B. Employee Insurance

Mr. Hazlett informed Council that UPMC has made an offer to the Borough to switch from Highmark to UPMC, which would be a savings of \$233,000 a year guaranteed for two years. The Teamsters contract states that it has to be like or equal insurance. Mr. Hazlett believes it is, with one exception: Highmark does not have a \$20 co-pay for physical therapy, but UPMC does. The Borough could absorb that co-pay and still be thousands and thousands of dollars ahead of the game. Canonsburg Hospital is not part of UPMC, but that doesn't make it not like insurance. Mr. Hazlett stated that Teamsters 205 advised him that if the Borough changes the insurance, they will most likely agree with it. A meeting was held with the Teamsters and UPMC, and all Borough employees and police were invited to attend. Very few questions were asked.

Mr. Hazlett said that after the meeting the police told him they would accept the switch in insurance.

Last week a meeting was held with the Teamsters and

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their representative, who was more against it than the employees. In the end he convinced them to possibly file grievances.

Mr. Hazlett stated that this is administrative, and they are proceeding with UPMC.

Discussion was held.

X. ENGINEER'S REPORT:

Mr. Treschow had no report at this time.

XI. MAYOR'S REPORT:

Mayor Rhome requested that an Executive Session be held concerning personnel, with possible voting items at the end of the Executive Session.

XII. FINANCE REPORT:

A. Presentation of Bills for Approval – Mont Miller

Mr. Miller motioned to approve the bills, which includes the following:

1. General Fund
2. Waste Water Plant Operations
3. Garbage Service
4. Fireman Allocation
5. I & I
6. Capital Projects

Mr. Russo seconded the motion.

ROLL CALL ON THE MOTION:

Mont Miller	Yes
Timothy Bilsky	Yes
Fran Coleman	Yes
Patricia Romano	Yes
Joseph McGarry	Yes
Joseph Graff	Yes
Paul Sharkady	Yes
Richard Russo	Yes
John Bevec	Yes

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RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

XIII. SOLICITOR'S REPORT:

Attorney Derrico handed out to Council copies of the proposed Landlord-Tenant Ordinances.

XIV. UNFINISHED BUSINESS:

A. Mayor Rhome stated that approximately two months ago constituents called about water run-off at Perry Como and Highland and Cecil Street at the traffic light, making for very unsafe conditions.

Mrs. Romano stated that she has contacted Chester (Osiecki) about this.

XV. NEW BUSINESS:

There was none.

XVI. EXECUTIVE SESSION:

An Executive Session pertaining to personnel was held from 8:31 P.M. to 9:30 P.M.

The meeting was called back to order at 9:31 P.M.

Mr. Russo motioned to hire two part-time police officers per the Mayor's recommendation.

Mr. Graff seconded the motion.

ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes
Timothy Bilsky	Yes
Mont Miller	Yes
John Bevec	Yes

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RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

XV. ADJOURNMENT:

Mr. Russo motioned to adjourn.

Mr. Sharkady seconded the motion.

The motion was passed unanimously.

The meeting was adjourned at 9:35 P.M.

Mary A. Solomon

ATTACHMENTS:

None