

**BOROUGH OF HEIDELBERG
REGULAR COUNCIL MEETING
JUNE 21, 2016**

The Council of Heidelberg, Pennsylvania, held a Regular Meeting at 7:00 p.m., on Tuesday, June 21, 2016, at the Municipal Community Room, 1639 E. Railroad Street, Heidelberg, PA 15106. Council President Carrie Nolan called the meeting to order and led in the Pledge of Allegiance to the Flag. President Nolan called the roll. Present were Councilor's Rick Jordan, Ray Losego, Dave Morgan, Carrie Nolan, Rick Pattinato. Also present were Mayor Kenneth LaSota, Manager Harry Faulk, and Solicitor Vincent Tucceri.

President Nolan asked for a motion to ratify and pass the minutes from the May 10, 2016 and May 17, 2016 Council Meetings, making note that there were three revisions due to incorrect dates, incorrect references to Solicitors speaking and misspelling of a speaker's name. No other changes were made.

Motion: Mr. Jordan Second: Mr. Morgan

All in favor except Councilman Losego and Pattinato, motion carried.

Councilor Losego voted against the May 17th meeting due to being absent.

Mayor LaSota stated that you cannot have a discussion until a motion is made and seconded. The May 17, 2016 changes in the minutes have not been made, and President Nolan stated that changes will not be made to content.

Motion made by Councilman Losego and seconded by Vice President Morgan to acknowledge receipt of the Borough Treasurer's report. All in favor, motion carried.

Motion made by Vice President Morgan, seconded by Councilman Losego to acknowledge receipt of the Borough Managers report. All in favor, motion carried.

Manager Faulk commented that it has been a great two weeks. The computer and accounting software has been updated. Manger Faulk has met with Gateway Engineers. The OVR Program has started and bridges has been painted to remove graffiti.

No Motion was made to approve and pay the bills. A roll call vote was asked for approval:

Councilman Jordan: Yes	Councilman Losego: Yes
Vice President Morgan: Yes	Councilman Pattinato: Yes
President Nolan: Yes	

Public Comment:

Fire Chief Joe Wissel commented on the Special Meeting held on Monday, May 30, 2016 in the Borough Conference Room. Chief Wissel arrived at 11:50 am and asked to leave due to Council was going to hold an executive session. Chief Wissel states that this meeting violated the Sunshine Act by not being advertised in the Tribune Review. President Nolan states that it was advertised in the Post-Gazette. Chief Wissel cites Section 701.1, Article A; Section 708, articles A; Section 706; and Section 708, Article C of the Sunshine Act. Chief Wissel states that the meeting held on May 30, should have posted correctly and held as an open meeting. Chief Wissel is concerned that Council is doing this to mislead the community. Solicitor Tucceri asked Council to not respond to this and Solicitor Tucceri understood what was transpiring and believes the meeting was conducted in accordance of the Sunshine Law.

Presentation:

Carol Whaley from Animal Friends discussed the over population of cats in the community. Trapping and killing of cats is ineffective. The effective plan is to trap, neuter, vaccinate and return the

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cats and they no longer mate and nuisance behavior subsidies. Information was provided to Council and residents. Animal Friends would like to create a partnership with the Borough for trap rental, spay and neuter, vaccines and education to the community. Stephany from Animal Friends spoke to the audience about effective ways such as using chicken wire, coyote urine, and sound devices to keep cats out of the flower beds.

Reports

Solicitor Tucceri submitted a written report dated June 21, 2016. Council stated that the report was not received and Manager Faulk stated that he did not receive it either. President Nolan stated that it was probably not received due to the email system being down for two days.

Mayor LaSota reported that during May 1 through May 31, the police responded to 57 calls to service including 3 non traffic citation arrests, 3 physical arrests, 19 traffic citations issued, 2 non reportable accidents, 2 reportable accidents and fines collected were \$789.96. Mayor LaSota attended a MS4 meeting on May 18 at Upper St. Clair. Mayor LaSota attended the Chartiers Valley Education Foundation meeting on May 23rd at the Chartiers Middle School to discuss education initiatives throughout the school district. Mayor LaSota attended the storm water management seminar sponsored by the 3 Rivers Wet Weather on May 24th, at the Greentree Municipal Building. Mayor LaSota attended the Chartiers Valley Ground Breaking Ceremony for the new high school on May 31st. Mayor LaSota attended the Allegheny Land Trust Board of Directors Meeting at PPG Place on June 2nd.

Fire Chief Wissel reported that the fire department for May responded to 14 calls for service, with an average of 7 personnel responding to each call. Volunteer man-hours include 84 hours for fire, EMS had 52, training had 464, and fundraising efforts include bingo and hall rentals that had 636 hours for a total of 1100 volunteer man hours for May. Chief Wissel reported that there were 3 bingos. One Bingo had to be cancelled due to an electrical issue. Clothing and recycling bins were installed along First Street and the Fire Department receives a portion per tonnage. The hall was rented 4 times. Training included rope rescue, pump operations, and search and rescue. The Fire Department attended the Carnegie Memorial Parade, Heidelberg Memorial Service and the Scott Township parade. Current projects include the inspection of Engine One and the inspection of Engine 2. Our SCBA's will be tested in July. The deteriorated section of sidewalk will be replaced along with the handicap ramp in the back. The ambulance will also be inspected to the BLS Certification renewal through EMSI. A meeting was held with Elliot Frank (president of the Autism Housing and Developing Corp of Pittsburgh) 363 Vanadium Road, the headquarters of RSH Architects, the architect for Wrights Apartments to discuss fire suppression and fire alarm issues with the Apartment Building that have been rectified. These issues include the fire department connection size and type, location of alarm panels, external alarms, door closures types, standpipe size and flow calculations, sprinklers heads, backup generator, elevators concerns, and Knox box and keys. The meeting was successful and the building will meet all NFPA Codes. There is also a concern about the location of the hydrant and needs to be rotated or else there may be some flow issues. Chief Wissel also reported of a dumpster fire today and seems to be a continuing problem. The concern is that there is a potential of the vacant Heidelberg Bar catching fire.

Old Business

President Nolan asked the Fire Chief if a representative from PCS present during the meeting between the VFD and Elliot Frank. The Chiefs replay was that there was not any representation. President Nolan is concerned that the requests made by the Fire Chief will be handled and the Fire Chief

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stated that he will be present during inspections of the fire systems. The Fire Chief stated that there will be a backup diesel generator used during power outages with the fuel tank located under the generator. President Nolan shared concerns of the fence falling down at the worksite and code was contacted. A pedestrian had his head slashed by a sign, and workers are starting before 7am. Please contact the borough if anyone sees any work started before 7am.

Mr. Robert Debar was sworn in to the Zoning Hearing Board by Mayor Ken LaSota.

President Nolan commented on the Ellsworth Playground. A new legal opinion from the DNCR Council that will allow for funding for one section of the sidewalk up to \$6,000. There is also potential of receiving an addition \$39,800 in grant money and the office is working on filing the amendment. The project does not expire until December 2017.

President Nolan commented that the office phone line will be updated for the convenience of residents to leave a voicemail when someone is on the phone.

New Business

Motion made by Vice President Morgan and seconded by Councilman Pattinato to accept the resignation of Borough Manager Loutitt. All in favor, motion carried.

Motion made by Vice President Morgan and seconded by Councilman Losego to hire Harry Faulk as Interim Borough Manager/Secretary/Treasurer, Chief Plan Administrator, and Trustee of the Police Pension Fund at a rate of \$22.50/hour.

Councilman Jordan: Yes	Councilman Losego: Yes
Vice President Morgan: Yes	Councilman Pattinato: Yes
President Nolan: Yes	

Motion made by Vice President Morgan and seconded by Councilman Jordan to secure a bond for Borough Manager Harry Faulk. All in favor, motion carried.

Motion made by Vice President Morgan and seconded by Council Pattinato a resolution of the Borough of Heidelberg to add Borough Manager Faulk as a signer to all borough accounts. All in favor, motion carried.

Motion made by Councilman Losego and seconded by Vice President Morgan to approve the execution of the Engagement Letter for the 2015 Audit.

Councilman Jordan: Yes	Councilman Losego: Yes
Vice President Morgan: Yes	Councilman Pattinato: Yes
President Nolan: Yes	

Motion to adopt a police for mandatory direct deposit for all Borough employees will be tabled and discussed in executive session.

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Motion made by Councilman Jordan and seconded by Councilman Pattinato to enter into the SHACOG Joint O&M Point Repair Project for year 5.

Councilman Jordan: Yes Councilman Losego: Yes
Vice President Morgan: Yes Councilman Pattinato: Yes
President Nolan: Yes

Motion made by Councilman Losego and seconded by Vice President Morgan to enter into the SHACOG Joint Sewer Lining Project for year 10.

Councilman Jordan: Yes Councilman Losego: Yes
Vice President Morgan: Yes Councilman Pattinato: Yes
President Nolan: Yes

Motion made by Councilman Losego and seconded by Vice President Morgan to release \$5,000.00 of the remaining \$8,000.00 of the Heidelberg Volunteer Fire Departments Yearly allocation.

Councilman Jordan: Yes Councilman Losego: Yes
Vice President Morgan: Yes Councilman Pattinato: Yes
President Nolan: Yes

Committee Reports:

SHACOG – President Nolan attended two SHACOG Meetings in the past month and items for discussion were the possibility of SHACOG creating a MS4 Coordinator. Due to the mild winter, the salt contract was extended by 6 months. The manhole to manhole program is dying due to lack of interest. The CDBG Year 43 will begin on July 1 and funding will be harder to receive. The Vactor truck was purchased and self-financed through SHACOG. A survey was completed for an electric supplier through SHACOG.

Roads – Councilman Jordan reported that on June 7, a meeting was held with the OVR Representative and the students have started and will not cost the Borough any money. Also Manager Faulk will attend the Connect Meetings.

Recreation: President Nolan reported that the Soccer Camp started yesterday with 13 children enrolled with two new coaches. Food Truck Friday is a success with new food truck vendors calling to register. The trucks are paying for each date and last week we brought in \$365 for recreation.

Flood Control – Nothing to report.

Public Safety – Nothing to report.

Code Enforcement – Councilman Jordan reported that we received 8 high grass complaints, 1 zoning permit, 2 occupancy permits and 1 failed dye test. Councilman Jordan stated that the Borough should institute a registered list of plumbers to use for dye testing due to the increase of regulations.

Councilman Losego commented on that this afternoon he asked Manager Faulk if he could send some information as to what the code enforcement officer has been working on in town and that Manager Faulk was instructed by President Nolan and Council Jordan to not provide that information. Councilman Jordan stated that there is a difference between information being copied on emails. Councilman

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Losego asked what is the difference. Councilman Jordan stated that most of the time HTM contacts him. President Nolan stated that we should let committee members handle their committees. Councilman Jordan stated that if anyone has a concern regarding code enforcement to contact him. Councilman Losego stated that we are all equal and we all should get the emails. President Nolan stated that she doesn't need a bunch of emails regarding code stuff, that is why we have committees. Moving forward, the packets will include HTM reports that will be detailed. Councilman Losego stated that we should all be on the same page and am I the only one that was selected to not get that information? President Nolan stated that she does not receive copies of the code emails and Councilman Losego was the only one that asked. Manager Faulk stated that Councilman Losego only asked to be copied on emails with the HTM and that the office is always open. Councilman Jordan stated that that is his committee and you can ask me. Councilman Losego asked if the emails can be forwarded to him. Solicitor Tucceri stated that a report by HTM should be provided to Council detailing the services they perform. He believes that there is no obligation for every Council member to receive copies of email communications that occur between the inspector and committee chair. Councilman Losego stated that we should be transparent. Councilman Jordan stated that when the guy comes in, he is harassed and he should be limited to who they have contact with and come in to do their job and leave. President Nolan stated that the inspector is called and told not to go to certain properties. President Nolan states the same concept goes with Mark that was discussed a few months ago. The manger should be telling public works what to do not the members of council. Councilman Losego states that the Borough Manager should work with Code Enforcement not a Council member. Councilman Jordan stated that they contact him on certain issues and the manager on certain issues. Manager Faulk replied that all issues should come through the office.

Public Comment

Kelly Holton, 470 Grant Street - The dust is out of control again. There was a plan worked out between Amanda. The company was asked to spray on April 1 and still hasn't sprayed. The police were called on June 9th. Mr. McShane was sweeping the concrete instead of using a wet method. The dust was thrown 300 feet into the air for hours. We need him to start spraying the lot every 6 weeks. He was also to put pads in place that were never done. A plan needs to be in place. The spraying works but was only done when the manager called. Something needs to be done so that residents don't have to breath the dust and we can open our windows. Another issue is the noise before 7am. President Nolan advised to call the police when that happens. President Nolan states that a dust study on an agenda prior to getting on Council that was not voted upon and it should be done so that we know what is in the dust particles. Vice President Morgan thought that they had a readout of what the dust was and the County was involved. HTM was notified and there are 4 citations. Mayor LaSota stated that that organization was fined several years ago and paid penalties for that dust. They stated in a public meeting that they were going to address this problem by paving their entire lot and in a few weeks' time, they paved a section and that they were going to pave the remainder due to being short on money and have an extension to pave the remainder of their lot over a course of several years and nothing has been paved. Council should review those minutes and hold that company accountable. The Mayor is concerned that if we enter in to an agreement with the dust suppressant, that is will null and void the original agreement to where he was going to pave his lot. Vice President Morgan replied that there will always be dust and he has to maintain his lot. Solicitor Tucceri stated that he has a file from the prior solicitor and it will be reviewed.

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Mayor LaSota stated that there is a Chamber of Commerce function tomorrow and the form was given to the prior Manager. It is a \$10 fee to the Southwest Chamber of Commerce in Bridgeville for the monthly meeting.

Walpurga Allen, 1707 Washington Street – Commented on the TNR program that she watched on the Animal Channel and stated that cats are territorial and can get noise. It's important to take care of our creatures and that their dogs barking all night long. It's also important for parents to teach their children to how to approach animals. Killing an animal is not a solution.

Break for Executive Session at 8:14pm.

President Nolan called meeting back to order at 9:04pm.

Motion made by Vice President Morgan and seconded by Councilman Losego to table to the mandatory direct deposit for all borough employees. All in favor, motion carried.

Motion made by Vice President Morgan and seconded by Councilman Losego for the manger to solicit pricing for a forensic audit. All in favor, motion carried.

Solicitor Tucceri commented on that anytime a manager leaves to have the records reviewed.

Motion made by Councilman Losego and seconded by Councilman Pattinato to approve the \$10 fee for the Mayor to attend the Chamber Meeting.

Councilman Jordan: No	Councilman Losego: Yes
Vice President Morgan: No	Councilman Pattinato: Yes
President Nolan: No	

Good of the Order

President Nolan thanked L. Thomas Towing for donating their services for when the DPW Truck needed to be towed.

Motion made by Council Losego and seconded by Vice President Morgan to adjourn the meeting at 9:06pm. All in favor, motion carried.

Harry R. Faulk, Interim Manager