

EMSWORTH BOROUGH COUNCIL
171 Center Avenue, Pittsburgh, PA 15202
Business Meeting Minutes – October 9, 2019

Council Members Present – Jolene Bennett; Brian J. Fashian; Carolyn Galante; Paul F. Getz; Jason Helfrich; Daniel Lenz; Kevin Yurkovich

Others Present – Amy Sue Lillie, Mayor; Robert L. McTiernan, Esq.; Borough Solicitor; Dennis J. Flynn, Borough Engineer; Cathy Jones, Borough Secretary

President Kevin Yurkovich called the October 9, 2019, business meeting to order at 6:30 p.m. After the Pledge of Allegiance and Roll Call, the August 14, 2019, and the September 11, 2019, Council Meeting Minutes were considered for approval.

MINUTES APPROVAL

MOTION by Ms. Galante, second by Mr. Fashian, to approve the August 14, 2019, Meeting Minutes As presented. Motion carried by voice vote; Messrs. Fashian and Getz abstained.

MOTION by Ms. Galante, second by Mr. Lenz, to approve the September 11, 2019, Meeting Minutes as presented. Motion carried by voice vote; Ms. Bennet, Messrs. Fashian, Helfrich and Getz abstained.

PROCLAMATION

Pres. Yurkovich read a proclamation for Emsworth United Presbyterian Church on the event of their sesquicentennial. Rev. Charissa Howe along with congregants Mitzi and Mark Shannon were in attendance to accept the proclamation.

PUBLIC COMMENTS - None

MAYORS REPORT – Amy Sue Lillie

Public Safety Calls: OTPD – 132 calls; EVFC – 21 calls

Honor Banners – 15 banners have been ordered; assistance will be needed to install the banners.

BOROUGH SOLICITOR REPORT – Robert L. McTiernan, Esq., Borough Solicitor

43 Courtney Street – three interested buyers; but property did not sell. Sol. McTiernan requested permission to petition the courts to start the sheriff sale at \$10K.

MOTION by Mr. Helfrich, second by Mr. Getz to authorize the borough solicitor to petition the court to sell 43 Courtney at a starting bid of \$10K, selling the property free and clear. Discussion: Mr. Lenz requested clarification if this meant to waive all taxes; Mr. Helfrich questioned what happened if the courts did not allow the upset price reduction. Sol. McTiernan replied back taxes would be waived and he was certain a judge would allow the upset price to be reduced. Motion unanimously carried by roll call.

Borough Code Update – Sol McTiernan reported a recent addition to the borough code allows for a resolution in lieu of an ordinance if there is no increase in taxes. No tax increase, adopt by resolution; tax increase, adopt by advertised ordinance.

Jul-Mar, 201 Allegheny - Sewage lateral damage: \$17K judgement filed against West View Authority; nothing against Emsworth Borough. West View Authority appealed decision. Jury trial will be scheduled. Sol. McTiernan requested a short executive session at the end of the meeting to discuss the litigation.

BOROUGH ENGINEER REPORT – Dennis J. Flynn, P.E., Gateway Engineers

Key Action Items:

- TA Robinson finished 2018 paving program plus additional scope of work on Race Street. Gateway has submitted a punchlist to the contractor prior to final payment.
- DCNR portion of Marmo Park is underway. Recommended Motion: to pay McElroy Paving in the amount of \$45,697.50.
- Pre-construction meetings will be set up for the SHACOG O&M for Excavation and MH-MH Lining repairs.
- Gateway is working with Jet Jack to close out SR 65 Special Sewer Repair Contract. Payment may be made to the contractor as this was recommended by council at the July 10 meeting.
- Gateway received three quotes for the 2019 CCTV Inspection & Cleaning Project; Tri State was low bidder in the amount of \$12,560. Gateway recommends awarding this project to Tri State.
- Gateway received three quotes for the 2019 Preventative Maintenance Project; Tri State was low bidder in the amount of \$13,560. Gateway recommends awarding this project to Tri State.
- The Borough was not awarded a GROW Grant for the force main; Gateway will follow up with ALCOSAN to discuss.
- Pump Station had two overflows; reports were submitted to AC Health Dept.
- PA Small Water & Sewer Grant through DCED is available with a 12/31/2019 deadline. Gateway recommends to proceed with this application for the force main project.

MOTION by Mr. Getz, second by Mr. Fashian to approve Payment No. 1 to McElroy Paving in the amount of \$45,697.50 for the DCNR portion of the Marmo Park upgrades. Motion unanimously carried by roll call.

MOTION by Mr. Getz, second by Mr. Fashian to award the 2019 CCTV Inspection & Cleaning to Tri State Maintenance in the amount of \$13,560. Motion unanimously carried by roll call.

MOTION by Mr. Getz, second by Mr. Fashian to award the 2019 Preventative Maintenance to Tri State Maintenance in the amount of \$15,100. Motion unanimously carried by roll call.

MOTION by Mr. Getz, second by Ms. Galante to authorize Gateway Engineers to apply through the DCED for a PA Small Water & Sewer Grant to cover 85% of the \$250K force main replacement project. Motion unanimously carried by roll call.

Mr. Getz reported another back-up on SR 65 at Pennsylvania. Tri-State had cleared a blockage in 11/2018 but a recent heavy rain caused another back-up. Tri State cameraed the line and Gateway will determine the next course of action after reviewing the video. A piece of material which appears to be part of a liner was extracted.

COMMITTEE REPORTS

BOROUGH PROPERTY – Jolene Bennett

Ms. Bennett and Mayor Lillie discussed getting a new computer and internet upgrade at the borough office. Mr. Getz stated he received a proposal from Marmo Technology for council to review prior to the November meeting. Mr. Fashian added wiring upgrades may also be necessary along with the firewall upgrades, and motioned to explore the wiring upgrade.

MOTION by Mr. Fashian, second by Ms. Bennett to get a quote to upgrade wiring at the borough and upgrade firewall protection at a cost not to exceed \$2K. Motion unanimously carried by roll call.

Marmo Park, Pickle Ball and Basketball Courts – MOTION by Ms. Galante, second by Ms. Bennett to authorize the pickle ball court color as kiwi lime green and royal purple and the basketball court to be a blue court with red markings. Motion unanimously carried by roll call with Mr. Lenz voting “nay”.

COMMUNITY EVENTS – Carolyn Galante

October 26 – Halloween Parade, 10 a.m.

October 31 – Trick or Treat 6 - 8 p.m.

December 1 - Light Up the Borough! 5 p.m.

Mr. Helfrich requested council consider Trick or Treat to be held on Saturday, Oct. 26 as many communities are moving to the Saturday before Halloween to celebrate. After discussion, council kept Trick or Treat on Halloween, October 31.

Pres. Yurkovich offered EVFC’s help to hang the honor banners; many members are OSHA-ready.

QVCOG – Paul F. Getz

CDBG Year 45 Agreement – MOTION by Mr. Getz, second by Ms. Galante to ratify the CDBG Year 45 Agreement as handled through the QVCOG. Motion unanimously carried by roll call. Mr. Getz added that under the CDBG Year 45 grant, an observation deck at Mayernik Field will be built. The borough will apply for the grant but funding and execution of the observation deck will be through AGAA.

FINANCE – Carolyn Galante

Bill List – MOTION by Ms. Galante, second by Ms. Bennett, to approve the bill list as presented with the following additions: McElroy Paving \$45,697.50; PA One Call \$3.42; SWIF \$663. Motion unanimously carried by roll call.

2020 Budget – Ms. Galante requested council submit projects to the finance committee for the budget.

DPW Summer Help Pay Increase – MOTION by Ms. Galante, second by Mr. Getz to increase DPW summer help wages for Brian Fashian to \$16/hour retro to June 1, 2019; and increase DPW summer help wages for Kevin Yurkovich to \$15/hour retro to June 1, 2019. Discussion: Ms. Galante expressed her thanks and was grateful Messrs. Fashian and Yurkovich were able to work during the summer to keep up with borough maintenance. Motion carried by roll call; Messrs. Fashian and Yurkovich abstained. Sol. McTiernan reminded Messrs. Fashian and Yurkovich to send an email as to the reason for their abstention to be added to the Minutes.

OLD BUSINESS

Lowries Run Creek Bank Erosion – Mr. Getz reported the heavy rains have damaged the wall in this area. He will research if grant money is available to add additional rocks with a concrete slurry overlay to prevent further erosion.

Plumer Avenue Water Run-Off – MOTION by Mr. Getz, second by Ms. Galante to award to Carmel Construction in an amount not to exceed \$5K to add a catch basin and tie into the sewer on Plumer Avenue. Motion unanimously carried by roll call.

NEW BUSINESS

Pres. Yurkovich put to rest any rumors that the borough would rent the borough's second floor rooms; the building is not ADA compliant. Sol. McTiernan added if this second floor is considered a public space, then it must be public accessible.

Pres. Yurkovich addressed a sidewalk issue on Center Avenue at Chev's where the tree roots are lifting the sidewalk and someone fell. Mr. Helfrich stated he will talk with Ms. Bennett and get proposals to remedy the situation.

Mr. Lenz distributed a press release on Shenango and the work being done through ACCAN.

Emsworth-Glenfield Fire Agreement – MOTION by Mr. Getz, second by Mr. Helfrich to approve Resolution No. 2019-05 covering the Emsworth-Glenfield Fire Services Agreement through 12/31/2024. Motion unanimously carried by roll call.

Emsworth-Kilbuck Fire Agreement – MOTION by Mr. Getz, second by Mr. Helfrich to approve Resolution No. 2019-06 covering the Emsworth-Kilbuck Fire Services Agreement through 12/31/2024. Motion unanimously carried by roll call.

Engineering Budget Meeting – Mr. Flynn requested a committee engineering meeting to be held prior to the November 13 council meeting at 5:30 p.m.

EXECUTIVE SESSION

Pres. Yurkovich called for an executive session of council for discussion of litigation at 7:25 p.m. Council reconvened at 7:32 p.m. Pres. Yurkovich stated the executive session covered the Jul-Mar/West View Authority litigation and was in compliance with Sunshine Laws.

ADJOURN

Pres. Yurkovich Adjourned the October 9, 2019, business meeting at 7:33 p.m.

Respectfully,

CATHY JONES
BOROUGH SECRETARY