**COMBINED WORKSHOP/VOTING MEETING**

**TUESDAY, APRIL 14, 2020**

**7:00 PM**

**BOROUGH COUNCIL CHAMBERS**

**MINUTES**

**PLEDGE OF ALLEGIANCE**

**This meeting was advertised as a Combined Workshop/Voting Meeting in the Valley Mirror on Thursday, March 26, 2020. This meeting is being conducted as a Combined Workshop and Voting Meeting. The scheduled Voting Meeting on April 21, 2020 is cancelled due to COVID-19 restrictions.**

**THE WORKSHOP/VOTING MEETING OF THE GLASSPORT BOROUGH COUNCIL IS CALLED TO ORDER BY ELAINA SKIBA, PRESIDENT OF COUNCIL.**

**ROLL CALL: Colecchi, present; Handra, present; Hickman, present; Kowalski, present; Norelli, present; Trunzo, present; Skiba, present; Mayor DiMarco, present.**

**PUBLIC COMMENTS: There is no one from the public attending the meeting.**

**APPROVAL OF MINUTES:**

Motion to approve the Minutes of the Regular Monthly Meeting of Tuesday, March, 2020.

Motion: Colecchi seconded by Handra

Motion Carried.

Motion to approve the Minutes of the Patterson Property Meeting regarding the ATV park. Elaina Skiba said that will be tabled and probably removed off of there.

**COMMITTEE REPORTS: There will be no committee reports this month to save time**

**WRITTEN REPORTS OF BOROUGH OFFICIALS:**

**Tax Collector Report available upon request**

**Treasurer Report available upon request**

**Financial Report – Elaina Skiba, President of Council**

Motion to approve the Monthly Financial Report for March, 2020.

Motion: Hickman seconded by Handra

Motion Carried.

Motion to approve and pay the General Fund bills for March, 2020 in the amount of $163,007.61.

Motion: Handra seconded by Colecchi

Motion Carried.

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Motion to approve and pay Sewer Revenue Fund bills for March, 2020 in the amount of $80,196.56.

Motion: Hickman seconded by Handra

Motion Carried.

**Solicitor’s Report – Falco Muscante (Maiello, Brungo and Maiello, LLC)**

**A motion is needed to accept the resignation of Employee No. 317.**

**Motion: Trunzo seconded by Colecchi**

**Motion Carried.**

**Roll Call Vote:**  Colecchi, yes; Handra, yes; Hickman, yes; Kowalski, yes; Norelli, yes; Trunzo, yes; Skiba, yes.

**A motion to approve the Amendment to Settlement Agreement and Release with Employee 317.**

**Motion: Trunzo seconded by Handra**

**Motion Carried.**

**Roll Call Vote:** Colecchi, yes; Handra, yes; Hickman, yes; Kowalski, yes; Norelli, yes; Trunzo, yes; Skiba, yes.

**Resolution No. 1(4/14/2020) – Records to be destroyed from the Borough Office.**

**Motion: Handra seconded by Colecchi**

**Motion Carried.**

**Remarks:**

**Kate Handra asked why is that still not done? Is it because they couldn’t find a company?**

**It seems like it’s been on the last few agendas.**

**Elaina Skiba said after every box and every piece of paper is gone through then a resolution is drawn up to be passed which this one is two pages long and will be passed this evening.**

**Solicitor Falco Muscante remarks:**

An application for Exemption of Real Estate Taxation was received from the County Office of Property Assessments for the property at 810 Monongahela Avenue. We are reviewing that application and checking the legal basis for that exemption and we will be able to report back to the Borough on whether it makes sense to oppose that. Usually there is no hearing held at the County Property Assessment Office, you just get a decision from them and you have to decide once you get that decision whether you are going to appeal it. This property is probably close to $1,000,000 or more.

**Remarks:**

Dennis Hickman, Council asked they are asking for an exemption?

Kate Handra, Council said so we are not going to get tax money?

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The solicitor said so they are looking at different types of group homes that qualify for exemption based on how they operate and hope that we can find a legal base for challenging them, but they are trying to get the property tax exempt.

**Mayor Keith DiMarco** said they are funded by the County so it’s going to be worse to try to get this exempt.

The next item I believe we tabled this at the last meeting because it hadn’t made it through the process yet. It has now been reviewed by KLH Engineers and the solicitor said that he wasn’t sure if it went through the Planning Commission process.

**Remarks:**

Dennis Hickman, Council said that he was concerned about this because he still hasn’t heard anything about this sewer line from anybody.

Elaina Skiba, President of Council, said we got an approval from KLH, we got one of the Planning Commission people that said that they are o.k. with it. Bob Bednar was supposed to send an email prior to the meeting tonight to sign off on it, and I will check my email right now. I have nothing in my email. What we can do is just so we don’t have to make the homeowner wait.

Solicitor said this has been sitting for a while so you may be at the point or beyond the point where it’s automatically considered approved under the Municipalities Planning Code if you don’t take action by a certain date and I am not exactly sure when we got this and where that is.

Dennis Hickman, Council asked does this really affect us if they have a combined sewer over there? The only problem I can see is if someone buys each part of this property and they have a sewer issue and they sue each other. Do we hold any liability for letting them do that?

The solicitor asked Is that what they are doing? They are separating 427 from 429? I have not seen this plan.

Dennis Hickman said yes, there is four, there is a garage with an apartment and then there is three apartments back there on the back side of the property on the alley and then there is the house in the front where Myrna used to live. The three in the back they are selling the apartments separate from the house.

Paul Trunzo, Council said the house and the garage with the apartment goes together on one lot and then the three apartments go separate.

Dennis Hickman said my concern is that it has been reported that they only have one sewer line feeding them all.

Kate Handra asked even the house?

Dennis Hickman said yes.

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Elaina Skiba, President, said the note that came from the engineers is A note shall be added to the plan stating that the existing structures are nonconforming to setback as required by the Zoning Ordinance and no zoning variance has been granted for the properties involved and any new structures shall be required to conform. So basically, it sounds like they are grandfathering them in.

Solicitor said as to the setbacks but they did not address the sewage.

Dennis Hickman said they did not address the sewage so what is the legality on that if it is one combined for both properties. Is there something legally that we have to do, or do we have to note that so that both owners know that they are buying properties that have the same sewer.

The Solicitor said I haven’t seen the subdivision so if it is clearly defined.

Elaina Skiba, President of Council, said KLH is recommending approval of the plan.

The Solicitor said if the plan notes that this is a joint sewage line. This is a line that is conveying sewage for the property. So, my concern more so is if it is one water source. If that is the case we are going to run into water shut off if one doesn’t pay and the other is paying.

Dennis Hickman said it might be that too. I don’t know if anyone has looked into that.

The Solicitor said if it is two separate services for the water then we should be o.k. if it’s a combined sewage, but I don’t know the answer to that.

Kate Handra, Council, said putting it into perspective, I am not allowed to charge him for his usage, so you have to have one person. If I was a landlord of those three apartments I can’t expect if you three are my tenants, that utility is not allowed to be in either of your names because it is not just you using it. It is combined usage so it has to stay in the landlord’s name, but if the landlord isn’t the same as

whoever owns the house. If I bought that house, I am not paying for their usage in the back. Especially if I am not using it.

Elaina Skiba said I am not so much concerned about the utilities, I am concerned about are we following the right rules as far as allowing it to be separated for two separate parcels with one combined sewer. Because now, who will ultimately be responsible should there be a break in that lateral? They are making it from one person to two people with one sewer. So I own this and you own this and we own this together. What if this person when you both have a busted lateral says nope not on me. We are backing out into our main causing main issues so now we have to go back to both of you.

Dennis Hickman said I honestly don’t think that we should approve this. I thought that someone was actually looking into this to do a test on it or get it cameraed to see where it goes. Apparently, we need to call somebody to do this before we approve this.

Elaina Skiba, President, said nobody is coming out to do that kind of stuff now.

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Dennis Hickman said then he is going to have to wait. If that sewer lateral collapses and say itcollapses going towards the street side, and three people in the back are flushing their comodes, and it’s backing up in the bathrooms, do I legally have a lawsuit against the guy in the front?

The solicitor said I think it is a very important point and the concern that I have is the timeline. There is legislation out there that is trying to extend the requirements to approve things within so much time because of the COVID-19, but that is still stalled in the state house, so as we sit here right now dated February 11.

Elaina Skiba, President of Council, said we didn’t get that from KLH until the 6th and we still haven’t heard from Bob Bednar, who is the Chair of the Planning Commission.

The solicitor said the clock starts to click as soon as the Borough receives the subdivision plan. You have to complete the whole process within 45 days. Within that timeline if you don’t then it is considered automatically approved. So, my concern is that we are well past that and it’s still a very important issue. So maybe it doesn’t give you any other choice than to deny it until that issue gets resolved.

Dennis Hickman said I don’t have an answer either. My biggest suggestion would be to get the lines cameraed to see where they go to make sure that there are two separate lines. To verify if it is either one or two lines.

Elaina asked Paul Trunzo – Did you not tell me that this was two lines? That there were actually two lines over there.

Paul Trunzo said no I didn’t, but I am assuming because of different lot numbers you know what I am saying.

Dennis Hickman said is it two different lot numbers or is it all the same lot I thought.

Paul Trunzo said no you can look at it right here.

Elaina Skiba said it is one lot and they want to subdivide. It’s one parcel.

Paul Trunzo said it is two parcels.

The solicitor said it has two different parcel numbers. 467-P-77 and 467-P-80

The solicitor said you can maybe approve it with the stipulation contingent on that there are two separate water services and two separate sewage lines.

Dennis Hickman asked what is Myrna’s address?

The solicitor said 427 and 429 Monongahela Avenue are the two street addresses.

Angelo Norelli left the meeting because his wife was sick.

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The solicitor said to approve contingent upon on proof of two separate sewer lines and two separate water services.

Dennis Hickman said he could approve of that.

Elaina Skiba said we need a motion to approve the subdivision plan of 427 and 429 Monongahela Avenue contingent upon proof of two separate sewage services and two separate water services.

**Motion: Handra seconded by Trunzo**

**Motion Carried.**

The solicitor said that he was working from home today and he didn’t have a chance to do his normal solicitor’s report.

**COMMUNICATIONS: Elaina Skiba, President of Council**

No proposals were received for the cleaning of the Borough building and police station that were due in the office by Friday, April 10 by 5:00 p.m. We did have someone call the Borough Building today. I did not have a chance to return the call so we are going to revisit it and put the ad back in the paper and I will let them know to keep an eye out for the ad in the paper and don’t ask me how much it pays.

**Question:**

Kate Handra, Council said a lot of people don’t read the newspaper anymore. Can I put this on the website and on facebook? I want to do verbatim for that for job opportunities.

Paul Trunzo asked for the cleaning of the Borough Building, don’t they have to have clearances for over here? They need to be bonded, have insurance and have a PA License.

Elaina Skiba said they need to be bonded and they need to be flexible around the police schedule. I think the police usually have them over there on Thursdays because they don’t have Magistrate or County.

The 2020 Emergency Annual Sanitary & Storm Sewer Repair Bid Opening will be held on Friday, April 17, 2020 at 2:00 p.m. KLH Engineers will be present to handle the bid opening.

**Question:**

Dennis Hickman asked is that here?

Elaina Skiba said no.

Dennis Hickman said are we going to need to be involved in that.

Elaina Skiba said no.

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A letter was received from the County of Allegheny regarding the Annual Wasteload Management (Chapter 94) Report regarding the Glassport Sewage Treatment Plant NPDES Permit No. PA002113 with comments from Freddie Fields, M.B.A.-Environmental Health Engineer.

Dennis Hickman, Council, said I have the letter here if anyone wants to see it. Apparently, we are hydraulically overloaded and not projected to be hydraulically or organically within the next 5 years and the report is complete.

Elaina Skiba said we are o.k.

**Please follow the CDC Guidelines for the Corona Virus. Stay Home and stay safe.**

**Moving forward we will not have our Workshop Meeting in May. We will be hooked up for ZOOM to have our meeting. You can do it video or audio if you don’t want to do video you can just opt in with a phone number and call and do it on your phone. You don’t have to go through the whole spill.**

**NEW BUSINESS:**

A motion is needed to pay William H. Storey Glazing, out of the project fund, for 3 custom size doors and frames for the Youth Center. Those three doors were going to come to a little over $12,000. The gentleman is asking for $6,200 given that he is not considered essential and cannot obtain a work permit and he bought these doors back in January or February and had them delivered and now he cannot put them in. We need a motion to pay him half and typically we don’t do that, but given the fact that this man does all of the work up there for the AIU, they have been using him for a very long time and never had an issue with them. These are commercial doors which are another bracket. We got another price for two doors which was a little over $10,000. This is for three and they are custom made.

**Motion: Kowalski seconded by Hickman**

**Motion Carried.**

A motion for Stewart Contracting to excavate 24” VCP repair down by the 3 Rivers Marine and Rail Terminal in the amount of $10,200.00. I believe that they have already started.

**Question:**

Paul Trunzo asked what are they doing?

Dennis Hickman said there is a collapsed 24” line down there in the yard.

Elaina Skiba, President said the reason this work is being done is because the contractor was able to obtain a permit. We did not have to put this out for bid because we had a Declaration of Emergency and as it turns out Stewart Contracting was contacted by the Engineers because they knew they were able to get the permit to work during this time and they came in lower than our other contractor anyway.

**Motion: Colecchi seconded by Kowalski**

**Motion Carried.**

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A motion for Stewart Contracting to excavate the main line and lateral for 823 Maryland Avenue in the amount of $5,000.00. This is the same situation. We have a potential for a collapsed sewer up there right now they feel that it was roots and everything else that have come through there. We won’t be taking care of the home owners lateral.

**Motion: Hickman seconded by Colecchi**

**Motion Carried.**

Motion to adjourn the meeting.

**Motion: Colecchi seconded by Hickman**

**Motion Carried**.

The Borough Secretary did not attend the meeting but listened to the tape.

Submitted by: Approved by:

Nancy M. Piazza-Whaby Elaina Skiba

Borough Secretary President of Council

Dated: April 15, 2020