

**TOWN OF MCCANDLESS
MINUTES - AGENDA REVIEW MEETING
MARCH 21, 2016 TOWN HALL
CALL TO ORDER**

The meeting was called to order at 7:38 p.m. by Council President Aufman with the following in attendance: Council members LeDonne, Mertz, Powers, Walkauskas and Zachary, Town Manager Cordek, Town Attorney Ries, Assistant Town Manager Ebner, and Assistant to the Town Manager for Communications Bojarski. In the audience were Brian Moreth, Rita Martin, David Martin, James Warmbrodt, William Tjader, Georgiana Likar, Barbara Richards, Kenneth Spear, Larry Schweiger, John Harrison II, Terry Miller, Deb Sagan, Sam Cammarata and Mark Donatelli.

REVIEW BID TABULATION FOR EXCAVATOR AND HIGH LIFT WITH OPERATOR

Council President Aufman stated the lowest responsible bidder for the excavator was Parkedge Excavating and for the highlift was JASE Construction. These items will be placed on the Business Meeting agenda.

REVIEW BUSINESS MEETING AGENDA

Council President Aufman introduced this item.

Agenda Item 6 – Approval of minutes of Council's Regular Business Meeting of February 22, 2016. No corrections were noted.

Agenda Item 7.A.1. – MOVE TO APPROVE THE SITE PLAN APPLICATION FOR THE MCCANDLESS TOWN CENTER OFFICE BUILDING LOCATED AT 900 PROVIDENCE BOULEVARD: Mr. Cordek stated that all seems to be in order for this approval.

Agenda Item 7.B.1. – LIST OF BILLS #3: Council member Powers asked if anyone on Council had any questions. Hearing none, she suggested that Council members could contact Mr. Ebner if any questions do arise.

Agenda Item 7.C.1. – MOVE TO AWARD THE 2016 PAVING CONTRACT TO YOUNGBLOOD PAVING, INC. AT A TOTAL BID PRICE OF \$1,886,273.87. Council President Aufman stated Youngblood Paving was the lowest responsible bidder.

Agenda Item 7.C.2. – MOVE TO AUTHORIZE THE PURCHASE OF A UTILITY AND AERIAL LIFT UNDER COSTARS IN THE AMOUNT OF \$73,984.00: Council President Aufman noted this purchase.

LIAISON CONTACTS WITH OTHER BOARDS AND COMMISSIONS

At 7:45 p.m., Council reviewed the other boards and commissions.

- A. Planning Commission – Council member McKim was not present to report.
- B. Zoning Hearing Board – Council member Walkauskas stated in the three months he has attended ZHB meetings, he has observed there is a very competent

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balance of board members whose legal and engineering disciplines complement each other well.

C. McCandless Township Sanitary Authority – Council President Aufman reported MTSA was continuing to work on the regional wet weather project. He noted the Town and MTSA have been proactive since the mid-1970's in their handling of sewage and storm water flows.

D. McCandless Franklin Park Ambulance Authority – Council member McKim was not present to report.

E. Northland Public Library Authority – Council member Powers reported the Board expects the request for bids for the children's garden to go out this month. The strategic plan for 2016 – 2020 has been approved and will be submitted to each participating municipality. Finally, the Board has reorganized and elected new officers for 2016.

F. North Hills Council of Governments – Council member LeDonne reported a meeting was held on March 17. Items discussed included 2016 goals and objectives, storm water management best management practices and the Girty's Run watershed, maintenance of a quarterly list of SWM and MS4 initiatives, continuing contact with Morton Salt, review of COG sewer bids, consideration to extend the multi-municipal refuse/recycling contract, an ad-hoc committee to review COG bylaws regarding membership, consideration of the setting of COG administrative fees for requests that require substantial COG resources, implementation of a COG personnel plan, research into ALCOSAN grants, updates to the program description sections of the COG website, guiderail replacement program, and the election of new officers.

G. Joint Recreation Board – Council President Aufman reported planning for the 2016 program is under way. Three facilities will be utilized this year.

H. McCandless Industrial Development Authority – Council member McKim was not present to report.

I. Volunteer Firemen's Steering Committee – Council member LeDonne reported that he, Council member Walkauskas, Town Manager Cordek, and Fire Marshal Stack took a tour of the VFC facilities and met with the chiefs and other officers and members of the three companies..

J. North Pittsburgh Community Development Corporation – Council member LeDonne stated there was nothing to report.

K. Town Museum – Mr. Cordek reported the upstairs display area is almost complete. The students from Beattie Tech have returned to complete the ductwork in the basement, in conjunction with two Town DPW employees. Debbie Rabold and Georgette Cordek continue sorting and cataloging the collection. Steve Bullick is working on written procedures.

L. Community Day Committee – Council President Aufman stated the committee has met once, and the next meeting will be scheduled on a yet to be determined date in April at 2:30 pm. Anyone interested in serving should provide him with their name and contact information.

FURTHER REVIEW OF ENVIRONMENTAL QUALITY BOARD PROPOSAL

At 7:57 p.m., Council President Aufman introduced this item and asked Council member Zachary to report. Council member Zachary stated a bullet-point under

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Structure was added to stagger the terms of the members. Council member Zachary asked what "taxpayers and electors" means. Mr. Cordek replied they must be paying taxes and registered to vote. Council member Zachary stated she knows an individual who rents and is disabled, and therefore is not directly paying taxes to the Town. Council member Walkauskas stated all residents over the age of 21 must pay the per capita tax. Council member Zachary also stated she did not believe they should be required to be registered to vote. She knows someone who is living in the Town on a work visa and therefore is not eligible to vote. Mr. Ries stated the Town Charter requires members of other boards to be both taxpayers and electors. Council must decide if they want to be consistent with this board. Council member Mertz suggested replacing "taxpayer and elector" with "resident". Council President Aufman suggested simply adding "resident." Mr. Cordek suggested changing the language to read "Town residents, taxpayers who are current in all tax obligations, and electors." Mr. Ries will take suggestions from this discussion, do some further research, and provide Council with a revised draft for discussion at the April Agenda Review Meeting. Mr. Cordek stated the final agreed-upon language will then be put in the form of a resolution for a vote by Council.

**REVIEW DRAFT POLICY REGARDING APPOINTMENTS TO BOARDS,
COMMISSIONS AND SPECIAL COMMITTEES**

At 8:14 p.m., Council President Aufman introduced this item and asked Council member Zachary to report. Council member Zachary stated this has been worked on by a subcommittee of herself, Council member Mertz, Council member McKim, and Mr. Cordek. She noted the words "unless a shorter or longer period" were added to the section regarding the posting of appointment vacancies. She did not recall discussing that item. Mr. Mertz replied it was discussed at the last meeting, and that Council must vote to shorten the time period. Mr. Ries stated that an emergency such as death or sudden resignation may require a shorter time period. Council member Zachary suggested a temporary person could be appointed in the interim without reducing the time period for posting. Council member Zachary also noted it should be made clear that, under the Northland Public Library Authority, the Authority Board appoints the Library Foundation members, and under the Personnel Board, the Police Chief should be noted as an exception under the police force. A revised draft will be submitted for Council review at the April Agenda Review Meeting.

REVIEW DRAFT MEETING PROCEDURES POLICY

At 8:20 p.m., Council President Aufman introduced this item. Council members discussed the merits and legal issues involved with sharing draft documents with attendees before Council has had a chance to comment on them. Mr. Ries explained that under the Sunshine Act, the document does not become a public record until it is discussed by Council. Council is seeing and discussing this draft for the first time this evening. Council member Mertz asked if he could read the document out loud to the residents as it is being discussed. Council member Powers concurred with this request. Mr. Ries replied this could be done, but at this time it is for Council consideration first. Council member Mertz suggested skipping through the lawyer speak at the beginning of the document, and then read Item 1. Council member

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Walkauskas replied that currently the comment period is not just at the beginning of the meeting. Council member Zachary asked how citizens can comment on something before there is any discussion by Council. Mr. Cordek explained the idea is to have the majority of the input during the committee meetings, when the language is actually being developed. The Business Meeting should be a culmination of all of the work that is done at the committee meetings. Mr. Ries stated it gives the public an opportunity to comment before Council votes on the agenda items. Council member Mertz then read Item 2. Council member Mertz asked if an individual had to be a resident and a taxpayer. Mr. Ries replied he used language from the Right to Know Law, but he would look into whether "and" could be replaced by "or." Council member Mertz then read Item 3. Council member Zachary stated this is common practice under Robert's Rules of Order. David Martin stated people often speak at Council meetings but do not sign in. Council discussed possibly requiring only those who wish to speak to sign in. Council member Walkauskas suggested requiring all attendees to sign in, so that they preserve their right to speak. John Harrison stated the North Allegheny School District has individuals who wish to speak fill out a card and drop it in a box. Mr. Cordek suggested continuing to use a modified version of the sign in sheet and see how that works. Council member Mertz then read Item 5 and Item 6. Council member Mertz stated that gives someone a lot of discretion. Who decides when the line has been crossed? Mr. Cordek replied the President makes that decision. The hope is that decorum would be common sense. Council member Zachary stated Robert's Rules of Order refers to sarcastic comments, distorting the truth, name calling, accusing someone of lying, and other types of comments. Council member Mertz stated people have differing opinions on what is obscene. He asked if using the word "ass" would be obscene. Council member Powers stated she would be offended by the use of language like that. Mr. Cordek stated the Town Charter would trump Robert's Rules of Order, but State Law would trump the Town Charter. Council member Zachary asked if a warning could be given before someone is asked to leave a meeting. Council was agreeable to that suggestion. Council member Zachary asked if someone would be removed only for that meeting. Council member Mertz suggested replacing the word "further" with "continued." Mr. Cordek suggested replacing "the" with "that." Alternative language will be drafted for consideration by Council. Council member Mertz read Item 7. Council member Mertz stated he finds this to be very offensive. Most people do not speak more than three minutes, and being allowed to comment one time is not sufficient. Council member Walkauskas stated he felt citizens should be able to comment more than once. Council member Zachary stated Robert's Rules of Order allow for two comments per day at ten minutes per comment, which seems like a long time for a comment. She asked if Council felt the meetings were currently disorderly. Mr. Cordek replied this is simply to formalize how the meeting should be conducted. Council member Mertz then read Item 8. Council member Mertz asked if a meeting had ever been adjourned because of this. Mr. Cordek replied he has never seen an adjournment, but Council has taken a recess to give people a time out. Council member Mertz then read Item 9. Mr. Cordek stated that the process works best if residents contact either Town administration or their Council representative if they have something they would like to have considered at a committee meeting. The appropriate Committee Chair can then be consulted and the item can be added to the agenda. Barbara Richards asked if moving the comment

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period to the beginning of the meeting does away with the comment period at the end. Mr. Cordek replied that is what is being proposed. The comment period at the committee meetings is at the end of each committee meeting, which gives residents an opportunity to comment on the discussion held by Council. Mr. Ries stated comments at the beginning of the Regular Business Meeting allow residents to voice their concerns before the vote is taken. If an item does not appear on a committee agenda in a given month, it can be brought up and discussed at the Agenda Review Meeting. Mr. Cordek added it is helpful to contact staff directly if you have an issue. That gives staff and Council time to conduct research and prepare for the discussion. Barbara Richards asked how citizens will know about these changes. Deb Sagan added that we assume people will attend every Monday. These changes must be made very clear to the public. Council member Zachary stated this is a very big time commitment for residents, and that televising all meetings would allow residents to watch meetings at home. Mr. Cordek stated the agenda for each meeting is posted on the Town's website. People have the opportunity to view the agenda and decide if they feel they need to attend on that particular Monday. Council member Mertz asked when agendas will be published. Council member Zachary replied they are published the Friday before the meeting. An unidentified woman in the audience asked why there is a need to have a policy when there are already state laws and a Town charter that govern meetings. John Harrison stated it may be easier for residents to understand if all meetings are run the same way. He added that residents should be able to speak about a topic on one meeting agenda at another meeting if they are unable to make the meeting at which the issue is considered. Rita Martin stated residents don't get to see the documents that Council sees at the committee meetings. Council member Zachary stated the Town does not give people information in a timely manner. Copies of all documents given to Council should be given to residents. Barbara Richards asked why draft documents are prepared at all. Why doesn't Council simply discuss an item at a meeting and prepare a document based on that discussion? Council member Mertz asked who on Council asked for this policy. Mr. Ries replied it was discussed at a meeting and Mr. Ries was asked to prepare a draft. Council member Mertz then read Item 10: "At each Agenda Review meeting, the President of Council shall provide for a period of public comment at the end of the meeting on matters of general Town concern, which comment period shall be governed by the same rules applicable to comments at regular Council meetings." Rita Martin suggested that residents could comment at the end of a Regular Business Meeting on items to be considered at a future committee meeting. Mr. Cordek replied that it is best to contact Town staff or your Council member directly if you have an issue you would like to be considered by Town Council. Kenneth Spear recommended a transition period be allowed for implementation of the changes. Council member Zachary suggested Council reevaluate at the end of six months and determine if the policy is working. Mr. Ries reiterated the committee meetings are the best time to give input. Barbara Richards asked if the Town could simply adopt guidelines rather than a formal policy. Mr. Ries replied it is important to have a formal policy to follow. Council member Zachary stated she has a short paper from the Rutherford Institute in Charlottesville Virginia that offers suggestions on setting a policy on meeting policy that considers the rights of the citizens. Mr. Ries asked her to email the article to him. Sam Cammarata asked what the process would be if the policy language were agreed upon this

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evening. Mr. Cordek replied it would then be put in resolution format for review by Council at the April Agenda Review Meeting, and potentially a vote at the April General Business Meeting. John Harrison asked why committee minutes are not posted on the website. Mr. Cordek stated that has always been Town policy, because committee minutes are approved by him and not Town Council. Committee minutes are available at Town Hall for review, but they are not always finalized prior to the next Monday. Mr. Ries will research whether committee minutes can be posted on the Town website. Mr. Cordek added that if the minutes are to be posted immediately, additional Town staffing may be required. Council member Zachary again suggested broadcasting all meetings. David Martin suggested the Town purchase technology that can transcribe minutes electronically as the meeting occurs. Mr. Cordek replied minutes are not transcription.

PRESIDENT OF COUNCIL'S REPORT AND CORRESPONDENCE

At 9:55 p.m., Council President Aufman stated he had nothing further to report.

TOWN MANAGER'S REPORT

Mr. Cordek stated he had nothing further to report.

TOWN ATTORNEY'S REPORT

Mr. Ries stated he had nothing further to report.

The meeting ended at 9:56 p.m.

Respectfully submitted,


Regis J. Ebner Jr.
Assistant Town Manager