

TOWN OF MCCANDLESS
MINUTES – AGENDA REVIEW MEETING
APRIL 18, 2016 TOWN HALL

CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Council President Aufman with the following in attendance: Council members LeDonne, McKim, Mertz, Powers, Walkauskas and Zachary, Town Manager Cordek, Town Attorney Ries, Assistant Town Manager Ebner, Assistant to the Town Manager for Communications Bojanski and Miss Kennedy, Administrative Assistant.

REVIEW BUSINESS MEETING AGENDA

Agenda Item 4.A – PROCLAMATION COMMENDING RANIA PONTIKOS: A proclamation will be presented to Rania Pontikos for her life saving action.

A long time member from the McCandless Athletic Association will be honored on Saturday for their opening ceremony and the President asked if we could do anything to honor that member. We are waiting on the information to draft something which can be on the meeting next week.

For the 4th consecutive year, The Town has been awarded the designation of a Banner Community by the Allegheny League of Municipalities.

Agenda Item 6.B.1 – Mr. Cordek stated that since there now is difficulty getting rid of television sets that there was an optional bid to add onto Waste Management contract. “At-the-Door” service bid was as low at \$.87 a month and going up \$.02 a month for each year of the contract, which is a tremendous benefit. There will be an on-call service for the removal of televisions, electronics and household hazardous waste by simply making a phone call or sending an email to the hauler. You call ahead and then the appropriate container will be sent to the individual with detailed instructions. Details will be sent out to each household as well as placed on the website. Medicines would not be an item they would pick-up but there are programs throughout the County to take medications.

Agenda Item 6.B.2 – Mr. Cordek stated after a question arose regarding an a la cart program he checked with the cable companies and was notified that Municipalities are prohibited to regulate the rates and programming. However, some market forces are pressuring cable companies to allow “skinny packages” which would be smaller groupings of channels.

Agenda Item 7 – Councilwoman Zachary asked if the Environmental Quality Board and New Appointment Policy are approved tonight would they be on the next agenda. Councilman Aufman replied that they would if completed to everyone’s satisfactory tonight.

Agenda Item 7 – Councilman Aufman stated there is a resignation from the Library Board that needs to be acted upon. Mr. Cordek stated that John Murtaugh is resigning from the Library

Board and has expressed that he would be willing to stay on the Board until a replacement is appointed. Councilwoman Zachary would like to use the New Appointment Policy for the replacement and feels as if it should be a resident. Councilman Aufman would like to appoint Councilwoman Powers since other municipalities have a councilmember already who sits on the Board. The Town historically has had a councilmember on the Board and it worked out very well. Councilman McKim stated that the New Appointment Policy procedure could possibly still take some time to finish. Councilman LeDonne stated that Councilwoman Powers could be nominated and appointed at Monday night's meeting.

LIAISON CONTACTS WITH OTHER BOARDS AND COMMISSIONS

Planning Commission: Councilman McKim reported that the next meeting is scheduled for May 3, 2016. There is nothing to report from April due to the meeting was cancelled.

Zoning Hearing Board: Councilman Walkauskas reported the last meeting was already reported on. The Meeting for this month is pretty significant with five items. He did go out to look at two of the items and did not see any potential problems. If he would ever see a potential problem, he was advised to discuss the item with Mr. Bruce Betty, Zoning Official.

McCandless Township Sanitary Authority: Councilman Aufman reported that he was not at the last meeting but everything seems to be fine.

McCandless Franklin Park Ambulance Authority: Councilman McKim reported that the Ambulance Authority is having difficulty collecting money, which is a persistent issue. Councilman LeDonne stated that at the conference he attended there was a Legislative afoot to correct that particular problem. Councilman McKim stated that is correct but it is not the first time there has been a Legislative afoot to do that so we will have to see.

Northland Public Library Authority: Councilwoman Powers reported that the Library has a new Solicitor. Alan Cech has retired and had been working free of charge. The new Solicitor, Massimo Terzigni, comes from Mt. Lebanon and will be paid \$350 a month. He works for a Law Firm downtown and is doing this for the experience. There will be a children's garden and bids will go out in May since it is still in the planning phase. The new website for the library will be active in April. Technical service is updated and working. Earth Day is April 22 and there will be a special event from April 22 – 24 where they will be trying to raise money. There will be a table in the library and things for the children. They are looking for volunteers who will be willing to work for 2 hours at a time. The Authority also discussed the salary for Amy Steele.

North Hills Council of Governments: Councilman LeDonne reported that they have not met since the last report and since he has not received any materials he does not believe there is a meeting scheduled for this month. Mr. Cordek stated that they did have a Managers Meeting but there was nothing particularly significant. There was discussion on the salt report, under which the Town ordered its minimum of 3200 tons, and that North Hills Council of Governments will be going out for trash bids later this year or deciding to extend their contract.

Joint Recreation Board: Councilman Aufman reported that they are currently in the process of planning the Summer Recreation Program. The three centers that it will be held at this year are Franklin, McKnight and Knob Hill Park.

McCandless Industrial Development Authority: Councilman McKim reported that they had a meeting on March 16, 2016, that was fairly perfunctory with no further significant business.

Volunteer Firefighter's Steering Committee: Councilman LeDonne reported that they are currently in the process of scheduling a meeting between the Town and the Fire Chiefs.

North Pittsburgh Community Development Corporation: Councilman LeDonne reported that there has not been a meeting nor a request for a meeting at this time. This is an organization that was developed in the 60's to help the northern communities to bring larger employers into the area to attract more commerce, residents and jobs. Some municipalities have dropped out but currently the representatives from North Allegheny School District, McCandless, Pine, Marshall and Bradford Woods have not made any movements toward a meeting nor have any upcoming projects that they feel this organization needs to address.

Town Museum: Councilman Aufman reported that the HVAC has been installed and the drywall in the basement is now underway; progress is slow. The shelving is being done as well as the fixtures in the bathroom then the upstairs will be about ready.

Community Day Committee: Councilman Aufman reported that they had a meeting and are continuing to make plans for Community Day.

Mr. David Fair, 2320 Ben Franklin Drive, asked if there is a summary of the money spent to date and the projected opening date. Mr. Cordek replied that the target opening day is Community Day, September 10, 2016, and that there is a clear accounting for the museum. Virtually all outside labor has been donated and the bulk of costs have been the materials. There have been two municipal employees working hand and hand with Beattie Tech. Bud Young of Young Brothers Flooring has been the latest to step up and donate his labor as well as offer the flooring materials at wholesale cost. Mr. Cordek recalls the materials cost to be \$278,000 in 2015.

Mr. Dave Martin, 10585 Grubbs Road, asked if there will be a permanent listing of all of the volunteers and donators to be recognized. Councilman Aufman replied that a plaque will be made and placed inside the museum.

Mrs. Rita Martin, 10585 Grubbs Road, asked if there is a plan yet for when the museum is opened. Mr. Cordek replied that there is a small group who are still making preparations.

REVIEW OF ENVIRONMENTAL QUALITY BOARD PROPOSAL

Councilman Aufman stated we are trying to make this proposal as simple as possible so that the people who come onto the Board will have a blueprint of what they need to do. He feels as if

we should define environment so that people know what we mean by environment. The classic definition is the sum total of our surroundings. Regarding item #2 it should say, "The function of the EQB is to recommend non-binding environmental issues and resolutions to Council. Town Council will approve any studies prior to the implementation of the study." This means they would meet and state which aspect of the environment they would like to study and then it would be open for discussion. Councilwoman Zachary stated the Environmental Quality Board that she is familiar with is a multi-functional Board as in if Council came to the EQB and stated that they have a problem with litter in their community, the EQB would get on that and then make some suggestions to what can be done. If Council likes the ideas it can then be instituted. If Zoning has a problem, they can also go to the EQB. The other way it can work is that the EQB could say they feel as if there is a problem with littering, they would then state how they would like to address the problem and ask for approval to do it. Councilman Aufman stated that is what that would say but Councilwoman Zachary disagrees and feels as if it narrows the scope to just Council and would like to see it function more broadly. Councilman Aufman stated we should try to make the wording clearer. Councilman Mertz feels as if we are overthinking this because they are their own Board and do their own thing just as long as they come to Council for approval.

Councilman Aufman also made another suggestion of "The EQB shall consist of seven members who are Town Residents and property owners. They are to be appointed by Town Council. Each ward will have one representative who must reside in the ward. The members shall serve a staggered four year term. One Councilmember and an alternate shall be appointed by the President of Council to serve as liaison to Council." Councilwoman Zachary respectfully disagreed with the wording of "property owner" and feels it is very exclusive. She stated that there are families with extended family and this wording limits it to who can be involved as well as there are many rental properties throughout the Town which would also be excluded. Councilman Aufman stated the reason he worded it this way is because when there are environmental projects, the expenses would fall to the property owner and he is trying to protect the homeowner from any unnecessary charges. Councilwoman Zachary stated that she disagrees because the Council can regulate what the EQB does and can nix any of that since it has no budget and it has no authority but merely is an advisory board to Council. There are no other committees that have property owner as part of the prerequisite so for consistency she feels as if just being a resident of the Town should be enough. Councilman McKim stated the qualification should be contingent on being a resident and not to being a property owner. Councilwoman Zachary asked if property owner was going to be taken out. A vote would not take place tonight.

Councilwoman Powers stated that she feels there should be at least one person from each ward to make up the committee that way if there are any problems within a particular ward that person would be familiar with the area. Councilman Mertz stated that he feels as if that would be the ideal situation but not a requirement in case you wouldn't have a person available from a particular ward. Everyone agreed that it is preferable to have one person from each ward and it should be added in #4 to say "preferably one member from each ward".

Mr. Brian Moreth, 919 Cumberland Road, asked if they would want a new resident or someone who has lived here a certain amount of time. He agrees with Councilman Aufman regarding #2 and thinks that it should state "The function of the EQB is to serve Town Council through consultation with Town Boards, Commissions and Authorities as needed." and drop the "on its own accord" to develop and initiate projects for approval by Town Council. This is serving Town Council and it should be under the constraints of Town Council and they should be able to identify where it is going. Councilman McKim stated that he believes that places the emphasis on where it needs to be. Councilwoman Zachary asked if the EQB could not initiate any projects on their own. Others did not read it that way and feel as if the EQB could still initiate their own projects as long as they bring them to Council before they implement them. The language will be tweaked to "The function of the EQB is to serve the Town Council through consultation with Town Boards, Commissions and Authorities to develop and initiate projects for approval by Town Council." Councilwoman Zachary stated that she would like it better if it stated to serve the citizens of McCandless and then with approval of Town Council.

Councilman McKim asked about #3 and suggested it be more generic to capture all. Mr. Cordek suggested changing it to say "through its Committee structure".

Councilwoman Zachary suggested in item #6 that it be more specific of when the election of Officers would take place. This will be changed.

Councilman LeDonne asked how this Board will interact with the North Hills Environmental Committee or does one supersede the other. Councilman Aufman replied that they are their own separate entity, have their own set of Officers and do their own thing that it is entirely separate. Councilman Mertz also pointed out that this Board is only for McCandless where the North Hills Environmental Committee includes other areas as well.

Councilman Aufman stated that this proposal will be redrafted and brought back next week.

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

Mr. Cordek stated since the last meeting Tucker Arensberg has made the revisions to this policy. The only change is in exhibit A #9 "Those appointed to position after May 1, 2016" it seemed as if we needed a fixed date.

Councilman McKim asked if a Council person could be appointed to a Board. Mr. Ries replied you could but not to a Commission and this does not include liaisons.

Mr. Moreth asked if electors should be changed to residents. Mr. Cordek stated that in some cases the Home Rule Charter does require it to be an elector. An elector is a person eligible to vote, over 18 years of age, no felony charges and a resident of the Town. In the synopsis of each Committee, Board and Authority it states clearly whether you have to be an elector or a resident. Mr. Ries stated it is okay as it is.

Councilman Aufman stated that this is set to vote on.

REVIEW OF DRAFT MEETING PROCEDURES POLICY

Mr. Cordek stated that the changes are shown in blue or double underlined from last month's meeting.

Councilman McKim asked if it needs to say resident and taxpayer. All of these are going to be changed to resident and/or taxpayer since both are permitted to speak. If you are a resident whether you pay taxes or not, you may speak and if you are a taxpayer whether you are a resident or not, you may speak per the law.

Councilman Walkauskas asked what it means when it states advertised regular or special meetings and if advertised means posted on the website. Mr. Ries replied that Public Meetings need to be advertised in the newspaper and not just the website. Mr. Cordek stated that every Committee, Business and Special Meeting has to be legally advertised.

Mr. Ries stated that at the Committee Meetings, Council would deliberate and discuss an item then open it up to the public for comment on anything that was before that committee then it would move onto the next committee. At the Regular Business Meeting, because of the Sunshine Act, you would have public comment first because if you wait until the end of the meeting nobody can comment on what you are going to vote on because the vote would already be over. Public comment should be at the beginning of the Business Meeting. Council needs to decide where they would like to cover the items that are not on the agenda. One suggestion is to cover it at the end of the Agenda Review Meeting and if a citizen has a concern that you would like to place on the agenda for the Business Meeting then you could do that. The other option would be to do it at the end of the Business Meeting. After the decision is made, it would be advertised and placed on the website so that people would be informed. This has nothing to do with the Committee Meetings and public comment can still be made at each Committee Meeting. This is so at least once a month, the public has an opportunity to come in and express anything they would like. Councilman Mertz stated that he feels as if comments should be done at the beginning of the meeting so that people do not have to sit around all night. Councilwoman Zachary feels as if the public should be able to speak after each topic is presented but prior to the vote. Mr. Ries stated that the public really has two chances to speak, once at the Committee Meetings and then again prior to the vote either at the Agenda Review Meeting or at the Business Meeting.

Mrs. Cindy Kirk, 198 Ridgeview Drive, stated that she has been attending a lot of Council meetings at various communities recently and this is the only place that runs their meetings this way. Everywhere else including the School Board meetings there is no interaction with the Board but you may leave documents. Typically a person gets 3 minutes to discuss any and everything they want to discuss, when their time is up the Board thanks them and the person then sits down. Some places will give you 5 minutes if you sign up 24 hours in advance. No questions get answered at the time of the meeting. If you have a question, you can send an email or call.

There was some discussion on how many times a person should be allowed to talk and for how long. Councilwoman Zachary feels as if everyone should be able to be heard and maybe if there is a crowded meeting we could limit people's times then. Mr. Ries replied that it has to be uniform and structured.

Mr. Mark Donatelli, 9753 Griffith Drive, stated that he was at a County Air Quality Meeting last week and if you are looking for Grant money you need to sign up six weeks in advance but your time is not limited. The Chairman was asked about the Sunshine Act and their response was if you would take it to court for 3 minutes then you are going to lose.

Mr. Martin stated that when you attend a Regular Business Meeting nothing is being done but a vote. The audience is asked about it but they don't know anything about it because it is three sentences for five pages of stuff and nothing is ever explained. He feels as if people need to be able to ask questions. Councilwoman Powers asked why he doesn't attend a Committee Meeting since that is where each topic is discussed. Mr. Martin's response was that he is not going to attend all of the meetings in a month that he has other stuff to do. Councilman LeDonne stated that if a person has an issue there are many ways to contact someone in the Town who can answer the question such as regular mail, email, McMail, landline phones, cell phones, computers, Town website, Town Crier, Town Newsletter, Town Calendar, PEG TV, newspaper, radio, TV, bulletin board and Town Meetings. Councilman McKim asked why they elect their Council person if they are not going to trust the person they elected in. He understands people are busy but how much education can one person be given.

Councilman Mertz stated if the minutes were videotaped and bullet pointed then placed on YouTube that would be helpful.

Mrs. Martin stated that she feels as if everyone should have to state why they voted the way they did. Councilman Mertz replied that there are times that they are not allowed to discuss why they voted the way they do.

Mr. Cordek stated that there is pre-decisional material, which is material that might be prepared by a staff member or the Town Attorney and Town Council last month determined that once Council has approved material it can then be placed on the website. The Committee Meeting Agendas are published regularly and if there is an item of interest to a person, that is where materials are presented to Town Council and material is given and where the Council decides if the topic will be placed on the agenda. The Committee Meetings are where all the work is done and the Business is the summary.

Regarding #5 and #6, this was discussed last meeting and the verbiage was given. The wording will be looked into along with Robert's Rules as well as combine #5 and 6.

Mr. Martin stated that he does not feel as if you should be able to talk if your name is not on the sign-up sheet. And he feels as the Town does not want to hear the public's comments or add their input per item #7.

Councilman Aufman stated the wording will be cleaned up and then will be discussed at the next Agenda Meeting.

PRESIDENT OF COUNCIL'S REPORT AND CORRESPONDENCE

Councilman Aufman stated that he had nothing further to report.

TOWN MANAGER'S REPORT

Mr. Cordek stated that there will be an open house that has been publicized for over 2 weeks here tomorrow April 19, 2016, in the Assembly Room at 5:00 p.m. to discuss the project at Pine Creek and Route 19 intersection. Representative Turzai's Office helped sponsor the project. There will be a representative or two from PennDOT, our Traffic Engineer who designed the project as part of their partnership with PennDOT, Mr. Betty as well as himself to answer any questions. There will be drawings as well as a projected image so people can see the detour plan and the improvements to be made and the traffic control plan for the specific accesses to the businesses around the Pine Creek Bridge.

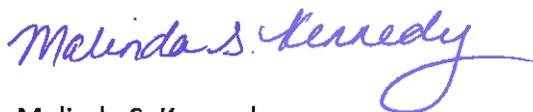
TOWN ATTORNEY'S REPORT

Mr. Ries stated in view of the hour, he would like to defer the item to the next meeting.

ADJOURNMENT

The meeting was adjourned at 10:35 p.m.

Respectfully submitted,



Malinda S. Kennedy
Building/Fire Marshal Administrative Assistant