



Borough of Bellevue

Borough Council Meeting Minutes

May 26, 2020, 7:00 pm
Via Zoom Teleconference

Call to Order

President Pennington called the meeting to order at 7:00 pm.

The call to order was followed by the Pledge of Allegiance and a moment of silence.

Roll Call

The roll was called to establish a quorum. Present were Mr. Stuncard, Ms. Sloane, Ms. Edmondson, Ms. Hause, Ms. Cerminara, Mr. Pritchard, Ms. Pikul, Mr. DiTullio, and President Pennington. A quorum was established.

Also, in attendance were Mayor Emily Marburger, Director of Administrative Services Cindy Bahn, Financial Services Administrator Andrea Contes, and Solicitor Matt Racunas.

Public Contribution on Agenda Items

- Linda Woshner, 137 S. Euclid Avenue: Spoke on her qualifications to serve as Borough Auditor, and asked for information about improvements to Gillott Park, delinquent tax penalties and interest charges for proposed delinquent tax collectors, and plans for 191 and 195 Dakota Avenue.
- Ryan Harrold, 638 Tingley Avenue: Spoke about a tax issue with Northgate School District.
- Olivia Townsend, 1023 Hamilton Avenue: Requested that Council consider children, especially children living in apartments, when deciding whether or not to reopen the pool.
- Sue Benaquista, 166 Davis Avenue: Asked what Borough is doing about property at 40 Kendall Avenue.
- Councilwoman Pikul expressed her concern about an opening in the S. Harrison where DPW was to have placed a metal plate for safety.
- Councilwoman Hause agreed with Ms. Townsend about the pool opening, especially as Allegheny County moves to the "Green Phase" under the Governor's COVID-19 reopening plan.

Consent Agenda

Items of business and matters listed under the Consent Agenda are considered to be routine and noncontroversial and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by Council Members, that item is to be identified and removed from the Consent Agenda, and will be considered separately at the appropriate place on the Agenda.

- a. Motion to Accept Minutes of the February 25, 2020 Council Meeting.
- b. Motion to Accept Minutes of the April 28, 2020 Council Meeting.
- c. Motion to Accept Minutes of the May 5, 2020 Finance Committee Meeting.
- d. Motion to Accept Minutes of the May 5, 2020 Parks and Recreation Committee Meeting.
- e. Motion to Accept Minutes of the May 5, 2020 Public Safety Committee Meeting.

- Moved: Ms. Sloane Second: Mr. Pritchard
All voted in favor of the motion. Motion carried, 9-0.

- b. Ratifying the Online Vote to Purchase, at a Cost Not to Exceed \$20, and Fly Rainbow Flags in Bayne Park and Memorial Park in Recognition of Pride Month, Observed in the Month of June.

Moved: President Pennington

Second: Mr. Stuncard

Discussion: Ms. Pikul expressed her concern that the Borough is going down a slippery slope. The Solicitor noted that the rainbow flag is flown over other government buildings, and there has not been a court case as a result; he went on to state that Council has the right to do this. Mr. Pritchard asked if the Borough would get requests from other organizations and the Solicitor responded that someone could make the argument, but that Council's decision is defensible. President Pennington noted that anyone can bring a lawsuit, and that it wasn't a group requesting that the Borough fly the flag, but a Council Decision. Ms. Hause stated that she doesn't understand why there was an emergency email vote taken on the decision, and that other groups could point out that Council spent money on this, but not on their issue. Mayor Marburger responded that it was a timing issue, and she wanted to be able to have the flags flown June 1, the start of Pride Month, so they needed to be ordered in time. Mr. Stuncard asked where they would be flown and the Mayor stated that they would be flown at Bayne Park and the Borough Building, or perhaps just at the latter.

Aye: Ms. Edmondson, Ms. Sloane, Mr. Stuncard, Mr. DiTullio, Ms. Cerminara, Ms. Pikul, Ms. Hause, President Pennington

Nay: Mr. Pritchard

Motion carried 8-1, with no abstentions.

Public Works Committee:

- a. Motion to Accept the Bid from Jet Jack, Inc. in the Amount of \$293,077.50 for the 2020 Sewer Lining Program

Discussion: Borough Engineer Ben Gilberti reported that this project will be paid out of the sewer fund, with 85% of the cost covered through an Alcosan GROW grant.

Moved: Ms. Edmondson

Second: Ms. Pikul

All voted in favor of the motion. Motion carried, 9-0.

- b. Motion to Authorize the Advertisement of Bids for the 2020 Paving Program in an Amount Not to Exceed \$250.

Moved: Ms. Edmondson

Second: Mr. DiTullio

All voted in favor of the motion. Motion carried, 9-0.

- c. Motion to Accept the Proposal from HRG Engineering to Provide Engineering Services for a Manhole Installation Project at a Cost of \$35,570.00, Inclusive of Reimbursable Expenses.

Moved: Ms. Edmondson

Second: Mr. DiTullio

All voted in favor of the motion. Motion carried, 9-0.

Resolutions:

- a. Adopting Resolution 06-20 Appointing DAS Cindy L. Bahn as the Borough's Right to Know Officer.

Moved: Mr. Pritchard

Second: Ms. Cerminara

All voted in favor of the motion. Motion carried, 9-0.

- b. Adopting Resolution 07-20 Authorizing Drawing of Warrants by the Council President and the DAS/Secretary for Refunds of Real Estate Taxes.

Moved: Mr. DiTullio

Second: Ms. Hause

All voted in favor of the motion. Motion carried, 9-0.

Unfinished Business

a. Status of 2020 Memorial Park Pool Opening

Discussion: President Pennington stated that it's not a good idea for public health reasons, logistics around the work that needs to be done. He suggested keeping it closed and getting the pool in serious good order and noted that chlorine won't keep people from bumping into each other. Ms. Pikul agreed, and stated that Council should make a decision at this meeting. Ms. Hause responded that the pool should open; Council should not worry about what other communities are doing and that there is no way to police people 24/7. She went on to state that most deaths related to COVID-19 are in the elderly who won't be using the pool. Ms. Hause suggested taking users' temperatures as they enter, closing the locker rooms, providing more hand sanitizer, and making announcements over the PA system. She expressed her disappointment that concrete information about needed repairs are not yet available in May. Ms. Edmondson pointed out that Council agreed to follow state and local guidelines, but wondered about the extent of repairs and what it would cost for additional staff to monitor for safety. She stated that it's not fiscally responsible to open. Mr. Stuncard stated that even if there was a cure for the coronavirus now, he would vote "no" as its fiscally irresponsible. Ms. Pikul noted that when the 2020 budget was prepared, the pool was already budgeted at a loss, which would be increased if it were to open. Ms. Cerminara concurred that Council needs to make a decision at this meeting so that people know what to expect. Mr. Pritchard stated that Council knew about the water leak last year, and are now using it as an excuse not to open the pool. He further stated that if there are budgetary concerns, the pool loses money every year. Ms. Cerminara agreed. Ms. Sloane wondered how the Borough would handle the number of users coming from other communities, and about the challenge of obtaining personal protective equipment, cleaning materials, and additional staff. President Pennington reported that even if the leaks could be fixed in 24 hours, it would still take several weeks to get the pool ready for use. Mr. DiTullio stated that he didn't understand the confusion about the leak, as DPW or Matt Mertz could fix a spot for \$5,000-\$10,000 and it could be \$30,000 to repair the whole pipe. He went on to note that the pool needs to be painted, at a cost of \$10,000. Ms. Hause stated that there are ways to patrol people, that tickets could be sold in advance, and that attendance could be limited to residents of the Northern Boroughs.

Motion: Close the Memorial Park Pool for the 2020 Season

Moved: Ms. Pikul

Second: Ms. Cerminara

Aye: Mr. Stuncard, Mr. DiTullio, Ms. Sloane, Ms. Cerminara, Ms. Edmondson, Ms. Pikul,
President Pennington

Nay: Ms. Hause, Mr. Pritchard

Motion carried 7-2, with no abstentions.

b. Status of 2020 Pavilion Rentals

Discussion: Mr. Pritchard suggested the Borough follow CDC recommendations as the County will be moving to "Green" status soon. Mayor Marburger agreed with Mr. Pritchard, especially as it pertains to Memorial Park, with numbers limited per "color" guidelines and a caution that renters are using at their own risk. Ms. Pikul agreed, as did Mr. Stuncard. DAS Bahn noted that there would not be water because of the pipe leaks, which also rules out public restrooms. She asked about bringing in porta-potties. Ms. Cerminara suggested that the pavilions be opened on a limited basis with a limited number of people, but did not agree with the use of porta-potties as they would be a greater source of contamination.

Motion: Open Memorial Park Pavilions for Rentals, with the Caveat that Users Will Not Have Access to the Pool, Water, Public Restrooms, or the Park, and That Rentals are at the Users Own Risk.

Moved: President Pennington

Second: Ms. Pikul

Aye: Mr. Stuncard, Ms. Edmondson, Mr. Pritchard, Ms. Sloane, Ms. Pikul, Ms. Hause, Ms., Cerminara.

Nay: Mr. DiTullio, President Pennington

Motion carried 7-2, with no abstentions.

c. Street Sweeping

Discussion: Mayor Marburger recommended that the Borough not enforce parking restrictions for street sweeping at this time because there are not enough places for residents to move their cars. She suggested that residents be encouraged to pick up trash that might otherwise clog storm sewers. Ms. Hause questioned the amount of the fines at \$12 or \$15 and suggested that they be lowered. Ms. Cerminara stated that once the County moves to green, it will be more feasible to enforce, and suggested alternating enforcement by wards. President Pennington stated that it would be hard for people to keep track of a rotating system and suggested that enforcement be suspended indefinitely. Mr. Pritchard suggested not enforcing, but that Lincoln and any streets that Public Works are able to are swept. Ms. Hause recommended setting a date for enforcement. President Pennington responded that no date has to be set and that an indefinite suspension of enforcement be implemented.

Motion: Suspend Street Sweeping Enforcement, Including Fines, in 2020.

Moved: Ms. Pikul

Second: Mr. Stuncard

All voted in favor of the motion. Motion carried, 9-0.

d. Delinquent Tax Collector Proposals

DAS Bahn reported that she had not yet spoken with Jordan Tax Service, but would have information for the June Finance Committee meeting.

e. Applications for DPW Superintendent

DAS Bahn noted that the Borough Engineer, Ben Gilberti, and Avalon Borough DPW Superintendent Dave Haslett would be participating in first round interviews with candidates.

f. Tax Revenue

Mr. Prichard asked if the Borough Treasurer had any update on expected shortages, and Mr. Scioscia responded that he did not.

g. Sewer Issues

Mr. Gilberti explained that the proposal to install manholes is intended to open up areas of the sewer so that the Borough can line them. When asked about the scope of the 2020 program, he responded that he had sent the map to the Solicitor, and that one is around Straw Avenue. Mr. DiTullio stated that the pipe on Straw Avenue is substantial and asked whether the sewer fund will run out before Straw Avenue is repaired. Mr. Gilberti responded that the manhole is 35 feet deep on Straw Avenue, and that the plan is to make it more shallow so that a future, larger project on Straw Avenue is cheaper to do.

New Business

a. Discussion: In-Person Council Meetings

President Pennington stated that he would not show up until coronavirus cases are much lower. Ms. Pikul suggested that Council meeting live, and that public participation could be done through

Zoom. Ms. Cerminara stated that the meeting would go faster, and that a limited number of seats could be set up in Council Chambers, or the meeting could be streamed via Facebook. The Solicitor stated that the legal issue is the limit of 25 people in a public gathering. He warned Council to be careful of First Amendment issues. Mr. Stuncard stated that he had no interest in returning to live meetings at this time. Ms. Hause responded that she wants to meet in person, as she is able to go to Home Depot and Giant Eagle. Mr. Pritchard noted that at his job, people are meeting in smaller groups, and that the risk is low if everyone wears masks. Ms. Sloane stated that she is not yet ready to make a decision. Ms. Cerminara stated that unless Council is unanimous, the status quo should be maintained out of respect for others' concerns. This issue will be revisited at future meetings.

Public Contribution on Non-Agenda Items

- Linda Woshner, 137 S. Euclid Avenue: asked how leaves will be picked up and suggested that Council monitor the sewer defects identified as 4s and 5s – if they were rated so in 2012, they will be worse now. Thanked DAS Bahn for the timeliness of minute transcription.
- Joe Scioscia, 256 Lincoln Avenue: Stated that Allegheny County Health Department will be releasing new guidelines for public pools, and expressed disappointment that Council ignored residents' religious beliefs in deciding to fly a rainbow flag in recognition of Pride Month.

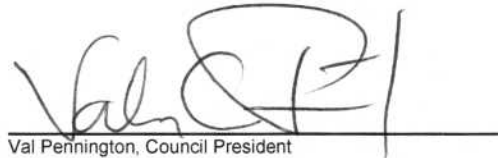
Adjournment

There being no further business, President Pennington adjourned the meeting at 9:37 pm.

ATTEST



Cindy L. Bahn, Director of Administrative Services/Secretary



Val Pennington, Council President

