

BOROUGH OF CHURCHILL
2300 WILLIAM PENN HIGHWAY
PITTSBURGH, PA 15235

Minutes of Meeting

December 11, 2012

The regular monthly meeting of the Borough of Churchill was held in the Municipal Building on Tuesday, December 11, 2012 and was called to order by Robert L. Ferry at 7:30 p.m. Mr. Ferry led the audience in the Pledge of Allegiance. Members present included Mrs. Pantlik, Messrs. Lepidi, Kline, Dworin and Jurewicz. Ms. McAbee was absent. Also present were Mayor McKenna, Robert W. Goehring, Police Chief Allen Park, and Donna Perry. Mr. Duerring was absent.

MINUTES – There was a motion made by Mr. Jurewicz and seconded by Mr. Kline that the minutes of the Regular Meeting held November 13, 2012 be approved as previously presented. The motion was unanimously approved.

MAYOR – There was a motion by Mr. Dworin and seconded by Mr. Lepidi to accept the report. The motion was unanimously approved.

MANAGER & FIRE DEPARTMENT REPORTS – Mr. Robinson stated the Fire Department had 16 calls for the month bringing the year-to-date total to 163. Dick Staudt, a life member of the Fire Department, passed away recently. He owned Staudt Automotive on Brown Avenue for many years.

Grinding of the leaves, to create the compost for distribution next June, is scheduled for the next couple days.

There was a motion by Mr. Lepidi, seconded by Mr. Kline and unanimously approved by Voice Vote that these reports be accepted and filed.

REAL ESTATE TAX COLLECTOR – Mr. Robinson reported that real estate taxes collected at face were \$2,804.29, plus penalties of \$280.42, for a total of \$3,084.71. The balance collectable is \$28,487.87.

TREASURER'S REPORT – Mr. Robinson read the following report for the month of November, 2012. It showed the following:

<u>CHECKING ACCOUNT</u>	<u>BEGINNING BANK BALANCE</u>	<u>RECEIPTS</u>	<u>O/S CHECKS AND DISBURSEMENTS</u>	<u>Dec. 11, 2012 ENDING CASH BALANCES</u>
REGULAR ACCOUNT	990,945.76	256,858.78	361,559.35	886,245.19
CAPITAL RES. ACCT.	158,419.62	10.39	-0-	158,430.01
ROAD & HIGHWAY	87,128.51	9,546.08	19,081.38	77,593.21
SEWAGE AGENCY FUND	85,478.41	118,960.09	74,470.91	129,967.59
SPECIAL ACCOUNT	12,483.42	0.49	-0-	12,483.91
POLICE PENSION FUND	3,324.92	3,427.52	6,752.44	-0-
EMPL. PENSION FUND	840.76	840.76	1,681.52	-0-
WELFARE BENEFIT	840.73	-0-	-0-	840.73
EMPL. SEC. 457 D.C.P.	-0-	1,900.00	1,900.00	-0-

There was a motion by Mrs. Pantlik, seconded by Mr. Jurewicz and unanimously approved by Voice Vote to accept the Treasurer's Report for the month of November and have it reproduced in the minutes.

**EARNED INCOME TAX
DEED TRANSFER**

DELINQUENT REAL ESTATE TAX – Mr. Robinson reported that the Earned Income Tax Collector had collections of \$33,970.96 for the month of November.

Deed Transfer Tax collection totaled \$3,324.65 for the month of November.

Jordan Tax Service collected delinquent real estate taxes in the amount of \$1,433.07 for the month of November.

There was a motion by Mr. Lepidi, seconded by Mr. Dworin and unanimously approved that the reports be filed.

LISTEN TO VISITORS – Joan Gottlieb of 2310 Marbury Road had two items to discuss from last month's meeting. She felt the projected increase in the amount of future Alcosan bills were somewhat exaggerated. We do have to be cautious. However, even with the EPA mandates to Alcosan she felt they have always been sensitive and responsive to the taxpaying residents.

She also stated that in general the consensus about recycling is that it is an economically and environmentally effective way to rid the waste stream increases that we are getting into the landfills. She would like to see everyone pull together and educate the residents to do the best job to implement what Council had voted for. Perhaps we can even be a model community to our sister communities who have been recycling for two decades.

Chief Park reported there was a transition to the Allegheny County 911 radio system. Equipment was upgraded at a cost to the Borough of approximately \$16,000. He extended kudos to Council for budgeting this expenditure. There was some delay in getting all of the surrounding communities on board due to lack of funds.

The Police Department participated in a successful Buckle-up Program and several tickets were issued. This program was funded by a state program and no costs were incurred by the Borough. Mr. Ferry questioned the streets that were monitored for this program and the Chief replied that it was performed throughout the whole Borough.

2013 SEWER BUDGET - Before Mr. Lepidi read the Sewer Budget he explained that this budget has been read in the past at the same time as the regular budget hearing. He further explained that the reading of the Sewer Budget is not a legal requirement. The surcharge for next year will remain the same as this year at \$3.50/1,000 gallons of water, but can be adjusted at anytime as necessary. In addition, the timeframe to comply with the Consent Order for next year's projects was also read.

7:45 pm – BUDGET HEARING – Mr. Ferry announced that the regular meeting would be recessed to hold a Public Hearing on the proposed 2013 Budget since it was publicly advertised. Mr. Lepidi stated he would read the budget, but Council decided not to vote on it due to Judge Wettick's extension ruling yesterday that enables municipalities to delay adopting their budget until January 31, 2013 due to the County's reassessment process. Mr. Lepidi stated the millage rate is 4.32 and he proceeded to read the budget figures which remained unchanged from the first reading in November. The Borough cannot increase real estate tax revenue more than 5%. It is unlikely that we will receive the projected figure in real estate tax revenue. This is due to the valuation of the Westinghouse property that increased from \$22,500,000 to \$67,500,000 and the higher figure had to be used in determining the millage rate. One of the reasons Council decided to remove the garbage expenditure from the budget was to help balance it because of the high likelihood that the Westinghouse property will be drastically reduced.

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Jim DiPerna of 1616 Branning Road spoke on behalf of the Republican Party. He questioned why there was a \$600,000 surplus that was not included in the 2013 budget. Mr. Ferry stated that \$72,000 is in the Road and Highway Account that has specific uses and the remainder consists of \$361,000 in the Regular Account and \$158,000 in the Capital Reserve Fund. Because of the uncertainty of the valuation of the Westinghouse property, the Borough could potentially be \$200,000 short in the General Fund for next year. Mr. Ferry further stated that a Borough our size should maintain \$300,000-\$400,000 in expected cash by the end of the year, not including the Road and Highway Account that cannot be used for other emergencies. Solicitor Goehring stated part of the reserve is required under the County Assessment Act because of the 2012 real estate tax appeal taken by the owners of the former Westinghouse property. Twenty-five percent of the amount reasonably in dispute must be segregated and not used by the Borough. The assessed value at the time of sale was 22,500,000. The sale price at auction of 135 acres of the site was \$900,000 creating a difference of \$21,000,000. This creates an approximate decrease of \$100,000 in revenue. When you realistically review the numbers, the Borough doesn't have a huge reserve over and above what the Department of Community Affairs indicates as a responsible number.

A discussion also ensued regarding borrowing money for a tax anticipation note versus borrowing for a cash flow problem.

Mr. Lepidi stated he does not support the budget. The new garbage fee has in effect imposed a one mill tax increase, under the prior assessment, on our residents. He does not feel the fee is necessary.

Mr. Jurewicz stated the new garbage rate is actually lower than it was this past year.

END OF PUBLIC HEARING

RE-OPEN REGULAR MEETING – Mr. Ferry declared the regular meeting reconvened for business.

3 YEAR AUDIT AGREEMENT – There was a motion by Mrs. Pantlik, seconded by Mr. Kline and unanimously approved by Roll Call Vote to adopt Resolution No. 4249 to reappoint Hosack, Specht, Muetzel & Wood LLP to perform the annual audit for the years 2012, 2013 and 2014.

ADVERTISEMENT OF 2013 MEETING DATES – There was a motion by Mrs. Pantlik, seconded by Mr. Kline and unanimously approved by Roll Call Vote to authorize the Borough Secretary to advertise the 2013 meeting dates.

ADVERTISE THE 2013 PROPOSED BUDGET IS AVAILABLE FOR INSPECTION – There was a motion by Mr. Jurewicz, seconded by Mr. Lepidi and unanimously approved by Roll Call Vote to authorize the Borough Secretary to advertise that 2013 Proposed Budget is available for inspection.

ADVERTISE AN ORDINANCE FIXING A REVENUE NEUTRAL TAX RATE – There was a motion by Mr. Jurewicz, seconded by Mrs. Pantlik and unanimously approved by Roll Call Vote to authorize the Borough Secretary to advertise the intent to adopt an ordinance fixing a revenue neutral tax rate for 2013.

ADVERTISE AN ORDINANCE FIXING A FINAL TAX RATE – There was a motion by Mr. Jurewicz, seconded by Mr. Dworin and unanimously approved by Roll Call Vote to authorize the Borough Secretary to advertise the intent to adopt an ordinance fixing a final tax rate for 2013.

ADOPT AMENDED GARBAGE ORDINANCE – There was a motion by Mr. Dworin, seconded by Mr. Jurewicz to adopt amended Garbage Ordinance No. 715. Mr. Ferry stated the ordinance was refined to include some items such as recycling, new fees, the ability to subcontract through the hauler to handle the billing of the fees, and penalties for non-payment of fees. Mr. Jurewicz noted that the last ordinance was enacted in 1993 and we are simply modernizing some of the language.

Mr. Lepidi felt there has been no consensus on this whole process and felt things were done backwards. He further felt that Council should have opted to elect the pay as you throw program. In support of this, he stated that Hempfield Township in Westmoreland County, has a pay as you throw program for non-recyclables. He indicated that his mother, who is a resident of Hempfield, has had no problems with the system – she simply calls the hauler and orders tags, which they mail to her and bill her. Mr. Lepidi showed a tag. In addition, he indicated that the city of Jeannette, also in Westmoreland County, has recently adopted a pay as you throw program. Mr. Lepidi indicated that he felt a pay as you throw program is the most fair since people would pay based on the amount of the trash they generated. He also felt that this would encourage both voluntary recycling and a reduction in the amount of trash generated.

Mr. Ferry expressed his opinion that the process we chose was proper and within legal limits.

Mr. Jurewicz stated the Committee did consider pay as you throw and cited the following for choosing not to elect this process:

PayT

- Recycling program

- Good in theory, difficult in practice
- Per unit variable rate incentive program
 - Over 20 yrs of testimony
 - FH-2007 commissioned a study-38 page
 - Churchill bid specs 5 yrs ago did not address
- HH pay according to how much LF trash disposed
 - Recycling container –no cost
 - Yard waste-no cost
- Municipalities with total automated refuse services
 - Size LF container
 - 35,65 95
- Otherwise-Manual
 - Tag system
 - Tags for every container, every item
 - Xmas tree-tag, bag grass clippings-tag, little tykes toy-tag
 - etc
- We considered it-
 - Fair scale 5/5
 - Simple scale 0/5
 - Some concerns with “dumping neighbors trash
- Hybrid system-90 gallons
 - Tags for extras
 - No sig cost savings
 - \$10.50 hybrid vs. \$10.95 UL

Our system-IL landfill, automated blue bin bi-weekly recycling

- If you currently recycle, we hope that you will embrace the bi-weekly automated single-stream service. If you presently discard all of your household waste into the landfill, we hope that will consider utilizing this voluntary program.
- I am optimistic that our community can adapt their habits.

Mr. Dworin also noted that the Committee did due diligence on investigating the pay as you throw system and they did the best job possible on deciding the type of recycling program.

A Roll Call Vote was then taken for adopting Ordinance No. 715 to amend the Garbage Ordinance as follows: Dworin-yes, Jurewicz-yes, Pantlik-yes, Kline-yes, Lepidi-no and Ferry-yes. The motion passed by majority vote.

RE-APPOINT ROGER GLUNT TO THE ZONING HEARING BOARD – There was a motion by Mr. Kline, seconded by Mr. Dworin and unanimously approved by Roll Call Vote for the adoption of Resolution No. 4250 to re-appoint Roger Glunt to the Zoning Hearing Board for a three-year term to end December 31, 2015.

RE-APPOINT RICHARD KELLY, JR. TO THE PLANNING COMMISSION – There was a motion by Mr. Kline, seconded by Mr. Jurewicz and unanimously approved by Roll Call Vote for the adoption of Resolution No. 4251 to re-appoint Richard Kelly, Jr. to the Planning Commission for a five-year term to end December 31, 2017.

RE-APPOINT JOAN GOTTLIEB TO THE VACANCY BOARD – There was a motion by Mr. Kline, seconded by Mrs. Pantlik and unanimously approved by Roll Call Vote for the adoption of Resolution No. 4252 to re-appoint Joan Gottlieb to the Vacancy Board for a one-year term to end December 31, 2013.

APPROVE A TAX ANTICIPATION NOTE – There was a motion by Mr. Lepidi and seconded by Mrs. Pantlik to adopt Resolution No. 4253 to approve a Tax Anticipation Note. Roll Call Vote was as follows: Dworin-yes, Jurewicz-yes, Pantlik-yes, Kline-no, Lepidi-yes and Ferry-abstained. Motion passed by majority vote.

PAY THE BILLS – Mr. Robinson read the bills for the month and they totaled \$643,497.97. There was a motion by Mr. Dworin, seconded by Mr. Jurewicz and unanimously approved by Roll Call Vote for the adoption of Resolution No. 4254 to pay the bills.

AROUND THE TABLE – Mayor McKenna informed that Cal Stuckman who served on Council passed away recently. He said he was a very nice gentleman and a well known philanthropist who left a large sum of money to Penn State University. The Mayor also wished everyone Happy Holidays.

Mr. Dworin wished Happy Holidays to all denominations of faith.

Mr. Jurewicz also wished everyone a Happy Sparkle Season. He informed The Green Team Initiative is moving forward.

Mrs. Pantlik stated the Photo Contest is underway until March 1, and she is hoping to get more photos in especially from the youth age group. The Wine Tasting is upcoming in January. She also heard that the River City Brass Band is moving to Beulah Presbyterian Church, but Mayor McKenna heard they were moving to the Blackridge Civic Association. Mrs. Pantlik said she would try to get a clarification to put the information into the next newsletter.

Mr. Kline wished everyone a Merry Christmas and Happy Holiday.

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Mr. Robinson thanked his staff comprised of Sandy, Donna and Ralph, along with Council, for their support and help throughout the year. He is looking forward to having a good New Year and wished everyone Happy Holidays.

Solicitor Goehring had kind words for former Councilman Stuckman and further stated Churchill has been very fortunate to have many people over the years to serve on Council.

Mr. Lepidi made a comment about Joan Gottlieb's earlier comments regarding Alcosan and he hopes she is right. He stated he was surprised to learn the largest municipal bankruptcy in the United States is not one of the many going on in California, but rather in Jefferson County, Alabama due to the cost of complying with the consent order. It was also due to the municipal bonds they issued. He also wished everyone Happy Holidays.

Mr. Ferry thanked all of Council for all the work they have done throughout the entire year. He also thanked Mr. Robinson and the staff for a great job.

ADJOURN – There was a motion duly made and seconded to adjourn the meeting until January 7, 2013 at 7:00 p.m.

CRAIG A. ROBINSON
SECRETARY