Homestead Borough Council
Legislative Session

August 19, 2021
6:00 PM

Call to Order

Roll Call

President Dais	X	Vice President Cunningham	On Phone
Rev. Benton	X	Mr. Borcik	X
Minister Burwell	X	Mrs. Burwell (6:13 pm)	ABSENT
Ms. Nesby	X	Mayor Esper	XS
Borough Manager	VACATION	Solicitor, S. Dalfonso	X
Police Chief Desimone	VACATION	Fire Chief Eads	
Code Enforcement	X	Public Works	
Engineering, L. Hemphill	X		

Pledge of Allegiance

Department Reports

- Police Chief's report
  - Report was made on 8/12/2021
- Fire Chief's report
  - None
- Mayor's report
  - None
- Engineering
  - Written report given to Council
  - CD47 – Street Reconstruction of W. 12th Avenue bids to be opened on 9/16/21
  - CD48 – Pre-application due on 9/10/2021 what to apply for:
    - Add complete 10-year paving plan
    - Demolitions of abandoned properties
    - Fishing Pier grant matching funds
  - Maple &17th Avenue – closest to West Street – there is a dip that may cause damage to cars
- Building Code
  - Included in packet
- Parking
  - Included in packet
- Public Works

Public Comment – Items on the Agenda

Mr. and Mrs. Jiles – 108 E. 12th Avenue – property next door: who's the owner and what the owners is going to do; want it to be torn down; 112 E. 12th multi-unit needs torn down; she wants the property owner; East Oak Way; complained about the tax collector not being in office.

Mrs. Kay Stewart – spoke about her life changing after the Giant Eagle Pharmacy incident with the Chief; she spoke about how the incident impacted her family and how it could have been a very different, dangerous situation; she talked about her 5 year old who loved police officers but now is traumatized by them and think all officers are bad; Not sure why officer decided to flash his lights and call for back-up, when the police car pulled in front of her, she was not sure what to do; she has not been able to sleep; officer did not think it through during a time when we are trying to build relationships with each other nor was the Chief's attitude becoming of an officer; she would like to see officers to have their mental state reviewed at various times, a code of conduct for the officers and a community outreach program between the officers and the community.

- A resident asked her what this was about after she was done speaking and she detailed the 8/12/2021 incident that happened while she was waiting in the Giant Eagle Pharmacy drive thru involving Homestead Borough's Police Chief, Jeffrey Desimone.
- Mr. Borcik stated, "35 minutes", "35 minutes"

Andre Ellis – 235 E. 8th Avenue – spoke about the Chief and his attitude toward community members. Mr. Ellis was asked to not speak any further about this and they were moving on.

Mr. Stewart – husband of K. Stewart – he stated that if he had been at the incident, he probably would not be standing there; the officer turning on his lights was a way to intimidate, and we do not need this type of behavior; it should be investigated and looked at very deeply to help move community forward; he is worried about stress on an unborn child.

Agenda Items:

1. Motion to suspend employee #129 for 3 days without pay. (Personnel matter).

Motion: Mr. Cunningham **Second: Mr. Borcik**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES, with comment
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	NO, with comment	Mayor Esper	

Motion passes: 5 – 0 – 1 ABSENT

Comments by Council: Ms. Nesby votes NO because she was looking for something harsher; Mr. Borcik votes YES but with the statement that he was looking for something lighter as it was his first time.

2. Motion to approve August 2021 bill list - **$368,815.03.**

Motion: Min. Burwell **Second: Rev Benton**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 5 – 1 -1 ABSENT

Comments by Council: Mayor Esper wants to know why there is no budget and if "it had been us, you would have been all over us; she makes $66,000, why don't we have a budget? Mr. Borcik said that we do not have a corrected budget why has there been no punishment put on her; would like an updated budget at the next meeting; he answered the Mayor's question of why no budget, with "incompetence, that's why". Council President stated that he will address it with the Borough Manager as she is not present, and they will have a budget at the next meeting.

3. Motion to approve actual July 2021 payroll: **$121,710.91**.

Motion: Min. Burwell **Second: Mr. Cunningham**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	NO	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	NO	Mayor Esper	

Motion passes: 4 – 2 -1 ABSENT

NOTE: Per 7/15/2021 meeting, the prior month actual payroll is to be voted on in the following month.

4. Motion to approve the RuthRauff to repair the air conditioners in the Homestead Volunteer Fire Department building located 212 E. 9th Avenue for a total of $3,357.00 to include the following repairs:
    a. Clean the coils as they are packed with dirt - $962.00
    b. Leak check circuit, repair or evaluate if system needs replaced, add gas if repairable - $1,565.00
    c. Install new motor, fan wheel and capacitor, and check unit for more issues - $830.00

Motion: Mr. Borcik **Second: Min. Burwell**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

5. Motion to approve July 8, 2021, and July 15, 2021, meeting minutes.

Motion: Ms. Nesby **Second: Min. Burwell**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT

Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

6. Motion to advertise for bid to repair roof damage at 221 W. 7th Avenue.

Motion: Ms. Nesby **Second: Min. Burwell**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

7. Motion to approve a quote for the projector to match the existing system in Council Chambers.

Motion: Mr. Borcik **Second: Ms. Nesby**

President Dais	NO	Vice President Cunningham	NO
Rev. Benton	NO	Mr. Borcik	NO
Minister Burwell	NO	Mrs. Burwell	ABSENT
Ms. Nesby	NO	Mayor Esper	

Motion fails: 0 – 6 – 1 ABSENT

8. Motion to solicit bids for the projector to match the existing system in Council Chambers and include provision for a camera and You Tube channel so meetings can be viewed by the public at all times.

Motion: Mr. Cunningham **Second: Mr. Borcik**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

9. Motion to pay for local share of 19- GEDF -041, West Street Reconstruction project, in the amount of $286,482.70, made payable to Steel Rivers COG, after the grant share of $100,000. Total project cost: $386,482.70; contractor: Mele & Mele & Sons.

Motion: Mr. Borcik **Second: Ms. Nesby**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

10. Motion to pay for local share of CD46-3.10.4, McLean Playground Drainage Improvements Phase 2, in the amount of $3,741.00, made payable to Steel Rivers COG, after the grant share of $75,000. Total project cost: $78,741; contractor: Jet Jack, Inc.

Motion: Mr. Borcik **Second: Min. Burwell**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

11. Motion to amend the 2021 fee schedule to add a 20% surcharge to usage only on sewage accounts that utilize the Sewage Pump Station.

Motion: Min. Burwell **Second: Ms. Nesby**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

Comments by Council: VP Cunningham stated that this surcharge is to cover extra expenses of the pump station.

12. Motion to propose solicitor to review and advertise an ordinance for Communications Systems in Public Right of Way.

Motion: Mr. Borcik **Second: Ms. Nesby**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

Comments by Council: Solicitor explained that is an amendment to a current ordinance that will give the Borough to stop small towers from popping up in locations that are not conducive to the Borough.

13. Motion to approve the purchase of a Dell PowerEdge T340 Server for the Homestead Police Department in the amount of $2,850 from David Davis Communications to bring the Department into CJIS compliance and replace an old server that is soon to be obsolete.

Motion: Ms. Nesby **Second: Mr. Cunningham**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

NOTE: This is being purchased from David Davis as they provide all the IT services and maintenance currently for the Borough. Also, the software system that the HPD uses, Tupper, will be defunct effective 2023 and a new system will need to be utilized. David Davis will do the necessary upgrades to the server at a reduced rate.

14. Motion to approve the Lamperd Less Lethal Instructor Course, 3-year instructor training certification, for 2 Homestead Police Officers in the amount of $800.00 held by EJC Security Services, Inc.

Motion: Ms. Nesby **Second: Mr. Borcik**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

Resolution

Resolution 2021-10: A resolution of the Borough of Homestead, County of Allegheny, Commonwealth of Pennsylvania, adopting an amendment to the Steel Valley Authority's Articles of Incorporation to decrease the number of the members per municipality of the Board of Directors of the Authority.

Resolution 2021-10: Steel Valley Authority amendment to decrease Board of Directors

Motion: Mr. Borcik **Second: Ms. Nesby**

RECORD OF COUNCIL VOTES				
COUNCIL MEMBER	**AYES**	**NAYES**	**ABSTAIN**	**ABSENT**
President Don Dais	X			
Vice President Lloyd Cunningham	X			
Rev. Louise Benton	X			
Mr. Drew Borcik	X			
Min. Connie Burwell	X			
Mrs. Jou'Al Burwell				X
Ms. Mary Nesby	X			
Mayor Betty Esper				

Resolution 2021-09 passes: 6 – 0 – 1 ABSENT

Public Comment – General Information NOT on the Agenda

Robin Guy- spoke about the Giant Eagle Pharmacy incident/police issue

Mr. Borcik had questions about the Public Works storage shed, he wanted to know when it will be complete, there is no door, and the concrete is poured will not allow the door to close, what

are we going to do: either allow him to finish or revoke the bond and get our money back.? Council President said the latter.

15. Mr. Borcik, I make a motion to revoke the bond and get our money back for construction of garage storage shed that we have been waiting for months.

Motion: Mr. Borcik **Second: Mr. Cunningham**

President Dais	NO	Vice President Cunningham	NO
Rev. Benton	NO	Mr. Borcik	NO
Minister Burwell	NO	Mrs. Burwell	ABSENT
Ms. Nesby	NO	Mayor Esper	

Motion passes: 0 – 6 – 1 ABSENT

16. Mr. Borcik, I make a motion to empower the Solicitor to revoke the bond of the person who built the storage shed and did not complete it.

Motion: Mr. Borcik **Second: Mr. Cunningham**

President Dais	YES	Vice President Cunningham	YES
Rev. Benton	YES	Mr. Borcik	YES
Minister Burwell	YES	Mrs. Burwell	ABSENT
Ms. Nesby	YES	Mayor Esper	

Motion passes: 6 – 0 – 1 ABSENT

Public Comment – Continued - General Information NOT on the Agenda

Connie Portis – has been coming to meetings for last four years and have sent suggestions to the previous Borough Manager and the current one on communicating to the residents regarding the public meetings; tax payers should know how their tax dollars are being spent; the robocall should be used to remind people on the meeting dates; Borough not reaching out to residents; comment on Mrs. Stewart's incident, it is dangerous for the Borough not to put out a statement regarding it.

- The Solicitor stated that it was under his legal guidance that Council did not release a statement.
- Ms. Nesby responded that she too has been to many meetings and people don't come out, and we cannot force their hands to do so. Ms. Nesby and Mr. Borcik said they agree with the use of the Robocall. Mr. Dais responded that robocalls do go out, but only to those that choose to give the Borough office's their telephone numbers. The Mayor stated that people are not interested in coming to meetings.

Andre Ellis – has heard and seen the Chief cuss people out; should get something harsher than 3 days without pay, that's a vacation; someone with that kind of power should know how to use it.

- Ms. Nesby told Mr. Ellis that there are policy and procedures that must be followed and does not allow for comments by the Borough or Council; Mr. Borcik stated that there were extenuating circumstances that the public does not know.

Duane Schulte – stated that children are throwing bricks at house on McClure and to please let the police department know to possible increase the patrols up there.

- Mr. Borcik state that there are enough cops now and Mr. Cunningham said to please let the residents know to call 911 anytime this happens.

Ms. Parms informed the residents that there is information on what is happening in the Borough in many places. There is information on the table in front of Council Chambers to sign-up for the robocalls and the e-newsletter. Information is posted on Facebook, the Homestead Borough website, and on the electronic board in front of the Borough Building. She always asks residents that come into the Building if they would like to be added to the robocall.

Adjournment
Motion: Ms. Nesby **Second: Mr. Borcik**
All in Favor

NEXT MEETING DATES

Zoning Board	Planning Commission	HARB	Work Session/Caucus	Legislative Session
8/25/2021	8/25/2021	9/01/2021	9/9/2021	9/16/2021
6:00 pm	7:00 pm	7:00 pm	5:00 pm	6:00 pm

Approved

September 16, 2021
Date

Vanessa McCarthy-Johnson
Borough Manager

Don Dais
Council President