

**BOROUGH OF BRENTWOOD
AGENDA
October 28, 2019 - REGULAR MEETING MINUTES
7:30 PM**

As part of Brentwood's continuing efforts to promote a Transparent Government as well as environmentally friendly initiatives, copies of the Reports, Bills, Resolutions and Ordinances will be provided on the Borough Web Site. www.brentwoodboro.com - As always, a description of the Agenda Items will be provided via the Council Fact Sheet.

Note: Minutes will be provided on the web site once they are officially approved.

Executive Session: 7:00 PM

1. Call to Order.

Called to order at 8:34PM.

2. Pledge of Allegiance.

3. Roll Call.

Member	Present	Absent	Member	Present	Absent
Mr. Carnevale	X		Ms. George	X	
Mr. Schubert	X		Mr. Frombach		X
Mr. Doyle	X		Mr. Smith	X	
Dr. Pasquantonio	X		Mayor Troy	X	
Solicitor	X		Manager Zboyovsky	X	

4. Comments on Agenda Action Items Only. Please limit remarks to three minutes.

Eugene Werner, 4328 Brownsville Road, commented on three items. Questioned the applicability of Item 8C, and Mr. Doyle responded that this motion applies solely to the Recreation Director. Asked if, under Item 9A, eligible residents will be able to receive funds under the Shared Cost Sidewalk Restoration Program, and Manager Zboyovsky responded affirmatively. Asked why Item 12B is necessary given the well-funded state of the Borough's pension funds, and Manager Zboyovsky replied that it is good fiscal practice to periodically adjust assumptions relative to market conditions.

5. Communications.

a. Requests for Borough Policies

The Borough received requests for a copy of its Shared Cost Sidewalk Restoration Policy from Oakmont Borough, as well as from Wyalusing Borough in the northeastern part of the state.

- b. Request for Rental Ordinance

The Borough received a request for a copy of its rental ordinance from the Carnegie Police Department. One of their officers performs certain code enforcement duties, and he indicated that Brentwood is "the model community when it comes to operating a rental program."

6. President's Report – Mr. Harold Smith

- a. Series of 2019 General Obligation Bond - Update

On October 24, 2019, the Borough refinanced \$7,585,000 worth of General Obligation Bonds. By refinancing, the Borough will achieve a net savings of \$181,508. \$157,633 of this savings will be realized in 2020. The yield of the bond issue is 2.275072%

The reason for the receipt of this favorable rate is not only due to the current market but also, according to the Standard & Poors Global Ratings, due to the Borough's financial stability and it's AA- Credit Rating.

The S&P Global Ratings report indicated the following factors that worked in the Borough's favor:

- *Adequate economy*
- *Strong Management, with good financial policies and practices as defined under the S&P Financial Management Assessment methodology;*
- *Strong budgetary performance, with operating surpluses in the general fund and at the total governmental fund level in fiscal 2018;*
- *Adequate debt and contingent liability position, with debt service carrying charges at 7.0% of expenditures.*
- *Strong institutional framework.*

The closing for this bond will take place on or around December 3, 2019.

7. Mayor's Report – Mr. Dennis Troy

No report.

8. Administrative and Finance Committee – Mr. John Frombach

Mr. Carnevale commented on the bond refinancing. Asserted that the Borough should only close on the bond if the savings are invested for future use. Manager Zboyovsky responded that he will propose to adjust the budgetary assumptions to show these additionally revenues being transferred to the Operating Reserve Fund.

- a. Consider Resolution No. 2019-63: Agreement with Digital Assurance Certification LLC to provide Disclosure-Dissemination Agent Services associated with current bond issues in the annual filing fee of \$1,500 to be paid from Capital Improvement Fund Line Item 18 471-314 Legal Services [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2019-63, which authorizes the Borough to enter into an Agreement with Digital Assurance Certification LLC to provide Disclosure-Dissemination Agent Services associated with the Borough's current bond issues in the annual fee of \$1,500, which is to be paid from Capital Improvement Fund Line Item 18-471-314 Legal Services.

Mr. Smith asked for clarification on the agreement. Manager Zboyovsky responded that the US SEC has recently tightened its scrutiny of the annual bond filings from municipal entities. The Borough's bond underwriting recommended contracting with this firm to protect the Borough from liability.

Motion By: Jennifer George

Second By: AJ Doyle

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider adopting Resolution No. 2019-64: Borough Manager Agreement [ACTION ITEM]
Mr. President, I move to adopt Resolution No. 2019-64, which renews the employee agreement for the Borough Manager for the period of January 1, 2020 to December 31, 2021.

Motion By: Jennifer George

Second By: Rich Schubert

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- c. Consider Resolution No. 2019-66: Amendment to Personnel Manual for Holiday Policy [ACTION ITEM]
Mr. President, I move to adopt Resolution No. 2019-66, which amends Section 14.2 of the Brentwood Borough Personnel Manual to provide holiday compensation to part-time, non-union, supervisory-level employees.

Motion By: Jennifer George

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- d. Consider authorizing the Borough Manager to enter into a Healthcare Plan for the Borough Employees [ACTION ITEM]

Mr. President, I move to authorize the Borough Manager to enter into a an agreement with Benecon Group to provide a Healthcare Plan for the Borough Employees.

Mr. Carnevale asked if the proposed healthcare renewal rate represents the best possible rate that can be achieved while ensuring that all employees are covered by the same plan. Manager Zboyovsky responded affirmatively but reminded Council that the contractual negotiations with the police department have not yet been finalized.

Motion By: Jennifer George

Second By: AJ Doyle

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- e. FYI - 2020 Budget Update

Mr. President, as you are aware, the General Fund and Capital Improvement Fund proposed budgets were presented during the October 14th Budget Workshop.

The General Fund Revenues and Expenditures are balanced at \$8,871,000. This represents a 2% decrease from 2019.

There is no tax increase included in the budget for 2020. A ten-year budgetary projection was also completed. Based upon an analysis of economic conditions and revenue streams, it is anticipated that the Borough can fund operations and improvements without any tax increase for at least the following four-year period.

The Borough's fiscal health is demonstrated by a proposed \$200,000 transfer to the Operating Reserve Fund, which complements an \$172,000 transfer made this year.

Proposed Capital Improvement Fund revenues and expenditures are estimated at nearly \$6,000,000. This does not include the costs associated with the construction of the new Borough Building, which is approximately \$4.5 million.

The second and final Budget Workshop is scheduled for Tuesday, November 12th at 6PM. At this public meeting, an initial review of the Borough's enterprise funds will be conducted. These funds include the Sanitary Sewer Fund, the Park Fund, the Borough Building Fund, and the Highway Aid Fund.

9. Public Works Committee – Ms. Jennifer George

- a. Consider Resolution No. 2019-62: Multimodal Transportation Fund Grant Application for Marylea Ave Sidewalks [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2019-62, which authorizes the Borough to apply for a \$193,025 grant through the PennDOT Multimodal Transportation Fund to assist with the reconstruction of sidewalks and curbs along Marylea Avenue.

Mr. Carnevale questioned if this grant award would allow the Borough to fill in all remaining gaps in the Marylea Avenue sidewalk system, and Manager Zboyovsky responded affirmatively.

Motion By: Jennifer George

Second By: AJ Doyle

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

10. Zoning and Ordinance Committee – Mr. Rich Schubert

- a. Consider advertising for two open seats on the Brentwood Planning Commission [ACTION ITEM]

Mr. President, I move to advertise for letters of interest for two open seats on the Brentwood Planning Commission.

Motion By: Rich Schubert

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider Ordinance No. 2019-1283: Amendments to Short-Term Rental Section of the Brentwood Zoning Ordinance [DISCUSSION ITEM]

Mr. President, the Zoning & Ordinance Committee has reached consensus on a draft ordinance pertaining to the regulation of short-term rental units and would like to present this draft for discussion by the entirety of Council.

Asst. Manager Pecon presented the results of the Z&O Committee's discussions on this topic. Mr. Schubert indicated that, although he supports the change due to a believe that short-term rental units will likely be better maintained than traditional rental properties, he retains reservations regarding the effect of a stream of transient visitors on a neighborhood. Mr. Smith and Mayor Troy asserted that this alteration would increase the likelihood that a rental property would be transformed into a party house. Mr. Doyle indicated that the Committee also considered a less permissive version of the ordinance and that, based upon the lack of consensus, the alternative draft will be presented for review.

- c. FYI- Zoning & Ordinance Committee will meet with Cohen Law Group Regarding the

Telecommunications Ordinance

Mr. President, the Zoning & Ordinance Committee will meet with attorneys from the Cohen Law Group to review the proposed amendments to the telecommunications ordinance. The Committee has discussed a 3PM meeting time, and a representative of this firm have confirmed availability for Monday through Thursday of next week.

11. Parks and Recreation Committee – Mr. Pat Carnevale

- a. Consider Work Authorization from _____ for Geotechnical Inspection Services associated with the construction of the new Bath House in the not-to-exceed amount of \$_____ to be paid from the Capital Improvement Fund Line Item 18-452-313 Engineering Services

Manager Zboyovsky reported that further discussions will take place with Gateway Engineers regarding a potential revision to the scope. A work authorization will be presented for the November budget meeting.

12. Public Safety Committee – Mr. AJ Doyle

- a. Consider Resolution No. 2019-65: Police Chief Agreement [ACTION ITEM]
Mr. President, I move to adopt Resolution No. 2019-65, which renews the Employment Agreement for the Chief of Police.

Mr. Carnevale asserted that it is unlawful for Chief Zeppuhar to be employed as an officer under the Civil Service Regulations but to serve as chief in an at-will capacity.

Motion By: AJ Doyle

Second By: Robert Pasquantonio

Ayes: Doyle, George, Pasquantonio, Schubert, Smith

Nays: Carnevale

President: "Motion Passed"

- b. Consider revising the Police Pension Plan Actuarial Assumptions for the 2019 Actuarial Valuation [ACTION ITEM]
Mr. President, upon the recommendation of Mockenhaupt Benefits Group, I move to revise the Police Pension Plan Actuarial Assumptions for the 2019 Actuarial Valuation by lowering the inflation assumption from 3.0% to 2.75% per year and by lowering the interest rate assumption from 7.5% to 7.25% per year.

Motion By: AJ Doyle

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

13. Community Affairs Committee – Dr. Robert Pasquantonio

- a. FYI- Brownsville Road Tree Planting

FYI- Mr. President, after the Borough was successful in receiving a grant to plant 40 trees in Brentwood Park, the Shade Tree Commission has learned that its complementary application to the TreeVitalize program has also been funded. The organization is requesting the help of volunteers to replace 11 street trees along Brownsville Road near Sankey Avenue. The planting will take place on November 16th at 9AM.

- b. Consider Resolution No. 2019-67: Buy Brentwood Campaign [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2019-67, which authorizes our annual "Buy Brentwood" campaign. I would like to encourage all residents to consider shopping locally during this holiday season. In celebration of Small Business Saturday, this resolution also authorizes the Chief of Police to cover the parking meters to provide free parking on Brownsville Road on November 29th & November 30th.

Motion By: Robert Pasquantonio

Second By: AJ Doyle

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

14. Special Committees

None.

15. Old Business

Mr. Carnevale reiterated his contention from last week's meeting regarding the advertised amendment to the police pension plan. Asserted that the case law cited in the Pension Board solicitor's opinion letter is irrelevant to the proposed cost-of-living increase. Repeated his belief that this amendment should have been negotiated through the police collective bargaining agreement.

- a. Consider Work Authorization from The Gateway Engineers for Additional Site Inspection Services associated with the construction of the new Municipal Building in the not-to-exceed amount of \$8,000 to be paid from Line Item 19-409-313 [ACTION ITEM]

Mr. President, I move to approve the Work Authorization from The Gateway Engineers for Additional Site Inspection Services associated with the construction of the new Municipal Building in the not-to-exceed amount of \$8,000, which is to be paid from Borough Building Fund Line Item 19-409-313: Architectural/Engineering Services.

Jenn Slagle, Gateway Engineers, explained that the primary reason for this work authorization is to account for costs expended to redesign the stormwater retention tank after encountering a water line in the original proposed location. Mr. Schubert questioned if the need for the alteration was due to poor coordination; Mr. Slagle responded that PA American Water did not identify the line during the One Call process and that it was necessary to react immediately so as not to further delay this project.

Motion By: Rich Schubert

Second By: AJ Doyle

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

16. New Business

None.

17. Public Comment

None.

18. Adjournment

Adjourned at 8:33PM.

Motion By: AJ Doyle

Second By: Robert Pasquantonio

Ayes: Carnevale, Doyle, George, Pasquantonio, Schubert, Smith

President: "Motion Passed"

Respectfully submitted,

Eric Peccon
Assistant Manager