

**BOROUGH OF BRENTWOOD
MINUTES OF THE REGULAR MEETING OF COUNCIL
AUGUST 24, 2010**

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EXECUTIVE SESSION: President Wenzel stated Council met in Executive Session personnel, contractual and recent litigation issues were discussed. No votes were taken.

1. Call to Order. The Regular meeting of the Council of the Borough of Brentwood was called to order by President Wenzel at 7:30 P.M., on Tuesday, August 24, 2010 in Council Chambers.

2. Pledge of Allegiance. The Pledge of Allegiance was recited by all in attendance.

3. Roll Call: The following answered roll call Ms Janice Boyko, Mrs. Catherine Trexler, Mr. Mario Richards, Mr. Charlie Johnson, Mrs. Ann Schade, Mr. Clyde Zimmerman and Mr. David Wenzel.

Also present: Mayor Kenneth E. Lockhart, Manager George Zboyovsky, Solicitor Thomas Ayoob, III, Police Chief Robert Butelli, Public Works Supervisor Robert Mackewich, Building Inspector Ralph Costa and Administrative Assistant Mary Lou Garase.

Absent: Police Chief Robert Butelli.

4. Presentation – Mr. Bill Asay, Mockenhaupt Benefits Group, came before Council and gave a summary report on the Pension Plans.

5. Public comment on Agenda Items Only – Please try to limit remarks to 3 minutes.

a. Mr. Pat Carnevale, Shadewell Ave., came before Council regarding the following:

- Item No. 10.i Consider payment of the bills from July 17, 2010 through August 13,2010 from the Non-Police Uniform Pension Fund in the amount of \$2,351.68.
- Item No. 10.j Consider payment of the bills from July 17, 2010 through August 13, 2010 from the Police Pension Fund in the amount of \$19,150.83.
- Item No. 10.m Consider authorizing the Borough Manager and Borough Solicitor to negotiate an agreement with IN Community Magazine to publish a quarterly magazine for the Borough of Brentwood.
- Item No. 12. f Consider adopting Ordinance No. 1192, Amending in Limited Part Section 180 Article VI – Snow and Ice Removal.

6. Communications. Manager Zboyovsky said no report.

7. Department and Borough Managers Reports:

a. Public Works Department – Public Works Supervisor Robert Mackewich read the Public Works Supervisor’s Report for the month of July 2010.

Mr. Johnson thanked the Public Works employees for their assistance and support at the Brentwood Park Initiative Community Day event.

Mayor Lockhart stated Check Way was recently repaired and the large equipment has damaged the alley. Mr. Mackewich stated he will contact the contractor. LISTEN

b. Building Inspector’s Report – Building Inspector Ralph Costa read the Building Inspector’s Report for the period of July 26, 2010 through August 20, 2010.

Mr. Johnson requested Mr. Costa go to the Brentshire Village Apartments and check the site for violations, debris, etc. Mr. Johnson said it looks like a dumping ground. Mr. Costa stated the owner was cited by the District Magistrate on several violations today; but, he did not attend the Hearing.

c. Engineer’s Report – Manager Zboyovsky reported on the following:

- Brownsville Road Paving Project
- Willowhaven Drive Re-construction Project
- Stormwater Phase II Compliance (MS4 Annual Permit)
- SHACOG – Manhole Rehabilitation Grant
- Consent Order
- Feasibility Study
- 2011 Annual Presentation from Gateway (September 2010)

d. Police Chief’s Report – In the absence of Police Chief Robert Butelli, Mayor Lockhart read the Police Report for the period of July 26, 2010 through August 20, 2010.

e. Solicitor’s Report – Solicitor Ayoob said no report.

f. Borough Manager’s Report – Manager Zboyovsky reported on the following:

- 2010 Budget Process/Public Schedule
- Borough Building Feasibility Study (Review existing plans)
- FEMA Grant
- Employee Policy Manual
- Pension Audit
- Public Safety Meeting (Sept. 2, 2010 – 12 Noon)
- Joint Borough Council/School Board Meeting (Aug. 31, 2010)

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- Delinquent Tax Collection

8. President's Report – President Wenzel said no report.

9. Mayor's Report – Mayor Lockhart said no report.

10. Administrative and Finance Committee – Ms Janice Boyko

M-1 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Minutes of the July 20, 2010 Agenda meeting as submitted. ALL AYES.

M-2 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Minutes of the July 27, 2010 Regular Council meeting as submitted. ALL AYES.

M-3 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Minutes of the July 27, 2010 Strategic Planning Meeting as submitted. ALL AYES.

M-4 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Minutes of the August 10, 2010 Strategic Planning Meeting as submitted. ALL AYES.

M-5 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council accept the Treasurer's Report for the period ending July 31, 2010 as submitted.

President Wenzel said Mr. Richards you voted against this at the last meeting. President Wenzel questioned Mr. Richards and said if something is wrong with the Treasurer's Report you should share it with us.

A ROLL CALL VOTE WAS TAKEN: Mrs. Trexler, AYE; Mr. Richards, NAY; Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, AYE; Mr. Wenzel, AYE. 6 AYES. 1 NAY. President Wenzel said, "Motion carried."

M-6 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from July 17, 2010 through August 13, 2010 from the General Fund in the amount of \$412,172.51.

A ROLL CALL VOTE WAS TAKEN: Mr. Richards, NAY; Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, AYE; Mrs. Trexler, AYE; Mr. Wenzel, AYE. 6 AYES. 1 NAY. President Wenzel said, "Motion carried."

M-7 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from July 17, 2010 through August 13, 2010 from the Sanitary Sewer Fund in the amount of \$33,936.35.

A ROLL CALL VOTE WAS TAKEN: Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, AYE; Mrs. Trexler, AYE; Mr. Richards, NAY; Mr. Wenzel, AYE. 6 AYES. 1 NAY. President Wenzel said, "Motion carried."

M-8 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from July 17, 2010 through August 13, 2010 from the Capital Improvement Fund in the amount of \$23,203.00. ALL AYES.

M-9 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from July 17, 2010 through August 13, 2010 from the Non-Uniform Pension Fund in the amount of \$2,351.68. ALL AYES.

M-10 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from July 17, 2010 through August 13, 2010 from the Police Pension Fund in the amount of \$19,150.83. ALL AYES.

M-11 Motion by Ms Boyko, seconded by Mrs. Schade and duly carried that Council adopt Resolution No. 2010-60, Disposition for Destruction of Specific Records, "A RESOLUTION OF THE BOROUGH OF BRENTWOOD ALLEGHENY COUNTY, PENNSYLVANIA, FOR THE DESTRUCTION OF SPECIFIC RECORDS." ALL AYES.

M-12 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council join the Local Government Academy's Leadership Circle at the Gold level for the amount of \$500.00. ALL AYES.

M-13 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council authorize the Borough Manager and Borough Solicitor to negotiate an agreement with IN Community Magazine to publish a quarterly magazine for the Borough of Brentwood. ALL AYES.

M-14 Motion by Ms Boyko, seconded by Mr. Zimmerman and duly carried that Council authorize the purchase of a Dynex 46-inch Class/1080p/60Hz/LCD HDTB and Peerless Universal Flat Panel TB Cart not to exceed \$1,200.00 total. (Costs should be \$597.99 for the Television and \$388.00 for the stand.) ALL AYES.

M-15 Motion by Ms Boyko, seconded by Mr. Zimmerman and duly carried that Council adopt Resolution No. 2010-61, Establishing Borough Panel of Physicians, "A RESOLUTION OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY AND COMMONWEALTH OF PENNSYLVANIA, APPOINTING BRENTWOOD BOROUGH'S PANEL OF PHYSICIANS." ALL AYES.

11. Public Works Committee – Mrs. Trexler

M-16 Motion by Mrs. Trexler, seconded by Mr. Zimmerman and duly carried that Council accept the Public Works Supervisor's Report for the month of July 2010 as submitted. ALL AYES.

M-17 Motion by Mrs. Trexler, seconded by Mr. Zimmerman and duly carried that Council accept the bid of \$51.40 per ton for Rock Salt bulk delivered, picked-up at the mine or storage area, from Morton International, Inc., as submitted to the SHACOG Purchasing Alliance for its bid opening on July 12, 2010 and enter into a contract with Morton International, Inc., for the supply of Rock Salt. ALL AYES.

12. Zoning and Ordinance Committee – Mrs. Schade

M-18 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council accept the Building Inspector's monthly report for the period of July 26, 2010 through August 20, 2010 as submitted. ALL AYES.

Mrs. Schade stated the Zoning Hearing Board meeting is tomorrow. August 25, 2010 at 8:00 P.M., in Council Chambers. Re: For a Special Request concerning a vehicular Service Establishment on Dewalt Avenue (previously Bell Auto Parts)

Mrs. Schade stated there is no Planning Commission meeting scheduled in August.

M-19 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council adopt Ordinance No. 1190, Amending in Limited Part Chapter 148, Nuisances, AN ORDINANCE OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY COMMONWEALTH OF PENNSYLVANIA, AMENDING, IN LIMITED PART, CHAPTER 148 OF THE CODE OF THE BOROUGH OF BRENTWOOD REGARDING NUISANCES" which raises the amount of the fine from \$600, plus costs of prosecution to \$1,000 plus costs of prosecution. ALL AYES.

M-20 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council adopt Ordinance No. 1191, Amending in Limited Part Chapter 162, Property Maintenance, "AN ORDINANCE OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING, IN LIMITED PART, CHAPTER 162 OF THE CODE OF THE BOROUGH OF BRENTWOOD REGARDING PROPERTY MAINTENANCE" which establishes the fines and penalties for violations of the International Property Maintenance Code as adopted by the Borough of Brentwood. (Note: Fines of \$1,000 plus costs of prosecution.) ALL AYES.

M-21 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council adopt Ordinance No. 1192, Amending in Limited Part Section 10 Article VI, Snow and Ice Removal, "AN ORDINANCE OF THE BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY, COMMONWEALTH OF PENNSYLVANIA, AMENDING, IN LIMITED PART, CHAPTER 180 OF THE CODE OF THE

BOROUGH OF BRENTWOOD REGARDING SNOW AND ICE REMOVAL” to require the removal of snow and ice from privately owned roads and parking lots by the owner, and to increase the penalty for violations from \$600 to \$1,000. ALL AYES.

13. Park and Recreation Committee –Mr. Johnson

Mr. Johnson gave an update on the Brentwood Park Initiative Community Day events. Mr. Johnson said there was a nice response; however, the movie in the park was held in the Civic Center due to the weather.

M-22 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council approve the request from the Brentwood Area Soccer Association for the use of the Brentwood Stadium for their Fall 2010 Season. ALL AYES.

14. Public Safety Committee – Mr. Zimmerman

M-23 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council accept the Police Chief’s Report for the period of July 26, 2010 through August 20, 2010 as submitted. ALL AYES.

M-24 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council authorize the advertising for bids for the 2005 Ford Crown Victoria, four door sedan, white, with 89,310 miles, inspected to 4/20/2011. ALL AYES.

Mr. Zimmerman stated the Allegheny County Property Assessment Department will be in the Brentwood area conducting field reviews. The representatives will have identification and will not need access into the homes.

Mr. Zimmerman read the Brentwood EMS Report.

Mr. Zimmerman said there is no Library Report and no report from the Brentwood Volunteer Fire Department.

15. Special Committees –

ALOM - Mr. Johnson stated the ALOM Fall Conference will be September 30, 2010 through October 3, 2010.

PSAB – Mrs. Trexler said no report.

EDS – Mrs. Trexler stated the meeting will be on Thursday to consider the hiring of an Executive Director.

CONNECT – Mr. Johnson reported he attended the meeting and there are five (5) on-going Connect Initiatives:

- EMS Funding
- Public Interest at the Route 51 Corridor

- Emergency Lighting (Street Lights)
- Water Infrastructure
- Sewer Infrastructure

SHACOG – Mrs. Trexler stated she was out of town and was unable to attend the meeting.

Ms Boyko stated the Route 51 Corridor meeting will be held on Wednesday at the Civic Center at 9:30 A.M. The meeting is open to the public.

16. Old Business – None.

17. New Business – None.

Mr. Johnson said we had an incident in the park someone threw chairs and a table into the pool. Also, during the Community Day event, a picnic table was turned over and burnt. We pay for these repairs; and for the over time hours worked. The Borough pays for this! The parents of the children will pay for destroying the public property.

Mrs. Schade stated maybe the Borough should have the children do community service and the parents pay for the damages.

18. Public comment – Please try to limit remarks to 3 minutes.

- a. Ray Nowicki, Hillson Ave., came before Council regarding the PAWC excavation/restoration at Hillson Avenue at Pary St.

Public Works Supervisor Robert Mackewich stated the restoration date from the PAWC is the first or second week in September. Manager Zboyovsky, Mrs. Trexler and Mr. Costa will monitor this restoration project.

- b. Gary Wilson, Sceneridge Ave., came before Council regarding the PAWC not connecting his waterline to the newly installed waterlines. Mr. Wilson said he is concerned about the condition of the road and damage to his property. Public Works Supervisor Bob Mackewich said he will contact PA One Call to get information on this.

c. Pat Carnevale, Shadewell Ave., came before Council regarding the following:

- Item No. 12.d Consider adoption of Ordinance No 1190, Amending in Limited Part Chapter 148-Nuisances.
- Item No. 12.f Consider adoption of Ordinance No. 1192, Amending in Limited Part section 180 Article VI – Snow and Ice Removal
- Roethlisberger Grant (K-9)
- Smoking and Littering in the park.
- Meadowbrook Boulevard (Meter parking)

Mr. Richards stated he read the Code and he thinks the meters should be removed. President Wenzel questioned Mr. Richards on what he read? Specifically, what did you read? Mr. Richards stated it is my opinion that the meters should not be there.

Mr. Carnevale continued:

- D.R.O.P.

Manager Zboyovsky said he has the information; however, Mr. Carnevale is required to fill out the Right-To-Know Form. Manager Zboyovsky said he is not sure if he can release that information. There are certain restrictions you have to comply with and the Right-To-Know Form is the law.

Mr. Carnevale continued:

- Safety Committee – (Union approval)

Solicitor Ayoob stated we addressed this at the last meeting.


d. Luke Erny, Sceneridge Ave., came before Council regarding the following: PAWC excavation at Hillson and Pary Street. Install a “Stop” sign at the intersection to slow the traffic for the safety of the children in the area. .

President Wenzel stated you cannot install “Stop” signs to slow traffic. President Wenzel will contact Chief Butelli and inform him of the vehicles speeding in the area.

President Wenzel said Council will check this out. Council recently passed the Traffic Calming Device Ordinance. If it meets the criteria of a stop sign, we will take care of it. Mr. Erny said several children use the Pary Steps to go to the high school.

M-25 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried to adjourn the meeting at 8:50 P.M. ALL AYES.

Respectfully submitted,



Mary Lou Garase
Administrative Assistant