

**BOROUGH OF BRENTWOOD
MINUTES OF THE REGULAR MEETING OF COUNCIL
TUESDAY, NOVEMBER 23, 2010**

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EXECUTIVE SESSION: President Wenzel stated an Executive Session was held on Wednesday, November 10, 2010 for two and one half hours. Personnel issues were discussed and no votes were taken.

EXECUTIVE SESSION: President Wenzel also stated an Executive Session was held this evening prior to this meeting. The discussion was personnel issues and 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 David Wenzel at 7:30 P.M., on Tuesday, November 23, 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: Mr. Clyde Zimmerman, Mrs. Catherine Trexler, Mr. Mario Richards, Mr. Charlie Johnson, Mrs. Ann Schade and Mr. David Wenzel.

Also present: Mayor Kenneth E. Lockhart, Borough 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: Ms Janice Boyko due to illness.

President Wenzel wished everyone a Happy Holiday!

At this time, Mayor Kenneth Lockhart swore in Police Officer Matthew Immekus and Police Officer Joshua Scott. The Mayor and Council congratulated the new officers.

4. Communications – Manager Zboyovsky reported he received several thank you calls regarding the purchase of the street sweeper and commended the Public Works Department employees for doing a good job.

- 5. Public comment on Agenda Items Only** – Please try to limit remarks to 3 minutes.
- a. Pat Carnevale, Shadewell Ave., came before Council regarding the following:
 - Item No. 12.b Consider Resolution No. 2010-69, CITF Grant Application Concurring Resolution
 - Item No. 13.b Consider advertising Ordinance No. 2010-1193, Revisions to DROP Provision

Mr. Richards questioned if we have an officer in the DROP Program? Manager Zboyovsky said yes.

Solicitor Ayoob stated, "The Labor Counsel reviewed this and suggested the change needs to be made and we proceeding under the advisement of the Labor Counsel. It is my understanding that all this does is making your ordinance consistent and compliant with Act 51 which was recently adopted."

6. Department and Borough Manager Reports:

a. Public Works Department. Public Works Supervisor Robert Mackewich read the Public Works Supervisor's Report for the month of October 2010.

At this time several Council members questioned Mr. Mackewich regarding the following:

Mr. Richards:

- Christmas electrical decorations along Brownsville Road (Not all lights on the decorations are lit)
- Street Sweeper Schedule – Get message to residents (Newsletter)
- Swimming Pool – Leak

Manager Zboyovsky stated he is in the process of contacting professionals to check this out.

Mrs. Trexler:

- Street Sweep Schedule – Sweeper interfering with school traffic. Please place the sweeper schedule on the web site.
- Streets Run Road is open – Less traffic on Brownsville Road

b. Building Inspector. Building Inspector Ralph Costa read the Building Inspector's Report for the period of October 25, 2010 through November 19, 2010.

Mayor Lockhart questioned Mr. Costa regarding the signage for the fire department. Mr. Costa stated they need to come to me for a permit.

Mrs. Trexler questioned Mr. Costa regarding the property at 2717 Brownsville Road. Mr. Costa stated the HVAC on the roof was replaced; we reviewed the plans and did a final inspection of the equipment on the roof. Mr. Costa said that PNC Bank is closing.

c. Engineer – Mr. Zboyovsky reported on the following:

- 2010 Sanitary Sewer Project
- SHACOG – Lining Project

- Storm Water Compliance
- SHACOG Manhole Rehabilitation Project
- Consent Order Feasibility Study

d. Police Chief. Police Chief Robert Butelli read the Police Chief's Report for the period of October 20, 2010 through November 17, 2010.

Mr. Zimmerman questioned Chief Butelli regarding the installation of a stop sign at the intersection of East Bellecrest Avenue and Elroy Avenue. Chief Butelli said a traffic study plan was submitted by Officer Meisel and recommended five locations for stop signs to be installed. Chief Butelli said he believes that intersection is addressed in the report.

Chief Butelli said the Brentwood Police Department will receive the Platinum Award for participation in the following programs: DUI, Aggressive Drivers and Smooth Operators.

Mayor Lockhart stated commended Chief Butelli for aggressively looking for seminars and classes for the officers to attend.

e. EMS Report. Ms JoAnne Cook, EMS Director, read the EMS Report for the month of October 2010. Mayor Lockhart questioned Ms Cook on the percentage of residents that subscribe to the EMS Subscription Drive. Ms Cook said approximately 25% of the residents enrolled; Ms Cook explained the purpose and advantage of the subscription drive, a backup insurance plan. Mayor Lockhart requested this be placed in the newsletter. President Wenzel said the residents should check their health insurance plan to make sure the insurance plan covers ambulance service.

f. Solicitor Report. Solicitor Ayoob said no report.

g. Manager's Report. Manager Zboyovsky reported on the following:

- 3 Rivers Wet Weather
- Southern Basin Meeting
- Upgrade of the current phone system
- Western PA Conversancy - Borough limit illegal dumping in that area
- Telephone Pole need repaired/replaced by Duquesne Light
- Finalized/edited 2011 Budget
- Finalized CITV Grant Application
- Finalized the Personnel and Operating Procedures Manual
- Library Board Meeting – Discuss Library Building Operations.
- Route 51 Corridor Meeting
- Local Government Academy – Hosting Networking Event
- Streets Run Road opens this evening.
- Utility Coordination Software (ENVISTA & CURB)

- Joint Council/School Board meeting – (No meeting unless for an emergency issues)

7. President's Report. President Wenzel said no report.

8. Mayor's Report. Mayor Lockhart wished everyone a Happy Thanksgiving. Mayor Lockhart questioned Public Works Supervisor Mackewich if PA American Water Company will seal the excavation site at Hillson Avenue and Pary Street. Mr. Mackewich said yes.

Mayor Lockhart said he researched the use of an IPAD and decided it would be a good tool/investment for the Mayor to conduct Borough business at his fingertips. Mayor Lockhart questioned Manager Zboyovsky if he has money in his budget? Manager Zboyovsky said yes, you have money for office supplies.

President Wenzel stated before IPADS are issued we should have a policy in place. Mayor Lockhart stated he is the first Mayor to have a computer, the IPAD would eliminate the papers for the weekly packets, the agenda packets and other papers for meetings.

President Wenzel questioned Solicitor Ayoob should we have a policy in place for the issue of these IPADS, it is a valuable item. If they are broken, stolen, damaged or lost, who is responsible?

Solicitor Ayoob said it is a Council decision. Whether or not the Mayor is entitled to an IPAD, if the Mayor wants a computer and it's not a specific line item in the budget, and it's a purchase that the Borough Council would have to vote on and have the necessary votes to approve. If the Borough Council also wants to have a Policy and Procedure, like you suggest, then Borough Council would have to adopt the Policy and Procedure, vote on it and approve it; and that can happen at any time before or after the purchase of the IPAD. It is ultimately up to Council; all purchases are up to Council.

President Wenzel said that is my feeling on this and it should be discussed. It is a responsibility that we have for tax payers dollars. We will put restrictions on it, for Borough use only! We do need a policy, we have a policy for every other item in the Borough; we should have a policy.

Mr. Johnson questioned the cost of the IPAD? Mayor Lockhart said approximately \$500.00. Mr. Johnson said you will use this only for Borough business? Mayor Lockhart said yes, that's all I'm looking for. Mayor Lockhart said tonight we had changes on the agenda, I would be able to go into the IPAD and make the changes, no paper involved. Mr. Johnson said if you get the IPAD you don't get any paper? Mayor Lockhart said yes, there is no paper.

President Wenzel said that is what I want in the policy, if you choose the IPAD, everything communicated to you would be on an IPAD and not paper. President Wenzel said I would like to have a policy in place, it's a simple procedure. We would have Manager Zboyovsky to draft something with our suggestions. There is no rush to purchase the IPAD tonight. Council has to vote to approve the purchase, and there is another issue does the IPAD run off the internet? If you don't have the internet service who is responsible to pay for the internet service? If other members of Council want an IPAD who would pay for the internet service? Are they willing to pay the monthly fee for internet service? Mayor Lockhart said he is not talking about Council now. Mayor Lockhart said I don't think I am asking for anything out of the ordinary, it's for Borough business, not for private use. President Wenzel stated he would like a policy to be in place.

M-1 Motion by Mr. Zimmerman, seconded by Mr. Richards that the Mayor get an IPAD for the year 2010 and then if there any restrictions to be put on it, he will do it later on by signing the policy.

President Wenzel said he (Mayor Lockhart) won't sign the policy.

Solicitor Ayoob said I think the motion is not as I instructed the motion to be. The motion should be to approve the purchase of an IPAD for use by the Mayor.

Mr. Zimmerman withdrew the motion. Mr. Richards withdrew the second on the motion.

M-2 Motion by Mr. Zimmerman, seconded by Mr. Richards that Council purchase an IPAD for the Mayor at a cost not to exceed \$500.00. The IPAD is to be used for Borough business only.

Mrs. Trexler questioned the cost if it includes tax and any service agreements for the IPAD? President Wenzel said that is why I want a policy in place. We are getting into more money, for service agreements, etc.

A discussion ensued regarding the cost of the IPAD vs. the cost of paper to distribute information. Mayor Lockhart said it is up to Council to approve the purchase and to set a policy.

President Wenzel called for a vote.

A ROLL CALL VOTE WAS TAKEN: Ms Boyko, ABSENT; Mrs. Trexler, AYE; Mr. Richards, AYE; Mr. Johnson, NAY; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Mr. Wenzel, NAY. 4 AYES. 2 NAYS. 1 ABSENT. President Wenzel said, "Motion carried."

Mayor Lockhart questioned Manager Zboyovsky where the computers are that were used prior to the purchase of new computers? Are they in working condition? Mayor

Lockhart said if the computers are in working condition they should be available for access by the Council in the Caucus Room. Manager Zboyovsky said we asked if the Police Department and the Library Director if they needed them and they said no. Manager Zboyovsky said the computers are wiped clean and are functional.

Mr. Richards questioned the Treasurer's Report on page 6, regarding the restoration of three (3) computers? Mayor Lockhart questioned if it is illegal for the Council to use the computers?

Solicitor Ayoob said he asked me if I said it is okay to bring the computers here. That is not what I thought you asked me. Solicitor Ayoob said can the individuals take those computers on Council and use them. My answer is Council would need to vote on that to allow it to happen and they could only be used for Council business and not personal use. That is what he had asked me and that is what I answered. I would suggest to all of you, to the extent, that all of you start using computers that are provided to you by the Borough. They can only be used for Borough business, any emails, or documents on those are subject to Right-To-Know requests and Sunshine Law requirements. What I mean by that is you can't start emailing those around decision making and votes.

Manager Zboyovsky said the three (3) computers are working and the information has been wiped clean. Mayor Lockhart said there is one computer here for the part-time intern and if we could put additional computers here in the office it would benefit the Council to use for Borough business only.

Mr. Johnson questioned if the Council would be trained on the computers or if you are not familiar with computers you would not have the use of them? Manager Zboyovsky said it would be strictly for Borough Council business; it could be like a workstation. Mr. Johnson questioned if the Borough would pay for training? Manager Zboyovsky said we are working on the Personnel Manual and the Council would have Council Rules and Procedures Manual updated for Elected Officials, which addresses email addresses, etc.

9. Administrative and Finance Committee – Sitting in for Ms Janice Boyko, Mr. Charlie Johnson will give the report.

M-3 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council approve the Minutes of the October 19, 2010 Agenda meeting as submitted with the following correction: Mrs. Trexler said on page 3, the second to the last paragraph, I want to give credit where credit is due, the success of the "Redd Up Day" with the high school students and community organizations, I want it to read: "The Junior Police Academy and Girl Scout Troop 54234," in place of "high school students and community organizations." ALL AYES.

M-4 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council approve the Minutes of the October 26, 2010 Regular Council meeting as submitted. ALL AYES.

M-5 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council accept the Treasurer's Report for the Period ending October 31, 2010.

A ROLL CALL VOATE WAS TAKEN: Mrs. Trexler, AYE; Mr. Richards, NAY; Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, ABSENT; Mr. Wenzel, AYE. 5 AYES. 1 NAY. 1 ABSENT. President Wenzel said, "Motion carried."

M-6 Motion by Mr. Johnson, seconded by Mr. Richards and duly carried that Council approve the payment of the bills from October 15, 2010 through November 10, 2010 from the General Fund in the amount of \$184,766.37. ALL AYES.

President Wenzel questioned Mr. Richards if there is something in the report that Council has overlooked? Mr. Richards said he has questions on the Treasurer's report all the time, if we have the time, I have several questions. President Wenzel said the report has been accepted.

Mr. Richards said the garage door opener we spent \$3,000 on the garage door opener. I think that is a lot of money, \$3,000.00. Mr. Richards said to go to page six, umbrellas, we spent almost \$1,000 for umbrellas, why are we paying for umbrellas for the pool in October? Why didn't we pay for them when we bought them? Manager Zboyovsky said we got a good deal on them at the end of the season, at a discount rate. Mr. Richards questioned if that is also for the tables for the pool at the cost of \$1,200.00 Manager Zboyovsky said that is correct, we received an end of the season discount rate. Mr. Richards said I go through his report and I see us using different vendors for office supplies, Home Depot, Office Max. Why don't we go with one vendor and make our purchases? Why do we jump around going to all these different vendors? Why don't we just buy everything at bulk from one vendor?

Manager Zboyovsky said I give our Administrative staff credit on that. They shop with Borough money just like they were shopping with their own. We don't go to one store for everything, they shop around for sales, pull up coupons, and we get coupons for free paper. I'm impressed. Mr. Richards said when it says "office supplies" what does that include? Manager Zboyovsky said it could be paper, folders, post it notes, various office supplies. Mr. Richards said on page nine, it is \$2,300 for two garage door openers. Manager Zboyovsky said it is for two garage door openers for the Borough Building, the main doors did not work. Public Works Supervisor Mackewich said the garage doors openers were over 20 years old and needed replaced.

M-7 Motion by Mr. Johnson, seconded by Mr. Richards and duly carried that Council approve the payment of the bills from October 15, 2010 through November 10, 2010 from the Sanitary Sewer Fund in the amount of \$88,061.23. ALL AYES.

M-8 Motion by Mr. Johnson, seconded by Mr. Richards and duly carried that Council approve the payment of the bills from October 15, 2010 through November 10, 2010 from the Capital Improvement Fund in the amount of \$3,110.50. ALL AYES.

M-9 Motion by Mr. Johnson, seconded by Mrs. Trexler and duly carried that Council approve the payment of bills from October 15, 2010 through November 10, 2010 from the Non-Uniform Pension Fund in the amount of \$419.85. ALL AYES.

M-10 Motion by Mr. Johnson, seconded by Mr. Zimmerman and duly carried that Council approve the payment of the bills from October 15, 2010 through November 10, 2010 from the Police Pension Fund in the amount of \$17,016.01. ALL AYES.

M-11 Motion by Mr. Johnson, seconded by Mr. Zimmerman and duly carried that Council enter into a new Lease Agreement with Konica for a new Bizhub C360 Color Copier/Printer/Scanner for the Police Department at the monthly rate of \$240.98. ALL AYES.

M-12 Motion by Mr. Johnson, seconded by Mr. Zimmerman and duly carried that Council approve the preparation and advertising of Ordinance No. 2010-1194, 2011 Tax Levy. Fixing the Borough Tax Rate on Real Property for the Fiscal Year 2011 at 8.0 mils for General Borough Operations and 0.5 mils for the Library. (1 mil brings in approximately \$336,000.00) ALL AYES.

M-13 Motion by Mr. Johnson, seconded by Mr. Richards and duly carried that Council approve the Borough Manager's 2011 Employment Agreement.

Solicitor Ayoob said I have not reviewed the specific legal language of the Agreement, Council approves the business terms and that will be conditioned upon me reviewing the language from a contract standpoint.

M-14 Motion by Mr. Johnson, seconded by Mr. Richards and duly carried that Council approve the Borough Manager's 2011 Employment Agreement subject to the Solicitor's review. ALL AYES.

M-15 Motion by Mr. Johnson that Council adopt Resolution No. 2010-67, 2011 Non-Union Non-Contractual Salaries that establishes and sets the 2011 salaries and wages for those employees not covered by local Union 205 contract for Police or Non-Uniformed or those employees not covered under a contractual agreement.

Mr. Johnson said we need a second. President Wenzel said I cannot second the motion. Mr. Johnson said I can't second it either. President Wenzel said we will table the motion until they explain why they can't come to an agreement. Mr. Johnson said we talked about this for two months and they can't answer yes or no.

Mr. Richards said, "I speak for myself. I am not comfortable with some of the language, some of the raises, suggested by Mr. Zboyovsky, to one of the three employees. I don't mind speaking up. There is one employee that I feel is overpaid and I will vote no to it. If we table it, we table it."

President Wenzel said he will call a meeting or tomorrow evening from 6-10 P.M. to discuss this and we will hash this out every night from 6-10 P.M. until we come to an agreement.

Solicitor Ayooob said you have to give 24 hours notice for Executive Session before you have one. That can be waived by everybody showing up in attendance; but with one person missing tonight, you are not able to provide the 24-hour notice to her, nor can she waive it. I understand she is unable to attend. President Wenzel said we will have to do this one day next week, we'll have to meet. You know, we, by law, we have to have this budget done, whether you understand it or not. George, you are going to have to burn the midnight oil to bring these people up to speed on what they are reading. I don't know what else to say about it.

President Wenzel said I will notify Council at a later time when we are going to have this meeting, since this is a holiday week, we could do this on Friday unless somebody has a problem with that? Does anybody have a problem with that, we could meet on Friday. Mr. Richards said what time. President Wenzel said 2 P.M. Mr. Richards said I can't be there; I will be at the Pitt game.

Manager Zboyovsky suggested Council meet this evening after this meeting. President Wenzel said we can meet in Executive Session after this meeting. President Wenzel questioned Solicitor Ayooob if that can be done legally?

Solicitor Ayooob said my comment is if you are going to come back to vote, then you have to recess the meeting, go into Executive Session and come back out and close the meeting or vote and close the meeting. If you are not going to vote on it tonight, then you would close the meeting and just have the Executive Session. Mr. Richards stated he has to work tonight. President Wenzel said we are going to have the meeting; if you cannot be in attendance that is not our fault. We can't work our schedule around yours. President Wenzel said I have the right to call the meeting, other Council members are willing to attend, you have so many things you are doing. I think I can call a meeting and if you can't make it, you can't make it. Mr. Richards said it has nothing to do with understanding what I am reading. I don't agree with some of the raises that are being requested. I am voting no just like the other three folks voted no.

Mr. Johnson said they didn't vote no. Mr. Richards said they didn't comment on it either, they didn't say aye. Mr. Johnson said I didn't get a second on the motion. Mr. Richards said they are not in favor of it. Mayor Lockhart said I don't have a problem with it, so I don't have to attend. President Wenzel said nobody seconded the motion. There is no motion to be made. We will call an Executive Session after the business of this meeting is concluded and those of you can make it can come and if you can't I'm sorry I don't know what else I can do. I don't know why we are having such a problem with this, you know, let's keep the personalities out of it, go into Executive Session and hash it out and if we can we can vote on it tonight.

Solicitor Ayoob said no, not if you close the meeting. If you take a recess, the public would remain out here, you go into Executive Session and if you come to a consensus as to how you want to compensate your employee, you come out here and you take a vote. Once you close the meeting, you can't vote tonight. President Wenzel said after the next two items, we can recess and go into Executive Session.

Solicitor Ayoob said you can go into Executive Session, it is your choice, and you can go into Executive Session at any time. Mr. Johnson said let's do it now, I recommend we do it now, I thought we had it hashed out, the people don't want to speak up in public, shame on them.

At this time, 8:45 P.M., President Wenzel said this meeting will be recessed until the time we come out of Executive Session.

President Wenzel reconvened the meeting at 9:18 P.M. President Wenzel requested Mr. Johnson continue with Item No. 9.1.

M-16 Motion by Mr. Johnson that Council adopt Resolution No. 2010-67, establishes and sets the 2011 Salaries and Wages for those employees not covered by Local Union 205 Contract for Police or Non-Uniformed or those employees not covered under a contractual agreement as discussed in Executive Session.

Solicitor Ayoob said, "I will clarify that so that they understand what is going on and if there is a second. I believe a Resolution was drafted and circulated and I will start with the hourly employees by job description, not by name, and that is Senior Crossing Guards through clerks and attendants, nothing is changing in the hourly rate with those positions as set forth in the original Resolution. There will be the addition of a position, Probationary School Crossing Guard at \$9.50 per hour. That will be a three month probationary period. With regard to the three offices on the top of the Resolution, I will go through and identify the salaries that were discussed: Finance/Resource Director and the proposed salary annually is \$59,818.00 and three weeks vacation, which is an additional one week vacation from the previous year. The Public Works Supervisor an annual salary of \$57,200.00 and the Building Inspector/Code Enforcement Officer annual

salary of \$48,000.00. This would all be reflected in the amended Resolution No. 2010-67.”

Mr. Zimmerman seconded the motion.

A ROLL CALL VOTE WAS TAKEN: Mr. Richards, NAY; Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, ABSENT; Mrs. Trexler, AYE; Mr. Wenzel, AYE. 5 AYES. 1 NAY. 1 ABSENT. President Wenzel said, “Motion carried.”

Mr. Richards commented that he voted no for the Finance Director/Human Resource Director, not on the Code Enforcement or the Public Works Supervisor positions.

M-17 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council adopt Resolution No. 2010-68, Adopting the Proposed 2011 Budget as presented to Brentwood Borough Council for all Funds Owned and Maintained by the Borough of Brentwood.

A ROLL CALL VOTE WAS TAKEN: Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Ms Boyko, ABSENT; Mrs. Trexler, AYE; Mr. Richards, NAY; Mr. Wenzel, AYE. 5 AYES. 1 NAY. 1 ABSENT. President Wenzel said, “Motion carried.”

A discussion ensued regarding items that are budgeted for 2011, and the line items that are not used. President Wenzel stated if Council has any questions regarding the 2011 Budget to contact Manager Zboyovsky to discuss your concerns.

Mr. Richards said he would let it known there are a number of issues with it, but the consensus has it as 5-1. The heck with it!

M-18. Motion by Mr. Johnson, seconded by Mr. Zimmerman and duly carried that Council adopt Resolution No. 2010-70, that modifies the investment choices in the Borough of Brentwood Pension Plans as recommended by the Borough’s Pension Fund Manager and concurred by the Brentwood Pension Board.

Manager Zboyovsky explained Resolution No. 2010-70.

President Wenzel called for a vote. ALL AYES. President Wenzel said “Motion carried.”

10. Public Works Committee – Mrs. Catherine Trexler

M-19 Motion by Mrs. Trexler, seconded by Mrs. Schade and duly carried that Council accept the Public Works Supervisor’s report for the month of October as submitted. ALL AYES.

M-20 Motion by Mrs. Trexler, seconded by Mr. Johnson and duly carried that Council authorize the Borough Manager to attend the seminar, Legal Issues for Pennsylvania Professional Engineers on Wednesday, December 15, 2010 at the cost of \$259.00. ALL AYES.

M-21 Motion by Mrs. Trexler, seconded by Mr. Johnson and duly carried that Council award the 2010 Sanitary Sewer Repair Project to the low bidder Soli Construction, Inc. in the amount of \$442,459.00. ALL AYES.

M-22 Motion by Mrs. Trexler, seconded by Mr. Richards and duly carried that Council enter into an agreement with ENVISTA to provide Utility Coordination Software.

Mrs. Trexler explained the advantages of Envista and stated if approved we will submit our recommendation to SHACOG.

President Wenzel called for a vote. ALL AYES. President Wenzel said, "Motion carried."

Mrs. Trexler stated the Leaf Collection continues through the first week in December.

11. Zoning and Ordinance Committee – Mrs. Schade

M- 23 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council accept the Building Inspector's Report for the period of September 27, 2010 through October 22, 2010 as submitted. ALL AYES.

M-24 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council authorize the Borough Manager to prepare and advertise an Ordinance associated with a – No Parking area on Oakton Road at the End of Street as identified on the Plan.. ALL AYES.

Mrs. Schade stated we have sent out letters to those members on the Planning Commission whose term expires on December 31, 2010 but have only received one reply from Jeff Balkovec, who does not seek to be reappointed. Do we want a motion to advertise the two openings? Mayor Lockhart questioned if there was a deadline date for submittals? Mrs. Garase stated the deadline was November 18, 2010.

President Wenzel recommended we advertise and place it on the web site and where ever we deem necessary.

M-25 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council advertise for two (2) vacant seats that expire on December 31, 2010 on the Planning Commission.

Mayor Lockhart said you have one vacancy and Mrs. Liotus has not submitted a response as of yet. Solicitor Ayoob stated you can advertise and fill any seat that is vacant, you do not need to state how many vacant seats are available.

President Wenzel called for a vote. ALL AYES. President Wenzel said, 'Motion carried.'

Mrs. Schade stated there is no Zoning Hearing Board meeting scheduled for November and Mr. Costa already gave the report on the status of last Thursday's Planning Commission meeting.

Mrs. Schade stated there are three (3) seats on the Zoning Hearing Board that will expire this year. The Borough sent out letters to those Zoning Hearing Board members whose term expires on December 31, 2010. We have received letters from George Owens, Phil Hoebler and Rich Schubert indicating they would like to be reappointed. Do we want a motion to advertise the three openings or reappoint these gracious volunteers?

M-26 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council re-appoint George Owens, Phil Hoebler and Rich Schubert to the Zoning Hearing Board with the terms to expire on December 31, 2015. ALL AYES.

12. Park and Recreation Committee – Mr. Charlie Johnson

Mr. Johnson gave an update on the BPI and stated the next meeting is on Thursday, December 9, 2010 at 7:00 P.M., in the Community Room. Mr. Johnson said the fundraisers are the Cookbook for \$10.00 each and the Dream Vacation ticket at \$20.00 per ticket.

M-27 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried that Council adopt Resolution No. 2010-69, CITF Grant Application concurring Resolution. ALL AYES.

13. Public Safety Committee – Mr. Zimmerman

M-28 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council accept the Police Chief's Report for the period of September 22, 2010 through October 20, 2010. ALL AYES.

M-29 Motion by Mr. Zimmerman, seconded by Mr. Johnson and duly carried that Council authorize to advertise Ordinance No. 2010-93, Revisions to DROP Provision. ALL AYES.

M-30 Motion by Mr. Zimmerman, seconded by Mr. Richards and duly carried that Council approve the 2011 Chief of Police Employment Agreement. ALL AYES.

M-31 Motion by Mr. Zimmerman, seconded by Mr. Johnson and duly carried that Council accept the resignation and request for a disability pension from Mr. Scott Harding with said resignation being effective October 25, 2010 and Disability Pension being effective November 1, 2010 and to terminate his benefits pursuant to the Heart and Lung Act as of October 25, 2010. ALL AYES.

At this time, Mr. Zimmerman stated he met with the EMS along with President Wenzel and Manager Zboyovsky regarding Act 8 of 2008. I recommended we give the EMS \$5,000 in the year 2011. The Volunteer Fire Department was not prepared to ask for any increase at that time. President Wenzel said that is an additional \$5,000.00. President Wenzel questioned if we need a motion. Manager Zboyovsky said this is reflected in the 2011 Budget.

14. Special Committees –

ACBA – Mr. Zimmerman said a meeting is scheduled for December 2, 2010 for new membership at the South Hills Country Club at 7:00 P.M.

ALOM – Mr. Johnson said the Bi-Annual Legislative Reception will be held at the Westin Convention Center on January 13, 2011. The cost is \$65.00 for dinner and to meet your legislatures. I recommend Council attend.

PSAB – Mrs. Trexler said no report.

EDS – Mrs. Trexler said they will meet next week to interview the final candidates for the position of Executive Director. The regular meeting will be on December 8, 2010.

CONNECT - Mr. Johnson said he attended the meeting last week in Castle Shannon and a grant request by 17 municipalities was discussed for \$125,000; however, \$95,000.00 was received for sewer repairs. The Legislative Breakfast will be re-scheduled in the spring. Mr. Johnson said the next meeting will be on January 20, 2011 at the Community Room.

3 Rivers Wet Weather – Mrs. Schade said no report. Manager Zboyovsky said they cancelled the December meeting.

Rte. 51 Planning Committee – No report.

SHACOG – Mrs. Trexler stated she attended the meeting last week and they finally received the DEP approval and are moving on with it. Mrs. Trexler said there was a discussion on a drilling ordinance. Mrs. Trexler said it was recommended we consider a drilling ordinance, as we are currently reviewing our ordinances.

WATERSHED – Mrs. Schade said no report.

15. New Business – Mr. Johnson commented about last weeks Agenda meeting. I don't know how Mrs. Schade, Mr. Wenzel, Mr. Ayoob and Mr. Zboyovsky feel about it but I thought I was shunned because here we appeared at a meeting, we had to have a meeting. Mr. Zimmerman, Mr. Richards and the Mayor decided to blow the meeting off, is what I consider it; and, they knew two individuals were not here, one was undergoing major surgery and the other one was out of town. I think it was a disgrace, irresponsible by those three individuals and I think the citizens of Brentwood need an apology, especially those that attended the meeting. There is no excuse for them not to attend the meeting; they were all up at the festivities. I feel that I was shunned; and I think it was irresponsible on their part.

Mayor Lockhart commented: At the last meeting, I mentioned it to Council that I wouldn't be here; that I would be there. I didn't shun anybody. I didn't dodge the meeting. Council was well aware that I wasn't going to be here. I made that public statement at that meeting that I would not be here. President Wenzel said yes, you did, that is true. The other members were there. The other members were up there, the one I asked to read Ms Boyko's report because we were really short handed, and he said absolutely, I would happy to, he never showed. The reporters, residents that show up at the meetings, everybody else, we could have stayed up there and could have done something else, but because of their act we couldn't have a meeting. I do find that disrespectful.

Mr. Richards said you can look it at anyway you want. I got caught up there talking to the Mayor and some of the other residents and I did lose track of time. So, I do apologize for missing the meeting, it wasn't disrespectful, it wasn't unintentional. President Wenzel said if the two Council persons would have called to state they weren't coming, we could have had the Solicitor and Mrs. Garase stay home and cancel the meeting.

Mr. Johnson said I consider my time very valuable and when I have to come down here and sit and wait for people to show up, it hurts. At the same time, we had to pay that man, to come out here for doing nothing. So there is your money going out the window, taxpayer's money. Mr. Richards said you don't want to talk about Seven Springs do you?

President Wenzel said before you say anything everyone on this Council is going to be subject to anything you are going to say. At this time, several people were talking about the Seven Springs Conference. A discussion ensued and President Wenzel said he will not go to the Conference next year and if he decides to get an IPAD, he wants the money to come out of there.

15. Old Business – Mrs. Schade said in years past, the Mayor can agree with this, when we had Kennywood Day, Election Day and Light-Up Celebration, Council always got together and changed the meeting date so we don't miss these events with our family. I think we should take back those dates into consideration. A discussion ensued and

several Council members and the Mayor stated they would attend the conference again to continue the networking with the legislators and attend the interesting sessions that are excellent.

16. New Business – None.

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

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

- **Resolutions – (Time limit)**
- **Street Sweeper (Monies appropriated)**
- **Scholarship Fund (Yearly)**
- **Skateboard Park (\$25,000.)**
- **Answer to Complaint Forms submitted**

Solicitor Ayoob said you are not entitled to an answer on the Complaint Forms. Mr. Carnevale said the complaint form states if you want an answer, check the box, I did. Manager Zboyovsky said we are working on this. I was very busy with the 2011 Budget, it was a priority.

M-32 Motion by Mr. Johnson, seconded by Mrs. Schade and duly carried to adjourn the meeting at 10:10 P.M. ALL AYES.

Respectfully submitted,



Mary Lou Garase
Administrative Assistant