

**BOROUGH OF BRENTWOOD
MINUTES OF THE REGULAR MEETING OF COUNCIL
DECEMBER 21, 2010**

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EXECUTIVE SESSION: President Wenzel stated an Executive Session was held this evening to discuss personnel issues. 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, December 21, 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: Mrs. Ann Schade, Mr. Clyde Zimmerman, Ms Janice Boyko, Mrs. Catherine Trexler, Mr. Charlie Johnson and Mr. David Wenzel.

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

Absent: Councilman Mario Richards. Police Chief Robert Butelli and Public Works Supervisor Robert Mackewich.

4. Communications. President Wenzel said on behalf of Council and the Mayor I wish you a Happy Holiday. Manager Zboyovsky stated no communications.

5. Public comment on ACTION ITEMS only – Please try to limit remarks to 3 minutes.

- a. Pat Carnevale, Shadewell Ave., came before Council regarding the following:
- The 2011 Budget
 - Item No. 9.f - Non-Uniform Pension Fund
 - Item No. 13.b - Ordinance No. 2010-73 DROP Provision
 - Item No. 9.m – Summer employment (Rebecca VanRegenmorter)
 - Item No. 16.a - Junior Council Person Program

6. Department and Borough Manager Reports:

a. Public Works Department. In the absence of Public Works Supervisor Robert Mackewich Councilperson Mrs. Trexler read the Public Works Supervisor's Report for the month of November 2010.

b. Building Inspector. Building Inspector Ralph Costa read the Building Inspector's Report for the period of November 22, 2010 through December 17, 2010.

c. Engineer. Manager Zboyovsky reported on the following:

- Consent Order Feasibility Study
- ALCOSAN Report
- Brownsville Road Project
- Gateway Stormwater Sanitary Sewer Phase II Compliance
- Manhole Rehabilitation Project
- Consent Order Phase I Project – Soli Construction Pre Construction meeting January 6, 2011.
- SHACOG Lining Project – Pre Construction meeting scheduled tomorrow.

d. Police Chief. In the absence of Police Chief Robert Butelli Mayor Kenneth Lockhart read the Police Chief's Report for the period of November 17, 2010 through December 14, 2010.

e. EMS Report. Ms JoAnne Cook, EMS Director, read the EMS Report for the month of November 2010.

f. Solicitor Report. Solicitor Ayoob said no report.

g. Borough Manager. Manager Zboyovsky gave a presentation on the 2011 Proposed Budget for the Fiscal Year (Review)

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

8. Mayor's Report. Mayor Lockhart wished everyone a Happy Holiday and Happy New Year. Mayor Lockhart thanked Council for the IPAD.

Mayor Lockhart stated a Brentwood resident was arrested at the Brentwood Volunteer Fire Department and stated it had nothing to do with the crime; this gave Brentwood a bad name.

Mayor Lockhart thanked Ms Cook, the EMS staff and volunteers for their dedication and service to the Borough and requested the residents to support the Brentwood EMS Service.

8. 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 November 23, 2010 Council Regular meeting as submitted. ALL AYES.

M-2 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council accept the Treasurer's Report for the period ending November 30, 2010 as submitted. ALL AYES.

M-3 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of the bills from November 11, 2010 through December 15, 2010 from the General Fund in the amount of \$368,640.60. ALL AYES.

M-4 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of bills from November 11, 2010 through December 15, 2010 from the Sanitary Sewer Fund in the amount of \$22,369.73. ALL AYES.

M-5 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the bills from November 11, 2010 through December 15, 2010 from the Capital Improvement Fund in the amount of \$58,132.50. ALL AYES.

M-6 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of bills from November 11, 2010 through December 15, 2010 from the Non-Uniform Pension Fund in the amount of \$1,133.96. ALL AYES.

M-7 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the payment of bills from November 11, 2010 through December 15, 2010 from the Police Pension Fund in the amount of \$23,119.39. ALL AYES.

M-8 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Non-Uniform Pension Summary Plan Document. ALL AYES.

M-9 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the Police Pension Summary Plan Document. ALL AYES.

M-10 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council adopt Ordinance No. 2010-1194, 2011 Real Property Tax Ordinance, "An Ordinance of the Borough of Brentwood, County of Allegheny, Commonwealth of Pennsylvania, Fixing the Borough Tax Rate on Real property for the Fiscal Year 2011 at 8.5 mils."(NOTE: The same as last year.)

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

M-11 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2010-71, 2011 Final Budget, "A Resolution of the Borough of Brentwood, County of Allegheny, Commonwealth of Pennsylvania, Adopting the Final 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: Ms Boyko, AYE; Mrs. Trexler, AYE; Mr. Richards, ABSENT; Mr. Johnson, AYE; Mrs. Schade, AYE; Mr. Zimmerman, AYE; Mr. Wenzel, AYE. 6 AYES. 1 ABSENT. President Wenzel said, "Motion carried."

M-12 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2010-72, "Employee Personnel Policies and Procedures Manual."

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

M-13 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council approve the part-time employment of intern Rebecca VanRegenmorter to April 22, 2011 at the rate of \$10.00 per hour. ALL AYES.

M-14 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council establish an effective date of January 1, 2011 for the Borough Manager's participation in the Non-Uniform Pension Plan as requested by the Borough Manager. ALL AYES.

M-15 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council authorize to advertise the 2011 Borough Council Meetings, Planning Commission Meetings and Zoning Hearing Board meetings.

Mrs. Trexler requested clarification of several meeting dates.

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

M-16 Motion by Ms Boyko, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2011-80, 2011 Tax Anticipation Note Loan, Series 2011 in the amount of \$500,000.00.

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

At this time Ms Boyko thanked Council, Mayor, Borough staff and the citizens of Brentwood for their cards, prayers and support during her recent hospital stay. Ms Boyko wished everyone a Happy Holiday Season.

10. Public Works Committee – Mrs. Cathy Trexler

M-17 Motion by Mrs. Trexler, seconded by Mrs. Schade and duly carried that Council accept the Public Works Supervisor's Report for the month of November as submitted. ALL AYES.

M-18 Motion by Mrs. Trexler, seconded by Mr. Zimmerman and duly carried that Council approve the Settlement Agreement associated with Grievance No. 11451, Department Public Works Overtime – Opening and Closing Borough Facilities Agreement. ALL AYES.

M-19 Motion by Mrs. Trexler, seconded by Mr. Zimmerman and duly carried that Council approve the Administrative Agreement with SHACOG associated with the Joint Bid for Pipe Lining – Year 5. ALL AYES.

M-20 Motion by Mrs. Trexler, seconded by Mr. Zimmerman and duly carried that Council approve the Work Authorization for assisting Borough employees with field and office support associated with the 2010 Stormwater Structure Locating and Mapping from Gateway Engineers in the not to exceed amount of \$10,000.00. ALL AYES.

Mrs. Trexler stated the next REDD Up Day is April 25, 2011 and we are looking to have another community event for students to earn community hours. So save the date, you'll be hearing more.

11. Zoning and Ordinance Committee – Mrs. Schade

M-21 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council accept the Building Inspector's Report for the period of November 22, 2010 through December 17, 2010 as submitted. ALL AYES.

M-22 Motion by Mrs. Schade, seconded by Ms Boyko and duly carried that Council adopt Resolution No. 2010-74, Appointment of Donald Housley to the Planning Commission, "A Resolution of the Borough of Brentwood, County of Allegheny, Commonwealth of Pennsylvania, Appointing Donald Housley to a Four (4) Year Term on the Brentwood Borough Planning Commission Board which expires December 31, 2014. ALL AYES.

M-23 Motion by Mrs. Schade, seconded by Mr. Zimmerman and duly carried that Council adopt Resolution No. 2010-76, Appointment of Guy A. Denillo to the Uniform Construction Code Appeals Board, "A Resolution of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Appointing Guy A. Denillo to a Four (4) Year Term on the Brentwood Borough Uniform Construction Code Appeals Board which expires December 31, 2014." ALL AYES.

M-24 Motion by Mrs. Schade, seconded by Ms Boyko and duly carried that Council adopt Resolution No. 2010-75, Re-Appointment of Sharon Liotus to the Planning Commission, "A Resolution of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Re-Appointing Sharon Liotus for a Four (4) Year Term on the Brentwood Borough Planning Commission Board which expires December 31 2014." ALL AYES.

M-25 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2010-77, Re-Appointment of George Owens to the Zoning Hearing Board, "A Resolution of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Re-Appointing Owens to a Five (5) Year Term on the Brentwood Borough Zoning Hearing Board which expires December 31, 2015." ALL AYES.

M-26 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2010-78, Re-Appointment of Phil Hoebler to the Zoning Hearing Board, "A Resolution of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Re-Appointing Phil Hoebler to a Five (5) Year Term on the Brentwood Borough Zoning Hearing Board which expires December 31, 2015." ALL AYES.

M-27 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council adopt Resolution No. 2010-79, Re-Appointment of Richard Schubert to the Zoning Hearing Board, "A Resolution of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Re-Appointing Richard Schubert to a Five (5) Year Term on the Brentwood Borough Zoning Hearing Board which expires December 31, 2015." ALL AYES.

M-28 Motion by Mrs. Schade, seconded by Mr. Johnson and duly carried that Council accept with regret the resignation of Pamela Balkovec as a member of the Brentwood Zoning Hearing Board effective December 31, 2010. ALL AYES.

M-29 Motion by Mrs. Schade, seconded by Ms Boyko and duly carried that Council adopt Resolution No. 2010-81, Appointment of Jayson Livingston to fulfill the unexpired term on the Zoning Hearing Board which expires December 31, 2012. ALL AYES.

Mrs. Schade reported there is no Zoning Hearing Board meeting and no Planning Commission meetings scheduled for December 2010.

12 Park and Recreation Committee – Mr. Charlie Johnson

Mr. Johnson gave an update on the Brentwood Park Initiative and stated the next meeting will be on January 13, 2011 at 7:00 P.M. at Dante's, a recruitment meeting. Cookbooks are on sale for \$10.00 and the Dream Vacation tickets are available for \$20.00.

13. Public Safety Committee – Mr. Clyde Zimmerman

M-30 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council accept the Police Chief's Report for the period of November 17, 2010 through December 14, 2010 as submitted. ALL AYES.

M-31 Motion by Mr. Zimmerman, seconded by Mr. Johnson and duly carried that Council adopt Ordinance No. 1193, Borough of Brentwood Police Pension Plan

Amended Drop Provision, "An Ordinance of the Borough of Brentwood, County of Allegheny and Commonwealth of Pennsylvania, Amending the Borough of Brentwood Police Pension Plan to Revise the deferred Retirement Option Plan for Participants in the Police Pension Plan to Recognize the Repeal of Act 600's Killed In Service Benefit by Act 51 of 2010." ALL AYES.

M-32 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council adopt Resolution No. 2010-73, Borough of Brentwood 2011 Police Pension Plan Contributions, "A Resolution of the Borough of Brentwood Relative to the Establishment and Maintenance of Employees Pension, Annuity, Insurance and Benefit Fund or Funds to Amend Certain Provisions of the Pension Plan or Program Applicable to the Police Employees of Said Borough." ALL AYES.

M-33 Motion by Mr. Zimmerman, seconded by Mr. Johnson and duly carried that Council approve the renewal of the Annual Maintenance Agreement with Tulip for the computer service in the Police Department in the amount of \$3,250.00 per year. ALL AYES.

M-34 Motion by Mr. Zimmerman, seconded by Mrs. Schade and duly carried that Council approve the Authorization for the Borough Manager and Solicitor to prepare and advertise Ordinance No. 2010-1195, placement of stop signs at the intersections of Elroy Avenue and East Bellecrest Avenue, and DeWalt Avenue and Brownsville Road. ALL AYES.

Mr. Zimmerman wished everyone a Happy and safe Holiday Season.

14. Special Committees -

ACBA – Mr. Zimmerman said the ACBA Membership meeting at the Country Club was well attended. Also, a meeting at the City of Pittsburgh will be held and the EMS, Fire Department and other important issues will be addressed. Mr. Zimmerman said the Annual Dinner will be on February 5, 2011 at the Westin William Hotel.

ALOM – PSAB – Mr. Johnson said no report.

PSAB – Mrs. Trexler said the 100th Anniversary will be held on April 10, 2011 at Hershey, PA. The PSAB is searching for a candidate of Second Vice-President. If interested submit your name.

EDS – Mrs. Trexler said Gregory Jones was hired as the Executive Director and will be attending the Council meetings.

CONNECT – Mr. Johnson stated on January 5, 2011 Executive Committee meeting with the EMS will be held at Pitt. On January 20, 2011 the monthly meeting will be hosted by Brentwood at the Community Room.

3 Rivers Wet Weather – Mrs. Schade said no report.

Route 51 Planning Committee – Ms Boyko said she missed the last meeting; but will attend the next meeting.

SHACOG Board – Mrs. Trexler said there was no meeting.

WATERSHED – Mrs. Schade said no report.

15. Old Business – None.

16. New Business – Mrs. Trexler

- a. Junior Council Person Program – Mrs. Trexler stated the PSAB has a Junior Council Program, taking into consideration of how last year’s program went, we should consider following the guidelines of the PSAB Program, which is more structured and more recognition to the Junior Council person. Mrs. Trexler said she would like more discussion on this before a Resolution is adopted. Mrs. Trexler said the School District is searching for a new high school representative as a Junior Council Person.

Ms Boyko said it was her understanding the high school was having difficulty recruiting individuals for this program. Mrs. Trexler said that is why this needs discussed, if we continue with the PSAB Program it would be more experience and more productive for the students. Ms Boyko questioned if there is training, it may be more helpful. Mrs. Trexler said we could look at several municipalities if they sponsor/conduct the programs. President Wenzel said bring this up at a school board meeting; there may not be any interest at this time. Mrs. Schade said this was started by Marie Landon; you may want to give her a call. A discussion ensued regarding this issue and it will be tabled until we have interested individuals.

Mrs. Trexler said “Contemplating Governing” will be conducted on February, 10, 17 and 24th, if citizens are interested in running for office. Contact Mrs. Trexler or www.localgovernmentacademy.org.

Mrs. Trexler said she is concerned with the Pinkney Way Road Improvements and wants to review the zoning ordinance and parking policy in that area. Mrs. Trexler said where this property is located there is a commercial vehicle that has been putting a lot of wear and tear on that particular road; and a parking permit is involved. I want to protect our investment and want to bring this up for discussion. Mayor Lockhart said he did not issue a parking permit.

Mrs. Trexler wished everyone a Happy Holiday Season.

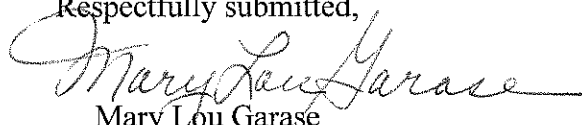
17. Public comment. Please try to limit remarks to 3 minutes.

- a. Herb Sill, Bauman Ave., came before Council regarding the following:
- Thanked Council, Mayor, EMS, BVFD and all employees for their dedication and accomplishments
 - Population of Brentwood Borough (Approximately 9,300)
 - Delinquent Earned Income/Property Taxes
 - Commended the EMS for their dedication and service to the Borough
- b. Pat Carnevale, Shadewell Ave., came before Council regarding the following:
- Junior Council Person
 - Police Department Contract
 - Public Works Department Overtime (Contract)
 - Safety in the Public Works Department (Contract)
 - Overtime in the Public Works Contract
 - DROP Program

18. Adjournment.

M-34 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