

**BOROUGH OF BRENTWOOD
MINUTES OF THE AGENDA MEETING OF COUNCIL
TUESDAY, SEPTEMBER 20, 2011**

+++++

EXECUTIVE SESSION: Councilman Johnson stated an Executive Session was held this evening to discuss personnel and contractual issues. No votes were taken.

1. Call to Order. The Agenda meeting of the Council of the Borough of Brentwood was called to order by Councilman ProTem Charlie Johnson at 7:30 P.M., on Tuesday, September 20, 2011 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. Charlie Johnson, Mrs. Ann Schade, Mr. Clyde Zimmerman, Mr. Mario Richards and Mr. David Wenzel. Mr. Johnson announced Mrs. Catherine Trexler is out of town but joins the meeting via speaker telephone.

Also present: Mayor Kenneth Lockhart, Borough Manager George Zboyovsky, Solicitor Thomas Ayooob III and Administrative Assistant Mary Lou Garase.

Special Presentation: The Community Builder Inc. regarding the former Giant Eagle property located at 2900 Brownsville Road in the City of Pittsburgh. (Carrick) Ms Tamara Dudukovich reported on the proposed development and requirements for the Senior Housing. Ms Dudukovich distributed information with a brief summary including photos of the proposed project with a leasing start date of October 2013.

4. Public comments on Agenda Action Items only. Please limit remarks to 3 minutes.

At this time, Mr. Johnson stated this is a public comment period on Agenda items only. As a reminder, we request that you respect everyone's opinion and chance to speak if they so wish. For those attending a Council meeting for the first time, I would like to go over some of the procedures for conducting a Council meeting. Prior to addressing Council, please give your name, address and organization that you are representing. Please state the Agenda item number you wish to discuss. Out of courtesy for everyone as well as to ensure a productive meeting we ask that speakers speak only once and try to limit your remarks to 3 minutes. As a reminder, all remarks will be addressed to Council as a body and not to anyone member thereof. Speakers shall observe the commonly accepted rule of courtesy, decorum, dignity and good taste. Interested parties or their representatives may also address Council by written communications and written communications may be delivered to the Secretary or Borough Manager or his or her designee.

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

- Item No. 9.k Consider 2012 Minimum Municipal Obligation (MMO) for the Non-Police Pension Plan. Manager Zboyovsky explained the associated costs.
 - Item No. 9.l Consider 2012 Minimum Municipal Obligation (MMO) for the Police Pension Plan. Manager Zboyovsky explained the associated costs.
- b. Chris Kircher, Brownsville Rd., came before Council regarding the following:
- Item No. 16a. Consider Resolution No. 2011-34, Appointment to Fill the Unexpired term of Janice Boyko to Brentwood Borough Council.
(Candidate chosen from those who submitted Letters of Interest)

Ms Kircher questioned Councilman Johnson on how many Letters of Interest were received by Council for the vacant seat of Ms Boyko? Mr. Johnson said four (4) Letters of Interest were received and reviewed by Council. Ms Kircher requested Council consider who Ms Boyko would have liked to have appointed to fill her vacant seat. Ms Kircher said Ms Boyko was a great person and a very devoted Council person.

- Ms Kircher stated last year her home was burglarized and thanked the Brentwood Police Department for their expertise and safety concerns of the residents of Brentwood. Ms Kircher said she did not know the police officers that were involved but is very thankful to all the police officers for their dedication and safety for all the residents in the Borough.

5. Communications. None.

6. Department and Borough Managers Reports: Councilman Johnson stated the following reports will be considered at the Council meeting:

- a. Public Works Department
- b. Building Inspector
- c. Engineer
- d. Police Chief
- e. EMS
- f. Fire Department
- g. Solicitor
- h. Borough Manager

7. President's Report – President Trexler stated she may have a report next week she has to review her notes that are at home.

8. Mayor's Report. Mayor Lockhart stated he will have a report next week.

9. Administrative and Finance Committee – Mr. Wenzel stated the following will be considered at the Council meeting:

- a. Approve the Minutes of the August 16, 2011 Agenda meeting
- b. Approve the Minutes of the August 23, 2011 Regular meeting.
- c. Accept the Treasurer's Report for the Period Ending August 31, 2011
- d. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the General Fund in the amount of \$395,354.51.
- e. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Sanitary Sewer Fund in the amount of \$234,489.59.
- f. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Capital Improvement Fund in the amount of \$39,895.20.
- g. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Non-Uniform Pension Fund in the amount of \$2,328.10.
- h. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Police Pension Fund in the amount of \$20,511.04.

M-1 Motion by Mr. Wenzel, seconded by Mrs. Schade and duly carried that Council accept the Non-Police Pension Plan 2012 Minimum Municipal Obligation (MMO) in the amount of \$63,471.00 as prepared by Mockenhaupt Benefits Group. ALL AYES.

M-2 Motion by Mr. Wenzel, seconded by Mrs. Schade and duly carried that Council accept the Police Pension Plan 2012 Minimum Municipal Obligation (MMO) in the amount of \$124,961.00 as prepared by Mockenhaupt Benefits Group. ALL AYES.

Mr. Wenzel continued:

- k. Consider adopting Ordinance No. 2011-1198, Amending in Limited Part the Police Pension Plan to maintain Compliance with the Applicable Provisions of the Internal Revenue Code Applying to Government Pension Plans.
- l. Consider adopting Ordinance No. 2011-1199, Amending in Limited Part the Non-Uniform Pension Plan to Maintain Compliance with the Applicable Provisions of the Internal Revenue Code Applying to Government Pension Plans.
- m. Consider approving 2012 Budget Schedule

10. Public Works Committee – Mr. Mario Richards stated the following will be considered at the Council meeting:

- a. Accept the Public Works Supervisor's monthly report.

11. Zoning and Ordinance Committee – Mrs. Schade stated the following will be considered at the Council meeting:

- a. Accept the Building Inspector's monthly report.
- b. FYI – There is no Planning Commission meeting in September.
- c. FYI – There is no Zoning Hearing Board meeting in September.

12. Park and Recreation Committee – Mr. Johnson stated the following will be considered at the Council meeting:

a. BPI Update. The next meeting is October 13, 2011 at the Community Room at 7:00 P.M. The public is invited. The BPI is in the process of selling Pittsburgh Steeler Tickets \$10.00 per ticket and the prize is four (4) tickets to the game on December 16-20, 2011, air fare to San Francisco, transportation from the hotel to the game, hotel and \$800.00 cash.

Mr. Johnson reported the Golf Outing is on Friday at Seven Springs, 144 golfers signed up for the event.

b. Consider letter from Brentwood Dukes regarding Parking Permits for Fields.
c. Consider letter from Brentwood Area Soccer Association regarding 2011 Field Permits.

13. Public Safety Committee – Mr. Zimmerman stated the following will be considered at the Council meeting:

a. Accept the Police Chief's monthly report
b. Consider Extension of Maintenance and Support Agreement with Premier MDC with Motorola for Police Department for the period of November 1, 2011 through October 31, 2012 in the amount of \$365.00.
c. Consider Renewal of Agreement with Response Computer Service, Inc. for the Laptop Computers in the Police Department for the period of 10/15/2011 through 10/14/2012.
d. Consider calling a joint meeting between the Brentwood Borough Council and the Brentwood Civil Service Commission for December 6, 2011 at 7:00 P.M.
e. Consider hiring a part-time Crossing Guard at the rate of \$9.00 per hour. (Note: There is a 90-day probationary period)
f. Consider hiring a part-time Crossing guard at the rate of \$9.50 per hour in accordance with Borough Resolution No. 2010-67-B. (Note: There is a 90-day probationary period)

14. Special Committees –

CONNECT – Mr. Johnson said there is a meeting on Thursday that he will attend with Manager Zboyovsky.

BBOA – Mr. Wenzel said he will have an update for the next meeting.

BBOA – Mayor Lockhart stated he will attend the Golf Outing.

SHACOG – Mrs. Trexler stated she attended the on September 15, 2011.

President Trexler stated she will report next week on meetings she plans to attend in October.

15. Old Business –

a. Consider Agreement with Sunsys Systems (Brentwood Library)

Manager Zboyovsky explained this was discussed several months ago with a company that is doing the fiber optic upgrades to the Library. Being that the Borough owns the Library they need an Agreement from the Borough since we own the building.

Solicitor Ayoob reported there was an Agreement between the Library and the Einetwork to allow cabling and other infrastructure in the Library, there is a state wide Library network and the Library wants to be a part of that network. As part of that Agreement with the Library there was a License where the Library was to grant to Sunsyne, almost like an easement, a right to install equipment on the property. The Library couldn't do that since it doesn't own the property, it leases the property from the Borough. I reviewed this Agreement with Sunsyne and put in there what I thought were the protections the Borough needed if someone came in and would damage or destroy the property you have the right to improve the installations on the property. They only have the right to put equipment on the property if the Library has a contract with Einetwork so they are not using your property for the benefit of somebody else and not the benefit of the Library. If that property ever ceases to be used as a Library they have to remove the equipment and restore your property. They already signed and submitted it to us. They haven't submitted to me the signed Agreement between Einetwork and the Library. I wanted to get this approved and signed and then submit it to them. I reviewed the insurance and the Borough is named as an additional insured and I reviewed the other contracts.

b. FYI - Update on the Port Authority Bus Stop.

Manager Zboyovsky reported Council authorizes him to move forward on some projects; however, some need updated. Manager Zboyovsky stated Mr. Richards requested a Bus Stop be installed in front of Jefferson Regional Medical Center on Brownsville Road. I contacted the Port Authority and they indicated there was a Bus Stop in that location when it was the Point View Hotel, it was never reinstalled. President Trexler stated she believes the Bus Stop was already installed.

Mr. Wenzel commented that a Bus Stop was to be installed across the street from the Borough Building. Manager Zboyovsky stated there was one there and it needs repaired; but, a new one will be installed, per the Port Authority.

c. FYI - Pro courts Installation - Manager Zboyovsky stated he spoke with Steve Butler of Pro Courts and the installation will begin the work this week at the existing basketball courts.

16. New Business –

- a. Consider Resolution No. 2011-34, Appointment to Fill the Unexpired Term of Janice Boyko to Brentwood Borough Council. (Candidate chosen from those who submitted Letters of Interest)

M-3. Motion by Mr. Wenzel, seconded by Mrs. Trexler and duly carried to adopt Resolution No. 2011-34, Appointment to Brentwood Borough Council, and upon review of the Letter of Interest submitted, to appoint Brentwood resident Susan Lockhart to fill the vacant seat of Janice Boyko with the term to expire on January 2, 2012.

Mr. Johnson asked for any questions or comments. None.

Solicitor Ayoob stated he changed the date to January 2, 2012 because he believes it has to be the first Monday on the month which it may be the 3rd as it may be a National Holiday. But to be safe for now, we'll say January 2, 2012.

Mr. Johnson asked for any discussion on the motion. None. Mr. Johnson asked for a roll call vote.

A ROLL CALL VOTE WAS TAKEN. Mrs. Schade, AYE; Mr. Zimmerman, AYE; Mrs. Trexler, AYE; Mr. Richards, NAY; Mr. Johnson, NAY; Mr. Wenzel, AYE. 4 AYES. 2 NAYS. Mr. Johnson said the Resolution has passed. "Motion carried."

Mr. Johnson said Mrs. Susan Lockhart will be a full time Brentwood Borough Councilperson. We request you review the Brentwood Borough Code Book Paragraph 1005 and 1006 the Duties of Council and Power of Council members. Congratulations!

Mr. Johnson said you will be sworn in at the beginning of the next Council meeting.

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

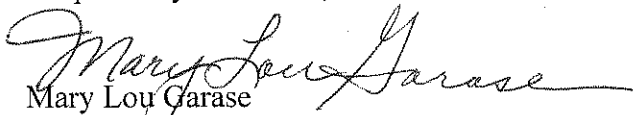
- a. Pat Carnevale, Shadewell Ave., came before Council regarding the following;
 - Item No. 9.g Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Non-Uniform Pension Fund in the amount of \$2,328.10. Manager Zboyovsky explained the invoices regarding this payment.
 - Item No. 9.h Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Police Pension Fund in the amount of \$20,511.04. Manager Zboyovsky explained the invoices regarding this payment.
 - Item No. 9. f. Consider payment of the bills from August 12, 2011 through September 15, 2011 from the Capital Improvement Fund in the amount of \$39,895.20. Manager explained the invoices regarding this payment.
 - Item No. 13.e Consider hiring a part-time Crossing Guard at the rate of \$9.00 per hour. Manager Zboyovsky stated this is a personnel issue.
 - Item No. 13.f Consider hiring a part-time Crossing Guard at the rate of \$9.50 per hour in accordance with Borough Resolution 2010-67-B. Manager Zboyovsky stated this is a personnel issue.

Mr. Carnevale continued to ask questions. Solicitor Ayoob began to state it is a personnel issue. Mr. Richards stated they are not going to answer you Mr. Carnevale. Solicitor Ayoob stated he was attempting to answer the question but he didn't want me to provide the answer to him.

18. Adjournment.

M-4 Motion by Mr. Zimmerman, seconded by Mr. Wenzel and duly carried to adjourn the meeting at 8:20 P.M. ALL AYES.

Respectfully submitted,


Mary Lou Garase
Administrative Assistant