



THE BOROUGH OF BRENTWOOD

MUNICIPAL BUILDING – 3624 BROWNSVILLE ROAD
PITTSBURGH, PA 15227-3199

Office 412-884-1500 FAX 412-884-1911

BOROUGH OF BRENTWOOD NOVEMBER 27, 2012 AGENDA MEETING MINUTES 7:30 P.M.

EXECUTIVE SESSION: 7:00 P.M.

1. Call to Order.

Meeting was called to order at 7:30 p.m.

Council President, David Wenzel indicated that an Executive Session was conducted prior to the meeting to discuss personnel and/or contractual matters. No votes were taken.

2. Pledge of Allegiance. The Pledge of Allegiance was recited by all those present.

3. Roll Call.

Member	Present	Absent	Member	Present	Absent
Mr. Carnevale	X		Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert		X	Mr. Zimmerman	X	
Mr. Wenzel	X		Manager Zboyovsky	X	
Solicitor Ayoob	X		Mayor Lockhart	X	

4. Comments on Agenda Action Items Only. – Please limit remarks to 3 minutes.

None.

5. Communications.

- a. No Communications

6. Department and Borough Managers Reports:

(The following reports are attached to meeting Minutes)

- a. Public Works Department
- b. Building Inspector

Question By/Topic: Item No. 6.b	Mr. Carnevale questioned Mr. Costa regarding the procedure for properties being sold, foreclosures, bankruptcy, property inspections and permits.
------------------------------------	---

c. Engineer

Question By/Topic: Item No. 6.c	Mr. Carnevale questioned if there is information regarding the Phase I and Phase II of the park. Manager Zboyovsky said the report is submitted by Gateway Engineers. If Council has any questions please email me.
------------------------------------	--

d. Police Chief

e. EMS

Question By/Topic: Item No. 6.e	President Wenzel questioned Mr. Balkovec regarding the 2013 subscription drive. Mr. Balkovec stated they received to date 300-400 responses. Mr. Balkovec stated the monthly strip tickets are available at the EMS at \$2.00 per ticket.
------------------------------------	--

f. Brentwood Fire Department

Question By/Topic: Item No. 6.f	Mr. Zimmerman questioned Mr. Bugielski regarding the information from Senator Fontana's Office? Mr. Bugielski stated it was not brought to his attention; however, it may be taken care of by Fire Chief Niecgorski.
------------------------------------	---

g. Solicitor. No report.

h. Borough Manager

Question By/Topic: Item No. 6.h	Manager Zboyovsky stated there is one item, the Financial Budget Comparison. Manager Zboyovsky said we are on track with about 1.3 million dollars in Fund Balance.
------------------------------------	--

7. President's Report. No report.

8. Mayor's Report. Mayor Lockhart reported the 5-K Race Committee is requesting volunteers. Mayor Lockhart stated Mrs. Carol Wirth resigned as Race Director and we thank her for her efforts and outstanding dedication. Mayor Lockhart stated he would like to have several

committees of volunteers. A meeting will be scheduled next month, the public is invited and volunteers are needed.

Mayor Lockhart stated the 4th of July Committee will sponsor a fundraiser on February 1, 2013 at 7:00 P.M. at St. Albert the Great. The admission is \$10.00 and if you would like to purchase a horse the cost is \$10.00; to sponsor a race it is \$50.00. Please try to attend this fundraiser.

Mayor Lockhart stated in talking with the business owners regarding the parking meters being covered during the holiday season and the individuals are parking and going to work downtown, it has been stated this is hindering business; therefore, this year it is my recommendation that there be no free parking and the parking meters are not to be covered. If we receive any complaints we will address this at another time.

9. Administrative and Finance Committee – Mr. Johnson

- a. Approve Minutes of the: October 16, 2012 Agenda Meeting Minutes

Mr. President, I move to approve the Minutes of the October 16, 2012 Agenda meeting as submitted.

Motion By: M-1	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, “Motion carried.”

- b. Approve Minutes of the: October 23, 2012 Regular meeting.

Mr. President, I move to approve the Minutes of the October 23, 2012 Regular Council meeting as submitted.

Motion By: M-2	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, “Motion carried.”

- c. Consider the Treasurer’s Report for Period Ending October 31, 2012.

Mr. President, I move to accept the Treasurer’s Report for the Period Ending October 31, 2012.

Motion By: M-3	Mr. Johnson
Second By:	Mr. Vickless
Question By/Topic:	<p>Mr. Carnevale stated he requested information at an Agenda Meeting about the Solicitor’s invoice being paid in June; the invoice was over \$9,000. Does the Resolution still hold regarding approval of an invoice over \$5,000 or more as with the previous Borough Solicitor?</p> <p>Manager Zboyovsky stated that was a simple vote due to some Council members at the time voting against the entire payment of the bills due to a couple then current Solicitors in place. Council adopted a motion for any invoice that was in excess of \$5,000 had to be broken up separately and voted on separately. It primarily affected Engineer and Solicitor invoices at that time. It was not a Resolution, as Resolutions are good for only one (1) year unless indicated otherwise at the bottom.</p>

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale	X		Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, “Motion carried.”

- d. Consider Borough Manager’s Report for Period Ending October 31, 2012.

Mr. President, I move to accept the Borough Manager’s Report for the Period Ending October 31, 2012.

Motion By: M-4	Mr. Johnson
Second By:	Mr. Vickless

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale	X		Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, “Motion carried.”

- e. Consider ratifying payment of the bills from October 31, 2012 through October 31, 2012 from the General Fund in the amount of \$268,871.67.

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the General Fund in the amount of \$268,871.67.

Motion By: M-5	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

f. Consider ratifying the payment of the bills from October 01, 2012 through October 31, 2012 from the Sanitary Sewer Fund in the amount of \$20,210.48.

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the Sanitary Sewer Fund in the amount of \$20,210.48.

Motion By: M-6	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

g. Consider ratifying the payment of the bills from October 01, 2012 through October 31, 2012 from the Brentwood Park Initiative Fund in the amount of \$4,248.50.

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the Brentwood Park Initiative Fund in the amount of \$4,248.50.

Motion By: M-7	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

h. Consider ratifying the payment of the bills from October 01, 2012 through October 31, 2012 from the Capital Improvement Fund in the amount of \$33,975.95.

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the Capital Improvement Fund in the amount of \$33,975.95.

Motion By: M-8	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

- i. Consider ratifying the payment of the bills from October 01, 2012 through October 31, 2012 from the Highway Aid Fund in the amount \$0.00.

Mr. President for the record: There were no bills from October 01, 2012 through October 31, 2012 from the Highway Aid Fund.

- j. Consider ratifying the payment of the bills from October 01, 2012 through October 31, 2012 from the Non-Uniform Pension Fund in the amount of **\$2,956.65.**

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the Non-Uniform Pension Fund in the amount of \$2,956.65.

Motion By: M-9	Mr. Johnson
Second By:	Mr. Vickless
Question By/Topic:	<p>Mr. Carnevale asked at the Agenda meeting why there was so much for the Solicitor going to the Non-Police and not to the Police Pension Fund?</p> <p>Manager Zboyovsky said he did not review it; I thought you were going to come to the office to review it. If Council wants me to provide copies to everyone I will put it in the packet this week. I thought that was a personal thing. Manager Zboyovsky said I misunderstood, I apologize for that, I will pull the invoice if you want.</p> <p>Mr. Carnevale said no.</p>

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale	X		Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

k. Consider payment of the bills from October 01, 2012 through October 31, 2012 from the Police Pension Fund in the amount of **\$22,164.40**.

Mr. President, I move to ratify the payment of the bills from October 01, 2012 through October 31, 2012 from the Police Pension Fund in the amount of \$22,164.40.

Motion By: M-10	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

l. Consider Resolution No. 2014-44, 2013 Fee Resolution

Mr. President, I move to adopt Resolution No. 2012-44, 2013 Fee Resolution.

Motion By: M-11	Mr. Johnson
Second By:	Mr. Zimmerman
Question By/Topic:	<p>Mr. Carnevale stated he made a proposal to Council to look into the swimming pool and possibly eliminate the fee for children from age 13 to 18 during July and August.</p> <p>Mr. Vickless questioned if this does pass tonight can this be explored next year when it gets closer to swimming season as to change the rates prior to the swimming season?</p> <p>President Wenzel said we will be passing the Resolution tonight for the year; we can always amend it. Mr. Vickless said we can always revisit it.</p>

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade	X	
Mr. Vickless		X	Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried." 4 AYES. 2 NAYS. 1 ABSENT

m. Consider the preparation and advertising of Ordinance No. 2012-1209 – 2013 Revenue Neutral Tax Levy.

Mr. President, I move to authorize the Borough Manager to prepare and advertise Ordinance No. 2012-1209 – 2013 Revenue Neutral Tax Levy. Setting the revenue neutral tax rate at 7.0 mils

Motion By: M-12	Mr. Johnson					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

n. Consider the preparation and advertising of Ordinance No. 2012-1210 – 2013 Final Tax Levy.

Mr. President, I move to authorize the Borough Manager to prepare and advertise Ordinance No. 2012-1210 – 2013 Final Tax Levy. Setting the 2013 Final tax rate to include the 5% windfall provision at 7.35 mils.

Motion By: M-13	Mr. Johnson
Second By:	Mr. Zimmerman
Question By/Topic: Item No. 9.n	Mr. Vickless commented the email we received today from the Borough Manager, I responded to it , sent a copy of it to Council and I think copies were made of it, voicing my disapproval of raising the taxes by .35 mils, taking the 5% windfall. Basically not meeting the needs of the Borough at this time and not doing the due diligence to do the projects that we have already undertaken and completing them fully. We are doing a disservice to the residents of the Borough by taking the additional 5% off them and not fully completing what we are starting. We are lacking in funds, and to ignore that again for another year and not go into and actually talk about this and look at

our tax rate and our tax policy in the Borough is a disservice to the residents of the Borough.

Mr. Carnevale said the Borough Manager made a suggestion that he was looking as far as a 2.5 increase in milage. If we could increase it two (2) mils or 1.5 mils every year, 2013, 2014 and in 2015, it is not coming back onto the taxpayer as one big push at four (4) mils in 2014. It looks like that would happen if certain things happen. This is the biggest argument that we have. Four (4) mils coming down on a person at one time is almost over a 50% hike in the milage. I don't think we should do that to the people, we give them nothing and secondly, we will crack them with four (4) mils, I know Mr.

Zimmerman said he answered the question at a the meeting the other day he wants a new Borough Building and people want things here and things there. If everything goes the way it wants and Council wants to push forward on these things, the four (4) mils would have to come in 2014. There is no doubt about it. Why don't we bring it up slowly and I hope things turn for the best for us and maybe as the years go by or skip a year by not raising the taxes by a mil or two. This is something that has to be looked at, it is there and it is going to happen if we want to push forward. Look back at the stadium project; you don't want to do the stadium correctly. Everybody wants to do something we want to mil-piece it in pieces. It is not getting done fairly to the public. So we should look at this a little longer.

Manager Zboyovsky said, "Point of Clarity" I didn't make the recommendation but I provided different scenarios when I did for the public a four (4) year forecasting of the Boroughs Revenues and Expenditures; there were a lot of assumptions based on that, the amount of the Bond the Borough may take out next year or the year after plays a big part of that. Also, it depends on the number of projects the Borough may undertake over the next couple of years. For certain we know the Borough is moving forward with the DPW facility and Phase I and Phase II in the park. Those are the only two major projects that have been committed for next year other than the paving project if Council moves forward with the budget; and that was \$800,000. Future projects based on the worst case scenario, the Borough wants to do everything it would actually be 5 mils required.

Mr. Carnevale said if we do everything we want to do. If we work on this at a slow pace to get this done. You talk about Phase I and Phase II, you don't want to repair the bleachers or anything, and you don't want to look at the Press Box, you don't want to look at the cement up above that has to be repaired. What happens if we put the DPW in there or bring in an engineer to look at the stadium seats and see if they are safe or unsafe, possibly rope it off or just let it go or we should go in there and do it now! People don't want to talk about this, but it is here, we can't keep more forward now, it will be here until waiting to do something. We have to move forward now; if we don't it will be here until doomsday because nobody wants to raise taxes and

	nobody wants to do anything. If you don't raise taxes, you can forget about that Borough Building, if you don't want to raise taxes forget about the park. Forget about everything. If you are willing to say that at this meeting, then I am willing to say yes and agree to the budget; if you're not let's sit down and compromise.
--	--

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade	X	
Mr. Vickless		X	Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried." 4 AYES. 2 NAYS. 1 ABSENT.

Question By/Topic: Item No. 9.n	Mr. Carnevale commented I want to appreciate the Borough for not looking at this and discussing it further, it is now a hardship to the Borough now and you put this onto the Borough.
------------------------------------	--

o. Consider Resolution No. 2012-45, 2013 Proposed Budget

Mr. President, I move to adopt Resolution No. 2012-45, 2013 Proposed Budget and give notice that the 2013 Budget will be available for public inspection beginning Friday, November 30, 2012 to Tuesday, December 11, 2012.

Motion By: M-14	Mr. Johnson
Second By:	Mr. Zimmerman
Question By/Topic: Item No. 9.o	Mr. Vickless once again commented his displeasure with the Borough's Budget in its current form in the fact it does nothing for the future of the Borough. It does nothing about Planning for the future of the Borough it takes not in consideration that our Borough Manager showed us repeatedly over the last year, in numerous documents not just the latest ones, about the costs we are going to be facing over the past several years and the situation that we are going to drop onto our residents in the near future of a massive tax increase possibly 65% in one year instead of doing a realistic plan and drawing it out over a couple of years, where there is a more gradual increase where we can get things done over a time period and allow the people to see actually what they are paying their tax paying money and what is being done with them. That is a failure of this budget; that is a failure of this Council, and a failure of this Council for the past six (6) years that we do not prepare, we do not plan and we do not do the things that need to be done in this Borough.

	<p>Mr. Carnevale said my recommendation is basically the same as Mr. Vickless. Most of you people that sit at this Borough Council meeting of the Borough and agree whole heartedly on recommendations and some things the Manager brings up. He brought this before you. I remember Mr. Johnson say we now have a Borough Manager and he (.inaudible) and this is what he is voting for. Once again, the Borough Manager is telling you as well as I am telling you. You have to look towards the future, the future of this Borough. if you look at the assessments of the property of this Borough it is mostly assessed between 70%-85%; the reason is because it is coming from a poorer neighborhood. If you live in a richer neighborhood your assessments for the property is between 40%-55%. It is that way their homes cost more money because they put more money. The higher assessments come from your property in the poorer section. You will find out downtown when you go to review it. That is the way it is assessed on the market values. If we want to save this Borough, we need things in the Borough. Forget it.</p>
--	---

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade	X	
Mr. Vickless		X	Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried." 4 AYES. 2 NAYS. 1 ABSENT.

- p. Consider the preparation and advertising of Ordinance No. 2012-1211 – Sewer Rates

Mr. President, I move to authorize the Borough Manager to prepare and advertise Ordinance No. 2012-1211 –Sewer Rates.

Motion By: M-15	Mr. Johnson
Second By:	Mr. Zimmerman
Question By/Topic: Item No. 9.p	<p>Mr. Carnevale questioned if the sewer rates are going up in the Borough?</p> <p>Manager Zboyovsky stated Alcosan is freezing the rates for next year; however, I adjusted the Resolution and the recommendation is on the Borough's side, all the capital projects that the Borough is mandated to undertake every year, especially the O&M requirements that the Borough keep the 10% rate increase that the Borough service fees to make these improvements. We will keep the 10% on half of those, Alcosan was rolled back to what they currently are.</p>

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried." 5 AYES. 1 NAY. 1 ABSENT.

o. Other Items

10. Public Works Committee – Mr. Marty Vickless

a. Accept the Public Works Supervisor’s report for the month of October, 2012.

Mr. President, I move to accept the Public Works Supervisor’s Report for the month of October, 2012.

Motion By: M-16	Mr. Vickless					
Second By:	Mr. Carnevale					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

b. Consider the Engineer’s Report for the month of October, 2012.

Mr. President, I move to accept the Engineer’s Report for the month of October, 2012.

Motion By: M-17	Mr. Vickless					
Second By:	Mr. Johnson					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

c. Consider Resolution No. 2012-46, Entering into a Contract with a Design/Build Contractor for the DPW facility.

Mr. President, I move to adopt Resolution No. 2012-46, Entering the Borough into a Contract with The Allegheny Construction Group located in Bridgeville, PA for the Design/Build of a new DPW facility with a base bid of \$1,239,000, Alternate B Bid – Truck Wash of \$10,000, and Alternate C Bid – Truck Lift in the amount of \$10,000.00 totaling \$1,259,000 and authorize the Borough Manager and Solicitor to prepare the associated Contract Documents. (NOTE: Allegheny Construction also presented the best design and was the lowest bid out of five (5) other firms.)

Motion By: M-18	Mr. Vickless
Second By:	Mr. Johnson
Question By/Topic: Item No. 10.c	Mr. Carnevale questioned if we can ever change on this design, something four (4') foot high on the front of this building and put a one (1') all the way around. President Wenzel said we can't change the bid because everybody else that submitted a bid is going to say you select them to do it then you changed the bid on us. Those things can be done after the bid is awarded; it's called a Change Order if Council wishes.

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried." 5 AYES. 1 NAY. 1 ABSENT.

d. Other Items

11. Zoning and Ordinance Committee – Mrs. Schade

a. Accept the Building Inspector's Report for the month of October, 2012.

Mr. President, I move to accept the Building Inspector's Report for the month of October, 2012.

Motion By: M-19	Mrs. Schade				
Second By:	Mr. Zimmerman				
Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale	X		Mrs. Schade	X	
Mr. Vickless	X		Mr. Johnson	X	
Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

November 27, 2012 Regular Meeting Minutes
 President Wenzel said, "Motion carried."

- b. Mrs. Schade stated there is no Zoning Hearing Board meeting scheduled for November.
- c. Mrs. Schade stated there is no Planning Commission meeting scheduled for November.
- d. Consider Ordinance No. 2012-1208, Rental Property/Landlord Registration

Mr. President, I move to adopt Ordinance No. 2012-1208, Rental Property/Landlord Registration.

Motion By: M-20	Mrs. Schade					
Second By:	Mr. Zimmerman					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

- e. Consider ordinance No. 2012-1207, a Blight Reduction Ordinance.

Mr. President, I move to adopt Ordinance No. 2012-1207, a Blight Reduction Ordinance.

Motion By: M-21	Mrs. Schade					
Second By:	Mr. Zimmerman					
Question By/Topic:	<p>Mr. Carnevale questioned who will enforce this Blight Reduction Ordinance? It is something that has to be enforced by the police department; you need the manpower to enforce this ordinance.</p> <p>President Wenzel said Ralph Costa our Code Enforcement Officer; this was discussed at the Agenda meeting. Solicitor Ayoob said Ralph Costa. I will be in Ralph Costa's office everyday.</p>					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

- f. Mrs. Schade stated to date there is one opening on the Planning Commission. Interested residents are requested to submit a letter to the Borough Manager.
- g. Consider Resolution No. 2012-47, Re-appointing Jayson Livingston to the Zoning Hearing Board for a five (5) year term to expire on December 31, 2017

Mr. President, I move to adopt Resolution No. 2012-47, Re-appointing Jayson Livingston to the Zoning Hearing Board for a five (5) year term to expire on December 31, 2017.

Motion By: M-22	Mrs. Schade					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

- h. Consider Resolution No. 2012-48, Re-appointing Frank Kenny to the Brentwood Planning Commission.

Mr. President, I move to adopt Resolution No. 2012-48, Re-appointing Frank Kenny to the Brentwood Planning Commission for a four (4) year term to expire on December 31, 2016.

Motion By: M-23	Mrs. Schade					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

- i. Consider authorizing the Borough Manager and Solicitor to prepare Ordinance No. 2012-1212, Amending in limited Part Chapter 67, Sewers, of the Brentwood Borough Code.

Mr. President, I move to authorize the Borough Manager and Solicitor to prepare Ordinance No. 2012-1212, Amending in limited Part Chapter 167, Sewers, of the Brentwood Borough Code

Motion By: M-24	Mrs. Schade					
Second By:	Mr. Zimmerman					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

j. Other Items

12. Park and Recreation Committee – Mr. Johnson

- a. FYI - BPI Update. Mr. Johnson stated the Brentwood Park Initiative meets the second Thursday of every month at the Community Room at 7:00 P.M. This meeting is open to the public.
- b. Other Items

13. Public Safety Committee – Mr. Zimmerman

- a. Accept the Police Chief's report for the month of November.
Mr. President, I move to accept the Police Chief's Report for the month of October, 2012

Motion By: M-25	Mr. Zimmerman					
Second By:	Mrs. Schade					
Member	Aye	Nay	Member	Aye	Nay	
Mr. Carnevale	X		Mrs. Schade	X		
Mr. Vickless	X		Mr. Johnson	X		
Mr. Schubert			Mr. Zimmerman	X		
Mr. Wenzel	X		Mayor Lockhart			

President Wenzel said, "Motion carried."

- b. Consider to terminate the Borough's Annual Control Contract with Triangle Pet Services.
Mr. President, I move to terminate the Borough's Animal Control Contract with Triangle Pet Services effective immediately.

Motion By: M-26	Mr. Zimmerman					
Second By:	Mr. Vickless					
Member	Aye	Nay	Member	Aye	Nay	
Mr. Carnevale	X		Mrs. Schade	X		
Mr. Vickless	X		Mr. Johnson	X		
Mr. Schubert			Mr. Zimmerman	X		
Mr. Wenzel	X		Mayor Lockhart			

President Wenzel said, "Motion carried."

- c. Consider taking over the responsibility and payment of the Street Lights on Pearl and Victoria Drive.

Mr. President, I move that Brentwood Borough do take over the responsibility and payment of the Street Lights on Pearl and Victoria Drive.

Motion By: M-27	Mr. Zimmerman
Second By:	Mr. Johnson
Question By/Topic: Item No. 13.c.	Solicitor Ayoob advised Council not to do this. It is not an obligation that a municipality usually undertakes. You are now doing something for private citizens, on private property, that you are not authorized to do. Under State law you have no way of recouping your costs from taking this path. You also present create potential liability for the Borough in the event anybody is harmed as a result of lighting, or quite frankly, if somebody raises a claim that they were a victim of crime because of lack of lighting, then it would be your responsibility. My counsel of advice to you is not to undertake this task. I believe you were told this at the last meeting.
Question By/Topic:	<p>Mr. Vickless questioned if there was any success about looking into what the original approval states in terms of what was to be provided at the site?</p> <p>Manager Zboyovsky said no success looking in the archives; this was probably approved in the 1940's; it is an entire Subdivision Plan and changed property owners.</p> <p>Solicitor Ayoob said unless you made it mandatory to have street lighting as part of approval of a Subdivision Plan you can't enforce it now. I am sure Ralph looked at the Building Codes, Property and Maintenance Codes.</p> <p>Mr. Vickless questioned if the property was sold would that be part of the paperwork for the sale of the property?</p> <p>Solicitor Ayoob said we don't know with private individuals regarding properties. There would be no way to say they were obligated to light it unless it was stated in the Subdivision Plan.</p> <p>Mr. Carnevale said the police and EMS go to that area quite often and it is a place that if there is no lighting there, we have a safety issue for our people.</p> <p>Solicitor Ayoob said it is no different than them going to you backyard and there is no lighting; they can't require you to light it. It is just on larger scale. You can't require or can't impose that on somebody;</p>

	<p>unfortunately.</p> <p>President Wenzel questioned if the lights are on now? Mr. Vickless said yes. President Wenzel said Duquesne Light will turn them off eventually.</p> <p>Solicitor Ayoob said you can take it through eminent domain and take the road and make it public if you wanted to.</p> <p>Mayor Lockhart said you don't want to do that; then you have to maintain the roads.</p> <p>Mrs. Schade stated Forward Management owns Victoria, Pearl and Brentshire Village. I agree with the Solicitor.</p> <p>Manager Zboyovsky said if the Borough would take that option the Borough would receive State funding through the Liquid Fuels Program for additional paved roads for the Borough.</p>
--	---

President Wenzel called for a vote.

Member	Aye	Nay	Member	Aye	Nay
Mr. Carnevale		X	Mrs. Schade		X
Mr. Vickless		X	Mr. Johnson		X
Mr. Schubert			Mr. Zimmerman		X
Mr. Wenzel		X	Mayor Lockhart		

President Wenzel said, "It sounds unanimous. Motion not carried."

Mr. Zimmerman thanked Solicitor Ayoob for the valuable information regarding this motion.

d. Civil Service Commission Openings – Update

Mr. Zimmerman stated there is one opening on the Civil Service Commission Board; to date, we have two (2) applicants. We are looking for three (3) alternate interested residents are requested to submit a letter to the Borough Manager.

e. Mr. Zimmerman requested Council consider donating the 1981 Grumman Fire Truck to the Brentwood Volunteer Fire Company

Mr. President, I move to authorize Council to donate the 1981 Grumman Fire Truck to the Brentwood Borough Volunteer Fire Company.

Motion By: M-28	Mr. Zimmerman					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	

Mr. Schubert			Mr. Zimmerman	X	
Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

f. Other Items.

14. Community Affairs Committee – Mr. Carnevale

a. Consider Resolution No. 2012-49, "Buy Local"

Mr. President, I move to adopt Resolution No. 2012-49, "Buy Local." (NOTE: The Borough will not be offering Free Parking this year.)

Motion By: M-29	Mr. Carnevale					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

b. Consider Borough Flag Design

Mr. President, I move to approve the Borough Flag Design. Option B: Double sided (to be the same on each side) with a white background and no border.

Motion By: M-30	Mr. Carnevale					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

President Wenzel said, "Motion carried."

c. Other Items

15. Special Committees –

Councilman's Name:	Mr. Carnevale
Committee:	SHACOG
Topic:	<p>Mr. Carnevale requested an explanation on how to lease police vehicles and is it cheaper?</p> <p>Mayor Lockhart said we went to leasing because we were able to lease two (2) vehicles for two (2) years. Mayor Lockhart I don't recall the specifics if there was a limit on the miles.</p> <p>Manager Zboyovsky said it is a lease/purchase, not like you or I leasing a vehicle and then turn it in. Manager Zboyovsky said it is a financing mechanism, after two (2) years we own it. It allows us to finance more rather than wait one year and next year gets another one. We can get two in one year.</p> <p>Mr. Carnevale questioned the guaranteed of the vehicle and the insurance regarding an accident?</p> <p>Manager Zboyovsky said it is strictly a financing mechanism. The vehicle is covered by Borough insurance.</p>

16. Old Business – None.

17. New Business – Mr. Carnevale stated he would like to have the Borough have some type of inspector come in to look at the seating in the Stadium to see what seating is good and what seating is bad. If we are not going into new seats, tell our people and we can start ripping the seats out that someone can get hurt in.

Mr. President, I move the Borough have some type of inspector come in to look at the seating in the Stadium to see what seating is good and what seating is bad. If we are not going into new seats, tell our people and we can start ripping the seats out that someone can get hurt in.

President Wenzel called for a vote.

Motion By: M-30	Mr. Carnevale					
Second By:	Mr. Vickless					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson		X
	Mr. Schubert			Mr. Zimmerman		X
	Mr. Wenzel		X	Mayor Lockhart		

President Wenzel said, "3AYES. 3 NAYS. 1 A BSENT"

President Wenzel requested Mayor vote to break the tie. Mayor Lockhart said, "Yes. I think it only proper to make it safe for our residents and I agree to have the unsafe seats removed to prevent a lawsuit."

Solicitor Ayoob said the nature of the motion is getting someone to get a quote from somebody, a third party inspection, you cannot have an open ended motion like that. You need someone to present you with a quote then you approve the costs.

18. Public comment – Please try to limit remarks to 3 minutes. None.

19. Adjournment.

Motion By: M-31	Mr. Vickless					
Second By:	Mr. Johnson					
	Member	Aye	Nay	Member	Aye	Nay
	Mr. Carnevale	X		Mrs. Schade	X	
	Mr. Vickless	X		Mr. Johnson	X	
	Mr. Schubert			Mr. Zimmerman	X	
	Mr. Wenzel	X		Mayor Lockhart		

Meeting adjourned at 8:35 P.M.

Respectfully submitted,

**Mary Lou Garase
Administrative Assistant**

As part of Brentwood’s continuing efforts to promote environmentally friendly initiatives, copies of 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.

BOROUGH OF BRENTWOOD COMMUNITY VISION STATEMENT

The Borough of Brentwood is a unified, family-oriented community with a strong commitment to civic pride and traditions. While preserving these standards, ideals and traditions, the community shall strive to provide a high quality of life for all, a superior educational system and residential areas with a more suburban character. The community shall support established businesses while encouraging future economic development and effective local government, all within a safe and clean environment.