



THE BOROUGH OF BRENTWOOD

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

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

BOROUGH OF BRENTWOOD SEPTEMBER 22, 2014 – REGULAR COUNCIL MEETING MINUTES 7:30 P.M.

As part of Brentwood's continuing efforts to promote a Transparent Government as well as environmentally friendly initiatives, copies of the Reports, Bills, 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. Note: Minutes will be provided on the web site once they are officially approved.

EXECUTIVE SESSION: 6:00 P.M.

- 1. Call to Order.** The Regular Council meeting was called to order at 8:20 P.M. President Vickless stated an Executive Session was conducted prior to the meeting to discuss personnel and contractual issues. No votes were taken.
- 2. Pledge of Allegiance.** The Pledge of Allegiance was recited by all present.
- 3. Roll Call.**

Member	Present	Absent	Member	Present	Absent
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy	X	
Solicitor Levine	X		Manager Zboyovsky	X	

President Vickless: Councilman John Frombach is unable to attend the meeting; however, he will participate in the meeting via telephone.

Special Presentations - NONE

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

- Charles Johnson, Willett Rd., came before Council stating Council should apologize to the residents for the 45 minute wait while Council was in Executive Session. These people deserve an apology.

What is the difference between Item No. 12b and 12d?

Manager Zboyovsky: One is for the purchase of protective netting for the Dek Hockey Rink and the other is to purchase protective mats for outside of the Dek Hockey Rink near the Basketball court.

b. David Sayre, Glendale Ave., came before Council, regarding Item No. 12e concerning the organizations and the lining of the fields for soccer, football, use of certain materials for the turf, chalk vs paint, schedule of events, permits, etc. I have been doing the lining of the fields for 10 years. Discussion was regarding DPW vs. the organizations lining the fields. Mr. Schubert: I apologize for making everyone wait; it was a long Executive Session. Mr. Sayre explained the situation that occurred a few days ago while putting the lines on the field, field permit time, concern regarding paint, etc.

c. Ken Lockhart, Shadewell Ave., came before Council regarding Item No. 13e, Resolution No. 2014-62 questioned if this pertains to the Chief of Police and requested information regarding the Resolution. Also, stated the Executive Session with two (2) members of Council not present; not showing up is disgraceful. Mr. Lockhart read a letter from David Wenzel, 240 Bauman Ave. Copy attached. Mr. Lockhart stated copies were given to the South Hills Record. I believe the audience deserves an apology from the Council for the meeting starting almost one hour late; that is disgraceful. I will make additional comments later in the meeting.

President Vickless requested a copy be given to the Borough Secretary to be included in the Council Minutes, your comments will be noted as read.

d. Michael Colarusso, 428 Boulevard of the Allies, Pgh., PA 15219, Attorney for Robert Butelli, questioned Solicitor Levine what is Resolution No. 2014-62 referenced as 13e on the Agenda?

Solicitor Levine: It is a resolution whether or not to maintain the suspension.

Attorney Colarusso: Is there some written resolution that is available to the public? You are voting on it tonight and I presume there is a written resolution that has been proposed and should be circulated to the public.

Solicitor Levine: Here is part of it, depending on what part of it as the initial outcome or following the Executive Session.

Attorney Colarusso: Am I right in saying this document was drafted before...

Solicitor Levine: There were two documents drafted; one giving Council the option; this is going to be subject to a vote.

Attorney Colarusso: So it is your intention to suspend him with pay or vote on whether to suspend him pay until October 31st of this year?

Solicitor Levine: Yes.

Attorney Colarusso: What is his pay? Is his salary is about \$100,000 per year? You are going to suspend him with pay and getting no work from him from two, three weeks ago for about two (2) months out of the year.

President Vickless: Correct.

Attorney Colarusso: On what authority do you suspend a police officer with pay pending an investigation? What is the authority for that? If you are taking disciplinary action against him....

Solicitor Levine: Are you suggesting it be done without pay? Is that what you are asking?

Attorney Colarusso: No. I am requesting there be some justification for suspending him, with pay, pending an investigation.

Solicitor Levine: The Borough Code provides those provisions.

Attorney Colarusso: You can demote, suspend, and so forth.

Solicitor Levine: Yes.

Attorney Colarusso: So he then has the right to take an appeal immediately, if this Resolution is adopted tonight, to the Civil Service Commission. Is that your position?

Solicitor Levine: If you want to take an appeal, you certainly can take an appeal.

Attorney Colarusso: Thank you.

President Vickless: Are there any other comments on the Agenda items? None.

5. Communications. None.

6. Department and Borough Managers Reports: - (The Following Reports are provided on the Borough's Web Site.)

- a. Public Works Department
- b. Building/Code Department
- c. Engineering
- d. Parks and Recreation Department
- e. Police Department
- f. EMS
- g. Brentwood Volunteer Fire Company
- h. Solicitor
- i. Finance Department
- j. Borough Manager\

President Vickless: There are no comments on the department reports.

7. President's Report – President Vickless: The Anti-Bullying Proclamation will be on hold for now until necessary information is received from the individuals involved.

- a. Anti-Bullying Proclamation (To be addressed when information is received)

8. Mayor’s Report – Mayor Dennis Troy no report at this time.

9. Administrative and Finance Committee – Mr. Dean Trent

- a. Consider Minutes of the: August 18, 2014 Agenda Council meeting.

Mr. President, I move to approve the Minutes of the August 18, 2014 Agenda Council meeting as submitted.

Motion By: M-1		Mr. Trent			
Second By:		Mr. Carnevale			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES.

- b. Consider Minutes of the: August 25, 2014 Regular Council meeting.

Mr. President, I move to approve the Minutes of the August 25, 2014 Regular Council meeting as submitted.

Motion By: M-2		Mr. Trent			
Second By:		Mr. Schubert			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES

- c. Accept the Treasurer’s Report for Period Ending August 31, 2014.

Mr. President, I move to accept the Treasurer’s Report for Period Ending August 31, 2014.

Motion By: M-3	Mr. Trent				
Second By:	Mr. Schubert				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- d. Consider Manager's Report for the Period Ending August 31, 2014.

Mr. President, I move to approve the Manager's Report for the Period Ending August 31, 2014.

Motion By: M-4	Mr. Trent				
Second By:	Ms Fox				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- e. Consider ratifying of the bills from August 01, 2014 through August 31, 2014 from the following Borough Fund Accounts:

1. General Fund in the amount of **\$397,101.64**
2. Sanitary Sewer Fund in the amount of **\$188,213.66**
3. Brentwood Park Fund in the amount of **\$376,321.43**
4. Capital Improvement Fund in the amount of **\$57,606.69**
5. Liquid Fuels Fund in the amount of **\$0.00.**
6. Non-Uniform Pension Fund in the amount of **\$2,406.10**
7. Police Pension Fund in the amount of **\$23,364.73**

Mr. President, I move to ratify the bills from August 01, 2014 through August 31, 2014 from the following Borough Fund Accounts:

1. General Fund in the amount of **\$397,101.64**
2. Sanitary Sewer Fund in the amount of **\$188,213.66**
3. Brentwood Park Fund in the amount of **\$376,321.43**
4. Capital Improvement Fund in the amount of **\$57,606.69**
5. Liquid Fuels Fund in the amount of **\$0.00.**
6. Non-Uniform Pension Fund in the amount of **\$2,406.10**
7. Police Pension Fund in the amount of **\$23,364.73**

Motion By: M-5	Mr. Trent
Second By:	Mr. Schubert
Question By/Topic:	<p>Mr. Carnevale: On the Non Uniform Pension Fund and the Police Pension Fund, I asked at the last meeting we take out the amount of money we pay to the Attorney and the Actuary, will we be able to take that out?</p> <p>Manager Zboyovsky: Yes.</p>

President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- f. Consider 2015 Minimum Municipal Obligation (MMO) for the Non-Police Pension Plan.

Mr. President, I move to accept the 2015 Minimum Municipal Obligation (MMO) for the Non-Police Pension in the amount of \$97,953.00.

Motion By: M-6	Mr. Trent
Second By:	Dr. Pasquantonio
Question By/Topic:	<p>Mr. Carnevale: Requested Manager Zboyovsky to explain the MMO and why it comes to the amounts. If you look at both amounts it is about \$380,000 paid to the pension fund; that is almost one (1) mil. Within the next year it will be one (1) mil.</p> <p>Manager Zboyovsky explained the MMO and the amounts to the audience. Currently the plans are funded at 80%. We receive state aid to off-set this money.</p>

President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- g. Consider 2015 Minimum Municipal Obligation (MMO) for Police Pension Plan.

Mr. President, I move to approve the 2015 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$279,131.00.

Motion By: M-7	Mr. Trent				
Second By:	Mr. Carnevale				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- h. Consider Advertising Ordinance No. 2014-1230; Police Pension Plan

Mr. President, I move to authorize the Borough Manager to advertise Ordinance No. 2014-1230; Police Pension Plan.

Motion By: M-8	Mr. Trent				
Second By:	Mr. Schubert				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- i. Consider Advertising Ordinance No. 2014-1231; Non-Police Pension Plan
Mr. President, I move to authorize the Borough Manager to advertise Ordinance No. 2014-1231; Non-Police Pension Fund.

Motion By: M-9	Mr. Trent
Second By:	Ms Fox
Question By/Topic:	<p>Mr. Carnevale: I talked about this last week, there are five members on the Police Pension Board and seven members on the Non-Uniform Pension Board; I suggest we separate the funds and conduct separate meetings regarding these pension funds.</p> <p>Manager Zboyovsky: This will be on the Agenda for the next Pension Board meeting.</p>

President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

Mr. Trent continued:

- j. ***FYI -Mr. President, the First 2015 Budget Workshop will be held on Monday, October 13th beginning at 6:00 PM., this workshop is open to the public.***
- h. Other Items

10. Public Works Committee – Mr. Rich Schubert

- a. Accept the Public Works Supervisor’s report for period ending August 31, 2014.

Mr. President, I move to accept the Public Works Supervisor’s report for the period ending August 31, 2014.

Motion By: M-10		Mr. Schubert			
Second By:		Dr. Pasquantonio			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES.

- b. Accept the Engineer’s report for the period ending August 31, 2014.

Mr. President, I move to accept the Engineer’s report for the period ending August 31, 2014.

Motion By: M-11		Mr. Schubert			
Second By:		Dr. Pasquantonio			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES.

- c. Consider Work Authorization from Gateway Engineers associated with Surveying to confirm the location of a retaining wall along East Francis in the Lump Sum amount of \$3,400.00 to be paid from the Capital Improvement Fund – 18-439-313 Engineering Services.

Mr. President, I move to authorize the Work Authorization from Gateway Engineers associated with Surveying to confirm the location of a retaining wall along East Francis in the Lump Sum amount of \$3,400.00 to be paid from the Capital Improvement Fund – 18-439-313 Engineering Services.

Motion By: M-12	Mr. Schubert
Second By:	Mr. Carnevale
Question By/Topic:	<p>Ms Fox: Did we receive any other estimates to get this done or did we go right to Gateway?</p> <p>Mr. Schubert: We went right to Gateway. I didn't we think we needed other estimates?</p> <p>Ms Fox: Don't you think we gave Gateway enough of our money, can we see what else is out there? We should try someone else.</p> <p>Manager Zboyovsky: I will contact Vitali and he can make some calls.</p>

President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES.

d. Other Items

Question By/Topic:	<p>Mr. Carnevale: We have to think about hiring another person in the DPW; I discussed this with the Manager. We need to stop and look if we need to advertise or go back to the old applications. It would take three (3) months to fill the position. We should start looking now, we are short of workers and I think we should begin the process.</p> <p>Ms Fox: I agree.</p>
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11. Zoning and Ordinance Committee – Ms. Stephanie Fox

- a. Consider the Building Inspector's monthly report for the period ending August 31, 2014.

Mr. President, I move to accept the Building Inspector's monthly report for the period ending August 31, 2014.

Motion By: M-13	Ms Fox				
Second By:	Mr. Carnevale				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES.

Ms Fox: Mr. President, as an FYI - there will be no Planning Commission meeting in September and no Zoning Hearing Board meeting in September.

- c. Other Items

12. Park and Recreation Committee – In the absence of Mr. John Frombach, Mr. Schubert will address the Park and Recreation report.

- a. Consider the Recreation Director’s monthly report for the period ending August 31, 2014.

Mr. President, I move to accept the Recreation Director’s monthly report for the period ending August 31, 2014.

Motion By: M-14	Mr. Schubert
Second By:	Dr. Pasquantonio
Question By/Topic:	<p>Mr. Carnevale: I go down to the fields daily and on the weekends the fields are not taken up the BAA; lately there is nobody there at 11:00 A.M., on a Sunday. When the organizations don’t use the fields they are supposed to call and tell us the fields are open. I think we should be forcing that so we are informed when the fields are not being used.</p> <p>Mr. Schubert: That is part of the agreement to tell us when the fields are not being used.</p> <p>President Vickless: The organizations are to call the Borough because of the liability. We request they call us and let us know the field is open.</p> <p>Mr. Trent: We need Paula to call the organizations with permits that they follow the procedures and let them know they are to contact the Borough if they are not using the fields.</p>

	Mr. Schubert: Yes, I agree.
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President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- b. Consider authorizing the purchase of protective sports netting for the Dek Hockey Rink.

Mr. President, I move to authorize the purchase of protective sports netting for the Dek Hockey Rink in the not-to-exceed amount of \$8,000 to be paid from the General Fund Line Item 01-454-700 Parks – Minor Purchase.

Motion By: M-15	Mr. Schubert
Second By:	Mr. Carnevale
Question By/Topic:	<p>Mr. Trent: Did we get competing bids or did we go to one company?</p> <p>Mr. Schubert: Yes, there were two bids and both different. When I read the information we were putting stand-alone netting with additional poles, etc. I contacted Allegheny Fence and they will come out to look at this; the amount of the bids we received is something for in the ground and the option will be a lot less.</p>

President Vickless called for a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- c. Consider authorizing the purchase of protective mats for the outside of the Dek Hockey rink near the Basketball Court.

Mr. President, I move to authorize the purchase of protective mats for the outside of the Dek Hockey Rink near the Basketball Court in the not-to-exceed amount of \$4,000 to be paid from the General Fund Line Item 01-454-700 Parks – Minor Purchase.

Motion By: M-16	Mr. Schubert
Second By:	Dr. Pasquantonio
Question By/Topic:	<p>Mr. Carnevale: What type of mats are they? Do they have flat grommets? There is nothing to tie them to, it is useless.</p> <p>Mr. Schubert: In talking with the manufacturer and Paula that is what it would be. Discussion ensued on the grommets being flat, etc.</p> <p>Mr. Trent: I request to table this motion due to lack of information.</p> <p>Manager Zboyovsky: We will shop around. I don't want to delay this, it is for an amount not to exceed and I will see that we get the proper matting so it works right.</p>

President Vickless called a vote.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- d. Consider authorizing the transfer of \$7,000 from the Operating Reserve Fund 95-492-01 to the General Fund 01-392-095.

Mr. President, I move to authorize the transfer of \$7,000 from the Operating Reserve Fund 95-492-01 to the General Fund 01-392-095 to cover the cost of the protective sports netting for the Dek Hockey Rink.

Motion By: M-17	Mr. Schubert				
Second By:	Dr. Pasquantonio				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- e. Consider prohibiting anyone, other than DPW Employees, from painting or marking any lines on the stadium's synthetic turf field.

Mr. President, I move to prohibit anyone, other than DPW Employees, from painting or marking any lines on the stadium's synthetic turf field.

Motion By: M-18	Mr. Schubert
Second By:	Mr. Trent
Question By/Topic:	<p>Mr. Carnevale: Discussion regarding the DPW lining the fields and overtime costs, etc.; the BAA lining the fields for years, the BSA lining the fields for years; Borough concern about organizations lining the fields, etc. I have nothing against the organizations lining the fields.</p> <p>Mr. Trent: I don't care one way or another; we had the volunteers from the organizations line the fields; however, we have the DPW taking care of the rest of the park. I do understand it it's the DPW that is to maintain everything in the park.</p> <p>Ms Fox: The fields belong to the Borough; we spend millions of dollars on this stadium field, these are the taxpayers' fields/stadium and the liability should be on the Borough, not the organizations. Why did this come to Council? How did this item get on the Agenda?</p> <p>Mr. Schubert: I withdraw the motion.</p> <p>Mr. Trent: I withdraw the second.</p> <p>Mayor Troy: When the fields are being lined please notify the Borough when this will be occurring, we need a process to implement when the fields are being lined and the amount of paint being used. There need to parameters established and a process implemented as related to the</p>

	<p>painting of the fields.</p> <p>Dr. Pasquantonio: I think it is important for everybody to communicate with each other. The Borough depends on the organizations volunteers.</p>
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f. Other Items

13. Public Safety Committee – Mr. Pasqual Carnevale: I apologize to everyone for the lengthy meeting as there was a lot to be discussed today. Also, last week when I was talking I did not know at that time that we had the temporary occupancy permit in the park. I apologize to the President of the Dukes and to Council that I was wrong.

- a. Consider the Acting Police Chief’s monthly report for the period ending August 31, 2014.

Mr. President, I move to accept the Acting Police Chief’s monthly report for the period ending August 31, 2014.

Motion By: M-19		Mr. Carnevale			
Second By:		Dr. Pasquantonio			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES

- b. Consider Resolution No. 2014-60, Appointment to Civil Service Commission

Mr. President, I move to adopt Resolution No. 2014-60, Appointment of Mr. Henry Krakovsky as an Alternate Board Member on the Civil Service Commission to a six (6) year term, to expire on December 31, 2020.

Motion By: M-20		Mr. Carnevale			
Second By:		Ms Fox			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES

- c. Consider hiring Judith Tierney, as Brentwood Borough Crossing Guard at the 90-day probationary rate of \$10.39/hour in accordance with Borough Resolution No. 2013-35, Non-Union and Non-Contractual Employees' Salaries.

Mr. President, I move to hire Judith Tierney, as Brentwood Borough Crossing Guard at the 90-day probationary rate of \$10.39/hour in accordance with Borough Resolution No. 2013-35, Non-Union and Non-Contractual Employees' Salaries.

Motion By: M-21	Mr. Carnevale				
Second By:	Mr. Schubert				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

- d. Consider Brentwood EMS Service Agreement

Mr. President, I move to authorize the Borough Solicitor to prepare an Agreement with Brentwood EMS granting them the right to be the exclusive provider of emergency medical care and emergency ambulance services in the Borough of Brentwood.

Motion By: M-22	Mr. Carnevale
Second By:	Mr. Trent
Question By/Topic:	<p>Solicitor Levine: There is an existing contract dated November 1, 1993 and it continues to run perpetuity until there is a Notification of Termination, to negotiate a new contract, with new terms, if it is only one term, you want to technically terminate the current contract. You have 90 days to terminate that contract and then enter into a new contract. The new contract may be in the form of the old one, but this is a procedural mechanism so that you end one contract and begin negotiations to begin a new one. It is an exclusive negotiation with the Brentwood EMS organization.</p> <p>At this time, Mr. Carnevale reread the motion.</p> <p>Mr. President, I move to authorize the Borough Solicitor to prepare an Agreement with Brentwood EMS granting them the right to be the exclusive provider of emergency medical care and emergency ambulance services in the Borough of Brentwood for a 90 day</p>

termination of your contract to negotiate a new contract by December 31, 2014. A new contract to be in effect by then.

Solicitor Levine: Simply a notification of the old contract, requires a 90 day notice if you are going to consider negotiations for a new contract.

Mr. Carnevale: We are giving the EMS notice that we are going to negotiate a new contract; the current expires on December 31, 2014. The new contract would be for two (2) years and no longer. Every two (2) years you would need a new contract. A discussion ensued with a member of the audience with Council.

Solicitor Levine: There is discussion that a lease can be for a longer term period; a servicer contract would be for a shorter period of time, the terms of the contract make the distinction.

President Vickless: The intent is to start the negotiations now so that at the end of the year we have a new contract in place for January 1, 2015.

Mr. Schubert: Is the terms of the new contract be planned meetings with the EMS, the Manager, the Public Safety Committee? Who will be in charge of this?

President Vickless: Yes there will be meetings; the Borough Solicitor will then review the contract that is to be negotiated.

Mr. Schubert: To be determined.

President Vickless: To be determined, negotiated.

JoAnne Cook: EMS representative, our subscription drive is about to get underway; we want to make sure there is no delay.

Dr. Pasquantonio: We will work on the contract and it will be effective January 1, 2015.

Mr. Schubert: We are negotiating exclusively with the Brentwood EMS for a contract for EMS services; you will still be our service so you could start the subscription drive.

Mr. Carnevale: You have the exclusive rights, there were no other proposals.

Ms Fox: The contract is very antiquated, it is an outdated version. It needs updated. Does it concern you that it is not in writing for the subscriptions?

JoAnne Cook: It is the fact it is a two (2) year contract and we are looking at more than a two (2) year contract; there are surrounding emergency services that have more than a two (2) year contract and some services with an indefinite contract with their Borough.

	Dr. Pasquantonio: Well then we can look at that.
	Mr. Carnevale: You would have to take that up with us at negotiations.

President Vickless called for a vote.

Mr. President, I move to authorize the Borough Solicitor to prepare an Agreement with Brentwood EMS granting them the right to be the exclusive provider of emergency medical care and emergency ambulance services in the Borough of Brentwood for a 90 day termination of your contract to negotiate a new contract by December 31, 2014. A new contract will be in effect by then.

Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES.

- e. Consider **Resolution No. 2014-62**, Ratifying Mayor's Decision.

Mr. President, I move to ratify the Mayor's decision on the suspension of the Police Chief Robert D. Butelli with pay until October 31, 2014 pending the completion of an outside investigation and potentially further action of this Council upon the completion of Thomas Farrell investigation and the Council President Martin Vickless serve Police Chief Butelli with specified charges that warrant suspension.

Motion By: M-23	Mr. Carnevale				
Second By:	Dr. Pasquantonio:				
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale		X	Mr. Schubert	X	
Mr. Frombach		X	Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." 5 AYES. 2 NAYS.

- f. Other items

14. Community Affairs Committee – Dr. Robert Pasquantonio

- a. Consider **Resolution No. 2014-61**, Shade Tree Committee Appointment

Mr. President, I move to adopt Resolution No. 2014-61, Appointing Loralie Bruce as a Municipal Member of the Multi-Municipal Shade Tree Commission, to a five (5) year term, to expire on December 31, 2019.

Motion By: M-24		Dr. Pasquantonio			
Second By:		Mr. Schubert:			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, “Motion carried.” ALL AYES.

- b. FYI – Dr. Pasquantonio: Brentwood Parks & Recreation Department is working with the Brentwood Centennial Committee to develop a “Centennial Logo Design Contest” to incorporate the recent Centennial Committee approved Centennial slogan “Believe in Brentwood”.

15. Special Committees – None.

16. Old Business – Mr. Trent: Requested Manager Zboyovsky an update on the stadium project:

Manager Zboyovsky: Tomorrow will be a meeting at the site with the school district based on what the contractor has been able to get completed from last Thursday when we had our weekly progress meeting. On Tuesday the school district will decide if they feel comfortable enough to host the home the football game scheduled on Friday. The meeting will be tomorrow at 9:00 A.M.

Mr. Carnevale: When is the next time the high school play? Manager Zboyovsky: On October 10, 2014.

Mr. Trent: Can we invite Plavchak to a Council meeting?

Ms Fox: I already asked that same question.

Manager Zboyovsky: I’ll refer this question to the Solicitor.

Solicitor Levine: Explained some of the details of the project and stated it could potentially lead to litigation. The question would be do you want to have a meeting with him and discuss this or send a letter to him and state our position. You have that options, having a meeting would be productive and then send a letter.

Ms. Fox: I would like to have Gateway and Plavchak in front of us right now, at this meeting. My opinion on this project, I have been in this industry for 20 years. I have not hidden my disgust and concerns about it. Are you saying in a public setting or a private setting?

Solicitor Levine: I think it is a contract situation and I think it may go to litigation. It might be appropriate to discuss what is going on, it might be constructive and then you can go from there and say look what is going on here. We do need to move quickly. You could have them come in and have a hearing, to see what have to say; but it is something that could lead to litigation.

Mr. Frombach: I would prefer not to have the contractor come into a public environment that might create a problem; I think we should handle this through the job meetings as been done and then see where it leads in the future.

Mr. Carnevale: I second that suggestion. It would be a lot easier to sit and discuss; what would we gain.

Ms Fox: I disagree. I have attended some of these meetings and they have lied to public officials; let them face the public to the truth. It is their money; they deserve the answer, the truth. I can back that up, I was at the meetings and I have been involved.

17. New Business –Mr. Trent:

Mr. President, I move to get fines made about park renovations for signs to be displayed in the park from Carik Signs “Renovations to the Park”

Motion By: M-25	Mr. Trent:
Second By:	Dr. Pasquantonio:
Question By/Topic:	<p>Mr. Trent: We need to give credit to organizations for the amount of funding they secured through grants, donations, fundraising and have it displayed so people know how the funding came about. It would dispel some of the rumors and myths and give people the credit for the work they have done for this project.</p> <p>Mr. Schubert: Do you have a sign in mind?</p> <p>Mr. Trent: Have a pie chart so people would know how the money is being spent and the people get credit for the work they have done.</p> <p>Mr. Schubert: Put it on the website rather than put the money on a sign.</p> <p>Mr. Frombach: Have it tabled and put in the Park & Recreation October meeting to discuss.</p> <p>Mr. Carnevale: There is a lot of misinformation out there.</p> <p>Mr. Trent: I am trying to put proper information out so everyone is on the same page. That will be healthy for all concerned.</p>

Mr. Trent: I request to table the motion and put it in the Park and Recreation Committee for discussion. Dr. Pasquantonio: I withdraw the second.

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

a. Stephanie Richards, 422 Lawnwood Ave., came before Council questioning why the DPW has people in the park during soccer and football games, why do they sit there for four (4) hours in a truck. That is my tax dollar.

President Vickless: For maintenance in the field, make sure the trash is removed and for general cleanup.

Mrs. Richards: We police the field prior to our games. It is also with the baseball games. as far as communication, I personally believe if you are a member of council you should not be a coach or involved in the volunteering to the organizations. With all the political issues going on and the miscommunication, I really think possibly an ordinance stating if you are considering running for Council, you cannot be a member of an organization. As a collective group all of you are supposed to make decisions; not last minute decisions on the day of or the day before and not letting anybody else know.. I think this should be considered. It is getting very biased.

b. Scott Samarco, 129 Olanca Ave., came before Council regarding last month we had their 6th annual block party; Acting Police Chief stopped down to meet the residents, mingled with the residents, and showed the residents you are there and care for them. We appreciate that.

c. Dr. Frank Cappetta, Saw Mill Run Blvd., came before Council regarding Item 10c. with the work authorization of Gateway and questioned if somebody else could do that but then Council voted on it. What did I miss?

Mr. Trent: We have a wall collapsing and from what I understand it is an emergency situation.

Dr. Cappetta: Mr. Carnevale made a statement about misinformation about the BPI; I want to make sure that those emails that were sent were not from the BPI. I made particular reference at the bottom of the email/letter they were from me, Dr. Cappetta and not the BPI. They were my personal comments.

In regards to having Plavchak here at a meeting, some of you were at the meetings, why don't you speak on that. Why all of a sudden are we hearing about the delays. Has anything developed since last week involved with the construction on Thursday or Friday with regard to a waterline issue that was supposedly misinformation that would delay the project? I was told today the waterline will be shut off until October 30, 2014.

Ms Fox: I do agree with you and I have attended many of the construction meetings. I was very insistent that I be made aware and receive notification of any delays. They did agree with that; however, that did not happen.

Dr. Cappetta: When you were notified five (5) weeks ago, no action was taken. As I showed last week it was very accurate information; why now is all this happening.

Manager Zboyovsky: At every one of these weekly meetings, we would discuss the schedule they would state to our face that everything was fine. The contractor said he was on schedule and we had two (2) emergency meetings on the same day, one in the morning, one in the evening, both with the contractor and the site manager assured us everything was on schedule. The work would have been done had the contractor staffed the project sufficiently. A lengthy discussion ensued on who is to blame with the delay of schedule, the water line, unwrapped conduit (exposed wire), etc. Tomorrow I will bring up the October 20th question. At this time I don't think anyone has any confidence in this contractor as to what he is relaying to Brentwood Borough or Gateway Engineers.

d. Ken Lockhart, 3502 Shadewell Ave., came before Council stated during the Executive Session contractual and personnel matters were discussed, I question what time was the Lauderhill Hearing to begin.

Solicitor Levine: It was not a Lauderhill Hearing, we invited the Police Chief and the individual that is conducting the investigation.

Mr. Lockhart: Can you tell me what time that meeting was supposed to start?

Solicitor Levine: I initially thought it was at 6:00 P.M.

Mr. Lockhart: Everyone was there except for the President of Council, Mr. Trent. If the meeting was called, I think out of decency the people that are voting if this man should keep his job or not should have been there on time. The Chief of Police and his attorney waited an hour before the meeting started. You start the meeting and then you are to make a ruling regarding the Chief and you come up to extend his leave with pay, you are still embarrassing this man for allegations. This is an embarrassment to the Chief, his young children and family and to the Borough.

d. Mario Richards, 422 Lawnwood Ave., came before Council, former Councilman, regarding the Grant Mr Zboyovsky obtained in 2008. Mr. Richards referred to Title 9 of 1972, the section regarding failure to provide equal opportunity to athletics. Mr. Richards stated several councilmembers were at the stadium and the gates were open, some gates locked. Who opened the gates?

Mr. Trent: Don't accuse me without the facts.

Mr. Richards: I have known the Police Chief Butelli for over 35 years. His record is impeccable. Why was he dismissed? Why was he on suspension?

Solicitor Levine: We sent the Police Chief notification and we will keep that between the Mayor and the Police Chief.

Mr. Richards: When will we find that out? Will we find it out at all? I am asking the Mayor.

Solicitor Levine: It is not appropriate to open this for discussion at this time at a Council meeting. We had the vote, we have the Resolution and we are not going into detail. We will not discuss this publicly.

Mr. Richards: About paying taxes, I found this out from the Right-To-Know; I pay property, wage, and school taxes do all of you? I know one that doesn't.

e. David Cook, 124 Joseph St., came before Council, stating he is the son of a mother that has a severe heart condition and I thank you for the vote tonight, knowing that the response time will be the same and she will be in good hands of the EMS of this Borough.

As a life member of the Brentwood EMS, thank the residents of the Borough for their support not only through this process but since 1974. Their support has been and always will be appreciated; your vote this evening is a victory for them in keeping their life-saving service within their Borough. The Brentwood EMS is solid, stable and they are dedicated to the Borough residents as prior Council and Mayors already knew this.

Mr. Cook: Some comments now regarding the paid employees, the volunteers and whether they will have a job or not. They have remained professional, committed to the EMS and loyal to the residents. Not one has jumped ship and left in these economic times. They are to be commended to the residents. Thank you for the vote and hopefully it leads to a long success.

f. Rick Galish, 331 Outlook St., representing the Brentwood DUKES, I disagree with you, there are members of the Council and Mayor that are members of our coaching staff, and members of our organization. In my opinion, these are the people that you want involved in the Borough with the kids, they volunteer their time and talk to a lot of parents to let them know what is going on in this Borough. We welcome these people to our organizations. In our 42 year history this is the first time we had the least field time, under this Council and this Mayor. I am here about the kids in; Brentwood, that is my primary concern, kids that want to play football. Thank you.

g. Charlie Johnson, Willett Rod, came before Council and the reason why I brought up the DUKES was because Council cancelled the BAA Agreement. I don't understand why you do for one and not the other, I do not understand.

President Vickless: There is a difference between field permits, lease agreements and service agreements. We made the BAA equal with the BASA, the Brentwood DUKES and other organizations.

Mr. Johnson: I misunderstood. Let me give you a summary of what you did in 270 days, this Council:

- Picked on the BPI
- Bad named the EMS
- Police Chief Butelli

19. Adjournment. The meeting adjourned at 10:00 P.M.

Motion By: M-26		Ms Fox			
Second By:		Dr. Pasquantonio			
Member	AYE	NAY	Member	AYE	NAY
Mr. Trent	X		Ms Fox	X	
Mr. Carnevale	X		Mr. Schubert	X	
Mr. Frombach	X		Mr. Vickless	X	
Dr. Pasquantonio	X		Mayor Troy		

President Vickless said, "Motion carried." ALL AYES

Respectfully submitted,

Mary Lou Garase
Administrative Assistant

Attachment

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

"We must love them both -- those whose opinions we share and those whose opinions we reject. For both have labored in the search for truth, and both have helped us in finding of it." -- Thomas Aquinas