

**BOROUGH OF BRENTWOOD
AGENDA
December 11, 2017 - REGULAR MEETING MINUTES
7:30 PM**

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: 7:00 PM

1. Call to Order.

Called to order at 7:38PM.

2. Pledge of Allegiance.

3. Roll Call.

Member	Present	Absent	Member	Present	Absent
Mr. Schubert	X		Ms. Fox	X	
Mr. Carnevale	X		Mr. Smith	X	
Mr. Doyle	X		Mr. Frombach	X	
Dr. Pasquantonio	X		Mayor Troy	X	
Solicitor	X		Manager Zboyovsky	X	

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

Jerry Livingston, 4069 Dalewood Street, asserted that the dearth of recent citations for illegal commercial vehicle parking demonstrates that no further restrictions are required. Asserted that the proposed regulation pertaining to storing automobiles that are registered to business addresses is unfair.

5. Communications.

a. Thank You RE: Summer Works Program

Received an email from Mrs. Colleen Mertz at the Brentwood School District thanking the Borough for participating in the Summer Works program.

6. Department and Borough Managers Reports:

- a. Public Works Department
- b. Building Inspector
- c. Engineer
- d. Recreation
- e. Police Chief

- f. EMS
 - g. Fire Department
 - h. Solicitor
 - i. Finance Director
 - j. Borough Manager
- a. Consider accepting the Department and Borough Manager's Reports [ACTION ITEM]
Mr. President, I move to accept the Department and Borough Manager's Reports for the Period ending November 30, 2017 as presented.

Mr. Carnevale requested receipt of additional data on state and federal payroll tax payments.
Motion By: Pat Carnevale

Second By: Harold Smith

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

7. President's Report – Mr. John Frombach

Mr. Frombach thanked each member of Council for taking in active role in leading their respective committees.

- a. FYI - Reorganization Meeting
The Reorganization of the Brentwood Borough Council will take place on Tuesday, January 2nd, 2018 beginning at 6:00 PM.

8. Mayor's Report – Mr. Dennis Troy

Mayor Troy thanked Mr. Schubert for his service as a member of Council. Reported on a recent meeting with the police officers; as a result of this dialogue, employees are having greater input on equipment purchases. Also stated that he presided over the swearing in of the new officers of the Brentwood VFC and praised these individuals for their contributions to public safety.

9. Administrative and Finance Committee – Mr. Harold Smith

- a. Consider approving the minutes from the November Council Meetings [ACTION ITEM].
Mr. President, I move to approve the minutes from the November 6th, November 13th, November 20th, and November 27th Council Meetings.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider Accepting the Treasurer's Report for the Period Ending November 30, 2017 [ACTION ITEM]

Mr. President, I move to accept the Treasurer's Report for the Period Ending November 30, 2017.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- c. Consider ratifying the payment of bills from November 1 to November 30, 2017. [ACTION ITEM]

Mr. President, I move the Borough ratify the payment of bills from November 1 to November 30, 2017 for the following:

1. ***General Fund in the amount of \$436,958.68***
2. ***Sanitary Sewer Fund in the amount of \$78,677.68***
3. ***Capital Improvement Fund in the amount of \$95,479.77***
4. ***Borough Building Fund in the amount of \$147,615.69***
5. ***Liquid Fuels Fund in the amount of \$0.00***
6. ***Non-Uniform Pension Fund in the amount of \$4,110.18***
7. ***Police Pension Fund in the amount of \$25,291.97***

Motion By: Harold Smith

Second By: AJ Doyle

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- d. Consider adopting Ordinance No. 2017-1260: 2018 Tax Levy [ACTION ITEM]

Mr. President, I move to adopt Ordinance No. 2017-1260, which sets the 2018 Real Property Tax at 10.00 mils. This ordinance includes no tax increase.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- e. Consider adopting Ordinance No. 2017-1261: 2018 Sewage Rates [ACTION ITEM]

Mr. President, I move to adopt Ordinance No. 2017-1267, which amends, in limited part, Chapter 167 of the Brentwood Borough Code to set the fees for the collection, transportation, and treatment of sewage for year 2018.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- f. Consider adopting Resolution No. 2017-78: Tax Anticipation Note Authorization [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2017-78: authorizing the tax anticipation note agreement with Brentwood Bank.

Motion By: Harold Smith

Second By: AJ Doyle

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- g. Consider adopting Resolution No. 2017-79: 2018 Final Budget [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2017-79: Adopting the 2018 Final Budget as presented for all funds owned and maintained by the Borough of Brentwood.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- h. Consider adopting Resolution No. 2017-82: Amendments to Personnel Manual [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2017-82: Amendments to Personnel Manual.

Mr. Carnevale asked for clarification on the motion. Manager Zboyovsky responded that it is necessary to amend the section of the policy that pertains to healthcare benefits due to the results of the recent contractual negotiations.

Motion By: Harold Smith

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

10. Public Works Committee – Mr. AJ Doyle

- a. Consider Resolution No. 2017-77: 2018-2022 Street Rehabilitation & Maintenance Plan [ACTION ITEM].

Mr. President, I move to adopt Resolution No. 2017-77: Five-Year Street Rehabilitation & Maintenance Plan.

Mr. Schubert questioned if the curbing is included under this program. Manager Zboyovsky replied that, when a street is paved, curb repairs are also completed; however, such improvements typically are not authorized for streets where the sidewalks are to be repaired as part of a standalone project under the cost sharing program.

Motion By: AJ Doyle

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider Approving Work Authorization from The Gateway Engineers associated with contract development for the 2018 Street Rehabilitation and Maintenance Plan [ACTION ITEM]

Mr. President, I move the Borough approve Work Authorization from The Gateway Engineers associated with contract development for the 2018 Street Rehabilitation and Maintenance Plan in the not-to-exceed amount of \$5,000 to be paid from 2018 Capital Improvement Fund Line Item 18-439-619 Roadway Rehabilitation Projects.

Motion By: AJ Doyle

Second By: Harold Smith

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- c. Consider Approving Work Authorization from The Gateway Engineers associated with contract development for the 2018 Sidewalk Replacement Program [ACTION ITEM].

Mr. President, I move to approve the Work Authorization from The Gateway Engineers associated with contract development for the 2018 Sidewalk Replacement Program in the not-to-exceed amount of \$4,500 to be paid from 2018 Capital Improvement Fund Line Item 18-439-313: Sidewalk Cost Sharing Repair.

Mr. Carnevale stated that he thought that these contracts would be developed in-house. Manager Zboyovsky replied that this not-to-exceed amount is less than half of what was budgeted in prior years due to the purchase of model specifications; Gateway will only be asked to provide services where necessary and the majority of the relevant tasks will be completed by DPW Director Alexandrov.

Motion By: AJ Doyle

Second By: Stephanie Fox

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

11. Zoning and Ordinance Committee – Ms. Stephanie Fox

- a. Consider Resolution No. 2017-80: 2018-2022 Shared Cost Sidewalk Restoration Program Plan [ACTION ITEM]

Mr. President, I move to adopt Resolution No. 2017-80: Shared Cost Sidewalk Restoration Program Five-Year Plan.

Motion By: Stephanie Fox

Second By: Harold Smith

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider advertising of Ordinance No. 2018-1262: Backflow Prevention Program [ACTION ITEM]

Mr. President, I moved to advertise Ordinance No. 2018-1262, which would implement a shared cost backflow prevention device installation program.

Mr. Smith asked if program participation would be voluntary, and Manager Zboyovsky responded affirmative.

Motion By: Stephanie Fox

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- c. FYI - The Borough is still seeking applications for residents to serve as an alternate member of the Brentwood Zoning Hearing Board.

Mr. President, the Borough is still accepting letters of interest from residents who might be interested in serving as an alternate member of the Brentwood Zoning Hearing

Board. The Borough hopes to appoint this person during the January 22nd Council meeting.

- d. Consider authorizing the Borough Manager to submit a revised scope of work for the Multimodal Transportation Fund Grant [ACTION ITEM]

Mr. President, I move to [approve or reject] authorizing the Borough Manager to submit a revised scope of work for the Multimodal Transportation Fund Grant.

Motion to approve.

Manager Zboyovsky explained the scope of work that has been incorporated into the revised budget, which is based upon the reduced grant award. Mr. Carnevale asserted that it is unfair to provide certain property owners with free sidewalk improvements after other individuals participated in the cost sharing program. Mayor Troy stated that certain aspects of the Snee Dairy improvements could be leveraged to cover a portion of the matching share.

Motion By: Stephanie Fox

Second By: Pat Carnevale

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- e. Consider Ordinance No. 2017-1257: Commercial Vehicle Parking [ACTION ITEM].

Mr. President, I move to adopt Ordinance No. 2017-1257: Commercial Vehicle Parking.

Mr. Frombach commented that enforcement of this proposed ordinance may be prohibitive. Mr. Schubert asserted that enforcement would be problematic no matter the context of the ordinance; the alterations make the statute slightly less stringent but significantly more clear. Dr. Pasquantonio stated that the inclusion of improved definitions should allow officers to more easily identify those vehicles that would be prohibited from parking on the street. Mayor Troy expressed concern that the registration clause is problematic; asserted that it could be construed so as to even prevent the storage of rental cars on the street.

Motion By: Stephanie Fox

Second By: Rich Schubert

Ayes: Carnevale, Fox, Pasquantonio, Schubert

Nays: Doyle, Frombach, Smith

President: "Motion Passed"

12. Parks and Recreation Committee – Mr. Pat Carnevale

- a. FYI - Pool Grant

Mr. President, I would like to inform the Borough Council that the Borough Staff was once again successful in obtaining a grant to fund park improvements. This \$100,000

award is associated with Phase II of the Brentwood Borough Pool repairs and would mostly be allocated toward repairs to the bathhouse. However, as with most grants, the Borough is required to match this \$100,000. Further, the engineer's estimate for this project is \$600,000 to \$800,000. So some decisions will need to be made regarding this grant and the project as a whole in the near future.

13. Public Safety Committee – Mr. Pat Carnevale

- a. Consider approving the MOU with the Allegheny County District Attorney for Police Video Records Management [ACTION ITEM]

Mr. President, I move to approve the Memorandum of Understanding with the Allegheny County District Attorney's Office, which pertains to the management of Police Department video records pursuant to Pennsylvania Act 22 of 2017.

Mr. Carnevale questioned how this alteration coincides with the Right to Know Law. Solicitor Robb explained that this change would not make access to police department videos more or less permissive; rather, it would shift the burden of review of these records to a centralized office. Mr. Smith asked if the District Attorney would assess a fee; Chief Zeppuhar replied that this change would reduce potentially reduce borough expenditures, as the DA would absorb the costs of any litigation associated with an appeal of a decision.

Motion By: Pat Carnevale

Second By: AJ Doyle

Ayes: Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

Nays: Carnevale

President: "Motion Passed"

- b. Consider authorizing the Chief of Police to request the release of asset forfeiture funds for the purchase of tasers [ACTION ITEM].

Mr. President, I move to authorize the Chief of Police to request the Allegheny County District Attorney to release \$7,094.34 in Asset Forfeiture funds to assist with the purchase of five new tasers.

Mr. Carnevale questioned the need for additional tasers. Chief Zeppuhar explained that it is problematic that the officers have to share these devices; use of this equipment could prevent a physical altercation or the need to use lethal force.

Motion By: Pat Carnevale

Second By: Rich Schubert

Ayes: Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

Nays: Carnevale

President: "Motion Passed"

- c. Consider Transferring Funds from 01 410-249 K-9 OFFICER to 01 410-242 POLICE PROTECTION SUPPLIES[ACTION ITEM]

Mr. President, I move to authorize the transfer of \$4,000.00 from General Fund Line Item 01 410-249 K-9 OFFICER to General Fund Line Item 01 410-242 POLICE PROTECTION SUPPLIES and authorize the Chief of Police to purchase new optics for department service rifles at a not-to-exceed cost of \$4,000.

Mr. Carnevale questioned why asset forfeiture funds are not being utilized for this purchase. Chief Zeppuhar responded that it could take upwards of six months for the District Attorney to consider such a request.

Motion By: Pat Carnevale

Second By: Harold Smith

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

14. Community Affairs Committee – Dr. Robert Pasquantonio

- a. FYI- Trash prepayment discount

FYI- Mr. President, the Borough will once again be offering residents the opportunity to receive twelve months of trash service for the price of ten. To receive this discounted rate, customers must satisfy in full the amount listed on their January sewage/refuse statement, as well submit an additional \$171. Garbage fees will be removed from all subsequent bills for calendar year 2018, and the resident will receive a \$38 savings. Detailed instructions will be included on the forthcoming bill.

15. Special Committees

Mr. Carnevale reported that the required meetings were held with the VFC and EMS. Stated that the VFC asked Council to consider an ordinance revision to allow this organization to bill insurance companies for its responses to traffic accidents. Manager Zboyovsky to review similar ordinances in peer communities.

16. Old Business

- a. Consider authorizing the Borough Manager to prepare a Request for Proposals for Construction Management Services associated with the Construction of a new Public Safety Building and Renovations of the Civic Center for Borough Offices [ACTION ITEM]

Mr. President, I move to authorize the Borough Manager to prepare a Request for Proposals for Construction Management Services associated with the Construction of a new Public Safety Building and Renovations of the Civic Center for Borough Offices.

Mr. Carnevale questioned if it would be necessary to retain a construction manager for the duration of the project. Manager Zboyovsky stated that the services of such a firm may not be needed until after the design phase is completed.

Motion By: Rich Schubert

Second By: Robert Pasquantonio

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

- b. Consider Revised Work Authorization from HHS DR to complete Final design contract documents associated with a new Municipal Building in the amount of \$339,000 to paid from the Capital Improvement Fund Line Item 18-409-313 [ACTION ITEM]

Mr. President, I move the Borough approve the revised Work Authorization from HHS DR Architects to complete Final design contract documents associated with a new Municipal Building in the amount of \$339,000 to paid from the New Borough Building Fund Line Item 19-409-313. Note that this \$7,000 increase from the original contract is necessary due to the decision to split municipal operations between two separate facilities.

Motion By: Rich Schubert

Second By: Harold Smith

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"

17. New Business

- a. Consider adopting Resolution No. 2017-81: Prohibiting the Operation of a Category 4 Licensed Gaming Facilities within the Borough of Brentwood [ACTION ITEM]

Mr. President, I move the Borough adopt Resolution No. 2017-81: Prohibiting the Operation of a Category 4 Licensed Gaming Facilities within the Borough of Brentwood.

Mr. Frombach asked for clarification on the state legislation that pertains to this motion. Solicitor Robb stated that the newly adopted law allows municipalities only a single chance to opt out of allowing these institutions; however, Brentwood could choose to opt in at a later date if approached by a prospective licensee. Mr. Schubert asserted that such a development could have a positive impact on the Borough tax base.

Motion By: AJ Doyle

Second By: Harold Smith

Ayes: Doyle, Fox, Frombach, Pasquantonio, Smith

Nays: Carnevale, Schubert

President: "Motion Passed"

18. Public Comment

Eugene Werner, 4328 Brownsville Road, questioned if the Borough could provide curb

improvements on county owned roads. Mr. Frombach replied that this item would be strictly under the county's jurisdiction.

Herb Sill, 240 Bauman Avenue, asserted that enforcement of the commercial vehicle parking ordinance should be delayed. Thanked Council for dedication to betterment of the Borough.

Jerry Livingston, 4069 Dalewood Street, commended Council for having a vigorous debate over the commercial parking ordinance. Asked officers to continue to use discretion with enforcement.

Sandy Andrews, 4066 Dalewood Street, questioned if the DA's Office has an established procedure for responding to requests for the release of video records. Solicitor Robb stated that the DA will appoint a designated employee who will act in accordance with written guidelines.

Joanne Cook, Brentwood EMS, report that the organization's newly acquired ambulance is now operative.

19. Adjournment

Adjourned at 10:08PM.

Motion By: AJ Doyle

Second By: Rich Schubert

Ayes: Carnevale, Doyle, Fox, Frombach, Pasquantonio, Schubert, Smith

President: "Motion Passed"