

037

BOROUGH OF WEST VIEW  
ORGANIZATIONAL MEETING

JANUARY 5, 2004

Minutes of the Organizational Meeting of the Town Council of the Borough of West View, held Monday, January 5, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. President Daniel Daugherty called the Meeting to order at 6:30 P.M.

President Daugherty read the Notice advertising the Meeting as follows: Notice is hereby given that for the Calendar Year 2004, Borough Council will meet on the second Wednesday of each month at 7:00 p.m., with the exception of the January Meeting, which will be held immediately following the Reorganizational Meeting on Monday, January 5, 2004 at 6:30 p.m. The Planning Commission will meet at 7:30 p.m. on the third Monday of each month, by appointment only. The Zoning Hearing Board will meet at 7:30 p.m. on the third Tuesday of each month, by appointment only. All Meetings will be held in Council Chambers of the Municipal Building, 441 Perry Highway, Pittsburgh, PA, 15229. This was followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Roll Call was conducted by Kenneth Wolf. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, Ronald George and William Aguglia. Also present were: Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Police Chief Charles Holtgraver, Assistant Secretary Patricia Rapp and District Justice Richard Opiela. Mayor Richard Powell, Council Member John Henry and Fire Chief Joseph Assisi were not present.

At 6:33 P.M., President Daugherty adjourned the Meeting.

Solicitor Fred Baxter took the Chair and called the Meeting to Order.

Solicitor Baxter accepted nominations for President of Town Council. *Daniel Daugherty was nominated by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

Solicitor Baxter accepted nominations for Vice President of Town Council. *Mary Kay Bernhard was nominated by Mr. Nowark and seconded by Mr. George. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

Solicitor Baxter accepted nominations for Secretary - Treasurer. *Kenneth J. Wolf was nominated by Mr. Schell and seconded by Mr. Aguglia. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Aguglia. Motion approved and ordered.*

Solicitor Baxter turned the Meeting over to the elected President of Town Council, Mr. Daniel M. Daugherty. Mr. Daugherty requested Mr. Wolf conduct Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, Ronald George and William Aguglia. Also present were: Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Police Chief Charles Holtgraver, Assistant Secretary Patricia Rapp and District Justice Richard Opiela. Mayor Richard Powell, Council Member John Henry and Fire Chief Joseph Assisi were not present.

President Daugherty entertained a Motion that all Offices of the Borough, except those of the Secretary/Treasurer, Civil Service Commission, Zoning Hearing Board, Recreation Board, Planning Commission and Members of the Police Force be declared Vacant. *Motion made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*

Motions for nominations for Solicitor were in order. *Fred E. Baxter was nominated by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.* Mr. Daugherty said Mr. Baxter had been appointed Solicitor for 2004 and 2005.

Motions for nominations for Engineer were in order. *Robert Zischkau from Glenn Engineering was nominated by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.* Mr. Daugherty said Mr. Zischkau from Glenn Engineering had been appointed as Engineer for 2004 and 2005.

Motions for nominations for Borough Manager were in order. *Kenneth J. Wolf was nominated by Mrs. Bernhard and seconded by Mr. George. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

Motions for nominations for Chief of Police were in order. *Charles M. Holtgraver was nominated by Mr. George and seconded by Mr. Aguglia. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*

Motions for nominations for Independent Auditor were in order. *Reddinger, Will, Gallagher & Dickert, LLC were nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*

Motions for nominations for Mercantile, Business Privilege and Occupational Privilege Tax Collector were in order. *Central Tax Bureau was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.*

Motions for nominations for the appointment of a Delegate to the North Hills Council of Governments were in order. *Barry G. Schell was nominated by Mr. Nowark and seconded by Mr. George. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mrs. Bernhard. Motion approved and ordered.*

Motions for nominations for an appointment of an Alternate Delegate to the North Hills Council of Governments were in order. *Joseph J. Nowark was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mrs. Bernhard and seconded by Mr. George. Motion approved and ordered.*

Motions for nominations for an appointment of a Delegate to Northwest Regional Communications were in order. *John R. Henry was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*

Motions for nominations for an appointment of an Alternate Delegate to Northwest Regional Communications were in order. *Cathy A. Mann was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*



Motions for nominations for Assistant Secretary were in order. *Patricia A. Rapp* was nominated by Mr. Schell and seconded by Mr. George. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.

Motions for nominations for Earned Income Tax Collector / Assistant Treasurer were in order. *Cathy A. Mann* was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.

Motions for nominations for Building Inspector were in order. *Lawrence Toia* was nominated by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.

Motions for nominations for Code Enforcement Officer were in order. *Joseph Assisi* was nominated by Mr. George and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Aguglia. Motion approved and ordered.

Motions for nominations for a Depository for the Years 2004 and 2005 were in order. *PNC Bank* was nominated by Mrs. Bernhard and seconded by Mr. Nowark. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.

Motions for nominations for Legal Advertising Newspaper for the Years 2004 and 2005 were in order. *Post Gazette North / Post Gazette - Alternate Paper Tribune Review* was nominated by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered. Motion to close nominations made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.

At 6:44 P.M. Mr. John R. Henry arrived, being late due to traffic.

Motion to Bond the Secretary/Treasurer/Borough Manager, the Solicitor, the Assistant Secretary and the Earned Income Tax Collector/Assistant Treasurer in the amount of \$10,000.00 were in order. Motion made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.

President Daugherty said the Members of Council had received the Rules of Council.

President Daugherty appointed the Committees for Years 2004 and 2005, as follows:

#### PUBLIC WORKS COMMITTEE

CHAIRPERSON -

RONALD F. GEORGE  
JOSEPH J. NOWARK  
WILLIAM F. AGUGLIA

#### PUBLIC RELATIONS & RECREATION COMMITTEE

CHAIRPERSON -

MARY KAY BERNHARD  
BARRY G. SCHELL  
WILLIAM F. AGUGLIA

#### FINANCE COMMITTEE

CHAIRPERSON -

JOSEPH J. NOWARK  
BARRY G. SCHELL

036

JOHN R. HENRY

POLICE & PUBLIC SAFETY COMMITTEE  
CHAIRPERSON -

JOHN R. HENRY  
MARY KAY BERNHARD  
JOSEPH J. NOWARK

FIRE & WATER COMMITTEE  
CHAIRPERSON -

BARRY G. SCHELL  
RONALD F. GEORGE  
JOHN R. HENRY

PROPERTY & PURCHASING COMMITTEE  
CHAIRPERSON -

WILLIAM F. AGUGLIA  
MARY KAY BERNHARD  
RONALD F. GEORGE

President Daugherty introduced District Justice Richard Opiela. Magistrate Opiela was met at the Podium by John R. Henry, Joseph J. Nowark, Barry G. Schell and James C. Miller. Magistrate Opiela swore in Mr. Henry, Mr. Nowark and Mr. Schell as Four Year Council Members and Mr. Miller as Constable for the Borough of West View and they were applauded by all.

President Daugherty thanked Magistrate Opiela for his services and Magistrate Opiela thanked Council for inviting him to the Meeting.

The Organizational Meeting adjourned at 6:47 P.M., to be immediately followed by the Regular Meeting of Town Council.

APPROVED:

*February 11, 2004*

BOROUGH OF WEST VIEW

BY:

*[Signature]*  
Kenneth J. Wolf Secretary/Manager

BY:

*[Signature]*  
Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

JANUARY 5, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229, at 6:47 P.M., which was immediately following the Organizational Meeting of Town Council.

Secretary/Manager Kenneth J. Wolf conducted Roll Call. Members of Town Council present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, John Henry, Ronald George and William Aguglia. Also present were: Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Chief of Police Charles Holtgraver and Assistant Secretary Patricia Rapp. Mayor Powell and Fire Chief Assisi were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on December 10, 2003 was made by Mr. Schell and seconded by Mr. Henry. Motion approved and ordered.*

*Motion to approve the payment of General Fund expenditures for Net Pay and Payroll withholding in the amount of \$108,874.86 and payments to Vendors in the amount of \$374,163.36 was made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$6,405.79 was made by Mr. Nowark and seconded by Mr. Aguglia. Motion approved and ordered.*

*Motion to approve the payment of Capital Reserve UDAG expenditures in the amount of \$80,742.96 was made by Mr. Nowark and seconded by Mr. Aguglia. Motion approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$19,266.11 was made by Mrs. Bernhard and seconded by Mr. Schell. Question on the Motion to specify the amount by Mr. Nowark. The figure was \$19,266.11. With no further questions, Motion approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - RICHARD E. POWELL (Absent)

President Daugherty read the report from the Mayor, as follows:

## Mayor's Report for the Month of December 2003

## Motor Vehicle Code Violations -

Parking Violations / Tickets	\$270.00
Vehicle Code Violations / Magistrate	\$500.18
Ordinance & Statute Violations / Magistrate	\$317.70
Allegheny County / DUI	\$934.87

State Shared / Vehicle Code	\$2,546.36
Total Receipts for December 2003	\$4,569.11

#### Mayor's Annual Report for the Year 2003

#### Motor Vehicle Code Violations -

Parking Violations / Tickets	\$4,305.00
Vehicle Code Violations / Magistrate	\$7,497.98
Ordinance & Statute Violations / Magistrate	\$6,713.96
Allegheny County / DUI	\$4,969.21
State Shared / Vehicle Code	\$4,607.46
Total Receipts for Year 2003	\$20,093.61

#### REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf reported that the Borough's Auditors have been in the office and have begun the 2003 Audit. Mr. Wolf advised Council and the Audience that Members of the 3 Rivers Wet Weather Project will be coming into the Borough in the near future, checking out various sights. They will be wearing clearly identifiable 3 Rivers Wet Weather Project Orange Vests and will be carrying proper identification so that Residents are aware of their presence.

Mr. Wolf said there was a late addition to the Agenda, which would be Item #9. This is the request to pay Victor Paving for the 2003 Paving Project, which Mr. Wolf recommends Council consider approving.

#### REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

Chief Holtgraver addressed Council, requesting their consideration of the purchase of GPS (Global Positioning Systems) for each of the Police Cruisers. This will be considered under the Agenda as Item #10.

#### REPORT FROM THE SOLICITOR - FRED E. BAXTER

Solicitor Baxter referred to Item #1 under the Agenda. This is Resolution #1301, which would adopt the Administrative Consent Decree and/or Orders. Solicitor Baxter found no problem with Council signing the Decree and recommended their consideration for approval.

Solicitor Baxter had looked into the Borough's Revitalization Program and found that it would be best to have this Program as deemed a non profit organization. Solicitor Baxter recommended Council consider naming it the West View Revitalization Corporation, a non profit organization, and do so as Item #11 under the Agenda.

#### REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau reported that Bids were received on December 16<sup>th</sup> (correcting his written report that was submitted) for the Girty's Run / Rochester Road Sewer Relocation Project. The Bids are currently being reviewed and Mr. Zischkau hopes to have a recommendation for Council by the February Meeting. Mr. Zischkau may be able to begin this Project in March of 2004.

## REPORTS FROM THE COMMITTEES

## FINANCE REPORT - JOSEPH J. NOWARK

Wage tax collection deposits for the month of December totaled \$9,594.93. The Borough's net proceeds were \$4,788.87. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in January.

Our Capital Reserve - UDAG CD in the amount of \$22,000.00 matured on December 12<sup>th</sup> and it earned interest in the amount of \$16.60. We purchased a CD on December 12<sup>th</sup> in the amount of \$24,000.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$128,500.00 matured on December 12<sup>th</sup> and it earned interest in the amount of \$96.99. We purchased a CD on December 12<sup>th</sup> in the amount of \$83,500.00 for 31 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on December 12<sup>th</sup> and it earned interest in the amount of \$133.59. We purchased a CD on December 12<sup>th</sup> in the amount of \$177,000.00 for 31 days to earn interest.

Real Estate Tax deposits for the month of December totaled \$18,000.96. These funds were deposited into the General Fund checking account to help offset Borough expenditures in December.

Our General Fund CD in the amount of \$350,000.00 matured on December 12<sup>th</sup> and it earned interest in the amount of \$264.17. We purchased a CD on December 12<sup>th</sup> in the amount of \$20,000.00 for 31 days to earn interest.

## PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia had no report for Council.

## PUBLIC WORKS REPORT - RONALD F. GEORGE

Mr. George reported that the Borough had 400 Ton of Salt delivered this week, ordering 600 Ton year to date. The Road Crew will be taking down the Christmas Decorations as weather permits and began picking up Christmas trees this week. The Crew will continue to pick up trees through January 16<sup>th</sup> and they should be free of decorations and debris when placed curbside.

Mr. George read a thank you note received from the Wire Family, thanking the Road Crew for a fine job with snow removal.

## POLICE AND PUBLIC SAFETY REPORT - JOHN R. HENRY

Mr. Henry reported there were Contract negotiations with the Police Department but no new negotiation meeting date has been scheduled to date.



## FIRE AND WATER REPORT - BARRY G. SCHELL

Mr. Schell said the Fire Chief's Annual Report has been filed. There were a total of 166 response calls with a total damage loss of \$40,300.00 and a total of 1,557 Man Hours for the 166 response calls. There were 14 Department Drills with 769 total Man hours. There were 34 Company Drills with 918 total Man Hours. There were 128 Children that participated in Fire Prevention Classes. The Fire Department had one Deceased Member in 2003.

## PUBLIC RELATIONS AND RECREATION REPORT - MARY C. BERNHARD

Mrs. Bernhard said the Crime Watch Meeting began at the Firemen's Building at 7:00 P.M. The Centennial Committee recently mailed out their Newsletter and Mrs. Bernhard had many nice remarks about the letter. The Committee still needs Volunteers and help with the plans for the Centennial. The Recreation Committee is working on the plans for the March Winter Blues Party for the West View Senior Citizens. Any College Aged Students interested in being a 2004 Summer Recreation Program Supervisor should apply at the Borough Office, as applications are being accepted.

## AUDIENCE

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty advised that Council is here to listen to comments and help when possible, but Council will not debate opinions.

Joel Ballon of 479 Perry Highway addressed Council, reinforcing the excellent work the Road Crew does during Snow Storms. Mr. Ballon requested snow removal from the sidewalks be addressed, especially on Borough properties.

President Daugherty thanked Mr. Ballon for addressing Council and will speak with Mr. George, Mr. Wolf and the Road Crew Foreman regarding the sidewalks.

Susan Donovan from 207 Frankfort Avenue addressed Council. She thanked the Police Chief and his staff for their quick handling of a serious Drug problem. President Daugherty thanked Mrs. Donovan for attending.

Jim Barr from 200 Frankfort Avenue addressed Council. He questioned a conflict of scheduling with the Crime watch meeting and the Council Meeting and President Daugherty directed him to the Crime Watch meeting for answers. He asked if positions were advertised for the general public to apply and if a meeting was held or any correspondence was received regarding the Girty's Run Litigation. President Daugherty said no, however, added that Solicitor Baxter had represented the Borough at a Hearing in December. He recommended Mr. Daugherty

abstain from voting on the appointment to the Municipal Authority, to which President Daugherty said, though he did not need Mr. Barr's recommendation, Mr. Daugherty never has, nor never will vote on such an appointment, he always abstains. He asked if Council had any more meetings scheduled for this month and would they advertise if they hold a meeting to do business. President Daugherty said no and yes, any Council Business Meeting would be advertised, as was tonight's meeting.

Mr. Barr questioned Item #8 under the Agenda and asked if there was a dollar figure for this Item. President Daugherty advised that Item #8 was an appointment to the Three Rivers Wet Weather Demonstration Program and no fees apply. After trying to clear up Mr. Barr's confusion, President Daugherty again explained the Resolution concerning the Consent Decrees / Orders. President Daugherty said we have been using the User's fee for the past two years in order to comply

### UNFINISHED BUSINESS

There was no unfinished business.

### NEW BUSINESS

There was no new business.

### AGENDA

1. Council to consider Resolution #1301. *Motion to read Resolution #1301 made by Mr. Nowark and seconded by Mr. Schell. Motion to amend to read the Title only made and rescinded by Mr. Henry. Motion to read approved and ordered.* President Daugherty read Resolution #1301, which is a Joint Resolution authorizing the proper Officers to execute the Allegheny County Health Department's Administrative Consent Order (through the DEP). *Motion to approve Resolution #1301 made by Mr. Nowark and seconded by Mr. Henry. Motion approved and ordered.*
2. Council to consider an appointment to the Municipal Authority of the Borough of West View for a five year term, through December 31, 2008. Mr. Thomas Witherel is currently serving in this position. *Motion to appoint Mr. Witherel was made by Mr. Henry and seconded by Mr. Schell. Motion approved and ordered, with President Daugherty abstaining.*
3. Appointment to the Recreation Board for a five year term, through December 31, 2008. Mr. Pat O'Brien is currently serving in this position. *Motion to appoint Mr. O'Brien was made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.*
4. Appointment to the Vacancy Board, which is a yearly appointment, through December 31, 2004. Mr. Thomas Witherel is currently serving in this position. *Motion to appoint Mr. Witherel was made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*
5. Appointment to Ross / West View Emergency Medical Services Authority for a five year term, through December 31, 2008. Mr. Gary Punzak is currently serving in this position. *Motion to appoint Mr. Punzak was made by Mr. Schell and seconded by Mr. George. Motion approved and ordered.*
6. Appointment to the Girty's Run Watershed Plan Advisory for a two year term, through December 31,

2005. Mr. Harry Gruener is currently serving in this position. *Motion to appoint Mr. Gruener was made by Mr. Nowark and seconded by Mr. Schell. Mr. Nowark said that Mr. Gruener has been exceptional in this position and has taught him everything regarding Girty's Run and felt Mr. Gruener is outstanding. With nothing further, Motion was approved and ordered.*

7. Two Appointments to the Watershed Advisory Committee for a two year term, through December 31, 2005. Mr. Barry Schell and Mr. Jay Nowark are currently serving in these positions. *Motion to appoint Mr. Schell and Mr. Nowark was made by Mr. Henry and seconded by Mr. Aguglia. Motion approved and ordered.*
8. Appointment to the Three Rivers Wet Weather Demonstration Program for a Delegate and an Alternate Delegate. Mr. William Aguglia is currently serving as Delegate and Mr. Kenneth Wolf is currently serving as Alternate Delegate. *Motion to appoint Mr. Aguglia as Delegate and Mr. Wolf as Alternate Delegate was made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*
9. Council to consider payment to Victor Paving for the balance of the 2003 Paving Project in the total amount of \$21,292.85. (General Fund \$20,059.65 and Building Fund \$1,233.20) Mr. Wolf had no problems with this payment. *Motion to approve the payment was made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*
10. Council to consider approving the purchase of GPS Units for the Police Cruisers. Mr. Henry motioned to authorize for solicitation of three quotes for prices. Chief Holtgraver advised that this would not be necessary, as the Borough would piggyback with another Municipal Contract in order to purchase the Units. *Motion to purchase the GPS Units made by Mr. Henry was seconded by Mr. Schell. Motion approved and ordered.*
11. Council to consider forming a Non Profit Organization for the revitalization program. Mr. Henry motioned to direct the Solicitor to form the West View Borough Revitalization Corporation and to file the proper papers with the Internal Revenue Service (Form 501C3 Designation, which is the not for profit status that is required for Grants and Donations). *Motion was seconded by Mr. Schell. Motion approved and ordered.*

#### ADJOURNMENT

With no further Business for Council to consider, President Daugherty thanked everyone for attending the Meeting. President Daugherty wished everyone a very Happy New Year, problem-free and Good Health. The Meeting adjourned at 7:29 P.M.

APPROVED: February 11, 2004

BOROUGH OF WEST VIEW

BY: [Signature]

BY: [Signature]

Kenneth J. Wolf, Secretary/Manager

Daniel M. Daugherty  
President of Town Council

BOROUGH OF WEST VIEW

043

REGULAR MEETING

FEBRUARY 11, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held Wednesday, February 11, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. President Daugherty called the Meeting to Order at 7:00 P.M., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Joseph Nowark, John Henry, Ronald George, Barry Schell and William Aguglia. Also attending were: Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Police Chief Charles Holtgraver and Assistant Secretary Patricia Rapp. Mayor Richard Powell and Fire Chief Joseph Assisi were not present.

*Motion to approve the Minutes of the Re-Organizational Meeting of Town Council held on January 5, 2004 was made by Mr. Schell and seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the Minutes of the Regular Meeting of Town Council held on January 5, 2004 was made by Mr. Henry and seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$152,655.74 and payments to vendors in the amount of \$109,456.95 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$4,184.19 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$10,397.82 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

REPORTS FROM THE OFFICERS

REPORT FROM THE MAYOR - MAYOR RICHARD E. POWELL (Absent)

In the Mayor's absence, President Daugherty read the Report from the Mayor for January 2004, as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$ 430.00
Vehicle Code Violations / Magistrate	\$ 313.56



044 Ordinance & Statute Violations / Magistrate	\$ 662.55
Allegheny County / DUI	\$ 75.00
State Shared / Vehicle Code	\$ 0.00
Total Receipts for January 2004	\$1,481.11

#### REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf reported the Borough Auditors have been in the Borough Office working on the 2003 Audit that is due by April 1<sup>st</sup>. Council will have the Audit prior to April 1<sup>st</sup>.

Mr. Wolf reported on the Uniform Construction Code Program (UCC Implementation). Council will need to decide whether they would like to opt in or out of the UCC Implementation between April 9<sup>th</sup> and July 8, 2004.

The Borough will have three choices to make, being whether to continue using in-house by certifying the officers, using Labor & Industry, or using a third party. If Council chose in-house, personnel would have to be certified. Mr. Wolf expressed reservations about using Labor & Industry, as it would be a disadvantage to Residents trying to get appointments for building permits.

With the UCC Implementation Laws, there would need to be an Appeals Board. The North Hills Council of Governments is currently looking into the possibility of creating a COG wide Appeals Board.

#### REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

Chief Holtgraver gave a progress review of the Borough's Investigator, Officer Drwal. Officer Drwal has investigated 16 cases in the past month, with five burglaries, one bad check case, three drug cases, one firearm violation, one stolen vehicle, one fraudulent use of a bank card and one fraudulent use of a credit card. There were eight arrests, with six pending arrests and one case was cleared through restitution. President Daugherty requested Chief Holtgraver give Officer Drwal Council's compliments, especially on the drug cases.

#### REPORT FROM THE SOLICITOR - FRED E. BAXTER

Solicitor Baxter has filed the Consent Order with the Department of Environmental Protection. The Borough must now comply with the Consent Order.

#### REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau said that, other than his written report that he had submitted, he had nothing else for Council.

#### REPORTS FROM THE COMMITTEES

##### FINANCE REPORT - JOSEPH J. NOWARK

Wage Tax collection deposits for the month of January totaled \$93,314.71, less



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\$419.51, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$46,447.61. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in February.

Our Capital Reserve - UDAG CD in the amount of \$24,000.00 matured on January 12<sup>th</sup> and it earned interest in the amount of \$9.16. We purchased a CD on January 12<sup>th</sup> in the amount of \$24,500.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$83,500.00 matured on January 12<sup>th</sup> and it earned interest in the amount of \$67.30. We purchased a CD on January 12<sup>th</sup> in the amount of \$84,000.00 for 31 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on January 12<sup>th</sup> and it earned interest in the amount of \$142.67. We purchased a CD on January 12<sup>th</sup> in the amount of \$178,000.00 for 31 days to earn interest.

Real Estate Tax deposits for the month of January totaled \$15,808.82. These funds were deposited into the General Fund checking account to help offset Borough expenditures in January.

Our General Fund CD in the amount of \$20,000.00 matured on January 12<sup>th</sup> and it earned interest in the amount of \$7.63. We received our 2004 Tax Anticipation Note proceeds on January 13<sup>th</sup> in the amount of \$300,000.00 and invested \$200,000.00 in a CD for 30 days to earn interest.

#### PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia reported that Council will consider two Items under the Agenda regarding Property and Purchasing. Mr. Aguglia recommends Council approve the payment of \$15,323.14 out of the Building Fund, which is the final payment to Sapp Roofing for the Roof Replacement Project for the Municipal Complex.

Mr. Aguglia recommends Council consider approving the purchase of a fourteen-foot Panel Christmas Tree in the amount of \$2,290.00, plus an estimated \$350.00 shipping fee.

#### PUBLIC WORKS REPORT - RONALD F. GEORGE

Mr. George reported that Mark Scheller, one of our Public Works Employees, fell in the Borough's parking lot and was taken to Suburban General Hospital. Mark had a mild concussion and was released from the Hospital.

Mr. George said the Borough used 1,300 ton of salt last month, using 1,900 ton year to date. When the Road Crew is not salting the streets, they are busy patching potholes.

#### POLICE AND PUBLIC SAFETY REPORT - JOHN R. HENRY

Mr. Henry updated Council on the negotiations with other Member Municipalities of

- Northwest Regional Communications. They are currently exploring the options of 911 service in the North Hills. Within our Intergovernmental Cooperation Agreement, Member Municipalities have the right to execute their option to terminate their 911 service through Northwest, which several Municipalities have done.

Mr. Henry is exploring all options regarding the Borough's 911 service. One option would be to merge with Newcom (the other North Hills Public Service answering point), which Mr. Henry feels is the Borough's best option, or, merge with Allegheny County 911 service. The Police Chief, the Fire Chief, Mr. Wolf and Mr. Henry all feel that, when considering consolidation of any sort, merging with Newcom would be in the Borough's best interest.

Mr. Henry said the City of Pittsburgh's 911 service is set to close by the end of the year, merging with the County's 911 service. Mr. Henry feels County 911 will have a difficult time combining services with the additional of the City, but Mr. Henry is moving forward, looking at all of the Borough's options before a final decision is made by Council.

#### FIRE AND WATER REPORT - BARRY G. SCHELL

Mr. Schell has furnished Council with a copy of a proposed Ordinance for their review. The Ordinance would require all Borough Businesses to install Key Boxes. Key Boxes would be rapidly accessed by Fire Department Personnel in an emergency situation, without the need to enter the Business by breaking out a door or window.

Ross Township successfully implemented the Key Box system for their Businesses over eight years ago. Mr. Schell requested the Solicitor review the Ordinance, along with Council, and consider adopting this Ordinance in the future.

#### PUBLIC RELATIONS AND RECREATION REPORT - MARY C. BERNHARD

Mrs. Bernhard reported the Centennial Committee is looking for Volunteers. They are looking for Borough history, along with pictures. Any old or new picture would be copied and returned. The Committee is holding a History Night at West View Elementary on March 18<sup>th</sup> at 7 P.M. and everyone is invited to attend and asked to bring along anything of interest regarding the history of the Borough.

The Crime watch meeting was held on February 5<sup>th</sup> and a representative of the Crisis Center North spoke at the meeting. Officer Bruce Fromlak represented the West View Police Department. The next meeting is scheduled for March 8<sup>th</sup> at 7 P.M.

The Recreation Committee is accepting applications for Bronx Field use. College Aged Students may obtain Summer Recreation Supervisor applications at the Borough Building. Mrs. Bernhard is currently working on the "Winter Blues" Senior Citizen Party, which will take place some time in April.

#### AUDIENCE

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town

047

Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty advised that Council is here to listen to comments and help when possible, but Council will not debate opinions.

Robert Lacher, 808 West View Park Drive, addressed Council to thank Mr. Wolf. Mr. Lacher had complained to Mr. Wolf on Monday about the snow/ice-covered sidewalks along West View Park Drive (especially at Taco Bell) and Mr. Wolf immediately took care of the problem. Mr. Lacher thanked Mr. Wolf again for his assistance.

President Daugherty said that Borough Businesses had been warned in the past about cleaning snow and ice from their sidewalks and the Borough will fine the Businesses that refuse to comply in the future.

Jim Barr, 200 Frankfort Avenue, addressed Council questioning if any Girty's Run correspondence has been received. President Daugherty said no. He questioned the purchase of a fourteen-foot tree. President Daugherty explained that the current live tree at Center Avenue at Perry Highway will be replaced by the fourteen-foot tree. The Borough has tried to grow a live tree at this intersection and will consider the purchase of an artificial tree under the Agenda.

Mr. Barr asked if the Public Works contract has been settled, to which President Daugherty said no. Mr. Barr questioned the merger with Newcom for EMS Service and if there was a possibility of a County merger at another time. President Daugherty requested Council Member Henry answer the question.

Mr. Henry clarified that we are not talking about a merger for EMS Service. This would be a merger for the Dispatch function for the Borough of West View. There is a possibility, if a merger with Newcom occurred, that a merger with the County could occur probably five to eight years away.

President Daugherty added that the Borough is still trying to hold onto Northwest to provide the Borough with our own 911 service without merging at all.

#### UNFINISHED BUSINESS

There was no unfinished business.

There was no new business.

### AGENDA

President Daugherty advised all Ordinances were properly advertised in the newspaper.

1. Council to consider Ordinance #1415. *Motion to read Ordinance #1415 made by Mr. Nowark and seconded by Mr. Schell.* Mr. Henry added to read the caption only, which was approved by the Solicitor. *Motion approved and ordered.* President Daugherty read Ordinance #1415 by caption only, which is an Ordinance authorizing the implementation of the Stormwater Management Ordinance regarding Municipal Storm Sewer System Regulations (MS4's) per Pennsylvania Department of Environmental Protection Regulations. *Motion to adopt Ordinance #1415 made by Mr. Nowark and seconded by Mr. Henry. Motion approved and ordered.*
2. Council to consider Ordinance #1416. *Motion to read Ordinance #1416 made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.* President Daugherty read Ordinance #1416, which is an Ordinance establishing a Stop Sign on Bellevue Avenue, facing traffic traveling Southbound on Bellevue Avenue at Center Avenue; providing penalties and fines for the violation thereof. *Motion to adopt Ordinance #1416 made by Mrs. Bernhard was seconded by Mr. Aguglia. Motion approved and ordered.*
3. Council to consider Ordinance #1417. *Motion to read Ordinance #1417 by caption only made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.* President Daugherty read Ordinance #1417 by caption only, which is an Ordinance adopting a schedule of attorney fees in connection with the collection of taxes, tax claims, tax liens, municipal claims, and municipal liens pursuant to Act 1 of 1995 and Act 20 of 2003 and adopting a schedule of charges, expenses and fees pursuant to the Act of May 16, 1923, as amended, 53 P.S. §7101, §7103, and §7106, which Ordinance repeals any other Ordinances inconsistent herewith relating to a schedule of attorney fees pursuant to Act 1 of 1996. *Motion to adopt Ordinance #1417 made by Mr. Henry and seconded by Mr. George. Motion approved and ordered.*
4. Council to consider Resolution #1302 (accompanies Ordinance #1417 "Exhibit A"). *Motion to read Resolution #1302 by caption only made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.* President Daugherty read the caption only of Resolution #1302, which is a Resolution authorizing Jordan Tax Service, Inc., in connection with the collection of certain revenues on behalf of taxing authority to utilize counsel to act in the name of and on behalf of taxing authority, to collect reasonable attorney fees, charges, expenses, and fees, and to pursue the enforced collection of taxing authority's revenues pursuant to and with the full benefit of all applicable local, state, and federal laws, including but not limited to, the municipal claim and tax lien law



of 1923, the Pennsylvania local tax collection law, the local tax enabling act, the Pennsylvania rules of civil procedure, the United States bankruptcy code and any and all Ordinances and Resolutions adopted by taxing authority in connection with the collection of taxing authority's revenues including the tax, tax claim, tax lien, municipal claim and municipal lien attorney fees and servicing charges, expenses, and fees Ordinance or Resolution. *Motion to enact Resolution #1302 made by Mr. Henry and seconded by Mr. Nowark. Motion approved and ordered.*

5. Council to consider payment to Sapp Roofing, in the amount of \$15,323.14 out of the Building Fund, which would be the final payment for the Roof Replacement Project for the Municipal Complex. Mr. Wolf said the Borough received the twenty-year warranty, along with the maintenance and performance bonds and felt all was in order with the Roof. *Motion to pay Sapp Roofing \$15,323.14 from the Building Fund made by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered.*
6. Council to consider payment to Hosack, Specht, Muetzel & Wood (Real Estate Tax Auditors) in the amount of \$330.00 for the Borough's portion of the 2003 Real Estate Tax Audit. Mr. Wolf said the total cost was \$660.00, which is split with the North Hills School District, making the Borough's cost \$330.00. Mr. Wolf is satisfied with the Auditors. *Motion to pay Hosack, Specht, Muetzel & Wood \$330.00 made by Mr. Henry and seconded by Mr. George. Motion approved and ordered.*
7. Council to consider the purchase of a Fourteen Foot Tall Panel Christmas Tree through Rileighs Outdoor Decor for \$2,290.00 and estimated Freight Charge of \$350.00. *Motion made by Mrs. Bernhard and seconded by Mr. Schell for the purchase of the Tree. Motion approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

#### ADJOURNMENT

With no further Business to come before Council, President Daugherty thanked everyone for their attendance. Motion to adjourn made at 7:34 P.M. by Mr. Schell was seconded by Mr. Nowark. Motion approved and ordered.

APPROVED: March 10, 2004

BOROUGH OF WEST VIEW

BY: Kenneth J. Wolf

Kenneth J. Wolf, Secretary/Manager

BY: Daniel M. Daugherty

President Daniel M. Daugherty



## BOROUGH OF WEST VIEW

## REGULAR MEETING

MARCH 10, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held Wednesday, March 10, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. President Daugherty called the Meeting to Order at 6:54 P.M. and introduced Cub Scout Troop # 377. President Daugherty asked each Council Member to introduce themselves and say what they do on Council. Mr. Daugherty asked that Troop # 377 join Council in a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Joseph Nowark, John Henry, Ronald George, Barry Schell and William Aguglia. Also attending were: Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Police Chief Charles Holtgraver and Assistant Treasurer Cathy Mann. Mayor Richard Powell and Fire Chief Joseph Assisi were not present.

*Motion to approve the Minutes of the Regular Meeting of Town Council held on February 11, 2004 was made by Mr. Schell and seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$99,335.08 and payments to vendors in the amount of \$59,813.02 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$20,905.72 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$34,573.29 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - MAYOR RICHARD E. POWELL (Absent)

In the Mayor's absence, President Daugherty read the Report from the Mayor for February 2004, as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$ 350.00
Vehicle Code Violations / Magistrate	\$ 656.11

Ordinance & Statute Violations / Magistrate	\$1,345.52
Allegheny County / DUI	\$ 477.56
State Shared / Vehicle Code	\$ 0.00
Total Receipts for February 2004	\$2,829.19

#### REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf reported the Borough Auditors have completed the 2003 Audit. Copy was given to Council to review and approve at the April meeting.

#### REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

Chief Holtgraver reported that there were six abandoned vehicles removed this month. Also, Officer Drwal investigated various cases and recovered around \$ 11,000.00 for a business in West View.

#### REPORT FROM THE SOLICITOR - FRED E. BAXTER

No report.

#### REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau said that, other than his written report that he had submitted, he had nothing else for Council.

### REPORTS FROM THE COMMITTEES

#### FINANCE REPORT - JOSEPH J. NOWARK

Wage Tax collection deposits for the month of February totaled \$100,895.18, less \$2,501.55, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$49,196.82. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in March.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$19.71. We purchased a CD on February 12<sup>th</sup> in the amount of \$24,500.00 for 29 days to earn interest.

Our Liquid Fuel CD in the amount of \$84,000.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$67.59. We purchased a CD on February 12<sup>th</sup> in the amount of \$84,000.00 for 29 days to earn interest.

Our Building Fund CD in the amount of \$178,000.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$143.22. We purchased a CD on February 12<sup>th</sup> in the amount of \$180,000.00 for 29 days to earn interest.

Real Estate Tax deposits for the month of February totaled \$18,590.65. These funds were deposited into the General Fund checking account to help offset Borough expenditures in February.

Our General Fund CD in the amount of \$200,000.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$155.73. We purchased a CD on February 12<sup>th</sup> in the amount of \$100,000.00 for 29 days to earn interest.

#### PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

No Report.

#### PUBLIC WORKS REPORT - RONALD F. GEORGE

Mr. George said the Borough used 300 tons of salt last month. The Road Crew has been patching potholes. They have erected the Street sweeping signs for the Program beginning in April. They have been working with Robinson Pipe, cleaning, camera and sewers, along with raising manholes.

#### POLICE AND PUBLIC SAFETY REPORT - JOHN R. HENRY

Mr. Henry updated Council on the negotiations with other Member Municipalities of Northwest Regional Communications. They are currently exploring the options of 911 service in the North Hills. Within our Intergovernmental Cooperation Agreement, Member Municipalities have the right to execute their option to terminate their 911 service through Northwest, which several Municipalities have done.

Mr. Henry is exploring all options regarding the Borough's 911 service. One option would be to merge with Newcom (the other North Hills Public Service answering point), which Mr. Henry feels is the Borough's best option, or, merge with Allegheny County 911 service. The Police Chief, the Fire Chief, Mr. Wolf and Mr. Henry all feel that, when considering consolidation of any sort, merging with Newcom would be in the Borough's best interest.

#### FIRE AND WATER REPORT - BARRY G. SCHELL

No Report.

#### PUBLIC RELATIONS AND RECREATION REPORT - MARY C. BERNHARD

Mrs. Bernhard reported that Ross Township and Giant Eagle are holding an Easter Egg Hunt and that information can be obtained at Giant Eagle..

The Bronx field letter should be going out next week. The Winter Blues party is scheduled for April 13<sup>th</sup>.

The Crime watch meeting was held on March 8th. Officer Bruce Fromlak represented the

West View Police Department. The next meeting is scheduled for April 5<sup>th</sup> at 7 P.M.

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College Aged Students may obtain Summer Recreation Supervisor applications at the Borough Building.

The Centennial Committee's next volunteer meeting will be held on April 6<sup>th</sup> at the Fireman's Building at 7 PM. History night will be held on March 18<sup>th</sup> at West View Elementary at 7 PM. Also a flea market will be held at West View Elementary on April 17<sup>th</sup> from 7 AM - 3 PM. Tables are available for \$ 20. Call Cathy at 412-931-1995.

#### AUDIENCE

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty advised that Council is here to listen to comments and help when possible, but Council will not debate opinions.

Paul Pokorney, 50 Tomoka Avenue addressed Council on the condition of Marco Way Alley behind his property. He feels that the road is in deplorable condition and that something needs to be done with this alley. It is mud and not only did the road crew fill in with gravel, he also did. Vehicles get stuck back there.

President Daugherty said that Borough would look into the situation to see what can be done.

Jackie Drexler from 38 Mineola and Mrs. Rozinski from Highland Avenue addressed Council on the speeding vehicles that come over the crest of Highland Avenue and are wrecking into their fences and properties. They feel that this road is dangerous and that cars coming off Mineola and Lakewood are not yielding to the stop sign. They feel that these two streets should be made one way off of Highland.

Mr. Daugherty told Chief Holtgraver to look into the situation and report to Council.

Ken Ogorek, 20 Amherst Avenue addressed Council regarding the property at 22 Amherst that burned down. He feels that this structure is a safety and health issue and that it should be demolished ASAP. His understanding is that the Borough is waiting for the County to release the property.

Mr. Daugherty stated that a Resolution is under consideration tonight that as soon as the Borough is given the ok the structure will be demolished.

Dave Grom, 25 Amherst also addressed Council regarding the property at 22 Amherst. He stated that he was in contact with the County Fire Marshall and that the property was released.

Mr. Daugherty instructed Mr. Wolf to contact the County and find out what is going on.

Jim Barr, 200 Frankfort Avenue, addressed Council questioning if any Girty's Run correspondence has been received. President Daugherty said no. He questioned the street sweeping signs. President Daugherty explained that the street sweeping program is mandated by the DEP. Mr. Barr asked if the Public Works contract has been settled, to which President Daugherty said no. Mr. Barr asked to obtain a copy of the Engineer's report and President Daugherty stated he could get one at the Borough office the following day.

George Rapp, 77 Hempstead Avenue inquired about the alley beside his house. He said it is filled with debris and dangerous coming onto Hempstead. President Daugherty replied that, with the winter, not much could be done. He will have Mr. Wolf look into the situation. He also asked about the Street sweeping program and that if cars are left there past the time what will be done to them. Mr. Wolf stated that the neighbors must work together on this. He also feels that Council should negotiate the fact the public works employees should not get election day off.

Dave Urban, 60 Lakewood Avenue asked if we receive any funds for the street sweeping program since it is mandated. President Daugherty replied no but people should lobby their state and federal representative as we have already tried. He also asked that Mr. Zischkau give a brief overlay of his report that is turned in on paper. He feels the residents who attend the meetings would like to know what is going on.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

Mr. Henry commented on the Grant money that we have received from the COG. West View rated 5<sup>th</sup> out of 19.

#### AGENDA

1. Council to consider Resolution #1303. *Motion to read Resolution #1303 made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

President Daugherty read Resolution #1303, which is a Resolution of the Town



Council of the Borough of West View, Allegheny County, Pennsylvania, declaring 225 Amherst Avenue, in the Borough of West View, to be a Public Nuisance, detrimental to the Health, safety and welfare of the Borough and its Residents, and authorizing the abatement of said Nuisance, and, if necessary, the liening of said property. *Motion to enact Resolution #1303 made by Mr. Henry and seconded by Mr. Aguglia. Motion approved and ordered.*

2. Council to consider an Appointment of a Delegate and an Alternate Delegate to MRM Worker's Compensation Pooled Trust. (Joseph Nowark currently serving as Delegate and Mary Kay Bernhard as Alternate). *Motion to Appoint Mr. Nowark and Mrs. Bernhard as Delegate and Alternate Delegate made by Mr. Henry and seconded by Mr. Schell. Motion approved and ordered.*
3. Council to consider accepting HDH's proposal regarding the Borough's Insurance Policy. Property/Commercial Liability/Auto/Umbrella with Terrorism Coverage \$33,862.00 and Public Officials/Employment Practices/Police Professional \$31,496.00, for a total package of \$65,358.00. *Motion to accept the HDH proposal in the total amount of \$65,358.00 made by Mr. Henry and seconded by Mr. George. Motion approved and ordered.*
4. Council to consider renewing a two-year Lease with Schorr Bakery at 433 Perry Highway. *Motion made by Mr. Schell and seconded by Mrs. Bernhard to renew a two-year Lease with Schorr Bakery. Motion approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

At this time Mr. Daugherty announce that Council would go into an Executive Session to discuss the Public Works and Police Contracts and that at the end of the Executive Session the meeting would be adjourned so that if the audience would like to leave now there was nothing left on the agenda. Executive session called at 7:51 PM.

#### ADJOURNMENT

With no further Business to come before Council, President Daugherty thanked everyone for their attendance. Motion to adjourn made at 9:00 P.M. by Mrs. Bernhard and was seconded by Mr. Aguglia. Motion approved and ordered.

APPROVED: April 15, 2004

BOROUGH OF WEST VIEW

BY: Kenneth J. Wolf

Kenneth J. Wolf, Secretary/Manager

BY: Daniel M. Daugherty

President Daniel M. Daugherty

## BOROUGH OF WEST VIEW

## REGULAR MEETING

APRIL 14, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, April 14, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. President Daugherty called the Meeting to Order at 7:00 P.M., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, Ronald George and William Aguglia. Council Member J.R. Henry was absent.

Also present were: Mayor Richard Powell, Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Chief of Police Charles Holtgraver and Assistant Secretary Patricia Rapp.

*Motion to approve the Minutes of the Regular Meeting of Town Council held on March 10, 2004 was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$90,231.29 and payments to vendors in the amount of \$117,644.16 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$10,729.69 was made by Mr. Nowark and seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$28,080.45 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - Mayor Richard E. Powell

The Mayor read his report for the month of March 2004 as follows:

## Motor Vehicle Code Violations -

Parking Violations / Tickets	\$515.00
Vehicle Code Violations / Magistrate	\$485.74
Ordinance & Statute Violations / Magistrate	\$634.83
Allegheny County / DUI	\$ 62.56
State Shared / Vehicle Code	\$ 0.00

Total Receipts for March 2004	\$1,698.13
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The Mayor reported that 81 tickets were issued in March, 59 by the Police and 22 by the Special Police.

## REPORT FROM THE SECRETARY/MANAGER - Kenneth J. Wolf

Mr. Wolf reported regarding current and delinquent Real Estate taxes and 511 taxes. Council had previously passed an Ordinance to recoup the cost due to the collection of delinquent Real Estate taxes.

Mr. Wolf has been discussing the possibility of conducting an Audit of the Central Tax Bureau with the Borough's Auditors. This would be an examination of the books of Central Tax, who collects the Occupational, Mercantile and Business privilege taxes for the Borough. Mr. Wolf is looking into the Audit and will keep Council informed.

As for the collection of Act 511 Taxes, being the Earned Income Tax, Mr. Wolf said the Borough would continue to collect the delinquent 511 taxes in house.

## REPORT FROM THE CHIEF OF POLICE - Charles M. Holtgraver

Chief Holtgraver reported the Police responded to 258 complaints this month. The Abandoned Vehicle Officer removed three vehicles, with four others pending to be removed. There are several investigations underway, one of which is an identity theft case with more than \$40,000.00 in losses.

## REPORT FROM THE SOLICITOR - Fred E. Baxter

The Solicitor reported on the incorporation of West View Borough Revitalization Corporation. It is now an official corporation with the Department of State.

Solicitor Baxter has been involved with Mr. Wolf and Mr. Zischkau and a Soil Engineer regarding the sink hole along Center Avenue. It is Mr. Zischkau's and the Soil Engineer's opinion that the hole was caused when they were drilling while working on the North Hills Athletic Stadium Complex. When they drilled under Center Avenue, they struck an abutment and withdrew the drill without properly filling the hole, eventually causing a serious sink hole problem on Center Avenue. The estimated cost for reparations is \$100,000.00.

Solicitor Baxter requests Council's approval to proceed with the filing of a lawsuit against Atlas Services Corporation and Twinbrook Construction Company for damages in excess of \$100,000.00. President Daugherty said Council would consider this matter under the Agenda.

## REPORT FROM GLENN ENGINEERING - Robert E. Zischkau

Mr. Zischkau said there are two items under the Agenda for Council to consider.

President Daugherty questioned Mr. Zischkau if there was anything new concerning the Girty's Run Project. Mr. Zischkau reported that the Contracts for the Rochester Road Project should be signed within the next few weeks, as all of the approvals from the Girty's Run Board have been received, along with all DEP and PennDot permits.

Mayor Powell questioned why holes were drilled in the street in front of his home and his neighbors home. Mr. Wolf answered the Contractors for the Gas Company were searching for leaks and had put in One Calls to dig in the area.

## REPORTS FROM THE COMMITTEES

## FINANCE REPORT - Joseph J. Nowark

Wage Tax collection deposits for the month of March totaled \$51,654.28, less \$2,429.30, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$24,612.50. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in April.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on March 12<sup>th</sup> and it earned interest in the amount of \$17.47. We purchased a CD on March 12<sup>th</sup> in the amount of \$24,500.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$84,000.00 matured on March 12<sup>th</sup> and it earned interest in the amount of \$59.90. We purchased a CD on March 12<sup>th</sup> in the amount of \$84,000.00 for 31 days to earn interest.

Our Building Fund CD in the amount of \$180,000.00 matured on March 12<sup>th</sup> and it earned interest in the amount of \$128.36. We purchased a CD on March 12<sup>th</sup> in the amount of \$240,000.00 for 31 days to earn interest.

Our General Fund CD in the amount of \$100,000.00 matured on March 12<sup>th</sup> and it earned interest in the amount of \$71.31. We purchased a CD on March 12<sup>th</sup> in the amount of \$20,000.00 for 31 days to earn interest.

## PROPERTY AND PURCHASING REPORT - William F. Aguglia

Mr. Aguglia requested Council's consideration to purchase a new Security Camera System for the Borough Building. This would be added to tonight's Agenda. The old Radio Shack system is failing and the monitors and cameras are not working properly. Low Volt has quoted a cost of \$3,959.00, completely installed. Mr. Aguglia had quotes from \$5,000 to \$7,000 from other Vendors. The system would consist of a 19" Monitor, a VCR and ten cameras.

## PUBLIC WORKS REPORT - Ronald F. George

Mr. George reported that Mr. Wolf and Mr. Assisi and he toured the Borough and selected a combination of eleven streets and alleys to be resurfaced. The list is tentative, as the streets and alleys must be measured before the Project is put out for Bid. There is \$87,000.00 available within the Budget for paving.

Mr. George named the tentative streets, as follows:

- Center Avenue (Eastbound) from Township Road to Norwich
- State Way from Brightwood to Ridgewood
- Princeton Avenue from Bronx to Cornell
- Highland Path from Bronx to Columbia
- Marco Alley from Frankfort to Dead End (Behind Tomoka Avenue)
- Gay Alley from Mount Vernon to Dead End
- Norval Alley from Orlando to Fairview
- Gray Alley from Norval Alley to Braden Alley



- Braden Alley from Gray Alley to Fairview
- Seventh Alley from Lehigh to Stanford (Alley is between Princeton and Amherst)
- Holmes Alley from Hempstead to Montclair

Through April 22<sup>nd</sup> and November 12<sup>th</sup>, the Borough will be conducting our Street Sweeping Program. The signs have been erected and the Program has been advertised in the newspapers. The Borough mailed informational pamphlets to each Residence.

POLICE AND PUBLIC SAFETY REPORT - John R. Henry (Absent)

FIRE AND WATER REPORT - Barry G. Schell

Mr. Schell had no report for Council.

PUBLIC RELATIONS AND RECREATION REPORT - Mary C. Bernhard

Mrs. Bernhard is planning the Summer Recreation Program, which will begin June 28<sup>th</sup>. There will be a Bike Fair for Children at the West View VFW on May 22<sup>nd</sup>. The Fair will be held at no cost for the children. Members of the VFW, State Representative Don Walko, Chief Holtgraver and Members of the West View Police and Merchants will be sponsoring the free event for Children. They plan to make it into a Rodeo for the children.

The Senior Citizen Winter Blues party took place this past Tuesday, with 55 Seniors attending. Dean Martin entertained and each Senior had a live plant to take home. Mrs. Bernhard said it was a good time.

The Centennial Committee is still looking for Volunteers and had a General Meeting in April and the people had many good ideas. A Flea Market will be held this Saturday in the Auditorium of West View Elementary. Thirty tables have been sold and there will be food and baked goods for sale. The Committee is planning a Bingo on May 20<sup>th</sup> at the West View Firemen's Building and a Golf Outing on June 26<sup>th</sup>.

Mrs. Bernhard reported on the recent Crime Watch Meeting. The Northern Alliance showed a film called "Listen" which addressed drugs. Mrs. Bernhard recommended seeing the film, as it was very informative. More than 200 people attended and the next Meeting will be Monday, May 10<sup>th</sup> at 7 p.m.

### AUDIENCE

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty advised that Council is here to listen to comments and help when possible, but Council will not debate opinions.

Marge Littell from 426 Cornell Avenue Extension addressed Council regarding the Street Sweeping signs. Ms. Littell felt there is a problem with the signs. Mr. Daugherty advised Ms. Littell to speak to Chief Holtgraver and Mr. Wolf to check into the problem.

George Rapp from 77 Hempstead Avenue addressed Council about an issue with his alley. He wants Council to replace Mr. Wolf as he felt nothing was done in the alley until he complained to Mr. Daugherty. He took issue with a red truck with a Emsworth Fire Department plates hanging out constantly at #3 Firehall and wanted to know if the Borough pays the utility bills there and says it is a hangout. President Daugherty said in reimbursement for the protection that the Borough Residents get from the Fire Department, the Borough does pay the building bills. George Rapp said he can save the Borough hundreds of thousands of dollars if Council would sub out grass cutting since the Borough doesn't have much grass. He said he has lost his job twice in five years and said there is an overload of workers getting a free ride in the Borough. He said he plans on running for Town Council.

President Daugherty told him there would be no more politics at Council Meetings. President Daugherty said he will not debate opinions but said all Borough Employees do their jobs and no one has a free ride. President Daugherty said Mr. Wolf and the Borough Road Crew took care of the Alley once the asphalt plants opened and Mr. Daugherty had nothing to do with it. George Rapp took his seat but kept spouting off to President Daugherty from the Audience.

Mr. Daugherty said George Rapp can think what he wants but Council stands behind their people and they are doing their jobs. Mr. Daugherty advised him not to politic at a Council Meeting again and advised him to be quiet.

Fran Kimmel of 69 Frankfort Avenue asked Council why the Street Cleaning Program will only be from April through November and not in the winter months too. President Daugherty said the Street Sweeper does not run through the snow. Mr. Kimmel explained that he wanted to use the Street Program Signs to totally plow the roads in the winter if possible, as it is tough shoveling parking places in the winter. Mr. Daugherty thanked Mr. Kimmel for addressing Council.

Jim Barr from 200 Frankfort Avenue asked for clarification on the \$100,000.00 cost of the sink hole on Center Avenue, was confused about the in house audit and asked if there was a Public Works Labor Contract settlement yet.

President Daugherty said the \$100,000.00 was a construction estimate to repair Center Avenue. The Borough feels it is the responsibility of the Contractor to repair the street and that is why the Borough is suing. Mr. Wolf again explained Central Tax Bureau, who collects OPT, Mercantile and Business Privilege taxes, would be audited. President Daugherty said no to the contract question.

Mr. Barr questioned Council if the Firemen were going to have a garden at #3 Firehall during election. He said he was restricted on where to put election signs last year. President Daugherty told him to ask the Firemen.

Mr. Barr questioned if Judge Wettick has made a ruling on the Girty's Run litigation. President Daugherty said no. Mr. Barr wanted it explained why we are not a Member of the Girty's Run Sanitary Authority. It's his understanding that the Borough is using a system that we are not



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paying for. President Daugherty said he had been explaining this to him for ten years and if we would have joined the Authority like Mr. Barr wanted the Borough to that Residents would be paying an additional \$2.38 per thousand gallons for our sewage. President Daugherty said the sixteen million dollars worth of work that was done was not our responsibility and that is why we went to court.

President Daugherty said if we would have followed Mr. Barr's recommendation to join Girty's Run Sewer Authority years ago, people would have already paid over one million four-hundred thousand dollars in extra fees that they should not have to pay. President Daugherty feels they have saved the people from paying this amount over the years and does not believe we are going to lose the lawsuit, as we are within our rights. President Daugherty said he has explained this to Mr. Barr so many times that he hopes he does not have to do it again.

Mr. Barr said he wished President Daugherty was more thorough in his explanation. President Daugherty said Mr. Barr does not understand what he is talking about.

Again, President Daugherty explained if the Borough had followed Mr. Barr's recommendation years ago and joined the Girty's Run Sewer Authority, Residents would have already been paying \$2.38 per thousand gallon more, equaling close to one million four-hundred thousand dollars. President Daugherty said had the Borough become a Member of the Authority as Mr. Barr had wanted to in the past, Residents would have paid over a million dollars for something that is not our responsibility to pay for. President Daugherty does not believe that the Borough will lose the case and the Borough is right.

Mr. Barr started to yell that he hopes President Daugherty is here when we lose the case. Mr. Barr said that he made a recommendation years ago to have the Borough join the Sewer Authority so we all could have been paying already or as we go. He said what they teach you in Economics 101 is there ain't no such thing as a free lunch.

Mr. Barr said he wanted to go on record saying who is going to pay for Girty's Run litigation if we lose and how much it's gonna cost. President Daugherty requested Mrs. Rapp put this statement on record. Mr. Nowark asked Mr. Barr in which college he had Economics 101 and Mr. Barr said he would not answer that question.

President Daugherty asked the Boy Scout in the Audience to address Council and not to worry about what had just happened, that it's old shoes at every meeting. Brian Zeitler from Scout Pack #377 addressed Council. He is working on his Team Merit Badge (Communications and Citizenship) and requested Council supply him with a copy of the Borough's Budget. President Daugherty said Brian should see Mr. Wolf for a copy of the Budget. Brian is also taking notes to report to his Troop on the Council Meeting. Mr. Daugherty asked Brian if the Scouts were going to have the "Adopt a Highway" Program along Perry Highway. Brian said the Scouts are organizing it for this month, if not for next month.

President Daugherty thanked Brian for attending and said if there is anything Council can do for Brian and his Troop, to please let them know.

#### UNFINISHED BUSINESS

There was no unfinished business.

## NEW BUSINESS

There was no new business.

## AGENDA

1. Council to consider the Bid received from J & S Roll Off Services in the total amount of \$6,450.00 for use in the emergency demolition of 22 Amherst Avenue, Contract 04-3. Mr. Zischkau recommended Council consider approving the Bid, as everything was in order. *Motion from Mr. Schell was seconded by Mr. Aguglia to award the Bid to J & S Roll Off. Motion was approved and ordered.*  
  
President Daugherty said that Council received a letter of Thanks from Mr. Ogorek from Amherst Avenue, thanking Council for their quick response to the problem with this house.
2. Council to consider the Bid received from Victor Paving and Construction in the total amount of \$49,815.00 for use for the reconstruction of Martsolf Avenue and Park Avenue, Contract #04-1, CD 30. *Motion to approve the Bid was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider an appointment to the Police and General Pension Retirement Board, for a four year term, through April 13, 2008. Mr. Kenneth Wolf is currently serving in this position and is interested in being re-appointed. *Motion to appoint Mr. Wolf was made by Mr. Nowark and was seconded by Mr. George. Motion was approved and ordered.*
4. Council to consider the adoption of the Borough's 2003 Audit. *Motion to approve the Audit was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
5. Council to consider an addition to the Agenda by Mr. Aguglia for the purchase of a completely installed Security Camera System for the Borough Building in the total amount of \$3,959.00 from Low Volt. The System would include a Monitor, VCR and ten cameras, replacing a system that is five years old.  
  
*Motion to approve the purchase was made by Mr. Schell and was seconded by Mr. Aguglia. Question on the Motion from Mr. Nowark if this was everything that Mr. Aguglia would need, to which Mr. Aguglia said yes. With no further questions, Motion was approved and ordered.*
6. Council to consider an addition to the Agenda by Solicitor Baxter, requesting permission to pursue a lawsuit (Center Avenue Sink Hole) with Atlas Services Corporation and Twinbrook Construction Company. *Motion was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

## ADJOURNMENT

President Daugherty thanked everyone for attending tonight's meeting. He extended Council's help to the Boy Scout from Troop #377 and advised Brian to contact the Borough Office and they will gladly help in any way.

With no further Business to come before Council, *Motion to adjourn was made by Mr. Schell and was seconded by Mr. Agugila. Motion approved and ordered.* Meeting Adjourned at 7:44 p.m.

APPROVED: May 12, 2004

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf, Secretary/Manager

BY:   
President Daniel M. Daugherty

## BOROUGH OF WEST VIEW

## REGULAR MEETING

MAY 12, 2004

Minutes of the Regular Meeting of Town Council of the Borough of West View held Wednesday, May 12, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. President Daugherty called the Meeting to order at 7:00 p.m., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Joseph Nowark, Ronald George, Barry Schell and William Aguglia. Council Member John Henry was absent. Also, attending were: Mayor Richard Powell, Solicitor Fred Baxter, Secretary/Manager Kenneth Wolf, Chief of Police Charles Holtgraver and Assistant Secretary Patricia Rapp. Robert Zischkau from Glenn Engineering and Fire Chief Joseph Assisi did not attend.

*Motion was made by Mr. Schell and seconded by Mr. Aguglia to approve the Minutes of the Regular Meeting of Town Council held on April 14, 2004. Motion was approved and ordered.*

*Motion was made by Mr. Nowark and seconded by Mr. George to approve the payment of General Fund expenditures for Net Pay and Payroll withholding in the amount of \$92,426.27 and payments to Vendors in the amount of \$90,578.83. Motion was approved and ordered.*

*Motion was made by Mr. Nowark and seconded by Mr. Aguglia to approve the payment of Building Fund expenditures in the amount of \$3,890.76. Motion was approved and ordered.*

*Motion was made by Mr. Nowark and seconded by Mr. Schell to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - Mayor Richard E. Powell

The Mayor read his report for the month of April 2004 as follows:

## Motor Vehicle Code Violations -

Parking Violations / Tickets	\$ 520.00
Vehicle Code Violations / Magistrate	\$ 694.01
Ordinance & Statute Violations / Magistrate	\$ 291.81
Allegheny County / DUI	\$ 110.00
State Shared / Vehicle Code	\$ 0.00

Total Receipts for April 2004	\$1,615.82
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The Mayor said 108 Parking Tickets were issued, 69 by the Police Department and 39 by the Special Police. The Mayor said that he was told someone has been stealing and/or bending license plates in the Kmart parking lot. Chief Holtgraver has had no reports regarding this matter.

## REPORT FROM THE SECRETARY/MANAGER - Kenneth J. Wolf

Mr. Wolf reported on the progress of the Statewide Uniform Construction Code (UCC). The Borough Council will need to make a decision whether to opt in or out before July 8, 2004. Mr. Wolf said the North Hills Council of Governments is involved in the process of forming an Appeals Board for the UCC for the Municipalities and Mr. Wolf is looking into all information regarding the UCC. Mr. Wolf will keep Council informed, as Council will need to make a decision at the June Meeting of Town Council.

## REPORT FROM THE CHIEF OF POLICE - Charles M. Holtgraver

Police Chief Holtgraver said the Police responded to 304 Complaints, removed 6 abandoned vehicles, and issued an arrest warrant for a Suspect in the Pizza Hut robbery. The Suspect is in Florida and Police are awaiting extradition.

Council Member Nowark questioned the Police Chief regarding the legality of using Motorized Scooters in the Borough. Chief Holtgraver said that the Police enforced PennDot regulations, meaning Scooters ridden on the streets must be registered and, by Borough Ordinance, Scooters are prohibited for use unless on private property with the owner's permission.

## REPORT FROM THE SOLICITOR - Fred E. Baxter

Mr. Baxter had no Report for Council.

## REPORT FROM GLENN ENGINEERING - Robert E. Zischkau (Absent)

Written Report submitted to Council.

## REPORTS FROM THE COMMITTEES

## FINANCE REPORT - Joseph J. Nowark

Wage Tax collection deposits for the month of April totaled \$308,928.89, less \$7,640.81, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$150,644.05. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in May.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on April 12<sup>th</sup> and it earned interest in the amount of \$18.67. We purchased a CD on April 12<sup>th</sup> in the amount of \$24,500.00 for 30 days to earn interest.

We received our 2004 Liquid Fuel Entitlement in the amount of \$112,681.92 on April 5<sup>th</sup>. Our Liquid Fuel CD in the amount of \$84,000.00 matured on April 12<sup>th</sup> and it earned interest in the amount of \$64.03. We purchased a CD on April 12<sup>th</sup> in the amount of \$123,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$240,000.00 matured on April 12<sup>th</sup> and it earned interest in the amount of \$182.95. We purchased a CD on April 12<sup>th</sup> in the amount of \$140,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$20,000.00 matured on April 12<sup>th</sup> and it earned interest in the amount of \$15.24.



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PROPERTY AND PURCHASING REPORT - William F. Aguglia

Mr. Aguglia had no report for Council.

PUBLIC WORKS REPORT - Ronald F. George

Mr. George reported on the Bid opening that took place on Tuesday, May 11, 2004 for the 2004 Paving Program. This matter will be discussed under the Agenda.

Mr. George requested an Executive Session to discuss contract negotiations.

Council retired for an Executive Session at 7:09 P.M.

The Meeting resumed at 7:50 P.M.

POLICE AND PUBLIC SAFETY REPORT - John R. Henry (Absent)

FIRE AND WATER REPORT - Barry G. Schell

Mr. Schell had no report for Council.

PUBLIC RELATIONS AND RECREATION REPORT - Mary C. Bernhard

Mrs. Bernhard reported on the recent Crime Watch Meeting, where Officer Fromlak attended. The next meeting will be held on June 14<sup>th</sup> and there will not be a meeting in July or August. The Centennial Committee held a Flea Market at West View Elementary that went very well.

The VFW Post 2754, the West View Chamber of Commerce, Representative Walko and the West View Police Department will be sponsoring a Bike Rodeo on May 15<sup>th</sup> on Center Avenue between Ashford and Glenmore Avenues for the Children.

The Centennial Committee will sponsor a Craft Show in September at a cost of \$25 per table. There will be a Bingo on May 20<sup>th</sup> at the West View Firemen's Building with admittance at \$5 for 6 cards. A Golf Outing will be held on June 26<sup>th</sup>, a Baseball Game on June 29<sup>th</sup> and the Committee is working on a Cook Book.

West View Summer Recreation will be held at West View Elementary from June 21<sup>st</sup> through August 13<sup>th</sup>. Flyers will be sent out through the elementary schools to parents within the next couple of weeks. The Program is for West View Children from 1<sup>st</sup> through 6<sup>th</sup> grade.

AUDIENCE

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty advised that Council is here to listen to comments and help when possible, but Council will not debate opinions.

Mr. Fran Kimmel from 69 Frankfort Avenue addressed Council to request that the West View Dump on Frankfort be cleaned up or hidden, as it is unsightly. Mr. Daugherty said he will have Mr. Wolf and the Road Crew Leader view the Dump tomorrow.

Mr. Glen Ulrich from 71 Frankfort Avenue addressed Council to also ask that the Dump be hidden with a privacy fence. Mr. Daugherty thanked Mr. Ulrich for his comments.

Mr. Jim Barr from 200 Frankfort Avenue asked who owned the dump. President Daugherty did not know and advised Mr. Barr to see Mr. Wolf at the Borough Office. Mr. Barr asked if the Public Works had a contract, to which Mr. Daugherty said no. He asked if there was a ruling on Girty's Run and Mr. Daugherty said no. He asked what the Permit was for that the Engineer obtained. President Daugherty said that it was for the Rochester Road sewer separation that Council and the Engineer have been reporting at Council Meetings for two years. Mr. Barr questioned the Borough's options and/or alternatives to conforming to the mandated nine minimum controls. President Daugherty said none, there are no options, no choices, no alternatives, that it is a mandate from the Department of Environmental Protection.

Mr. Barr wanted to know what a combined sewer system was. President Daugherty explained that it meant storm and sewage combined. Mr. Barr said he just didn't know why Council just didn't make Borough Residents separate their systems if they are combined. Mr. Barr questioned the demolished Amherst Avenue property and President Daugherty said the property has a lien on it. Mr. Barr asked if there is a guest speaker at the Crime Watch Meeting and President Daugherty directed Mr. Barr to the Police. Mr. Barr said the marquee at St. Luke's Church was vandalized last Thursday. President Daugherty asked if he had reported this to the Police on Thursday and Mr. Barr said no. President Daugherty told Mr. Barr not to wait to report a Police matter, that there probably would be nothing the Police could do about it a week later. Mr. Barr again questioned the nine minimum controls and, after a lengthy discussion with President Daugherty trying to explain the mandate to Mr. Barr, Mr. Barr sat down.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider the Bids received at the Opening held on Tuesday, May 11, 2004 for the 2004 Paving Program. Three Bids were received, as follows: Victor Paving totaling \$94,518.00, A. Folino Construction, Inc. totaling \$105,654.95 and ElGrande Industries, Inc. totaling \$105,870.00. *Motion to approve the Bid received from Victor Paving in the amount of \$94,518.00 was made by Mr. George and seconded by Mr. Schell. Motion was approved and*

063 ordered.

2. Council to consider an Appointment as Real Estate Tax Collector for the Borough of West View due to the death of Mr. William L. Wunderly. *Motion by Mrs. Bernhard to appoint Rita A. Schwarzmeier was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider approving a three-year lease with Dollar General Corporation for the property at 425 Perry Highway. Mr. Wolf explained that Eckerd had been subletting to Dollar General and their lease has expired. Mr. Wolf said the Dollar General lease would be a three-year lease from July 1, 2004 through June 30, 2007 at \$30,000 per year/\$2,500 per month with another three-year option. Mr. Wolf recommended Council consider accepting the lease. *Motion to approve the Dollar General lease was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

#### ADJOURNMENT

With no further Business to come before Council, President Daugherty thanked everyone for attending and requested tonight's meeting be closed honoring the memory and dedicated service of Mr. William Wunderly. Mr. Wunderly had faithfully served the Borough for more than 55 years. Motion to adjourn in Honor of Mr. William L. Wunderly was made by Mr. Schell and was seconded by Mr. George. Motion was approved and ordered by Council. Meeting adjourned at 8:22 P.M.

APPROVED:

*June 9, 2004*

BOROUGH OF WEST VIEW

By:

*Kenneth J. Wolf*

Kenneth J. Wolf  
Secretary/Manager

By:

*Daniel M. Daugherty*

Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

JUNE 9, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View held on Wednesday, June 9, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Ronald George, Barry Schell and William Aguglia. Mr. Henry was absent. Also attending were: Mayor Richard Powell, Police Chief Charles Holtgraver, Secretary/Manager Kenneth Wolf, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Asst. Sec. Rapp. Fire Chief Assisi did not attend.

*Motion to approve the Minutes of the Regular Meeting of Town Council on May 12, 2004 made by Mr. Schell and seconded by Mr. Aguglia. Motion approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$91,987.15 and payments to vendors in the amount of \$91,697.67 made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$8,085.30 made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$8,090.62 made by Mr. Nowark and seconded by Mr. Aguglia. Motion approved and ordered.*

## Reports from the Officers

Report from the Mayor - Mayor Richard E. Powell

The Mayor read his report for the month of May 2004 as follows:

## Motor Vehicle Code Violations

Parking Violations / Tickets

\$190.00

070

Vehicle Code Violations / Magistrate	\$796.88
Ordinance & Statute Violations / Magistrate	\$193.79
Allegheny County / DUI	\$909.94
State Shared / Vehicle Code	\$ 0.00
Total Receipts for May 2004	\$2,090.61

The Mayor reported the Police issued 32 parking tickets and none by the Special Police. Year-to-date the Police have issued 285 and 89 from the Special Police. Mayor Powell read a letter he received from Louise Zokaitis praising Detective Drwal's handling of a recent case. Mayor Powell would like Council to consider swearing in the first candidate from the police eligibility list as a full time police officer for West View since Robinson Township is interested in hiring him and the Borough may lose him.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf reported to Council regarding the two Ordinances that are to be considered under the Agenda. The Ordinances pertain to the Pennsylvania Construction Code Act, which Mr. Wolf feels the Borough should consider adopting prior to the July deadline, which is the opt in or opt out period set by the State. Mr. Wolf recommends Council consider joining a joint appeals board in the future, along with third party inspections for commercial, as well as residential.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver reported the Police handled 351 calls and had 5 abandoned vehicles removed during the past month and the Chief furnished Council with a copy of the investigators report.

Report from the Solicitor - Fred E. Baxter

Mr. Baxter had no report.

Report from Glenn Engineering - Robert E. Zischkau

Emergency repairs were conducted on the lower end of Sciotta Alley through the hiring of a contractor and with the help of Mr. Wolf. This was necessary due to the bad storm damage that occurred a week ago, making the road impassible.

Construction has begun on the Rochester Road sewer separation project. The contractor began putting pipe in the ground yesterday and is now progressing with the project.



## Reports from the Committees

### Finance Report - Joseph J. Nowark

Wage Tax collection deposits for the month of May totaled \$80,721.30, less \$2,053.18, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$39,334.06. These funds were deposited into the General Fund checking account to help offset Borough expenditures in June.

Our Capital Reserve/UDAG CD in the amount of \$24,500.00 matured on May 12th and it earned interest in the amount of \$18.07. We purchased a CD on May 12th in the amount of \$24,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$123,500.00 matured on May 12th and it earned interest in the amount of \$91.10. We purchased a CD on May 12th in the amount of \$124,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$140,000.00 matured on May 12th and it earned interest in the amount of \$103.27. We purchased a CD on May 12th in the amount of \$190,000.00 for 30 days to earn interest.

### Property and Purchasing Report - William F. Aguglia

Mr. Aguglia said Council is to consider three Bids received for the exterior painting of the Municipal Building under the Agenda. The three Bids were: Mohan Painting Company, Inc. for a total cost of \$6,750.00, Ed Mallon Renovation & Refinishing at \$6,660.00 and Tim Bridge Painting did not submit a quote after looking at the job.

### Public Works Report - Ronald F. George

Mr. George reported the Road Crew spent most of the month cleaning up after the storms. Work was done on Sciotta Alley as Mr. Zischkau reported on and playground equipment has been repaired and wood chips have been spread in the playgrounds. The Public Works Crew has also been patching road holes and cutting grass.

At 7:11 p.m. Council retired for an Executive Session and update on the Police contract negotiation.

At 7:32 p.m. the Meeting resumed.

Police and Public Safety Report - John R. Henry

In Mr. Henry's absence, President Daugherty asked Mr. Nowark for a report.

*Mr. Nowark motioned for the acceptance of the Police Contract, being a 3% wage increase each year for three years, changing to a different HMO and the addition of contract language pertaining to part timers. Motion was seconded by Mr. Schell. Motion approved and ordered.*

Mr. Daugherty requested Mr. Baxter notify their negotiating committee and their solicitor.

Fire and Water Report - Barry G. Schell

Mr. Schell had no report.

Public Relations and Recreation Report - Mary Kay Bernhard

Mrs. Bernhard reported Summer Recreation will begin on June 21st and will last through August 13th. Six College aged students have been hired to supervise. The Crime Watch Meeting is scheduled for June 14th at the West View Firemen's Building. The Bike Rodeo was held at the VFW Post #2754 and over 60 children brought their bikes for inspection. The entire event went very well.

Mrs. Bernhard met regarding the North Hills / West View RAD money, which is the money received from Sales Tax. The money will be spent on a sign for West View Elementary School.

The Centennial Bingo went very well and a Golf Outing is scheduled for June 26th. Tickets for the Pirate Baseball Game on June 29th are on sale at West View Savings for \$5.00 each. A Craft Show is scheduled for September 18th at West View Elementary and a Car Cruise is set for August 15th. The Centennial Committee is accepting recipes for the Centennial Cookbook.

Audience

Mr. Dave Urban from 60 Lakewood questioned Council requesting clarification on the Police Contract health insurance. Mr. Daugherty said the Police currently have Select Blue and they will now have Keystone HMO. Mr. Urban questioned the RAD money sign for the School. The West View / North Hills Sales Tax money will be spent on a billboard sign for the front of the School. This will be an announcement/type sign for events for the school. Mr. Urban questioned Item #6 under the Agenda, which is the appointment of a Revitalization Board. President Daugherty said the Board will be a separate entity, created to

revitalize the Business District and to obtain grant monies available.

Jim Barr from 200 Frankfort questioned Council regarding the Mayor's reference to the Borough having a Detective. President Daugherty said the Borough's Police Department does not have a Detective, he is considered an Investigator. He questioned who owns the dump on Frankfort. Mr. Daugherty said the Borough does and is looking into landscaping the area. Mr. Barr questioned paving alleys rather than streets. He questioned the Rochester Road sewer separation project.

After a lengthy discussion with President Daugherty again trying to explain sewer separations to Mr. Barr, Mr. Barr asked if the Borough has received a Cirty's Run letter, to which President Daugherty said no. Mr. Barr wanted to know what the cost was to the Borough to date for conforming to the nine minimum controls. Mr. Daugherty said it has cost a couple of hundred-thousand dollars. He asked if the Borough hired any new Office personnel and President Daugherty said no. He asked if any summer grass cutters have been hired and President Daugherty said three were hired. Mr. Wolf said they have not been hired yet as he is waiting for the Public Works vacation schedule.

Mr. Barr asked if the Executive Session was held to discuss the Police Contract and Mr. Daugherty said yes. He wanted to know if anything was new with the Public Works Contract and Mr. Daugherty said no. Mr. Nowark said he has attended 27 Public Works negotiation meetings.

Fran Kimmel from 69 Frankfort Avenue addressed Council to express his opinion that Council should not pave the Alley behind Tomoka before it paves streets, like Center Avenue. The Alley is used for parking, where he feels there is a parking problem when vehicles can't get through. Mr. Kimmel feels paving the Alley is not a priority. President Daugherty said the Fire Chief and Police Chief will look into the parking problem for Mr. Kimmel.

#### Unfinished Business

None.

#### New Business

President Daugherty appointed an Administrative Budget Committee consisting of John R. Henry, Joseph J. Nowark and William F. Aguglia. The Committee will look into all Departments for future Budget preparation.

## Agenda

1. Council to consider Ordinance #1418. *Motion to read Ordinance #1418 was made by Mr. Nowark and seconded by Mr. Aguglia. Motion approved and ordered.* President Daugherty read Ordinance #1418, which is an Ordinance exercising the option to administer the Pennsylvania Construction Code Act. *Motion to approve Ordinance #1418 was made by Mr. Schell and seconded by Mr. Nowark.* Question on the Motion from Mr. Nowark if this was the State Building Code and Mr. Daugherty said yes. With no further questions, *Motion approved and ordered.*
2. Council to consider Ordinance #1419. *Motion to read Ordinance #1419 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.* President Daugherty read Ordinance #1419, which is an Ordinance appointing Allegheny County Health Department to enforce Act 45 of 1999 to conduct Plumbing Inspections and Appeals required by the PA Construction Code Act. *Motion to approve Ordinance #1419 made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider an Appointment to the Planning Commission for a four-year term, through May 31, 2008. *Motion to appoint Mr. Thomas Duncan was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
4. Council to consider the two Quotes received for the painting of the Municipal Complex. *Motion to accept the Quote from Mohan Painting Company, Inc. in the amount of \$6,750.00 made by Mr. Aguglia and was seconded by Mr. George. Motion was approved and ordered.*
5. Council to consider an appointment to the Municipal Authority of the Borough of West View, through December 31, 2007, which is the remaining term of Mr. William Wunderly. *Motion to appoint Robert Malone was made by Mrs. Bernhard and was seconded by Mr. Schell. Motion was approved and ordered,* with President Daugherty abstaining. President Daugherty requested a letter be sent to Mr. Malone and to the Authority of the appointment.
6. Council to consider appointing a Five Member West View Revitalization Board. *Motion to appoint Beth Schellhaas from West View Floral Shoppe, Council Member Barry Schell, Ralph Burchell, Ken Wolf and Tom Weisbecker from Isaly's Deli Shoppe was made by Mr. Nowark and was seconded by Mr. George. Motion was approved and ordered.*

## Announcements

President Daugherty congratulated Joseph J. Nowark for being the recipient of the Thomas Croswaite Award. The Award is given for twenty or more years of Public Service.

*Mr. Aguglia Motioned to rescind his Motion awarding the Borough Painting Contract to Mohan Painting Company and the Motion was seconded by Mr. Nowark. Motion approved and ordered.*

*Mr. Aguglia made the Motion to award the Contract to Ed Mallon Renovation & Refinishing at the cost of \$6,660.00 and the Motion was seconded by Mr. George. Motion was approved and ordered.*

## Adjournment

With no further Business to come before Council, President Daugherty thanked everyone for attending and adjourned the Meeting at 8:04 p.m.

APPROVED:

*July 14, 2004*

BOROUGH OF WEST VIEW

BY:

*Kenneth J. Wolf*

Kenneth J. Wolf  
Secretary/Manager

BY:

*Daniel M. Daugherty*

Daniel M. Daugherty  
President of Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

JULY 14, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held on Wednesday, July 14, 2004 at 7:00 p.m. in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Council present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Ronald George, Barry Schell, and William Aguglia. Council Member John Henry was absent. Also present were: Mayor Richard Powell, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering, Police Chief Charles Holtgraver, Secretary/Manager Kenneth Wolf, and Assistant Treasurer/EIT Collector Cathy Mann. Assistant Secretary Patricia Rapp and Fire Chief Joseph Assisi were not present.

*Motion to approve the Minutes of the Regular Meeting of Town Council held on June 9, 2004 was made by Mr. Schell and seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for Net Pay and Payroll withholding in the amount of \$95,411.97 and payments to Vendors in the amount of \$130,778.46 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$116,387.41 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - Mayor Richard E. Powell

The Mayor read his report for the month of June 2004 as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$255.00
Vehicle Code Violations / Magistrate	\$921.21
Ordinance & Statute Violations / Magistrate	\$1,039.41
Allegheny County / DUI	\$265.00
State Shared / Vehicle Code	\$2,807.57
Total Receipts for June 2004	\$5,288.19

There were 64 parking tickets issued, with 29 from the Special Police and 35 from the Police.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf offered to explain any Ordinances or Resolutions under the Agenda. Mr. Wolf requested Council consider adding additional Catch Basins in two areas, being in the area of Hidden Valley and in the Oberlin and Carlisle area.

Mr. Wolf would like to Bid this out as one project, should Council approve this consideration, which would be an Addition to the Agenda.

Report from the Chief of Police - Charles M. Holtgraver

The Police responded to 307 Complaints this past month and had 7 abandoned vehicles removed. The Chief furnished Council with the report from the investigator and spoke of two cases that were investigated.

Report from the Solicitor - Fred E. Baxter

Mr. Baxter said that Council would need an Executive Session tonight in order to discuss Labor negotiations.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau reported on a problem with the Sanitary Sewer in the Cross Creek Plan. A Contractor was called out, due to an emergency with a condition caused by a slide in the area. Work began this morning to repair and modify the line. Mr. Zischkau will meet with PennDot to point out the unstable area. President Daugherty questioned if the slide was PennDot's responsibility, to which Mr. Zischkau said yes. PennDot had been notified by the Borough regarding the condition several months ago. Mr. Zischkau will document everything and forward all expenses onto PennDot for payment and/or reimbursement to the Borough.

Mr. Zischkau has been working along with the North Hills School District regarding their slide condition on Park Avenue. They are currently soliciting Bids in order to retain the hillside that is sliding along Park. The work will be within our right-of-way and paving and the Borough is working along with the District, which will delay our paving project. Mr. Zischkau said the paving crews should be in the Borough by late August.

Reports from the Committees

Finance Report - Joseph J. Nowark

Wage Tax collection deposits for the month of June totaled \$13,863.32, less \$440.68, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$6,711.33. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in July.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on June 11<sup>th</sup> and it earned interest in the amount of \$18.07. We purchased a CD on June 11<sup>th</sup> in the amount of \$24,500.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,000.00 matured on July 12<sup>th</sup> and it earned interest in the amount of \$105.02. We purchased a CD on July 12<sup>th</sup> in the amount of \$124,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$190,000.00 matured on June 11<sup>th</sup> and it earned interest in the amount of \$140.17. We purchased a CD on June 11<sup>th</sup> in the amount of \$190,000.00 for 31 days to earn interest.

Mr. Nowark wanted to report on something that happened in his neighborhood which he felt People in the Borough should know about. Mr. Nowark wanted to commend the Public Works Employees, Joe Assisi, Rich Rapp, Mark Scheller and Larry Toia for their quick response to helping to avert a potential catastrophe. On June 21, 2004 at 2:15 p.m., Mr. Nowark saw a car engulfed in flames across from his home. The Public Works Employees were on the scene fighting the fire within minutes. Officer Steve Ganster responded and preserved the scene by having EMS block off the entire area, with Lieutenant Randy Freedman assisting. Officers Todd Towne and Matt Holland, along with Fire Marshal Chuck Kovac and Allegheny County Fire Marshal Chief Deputy Don Brucker also assisted at the scene.

Due to the outstanding efforts of the abovementioned individuals, an arrest was made later that evening, along with a confession from the Actor. President Daugherty asked if Mr. Nowark would like to send the individuals letters of thanks, to which Mr. Nowark said he would appreciate that. President Daugherty asked Mr. Nowark to put this matter in the form of a Motion under the Agenda. Mr. Nowark agreed, along with Mr. Aguglia.

#### Property and Purchasing Report - William F. Aguglia

Mr. Aguglia requested Council consider a matter under the Agenda regarding the approval of the Lease for the property located at 431 Perry Highway. The Lease is for Petrack Real Estate. The proposed Lease will run 14 months, from May 1, 2004 through June 30, 2005 for the monthly rental amount of \$354.64.

#### Public Works Report - Ronald F. George

One Summer Employee was hired to cut grass, working 24 hours and receiving \$6.50 per hour. The Wall at the Ridgewood steps was repaired and all catch basins are being checked and repaired if necessary. The Salt Bids will be discussed under the Agenda.

Mr. George requested Council retire to an Executive Session.

President Daugherty said the Session would be held to discuss the Public Works negotiations and the Girty's Run litigation.

At 7:12 p.m. Council retired for an Executive Session.

At 7:37 p.m., the Meeting resumed.

#### Police and Public Safety Report - John R. Henry (Absent)

Mr. Schell requested Council consider releasing the money for the Firemen's Convention as the Convention starts August 9<sup>th</sup>. This will be considered under the Agenda as an addition.

#### Public Relations and Recreation Report - Mary C. Bernhard

The Centennial preparations are well underway. A Golf Outing was held, with a great turn out. The Committee is still looking for recipes for the Cookbook, which can be turned into Committee Members or into the Borough Hall. There will be a Pirate Game on July 20<sup>th</sup> and tickets are available at West View Savings Bank for \$5 each. A Car Cruise will be held on Sunday, July 25<sup>th</sup> at the VFW parking lot on Center Avenue. There will be a Night at the Races at the Firemen's Building on August 20<sup>th</sup>, with more details coming later.

There was no Crime watch Meeting held this month and meetings will resume in September.

The Recreation Program averages 50 to 60 Children on the Playground daily. The Field Trips have been full and the Playground activities are going great.

#### Remarks from the Audience

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

Mr. Joe Versace from 96 Rochester Road addressed Council regarding a problem he is having with the Sewer Project along Rochester Road. The Project vehicles are staging on his property and it is affecting parking for the Business there. There is also a problem with the excess dirt and gravel at the site. President Daugherty said that he would take care of the problems there by working along with the Engineer and the Project Coordinator and will make sure the area is kept clean and the parking lot will remain cleared.

Mr. Bill Hollinger from 234 Martsolf Avenue addressed Council regarding the speeding problem they are having in this area. Mr. Hollinger addressed a letter to Council he had given to Council. Chief Holtgraver responded to Mr. Hollinger and said the Borough's speed sign was being used along the area and the Police have a study of this area available to be viewed by Mr. Hollinger.

President Daugherty said Chief Holtgraver would be looking into this problem to see what can be done.

Ms. Ann Mackarella from 231 Martsolf Avenue addressed Council regarding the speeding problem along this area and said she had spoken to PennDot about the problem. President Daugherty said that it is Council's intention to do everything that they can to stop the speeding.

Mr. Jim Barr from 200 Frankfort Avenue addressed Council regarding the speeding problem. He questioned the repair of the wall on Ridgewood and felt his Church has a similar problem, but due to water erosion. Mr. Wolf said the blocks were merely deteriorating due to age and reparations were made. Mr. Barr questioned why only one Employee was hired for the Summer and President Daugherty said the Borough is trying to keep a close tab on funds. Mr. Wolf said the Employee hired was Justin Assisi. Mr. Barr questioned the Appeals Board (Agenda Item #7) and requested Council keep people informed regarding Girty's Run litigation (Agenda Item #9).

Mr. Sal Longo from 233 Martsolf Avenue requested the Police enforce the Juvenile Curfew and wanted the Gate at the Parklet on Martsolf locked at night. Chief Holtgraver has Officers checking each Parklet nightly to make sure they are clear and that there are no Juveniles breaking the Curfew.

#### Unfinished Business

There was no Unfinished Business.

#### New Business

Council Member Nowark read a letter regarding the lack of maintenance along the Business Area of West View Park Drive. Mr. Wolf said each Business is responsible for their property maintenance and he will take care of the problem.

#### Agenda

1. Council to consider Ordinance #1420. President Daugherty requested the Solicitor's permission to read both lengthy Ordinances by title only. Solicitor Baxter said this was appropriate. *Motion to read Ordinance #1420 by title only made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.* President Daugherty read Ordinance #1420, which is an Ordinance authorizing the Borough of West View to enter into an Intergovernmental Cooperation Agreement with Member Municipalities to establish the NHCOC Municipal Appeals Board. *Motion to approve Ordinance #1420 made by Mr. Schell and seconded by Mr. Nowark. Motion approved and ordered.*
2. Council to consider Ordinance #1421. *Motion to read Ordinance #1421 by title only made by Mr. Schell and seconded by Mr. George. Motion approved and ordered.* President Daugherty read Ordinance #1421, which is an Ordinance retaining an Independent Contractor (Building Inspections Underwriters, Inc.) to handle the Building Code Inspections and Plan Review of the PA Uniform Construction Code. *Motion to approve Ordinance #1421 made by Mrs. Bernhard and seconded by Mr. Schell. Motion was approved and ordered.*

President Daugherty requested he be permitted to read the title only for Resolution #1304, 1305, 1306, 1307 and 1308. *Motion to approve this request made by Mr. Schell was seconded*



by Mr. George. *Motion approved and ordered.* President Daugherty read Resolution #1304, 1305, 1306, 1307 and 1308 by title only. 081

3. Council to consider Resolution #1304, which is a Resolution authorizing the filing of an Application for Funds (\$62,000.00) with Ally. Co. Dept. of Economic Development (Year 31) (Reconstruction of Glenmore Avenue).
4. Council to consider Resolution #1305, which is a Resolution #1305 made by which is a Resolution authorizing the filing of an Application for Funds (\$21,000.00) with Ally. Co. Dept. of Economic Development (Year 31) (Reconstruction of Township Road).
5. Council to consider Resolution #1306 which is a Resolution authorizing the filing of an Application for Funds (\$10,000.00) with Ally. Co. Dept. of Economic Development (Year 31) (Safe Neighborhood Demolition at 70 Ridgewood Avenue).
6. Council to consider Resolution #1307 which is a Resolution declaring certain properties (70 Ridgewood Avenue) as slums and blight.
7. Council to consider Resolution #1308 adopting the ByLaws of the North Hills Council of Governments Municipal Appeals Board.

*Motion to approve Resolution #1304, 1305, 1306, 1307 and 1308 (noting the Year CD correction from Year 30 to Year 31 from Mr. Zischkau) made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*

8. Council to consider the NHCOC Salt Bid to Morton Salt at \$33.12 per ton for Years 2004 - 2005 winter season. Mr. Wolf said last year's price was \$34.70 per ton with Central Salt. This year the salt would be purchased through Morton Salt, which is a \$1.58 decrease per ton. Mr. Wolf recommends Council consider approval of the Bid. *Motion to accept the NHCOC Salt Bid was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*
9. Council to consider approving the Lease for 431 Perry Highway to Petrack Real Estate. The proposed Lease is for 14 months (May 1, 2004 through June 30, 2005) for a monthly rental of \$354.64 per month. President Daugherty said that the property was leased prior by Mr. Wunderly, who is now deceased. *Motion to approve the Lease was made by Mr. Nowark and was seconded by Mr. George. Motion approved and ordered.*
10. Council to consider the Girty's Run Litigation. President Daugherty said Council is aware that we were unsuccessful with the Borough's litigation and has been provided with all information received. President Daugherty requested Council consider either accepting Judge Wettick's opinion or approve the filing of an Appeal of the Judge's opinion. President Daugherty explained the ongoing Girty's Run Litigation and expressed his reasons why he feels an Appeal should be filed. Council Member Nowark added his opinion regarding filing an Appeal. *Motion to approve the filing of an Appeal was made by Mr. Nowark and seconded by Mr. George. Motion approved and ordered.*

- 10.82 Council to consider approving the \$2,000.00 be released to the Firemen's Fund for their upcoming Convention. *Motion made by Mr. Schell was seconded by Mr. George. Motion approved and ordered.*
12. Council to consider approving the advertisement for Bids for the additions of catch basins on Oberlin Avenue and Carlisle Avenue and on Hidden Valley Drive. *Motion was made by Mr. Schell and seconded by Mr. Nowark to advertise for the Bids for this Basin Project. Motion was approved and ordered.*

#### Adjournment

President Daugherty thanked everyone for attending and said that they will do everything possible in order to address the speeding problem in the Martsolf Avenue area. With no further business to come before Council, President Daugherty adjourned the Meeting at 8:34 p.m.

APPROVED: August 11, 2004

BOROUGH OF WEST VIEW

By:   
Kenneth J. Wolf, Secretary/Manager

By:   
President Daniel M. Daugherty

BOROUGH OF WEST VIEW

REGULAR MEETING

AUGUST 11, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held on Wednesday, August 11, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Secretary/Manager Kenneth Wolf conducted roll call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members John Henry, Ronald George, Barry Schell and William Aguglia. Council Member Joseph Nowark was absent. Also present were: Mayor Richard Powell, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Lieutenant Randall Freedman. Fire Chief Joseph Assisi and Chief Holtgraver were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on July 14, 2004 was made by Mr. Schell and seconded by Mr. George. Motion approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$143,304.10 and payments to vendors in the amount of \$90,127.26 was made by Mr. Schell and seconded by Mr. Aguglia. Motion approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$33,725.06 was made by Mr. George and seconded by Mr. Schell. Motion approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46 was made by Mr. Henry and seconded by Mr. Aguglia. Motion approved and ordered.*

President Daugherty introduced Ms. Chris Bahr from Senator Orie's office, who turned over Grant applications from DCED and DCNR. The deadline for filing the Grant applications is on September 30<sup>th</sup> and on October 13<sup>th</sup> and must be given to Senator Orie's office to send out. The amount of Grant money available was unknown. President Daugherty thanked Ms. Bahr for bringing in the applications as the Borough is in need of purchasing equipment.

Reports from the Officers

Report from the Mayor - Mayor Richard E. Powell

The Mayor read his report for the month of July 2004 as follows:

Motor Vehicle Code Violations	
Parking Violations / Tickets	\$440.00
Vehicle Code Violations / Magistrate	\$431.90

Ordinance & Statute Violations / Magistrate	\$603.35
Allegheny County / DUI	\$ 63.31
State Shared / Vehicle Code	\$ 0.00
 Total Receipts for July 2004	 \$ 1,538.56

The Mayor reported there were 106 parking tickets issued in July, with 42 from the Police and 64 from the Special Police. The Mayor read an Official Public Notice, instructing that two new stop signs be placed on Martsof Avenue at Orlando Avenue (one facing traffic northbound and one facing traffic southbound) for a sixty day trial period, beginning August 10, 2004.

#### Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf requested Council's permission to advertise for an upcoming Ordinance regarding Dye testing in certain areas in West View, specifically the Hidden Valley and Cross Creek areas, to be considered at the September Meeting of Council. President Daugherty said this would be considered under the Agenda.

#### Report from the Chief of Police - Chief Holtgraver (Absent)

Lieutenant Randall Freedman reported the Police had 403 complaints in July, removed 5 abandoned vehicles and have 2 pending. Lt. Freedman reported on two incidents that occurred in July. The Chief wanted to commend both Ross Township and West View Police Officers for their outstanding response. On July 22<sup>nd</sup> Officer Holland arrested a female for stealing purses in West View and, while in custody, she confessed to stealing purses in Bellevue, Ross Township, McCandless. The female said she had done this due to her drug addiction.

The Lieutenant reported that on July 28<sup>th</sup>, Chief Holtgraver, Sergeant Simmons, Officer Mann, Officer Towne, Officer Drwal and Ross Township Officers responded to a call in the 400 block of Center Avenue, where a shot was fired inside the home. One suspect was caught and one escaped, but a warrant has been issued but he has not been apprehended. Two handguns were confiscated and the apparent motive for this incident was drug related.

President Daugherty requested Lt. Freedman thank the Officers involved on Council's behalf.

#### Report from the Solicitor - Fred E. Baxter

Mr. Baxter reported he is in the process of filing an Appeal for the Girty's Run case before the deadline with the Commonwealth Court.

#### Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau said a Change Order has been issued for the Rochester Road Sewer Reconstruction job which is causing some delays. The North Hills School District will start making repairs to a section of Park Avenue next week, where the hillside slid. When work is

complete, our paving program will begin in the Borough, which includes the Park Avenue project. 085

Part of the hillside slid along Rochester Road and significantly damaged a sewer. The location is in PennDot's right-of-way and their responsibility, but the Borough relocated over 190 feet of sanitary sewer pipe and constructed two manholes due to the emergency. The Borough notified PennDot of a problem at this location several months ago. Mr. Zischkau is compiling all costs to present to PennDot for payment to the Borough since the slide on their roadway is what caused the problem.

Mr. Zischkau received two Bids yesterday for the two storm sewer projects, one on Oberlin Avenue and one on Hidden Valley Drive, which will be considered under the Agenda. Mr. Zischkau said he is working on completion of the design of the Senior Citizen bus garage to forward onto the NHCOC for their next Community Development Bid.

#### Reports from the Committees

Finance Report - Joseph J. Nowark (Absent)

In Mr. Nowark's absence, Mr. Daugherty read the Finance Report for the month of July 2004.

Wage Tax collection deposits for the month of July totaled \$114,906.49, less \$1,055.88, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$56,925.31. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in August.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on July 12<sup>th</sup> and it earned interest in the amount of \$20.75. We purchased a CD on July 12<sup>th</sup> in the amount of \$24,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,000.00 matured on July 12<sup>th</sup> and it earned interest in the amount of \$105.02. We purchased a CD on July 12<sup>th</sup> in the amount of \$124,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$190,000.00 matured on July 12<sup>th</sup> and it earned interest in the amount of \$160.92. We purchased a CD on July 12<sup>th</sup> in the amount of \$150,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of July totaled \$227,786.42. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in July.

Property and Purchasing Report - William F. Aguglia

Mr. Aguglia had nothing to report to Council.



### Public Works Report - Ronald F. George

Mr. George reported the Public Works Crew has been busy cutting grass, patching potholes, repairing and cleaning catch basins and painting curbs and crosswalks throughout the Borough. The Summer Help will be finished on the 27<sup>th</sup>.

Mr. George called for an Executive Session regarding the Public Works Contract.

At 7:17 p.m., Council retired for an Executive Session.

At 7:26 p.m., Mr. Zischkau left the Meeting.

At 7:30 p.m., the Council Meeting resumed.

### Police and Public Safety Report - John R. Henry

Mr. Henry updated Council on Public Safety, which is the status of Northwest Regional 911 and the possible consolidation with Allegheny County for 911 emergency dispatching. He has been attending meetings along with Mr. Wolf and feels that nothing should change in the Borough until at least January of 2006. Mr. Henry will keep Council advised of the status.

Mr. Henry is part of the new Budget/Administrative Committee that is looking at finances in depth in the Borough as part of the 2005 Budget scrutiny. It is their intention to trim expenses in the Borough budget without impacting services due to declining revenue. The Committee has met once to discuss budget aspects and will be meeting again to develop strategies.

### Fire and Water Report - Barry G. Schell

Mr. Schell had no report for Council.

### Public Relations and Recreation Report - Mary C. Bernhard

Mrs. Bernhard reported the Summer Recreation Program will end on Friday, August 13<sup>th</sup>, with a picnic at North Park. Thirty to Forty Children participated daily in the program, which had six supervisors and lasted for eight weeks.

The Senior Citizen trip will take place in October and the Seniors will be going for a Johnstown Flood Museum Tour. More information will be furnished when plans are finalized.

The next Crime Watch Meeting is scheduled for Monday, September 13<sup>th</sup> at the West View Firemen's Building, where the Allegheny County Sheriff's Office will be there with their Crime Prevention Unit Program.

The Centennial Committee is still doing fund raising and will sponsor a Night at the Races at the West View Firemen's Building on Friday, August 20<sup>th</sup>. Entertainment Books are on sale for \$20.00 each at the Borough Building. The Committee is planning a week long Centennial

Celebration for July of 2005, which will include a Parade, a Picnic and Fireworks. The Committee will be holding fund raisers throughout the months to come to raise money.

#### Audience

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

Dave Urban of 60 Lakewood Avenue questioned Council if the meetings Mr. Henry spoke of had a public report. Mr. Urban wanted a citizen to serve on the committee. President Daugherty said citizens have an opportunity to address the Budget prior to Council passing it. Mr. Urban questioned if the meetings are in violation of the sunshine act, to which President Daugherty said they are not.

Mr. Urban wanted to know why Mr. Malone was appointed to the Water Authority Board and felt Mrs. Bernhard would have been a good choice since he considers the Board a "Men's Club". Mr. Daugherty said Mr. Malone was a good choice as he has been a businessman, lived in the Borough for many years, is interested in what takes place in the Borough and had no political involvement or any dealings with the Municipal Authority.

George Rapp from 77 Hempstead Avenue said the summer recreation program was a success. He said he wasn't attacking the Police Department but said that in the 70's and early 80's, troublemakers drove around West View due to Zotter and Freedman, who put fear into them. George Rapp said trouble was part of his life then and he did not come to West View. He said drugs are different today, there are bad, bad drugs, not the simple drugs. He wants the same kind of hustle from the Police as back then, since troublemakers are not afraid to come here anymore. President Daugherty said that Zotter worked for Ross and Freedman retired from the Borough but, the Borough has two officers on per shift, along with a full time investigator and they are doing the best they can. President Daugherty said, though he could not divulge what, work is being done.

Jim Barr from 200 Frankfort Avenue asked if the Police had the name of the suspect that they had issued a warrant for. President Daugherty said yes. He questioned Council regarding the Grant applications from Senator Orie, if Judge Wettick was asked to reconsider his verdict for the Girty's Run litigation and wanted to know why there was an increase in the pipe size in the Rochester Road project. Mr. Daugherty answered Mr. Barr and said the original drawings for Rochester Road were wrong and an 18" pipe is needed instead of the 15" shown on the Borough's only drawings.

083

Mr. Barr said there was an error in the June Minutes that he wanted corrected, as it said three summer help were hired and only one was hired. Assistant Secretary Rapp said there is not an error and the Minutes were right, President Daugherty said three were hired at the June meeting. Mr. Barr questioned the Budget/Administrative Committee. He questioned the County transition for the 911 system. Mr. Henry wants to make sure the needs of the Borough are taken care of for 911 services. Mr. Barr questioned Agenda Item 5 and President Daugherty said we are not having problems funding our Pension Plans.

Lynn Grimm of 325 Cross Creek Court addressed Council, saying she has lived on Cross Creek for 16 years and it has never been paved and wondered if it could be. President Daugherty said for Ms. Grimm to talk to Mr. Wolf and that this year's paving list has already been set.

#### Unfinished Business

There was no unfinished business.

#### New Business

There was no new business.

#### Agenda

1. Council to consider giving Mr. Wolf permission to advertise for a Dye Test Ordinance. *Motion to approve this consideration made by Mr. Henry and seconded by Mr. Schell. Motion approved and ordered.*
2. Council to consider Resolution #1309. *Motion to read Resolution #1309 made by Mrs. Bernhard and seconded by Mr. Schell. Motion approved and ordered.* President Daugherty read Resolution #1309, which is a Resolution adopting the revised document, entitled ByLaws of the North Hills Council of Governments Municipal Appeals Board. *Motion to approve Resolution #1309 made by Mr. Schell and seconded by Mr. Aguglia. Motion approved and ordered.*
3. Council to consider an Appointment to the Zoning Hearing Board, for a three-year term, through August 1, 2007. Mr. Dennis Watson is currently serving in this position and is interested in being re-appointed. *Motion to appoint Dennis Watson made by Mr. George and seconded by Mr. Aguglia. Motion approved and ordered.*
4. Council to consider the Bid opening results for the Oberlin and Hidden Valley Catch Basins and Piping. Mr. Daugherty read a recommendation from Mr. Zischkau. Bids were received on August 10<sup>th</sup> and the apparent low bidder is Martino, Inc. for the total amount of \$56,287.28. Mr. Zischkau is satisfied with the Bid and recommends acceptance. *Motion to approve the Bid made by Mr. Schell and seconded by Mr. Henry.* President Daugherty asked if Mr. Wolf was satisfied. Mr. Wolf said he and Mr. Schell attended the opening and six bids were received. They ranged from a low of \$56,287.28 to a high of \$107,053.00 and Mr. Wolf is satisfied. With no further discussion, *Motion approved and ordered.*



5. Council to consider the purchase of Body Armor (Bulletproof Vests) for the Nine Police Officers. President Daugherty read a letter the Mayor received from Chief Holtgraver, requesting nine vests be purchased from Markl Supply, who was awarded the contract as supplier. Wearing of the vests would be mandatory at a cost of \$6,705.00 and, offset by a matching 50% Federal Bulletproof Partnership Grant, the Borough would pay \$3,352.50 as their portion of the purchase. *Motion to approve the purchase of the Nine Vests was made by Mr. Henry and seconded by Mr. Schell.* President Daugherty said the money would be available through the Police Budget. With no further discussion, *Motion was approved and ordered.*
  
6. Council to consider Act 81 of 2004, which allows for an optional change in the amortization period for the Municipal Employees Pension Plan. Mr. Wolf said that this would be a one time shot to revise Act 205 for 2003, changing the plan's amortization from 15 to 30 years. Mr. Wolf said he has been in touch with Colleen Deer from Mockenhaupt and Associates and felt this change would not benefit the Borough or the Pension Plan. Mr. Wolf recommends the Borough should not elect to change the Plan. President Daugherty said it would be like extending a 15 year mortgage to a 30 year and would not be in the Borough's or the Pension Plan's best interest. *Motion by Mr. George was seconded by Mr. Henry not to change the Pension plan.* Mr. Henry asked if there would be a chance for this optional change in the future should the market change and Mr. Wolf said no, this is a one time chance to change. *Motion was approved and ordered.*
  
7. Council to consider accepting a Local Municipal Resources and Development Program Grant in the amount of \$10,000.00. President Daugherty said Chief Holtgraver was instrumental in applying for this Grant from the Department of Community Economic Developments Operations and Compliance Office. The money would be used for the purchase of a crime scene imager, two body scanners, a rifle, two shot guns, CPR training and presentations, CRT programs, helmets and gloves and all necessary programs pertaining to their jobs. Mr. Wolf said the contract would be signed upon Council's approval this evening. *Motion from Mr. Henry to approve the Grant acceptance was seconded by Mr. Schell. Motion was approved and ordered.*

#### Adjournment

With no further Business to come before Council, President Daugherty thanked everyone for attending and adjourned the Meeting at 8:06 p.m.

APPROVED: September 8, 2004

BOROUGH OF WEST VIEW

By: 

Kenneth J. Wolf, Secretary/Manager

By: 

President Daniel M. Daugherty

## BOROUGH OF WEST VIEW

## REGULAR MEETING

SEPTEMBER 8, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, September 8, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order by President Daniel Daugherty at 7:00 p.m., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Secretary/Manager Kenneth Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, John Henry, Ronald George, Barry Schell and William Aguglia. Also present were: Mayor Richard Powell, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Police Chief Charles Holtgraver.

*Motion to approve the minutes of the Regular Meeting of Town Council on August 11, 2004 was made by Mr. Schell and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for Net Pay and Payroll withholding in the amount of \$100,130.19 and payments to Vendors in the amount of \$187,960.81 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$10,104.98 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

## Reports from the Officers

Mayor's Report - Richard E. Powell

The Mayor read his report for the month of August 2004 as follows:

## Motor Vehicle Code Violations -

Parking Violations / Tickets	\$320.00
Vehicle Code Violations / Magistrate	\$ 961.68
Ordinance & Statute Violations / Magistrate	\$ 86.03
Allegheny County / DUI	\$342.73
State Shared / Vehicle Code	\$ 0.00
Total Receipts for August 2004	\$1,710.44

The Mayor reported 56 tags were written in August.



Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf reported on the 2005 Minimum Municipal Obligation (MMO) for both Pension Plans. No action is needed by Council, however Mr. Wolf advised the information must be provided prior to September 30, 2004. The MMO for the Non-Uniformed Employees Pension Plan would require \$66,572.00 for 2005 and the MMO for the Police Pension Plan would require zero contributions for 2005.

Mr. Wolf said he, Mr. Zischkau and Mr. Baxter will be meeting regarding PennDot items with State Representative Walko at Senator Orie's Office on September 13<sup>th</sup> at 1 p.m.

Mr. Wolf has been working along with the North Hills Council of Governments regarding the upcoming Allegheny County Hazard Mitigation Planning Project. Mr. Wolf will furnish Council with a report by the end of the week and Council would have to approve a Resolution by the November's meeting. The Borough would need to meet all requirements of the Plan in case there are any State or Federal disasters in the area.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver had no report for Council.

Report from the Solicitor - Fred E. Baxter

Mr. Baxter reported on the Smoke and Dye Test Ordinance, which would apply to the sanitary sewer system in the Cross Creek and Hidden Valley area only. Council Member Henry questioned if this Ordinance would ever extend to cover the rest of the Borough. Solicitor Baxter said the rest of the Borough is a combined sewer system and the Ordinance would not apply.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau felt the Borough's Paving Project should be underway by the end of the month. The Contractor that is performing the North Hills COG / Park Avenue and Martsolf Avenue paving work is the same that will be doing the 2004 Paving Project. When the North Hills School District is doing along Park Avenue is complete, the Paving Project will proceed. Mr. Zischkau is working along with the North Hills Council of Governments in order to obtain Bids on September 21<sup>st</sup> for the Senior Citizen Bus Garage.

Mr. Daugherty questioned Mr. Zischkau regarding the Rochester Road Project. Mr. Zischkau has talked to the Girty's Run Solicitor and the Borough's Solicitor and feels that everything has been worked out and should be ready for the Municipal Authority Board to review at next week's meeting. Mr. Baxter added that Girty's Run Authority is responsible for paying 50% and everything has been worked out with all parties, inclusive of the Contractor. The Contractor should be able to proceed immediately as soon as everything is resolved.

Reports from the Committees

Finance Report - Joseph J. Nowark

Wage Tax collection deposits for the month of August totaled \$71,619.10, less \$992.79, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$35,313.16. These funds

were deposited into the General Fund Checking account to help offset Borough expenditures in September.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on August 11<sup>th</sup> and it earned interest in the amount of \$22.09. We purchased a CD on August 11<sup>th</sup> in the amount of \$24,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,000.00 matured on August 11<sup>th</sup> and it earned interest in the amount of \$111.80. We purchased a CD on August 11<sup>th</sup> in the amount of \$124,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$150,000.00 matured on August 11<sup>th</sup> and it earned interest in the amount of \$135.24. We purchased a CD on August 11<sup>th</sup> in the amount of \$150,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of August totaled \$415,056.77. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in August.

We purchased a General Fund CD on August 11<sup>th</sup> in the amount of \$150,000.00 for 30 days to earn interest.

#### Property and Purchasing Report - William F. Aguglia

Mr. Aguglia had no report for Council.

#### Public Works Report - Ronald F. George

Mr. George said the Road Crew has been busy doing seasonal work, being they are patching potholes, cutting grass, painting lines and crosswalks and cleaning catch basins. A Meeting has been set for September 16<sup>th</sup> with Local 416 and Mr. George hopes to have the Contract resolved.

#### Police and Public Safety Report - John R. Henry

Mr. Henry reported on the 911 Dispatch Merger with Allegheny County, which could possibly take place as early as the beginning of 2005. President Daugherty questioned if the County would handle all calls (emergency and non-emergency) as Northwest Regional is doing now. Mr. Henry said yes they would. Mr. Henry left with Mr. Wolf at 7:14 p.m. to move Mr. Henry's vehicle.

#### Fire and Water Report - Barry G. Schell

Mr. Schell had no report for Council at this time.

#### Public Relations and Recreation Report - Mary C. Bernhard

Mrs. Bernhard said the Summer Recreation Program ended with 49 Children attending the all-day picnic at North Park. Mrs. Bernhard felt the Program went very well this year.

The Senior Citizen Fall Trip has been set for October 14<sup>th</sup> and the Seniors will be going to Johnstown for the Flood Tour. The cost of the trip is \$20.00 and is for West View Seniors only.

A Crime watch meeting will be held on Monday, September 13<sup>th</sup> at 7 p.m. at the West View Firemen's Building. The Centennial Committee is holding a Craft Show at West View Elementary on September 18<sup>th</sup>. The Committee still needs recipes for the Centennial Cookbook and still needs old pictures.

#### Audience Remarks

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

Mr. Henry and Mr. Wolf returned at 7:17 p.m.

Mr. Joe Versace from 96 Rochester Road addressed Council in order to request their help again. Council had helped Mr. Versace when he had parking problems but is now having a problem with the new manhole overflowing, that was just installed on the corner. Mr. Versace has filed Police reports and talked to Mr. Wolf regarding the fact that there is no manhole cover under the steel plate. His property has had flooding problems since the manhole was installed. Mr. Daugherty said that both Mr. Baxter and Mr. Zischkau have been working as fast as they can in order to resolve the legal problems that have caused the project to stop.

Mr. Versace is asking for a temporary solution from Council to stop the water from coming into his building when there is a heavy rain. Mr. Versace said he has never experienced problems like this in the past and doesn't know what to do. Mr. Zischkau said the line is under construction right now and the will not be in service until the Glenmore connection is made. Once the connection is made, the sewage will be split between two lines, with the majority of the flow going into Girty's Run. Until the connection happens, Mr. Zischkau said the Borough's hands are tied.

President Daugherty said the reason the Borough is fixing this area is due to problems in the past and does not know what can be done until the legal issues are resolved and the Project proceeds. Mr. Versace wanted to know who would be responsible for any damages his property may incur since the water is now coming within four inches of his door. Mr. Versace said he is just asking for help.

Mr. Wolf said just before the Meeting, we received a call from the Italian House and the Public Works Department was called out. They are there now to see why water is blowing in the basement. Mr. Versace said that he is in a flood plan and had to call the Fire Department several times in the past but has never had a problem like this. Mr. Versace said there are manhole covers on four holes and another manhole cover laying there but is not on the hole. Mr. Zischkau said he was not aware of that and Mr. Daugherty said for someone to check this out. President Daugherty said that Council will have someone at Mr. Versace's property tomorrow morning if they cannot get hold of someone this evening. President Daugherty said they do not know when the Contractor will be getting there but would do what they could to help Mr. Versace.

0091  
Jim Barr from 200 Frankfort Avenue addressed Council asking where the Rochester Road Sewer Project will begin and end? Mr. Zischkau said it will begin at Manhole #107 on Rochester Road and will end at Manhole #97 below the Sunoco Station. Mr. Barr asked the purpose of the Project. Mr. Zischkau said the purpose of the Project was to separate the separate sanitary sewer flow of Ross Township from the combined sewer flow of West View and take it out of the combined sewer diversion structure.

Mr. Barr said, when this diversion enters the new pipes, where is this water, before it enters the new pipes, new construction, before this, is it a sanitary line? Mr. Zischkau said that he did not understand Mr. Barr's question. Mr. Barr said maybe this is why we are having a lot of problems down there, you don't understand what I'm talking about, could that be the reason? Mr. Zischkau said he understands sanitary sewerage and engineering but has no idea what Mr. Barr is talking about.

President Daugherty asked Mr. Barr what is the answer he wants from Mr. Zischkau. Mr. Barr said the waste product, is it a waste product, waste water in the beginning? Mr. Zischkau said part of it is combined waste water and storm water and part of it is separate sanitary sewage. Mr. Barr asked where the end of the pipe ends up. Mr. Zischkau said part ends up in Manhole #97 and remainder discharges in the Girty's Run Stream. Mr. Barr asked, at the end of the project, where will the waste water end up at? Mr. Zischkau said the combined sanitary sewage flow will go through the West View line and diversion structure as permitted by Pennsylvania D.E.P. Separate sanitary sewage flow will end up in Manhole #97, as it was directed by D.E.P. for the Borough to do as a joint project with Girty's Run. This project was recommended and/or mandated and directed by Pennsylvania D.E.P.

President Daugherty said that Mr. Barr just got his question answered. Mr. Barr said, everything that goes into this, let me summarize it, everything that goes into this new construction project will end up down at Alcosan also? Mr. Zischkau said that's correct. Mr. Barr started to yell and said that he hopes you understand what he is trying to say now and maybe the Engineer should try to understand this. President Daugherty said no one understands what Mr. Barr is saying and to go onto his next question.

Mr. Barr said, on the Agenda, Item #3, the FASgov software that he thinks we are going to purchase, what would this do for us, you know, by purchasing this? Mr. Wolf explained that this is a new accounting system specifically designed for the GASB 34 compliance. It is an accounting program that tracks fixed assets in the General Fund, which is mandated.

Mr. Barr said a shocking article in the paper told of a drug bust on Frankfort where there was 100 bags of heroin. He wanted to know the address so he can keep an eye on it since this sounds serious. Chief Holtgraver said the matter is under investigation and this investigative information cannot be released to the Public. Mr. Barr wanted to know if anyone was apprehended for damages made to St. Luke's Church. Chief Holtgraver said Police are working with the Church to take care of the matter.

Mr. Barr wanted to know where the two diversion structures are in West View. Mr. Daugherty even though this has been told to Mr. Barr many times in the past, he said there is one on Cresson Avenue and one off of Cemetery Lane. Mr. Barr wanted to know the Borough policy on who can use the Borough's dump on Frankfort and if the Borough loans equipment. President Daugherty said the dump is for clean fill only and for the Road Crew and the Borough does not loan equipment to anyone.

#### Unfinished Business

There was no unfinished business.

## New Business

There was no new business.

## Agenda

1. Council to consider Ordinance #1422. *Motion to read the title only, with the Solicitor's permission, of Ordinance #1422 was made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.* President Daugherty read Ordinance #1422, which is an Ordinance mandating dye testing to identify illegal sanitary sewer connections in areas (Hidden Valley and Cross Creek) of the Borough that have separate sanitary and storm sewers. *Motion to adopt Ordinance #1422 was made by Mr. Henry and seconded by Mr. Nowark. Motion approved and ordered.*
2. Council to consider Resolution #1310. *Motion to read Resolution #1310 was made by Mr. Nowark and seconded by Mr. Henry. Motion approved and ordered.* President Daugherty read Resolution #1310, which is a Resolution authorizing the President of Town Council and the Secretary/Manager to sign the Winter Traffic Services Agreement with the Commonwealth of Pennsylvania Department of Transportation for a Five Year Agreement beginning with the 2004-2005 Winter Season.

Mr. Daugherty questioned Mr. Wolf regarding the Agreement. Mr. Wolf said that this has been done in the past for snow removal from a portion of Highland and Perry Highway and would be for a five year period. The amount received over the five years would be \$27,873.54. With no further questions, *Motion to approve Resolution #1310 was made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*
3. Council to consider approving the FASgov Product Proposal in the amount of \$2,544.95, which is accounting (fixed assets) software for the new GASB 34. *Motion to approve the Proposal was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*
4. Council to consider approving the recommendation for subdivision for the property located at 241 Ridgewood Avenue from the Planning Commission for the Meeting held on Monday, August 30, 2004. President Daugherty read the letter from the Planning Commission that recommended approving the subdivision. *Motion to approve the subdivision for 241 Ridgewood Avenue made by Mr. Nowark and seconded by Mr. Schell. Motion approved and ordered.*
5. Council to consider recommending to the West View Waste Water Authority that a payment of \$38,738.63 be made to Brentzel Contracting, Inc. for the emergency sewer reparations on Rochester Road/Lowries Run sanitary sewer. (Due to the PennDot road slide) *Motion made by Mr. Henry was seconded by Mr. Aguglia. Motion was approved and ordered.*
6. Council to consider approving an Annual cost of \$8,000.00 for one hour service per week to keep the Bookmobile for the Year 2005.

Council was provided with a summary of use for the Bookmobile and the West View stop is very well used and Mr. Daugherty felt it was well worth it to keep the Bookmobile.



099

With no further discussion, *Motion made by Mr. Schell was seconded by Mrs. Bernhard.*  
*Motion was approved and ordered.*

#### Announcements

There were no announcements.

#### Adjournment

With no further Business to come before Council, President Daugherty thanked everyone for attending. Motion to adjourn was made by Mr. Schell and was seconded by Mr. George. Motion was approved and ordered. Meeting adjourned at 7:41 p.m.

APPROVED: October 13 2004

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Daniel M. Daugherty  
President of Town Council

BOROUGH OF WEST VIEW

097

REGULAR MEETING

OCTOBER 13, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held in Council Chambers at 441 Perry Highway, Pittsburgh, PA, 15229 on Wednesday, October 13, 2004. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members John Henry, Ronald George and William Aguglia. Also present were: Mayor Richard Powell, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Lieutenant Randall Freedman, Solicitor Fred Baxter and Robert Zischkau from Glenn Engineering. Council Member Joseph Nowark, Council Member Barry Schell and Police Chief Charles Holtgraver were absent.

*Motion to approve the Minutes of the Regular Meeting of Town council on September 8, 2004 was made by Mr. Henry and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$95,626.47 and payments to vendors in the amount of \$64,124.69 was made by Mrs. Bernhard and seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$2,648.02 was made by Mrs. Bernhard and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46 was made by Mr. Henry and seconded by Mr. Aguglia. Motion was approved and ordered.*

REPORTS FROM THE OFFICERS

Report from the Mayor - Mayor Richard E. Powell

The Mayor read his report for the month of September 2004, as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$ 245.00
Vehicle Code Violations / Magistrate	\$ 678.11
Ordinance & Statute Violations / Magistrate	\$ 86.62
Allegheny County / DUI	\$ 24.91
State Shared / Vehicle Code	\$ 0.00
 Total Receipts for September 2004	 \$1,034.64

The Mayor added 64 parking tickets were issued in September. The Mayor read a letter he received from Senator Jane Orie, commending the West View Volunteer Fire Department for their outstanding efforts during the flood in September. Senator Orie felt the Firefighters did a magnificent job.

The Mayor read a Proclamation, declaring Saturday, November 20, 2004 as World Children's Day in conjunction with a McDonald's fundraiser set for that day. *Motion to approve the Proclamation was made by Mr. Henry and seconded by Mrs. Bernhard. Motion was approved and ordered.*

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf had nothing for Council but would comment on any Item under the Agenda.

Report from the Chief of Police - Charles Holtgraver (Absent)

Lieutenant Freedman reported the Police answered 351 calls in September and acted on 8 abandoned vehicles, with 5 being removed, 2 being okay and 1 being towed.

Report from the Solicitor - Fred E. Baxter

Mr. Baxter had no report for Council.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau reported the 2005 Paving Program is scheduled to begin by next week. The School District has the Park Avenue Project near completion and the Street Paving will begin there. The Rochester Road Project is scheduled to begin next week, as the problem with the Contractor has been resolved.

#### Reports from the Committees

Finance Report - Joseph J. Nowark (Absent)

In Mr. Nowark's absence, President Daugherty read the Finance Report as follows:

Wage Tax collection deposits for the month of September totaled \$11,177.97, less \$202.27, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$5,487.86. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in October.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on September 10<sup>th</sup> and it earned interest in the amount of \$26.10. We purchased a CD on September 10<sup>th</sup> in the amount of \$24,500.00 for 32 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,000.00 matured on September 10<sup>th</sup> and it earned interest in the amount of \$132.13. We purchased a CD on September 10<sup>th</sup> in the amount of \$124,500.00 for 32 days to earn interest.

Our Building Fund CD in the amount of \$150,000.00 matured on September 10<sup>th</sup> and it earned interest in the amount of \$159.83. We purchased a CD on September 10<sup>th</sup> in the amount of \$260,000.00 for 32 days to earn interest.

Real Estate Tax Collections for the month of September totaled \$300,357.77. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in

September.

099

Our General Fund CD in the amount of \$150,000.00 matured on September 10<sup>th</sup> and it earned interest in the amount of \$159.83. We purchased a CD on September 10<sup>th</sup> in the amount of \$380,000.00 for 32 days to earn interest.

#### Property and Purchasing Report - William F. Aguglia

Mr. Aguglia reported on the North Hills Council of Governments Bid results that are to be considered under the Agenda for the work on the Senior Citizen Bus Garage property at 457 Perry Highway. Mr. Aguglia recommends Council consider approving the Bid from the low bidder, Tri-State Contracting and Development, Inc. for the total amount of \$86,700.00. The structure will be used to house the Senior Bus and for storage and for future Office space.

#### Public Works Report - Ronald F. George

Mr. George requested Council retire for an Executive Session in order to discuss Contract matters.

Council retired for an Executive Session at 7:12 p.m.

The Meeting resumed at 7:17 p.m.

Mr. George recommended Council approve a three-year Contract (October 1, 2004 - September 30, 2007) with the Public Works Department Local Union 416. *Motion to approve the Contract was made by Mr. George and was seconded by Mr. Henry. Motion was approved and ordered.*

#### Police and Public Safety Report - John R. Henry

Mr. Henry updated Council on Northwest Regional and said they have been negotiating with the County to dispatch out of the Lexington Avenue Dispatch Center. The Borough should be with the County for dispatch services in the next four or five months.

#### Fire and Water Report - Barry G. Schell (Absent)

#### Public Relations and Recreation Report - Mary C. Bernhard

Mrs. Bernhard said one bus of Seniors would be going to Johnstown on October 14<sup>th</sup> for their Senior Trip. The Halloween Parade will be on Monday, October 25<sup>th</sup> and sign up is at the Borough Building on Thursday night, October 21<sup>st</sup>, from 6:00 p.m. until 8:00 p.m. West View Residents must sign up and receive a number in order to receive a goodie bag. Mrs. Bernhard reminded everyone present that this is a fun night for the Children of the Borough and requested there be no politicking at the Parade, as this is not a Political function.

The Crime Watch Meeting was held on Monday, October 11<sup>th</sup> and Officer Fromlak was present for the Program. The next Meeting is scheduled for November 8<sup>th</sup> at the Firemen's Building and the Program will include a Wildlife Conservation Program.

The Centennial Celebration will be held in July of 2005 and there is a fund-raising Bingo being held on Thursday, October 28<sup>th</sup> at the Firemen's Building. The cost is \$5 for 6 cards and is a Family event,

with a Chinese Auction and door prizes.

The Committee is still looking for people to drop off recipes at the Borough Building for the Centennial Recipe Book and they are also looking for old pictures that will be returned in tact.

#### Audience

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

President Daugherty read a flyer that was distributed in the Business District and asked the Audience if the Author were present. The Flyer addressed Illegal Drug use in West View and then President Daugherty spoke at length on what the West View Police Department has been doing to try to stop the drug use in the Borough. President Daugherty said that Officer Douglas Drwal had been serving as the Investigator for the Police Department and has been working on this problem. President Daugherty said the Borough had a Crime Watch Program and a D.A.R.E. Program and the Borough has been active. A Man in the Audience said he lived at 440 Center Avenue and is constantly seeing drug activity and he was the Author of the flyer. Though he is not a member of the Crime Watch Committee and has never called the Police to report what he has seen, he said he was fed up with drug activity.

President Daugherty introduced Officer Drwal, who spoke at length to let Residents know what he is doing. Officer Drwal informed the Audience how hard he has been working on drug cases and how successful he is. Officer Drwal is working along with the District Attorney's Task Force, who has a 100% conviction record.

Jim Peterson from 112 Martsolf Avenue addressed Council to say the Police are doing a good job, but need more help. He said he felt fighting drug use is more important than paving streets.

Council Member Henry added that, though Residents are not aware of the Police presence and their aggressive efforts, they are working hard to take care of the drug problem.

A Gentleman named David addressed Council, saying that he felt the Police were doing a good job.

Don Schombrowski from 100 Amherst Avenue in Ross Township said that he had witnessed a drug transaction and found heroin and has never heard anything from the Police. Ross Police had never come to his home to see him for a report and neither did the West View Police. Mr. Schombrowski feels that all North Hills Students should have to be drug tested to go to North Hills Schools.

Fran Kimmel from 69 Frankfort Avenue said he has seen shady activities but has been hesitant to call the Police. President Daugherty urged anyone to call into the Police to report something like this.



Ann Mackarella from 231 Martsolf Avenue addressed Council, saying that she is a coordinator of the Crime Watch Program and thanked Council for acting speedily on Residents concerns.

Lisa Herbert from 152 Highland Avenue addressed Council regarding the TIF Reform Group. They are holding a fundraiser to help fight the tax incentives given to Businesses, specifically the shopping center that is going in on Mt. Nebo Road.

Bill Hollinger from 234 Martsolf Avenue addressed Council to thank them for their help in putting up stop signs to stop speeders along Martsolf.

Tom Barie from 110 Center Avenue questioned Council on what was being done with the large hole on Center Avenue by the Football Field. President Daugherty had Solicitor Baxter explain that this matter is in litigation. When the School District was doing the new field work, their contractor caused a problem by drilling under Center Avenue and leaving a large hole underground and the street eventually collapsed. The Borough is currently suing both Twinbrook and Atlas in order to have the roadway taken care of.

Jim Barr from 200 Frankfort Avenue questioned when the Paving Project is to begin and questioned the new County Dispatch Center. The Paving Project is scheduled to begin by next week and they are working along with the County to have Northwest Dispatchers work at the Lexington Center. The Borough will have their own dispatchers in the new County Center and calls will not be mixed.

President Daugherty added we cannot keep services through Northwest and the State is mandating the County Dispatch Centers. Mr. Barr asked for an update on the Girty's Run litigation and Solicitor Baxter said the Briefs are due by December 23, 2004.

#### Unfinished Business

There was no unfinished business.

#### New Business

There was no new business.

#### Agenda

1. Council to consider Resolution #1311. *Motion to read Resolution #1311 was made by Mr. George and seconded by Mrs. Bernhard. Motion was approved and ordered.* President Daugherty read Resolution #1311, which is a Resolution requiring contributions from the participants of the Borough of West View Police Pension Plan at a rate of Zero Percent (0%) of the participant's compensation for the Calendar Year 2005. *Motion to approve Resolution #1311 was made by Mr. Henry and seconded by Mrs. Bernhard. Motion was approved and ordered.*
2. Council to consider Resolution #1312. *Motion to read Resolution #1312 was made by Mrs. Bernhard and seconded by Mr. Aguglia. Motion approved and ordered.* President Daugherty read Resolution #1312, which is a Resolution authorizing the distribution of the Foreign Fire & Casualty Premium Taxes (\$70,771.95) pursuant to the Municipal Pension Plan Funding Standard and Recovery Act (Act 205 of 1984). *Motion to approve Resolution #1312*

*was made by Mr. Henry and seconded by Mr. George. Motion approved and ordered.*

3. Council to consider Resolution #1313. *Motion to read Resolution #1313 was made by Mrs. Bernhard and seconded by Mr. Aguglia. Motion approved and ordered.* President Daugherty read Resolution #1313, which is a Resolution authorizing the proper agent (Kenneth Wolf) to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288 as amended by Public Law 100-707). *Motion to approve Resolution #1313 was made by Mr. George and seconded by Mr. Aguglia. Motion was approved and ordered by Council.*
4. Council to consider approving the Local Union 416 Contract. President Daugherty said this was already accomplished during the Public Works Report.
5. Council to consider the Animal Control Five-Year Agreement with Triangle Pet Control Service Company, Inc. (\$285.00 per month), to be effective on December 1, 2004. *Motion to approve the Agreement was made by Mrs. Bernhard and seconded by Mr. Aguglia.* President Daugherty questioned Mr. Wolf if there were any problems using Triangle Pet, to which Mr. Wolf said there has been no problems with their service. President Daugherty called for a Motion to approve. *Mr. Henry Motioned to approve the Triangle Pet Contract and the Motion was seconded by Mr. George. Motion was approved and ordered by Council.*
6. Council to consider the acceptance of a D.A.R.E. Grant in the amount of \$3,002.00 for the 2004/2005 Year. *Motion to accept the Grant was made by Mrs. Bernhard and was seconded by Mr. Aguglia. Motion was approved and ordered.*
7. Council to consider the Bid results for the Improvements to the Senior Citizen's Bus Garage that were received by the North Hills Council of Governments (NHCOG) on Tuesday, September 21, 2004. The apparent low bidder was Tri-State Contracting and Development, Inc. for the Total Sum of \$86,700.00. *Motion to approve the Bid was made by Mrs. Bernhard and was seconded by Mr. Aguglia. Motion was approved and ordered.*

#### Adjournment

With no further Business to come before Council, President Daugherty thanked everyone for attending the Meeting. President Daugherty urged the Audience to call into the Police with any concerns they may have and wanted everyone to know how hard everyone is working on the problems with drugs in the Borough. *Motion to adjourn the Meeting was made by Mr. Henry and was seconded by Mr. Aguglia. Motion was approved and ordered.*

The Meeting adjourned at 8:13 p.m.

APPROVED: November 10, 2004

BOROUGH OF WEST VIEW

BY: \_\_\_\_\_  
Kenneth J. Wolf, Secretary/Manager

BY: Daniel M. Daugherty  
Daniel M. Daugherty  
President of Town Council

BOROUGH OF WEST VIEW

103

REGULAR MEETING

NOVEMBER 10, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229 on Wednesday, November 10, 2004. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Council present were: Daniel Daugherty, Mary Bernhard, Joseph Nowark, John Henry, Ronald George, Barry Schell and William Aguglia. Also attending were: Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Lt. Randall Freedman. Mayor Powell, Fire Chief Assisi and Chief Holtgraver were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on October 13, 2004 was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of general fund expenditures for net pay and payroll withholding in the amount of \$94,695.22 and payments to vendors in the amount of \$165,133.88 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

*Motion to approve the payment of building fund expenditures in the amount of \$5,299.26 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of liquid fuel expenditures in the amount of \$4,586.46 was made by Mr. Nowark and seconded by Mr. George. Motion was approved and ordered.*

President Daugherty introduced Mr. Jim Kanuch, Director of Finance for Suburban General Hospital. Effective January 1, 2005, Suburban will merge with Allegheny General and become Suburban Campus of Allegheny General Hospital and will specialize in Orthopedics. Mr. Kanuch spoke regarding the merger and their intent to keep this as a good community hospital.

Reports from the Officers

Report from the Mayor - Richard E. Powell (Absent)

President Daugherty read the Mayor's report for the month of October 2004 as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$480.00
Vehicle Code Violations / Magistrate	\$1,249.55
Ordinance & Statute Violations / Magistrate	\$313.51
Allegheny County / DUI	\$750.00
State Shared / Vehicle Code	\$0.00
Total Receipts for October 2004	\$2,793.06

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf requested Council approve a Special Budget Workshop date, which will be considered under the Agenda.

Report from the Chief of Police - Charles M. Holtgraver (Absent)

Lieutenant Freedman addressed Council, reporting were 343 complaints for the Police in the month of October 2004.

Report from the Solicitor - Fred E. Baxter

Mr. Baxter updated Council on the progress of the problem the Borough is having with the sink hole on Center Avenue, caused by Twinbrook and Atlas Construction Companies. Mr. Baxter requested Council have an executive session before the Agenda to discuss the progress of the litigation, as he reported the Contractor doing the job for the North Hills School District was not insured.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau reported the work on Rochester Road has resumed. The Project on Oberlin Avenue and Hidden Valley Drive should begin on Monday or Tuesday of next week. The Senior Citizen Bus Garage Project Bid has been awarded by the North Hills Council of Governments and Mr. Zischkau will keep Council updated on progress.

President Daugherty apologized to Mr. Joe Versace (who was there in the Audience) for the inconveniences caused to him and his business on Rochester Road, due to the Project.

Reports from the Committees

Finance Report - Joseph J. Nowark

Wage Tax collection deposits for the month of October totaled \$101,670.70, less \$482.67, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$50,594.01. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in November.

Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$32.13. We purchased a CD on October 12<sup>th</sup> in the amount of \$24,500.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,500.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$163.28. We purchased a CD on October 12<sup>th</sup> in the amount of \$124,500.00 for 31 days to earn interest.

Our Building Fund CD in the amount of \$260,000.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$340.99. We purchased a CD on October 12<sup>th</sup> in the amount of \$265,000.00 for 31 days to earn interest.

Real Estate Tax Collections for the month of October totaled \$72,338.48. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in October.



Our General Fund CD in the amount of \$380,000.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$498.38. We purchased a CD on October 12<sup>th</sup> in the amount of \$400,000.00 for 31 days to earn interest.

#### Property and Purchasing Report - William F. Aguglia

Mr. Aguglia had no report for Council.

#### Public Works Report - Ronald F. George

The 2004 Paving Project was completed on October 25<sup>th</sup> and only punch list items are left to be completed by the Pavers. The Road Crew is picking up leaves and are preparing all equipment for snowfall.

#### Police and Public Safety Report - John R. Henry

Mr. Henry updated Council on Northwest Regional Communication's closure and the pending transition to Allegheny County dispatch services that will occur in 2005. Mr. Henry has set meeting dates of November 18 and 19, 2004 to meet with the Fire, Police, EMS and Public Works Departments to request their input on Allegheny County dispatching emergencies.

Mr. Henry said that Osborne Borough had advised Northwest that it will continue its service through March 31, 2005, the approximate time of transition to the County. President Daugherty asked if the County has accepted an agreement with the Municipalities. Mr. Henry said yes, but it is a tentative agreement.

#### Fire and Water Report - Barry G. Schell

Mr. Schell reported on a Fire Prevention Class that was held on October 15, 2004 for 20 Children from West View Elementary at #3 Firehall. Assistant Chief Richard Rapp held the class and it was a great success. The Fire Department has been providing this service for more than 20 years.

#### Public Relations and Recreation Report - Mary C. Bernhard

Mrs. Bernhard reported on the Senior Citizen Trip to Johnstown. One Bus of Seniors attended and they had a very great day. Mrs. Bernhard said more than 800 Children participated in the Annual Halloween Parade. Mrs. Bernhard extended her thanks to all those who helped with the Parade and said the Road Crew took the extra Goodie Bags to Holy Family Institute, who in turn sent a thank you letter.

The Senior Citizen Bus will be in use on Veteran's Day to transport Veterans from Post #2754 to the Parade downtown on November 11<sup>th</sup>.

A Crime Watch Meeting was held on November 8<sup>th</sup> at the Firemen's Building and featured a program on wildlife conservation. Mrs. Bernhard reminded everyone to lock their car doors and requested more people attend the meetings. The next meeting will be upstairs of the Firemen's Building on Monday, December 6<sup>th</sup> at 7:00 p.m. and the program will include "Safety While Shopping."

Mrs. Bernhard reported on the Centennial Bingo held on October 28<sup>th</sup>. The night was a success and



166  
This was a family bingo with many children attending. Mrs. Bernhard said the Committee still needs old pictures and recipes and they are due by the end of the month.

West View Floral Shoppe will hold an Open House on Saturday, October 13<sup>th</sup> from 10 a.m. until 2 p.m. and will be selling Centennial items.

President Daugherty thanked Mrs. Bernhard for all of her help and for all of the work she does for the Borough.

#### Audience

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

Dave Urban from 60 Lakewood Avenue questioned Council on the Senior Citizen Bus Garage Project and President Daugherty explained the Project to Mr. Urban.

Mr. Urban felt the Borough should not have to pay Solicitor Baxter's fee concerning the litigation with the School District since the District had hired a Contractor with no insurance. Mr. Daugherty felt the Solicitor's fees would be covered in the suit, but Council would look into this.

Mr. Urban voiced his opinion against Officer Connolly being allowed to move outside of the Borough and wanted to make sure Officer Connolly is not picked up or dropped off at his home by West View Police since he is moving to Pine Township. Mr. Daugherty said Officer Connolly would not be picked up or dropped off by Borough Employees.

Jim Barr from 200 Frankfort Avenue questioned if any correspondence has been received regarding Girty's Run Litigation, to which President Daugherty said no. Mr. Barr questioned what streets were paved and Mr. George read the list of streets and alleys. Mr. Wolf added Park and Martsolf Avenues were paved also. Mr. Barr felt Center Avenue should have been paved before the alleys were. Mr. Daugherty thanked Mr. Barr for his opinion.

Mr. Nowark added that most of the damage to Center Avenue is caused by Port Authority busses. Mr. Barr said to have the Port Authority downsize the busses.

#### Unfinished Business

There was no unfinished business.

#### New Business

There was no new business.

At 7:34 p.m. Council retired for an Executive Session to discuss Borough Employee matters and litigation.

At 8:03 p.m. the Meeting resumed.

### Agenda

1. *Motion from Mr. Henry was seconded by Mr. Schell to have the Solicitor develop language for the negotiations with the School District Contractor regarding the Center Avenue sink hole problem. Question on the Motion by President Daugherty on the time frame for the language. Solicitor Baxter said this could be done in the next two weeks. With no further questions, Motion was approved and ordered.*
2. Council to consider scheduling a date for the Budget Workshop Meeting. *Motion to advertise the Workshop Meeting to be held on Tuesday, November 16<sup>th</sup> at 5:30 p.m. was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider the request from Officer Joseph Connolly to move his residence outside of the five mile limit (to a seven mile limit - Pine Township), as per the Police Contract. *Mr. Henry motioned Council approve Officer Connolly's request, due to extenuating circumstances in regard to relocation of his residence, but being contingent upon the drafting of terms and conditions as discussed with the Solicitor. The Motion was seconded by Mr. Nowark. Question on the Motion from President Daugherty to have the terms include if the individual should ever sell the home, he would have to move back into the five mile zone. Mr. Henry clarified the Police Contract states an Officer must live within a five mile zone to work in the Borough but Mr. Henry is sponsoring the Motion due to extenuating circumstances. With no further discussion, Motion was approved and ordered, with Vice President Bernhard voting no.*
4. Council to consider approving the October 1, 2004 through September 30, 2007 Contract between the Borough of West View and the Utility Workers of America Local 416. President Daugherty explained he had put the cart before the horse at the last Meeting and the Contract was approved prior to the Agenda.

*President Daugherty motioned for Council consider approving the Contract between the Borough of West View and the Utility Workers of America Local 416 and the adjustment of the Salaried and Administration increases from 2% to 3%. Mr. Daugherty said the wages were not paid and they would be paid retroactive.*

Solicitor Baxter said the Contract is a three year contract with 3%, 3% and 3% and dropped to the Keystone Health plan. The sick leave policy has been changed, a four step discipline procedure instituted and the Borough has the right to change Crew size. With nothing further, *Motion was seconded by Mr. Henry. Motion was approved and ordered.*

5. Council to consider the appointment of a Delegate and an Alternate Delegate to the Allegheny County Borough's Association. 2003's Delegate was Daniel Daugherty and the Alternate was Joseph Nowark and both gentlemen are interested in being re-appointed. *Motion to appoint Daniel Daugherty as Delegate and Joseph Nowark as Alternate Delegate was made by Mr. Henry and seconded by Mr. Schell. Motion was approved and ordered.*

## Adjournment

With no further Business to come before Council, President Daugherty entertained a *Motion for Adjournment, which was made by Mr. Henry and seconded by Mr. Schell. Motion was approved and ordered.* The Meeting adjourned at 8:08 p.m.

APPROVED: December 8, 2008

BOROUGH OF WEST VIEW

By:   
Kenneth J. Wolf, Secretary/Manager

By:   
Daniel M. Daugherty, President

BOROUGH OF WEST VIEW

109

SPECIAL BUDGET WORKSHOP MEETING

NOVEMBER 16, 2004

Minutes of the Special Budget Workshop Meeting of the Town Council of the Borough of West View held Tuesday, November 16, 2004. President Daugherty called the Meeting to order at 5:30 p.m. Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Joseph Nowark, Ronald George, Barry Schell and William Aguglia. Council Member Henry was absent. Also attending were Secretary/Manager Kenneth Wolf and Assistant Secretary Patricia Rapp. Mayor Powell was absent and no one was in the Audience.

President Daugherty read the Meeting Notice as follows: Notice is hereby given that the Town Council of the Borough of West View will hold a Special Meeting on Tuesday, November 16, 2004 at 5:30 p.m. at the West View Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The purpose of the Special Meeting is for Town Council to discuss the Proposed Budget for the Year 2005. No other business will be discussed. The advertisement ran in the newspaper on November 13, 2004.

President Daugherty said Council was supplied with copies of the 2005 Proposed Budget by Mr. Wolf, along with a cover letter.

Mr. Daugherty read Mr. Wolf's letter. Mr. Wolf's letter addressed that he could balance the General Fund Budget for 2005 without a millage increase, however, he made significant reductions in the Capital Expenditures, as follows:

- 1) Account 410.740 (Police) - would have liked to have budgeted \$22,000.00, however, this account had to be reduced by 55.3% to a budgeted figure of \$9,825.00.
- 2) Account 430.740 (Public Works) - would have liked to have budgeted \$55,000.00, however, this account had to be reduced by 55.3% to a budgeted figure of \$24,575.00.
- 3) Account 439.300 (Paving) - would have liked to have budgeted a Dollar amount, however, this account had to be reduced to a budgeted figure of \$0.00.

Also, there is a concern regarding the cash balance that we are anticipating to carry over to 2005, which has been budgeted at \$22,725.00. This number is critical, as any greater amount would be beneficial to the Borough, however, any amount less than \$22,725.00 would be detrimental to the Borough. On January 1, 2005, the Borough is responsible for a Bond Interest Payment in the amount of \$13,680.00. The Borough is then responsible for a Payroll (Pay Period ending January 14, 2005), until which time we would receive our 2005 Tax Anticipation Loan proceeds.

Even after we receive the 2005 Tax Anticipation Loan proceeds, it is going to be critical to keep Expenditures at a minimum for the first six months of 2005. Minimum Expenditures are necessary as the Real Estate Tax Collection only begins collections in July. Even after July, Expenditures should be kept at a minimum to enhance a greater carryover Cash Balance for January 1, 2006.

Mr. Daugherty said that \$3,191,005.00 has been budgeted for the Borough for 2005. Mr.

Daugherty said Council received a letter from the Budget/Administrative Committee, being comprised of Council Member Henry, Nowark and Aguglia. The letter addressed the Committee's preliminary review and recommendations. Due to Mr. Henry not being in attendance, Mr. Daugherty read the letter, (entire letter on file at the Borough) with excerpts as follows:

Current Draft Version of the 2005 Budget -The draft budget holds the line on current property taxes but does not contain any money for street paving. The capital budget is also not fully funded as it only contains partial funding for the purchase of a police vehicle and a public works truck. The draft budget is a defensive budget which maintains current staffing levels and services and does not contain any new initiatives. This is a direct result and reflective of the financial challenges that the Borough now faces.

Overview of current financial challenges - 1) lack of growth and instability of property revenue  
2) increasing operational and administrative expenses. Committee's goal - to identify and recommend sources of new revenue and cost saving measures while maintaining services to residents.

Preliminary recommendations - Real property tax - increase in order to balance the budget or fund capital projects. Other revenue sources - no changes to result in revenue increase. Expenditures - draft budget for 2005 already "lean" and felt expenditures for personnel consumes majority of expenditures.

The Committee recommends adoption of the draft budget without the imposition of higher real estate taxes.

The Committee recommends consideration of the following cost saving initiatives:

- 1) Have Employees fill out a confidential questionnaire giving their suggestions on ways to improve services and to save revenue and to improve working conditions. President Daugherty said Council would check into the legality issues with this recommendation.
- 2) Conduct a review of all Employee positions to determine their effectiveness and efficiency.
- 3) Based on the outcome of the questionnaire and the Borough's financial position, consider reorganization, consolidation or elimination of positions, consider layoffs or furloughs and consider reduction of the 40-hour work week.
- 4) Consider the feasibility of having the North Hills School District collect wage tax.
- 5) Consider feasible ideas and suggestions.
- 6) President of Council to delegate responsibilities to Borough Manager to act on the aforementioned initiatives.

Summary and Conclusion - Enhance overall financial health and efficiency in the Borough while maintaining critical services to the Residents. Hopeful of cooperating and collaborating with Borough Employees and Council to accomplish the goal of keeping West View a good place to live and work.



Mr. Daugherty thanked Mr. Aguglia and Mr. Nowark for their efforts and advised that Mr. Henry left a number he could be reached at if Council had questions on the report.

Mr. Daugherty opened the floor for Council comments. Mrs. Bernhard felt the Borough could not get by without an increase in millage or making cuts. President Daugherty does not want to change anything now, but wait until midyear to evaluate the situation. Mrs. Bernhard worries that Employees would not get paid and suggested Council eliminate the Senior Bus and the Recreation Program.

Mr. George felt the streets and alleys are in good shape but said he had given his word to some Residents to take care of their streets in 2005. Mr. Daugherty feels that money left by leaving Northwest Regional Communications should help with Public Works costs, along with receiving a Grant for the purchase of a new dump truck through Senator Orie's assistance. Mrs. Bernhard worries the Borough will not have the money up front to take care of Borough finances. Mr. Daugherty suggests giving the Committee more time and felt the Borough could not justify an increase in millage.

Mr. George asked if the Borough could raise taxes midyear and Mr. Daugherty said not. Mr. Nowak said they had looked at cuts in Administration or cutting the Desk Personnel but felt that this should not be done now. Mr. Nowark suggested the Employees and Borough Council get together to make recommendations.

Mr. Nowark motioned to advertise the Proposed 2005 Budget, with the exception of revising the Paving by shifting the Police and Public Works Capital Money to Paving, which was seconded by Mr. Aguglia. Motion was approved and ordered.

Mr. Wolf said the advertisement would run in the Post Gazette and would be open for Public review next Wednesday. The Budget would be considered under the Agenda at the December 8<sup>th</sup> Meeting of Town Council.

Mr. Daugherty reported that \$2,350,650.00 is budgeted for the General Fund, \$132,905.00 for the Building Fund, \$115,460.00 for the Liquid Fuel Fund, \$0.00 for Capital Reserve - UDAG Fund and \$591,990.00 for the Proprietary Fund. Mrs. Bernhard felt the Borough should sell the Senior Bus, as it could not be justified in expenditures. Mr. Nowark asked for an approximate monetary savings in the elimination of the Recreation Program, to which Mr. Wolf said approximately \$17,000.00. Mr. Nowark feels the Borough should consider other matters first.

Motion to adjourn the Meeting was made by Mr. Schell and was seconded by Mr. George. Motion was approved and ordered. Meeting adjourned at 6:03 p.m.

APPROVED: December 8, 2004

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

DECEMBER 8, 2004

Minutes of the Regular Meeting of the Town Council of the Borough of West View held on Wednesday, December 8, 2004 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order at 7:00 p.m. by President Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Council Members present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, John Henry, Barry Schell and William Aguglia. Also attending were: Mayor Richard Powell, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Lieutenant Randall Freedman. Council Member Ronald George and Police Chief Charles Holtgraver were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on November 10, 2004 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the Minutes of the Special Workshop Meeting of Town Council held on November 16, 2004 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$100,937.82 and payments to vendors in the amount of \$77,931.22 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$4,563.32 was made by Mr. Nowark and was seconded by Mr. Henry. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,586.46 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

President Daugherty introduced Boy Scout Matt Pugh from St. Athanasius Troop #377. President Daugherty instructed Scout Pugh to stop at the Borough Office to get the Minutes from the Meeting and any other information he may require.

## Reports from the Officers

Report from the Mayor - Richard E. Powell

The Mayor read his report for the month of November 2004 as follows:

## Motor Vehicle Code Violations -

Parking Violations / Tickets	\$360.00
Vehicle Code Violations / Magistrate	\$845.46
Ordinance & Statute Violations / Magistrate	\$723.20
Allegheny County / DUI	\$150.00
State Shared / Vehicle Code	\$ 0.00

Total Receipts for November 2004                      \$2,078.66

## Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf requested Council consider the Regular Meeting dates and times for the Year 2005. The Regular Meeting date is the second Wednesday of each month at 7:00 p.m. and no Holidays are involved in 2005. Council will consider this matter under the Agenda.

## Report from the Chief of Police - Charles M. Holtgraver (Absent)

In the Chief's absence, Lieutenant Freedman was in attendance and reported on the Abandoned Vehicles for the months of October and November 2004. Nine vehicles were removed in October and five vehicles were removed in November. One had current registration and three were towed. The Police Department responded to 264 complaints in November 2004.

## Report from the Solicitor - Fred E. Baxter

Mr. Baxter had no report for Council.

## Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau reported on the partial completion of the Hidden Valley and Oberlin Project. The contractor will finish paving certain sections of these roadways in the spring to complete the Project. President Daugherty questioned Mr. Zischkau regarding the progress of the Rochester Road / Glenmore Avenue Project. Mr. Zischkau said the contractor and subcontractor were working out the details to finish the Project. Pipe has been installed and they are waiting on the pipe bursting contractor to proceed.

## Reports from the Committees

## Finance Report - Joseph J. Nowark

Wage Tax collection deposits for the month of November totaled \$112,036.64, less \$1,990.11, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$55,023.27. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in November.

114  
Our Capital Reserve - UDAG CD in the amount of \$24,500.00 matured on November 12<sup>th</sup> and it earned interest in the amount of \$31.12. We purchased a CD on November 12<sup>th</sup> in the amount of \$24,500.00 for 31 days to earn interest.

Our Liquid Fuel CD in the amount of \$124,500.00 matured on November 12<sup>th</sup> and it earned interest in the amount of \$167.66. We purchased a CD on November 12<sup>th</sup> in the amount of \$124,500.00 for 31 days to earn interest.

Our Building Fund CD in the amount of \$265,000.00 matured on November 12<sup>th</sup> and it earned interest in the amount of \$356.88. We purchased a CD on November 12<sup>th</sup> in the amount of \$265,000.00 for 31 days to earn interest.

Real Estate Tax Collections for the month of November totaled \$27,879.41. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in November.

Our General Fund CD in the amount of \$400,000.00 matured on November 12<sup>th</sup> and it earned interest in the amount of \$538.68. We purchased a CD on November 12<sup>th</sup> in the amount of \$400,000.00 for 31 days to earn interest.

Property and Purchasing Report - William F. Aguglia

Mr. Aguglia had no report for Council.

Public Works Report - Ronald F. George (Absent)

Police and Public Safety Report - John R. Henry

Mr. Henry reported the draft agreements have been prepared through Northwest Regional Communications regarding the merger with Allegheny County. The Public Safety providers have met to discuss the merger and everything is on track to begin service on March 31, 2005. No action is necessary by Borough Council at this time.

Fire and Water Report - Barry G. Schell

Mr. Schell had no report for Council.

Public Relations and Recreation Report - Mary C. Bernhard

Mrs. Bernhard said a Crime Watch Meeting was held on December 7<sup>th</sup> and Officer Holland was present. Officer Holland advised Residents of recent break-ins and advised women not to leave their purses unattended in shopping carts. The Meeting was more of a social function, with cookies being served and five 911 cell phones being passed out. The next meeting will be Monday, January 10<sup>th</sup> and a Drug Program will be presented by the Northern Alliance.

Mrs. Bernhard said Recreation was quiet right now but advised Residents the Senior Citizen Bus



travels on Mondays, Wednesdays and Fridays and is free of charge to West View Senior Citizens.

Mrs. Bernhard reported on the Centennial Committee. West View Floral Shoppe is holding an Open House where Centennial items may be purchased. Mrs. Bernhard suggested Residents purchase items, such as the Centennial Ornament, for Christmas gifts. The Committee will have a Centennial Picture/Lottery Calendar for sale soon.

Light Up Night was held at West View Elementary School due to the bad weather and it was an enjoyable evening. The North Hills High School Choral Group performed and prizes were given out for the Poster Contest.

Mrs. Bernhard advised the Centennial Committee still needs pictures. They will be copied and returned in tact.

#### Audience

President Daugherty welcomed everyone to tonight's meeting on the behalf of Town Council. Council welcomes comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, these procedures be followed:

First, give your name and address and second, please make your comments to the point and within a reasonable time. In turn, if your comments require an answer, Council will try to provide an answer at this time.

If Council cannot provide an answer at this time, they will give the proper directions to help you get the information you are looking for.

Jim Barr from 200 Frankfort Avenue questioned Mr. Henry, wanting to know who are the public service providers he mentioned in his report. President Daugherty advised Mr. Barr to direct his questions to the Chair. Mr. Daugherty told Mr. Barr to go through the Chair first.

Mr. Henry said meetings were held with Police, Fire, EMS and Public Works Departments of all 27 Member Communities to discuss the pending merger with the County and get their input.

Mr. Barr questioned if anything was new with the Girty's Run litigation, to which Mr. Daugherty said no. Mr. Barr wanted a Center Avenue sinkhole update. Mr. Daugherty said negotiations with the contractor are on-going and an on-site meeting is scheduled. Solicitor Baxter explained the North Hills School District is a party to the litigation but the lawsuit is with the two Contractors that performed the work to cause the sinkhole.

Mr. Barr questioned if any changes were made to the proposed Budget by Council. Mr. Daugherty said no. Mr. Barr questioned what the Insurance and Benefits expenditures line item covers in the Budget. Mr. Wolf said this is all insurances, FICA, Health, etc. Mr. Barr wanted to know what the Employee contribution was. Mr. Wolf said there was no Employee contribution. Employees have switched from Blue Cross Blue Shield to the lower priced Keystone HMO. Mr. Barr wanted to know if Part time Employees were covered. Mr. Wolf said



Only Full Time Employees have insurance coverage.

Mr. Henry further explained that during the contract negotiations, the Unions went with Keystone HMO to reduce the costs and explained that no benefits go to part time workers.

#### Unfinished Business

There was no unfinished business.

#### New Business

There was no new business.

#### Agenda

1. Council to consider the Regular Meeting Dates and Times for the Year 2005. *Motion to approve the Year 2005 Meeting date as the second Wednesday of each month and the time to be 7:00 p.m. was made by Mr. Schell and was seconded by Mr. Henry. Motion was approved and ordered.*
2. Council to consider Ordinance #1423. *Motion to read Ordinance #1423 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Daugherty read Ordinance #1423, which is an Ordinance of the Town Council of the Borough of West View fixing the Tax Rate for the Year 2005 at 4.43 Mills. *Motion to approve Ordinance #1423 was made by Mr. Nowark and was seconded by Mr. Schell.* President Daugherty reminded everyone that Council plans to closely evaluate administrative matters in 2005 for 2006. With nothing further, *Motion was approved and ordered.*
3. Council to consider Ordinance #1424. *Motion to read Ordinance #1424 was made by Mr. Henry and was seconded by Mr. Nowark. Motion was approved and ordered.* President Daugherty read Ordinance #1424, which is an Ordinance appropriating specific sums (\$3,191,005.00) estimated to be required for specific purposes of the Municipal Government for the Year 2005. *Motion to approve Ordinance #1424 was made by Mr. Henry and was seconded by Mr. Aguglia. Motion was approved and ordered.*
4. Council to consider a total amount payment of \$94,518.00 to Victor Paving, Inc., contingent upon the receipt of the Maintenance Bond and other supporting documentation, for the 2004 Paving Project. *Motion to approve the payment was made by Mr. Nowark and was seconded by Mr. Schell.* President Daugherty asked if Mr. Wolf was satisfied with the work performed and Mr. Wolf said yes. With nothing further, *Motion was approved and ordered.*
5. Council to consider a Total Amount payment of \$13,415.00 to North Hills Council of Governments for the paving of Park and Martsolf Avenue (Allegheny County share

\$36,400.00, Borough's share \$13,415.00, totaling \$49,815.00) as requested by the North Hills Council of Governments. *Motion to approve the payment was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered.*

6. Council to consider Resolution #1314. *Motion to read Resolution #1314 was made by Mr. Nowark with Mr. Henry seconding the Motion. Mr. Henry questioned if the Resolution could be read by caption only, to which Solicitor Baxter said yes. Motion was approved and ordered.* President Daugherty read the caption only of Resolution #1314, which is a Resolution regarding the \$400,000.00 2005 Tax Anticipation Loan through PNCBank. *Motion to approve Resolution #1314 was made by Mr. Henry and was seconded by Mr. Nowark. Motion was approved and ordered.*
7. Council to consider paying off the 2004 Tax Anticipation Loan in the amount of \$304,774.17 on December 15, 2004. *Motion to pay off the Loan was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

#### Announcements

There were no announcements.

#### Adjournment

With no further Business to come before Council, President Daugherty thanked everyone for attending tonight's meeting. Mr. Daugherty extended Council's best wishes to everyone for the Holidays and thanked everyone for attending.

*Motion to adjourn was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered. The Meeting adjourned at 7:36 p.m.*

APPROVED: \_\_\_\_\_

*January 12, 2005*

BOROUGH OF WEST VIEW

By: \_\_\_\_\_

Kenneth J. Wolf  
Secretary/Manager

By: \_\_\_\_\_

*Daniel M. Daugherty*  
Daniel M. Daugherty  
President of Town Council