

BOROUGH OF WEST VIEW

REGULAR MEETING

JANUARY 10, 2007

Minutes of the Regular Meeting of Town Council held Wednesday, January 10, 2007 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. Five People were in the Audience. Mr. Wolf conducted Roll Call.

Council Members present were: President Daniel M. Daugherty, Vice President Mary C. Bernhard, Members Joseph J. Nowark, Barry G. Schell, William F. Aguglia, John W. Koerts and Ralph R. Burchell. Also attending were: Mayor J.R. Henry, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred E. Baxter, Jr., Robert Zischkau from Glenn Engineering, and Chief of Police Charles M. Holtgraver.

*Motion to approve the Minutes of the Regular Meeting of Town Council on December 13, 2006 was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve the Minutes of the Special Meeting of Town Council on December 28, 2006 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$105,495.90 and payments to vendors in the amount of \$515,867.82 was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$7,532.61 was made by Mr. Koerts and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$11,992.88 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

REPORTS FROM THE OFFICERS

REPORT FROM THE MAYOR - J.R. HENRY, MAYOR

The Mayor read his report for the month of December 2006 as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$ 245.00
Vehicle Code Violations / Magistrate	\$ 860.58
Ordinance & Statute Violations / Magistrate	\$1,097.33
Allegheny County / DUI	\$ 100.00
State Shared / Vehicle Code	\$ 3,116.15

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Total Receipts for December 2006

\$5,419.06

The Mayor read his report for the Year 2006, as follows:

Motor Vehicle Code Violations -

Parking Violations / Tickets

\$ 7,752.00

Vehicle Code Violations / Magistrate

\$11,488.74

Ordinance & Statute Violations / Magistrate

\$16,789.64

Allegheny County / DUI

\$ 2,671.33

State Shared / Vehicle Code

\$ 5,789.20

Total Receipts for Year 2006

\$44,490.91

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

Mr. Wolf discussed the letter received from Mr. Ira Weiss. Mr. Weiss recommended the Mayor and the Police and Public Safety Committee consider Mr. Weiss's recommendation to amend the Examination and Grading Procedure when conducting Police Officer Examinations. Mr. Weiss recommends additional language to state that an Applicant must receive a score of 70% on each section of the written and achieve an overall score of at least 70%.

President Daugherty said this matter would be considered as an addition to the Agenda.

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

Chief Holtgraver said the Police responded to 357 complaints for the month of December and a total of 4,413 for the Year 2006.

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

Mr. Baxter had no report for Council.

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

Mr. Zischkau had no report for Council.

#### REPORTS FROM THE COMMITTEES

##### FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell read his report to Council for the Month of December 2006 as follows:

Wage Tax collection deposits for the month of December totaled \$16,245.96. The Borough's net proceeds were \$8,122.98. 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 \$26,500.00 matured on December 14<sup>th</sup> and it earned interest in the amount of \$112.60. We purchased a CD on December 14<sup>th</sup> in the amount of \$26,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$177,000.00 matured on December 14<sup>th</sup> and it earned interest in the amount of \$752.12. We purchased a CD on December 14<sup>th</sup> in the amount of \$78,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$169,000.00 matured on December 14<sup>th</sup> and it earned interest in the amount of \$718.13. We purchased a CD on December 14<sup>th</sup> in the amount of \$170,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$525,000.00 matured on December 14<sup>th</sup> and it earned interest in the amount of \$2,230.89. We purchased a CD on December 14<sup>th</sup> in the amount of \$125,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of December totaled \$20,729.47. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in December.

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

Mr. Aguglia recommended Council consider approving Agenda Item #7. Council will consider the maximum of a one-year Lease Extension Proposal received from Allegheny County regarding the Rental Property at 439 Perry Highway (Magistrate Opiela's Office), with an option to terminate July 1, 2007, after a sixty-day prior written notice. They are offering a 25¢ per square foot increase.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said 200 Ton of Salt has been ordered to date and the Road Crew has taken all of the Christmas decorations down and they have been put away. The Crew is performing maintenance on the Municipal Building Complex and has been keeping the snow equipment in repair. They have been patching potholes and are taking care of street and traffic signal maintenance.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark requested an Executive Session.

Council retired for an Executive Session at 7:11 p.m.

The Meeting resumed at 7:25 p.m.

Mr. Nowark asked Chief Holtgraver to explain the process the Police Candidates went through to be considered for a Police Officer position with the Borough.

Chief Holtgraver said all Applicants were currently Part Time Police Officers. To be fair in testing, five neighboring Chiefs of Police were asked to conduct the Interviews of the Applicants for the Civil Service Board. The Chiefs graded the Applicants and these grades were provided to the Civil Service Board. The Civil Service Board totaled the grades and submitted the Top Three Candidates to Council for their consideration. In addition, several Members of Council sat in on the Interviews with the Top Three Candidates. The Interviews were informal in nature and gave everyone the chance to hear each

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Candidates opinion on how to keep West View a good place to live.

*Council Member Nowark made the Motion to appoint Officer Stephen Ganster to the Police Force as a four-year Patrolman. The Motion was seconded by Mr. Schell. Motion was approved and ordered by Council.*

Mr. Nowark made the recommendation to okay the new Police Contract under the review of the language by Solicitor Baxter. Solicitor Baxter advised that this should be addressed under the Agenda.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said the Crime Watch Meeting was held Monday evening at the Firemen's Building and Northern Alliance presented their Drug Program. Mrs. Bernhard said it was a very good Program and said the Alliance had added to their Program by addressing problems with Children and Computers. Mrs. Bernhard wished more Parents had attended. A twenty-year-old male attended and spoke about being a drug user and how he has been clean for three years.

Mrs. Bernhard said Judge Opiela had several Juveniles and their Parents attend this Meeting to hear the Program regarding drugs. The next Meeting will be held Monday, February 12, 2007 and the Postal People will be there to present a Program on Fraud.

Mrs. Bernhard said the Winter Blues Party was being planned for the Seniors and anyone wishing to work this Summer on the Recreation Program should apply at the Borough Building.

Mrs. Bernhard requested closing tonight's Meeting in Memory of Narine Page. Narine was the Bookkeeper when Mrs. Bernhard first started with the Borough. Narine was a great Lady and wonderful to work with and was just a super Lady.

#### AUDIENCE

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

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, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions."

Joel Ballon from 479 Perry Highway asked for a bond issue update. President Daugherty said there is no further information available, but hoped it would be available within a week or two and said the Borough would then need to advertise for a Special Meeting. Mr. Ballon asked if the bonding issue had been initially advertised and how HT Capital was selected. President Daugherty said the Bond Issue had not been advertised and HT Capital has not been selected. Mr. Daugherty said if HT Capital brings an agreeable Proposal to Council, then they may be selected, but it is still up in the air and the Proposal may either be accepted or rejected at no cost to us.

Mr. Ballon said the Authority had dealt with HT Capital in the past and asked why it was the Borough this time? President Daugherty said the Borough owned the sewer lines and is responsible for the sewer lines. The Waste Water Department is an administrative arm of the Borough to maintain and collect the revenue to pay the bills. Mr. Ballon questioned though they named both entities in the lawsuit, it would be the Borough's responsibility? President Daugherty said the Borough owned and had responsibility to maintain the lines. Mr. Ballon questioned if a precedent had been set and would the Borough be assessed with large bills for improvements in the future? President Daugherty said he could not answer that question at this time. President Daugherty said the Agreement we have is for the maintenance of the 30" trunk line, period. The Borough is not involved in any other project Girty's Run may have. President Daugherty said the Judge saw fit to say the Borough's trunk line was part of the retention tanks and that is why we are responsible for it.

Mr. Ballon said that at the Special Meeting held last month that President Daugherty had prefaced the Meeting by saying that there would be no Audience participation. Mr. Ballon questioned the validity of the Motion that had been put on the floor and asked if there had been an error.

President Daugherty said he did not believe that Council erred, but the Solicitor could give an opinion.

Mr. Daugherty said that when Council has a Workshop Meeting, especially with the Budget, in order to advertise for the approval of the Budget, a Motion is taken at the Workshop Meeting to advertise the consideration of the Budget at the next Meeting in the newspaper. The Motion that was made at the Special Meeting on December 28<sup>th</sup> was to advertise for an Ordinance for a Bond Issue to be considered at a Special Meeting. Solicitor Baxter concurred that this is the correct procedure.

Mr. Ballon asked for an itemized breakdown on the 7.26 Million award and President Daugherty said no, since nothing is final. President Daugherty questioned Mr. Ballon on what exactly he was asking. Mr. Ballon said "Court costs, Attorney fees, how it rose from 3 Million Dollars to 7.26." President Daugherty said he does not have this break down now and questioned if Mr. Ballon was asking what the fees would be? Mr. Ballon said he was asking how we arrived at the 7.26 Million. Solicitor Baxter said we are still finalizing the Girty's Run Audit and when the outside Accountants have finished, we will know the cost, but we do not have that total now.

Mr. Ballon questioned the 20 Million Dollar cost of the retention tanks and President Daugherty said basically, this was the estimated cost submitted to either DER or DEP for the construction of the tanks, with our estimated cost being 5 Million. Mr. Ballon questioned the Borough's 4% total contribution to the Girty's Run line. President Daugherty said AUS Consultants evaluated the Borough's contribution to the line and though the Borough is responsible for 25% of the line, the Borough uses about 4% or lower on a dry day and about 17% during a big event, such as a storm, both being less than the 25%.

Jim Barr from 200 Frankfort Avenue questioned Council regarding the Alcosan Proprietary Fund within the 2007 Budget. President Daugherty said the Proprietary Fund are fees collected from the Borough Residents, which is a figure supplied to the Borough by Alcosan. The Borough and the Waste Water

Department must commit to the Alcosan fees within their Budgets to pay for use. Mr. Barr said he sends his bill to West View Authority Waste Water Department and asked if it is then paid to Alcosan, which President Daugherty said yes. Mr. Barr asked if taxpayer dollars are involved in the Proprietary Fund and President Daugherty said no, they are user fees. Mr. Barr questioned the Fund within the Borough Budget and President Daugherty said West View Waste Water collects it and forwards it to Alcosan.

Mr. Barr questioned the close tie between West View Borough and West View Waste Water Authority. President Daugherty said yes there was. Mr. Barr said though Mr. Ballon had asked this, was there any advertising for proposed bond we want to float? Mr. Daugherty said not yet and explained that a Meeting date will be advertised by Mr. Wolf when they are ready to present a proposal to Council that people may attend, if they are interested. Mr. Barr questioned who would be floating the Bond? President Daugherty said he had just explained this to Mr. Ballon, but said he would reexplain it to Mr. Barr. President Daugherty explained that the Borough of West View owns and is responsible for the lines and West View Waste Water Department is only an entity created by the Borough to do administration work, so West View Borough will be responsible for the Bond Issue.

Mr. Barr asked for a breakdown on the costs of the Girty's Run settlement, to which Mr. Daugherty and Solicitor Baxter said no and said he had just told this to Mr. Ballon.

Mr. Barr said it was his belief that Council President wasn't permitting any remarks from the Audience at the December 28<sup>th</sup> Meeting and wanted to know what Law he was going by? President Daugherty said the Borough always does this at the Budget Workshop Meetings and did not believe there was a problem with this and asked Solicitor Baxter for his input. Solicitor Baxter said this question had already been answered. Mr. Barr questioned the Law that permits the Borough to conduct business without Audience remarks and Solicitor Baxter said it is not a violation of the Sunshine Act and said Council did not conduct any Business. The Solicitor said the only thing the Borough did was ask for a Proposal and said the Proposal would be coming up for a Special Meeting and, at that Meeting, Mr. Barr could ask any questions he wanted to, as the Borough has not committed to anything. Solicitor Baxter said the Meeting should be coming up soon, though he was not sure how soon. Mr. Barr asked if they had taken a vote to advertise an Ordinance and the Solicitor said yes.

Mr. Barr questioned if Chief Holtgraver took an Oath of Office when he became Chief. President Daugherty said the Mayor swore him in and he had taken the Oath of Office. Mr. Barr requested a copy of that Oath. Mr. Wolf said he had this conversation with Mr. Barr and said he told Mr. Barr we have a copy of the Chief's Oath downstairs. Mr. Barr wanted clarification from Mr. Wolf, as he said Mr. Wolf had told him it was not legible. Mr. Wolf said the copy we have is very dark but readable but cannot be copied in our copier, as Mr. Wolf had tried to copy it. Mr. Wolf told Mr. Barr this last Friday and told him he can stop in the office to see our copy.

#### UNFINISHED BUSINESS

There was no Unfinished Business.

#### NEW BUSINESS

There was no New Business.

## AGENDA

President Daugherty said Mr. Wolf had previously recommended the Mayor and the Police and Public Safety Committee consider the amendment of the Civil Service Rules and Regulations, as per Ira Weiss's and the Civil Service Commission's recommendation dealing with the scoring of the Written Exam. *Motion to approve the recommendation was made by Mr. Schell and the Motion was seconded by Mr. Aguglia. Motion was approved and ordered.*

1. Council to consider an Appointment to the Zoning Hearing Board, for a three-year term through August 1, 2009. John Mihm is currently serving in this position and is interested in being reappointed. *Motion to appoint John Mihm was made by Mr. Nowark and was seconded by Mr. Schell. Motion was 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, 2011. William King is currently serving in this position and is interested in being reappointed. *Motion to appoint William King was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered, with President Daugherty abstaining from the vote.*
3. Council to consider two Appointments to the Recreation Board, both for five-year terms through December 31, 2011. Mary Kay Bernhard and Mary Lou Barkshat are currently serving on the Board and are interested in being reappointed. *Motion to appoint Mary Kay Bernhard and Mary Lou Barkshat was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*
4. Council to consider the Yearly Appointment to the Vacancy Board through December 31, 2007. Thomas Witherel is currently serving in this position and is interested in being reappointed. *Motion to appoint Thomas Witherel was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*
5. Council to consider an Appointment to the Ross/West View Emergency Services Authority, for a five-year term through December 31, 2011. Jim Miller is currently serving and is interested in being reappointed. *Motion to appoint Jim Miller was made by Mr. Koerts and was seconded by Mr. Burchell. Motion was approved and ordered.*
6. Council to consider two Appointments to the Three Rivers Wet Weather Demonstration Program, both for two-year terms through December 31, 2008. William Aguglia and Kenneth Wolf are currently serving and are interested in being reappointed. *Motion to appoint William Aguglia and Kenneth Wolf was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*
7. Council to consider the maximum of a one-year Lease Extension Proposal received from Allegheny County regarding the Rental Property at 439 Perry Highway (Magistrate Opiela's Office) with an option to terminate July 1, 2007, after a sixty-day prior written notice. They are offering a 25¢ per square foot increase. Mr. Wolf recommended Council consider approving the Lease Extension. *Motion to approve the Lease Proposal was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*
8. Council to consider approving the tentative Police Contract. *Motion was made by Mr. Nowark to approve the Contract, tentatively or contingent upon the Solicitor's review and approval of the*



language of the Contract. The Motion was seconded by Mr. Schell. Motion was approved and ordered.

Motion to increase the hourly rate for Part Time Employees and for the Executive Administrative Staff to 2.9% was made by Mr. Nowark. Motion was seconded by Mr. Burchell. Motion was approved and ordered.

#### ANNOUNCEMENTS

There were no Announcements.

#### ADJOURNMENT

President Daugherty recognized County Council Member Drozd, who was in the Audience. Mr. Drozd said he has been very busy trying to get the Borough infrastructure money. President Daugherty said that any money would be welcomed.

With no further Business to come before Council, President Daugherty requested a Motion be made as per Mrs. Bernhard's recommendation, to close the Meeting in Honor of Narine Page, who recently passed away. President Daugherty said Narine had retired in 1984 and worked within the Borough Office. Mr. Daugherty said Narine was a very nice person and was liked by all. President Daugherty requested a copy of the Minutes be forwarded onto Narine's Family.

Motion to adjourn in Honor of Narine Page was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered by Council. The Meeting adjourned at 7:53 p.m.

APPROVED:

February 14 2007

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

SPECIAL MEETING

JANUARY 24, 2006  
2007

Minutes of the Special Meeting of the Town Council of the Borough of West View held January 24, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order by President Daugherty at 6:00 p.m., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Council Members present were: President Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia, John Koerts and Ralph Burchell. Also Present were Mayor John Henry, Solicitor Fred Baxter, Secretary/Manager Ken Wolf, Police Chief Charles Holtgraver and Assistant Treasurer Cathy Mann.

President Daugherty explained that the purpose of this meeting was to consider enacting an Ordinance to obtain a Bond Issue to pay a percentage of Capital work that was done at the Girty's Run Joint Sewer Authority. We have been in litigation for the past 10 years. The end of October 2006 the Borough was notified that the appeals ran out and that we must pay the money and that Girty's Run Authority wanted payment by a certain period of time. We are here tonight to either accept or reject a proposal from H.T. Capital Markets for this Bond Issue. (Ordinance # 1439)

Mr. Daugherty asked that a representative from H.T. Capital Markets present their proposal.

Mr. Joe Wissner from H.T. Capital Markets introduced himself along with the other members present which are Chris Shelby and Chip McCarthy. Mr. Wissner stated that the Borough received a AAA rating which is the highest rating possible. The rates in the market are at an all time low.

They have a purchase contract and the resolution that bond council has prepared. If Council accepts the proposal it will have to be signed by the President and Secretary and sealed.

Mr. Wissner thanked bond council, Mr. Baxter and the West View Borough staff in providing them with the necessary information.

President Daugherty stated that the agenda is out of order and that the audience participation will follow New Business.

Mr. Shelby handed out the Bond Issue proposal summary and stated that it should give the details of what was accomplished in the market. The AAA rating was achieved through the acquisition of an Municipal Bond insurance policy, which means that an insurer went through a bid process. The lowest bid was accepted. The Borough's finances were reviewed and its ability to operate. The review was very positive and the rates were very good.

Mr. Shelby reviewed the sources and uses of funds to be obtained. The exact amount of the project fund deposits will be deposited in the account on the proposed closing date of February, 27, 2007. He then explained all the other uses of the bond money.

A 5 year call provision was also achieved. This is very important as it applies to new money issues meaning you have the right to advance refund this debt at anytime from the date of closing forward. Great flexibility with this debt.

Closing date is scheduled for February 27, 2007. The bonds have gone into the market and they were well received. The acceptance of this proposal locks the rates in. The all end cost for this loan is at approximately 4.35 % for a 30 year bond.

Mr. Dean Richardson the bond council from Eckert Sieman stated that the ordinance that is being considered basically accepts the proposal presented by H.T. Capital Markets and it authorizes the issuance of general obligation bonds in the amount of \$ 7,695,000 and it also pledges the full faith in taxing power of the Borough although the bonds are expected to be paid out of the sewer revenues. In the event that the sewer revenues are not there the Borough would have to raise the taxes. These are fixed rate bonds and they last for 30 years and they are insured by Amback Insurance Company.

If the Ordinance is approved then the package of documents has to be submitted to the Department of Community and Economic Development in Harrisburg who has to approve any filing or financing by a municipality



in the Commonwealth of Pennsylvania. It is not an approval it is just a check system that all was filed properly. When the money is issued the President of Council and the Secretary will have various forms to sign.

President Daugherty read Ordinance # 1439 which is an Ordinance authorizing the incurring on nonelectoral debt for the purpose of providing funds for a capital project by the issuance of general obligation bonds in the aggregate principal amount of \$ 7,695,000.

President Daugherty welcomed all that were in the audience. On behalf of Borough Council, I would like to welcome everyone to our Council meeting this evening. Council does welcome comments from any Borough resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures.

Give your name and address. Please make your comments to the point and within a reasonable time. In turn if your comments require an answer, Council will try and provide an answer at this time. If Council cannot provide an answer at this time they will give you the proper directions to help you get the information you are looking for. And, I would like to advise you that Council is here to listen to comments and help when it is possible but, we are not here to debate opinions.

President Daugherty asked if Council had any questions. There were none so President Daugherty opened discussion to the audience.

Joel Ballon - 479 Perry Highway - asked when the Girty Run tanks were constructed. President Daugherty replied that this began in 1997-1998. Girty's Run filed litigation against the Borough because we would not participate. Mr. Ballon asked when the construction was finished and President Daugherty replied around 1998-1999. Mr. Ballon stated that the engineers confirmed that there is a 30 year life to the tanks, would the 30 years begin with the finishing of the tanks. President Daugherty replied that the 30 years is from the current date.

Dave Urban - 60 Lakewood Avenue - in the wording of the ordinance what is payment of expenses. President Daugherty stated that they were the professional services involved, example the engineers, bond attorney and any other services.

Authorizing the amendment of the sewer system management agreement. Mr. Baxter replied that a management agreement with the

water authority to run the sewer system. There was a question whether all the sewer lines would be deeded over to the authority, that did not happen. So for the bond issue that has to be clarified.

Mr. Urban stated that the cost for the bond council was included in the \$ 7,695,000. The appointment for the group to purchase these bonds from didn't that have to put out for bid. President Daugherty replied that you don't have to put out for bid when searching for professionals and at the last Council meeting it was brought up that we have worked with H.T. Capital in the past and they have always serviced our needs and felt that there was no reason to look elsewhere. Mr. Urban asked if there were any family members working for H.T. Capital and President Daugherty stated no.

Who is the bond council and is their fee included in the amount of the bond? President Daugherty replied Eckert Seaman and yes it is.

What is the clearing account? It is a temporary account set up for the money to come into before it is dispersed. It is controlled by the paying agent. Can this money be held back and Mr. Richardson replied no.

Since the Borough owns the Water Authority if the Borough doesn't pay can the bank go to the Water Authority. Mr. Richardson replied no because the Water Authority is an independent legal entity you can't use water authority funds for this.

What is Ambac Assurance? It is the bond insurer so that if the Borough does not pay the bonds they will pay the bonds but then the Borough will have to pay Ambac. They are paid a fee for the life of the bond which is included in the expenses. If the Borough does not make the payment and Ambac does, the Borough will be assessed a 3 % fee that will be added onto the original payment. It is on a daily rate.

On the schedule of payments it shows the percent lower in the beginning then higher in the end. Mr. Shelby stated that the payments are made on the same two days each year, six months apart. If a payment is missed then Ambac would step in and pay. The interest rate was quoted as a fixed rate but it shows smaller in the beginning and higher in the end and Mr. Shelby replied that 4.35 % is averaged over the 30 years. Would the rate be much more for less years and Mr. Shelby replied no.

Mr. Urban felt that a resident with a fixed income will see this as a lot of

money to pay over the years. How many residents do we service and Mr. Daugherty replied around 3000. Mr. Urban feels that the sewer bills are going to be too high for the residents in which President Daugherty replied that if we would have complied back then we would have been paying these amounts since then. We have no other choice than to pay as the Judge ruled against us. If this is not paid within a time period we will have to pay an additional \$ 56,000 for each month we don't pay. Mr. Urban stated that we should have filed bankruptcy and not paid the money. President Daugherty replied there were no other options. Could we have paid this back on a payment plan opposed to one lump sum. President Daugherty replied no that the Girty's Authority wanted it all at once.

James Barr - 200 Frankfort Avenue.

What is the bottom line on what this bond issue is going to cost?. Mr. Daugherty replied that after 30 years we would have paid \$ 13,658,827.86 on a \$ 7,685,000 Bond Issue.

What is the rate increase going to be? President Daugherty replied he could not give a definite but the estimated is about \$ 1.99 on the volumetric charge and \$ 11.86 on the customer service charge. Example on 15,000 gallon you would pay about \$ 63.79 on sewage a quarter.

Mr. Barr stated that we lost in court and was it worth it even though we have to pay \$ 13,658,827.86. Mr. Daugherty stated that we fought the battle and we lost and if we had gone along with Girty's Run years ago we would have been paying higher prices all along.

Mr. Barr asked why Council didn't talk about Girty's Run at their meetings? Mr. Daugherty replied that it was in court and in the beginning we tried to negotiate with Girty's Run but we would have been locked into one rate that they could have raised them whenever they wanted to. President Daugherty stated that we had no control because we have no representative. Again he asked if after all these years of litigation would we do it again. Mr. Daugherty explained that when they were forming Girty's run, Mr. Gruener was on the committee and Shaler and Ross would have had two votes and West View would have had one vote and therefore we would have never had any control over any decisions because we would have been overruled. At that time we went with an Authority that we already knew and assigned them a new project.

Mayor Henry added that when you compare the rates of Ross Township

and our rates, Ross Township has been paying around \$69.00 for 15,000 gallons and even with the new rates for West View our tentative rates will only be around \$63.00 for 15,000 gallons. We do have the control over our rates and we would not if we were with the Girty's Run Authority. In looking at that we would have been paying much higher over the last 10 years that we actually did. Mr. Barr stated so we chose to pay the higher rates now in which President Daugherty replied that if the litigation would have been in our favor we would not have had to pay these higher rates.

Mr. Barr asked if we were ever in an agreement with Girty's Run and President Daugherty replied that in 1987 we signed an agreement to pay 25% for the maintenance of a 30 inch trunk line and we had to because at the time the Department of Environmental Services put a stop to all taps in the North Hills til an agreement was made for the maintenance of the trunk line.

Mr. Barr asked if H.T. Capitals will be used in the future? President Daugherty replied yes if they are needed. We have worked with them in the past and they have done their job well but we can not predict the future and what our needs will be.

Mr. Barr commented that if this were to happen in the future we would still have no representation on the Girty's Run board. Mayor Henry explained that after this obligation is satisfied we will indeed look into the agreement. Also the question of why this has not been discussed in Council, it has been but because of the litigation it could not be discussed in public. It was talked about in Executive Session and there are no secret discussions going on.

Mr. Barr's final comment is that instead of fighting with our neighbors he would have tried to work with them and had a member on the board. He feels that the DEP ruling was unfair and that we should have been working with these agencies along.

With no further comments from the audience President Daugherty called for a motion to read Ordinance #1439.

*Motion to Read Ordinance #1439 was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and so ordered.*

President Daugherty read Ordinance #1439.

*Motion to Accept Ordinance #1439 was made by Mr. Nowark and seconded by Mr. Burchell. Motion was approved and so ordered.*


Solicitor Baxter stated that because it was a unanimous vote that a voice vote was not necessary.

*Motion to Adjourn was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and so ordered. The meeting adjourned at 7:08 p.m.*

APPROVED: February 14 2007

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Daniel M. Daugherty  
President of Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

FEBRUARY 14, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held Wednesday, February 14, 2007 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.

Members of Council present were: President Daniel M. Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia, John Koerts and Ralph Burchell. Also attending were: J. R. Henry, Mayor, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter and Police Chief Holtgraver. Robert Zischkau from Glenn Engineering was absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on January 10, 2007 was made by Mr. Schell and was 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 \$146,782.50 and payments to Vendors in the amount of \$76,311.97 was made by Mrs. Bernhard and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Building fund expenditures in the amount of \$2,964.71 was made by Mrs. Bernhard and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,609.41 was made by Mr. Koerts and was seconded by Mrs. Bernhard. Motion was approved and ordered.*

*Motion to approve the Minutes of the Special Meeting of Town Council on January 24, 2007 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J. R. HENRY

Mayor Henry said the Total Receipts for the month of January 2007 were \$3,237.01. Mayor Henry advised everyone of the upcoming February 27<sup>th</sup> 90<sup>th</sup> Birthday of Richard E. Powell. The Mayor requested the Office send a card to Dick Powell from Council.

Mayor Henry said Council had attended a Meeting with the Port Authority regarding their proposed elimination of various Bus routes. The Mayor suggested the Borough follow up on this matter to find an alternative to the crisis the proposed elimination presents to Residents in West View and in the North Hills area.

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

Mr. Wolf reported that Dollar General Corporation has notified the Borough to hereby exercise its option to renew their Lease for another three years, from July 1, 2007 through June 30, 2010. Mr. Wolf said since this option was included in the original Lease, no action is necessary by Council regarding this matter.

REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

00111

Chief Holtgraver reported the Police had notified 31 abandoned vehicle owners to remove these vehicles and 18 were moved and seven owners were issued citations for failure to comply. The Police responded to 343 complaints during January 2007.

REPORT FROM THE SOLICITOR - FRED E. BAXTER

Mr. Baxter had no report for Council.

REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU (Absent)

A written report had been filed by Mr. Zischkau.

REPORTS FROM THE COMMITTEES

FINANCE REPORT - RALPH R. BURCHELL

Wage Tax collection deposits for the month of January totaled \$104,160.67, less \$378.64 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$51,891.02. 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 \$26,500.00 matured on January 13<sup>th</sup> and it earned interest in the amount of \$112.60. We purchased a CD on January 13<sup>th</sup> in the amount of \$26,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$78,000.00 matured on January 13<sup>th</sup> and it earned interest in the amount of \$331.44. We purchased a CD on January 13<sup>th</sup> in the amount of \$89,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$170,000.00 matured on January 13<sup>th</sup> and it earned interest in the amount of \$722.38. We purchased a CD on January 13<sup>th</sup> in the amount of \$171,000.00 for 30 days to earn interest.

We received our 2007 Tax Anticipation Loan proceeds on January 2<sup>nd</sup> in the amount of \$400,000.00. Our General Fund CD in the amount of \$125,000.00 matured on January 13<sup>th</sup> and it earned interest in the amount of \$531.16. We purchased a CD on January 13<sup>th</sup> in the amount of \$425,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of January totaled \$21,056.99. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in January.

PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia said he would like to recommend Council consider approving two Items under the Agenda. The first Item is the proposed purchase of a new 2007 Ford Crown Victoria Police Cruiser through the SHACOG from Woltz & Wind Ford in the amount of \$21,045.00. A total of Nine Bids had been received through SHACOG, with two being eliminated. Woltz & Wind Ford was the Low Bidder.

Mr. Aguglia said the second Item was the proposed purchase of a New 2007 Harley Davidson Police Motorcycle from Highland Harley Davidson, with the net total cost of \$1,500.00. The Borough would be

00112  
trading in a 2004 Harley Davidson toward the purchase of a new 2007. The other Bid received was from Gatto Cycle in the amount of \$3,750.00.

President Daugherty recognized County Council Member Matt Drozd who was in attendance in the Audience.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said they will be starting the evaluation of the Streets to be paved for the 2007 Program. Mr. Schell is hoping to have the Bid and the specs out in time for the March or April Meeting of Council.

Mr. Schell said the Borough had ordered 1,550 Tons of Salt for the Winter Season and the Crew has been doing maintenance to the Borough Building Complex. The Crew has been keeping their equipment ready for snow removal and have been patching potholes.

Mr. Schell said the Crew had done an outstanding job during the past two days with snow removal on the streets, keeping West View's streets very clean.

President Daugherty said that he had heard many good compliments on the work the Road Crew has done with snow removal.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark said Council had been furnished with the Financial Statement from our Independent Auditor for the Year ending December 31, 2005. Council is to review the Audit for consideration of approval at the March Meeting of Council.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard requested anyone that wishes to use Bronx Field for summer activities should remit a letter to her through the Borough by March. Teams should submit their information, along with partial Team rosters. Applications for Summer Recreation Supervisors are available at the Borough Building and should be turned into to Mrs. Bernhard through the Borough Office. The Senior Winter Party is being planned for April of 2007.

The Crime Watch Meeting was held Monday, February 12<sup>th</sup> and Tammy Thornhill from the Postmaster General's Office attended and held a program on Mail Fraud. She addressed a lottery type fraud that scams money from people and said the program was very informative. Mrs. Bernhard stressed the importance for Residents to call 911 in an emergency.

The next Meeting will be held Monday, March 12<sup>th</sup> at 7:00 p.m. at the Firemen's Building and Officer Matt Grubb will have a K-9 Dog Unit Program to present to those in attendance. Mrs. Bernhard said Officer Holland assisted with this Program and usually gets bitten by the K-9 in the demonstration.



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

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, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions."

Jim Barr from 200 Frankfort Avenue questioned whether the Borough had purchased a White Dump Truck, questioned who maintains the Sanitary Sewer Lines, questioned the funding source of this maintenance and questioned the 2007 Budget Item #436.120.

President Daugherty said the Borough had not purchased a white dump. President Daugherty said the Borough Road Crew maintained the Sewer Lines and submits an itemized Invoice to the West View Waste Water Department for payment. The Invoices are paid for out of the Users fees collected by the Waste Water Department, who collects for the Borough and, even though the 2007 Budget lists #436.120 as wages and salaries paid. Mr. Wolf added that the Item in the Budget allows for in-house work and third party work and is reimbursed by the Waste Water Department. Mayor Henry added that no Borough funds are used and this is an in and out account.

Mr. Barr requested clarification of the Police Chief and the Borough Managers' salaries listed in the 2007 Budget. President Daugherty and Mr. Wolf said the projected year end for Mr. Wolf is \$63,255.00 and the projected year end for Chief Holtgraver was \$73,440.00. Both salaries listed were inclusive of the \$2,000.00 yearly Bonus that Mr. Wolf and Chief Holtgraver receive. With nothing further, Mr. Barr took his seat after addressing Council for seven minutes.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider the purchase of a 2007 Ford Crown Victoria Police Cruiser through the SHACOG Bid from the Lowest Bidder Woltz & Wind Ford for the amount of \$21,045.00. *Motion to approve the purchase was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider trading the 2004 Harley Davidson Police Motorcycle for a new 2007 Harley Davidson Police Motorcycle through Highland Harley Davidson with a net cost of \$1,500.00. *Motion to approve the purchase was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

3. Council to approve contacting the Port Authority to request their consideration to reestablish a Route for the Route 19/Perry Highway corridor (previously 11C). Mayor Henry had requested a letter be sent to request the reinstatement of North Suburban Routes. *Motion to send a letter to the Port Authority was made by Mr. Schell and was seconded by Mr. Burchell.* Mr. Nowark added how West View used to be the hub for the Port Authority and stressed the importance of keeping Bus service available to Residents. With no further comments, *Motion was approved and ordered.*
4. Council to consider adopting the Borough of West View Workplace smoke-free Policy. Mr. Wolf said this was in conjunction with the Allegheny County Ordinance and will apply to all Borough-owned facilities. The Borough has a 180-grace period in order to post signs and inform all those who utilize Borough facilities. All Tenants in the Borough Building Complex and the Real Estate Tax Collector office and the three Fire Company Buildings have been included since they are Borough owned, however the Fire Department may file an appeal for exemption, should they choose. *Motion to approve the smoke-free Policy was made by Mrs. Bernhard and was seconded by Mr. Aguglia. Motion was approved and ordered.*
5. Council to consider reasonable time limitations regarding the time allotted for each individual to address Council. President Daugherty said he had requested Solicitor Baxter check into Meeting Rules and Procedures some time ago.

Solicitor Baxter had written a recommendation in accordance with the Sunshine Act. President Daugherty read the recommendation.

The Solicitor recommends Council consider the following Rules for addressing Council: In order to insure orderly conduct of its meetings and the maintenance of order, The Borough of West View hereby adopts the following time limitations for Individuals addressing Council at any Meeting where Public Comment is permitted.

1. Each Individual shall be limited to a maximum time period of five minutes.
2. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allowed to finish his/her five minutes only after all other Individuals wishing to address Council shall be heard.
3. In no event shall Public Comment extend beyond thirty minutes, unless Council is of the opinion that all Individuals wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

Further, the Motion should reiterate what Council President Daugherty states in the Public Comment Portion of the Meeting.

*Mrs. Bernhard motioned to allow three minutes for each Individual.* Mr. Nowark said he had been 100% against imposing any time limits but now feels it is necessary to establish limits to maintain order. Mr. Nowark feels that the time limit should be five minutes for Individuals. Mayor Henry said Council had always been wide open to Public comments and Council had always relied on their Full Time Employees to handle Resident's daily questions. Mr. Henry now feels that a five minute time limit for Individuals is necessary to maintain order at the Meetings.

Mrs. Bernhard withdrew her motion to allow three minutes. *Motion was made by Mr. Nowark and was seconded by Mr. Schell to adopt the recommended Rules and allow five minutes for an Individual time limit. Motion was approved and ordered.* President Daugherty said this would take effect at the next Meeting of Council.

## ANNOUNCEMENTS

00115

Mr. Nowark thanked County Council Member Drozd for his support in the \$50,000.00 the Borough was Granted. President Daugherty said Council had sent Mr. Drozd a letter of thanks regarding the \$50,000.00 Community Development Grant.

Mr. Drozd said he had been working on the Port Authority issues and is concerned about the rising costs of Health Care and is looking into the possibility of Municipalities being insured through the State or being self-insured through the State to help lower costs. Mr. Drozd said the Port Authority's Budget totals about \$400 Million and \$60 Million will be used toward Health Care by the Authority. President Daugherty recommended Mr. Drozd contact Mockenhaupt & Associates regarding their self-insured programs.

## ADJOURNMENT

With no further Business to be considered by Council, President Daugherty thanked everyone for attending this evening's Meeting. *Motion to Adjourn was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered.* The Meeting adjourned at 7:38 p.m.

APPROVED: March 14, 2007

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Daniel M. Daugherty  
President of Town Council

## REGULAR MEETING

MARCH 14, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, March 14, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. President Daniel 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. Members of Town Council present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia, John Koerts, and Ralph Burchell. Also in attendance were: Mayor J. R. Henry, 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 held on February 14, 2007 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures and net pay and payroll withholding in the amount of \$107,431.33 and payments to vendors in the amount of \$69,788.20 was made by Mr. Aguglia and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve Building Fund expenditures in the amount of \$11,335.48 was made by Mr. Burchell and was seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$31,114.12 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J. R. HENRY

Mayor Henry reported the total receipts for the month of February 2007 for Motor Vehicle Code Violations was \$4,890.55. The Mayor said the Police Chief and the Detective have filed written reports for the month of February. Mr. Henry reported on the Meeting held between himself and the Chairperson of the Public Safety Committee and representatives of the Police Association to discuss their request to appoint for the open Sergeant's position. The outcome of the Meeting was to put this matter on hold until other matters are resolved.

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

Mr. Wolf had no report for Council and offered to address any Item under the Agenda.

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

Chief Holtgraver said the Police responded to 319 Complaints during February 2007. The Chief reported that thirteen abandoned vehicle notices were sent out to vehicle owners and six vehicles have been since removed from the Borough streets.

## REPORT FROM THE SOLICITOR - FRED E. BAXTER

Solicitor Baxter addressed Item #10 under the Agenda. Mr. Baxter recommended Council consider approving the authorization of the Quick Claim Deed. Mr. Baxter said this is an approximate 2 ½ foot x 145 foot piece of property on Perry Highway and was never dedicated to the Borough. This Deed would be contingent upon the approval of both the School District and Allegheny County.

## REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau updated Council on two pending Storm Sewer and Sanitary Sewer Projects that are to begin within the next few weeks. Storm Sewer improvements will be made on Westfield Avenue, which was Bid last fall. Significant Deficiency Repairs will begin on the sewer system throughout the Borough and will last through the next five years. These deficiencies were detected by closed circuit televising and are being Bid through the Municipal Authority.

## REPORTS FROM THE COMMITTEES

## FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell read his Report for the month of February 2007 as follows:

Wage Tax collection deposits for the month of February totaled \$98,153.81, less \$2,328.97 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$47,912.42. 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 \$26,500.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$108.90. We purchased a CD on February 12<sup>th</sup> in the amount of \$26,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$89,500.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$331.44. We purchased a CD on February 12<sup>th</sup> in the amount of \$89,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$171,000.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$702.73. We purchased a CD on February 12<sup>th</sup> in the amount of \$172,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$425,000.00 matured on February 12<sup>th</sup> and it earned interest in the amount of \$1,746.57. We purchased a CD on February 12<sup>th</sup> in the amount of \$325,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of February totaled \$5,135.85. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in February.

The closing of the 2007 Bond Issue was held Tuesday, February 27, 2007.

## PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia address Agenda Item #9, which is the purchase of a 2008 Dump Truck, equipped with a Snow Plow and Tail Gate Salt Spreader. Mr. Aguglia recommended Council consider approving the advertising for the bidding for the purchase.



PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said he has been contacted by Local 416 - Utility Workers of America to begin negotiations, as the Contract expires on September 30, 2007.

Mr. Schell said the Road Crew has been preparing the mowers and trimmers for the upcoming season. We have ordered 2,050 Tons of Road Salt for the 2006-2007 winter season.

Mr. Schell said several Thank You letters have been received and numerous phone calls to thank the Road Crew for their great work in removing the snow. The Crew has been doing maintenance work on the Municipal Building Complex and have been keeping their equipment prepared for snow removal.

The Crew has been patching potholes, doing vehicle and equipment maintenance, storm/sanitary/basin repair work, rodent and pest control and has been maintaining street signs and traffic signs.

POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had nothing to report to Council.

ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark recommends Council consider approving Agenda Item #6, which would adopt the December 31, 2005 Audit.

Mr. Nowark said all Parties have signed the new Police Contract and it is in effect and running fine.

FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had nothing to report to Council.

PUBLIC RELATIONS AND RECREATION REPORT - MARY C. BERNHARD

Mrs. Bernhard said the K-9 Unit from Ross Township and Chief Holtgraver attended the Crime Watch Meeting held Monday. It was an interesting program and a nice crowd was attending. The next Meeting will be Monday, April 9<sup>th</sup> at 7:00 p.m. at the Firemen's Building and two Representatives from the District Attorney's Office will attend. Mr. Dan Konieczka and Ms. Julie Copone will provide a Senior Citizen Information Program.

The Recreation Committee will be making the Bronx Field usage allotments and will be working on the plans for the Summer Recreation Program. Mrs. Bernhard is planning the Winter Blues Luncheon for the Senior Citizens for April.

Mrs. Bernhard extended her thanks to the Members of the Road Crew for the wonderful work they did with snow removal and congratulated the Crew.

AUDIENCE

Mr. Daugherty requested everyone listen to the guidelines for addressing Council.

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

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard. 00179

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Joel Ballon from 479 Perry Highway addressed Council concerning a letter he received regarding the waste water increase and questioned the approximate dollar increase for the average Resident.

President Daugherty said the Customer Service charge increased \$12.11, the per thousand gallons increased \$2.01 and most Residents use 15,000 gallons per quarter. Mr. Daugherty said if you multiply those figures, that is what the increase would be.

Mr. Ballon was in front of Council for 80 seconds and took his seat.

Dave Urban from 60 Lakewood Avenue addressed Council regarding his opinions of the five minute Public Comment procedures, saying that Federal, State and Local Government are muzzling the Public. Mr. Urban has been coming to Council Meetings for 20 years and a time limit was never in effect. He feels a Resident should be able to talk for as long as they want since Council only has one Meeting per month. Mr. Urban said he was in the Service and fought for Rights. Mr. Urban said he feels he has a right to speak for as long as he wants.

Mr. Urban said he was ashamed of Council and adamantly expressed his opinion that Residents are losing their Civil Liberties due to Government.

President Daugherty said Mr. Urban got his point across. Mr. Daugherty said he has been on Council for 38 years and many times he and Mr. Urban have disagreed. Though they disagreed, Mr. Urban would listen to Council's answer and then say okay and sit down. Council never wanted to put a time limit on Residents, but most Municipalities do.

President Daugherty said we have some Individuals that feel that they can talk for as long as they want, which is one of the reasons why Council instituted Rules and Regulations to help stop this. President Daugherty said that at one of the Meetings it was necessary to seat an Individual and that Individual went to the ACLU and complained that Council was not giving People the right to speak, which President Daugherty said was not true. Council furnished the ACLU with a copy of the Minutes which showed how long the Individual had addressed Council, along with the Individual's repeating of questions. The ACLU faulted Council for not having set time limits on Individuals addressing Council and recommended they should set limits on Individuals.

President Daugherty said that it has gotten to the point that you can lose control of the Meeting because Individual's abuse their right to address Council so there must be Rules and Regulations to keep control.

00120  
President Daugherty said that no one on Council wanted to institute time limits but it came to the point where Council had to do it. President Daugherty said he never stopped Mr. Urban from addressing Council, but had to institute Rules because we were losing control over Meetings.

President Daugherty feels it is necessary to stop Individuals abusing the right to address Council. When an Individual that states "I'll tell you when I'm done," which they cannot do, President Daugherty said that will not happen again. President Daugherty said the Majority suffers for the Minority in many cases and that is what took place here.

Mr. Urban was in front of Council for 5 minutes and took his seat.

Jim Barr from 200 Frankfort Avenue addressed Council by saying he will never let him (Mr. Daugherty) stop him from speaking at a Public Meeting and said "just wanted to let you know, whatever it takes." President Daugherty advised Mr. Barr that he must obey the rules.

Mr. Barr questioned 2007 Budget Line Item 436.120 and wanted to know who pays the wages for this Item. Mr. Wolf explained this Item covers wages paid to our Crew by the Borough, through our Payroll office. Mr. Wolf then Invoices the Waste Water Department for reimbursement of services rendered. This was explained to Mr. Barr at the February Meeting but Mr. Wolf and Mayor Henry explained that this is not a Borough expense, there is an expense and revenue, ultimately paid for through User fees paid to the Waste Water Department.

Mr. Barr said it was confusing, but questioned Mr. Henry "There is an expenditure in the West View Budget that is actually for the Waste Water Department?" Mayor Henry explained this negative expense, listed on the Budget and under Line Item 363.100 in the Budget, corresponding entries define and offset this expense, basically making this a neutral expense where revenue offsets the expense.

Mr. Barr feels the Minutes are inaccurate and President Daugherty said they are Council's Minutes and Council feels they are accurate.

Mr. Barr was in front of Council for 5 minutes and took his seat.

Gerald Mackarella from 231 Martsof Avenue addressed Council to complain about the conditions at 233 Martsof Avenue and presented Council with pictures of this property. Mr. Mackarella said the Owner is running a business (Affordable Interior and Exterior General Contractor) out of the home, is storing construction materials and construction vehicles and construction debris at this address, which is Residential. Mr. Wolf said the Borough has been working on this problem at the property. President Daugherty said he will speak with the Chief of Police and Mr. Wolf to take care of the property and asked Mr. Mackarella for time to address all issues properly.

Mr. Mackarella was in front of Council for 3 minutes and 32 seconds and took his seat.

President Daugherty asked if anyone else wanted to address Council from the Audience and Mr. Barr rose as if he wanted to address Council.

Mr. Daugherty advised Mr. Barr to be seated, explaining that Mr. Barr had used his five minute allotment.

#### UNFINISHED BUSINESS

There was no unfinished business.



There was no new business.

### AGENDA

1. Council to consider Resolution #1335, which would authorize the Borough's participation as a Municipal Member of the Verizon Project through the NHCOG. *Motion to read Resolution #1335 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Daugherty read Resolution #1335, which authorizes participation as a Municipal Member of the Verizon Project through the NHCOG. *Motion to adopt Resolution #1335 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider Resolution #1336, which would authorize the Borough's participation and adoption of the Allegheny County Hazard Mitigation Plan. Solicitor Baxter advised to read the Plan by title only, due to the length of the Plan. *Motion to read Resolution #1336 by Title Only was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.* President Daugherty read Resolution #1336 which authorizes participation and adoption of the Allegheny County Hazard Mitigation Program. *Motion to adopt Resolution #1336 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.*
3. Council to consider the MRM Property & Liability Trust Insurance Proposal through the HDH Group, Inc. for the period of 03/14/07 through 03/14/08. Mr. Wolf recommended Council consider approval, as there is no change in coverage but there is an overall decrease over the last policy by 1.1% or \$752.12. The two Insurance Proposals (both without Terrorism Coverage) are as follows: Property/Commercial Liability/Auto/Umbrella coverage was \$46,861.00 and would be \$46,332.88 and Public Officials/Employment Practices/Police Professional was \$22,916.00 and would be \$22,692.00. *Motion to approve the Insurance Proposal was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
4. Council to appoint a Delegate and an Alternate Delegate to represent the Borough in the MRM Worker's Compensation Pooled Trust. President Daugherty said Mrs. Bernhard served as Delegate and Mr. Nowark served as Alternate Delegate in 2006. *Mr. Schell made the Motion to have both continue to serve, which was seconded by Mr. Burchell. Motion was approved and ordered.*
5. Council to appoint a Delegate and an Alternate Delegate to represent the Borough in the MRM Property & Liability Trust. President Daugherty said J. R. Henry served as Delegate and Mr. Aguglia served as Alternate Delegate in 2006. *Mr. Schell made the Motion to have both continue to serve, which was seconded by Mr. Nowark. Motion was approved and ordered.*
6. Council to consider adopting the December 31, 2005 Audit. Both Mr. Wolf and Mr. Nowark recommended Council consider the adoption of the Audit. *Motion to adopt was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
7. Council to discuss the Senior Citizen Property Tax Relief Program. Mr. Wolf explained the reference in the Ordinance to the Pennsylvania State Act 77. Senior Citizen income limit has been \$15,000.00 per year to participate and the State has now raised the income limit to \$35,000.00 per year. Should Council decide to adhere to the State's \$35,000.00 amount, Mr. Wolf said no action is needed by Council. Should Council decide otherwise, it would be necessary to amend our Ordinance. Mr. Wolf estimates an additional \$7,000.00 would be refunded to eligible Seniors that apply under the new \$35,000.00 annual wage limit. President Daugherty felt \$7,000.00 should not be a problem at this time and favored adhering to the State's \$35,000.00. No action was taken by Council.

8. Council to consider advertising for the Sale of the 2003 Ford Crown Victoria Police Cruiser. Mr. Wolf advised a new Police Cruiser has been ordered for the Police. *Motion to advertise the sale of the 2003 Ford Crown Victoria Police Cruiser was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
9. Council to consider advertising for the Purchase of a 2008 Dump Truck, equipped with a Snow Plow and Tail Gate Salt Spreader. *Motion to advertise was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
10. Council to consider approving the signing of a Quick Claim Deed for Block & Lot 350-M-204, which would be contingent upon the consent of Allegheny County and the North Hills School District. *Motion to approve was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

#### ANNOUNCEMENTS

Mayor Henry advised Residents of the upcoming Event for Southwestern Pennsylvania Residents. Residents will be able to dispose of household hazardous waste at a collection to be held at the North Park Swimming Pool Parking Lot on Saturday, April 28, 2007 from 9:00 a.m. until 1:00 p.m. The informational flyer is in the Borough Office window for interested Residents.

Council Member Nowark added that Rita's Italian Ice opens on March 21<sup>st</sup> and since it is the first day of Spring, gives away free Italian Ice.

#### ADJOURNMENT

With no further Business to be heard by Council, President Daugherty thanked everyone for attending the Council Meeting. Mr. Daugherty wished everyone a Happy St. Patrick's Day. *Motion to adjourn was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*

The Meeting adjourned at 7:47 p.m.

APPROVED: April 11, 2007

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

APRIL 11, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, April 11, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. President Daugherty called the Meeting to Order at 7:00 p.m., followed by Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

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

*Motion to approve the Minutes of the Regular Meeting of Town Council on March 14, 2007 was made by Mr. Schell and was 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 \$102,303.25 and payments to vendors in the amount of \$157,023.58 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$7,597.73 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$48,758.56 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

REPORT FROM THE MAYOR - J. R. HENRY, MAYOR - (Absent) Written report submitted to Council.

REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf reported that the Auditors have filed the Financial Reports for the Borough with the Department of Community and Economic Development that were due April 1, 2007. The Independent Auditor's full Report for 2006 will be ready this Summer.

REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

Chief Holtgraver said the Police responded to 400 calls for the month of March. The Chief wanted to mention the outstanding job two Officers did while investigating an attempted arson last weekend. An Individual had attempted to set the Building on fire at the Schwitter Apartments by soaking a carpet with an accelerator and had blocked the doorway of the Manager and two of the Tenants.

Due to the Investigation, one of the Tenants of the Building was arrested and being held in the County Jail. Chief Holtgraver said the Officers did an exceptional job and requested they be given Citations at the next Meeting of Town Council.

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REPORT FROM THE SOLICITOR - FRED E. BAXTER (Absent)

REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau updated Council on the Contractor that is currently in the Borough working on the various sewer repairs, which is part of the Phase 2 Project, which is keeping the Borough in accord with the Consent Orders. This work will keep the Borough in compliance with the schedule of work within the Orders and the work will need to be completed on or by November 30, 2007.

Mr. Zischkau said the CD Year 33 North Park Road Construction Project will be Bid through the North Hills Council of Governments sometime in April. Mr. Zischkau said they would be receiving paving Bids before the May Council Meeting.

#### REPORTS FROM THE COMMITTEES

FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell reported that Wage Tax collection deposits for the month of March totaled \$66,190.41, less \$2,294.14 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$66,190.41. 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 \$26,500.00 matured on March 14<sup>th</sup> and it earned interest in the amount of \$108.90. We purchased a CD on March 14<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$90,000.00 matured on March 14<sup>th</sup> and it earned interest in the amount of \$369.86. We purchased a CD on March 14<sup>th</sup> in the amount of \$90,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$172,000.00 matured on March 14<sup>th</sup> and it earned interest in the amount of \$706.84. We purchased a CD on March 14<sup>th</sup> in the amount of \$173,000.00 for 30 days to earn additional interest.

Our General Fund CD in the amount of \$325,000.00 matured on March 14<sup>th</sup> and it earned interest in the amount of \$1,335.61. We purchased a CD on March 14<sup>th</sup> in the amount of \$200,000.00 for 30 days to earn interest.

PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia reported on Item #2 of the Agenda, which is the consideration of the purchase of a new 2008 4-Wheel Drive - 16,000 lb. GVW Dump Truck equipped with Dump Body, Snow Plow and Tail Gate Spreader. Mr. Aguglia reported on the two Bids received, one from Woltz & Wind Ford, Inc. for the total Bid amount of \$45,474.00 and one from Allegheny Ford Truck Sales, Inc. for the total Bid amount of \$45,194.00.



## PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said the Street Sweeping Program is set to begin on April 24, 2007. The Borough sent out Pamphlets in the mail and have advertised in Local Newspapers.

Mr. Schell said the Crew would begin grass cutting soon and the Borough had ordered 2,350 Tons of Road Salt over the Winter Season. Mr. Schell hopes the Crew will soon be able to remove the snow removal equipment from their trucks. The Road Crew has been doing preventive maintenance to the Borough Building Complex and are continuing to patch potholes throughout the Borough.

## POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK (Absent)

## ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK (Absent)

## FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said that Julie Kapone from the District Attorney's Office spoke at Monday's Crime Watch Meeting. Ms. Kapone addressed Programs available through their Department for Senior Citizens to use.

Mrs. Bernhard said the Senior Citizen Winter Blues Party will be held on May 1<sup>st</sup> and tickets and information will be available through the Borough Office. Our Summer Recreation Program will be held at West View Elementary from 9:00 a.m. until 3:00 p.m., Monday through Friday from June 25<sup>th</sup> through August 3<sup>rd</sup>. Registration Notices will be sent home to Parents through the two Schools.

The Bronx Field allotments have been sent out to the Teams. Mrs. Bernhard said Resident Marge Lane was organizing a Clean Up of Center Avenue in the Borough in conjunction with Earth Day. They will start on Center Avenue at Cornell Avenue and the function will be held Saturday, April 21, 2007 from 9:00 a.m. until 2:00 p.m. Anyone wishing to Volunteer can call Ms. Lane at 412-334-0110.

Crime Watch will be one of the Sponsors for Bike Day and it will be held on June 2<sup>nd</sup> and more information will be forthcoming.

## AUDIENCE

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

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty

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minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Jim Barr from 200 Frankfort Avenue asked Council not to respond to any of his comments until he is completely finished. Mr. Barr provided the Council President and the Chief of Police with copies of an article that was in the March 29<sup>th</sup> issue of the Tribune Review. Mr. Barr wanted the Chief to comment on the article's accuracy and asked if he responded to it at the Crime Watch Meeting. Mr. Barr gave a copy of the Policy for Audience remarks to Council President and demanded Council change the Policy wording from "may extend" to will. Mr. Barr said Council is in violation of the Constitution and read a copy of the Council President's Oath of Office. Mr. Barr said if Council chooses not to obey this Constitution then he will present charges against Council at the next Meeting. Mr. Barr demanded a legible copy of the Police Chief's Oath of Office and said if the Chief does not comply, he will add that to the charges he brings against Council.

Mr. Barr was in front of Council for three minutes twenty-four seconds.

President Daniel Daugherty said his comment would be that you do not demand anything. You request it and if we have it available for you, we will give it to you.

Joel Ballon of 479 Perry Highway addressed Council to call attention to an error in the Minutes of the Special Meeting from January and felt it should be corrected. Mr. Ballon showed a copy to President Daugherty and the Year was incorrect and should be 2007.

Mr. Ballon was in front of Council for 48 seconds.

Dave Urban of 60 Lakewood Avenue said he was also given a copy of the Tribune Review article and had questions for Council. Mr. Urban said we have a Policeman on board, is 19 years old and drinking, or drunk, with blood content twice the legal limit and carrying a firearm issued by the West View Chief. Mr. Urban said the Officer should be in Jail and would like to pull the licenses of the people that served the Officer.

President Daugherty said the entire matter is under investigation. The Officer had gone through the Police Academy, was working part time for another Municipality and was recommended by another Police Department. Council is normally unaware of what Officers do in their spare time. President Daugherty felt the Chief did the best that he could when hiring the Officer. President Daugherty said the Officer has since resigned. Mr. Urban felt this was good and had nothing else for Council.

Mr. Urban was in front of Council for two minutes and fourteen seconds.

Mr. Barr addressed Council and requested the Chief respond to the accuracy of the article. President Daugherty gave the floor to Chief Holtgraver, who said the article was very accurate. Mr. Barr was in front of Council for 23 seconds.

## UNFINISHED BUSINESS

There was no unfinished business.

## NEW BUSINESS

President Daugherty said two Churches within the Borough will be celebrating their 100 Years and requested Council recognize St. Luke's Evangelical Lutheran Church and St. Athanasius Church for their 100 years of service to the Community. President Daugherty requested a Motion to have a Council Proclamation to be read at the next Meeting of Town Council. *Motion was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered.*

## AGENDA

1. Council to consider Ordinance #1440, which is an Ordinance amending Section 4.6 of the Civil Service Regulations (Ordinance #1434 adopted July 12, 2006). *Motion to read Ordinance #1440 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* President Daugherty read Ordinance #1440. *Motion to adopt Ordinance #1440 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
2. Council to consider the Bid Results for the purchase of a new 2008 4-Wheel Drive - 16,000 lb. GVW Dump Truck equipped with Dump Body, Snow Plow and Tail Gate Spreader. Mr. Wolf recommended Council consider awarding the Bid to Allegheny Ford in the amount of \$45,194.00. *Motion to approve the recommendation was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider payment to Victor Paving & Construction, Inc. in the amount of \$11,171.75, which is the Final Payment for the 2006 Paving Project. *Motion to approve the payment was made by Mr. Schell and was seconded by Mr. Aguglia.* Mr. Wolf explained the amount was held over as a 5% retainer until all of the Bonds were in order. With no further comments, the *Motion was approved and ordered.*

## ANNOUNCEMENTS

There were no announcements.

## ADJOURNMENT

President Daugherty requested a Motion for the Adjournment of the Meeting. *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered by Council.* The Meeting adjourned at 7:27 p.m.

APPROVED: May 9, 2007

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

MAY 9, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, May 9, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order at 7:00 p.m. by President Daniel M. Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Secretary/Manager Kenneth J. Wolf conducted Roll Call. Members of Town Council present were: President Daniel M. Daugherty, Vice President Mary C. Bernhard, Members Joseph J. Nowark, Barry G. Schell, Ralph R. Burchell, John W. Koerts and William F. Aguglia. Also attending were: J. R. Henry, Mayor, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Police Chief Charles Holtgraver, Solicitor Fred Baxter and Robert Zischkau from Glenn Engineering.

*Motion to approve the Minutes of the Regular Meeting of Town Council on April 11, 2007 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 \$101,307.81 and payments to Vendors in the amount of \$101,243.76 was made by Mrs. Bernhard and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$10,070.69 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$16,605.37 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J. R. HENRY, MAYOR

Mayor Henry reported that the Total Receipts for March 2007 for Motor Vehicle Code Violations was \$3,027.04. Mayor Henry said he had the honor to make a presentation yesterday for about 40 Senior Citizens attending an AARP Meeting. Everyone there praised and complimented the work of the Road Crew and the Police Department. Mr. Henry heard nothing but accolades from the Seniors.

Mayor Henry requested Detective Todd Towne and Officer Joseph Connolly join him at the podium. Mayor Henry read Certificates of Commendation for Detective Towne and Officer Connolly and for Firefighter Peggy Kramar who did not attend, regarding their combined efforts in an attempted arson case. The Officers were thanked by Council and applauded by those attending.

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

Mr. Wolf reported on the need to repair three areas of roof overhangs and some shingles on the Borough Building Complex. Mr. Wolf has two Proposals and needs a third Proposal, which he hopes to have before the June Meeting of Council.



Chief Holtgraver said the Police responded to 326 Calls during April. Fifty-three abandoned vehicles have been removed from Borough Streets by Police Officers and 244 Parking Violations have been issued for Street Sweeping Violations.

The Chief said Officer Connolly had investigated two fires at Giant Eagle. Officer Connolly made three arrests of Giant Eagle Employees that set the fires. The Chief felt Officer Connolly did an excellent job in preventing a catastrophe.

REPORT FROM THE SOLICITOR - FRED E. BAXTER

Mr. Baxter had no report.

REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau updated Council on the progress of the sewer work being done in the Borough, saying most of the work should be done within the month. The Bids were received through the North Hills Council of Governments for the 2007 Paving Project and for the North Park Road Reconstruction and the Bids will be considered by Council during the Agenda. Mr. Zischkau offered to answer any questions Council may have regarding these items.

REPORTS FROM THE COMMITTEES

FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell said Wage Tax collection deposits for the month of April totaled \$342,683.65, less \$3,041.62 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$169,821.02. 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 \$27,000.00 matured on April 13<sup>th</sup> and it earned interest in the amount of \$110.95. We purchased a CD on April 13<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

We received our 2007 Liquid Fuel entitlement on April 10<sup>th</sup> in the amount of \$127,668.38. Our Liquid Fuel CD in the amount of \$90,000.00 matured on April 13<sup>th</sup> and it earned interest in the amount of \$369.86. We purchased a CD on April 13<sup>th</sup> in the amount of \$218,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$173,000.00 matured on April 13<sup>th</sup> and it earned interest in the amount of \$710.95. We purchased a CD on April 13<sup>th</sup> in the amount of \$180,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$200,000.00 matured on April 13<sup>th</sup> and it earned interest in the amount of \$821.91. We purchased a CD on April 13<sup>th</sup> in the amount of \$60,000.00 for 30 days to earn interest.

PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia said Council would consider the "As Is" sale of the 2003 Used Ford Crown Victoria Police Vehicle as Item #5 under the Agenda. Six Bids were received, as follows: Wild Bill's Used Cars bid

\$1,775.00, Guadino Brothers bid \$3,030.00, BayRidge Motors bid \$3,271.00, James Sokol bid \$2,529.00, Grace Quality Used Cars bid \$3,152.00, Welcome Motors bid \$2,858.00 and a 7<sup>th</sup> Bid was received too late to open from Chicago Motors. The high Bidder was BayRidge Motors in the amount of \$3,271.00.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said the Public Works Department had been busy with the Street Cleaning Program, with cutting grass and they were finally able to remove the snow equipment from the trucks. The Crew has been doing maintenance on the Borough Building Complex and have been patching potholes. The Crew has been doing Storm Water and Basin work and they are performing playground maintenance.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark said he had numerous meetings with his Committee and has also met with various people by himself and things are moving ahead.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark said the Committee had not met recently but will be meeting within the next couple of months.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said the Borough received a \$26,169.08 Dividend from MRM Workers' Compensation Pooled Trust. The Trust was set up to stabilize the cost of workers' compensation and has been very good for the Borough.

Mrs. Bernhard thanked Marge Lane for setting up the Borough Clean Up on April 21<sup>st</sup> in conjunction with Earth Day. Approximately 30 People attended the clean up on Center Avenue. Mrs. Bernhard appreciated the effort Ms. Lane put into getting all of the people together and Ms. Lane made the event work well. Mrs. Bernhard requested a letter of thanks be sent to Ms. Lane.

The Allegheny County Bookmobile has changed its service day in the Borough. The Bookmobile is now in the Plaza on Saturday from 11:30 until 12:30 instead of on Monday from 6:30 to 8:30.

Mrs. Bernhard said the Bike Fair was planned for June 2<sup>nd</sup> from 11:00 until 3:00 at West View Elementary School. It is a joint effort, being sponsored by the VFW Post 2754, the Police Department, Crime Watch, the Recreation Department and Representative Don Walko. Bikes will be inspected and registered and minor repairs will be made. Mrs. Bernhard hopes to have door prizes to give to the kids. Mrs. Bernhard will be sending flyers home through the Schools. The next Crime Watch Meeting will be on Monday, May 14<sup>th</sup> at the West View Firemen's Party Room at 7:00 p.m. This will be the last Meeting until September and will address Summer Safety.

Mrs. Bernhard said the Summer Recreation Program would run from June 25<sup>th</sup> through August 3<sup>rd</sup> and it normally averages 50 children per day. Sign up Forms will be sent home with the Children the first week of June. The Winter Blues Party was held on May 1<sup>st</sup> and Mrs. Bernhard said 41 People attended and they had a good time. A Juggler provided the entertainment and each Senior received a plant to take home.

President Daugherty said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures:

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Jim Barr from 200 Frankfort Avenue asked for an explanation of Agenda Item #2 regarding Storm Water Initiative Phase II Intergovernmental Cooperation Agreement. President Daugherty requested Mr. Wolf explain this. Mr. Wolf said the Borough participated in Phase I and this is regarding our Act 167 Ordinance. Phase II is our Task 1 Watershed Model. Task 2 would evaluate existing Act 167 release rates to evaluate proposed regional stormwater management and would inventory and evaluate for optimization. This is a three-year Program and will cost the Borough roughly \$1,600.00 over three years. President Daugherty asked if twenty Communities are involved in this? Mr. Wolf said about twenty.

Mr. Barr demanded Council extend the Policy for speakers time limit past thirty minutes if need be. President Daugherty said Mr. Barr could ask but could not demand and said for now, it will stay as "may extend." Mr. Barr said he demands it be changed and said it is not negotiable. President Daugherty said that this was Mr. Barr's opinion.

Mr. Barr was in front of Council for one minute and forty-four seconds.

Dave Urban from 60 Lakewood Avenue wanted to know what Mr. Nowark's Meetings were about that he had reported on. Mr. Nowark and Mayor Henry explained the Meetings were regarding a private Police Personnel matter. Mr. Urban questioned how many Summer Help are they putting on? Mr. Wolf said he has two applications and has hired no one yet since Mr. Wolf has not met with Mr. Schell. Council may decide this matter at the June Meeting.

Mr. Urban questioned the Subcontractor cutting trees down at Bronx Field and did not see the money for this being on the Agenda and questioned the cost. Mr. Wolf said Tall Tree Timber is trimming trees away from the lights, removing stumps and they are helping the Borough with the lights with their bucket truck. The cost is under \$2,000.00, but Mr. Wolf did not have the exact cost and offered to go downstairs to get the Proposal. Mr. Urban questioned if the Public Works Department could do this work and Mr. Wolf said no, due to lack of proper equipment.

Mr. Urban was in front of Council for three minutes and twenty-five seconds.

Mr. Barr said he had asked for a copy of the Chief of Police's Oath of Office and still wants a copy. President Daugherty said Mr. Barr had an opportunity to view it. Mr. Barr said he wants a copy. Mr. Wolf said he had shown Mr. Barr our copy, it is very dark but readable. However, it will not legibly copy on our machine, as it copies black. Mr. Barr said he wants his own copy of it. Solicitor Baxter suggested Mr. Wolf see if the document can be copied at Kinko's and Mr. Barr can pay for it. Mr. Barr said he would like his own copy to be assured that the Chief had taken the Oath of Office. President Daugherty said the Borough has made every attempt to copy the document. Mr. Barr wanted to clarify the Meeting about Personnel as being a Police and Public Safety matter.

Mr. Barr was in front of Council for an additional two minutes and sixteen seconds.

#### UNFINISHED BUSINESS

President Daugherty read two Proclamations, one for St. Luke's Evangelical Lutheran Church and one for St. Athanasius Church. Both Churches are celebrating one hundred years of service to the Community. *Motion to adopt both Proclamations was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

#### NEW BUSINESS

There was no new business.

#### AGENDA

President Daugherty questioned Mr. Wolf if he needed Council's approval to solicit Proposals for the Roof Overhangs on the Borough Building Complex. Mr. Wolf said no, not for the receipt of the Proposals.

1. Council to consider two appointments to the Police & General Pension Board, both for four year terms, through April 13, 2011. Mr. Barry Schell and Mr. Daniel Sterzinger are currently serving. *Motion to appoint Mr. Schell and Mr. Sterzinger was made by Mrs. Bernhard and was seconded by Mr. Aguglia. Motion was approved and ordered.*
2. Council to consider signing the Intergovernmental Cooperation Agreement with other Municipalities of the North Hills Council of Governments regarding Storm Water Initiative Phase II. *Motion to approve the signing of the Agreement was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered.*
4. Council to consider the Bid results for the North Park Road Paving Project, bid through the North Hills Council of Governments. Victor Paving is the apparent Low Bidder for the total amount of \$51,400.00. Mr. Wolf advised the Borough has received Grant money for the Project and the Borough's share would be \$36,000.00. *Motion to approve the Bid was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*
5. Council to consider the Bid results for the Sale of the 2003 Ford Crown Victoria Police Cruiser. The High Bidder was BayRidge Motors, Inc. for the total amount of \$3,271.00. *Motion to accept the Bid was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
3. (President Daugherty had omitted Agenda Item #3) Council to consider the Bid results of the 2007 Paving Project, received on Monday, May 7<sup>th</sup>. Mr. Wolf advised the Low Bidder was Victor Paving and Construction, Inc. in the amount of \$198,910.00. Mr. Zischkau said Victor has worked well in the past and the Bid is in order and satisfactory. *Motion to approve the Bid from Victor Paving and*

Construction, Inc. for \$198,910.00 was made by Mr. Schell and was seconded by Mr. Aguglia. 00103  
Motion was approved and ordered.

6. Council to consider approving the Advertisement for the sale of the 1999 GMC Dump Truck, Snow Plow and Tail Gate Spreader. *Motion to advertise the sale was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

President Daugherty said Item #7 was a late addition to the Agenda.

7. Council to consider paying the Summer Help a rate of pay of \$7.25 per hour. Mr. Wolf advised the Summer Help was paid \$7.00 in 2006. The Minimum Wage will rise from \$6.25 to \$7.15 as of July 1<sup>st</sup> and Mr. Wolf would like to pay Summer Help \$7.25 per hour. *Motion to approve this request was made by Mr. Schell and was seconded by Mrs. Bernhard. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.


#### ADJOURNMENT

With no further Business for Council to consider, *Motion to Adjourn was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.* President Daugherty thanked everyone for attending and the Meeting adjourned at 7:34 p.m.

APPROVED: June 13, 2007

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Daniel M. Daugherty  
President of Town Council



00134

BOROUGH OF WEST VIEW

REGULAR MEETING

JUNE 13, 2007

Minutes of the Regular Meeting of Town Council held Wednesday, June 13, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. President Daniel M. 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. There were three People in the Audience.

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

*Motion to approve the Minutes of the Regular Meeting of Town Council on May 9, 2007 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$95,002.41 and payments to vendors in the amount of \$84,516.09 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$5,251.24 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,854.50 was made by Mr. Burchell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

REPORTS FROM THE OFFICERS

REPORT FROM THE MAYOR - J. R. HENRY (Absent)

Mayor's Report for the months of April and May 2007 are on file in the Borough Office.

REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf had no report for Council but offered to address any Item on the Agenda if needed.

REPORT FROM THE CHIEF OF POLICE - CHARLES M. HOLTGRAVER

Chief Holtgraver reported the Police responded to 536 Complaints during May 2007 and 66 Abandoned Vehicles have been removed to date.

## REPORT FROM THE SOLICITOR - FRED E. BAXTER

Mr. Baxter had no report for Council.

## REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU (Absent)

Mr. Zischkau's Report for the Month of May 2007 is on file at the Borough Office.

## REPORTS FROM THE COMMITTEES

## FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell said that Wage Tax collection deposits for the month of May totaled \$139,347.33, less \$4,681.19 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$67,333.08. 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 \$27,000.00 matured on May 14<sup>th</sup> and it earned interest in the amount of \$110.95. We purchased a CD on May 14<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$218,500.00 matured on May 14<sup>th</sup> and it earned interest in the amount of \$897.94. We purchased a CD on May 14<sup>th</sup> in the amount of \$219,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$180,000.00 matured on May 14<sup>th</sup> and it earned interest in the amount of \$739.72. We purchased a CD on May 14<sup>th</sup> in the amount of \$181,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$60,000.00 matured on May 14<sup>th</sup> and it earned interest in the amount of \$248.57. We purchased a CD on May 14<sup>th</sup> in the amount of \$160,000.00 for 30 days to earn interest.

## PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia said Council would consider three Proposals for the Roof Work that we need to have done on the Borough Building Complex. Whitney Construction, Inc. submitted a Proposal in the total amount of \$7,625.00, Likar Roofing Company, Inc. submitted a Proposal in the total amount of \$7,300.00 and Sapp Roofing Co., Inc. submitted a Proposal in the total amount of \$10,351.00.

## PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell reported the Public Works Department has the Street Sweeping Program well underway. They have been cutting grass and will be starting traffic line painting. The Crew has been doing maintenance on the Borough Building Complex and has been patching

potholes throughout the Borough. The Crew has been doing vehicle and equipment maintenance and repair work on storm, sanitary sewers and basins. Rodent and Pest Control is being addressed and street and traffic signs are being maintained. The Road Crew has been doing Playground maintenance and upkeep.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark said various meetings were held during the past month to discuss Police Personnel issues.

#### ADMINISTRATIVE/BUDGET COMMITTEE - JOSEPH J. NOWARK

President Daugherty said the Committee had not been recently active. Mr. Nowark said a Meeting is tentatively scheduled for the end of August or the beginning of September.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said the Crime Meeting took place May 14<sup>th</sup> and the Meeting addressed Summer Safety. An Officer from West Deer addressed Bike Safety and his presentation was very informative. Mrs. Bernhard reminded everyone to dial 911. They will hold the next Meeting in September.

Mrs. Bernhard said the Bike Rodeo went well, as they registered 41 Bikes and Officer Holland fingerprinted many Youths. West View Crime Watch Members, along with the Police and the Recreation Committee volunteered their time. The VFW Post #2754 Women's Auxiliary made hot dogs and supplied chips, McDonald's donated drinks, Kmart donated a Bicycle and Ed Praskovich donated three backpacks and Pepsi to raffle. Don Walko supplied the flyers for the Schools and Mrs. Bernhard thanked all of the Volunteers that donated their time at this event. They are planning for an even nicer Program next year.

Mrs. Bernhard thanked Officer Matt Holland for putting the Program together and for being there all day and it was Officer Holland who fingerprinted the Children.

The Summer Recreation Program begins on June 25<sup>th</sup> and will run for six weeks, through August 3, 2007. Field Trips are planned and the flyers have gone out to Parents through the Schools. Mrs. Bernhard said you must register to attend, but you do not have to attend every day. The Supervisors have been hired and Mrs. Bernhard is looking forward to having good attendance at the Program.

## AUDIENCE

President Daugherty said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures:

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

No one in the Audience addressed Council.

## UNFINISHED BUSINESS

There was no unfinished business.

## NEW BUSINESS

There was no new business.

## AGENDA

1. Council to consider two Appointments to the Planning Commission, both for four year terms, through May 31, 2011. Ms. Holly Whelan and Mr. Donald Mikec are currently serving in these positions and President Daugherty said they wish to be appointed. *Motion to appoint Ms. Holly Whelan and Mr. Donald Mikec was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider three Proposals received for the proposed Roof Work on the Borough Building Complex. Mr. Wolf said the three overhang areas above the sidewalk and the mansard need repairs and the Lowest Bid in the amount of \$7,300.00 was received from Likar Roofing Company, Inc. President Daugherty asked if Likar was a reputable Contractor. Mr. Wolf said Likar has been recommended by Mr. Zischkau.

00100 *Motion to approve the Proposal received from Likar Roofing Company, Inc. in the amount of \$7,300.00 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

3. Council to consider amending/changing the Borough's Workplace Smoke Free Policy, which had followed Allegheny County Health Department's Policy. Mr. Wolf said the County's Smoking Ban Policy was recently overturned in the Court system. Council would need to accept the Borough's Policy, as is, to have the Policy continue to remain in effect. Solicitor Baxter agreed. *Motion to approve the Borough's Workplace Smoke Free Policy was made by Mr. Nowark and was seconded by Mr. Agugulia. Motion was approved and ordered.*
4. Council to consider offering the position of Full Time Police Officer to an Officer on the Eligibility List from the Civil Service. President Daugherty said Council has been discussing this matter for a long time. President Daugherty asked Chief Holtgraver for his recommendation and Chief Charles Holtgraver recommended John Cordial. Officer Cordial has been with the Borough for over two years as a Part Time Officer. Chief Holtgraver said he is a very dedicated and aggressive Officer and John is very interested in the job and would like to join us Full Time. Chief Holtgraver asked that Officer Cordial begin his pay rate as a two year four month Officer, which is the credited time he has worked at the Borough.

Council Member Nowark read a Memo of Understanding received from the Members of the West View Police Association, as follows: In order to clarify and amend the existing Agreement between the Borough and Police Employees, the Employees agree, that should the Borough hire a tenth Full Time Officer, and if for economic reasons that might occur at a later time, the Borough is compelled to lay off a Full Time Police Officer, then and in that event the Borough shall lay off the least Senior Full Time Police Officer and still have the right to maintain its Part Time Officers. Mr. Nowark said in Federal law and other laws, in the case of a lay off, the Borough would have to lay off the Senior Officer, being Lieutenant Randy Freedman. Mr. Nowark continued as follows: The Police Employees further agree that the hiring of a tenth Full Time Police Officer is consistent with the existing contract language that the Borough shall maintain a Full Time Police Officer force of at least nine Members. Mr. Nowark said the Memo of Understanding was signed by Officers Holland, Mann and Simmons and the Mayor and President of Council. Mr. Nowark said the Civil Service Commission Top Three Police Candidates are James Kenna, John Cordial and Timothy Mulkerin and Mr. Nowark recommended Council consider hiring John Cordial.

Solicitor Baxter pointed out State Laws state the most Senior Officer must be laid off. Several Federal cases proved this to be age discrimination, which Solicitor Baxter agrees. Solicitor Baxter said the Act has never been amended, though it does not make the Act correct nor make the Act constitutional. Mr. Baxter said this Memorandum is a recognition of the state of the Law and the Police understand that.

President Daugherty said Council has heard the recommendation from the Chief of



Police and the Chairperson of the Police and Public Safety Committee and requested a Motion. *Motion to hire John Cordial as a Full Time Police Officer was made by Mr. Nowark and was seconded by Mr. Schell.*

Mrs. Bernhard questioned whether the Borough can afford another Officer and with three Officers per shift, would the Borough need to purchase another vehicle? President Daugherty and Council discussed how the new Officer would replace the Full Time Investigator and felt it was necessary to hire an Officer to keep the Borough as safe as possible. Council Member Burchell added it is believed that hiring a Full Time Officer would be cost effective by reducing the payment of some of the overtime. Mr. Burchell does not expect three Officers to be on a shift often. With no further discussion, *Motion to hire John Cordial 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 requested a Motion to Adjourn. Motion to adjourn was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered. The Meeting adjourned at 7:23 p.m.

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

*July 11, 2007*

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

JULY 11, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, July 11, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was Called to Order at 7:00 p.m. by President Daniel Daugherty, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

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

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$103,886.05 and payments to vendors in the amount of \$143,364.83 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of the 2007 Project Fund (Sewer) in the amount of \$11,070.24 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$3,236.77 was made by Mr. Nowark and was seconded by Mrs. Bernhard. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$4,854.50 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the Minutes of the Regular Meeting of Town Council on June 13, 2007 was made by Mr. Koerts and was seconded by Mr. Nowark. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J. R. HENRY, MAYOR

Mayor Henry said Motor Vehicle Code Violation Receipts for June 2007 totaled \$7,572.50 and an itemized Report was provided to Council within their packet.

Mayor Henry issued an alert to Borough Residents. Mayor Henry said 683 street sweeping violation tickets had been issued to date and the Mayor wanted to remind Residents to move their cars to avoid getting a ticket for the mandatory street sweeping program. Since the last Meeting of Council, 189 additional tickets have been issued by the Police.

Mayor Henry said he had been discussing an idea with Mr. Dennis Watson of the Borough's Zoning Board about investigating the feasibility of converting much of the Borough back to Residential-1 (R-1). Mayor Henry feels that by converting much of the Borough's R-2 districts back to R-1, the long term effects would be helpful to maintain our Single Family Dwellings. Mayor Henry requested

Council consider authorizing the Solicitor to check into the feasibility of this matter, having the consideration to grandfather in any existing multi-family dwellings. Mayor Henry feels the Borough would have better control in our ability to monitor the growth of Multi-Family dwellings in the future. With the R-1 Zoning, future proposed conversions by Owners of Single Family dwellings into Multi-Family would have to appear before both the Planning and Zoning Boards. Mayor Henry recommends Council consider this matter under tonight's Agenda.

President Daugherty requested Mayor Henry have a Council Member bring this matter up under the Agenda.

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

Mr. Wolf addressed Act 7 of 2007 for Council. This Act deals with the Occupational Privilege or EMS Tax that passed in June. The Legislation provides details on the collection of the Emergency Management Services Tax for Municipalities and provides for exclusions for low income families. Mr. Wolf would like to further study this matter prior to making any recommendations for Council to consider.

#### 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.

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

Chief Holtgraver said the Police responded to 426 Complaints during the past month.

President Daugherty requested Council Members and the Solicitor and the Mayor retire for an Executive Session.

Council retired for an Executive Session at 7:08 p.m.

The Meeting resumed at 7:31 p.m.

#### REPORTS FROM THE COMMITTEES

##### REPORTS FROM THE COMMITTEES

##### FINANCE REPORT - RALPH R. BURCHELL (Absent)

Written report submitted to Council.

President Daugherty read a letter of resignation Council received from Council Member Ralph R. Burchell, to be effective immediately. *Motion to approve the resignation, expressing Council's deepest regrets, was made by Mr. Nowark and was seconded by Mr. Schell.* President Daugherty said Mr. Burchell had done a Great Job as a Member of Town Council and will be missed.

00142

President Daugherty expressed his hope that Council will be able to use the services of Mr. Burchell in the future. With no further discussion, *Motion was approved and ordered by Council.*

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

Mr. Aguglia informed Council that the repairs to the roof on the Borough complex have been finished, with some shingle work to be done above Dollar General.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell said the Paving Contractor started work on June 25<sup>th</sup> and the Public Works Department has been working along with the Paving Company on the Borough's 2007 Paving Project, which, weather permitting, could be finished by this week. The Workers have been doing the Street Cleaning Program, cutting grass, painting traffic lines and have been performing maintenance work on the Municipal Building Complex. The Crew has been patching potholes throughout the Borough and performing vehicle and equipment maintenance.

Mr. Schell said the Workers had been doing storm, sanitary and basin repair work and have been doing Rodent/Pest control in the Borough. The Public Works Department has been maintaining the street and traffic signs and has been doing playground maintenance and upkeep.

President Daugherty introduced County Council Member Matt Drozd attendance in the Audience. Mr. Daugherty said he knew how busy Mr. Drozd's schedule is and invited him to speak so he could leave the Meeting before its conclusion.

Mr. Drozd addressed Council on the County Assessment and the progress of the State Budget. President Daugherty reminded Mr. Drozd of the five minute time limit on Speakers addressing Council and Mr. Drozd addressed the problem with the State funding of the Port Authority and said he felt the Authority Employees should have to give back money to help with their money problem. Mr. Drozd said he would remain for the entire Meeting.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark said a tentative Meeting had been scheduled for the end of August and Mr. Nowark invited the Mayor to attend the Meeting.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts requested Mr. Wolf release the budgeted \$2,000.00 to the Fire Department for their Annual Convention. President Daugherty asked for this matter to be presented under the Agenda and Mr. Wolf advised it was not necessary since this is an Item allowed within the 2007 Budget.

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

Mrs. Bernhard said the Summer Recreation Program was going well and averaging 30 to 40

Children there daily. The Children are taken on Field Trips every Thursday and the six-week Program will end August 3<sup>rd</sup>. Mrs. Bernhard is planning the Halloween Parade and the Senior Citizen Fall Trip.

### AUDIENCE

President Daugherty said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures:

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Lisa Herbert from 152 Highland Avenue addressed Council about a problem she is having at her Residence after presenting the Members with photos. Mr. Murrer is the Owner of 111/113 Bellevue Avenue and he cut down trees and is flooding her property with light and Ms. Herbert had spoken with Mr. Wolf, who she thanked for his help. Ms. Herbert said the Owner of the property is being malicious and had sprayed his property and both her Child and Dog became ill, with Ms. Herbert believing they were sickened by the spray. Ms. Herbert requested Council's help in this matter. Ms. Herbert was in front of Council for 4 minutes and 42 seconds.

President Daugherty said he had spoken with both the Mayor and Mr. Wolf about this problem. Mr. Daugherty was under the impression after talking to Mr. Wolf that the problem had been taken care of. President Daugherty felt the Borough Solicitor should get involved. President Daugherty said both Mr. Wolf and Solicitor Baxter will check into this matter after Ms. Herbert presents Mr. Wolf with a complete list of her complaints. President Daugherty said Council will be in touch with Ms. Herbert after investigating this matter and, if the Property Owner is in violation, the Owner will be cited.

Jim Barr from 200 Frankfort Avenue addressed Council, saying he did not want Council to respond to his comments until he was done. President Daugherty interrupted and advised Mr. Barr that if Council feels it is necessary, President Daugherty will interrupt Mr. Barr during the Audience participation. Mr. Barr said he demands the Audience Policy remarks be amended so that no rights are denied. Mr. Barr questioned if the LCB was notified of the under age drinking of our West View Officer back in February of 2007 and he recommended the Firehall on Perry Highway change their policy so Candidates can put up signs throughout the whole facility. Mr. Barr said he would like Council to appoint a Ross Township Resident to the vacancy on the West View Waste Water Board



so the Girty's Run Watershed will have representation. Mr. Barr was in front of Council for 1 minute and 58 seconds.

Dave Urban from 60 Lakewood Avenue addressed Council regarding their consideration of the Tentative Contract with Local 416 on the Agenda. Mr. Urban wants the Borough to get control over the workers, saying they do not start on time, they come in late and leave early, they take long lunches and two, if not three are in the trucks all the time. Mr. Urban feels they should be controlled for their time. Mr. Urban said he has seen workers walking through Giant Eagle at 8:30 or 9 a.m. and has told Mr. Wolf of this in the past.

President Daugherty said he was unaware of this and would turn this matter over to Mr. Schell, the Chairperson of the Public Works Committee. Mr. Urban said he is not complaining but feels if the workers are to get more money in the Contract, there should be more control over their time.

Mr. Urban was in front of Council for 1 minute and 39 seconds.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

Mayor Henry requested Council consider his recommendation to have the Solicitor investigate changing R-2 Districts to R-1 within the Borough. *Motion to have the Solicitor investigate this request was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

#### AGENDA

1. Council to consider Resolution Number 1337. *Motion to read Resolution #1337 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Daugherty read Resolution #1337, which is a Resolution authorizing the filing of an Application with Allegheny County Department of Economic Development for the Reconstruction of Bellevue Avenue, requesting funding in the amount of \$94,500.00. *Motion to approve Resolution #1337 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
2. Council to consider participating through the North Hills Council of Governments for the purchase of Road Salt for the 2007-2008 Winter Season at a cost of \$40.56 per ton. Mr. Wolf advised Council that PennDot's cost for the upcoming season is \$42.89 and felt the COG had a better deal. Mr. Nowark added Mr. Schell is the Secretary/Treasurer at the NHCOC. *Motion to approve the Borough's participation was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider an appointment to the Municipal Authority of the Borough of West View, through December 31, 2009, which is the remaining term of Mr. Harry Gruener. *Motion to appoint Daniel Daugherty was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered, with President Daugherty abstaining.* President Daugherty thanked Council for their confidence in him to complete Mr. Gruener's term. Mr. Gruener's presence will be missed by the Authority and the Community and President

Daugherty said he will do everything he can to respect the confidence Council has placed on him.

4. Council to consider activating the Civil Service Commission in order to compile a new Eligibility Police Officer List. Mayor Henry said after the last promotion of a Full Time Officer, the Eligibility List must be updated to three eligible Officers to conform with State Law. *Motion was made by Mr. Schell and was seconded by Mr. Nowark to activate the Commission. Motion was approved and ordered.*
5. Council to consider approving the tentative Contract between the Borough of West View and Local Union 416 Employees. *Motion to approve the Contract was made by Mr. Nowark and was seconded by Mr. Schell.* Mr. Schell said the Contract is a three-year term with a 2.9% increase in wages and the majority of the language to remain the same. *Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements

#### ADJOURNMENT


Vice President Bernhard requested tonight's Meeting be closed in Honor of the Memory of both Harry Gruener and David Glavin. President Daugherty said Mr. Gruener was Borough Manager in West View and had sat on the Board of Directors for over thirty years. Dave Glavin served as a Council Member for nine years and sat on the Board of Directors for over nine years. President Daugherty said both Harry and Dave will be sorely missed by all. *Motion to adjourn was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

The Meeting adjourned at 7:56 p.m.

APPROVED: August 8, 2007

BOROUGH OF WEST VIEW

By:   
Kenneth J. Wolf  
Secretary/Manager

By:   
Daniel M. Daugherty  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

AUGUST 8, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, August 8, 2007 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 Town Council present were: President Daniel Daugherty, Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia and John Koerts. Also present were: Mayor J.R. Henry, Secretary/Manager Kenneth Wolf, Assistant Treasurer Cathy Mann, Solicitor Fred Baxter, Engineer Robert Zischkau and Lieutenant Randall Freedman.

*Motion to approve the Minutes of the Regular Meeting of Town Council on July 11, 2007 was made by Mr. Schell and was 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 \$155,318.10 and payments to vendors in the amount of \$71,890.27 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of the 2007 Project Fund (Sewer) in the amount of \$204,766.72 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$ 20,028.67 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$ 4,854.50 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J.R. HENRY, MAYOR

Mayor Henry said Receipts for July 2007 totaled \$5,056.06 and an itemized Report was provided to Council.

Mayor Henry called attention to the street sweeping and traffic enforcement/parking

enforcement. The message is still not getting out to the residents or else they are choosing to ignore it. There have been a total of 949 tickets issued as of August 8, 2007. Since the last council meeting there have been another 266 tickets issued. This is a mandatory program brought on by the EPA and we have to abide by it. Again to advise the residents of this program that runs from April - November.

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

Mr. Wolf stated that the 2008 Minimal Municipal Obligations for both Pension Plans need to be presented to Council by the end of September. The study was done by Mockenhaupt Benefits Groups. Regarding the Borough of West View Municipal Employee Pension plan a minimum municipal obligation of \$68,564 which should be covered through some state aid from the state. Regarding the Borough of West View Police Pension plan 2008 Minimal Municipal Obligation requirement is \$0.00.

Mr. Wolf reported that the Commonwealth of PA Department of Transportation for the snow removal of the State Highways which are Route 19 and Highland Avenue. We are in the fourth year of a 5 year contract and nothing has to be done now unless we want to change anything.

**REPORT FROM POLICE - Lieutenant Freedman**

Lt. Freedman reported that in the month of July the police responded to 429 complaints and also the abandoned officer addressed 10 vehicles and 4 were cleared and or removed.

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

Mr. Baxter reported that at the last meeting Lisa Herbert of Highland Avenue was here regarding the apartment building. The pile of rubble has been cleaned up. We are trying to find Planning Commission minutes and determine whether or not a buffer zone was provided for at the time the apartments were built because the trees were cut down by the owner that clearly acted as a buffer but whether they were ordered to be a buffer or not is the question. If we find that these were not to be a buffer we will have them tone down the spotlights as they appear to be a nuisance.

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

Mr. Zischkau had no report for Council.

**REPORTS FROM THE COMMITTEES**

**FINANCE REPORT - MAYOR J.R. HENRY - Read for President Daugherty**

Wage Tax collection deposits for the month of July totaled \$93,028.02, less \$2,004.36 which were refunds to individuals and municipalities. The Borough's net proceeds were \$45,511.83. 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 \$27,000.00 matured on July 14<sup>th</sup> and it

earned interest in the amount of \$117.42. We purchased a CD on July 14<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$220,000.00 matured on July 14<sup>th</sup> and it earned interest in the amount of \$961.54. We purchased a CD on July 14<sup>th</sup> in the amount of \$221,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$183,000.00 matured on July 14<sup>th</sup> and it earned interest in the amount of \$799.87. We purchased a CD on July 14<sup>th</sup> in the amount of \$184,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$60,000.00 matured on July 14<sup>th</sup> and it earned interest in the amount of \$247.06. We purchased a CD on July 14<sup>th</sup> in the amount of \$90,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of July totaled \$233,632.91. 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 no report for Council.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell reported that the Public Works have been treating the storm basins and inlets for West Nile Virus. They repaired the Martsolf Avenue steps, have been painting lines and maintaining the playgrounds, cutting grass and following the street sweeping program and maintenance on the Borough Building complex.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark reported that they are compiling facts and figures to start working on the 2008 budget.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said the Summer Recreation Program had 109 children sign up and an average of 50 children per day. Thursday August 2<sup>nd</sup> was the picnic that was a success and then Friday they cleaned up the school.

The Recreation Committee is putting together information for the Senior Trip,



Halloween Parade and hopefully a Christmas Light Up night.

There was no Crime Watch meeting in July or August but will start again in September.

We received a report from the Bookmobile regarding the day and time change it is in the Borough. They show that the same amount of people are using it as before.

President Daugherty requested Council Members and the Mayor retire for an Executive Session.

Council retired for an Executive Session at 7:13 p.m.

The meeting resumed at 7:23 p.m.

Mr. Daugherty made the following statements:

After the July meeting an individual made some accusations against me after an appointment was made. The accusation was the I was breaking the law and they went on to file charges against me with the Ethics Commission. The individuals had no facts and really didn't know what they were talking about. I believe that this was a political thing and that was what it was about.

Last month, West View Borough Council, with my public abstention, voted to place me on the Board of Directors of the Municipal Authority of the Borough of West View. Before I accepted the appointment to the Board of Directors, I received a written opinion from the Borough and Authority Solicitor, Fred E. Baxter, Jr. that this was appropriate. I also confirmed this with the Solicitor for the Pennsylvania Municipal Authorities Association.

The Municipal Authorities Act and the State Ethics Act DO NOT prohibit an employee of an Authority or an Elected Official from serving on the Municipal Authority Board. Despite this, I provided my assurance in confidence to the Mayor and Borough Council last month that I would tender my resignation in the very near future in the event they chose to follow through with my appointment. Since they have done so, I will be tendering my resignation from Borough Council based on my commitment to them.

I want to make it clear my planned resignation has nothing to do with the publicized complaint filed by an individual with the State Ethics Commission. After filing said complaint, this individual then ran, not walked, to the media and publicized the complaint. My attorney confirmed with the Ethics Commission that the complaint was dismissed without investigation and my actions were lawful and appropriate.

I only wish to note to the public and to the media that disclosing or causing to be disclosed that a complaint has been filed with the Ethics Commission is a violation of the State Ethics Act. I HAVE NOT VIOLATED THE ETHICS ACT OR ANY OTHER LAW. MY ACCUSERS CANNOT SAY THE SAME.

Sometime in the near future I will be handing my resignation. My intent was never to hold the position of President of Council and be on the Board of the Water Authority at the same time.

## AUDIENCE

President Daugherty said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures.

Give your name and address and each individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that individual has not used all of his/her allotted five minutes, said individual shall be allotted to finish his/her five minutes, only after all individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

James Barr from 200 Frankfort Avenue addressed Council demanding that the audience remark policy is amended so that at no time will a residents rights be denied to speak at the Council.

Mr. Barr commented that the appointment to the President of Council to the Water Authority Board, he probably was in some what of an error and that he thinks President of Council should deny that appointment. And he thinks that it's the Council members that made the appointment are the ones that made a very grave mistake by appointing someone to an Authority where their children are employed. He thinks that is the big disservice to the people. And at the last meeting I like to come to the meeting to voice my opinion because I think the Council needs an independent thought on this Council and that's why I make an effort to get here, however it was my mothers birthday, I missed singing happy birthday to her. I like to be there, she's getting older and I like to be there and that's why I left abruptly no other reason.

Mr. Barr asked who is going to pay for the Ridgewood Avenue demolition.

Mr. Barr stated that the problem with the street sweeping and the zoning that is in the Borough, he calls it social engineering. He thinks it's a disservice to the people. The reason the people are not complying with this frivolous parking ordinance because it is a grave inconvenience, they have no other place to park and he thinks that this Council could do something else other than restrict parking. I think that if they really think hard enough, really work hard they can come up with another solution to complying with the DEP. If they can't come up with something we are stuck with this social engineering and no parking and all these others zoning laws that infringe upon peoples personal property. If you want to answer any of my questions, I'd appreciate it.

Mr. Wolf answered regarding the demo of 70 Ridgewood. The Borough has a grant through the North Hills Council of Governments through the Allegheny County DCED program regarding safe neighborhoods.

Mr. Baxter added that he is in contact with the homeowners attorney and the woman who lived there has an estate and it is possible that the demo may be paid for by the estate.

Mr. Barr was in front of Council for 4 minutes and 1 second.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider an Appointment to fill the vacancy on Town Council, due to the resignation of Council Member Burchell. *Motion to appoint Don Mikec to Council was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*

Mr. Mikec came to the podium and was sworn in by Mayor Henry. All on Council congratulated Mr. Mikec to Council.

2. Council to consider Resolution #1338, which is a Resolution requiring Zero Percent (0%) contributions from the West View Police Participants for their Pension Plan for the Year 2008. *Motion to read Resolution #1338 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Daugherty read Resolution #1338. *Motion to adopt Resolution #1338 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider the Bid opening results through the North Hills Council of Governments for the Demolition of 70 Ridgewood Avenue. The apparent Low Bidder is Belich General Contracting for the total bid price of \$8,600.00. *Motion to Accept the bid was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*
4. Council to consider approving the payment of \$179,019.00, which is 90% of the payment due to Victor Paving and Construction, Inc. for the 2007 Paving Project. *Motion to approve payment was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*
5. Council to consider approving a payment of \$33,430.00 (95% of Local Share) to the North Hills Council of Governments for Victor Paving for the North Park Road Reconstruction Project. *Motion to approve payment was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*

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ANNOUNCEMENTS

There were no announcements.


ADJOURNMENT

*Motion to adjourn was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.*


The meeting adjourned at 7:37 p.m.

APPROVED: SEPTEMBER 12, 2007 BOROUGH OF WEST VIEW

By:

  
Kenneth J. Wolf  
Secretary/Manager

By:

  
Mary Kay Bernhard  
Vice President of Town Council

**BOROUGH OF WEST VIEW****REGULAR MEETING****SEPTEMBER 12, 2007**

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, September 12, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The meeting was Called to Order at 7:00 p.m. by Vice President Bernhard, followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Town Council present were: , Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia, John Koerts and Don Mikec. Also present were: Mayor J.R. Henry, Secretary/Manager Kenneth Wolf, Assistant Treasurer Cathy Mann, Solicitor Fred Baxter, Engineer Robert Zischkau and Lieutenant Randall Freedman. Absent were President Daugherty, Chief Holtgraver and Assistant Secretary Patricia Rapp.

*Motion to approve the Minutes of the Regular Meeting of Town Council on August 8, 2007 was made by Mr. Schell and was 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 \$101,366.10 and payments to vendors in the amount of \$324,441.51 was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$ 20,662.20 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$ 4,854.50 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

**REPORTS FROM THE OFFICERS****REPORT FROM THE MAYOR - J.R. HENRY, MAYOR**

Mayor Henry said Receipts for August 2007 totaled \$6,839.85 and an itemized Report was provided to Council.

Mayor Henry reported that over 1,075 tickets have been issued since the start of the street cleaning program this year. Outstanding tickets are 82 and we have issued 190 citations issued. Last month there were 226 tickets issued. Still have ongoing issues with public information education about the street sweeping program.



Mayor Henry reported that to follow up on the ideas on changing the zoning in the Borough in regard to multi family dwellings, the Borough Manager and the Solicitor have met and have come up with several ideas and a meeting has been set up with the Mayor, Borough Manager, Solicitor and Mr. Watson the Chairman of the Zoning Board.

Mayor Henry presented Mr. Joe Versace with a Commendation in which he assisted the Police with the capture of two burglary suspects. Everyone congratulated Mr. Versace.

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

Mr. Wolf distributed the 2006 Audit Report for Council's review and to adopt at the October Meeting.

Mr. Wolf addressed Council regarding the Verizon Cable Franchise Agreement that was prepared by Mr. Cohen through the North Hills Council of Governments. An Ordinance and Resolution will be presented at the October meeting.

#### REPORT FROM POLICE - LIEUTENANT FREEDMAN

Lt. Freedman reported that in the month of August the police responded to 494 complaints and also the abandoned officer addressed 16 vehicles and 8 were cleared and or removed.

Mayor Henry commented that in the incident that Mr. Versace was commended, our newest Patrolman Officer Cordial was one of the initial officers that responded in a time of under 4 minutes. Sergeant Simmons and a Ross Officer were also there and the follow up was done by Detective Towne.

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

Mr. Baxter reported he has reviewed the Verizon Cable Franchise Agreement and all is in order.

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

Mr. Zischkau had no report for Council.

#### REPORTS FROM THE COMMITTEES

##### FINANCE REPORT - DONALD E. MIKEC

Wage Tax collection deposits for the month of August totaled \$115,050.74, less \$2,251.55 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$ 56,399.60. 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 \$27,000.00 matured on August 13<sup>th</sup> and it earned interest in the amount of \$111.18. We purchased a CD on August 13<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$221,000.00 matured on August 13<sup>th</sup> and it earned interest in the amount of \$910.03. We purchased a CD on August 13<sup>th</sup> in the amount of \$222,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$184,000.00 matured on August 13<sup>th</sup> and it earned interest in the amount of \$757.67. We purchased a CD on August 13<sup>th</sup> in the amount of \$174,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$90,000.00 matured on August 13<sup>th</sup> and it earned interest in the amount of \$370.60. We purchased a CD on August 13<sup>th</sup> in the amount of \$190,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of August totaled \$706,526.00. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in August.

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

Mr. Aguglia requested Council consider the two items on the agenda. One being the payment to Likar Roofing Company in the amount of \$7,300.00 and the second one being the proposal submitted by PA Soil & Rock, Inc. for a Geo-Technical Evaluation for Fire Company #3 in the amount of \$6,920.00.

#### PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell reported that the Public Works have been painting lines and maintaining the playgrounds, cutting grass, patching potholes fixing street signs, following the street sweeping program.

Mr. Schell commended the Public Works department for their response to the heavy storm and flooding the week of August 6, 2007 throughout the Borough and commented that the Borough Manager Mr. Wolf picked a good time to be on vacation. There were about 25 problems throughout the Borough in which they handled.

#### POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

#### ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark reported that they are compiling facts and figures, and will have actual figures ( 9 months) by the end of September and will estimate the remaining 3 months so that they will have a proposed 2008 budget in November.

#### FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard reported that the Crime Watch meeting that was held on September 10<sup>th</sup> was an informative meeting. Representatives from Ross Township and the Northland Library were present to let us know what is available to us from their organizations. The next meeting will be on Monday, October 8<sup>th</sup> at 7:00 P.M. in which the West View Police Officers will be there so that the public can meet them.

The Senior Trip will be held on October 15<sup>th</sup>. They will be going to Somerset, PA. The trip cost is \$ 20.00 per person and is for West View residents only. Tickets are available at the Borough office Monday through Friday, 8 A.M. to 4 P.M..

The Halloween parade will be held on Monday, October 29<sup>th</sup> and sign up will be on Thursday, October 25<sup>th</sup> at the Borough building from 6 P.M. to 8 P.M.. Bag packing will be done on Sunday, October 28<sup>th</sup> and all are welcome to help.

#### AUDIENCE

Vice President Bernhard said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures.

Give your name and address and each individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that individual has not used all of his/her allotted five minutes, said individual shall be allotted to finish his/her five minutes, only after all individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

James Barr from 200 Frankfort Avenue addressed Council demanding that the audience remark policy is amended so that at no time will a residents rights be dehed to speak at the Council.

Mr. Barr asked if the Labor contract was ready for review. Mr. Schell replied they are waiting for signatures and then it will be ready.

Mr. Barr asked if the meeting regarding the Zoning issue that Mayor Henry reported on was going to be a public meeting.

Mr. Barr asked Vice President Bernhard to comment on the rubbish throughout the Borough that was brought up at the Crime Watch Meeting.

Mr. Barr asked about the Geo-Technical soil survey.

Mayor Henry commented that Council did not want to take up Mr. Barr's allotted time to address Council and that they would respond at the end of Mr. Barr's questions:

Mayor Henry replied that the meeting regarding the zoning issues, that if there was any proposed change in Borough Ordinance or to any of the Zoning Board's rules and regulations, a public meeting would be held. We are not yet at that stage and are still investigating the options.

Vice President Bernhard explained that the comment on the littered streets was in regards to the street sweeping program.

Vice President Bernhard stated that the Geo project was due to a sinking problem at #3 Firehall on Perry Highway.

Mr. Barr was in front of Council for 4 minutes and 1 second.

Mr. Dave Urban from 60 Lakewood addressed Solicitor Baxter regarding President Daugherty holding positions on Borough Council and the Water Authority. He wants Solicitor Baxter to officially comment on this publically.

Mr. Urban feels that an Ordinance should be enacted so the the PAT buses that sit in the plaza should be turned off so that the fumes are not polluting the air and that they should not be left unattended.

Mr. Urban asked about the street sweeping tickets and where the money goes and if the tickets even get paid.

In reply to Mr. Urban's questions:

Solicitor Baxter stated that it was made public that President Daugherty holding various positions was in his opinion was not a conflict of interest under law and not a violation of the Ethics Act. His opinion is also on record at the Borough.

Mayor Henry stated that an informal policy at the Borough is that we wouldn't have people serving in multiple offices. There are however many communities that have people holding multiple offices.

Mr. Wolf replied that Chief Holtgraver has been looking into the PAT bus problem. Vice President stated that the police will again look into the fact that the drivers leave the bus running and unattended.

Mayor Henry replied that the street sweeping tickets are being paid and the money goes to the Borough General Fund or if a citation is issued the State gets part of that money.

Mr. Urban was in from of Council for 3 minutes and 27 seconds.

Ms. Patricia Figura of 201 Yale Avenue asked about the water runoff from Center Avenue down onto Stanford Avenue. The Borough put in a french drain but the water lays on

Stanford Avenue. During the huge storm the water went into her yard and basement causing damage to her yard and patio. The Borough went and cleaned the sewer to help with this problem. It is still a problem and would like someone to check into this matter.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider payment to Likar Roofing Company in the amount of \$7,300.00 for work done at the Municiple Building Complex. *Motion to pay Likar Roofing was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider proposal submitted by PA Soil & Rock, Inc. for a Geo-Technical Evaluation (Professional Service) for Fire Company #3 (on Perry Highway.), at an estimated cost of \$6,920.00. *Motion to consider proposal was made by Mr. Schell and was seconded by Mr. Koerts. Mr. Nowark questioned what this evaluatation was for and Mr. Schell replied that the Fire Company #3 had cracks in the front right & left walls and that the building has moved 2-3 inches in a year. Motion was approved and ordered.*

#### ANNOUNCEMENTS

Vice President Bernhard read a letter submitted by President Daugherty tendering his resignation from Borough Council effective immediately. Vice President Bernhard stated that President Daugherty's resignation is a hard one to accept for the fact that President Daugherty always put the Borough and its residents first, there was never a personal agenda on Council and will be a great loss to Council and the residents of the Borough. Vice President Bernhard asked for a motion to accept the resignation of President Daugherty. *Motion was made by Mr. Nowark and seconded by Mr. Aguglia. Motion was approved and ordered..*

#### ADJOURNMENT


*Motion to adjourn was made by Mr. Schell and seconded by Mr. Nowark. Motion was approved and ordered.*

The meeting adjourned at 7:42 p.m.



APPROVED: October 10, 2007

BOROUGH OF WEST VIEW

By:   
Kenneth J. Wolf  
Secretary/ManagerBy:   
Mary Kay Bernhard  
Vice President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

OCTOBER 10, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, October 10, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. Vice President Bernhard called the Meeting to order at 7:00 p.m.

Mr. Wolf conducted Roll Call. Council Members present were: Vice President Mary Bernhard, Members Joseph Nowark, Barry Schell, William Aguglia, John Koerts and Donald Mikec. Also in attendance were: Mayor J. R. Henry, Secretary/Manager Kenneth Wolf, Assistant Secretary Patricia Rapp, Solicitor Fred Baxter, Robert Zischkau from Glenn Engineering and Chief of Police Charles Holtgraver.

Mrs. Bernhard requested nominations to fill the position of Council Member, made vacant by the resignation of Daniel M. Daugherty. *Motion to appoint Ralph R. Burchell was made by Mr. Schell and was seconded by Mr. Nowark. After no further nominations, Motion to appoint Mr. Burchell was approved.*

Mrs. Bernhard requested Mr. Burchell join Mayor Henry at the podium. Mayor Henry administered the Oath of Office to Mr. Ralph R. Burchell and Mr. Burchell was applauded. Mr. Burchell took his seat on Council.

Mr. Burchell extended his thanks and his appreciation to Council for their vote of confidence and for his appointment to Council.

Vice President Bernhard turned the Meeting over to Mayor Henry to reorganize Council.

Mayor Henry said, due to the resignation of President Daugherty and due to the new appointment of Council Member Ralph Burchell, Motions were entertained for the Nomination of President of Town Council. *Council Member Nowark nominated Mary C. Bernhard and the Motion was seconded by Mr. Schell. With no further Nominations, Motion to close Nominations was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.* Mayor Henry congratulated Council President Mary C. Bernhard.

Mayor Henry accepted Nominations for Vice President of Town Council due to the vacancy caused by Mrs. Bernhard being appointed President. *Mr. William Aguglia nominated Barry Schell and the Motion was seconded by Mr. Nowark. With no further Nominations, Motion to close Nominations was made by Mr. Nowark and was seconded by Mr. Koerts. Motion was approved and ordered.* Mayor Henry congratulated Vice President Barry Schell.

Mayor Henry turned the Meeting over to President of Town Council Mary C. Bernhard.

*Motion to approve the Minutes of the Regular Meeting of Town Council on September 12, 2007 was made by Mr. Schell and was 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 \$104,552.46 and payments to vendors in the amount of \$123,945.58 was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of 2007 Project Fund - Sewer in the amount of \$3,348.00 was made by*

*Mr. Koerts and seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$11,162.53 was made by Mr. Aguglia and seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$4,854.50 was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.*

#### REPORTS FROM THE OFFICERS

##### REPORT FROM THE MAYOR - J. R. HENRY, MAYOR

Mayor Henry reported the Receipts for the month of September 2007 totaled \$5,712.37 and Council had been furnished with a copy of his itemized September report.

The Mayor reported on the rash of Burglaries that occurred on Cornell Avenue and on Center Avenue. Mayor Henry said the Actor was spotted on Cornell Avenue by several individuals who chose not to call 911 and report the suspicious activity. The Mayor had the Chief make sure Flyers were distributed throughout the neighborhood, advising Residents to call 911 and attendees at the Crime Watch Meeting was also advised of the Burglaries.

Mayor Henry advised Residents not to feel they are bothering the Police by calling 911. The Mayor told everyone to be diligent and to call 911 anytime they see suspicious activity. Mayor Henry said this was a brazen, daylight burglary on Cornell Avenue and Detective Todd Towne is following up on leads regarding the Burglaries. The Mayor said we are not immune to crime and urged all Residents to call 911 with any suspicious activity they may see.

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

Mr. Wolf had no report for Council but offered to address any Item under the Agenda should Council desire.

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

Chief Holtgraver reported the Police responded to 442 complaints during September 2007 and, to date, 100 Abandoned Vehicles have been removed from Borough Streets.

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

At Council's request, Solicitor Baxter researched several Zoning issues and had met with the Mayor, the Borough Manager and the Chairperson of the Zoning Board. Mr. Baxter recommends Council consider making a Motion to have the Planning Commission look into amending the Borough's Zoning Ordinance to bring it up to date. Specifically, Solicitor Baxter recommends three Items be addressed: (1) the criteria to convert Single Family Dwellings into Multi-Family Dwellings needs amended, (2) the Fence Ordinance would need reviewed and (3) some curative amendments are necessary to make our Ordinance in compliance with some recent Case Laws that have outdated or outmoded our current Ordinance.

Solicitor Baxter recommends Public Meetings take place in front of the Planning Commission. Should the Planning Commission decide to amend the Zoning Ordinance, there should be a Public Hearing on that matter. Solicitor Baxter said before Council would consider the approving amendments, a Public Hearing should be held before Borough Council.

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Solicitor Baxter requested a Motion from Council to refer these issues to the Planning Commission. *The Motion was made by Mr. Nowark was seconded by Mr. Schell. Motion was approved and ordered.*

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

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

#### REPORTS FROM THE COMMITTEES

##### FINANCE REPORT - DONALD E. MIKEC

Mr. Mikec reported the Wage Tax collection deposits for the month of September totaled \$30,628.56, less \$419.99 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$15,104.29. 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 \$27,500.00 matured on September 12<sup>th</sup> and it earned interest in the amount of \$113.23. We purchased a CD on September 12<sup>th</sup> in the amount of \$27,000.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$222,000.00 matured on September 12<sup>th</sup> and it earned interest in the amount of \$914.15. We purchased a CD on September 12<sup>th</sup> in the amount of \$223,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$174,000.00 matured on September 12<sup>th</sup> and it earned interest in the amount of \$716.49. We purchased a CD on September 12<sup>th</sup> in the amount of \$175,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$190,000.00 matured on September 12<sup>th</sup> and it earned interest in the amount of \$782.38. We purchased a CD on September 12<sup>th</sup> in the amount of \$640,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of September totaled \$301,765.32. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in September.

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

Mr. Aguglia addressed Council regarding the Five Bids received by the Borough on Monday, October 8, 2007 for the sale of the 1999 GMC 4x4 Dump Truck, with Tailgate Spreader and Plow. Mr. Aguglia said Howard Johnston, Inc. bid \$10,105.00, John Kunsak Auto Sales bid \$9,090.90, John Hillibaugh bid \$8,127.02, Rogers Auto Sales bid \$6,210.00 and Randall Freedman bid \$5,601.00.

##### REPORT FROM PUBLIC WORKS - BARRY G. SCHELL

Vice President Schell said the Public Works Department had sealed the Streets for 7 days with a rented Crack Sealing Machine. The Crew has been preparing the equipment for Snow removal and for Leaf Collection. The Street Cleaning Program will continue through November 14, 2007.

The Crew has been cutting grass throughout the Borough and has been painting Traffic Lines, doing maintenance on the Borough Building Complex and has been patching potholes. They have been conducting vehicle and equipment maintenance and have done work on Storm Sewers, Sanitary Sewers

and Basins. Mr. Schell said the Crew had done Rodent/Pest control, along with Street and Traffic Sign maintenance. The Crew has also been doing playground maintenance and upkeep.

Vice President Schell said the Three Year Contract with Local 416 has been signed for the period from 10/01/07 through 09/30/10. The Borough should take delivery of a new Dump Truck, equipped with a Snow Plow and Tailgate Spreader, this week to be used by the Public Works Department.

#### REPORT FROM POLICE AND PUBLIC SAFETY - JOSEPH J. NOWARK

Mr. Nowark reported on the Borough's mandatory Street Sweeping Program. Mr. Nowark said Street Sweeping began April 24, 2007 and, as of October 10<sup>th</sup> being the 46<sup>th</sup> day of the 2007 Program, 1,434 Street Sweeping Tickets have been issued, along with 238 Citations. Mr. Nowark said since the September 12<sup>th</sup> Meeting of Council, 259 Street Sweeping Tickets have been issued. Mr. Nowark felt it important to address this matter and to bring it to a head.

President Bernhard said the Street Sweeping Program is a mandatory Program and Residents must move their Vehicles to keep the Borough in compliance with the mandatory Order or the Borough will be fined by the DEP. Mrs. Bernhard said the Street Sweeping is very important for our Sewers and hopes Residents will comply and move their Vehicles.

#### REPORT FROM ADMINISTRATIVE/BUDGET COMMITTEE - JOSEPH J. NOWARK

Mr. Nowark said they are currently putting figures together and Council is to consider changing the EMS rate under the Agenda. Act 7 of 2007 changed the name of EMS to LST and Council will discuss the possible increase of the Borough's Occupational Privilege Tax or the current EMS Tax, which is to now be called the Local Service Tax or LST. The Borough currently collects \$10.00 per person working within the Borough. Council will consider increasing the Tax to from any figure up to \$52.00, which then will be mandated to exempt those earning less than \$12,000.00.

#### REPORT FROM FIRE AND WATER COMMITTEE - JOHN W. KOERTS

Mr. Koerts had no report for Council.

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

Mrs. Bernhard said the Crime Watch Meeting was held on October 8<sup>th</sup> at the Firemen's Building and Police Officers, Members of the Fire Department and Members of Ross/West View Emergency Services Authority were in attendance and introduced to the Residents. Mrs. Bernhard said the Residents had many questions and the Meeting turned out very nice. President Bernhard thanked Chief Holtgraver for his help.

Mrs. Bernhard said various Fire Equipment was displayed and costs for running the Fire Department and equipment costs were discussed. It was recommended to Parents by the Fire Department to teach their Families a procedure about escaping a fire. The Firefighters said during the Apartment fire on Center Avenue, they were searching for Residents within the burning building who were unaccounted for, putting many Firefighters in danger. The Residents were later located, but they had left the area without telling anyone. The Firefighters recommended accountability so no one is seriously hurt or killed. EMS Members present and explained their functions in the Community. EMS recommended everyone clearly number their Homes to easily identify their Residence in an emergency.

President Bernhard said the Meeting went very well and she was pleased with the Police, Fire and EMS participants who were able to meet the Residents at the Meeting. The next Meeting will be held Monday,



00164

November 12, 2007 at 7:00 p.m. at the Firemen's Building and Deputy Jason Tarap from the Allegheny County Sheriff's Office will present a Program entitled "Safety in our Homes" to those attending. Mrs. Bernhard said the Seven Springs Conference Seminars were very informative and they dealt with various issues from Legal matters to new Police equipment for Speeders to dealing with Borough Managers.

President Bernhard said the Senior Trip to Somerset on October 15<sup>th</sup> is sold out, with one Bus full of Seniors going on the Trip. Sign Up for the Halloween Parade will be on Thursday, October 25<sup>th</sup> from 6:00 p.m. until 8:30 p.m. at the Borough Building. Borough Residents may sign up to get a number to receive a Goodie Bag and to be eligible for the Costume Prizes. The Halloween Parade will be held Monday, October 29<sup>th</sup>, with the line forming on Highland Avenue at Perry Highway at 6:30 p.m. and the Parade will begin at 7:00 p.m. Mrs. Bernhard said they will be packing 1,500 Goodie Bags on Sunday, October 28<sup>th</sup>, beginning at 1:00 p.m., if anyone is interested in helping out.

#### AUDIENCE

President Bernhard said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures:

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Jim Barr from 200 Frankfort Avenue addressed Council. Mr. Barr demanded Council change the Policy to address Council. Mr. Barr asked if President Bernhard's middle initial is C. or K. and questioned if the Borough must raise the OPT/EMS tax to the entire \$52.00. Mr. Barr questioned the supposed sale of the Firemen's Building. Mr. Barr was in front of Council for 2 minutes and 29 seconds.

President Bernhard said her name is Mary C. Bernhard but is called Mary Kay by friends and said it is not mandatory to raise the OPT/EMS/LST from \$10.00 to \$52.00, as Council can decide on any amount, but not an amount to exceed \$52.00.

Vice President Schell said the Fire Department has owned the Firemen's Building for the past 35 years. The West View Volunteer Fire Department has a Commitment to Sell to Walgreen's, who is also dealing with Scholl's, Ozzie's and the Owner of the Apartment Building to purchase their buildings. If all purchases go through and all Borough Zoning and Planning Ordinances are satisfied, along with the fulfillment of PennDot's regulations, Walgreen's plans to raze the Buildings and erect a new Walgreen Store. Mr. Schell said nothing is definite to date and they have basically entered into Phase I with Walgreen. The Borough has not been approached by Walgreen and nothing is definite to date. Mayor

Henry explained when Mr. Schell's explanation included the word "We," he was referring to the Fire Department as "We" and not Town Council.

00165

Dave Urban from 60 Lakewood Avenue addressed Council. Mr. Urban had reviewed the Contract with Local Union 416 and said he understood their increase to be 2.9% for 3 years. Mr. Urban said it wages will increase 12.16% to \$25.00 per hour. Mr. Urban questioned the 12 Paid Holidays, the Medical Health Benefits, the Medical Benefit supplement for Retired Personnel and the Family Coverage for Eyeglasses. Mr. Urban complained of the High Option Dental Benefit for Families and questioned the Flexible Cafeteria Plan and did not like the 1.6% Pension benefit multiplier for the Pension Plan.

Mr. Urban was advised his 5 minutes were up by Mr. Wolf but Mr. Urban did not sit down and continued to talk. Mr. Urban complained about the Contract and requested it be clarified and he feels gets nothing in return as a Resident for the increase of costs in the Contract.

President Bernhard requested Borough Manager Kenneth Wolf respond to Mr. Urban.

Mr. Wolf said the increase in wages was explained by Council as 2.9% for each year for a three-year Contract from 2007 through 2010 and it is exactly that.

Mr. Wolf said he has been with the Borough for 20 years and the 12 Paid Holidays were already in the Contract before he started working at the Borough. Mr. Wolf addressed the Health Care questions and said the Borough pays the costs for Health Benefits, inclusive of Medical, Eye, and High Option Dental for Employees and their Families who choose not to Waive their Benefits through the Premium Conversion Plan. Through the Plan, the Borough saves half the yearly benefit cost by not insuring certain qualifying Employees and refunds half the yearly cost to the particular Employee, minus taxes paid by the Employee.

Mr. Wolf explained the Borough does not pay a Medical Benefits for Retired Personnel. Mr. Wolf said Mr. Urban was mistaken and explained that if, at age 65, an Employee is still employed with the Borough, the Borough will pay the difference for coverage beyond the Medicare supplement the Employee receives from the Government.

Mr. Wolf added Local Union 416 had a position removed from the Union through this Contract and said the Pension Benefit multiplier had increased from 1.5% to 1.6% in 2001 and it states exactly that within the Contract since 2001.

Joel Ballon from 479 Perry Highway questioned Council regarding Verizon's proposed Cable Franchise Agreement. Mr. Ballon questioned if the Agreement would impact the cost to the Residents over the current Comcast Agreement and if the Channel line up would change. Mr. Ballon was in front of Council for 1 minutes 21 seconds.

Council President Bernhard said Verizon would be competing against Comcast and, should Council accept the Ordinance, would be enabling Residents to choose their own provider.

Mayor Henry requested the Representatives from Verizon come forward to address Council and explain their intentions with the Franchise Agreement.

A Representative from Verizon and Kristen Yohannan, the Counsel for Verizon, said though they did not have the specific details relating to costs, the Fiber is already in the ground and would be available to Residents in the near future through the Perrysville Exchange. The West View Exchange would be available within the near future and Mr. Nowark explained further about the Exchanges. Mr. Burchell questioned what services Verizon would provide. Verizon would provide Television Cable, Telephone

Service and Internet Service through Fiber Optics for Residents. The Channel lineup and general pricing, as well as pricing for HBO and Sports, etc. would be available online at [www.verizon.com](http://www.verizon.com). Mr. Urban questioned if there would be a charge for hookup and the Representative was not sure but suggested special promotions would be forthcoming. Counsel for Verizon gave Mr. Wolf copies of the Agreement to be signed and forwarded, should Council choose to approve the Agreement and thanked Mr. Wolf for all of his help with this matter.

#### UNFINISHED BUSINESS

Mayor Henry said the Borough will be accepting applications for a new Police Officer Eligibility List through the Civil Service Commission. This was recently advertised and Mayor Henry said there are currently no open Full Time Police Positions and the Borough is compiling a new Eligibility List only.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider Ordinance Number 1441, which is an Ordinance of the Town Council of the Borough of West View Relative to the Establishment and Maintenance of Borough Employees Pension, Annuity, Insurance and Benefit Fund or Funds, to Amend Certain Provisions of the Pension Plan or Program Applicable to the Employees of Said Borough. *Motion to read the caption only as per Solicitor Baxter was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Bernhard read Ordinance #1441. *Motion to approve Ordinance #1441 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* Mr. Burchell abstained from the vote, as he did not read the Ordinance due to his appointment at this Meeting.
2. Council to consider Ordinance Number 1442, which is an Ordinance of the Town Council of the Borough of West View Authorizing the Execution of a Cable Franchise Agreement Between the Borough and Verizon Pennsylvania, Inc. *Motion to read the caption only as per Solicitor Baxter was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Bernhard read Ordinance #1442. *Motion to approve Ordinance #1442 was made by Vice President Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mr. Burchell abstained.
3. Council to consider Resolution Number 1339, which is a Resolution of the Town Council of the Borough of West View, Designating the North Hills Council of Governments to receive EG Grant from Verizon Pennsylvania, Inc. *Motion to read Resolution #1339 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Bernhard read Resolution #1339. *Motion to approve Resolution #1339 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* Mr. Burchell abstained.
4. Council to consider Resolution Number 1340, which is a Resolution of the Town Council of the Borough of West View, Authorizing the Distribution of the Foreign Fire and Casualty Premium Taxes (\$86,572.55) Pursuant to the Municipal Pension Plan Funding Standard and Recovery Act (Act 205 of 1984). *Motion to read Resolution #1340 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* President Bernhard read Resolution #1340. *Motion to approve Resolution #1340 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.* Mr. Burchell abstained.

5. Council to consider the Bids received, Monday, October 8, 2007, for the sale of 1999 GMC Dump Truck, with Tailgate Spreader and Plow. *Motion to approve the highest Bid from Howard Johnston, Inc. in the amount of \$10,105.00 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
6. Council to consider approving the payment of \$46,523.40, which is the final payment due to Victor Paving and Construction, Inc. for the 2007 Paving Project. Mr. Wolf said this is the final payment for the 2007 Project, being the withheld retainer and the payment for extra paving on North Park and Ashford Avenue. *Motion to approve the payment was made by Mr. Schell and was seconded by Mr. Burchell.* Question on the Motion from Mr. Nowark whether the Project is completely finished. Mr. Wolf said there are some minor repairs needed to be made due to waterline breaks. With no further questions, *Motion was approved and ordered.*
7. Council to consider Allegheny County Library Association proposal for the Bookmobile for 2008, at a cost of \$8,820.00, same as 2007. President Bernhard said the Bookmobile has been put to good use in West View. *Motion to approve the payment of \$8,820.00 for the Bookmobile for 2008 was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*
8. Council to consider appointing a Delegate and an Alternate Delegate to the Allegheny County Boroughs Association. *Motion to appoint Joseph Nowark as Delegate and William Aguglia as Alternate Delegate was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
9. Council to consider, if interested in increasing the OPT/EMS Tax. Act 7 of 2007 now named it the Local Service Tax (LST), currently the Borough's rate is \$10.00. The Borough could elect to increase the rate to \$52.00, but would be mandated to exempt those earning less than \$12,000.00. *Motion was made by Vice President Schell to keep the Tax at \$10.00 for 2008 and the Motion was seconded by Mr. Aguglia.* Council discussed the possibility of raising the LST but were unsure of the impact since many of the Borough Businesses employ many Part Time Workers earning less than \$12,000.00. Solicitor Baxter said this matter has been cumbersome and confusing. Mr. Burchell suggested that this matter be revisited in 2008 once all of the details had been clarified. With no further discussion, *Motion was approved and ordered.*
10. Council to consider adopting the December 31, 2006 Independent Auditors' Report, prepared by Reddinger, Will, Gallagher & Dickert, LLC. President Bernhard said Council had received the Report, last month to review. *Motion to adopt the Auditor's Report was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mr. Burchell abstained.
11. Council to consider an appointment to the Civil Service Commission for a Six-Year Term, through August 1, 2013. Mr. Adam Bakaj is currently serving in this position. *Motion to appoint Adam Bakaj was made by Mr. Koerts and was seconded by Mr. Schell. Motion was approved and ordered.* President Bernhard said Mr. Bakaj has done an excellent job on the Commission in the past and requested the Secretary notify Mr. Bakaj of his appointment.
12. Council to consider an appointment to the Zoning Hearing Board for a Three-Year Term, through August 1, 2010. Mr. Dennis Watson is currently serving in this position. *Motion to appoint Dennis Watson was made by Mr. Schell and seconded by Mr. Aguglia. Motion was approved and ordered.* President Bernhard requested Mr. Watson be notified of his appointment.



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ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

With no further Business to come before Council, President Bernhard thanked everyone for attending and requested a Motion to Adjourn. *Motion to Adjourn was made by Vice President Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

The Meeting Adjourned at 8:11 p.m.

APPROVED: November 14, 2007

BOROUGH OF WEST VIEW

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

Kenneth J. Wolf  
Secretary/Manager

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

Mary C. Bernhard  
President of Town Council



**BOROUGH OF WEST VIEW****REGULAR MEETING****NOVEMBER 14, 2007**

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, November 14, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The meeting was Called to Order at 7:00 p.m. by President Bernhard, followed by a Moment of Silent Prayer that was in memory of Daniel Daugherty and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Town Council present were: , President Mary Bernhard, Vice President Barry Schell and Members Joseph Nowark, William Aguglia, John Koerts, Ralph Burchell and Don Mikec. Also present were: Mayor J.R. Henry, Secretary/Manager Kenneth Wolf, Assistant Treasurer Cathy Mann, Solicitor Fred Baxter, Engineer Robert Zischkau and Chief Charles Holtgraver. Absent was Assistant Secretary Patricia Rapp.

President Bernhard announced that the following changes have been made to the committees, Don Mikec will go to Public Relations and Ralph Burchell will go to Finance as chairpersons.

*Motion to approve the Minutes of the Regular Meeting of Town Council on October 10, 2007 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 \$102,340.11 and payments to vendors in the amount of \$232,689.97 was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$ 2,282.98 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$ 4,854.50 was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.*

**REPORTS FROM THE OFFICERS****REPORT FROM THE MAYOR - J.R. HENRY, MAYOR**

Mayor Henry said Receipts for October 2007 totaled \$ 7,022.36 and an itemized Report was provided to Council.

Mr. Daugherty's funeral service.

Mayor Henry requested an executive session at some point in the agenda to discuss personnel matters.

REPORT FROM THE SECRETARY/MANAGER - KENNETH J. WOLF

Mr. Wolf reported that the Borough has been working with the North Hills Council of Governments updating the Act 167 which is the Storm Sewer Management. Letters will be sent to residents near the streambeds concerning yard debris and material storage.

REPORT FROM POLICE - CHIEF HOLTGRAVER

Chief Holtgraver reported that the police responded to 409 complaints for the month. They have dealt with 123 abandoned vehicles, 109 have been removed off the streets.

Street sweeping has come to a close today. They have issued 1652 parking tickets for the year for this program.

REPORT FROM THE SOLICITOR - FRED E. BAXTER

Mr. Baxter had no report for Council.

REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau had no report for Council.

REPORTS FROM THE COMMITTEES

FINANCE REPORT - RALPH R. BURCHELL

Wage Tax collection deposits for the month of October totaled \$107,737.58, less \$1,873.71 which were refunds to individuals and municipalities. The Borough's net proceeds were \$52,931.94. 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 \$27,000.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$111.62. We purchased a CD on October 12<sup>th</sup> in the amount of \$27,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$223,000.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$921.93. We purchased a CD on October 12<sup>th</sup> in the amount of \$224,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$175,000.00 matured on October 12<sup>th</sup> and it earned interest in the amount of \$723.49. We purchased a CD on October 12<sup>th</sup> in the amount of \$176,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$640,000.00 matured on October 12<sup>th</sup> and it

earned interest in the amount of \$2,645.91. We purchased a CD on October 12<sup>th</sup> in the amount of \$640,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of October totaled \$50,093.17. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in October.

PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia had no report for Council.

PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell reported that the Public Works have been getting ready for snow removal and getting the salt boxes placed throughout the borough. They are doing leaf collection, getting ready to put up Christmas decorations, cutting grass, filling potholes and street and traffic maintenance.

POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council.

ADMINISTRATIVE/BUDGET COMMITTEE REPORT - JOSEPH J. NOWARK

Mr. Nowark reported that they received the 2008 proposed budgets. They will schedule a committee meeting.

FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

PUBLIC RELATIONS AND RECREATION REPORT - MARY C. BERNHARD

Mrs. Bernhard reported that Mr. Mikec has just been appointed this position so she will be giving the report this month.

The Halloween parade was held on October 29<sup>th</sup>, there were about 650 children signed up and the volunteers packed 1500 bags. All organizations and personnel that participated were great.

The Senior Trip was on October 15<sup>th</sup>. We had 53 people attended and enjoyed it. The people explaining the sites were very informative and interesting.

The Crime Watch meeting was held on Monday November 12<sup>th</sup>. The meeting was opened in silent prayer in memory of Mr. Daugherty and the scouts presented the colors. The topic was on safety around the house and shopping safety. The speaker did not show up but the chairperson spoke. The next meeting will be a social meeting with no speaker and will be held on December 10<sup>th</sup>.

President Bernhard called for an Executive Session at 7:14 P.M. Meeting resumed at 7:33

P.M.

#### AUDIENCE

President Bernhard said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures.

Give your name and address and each individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said individual shall be allotted to finish his/her five minutes, only after all individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow individuals that have already used their five minutes to further their time to address Council.

In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Mr. Joel Ballon of 479 Perry Highway asked about the drilling that took place at Fire Company #3 next to his residence. He reported that the company left a mess behind. He found much debris including nails that left his car with 2 flat tires and alot of mud. Mr. Wolf will meet with Mr. Ballon regarding this.

Mr. Jim Barr of 200 Frankfort Avenue stated that the comprehensive maps regarding the voting polls need updated.

He commented that there are many potholes in Wexford Alley. On the finance report the General Fund CD was in the amount of \$640,000, is this correct. Mr. Burchell replied yes. When was the last Crime Watch meeting, President Bernhard replied Monday, November 12<sup>th</sup>. Mr. Barr asked that there were 409 police complaints for the month. Chief Holtgraver replied that they are various complaint from barking dogs to EMS calls, these are all calls made to the police.

#### UNFINISHED BUSINESS

Council received various awards for Mr. Daugherty. These were to be awarded to him tonight but under the circumstances they will be displayed in the Borough building and then given to his family. The Mayor read the award from the Senate.

#### NEW BUSINESS

Mr. Nowark asked Mr. Zischkau to review the soil findings at Fire Company #3. Mr. Zischkau went over the findings and stated that additional evaluation is needed and maybe even a second opinion.

#### AGENDA

1. Council to consider scheduling a Budget Workshop Meeting for Tuesday, November 20, 2007 at 5:30 p.m. *Motion to have the Budget Workshop Meeting on Tuesday, November 20, 2007 at 5:30 p.m. was made by Mr. Nowark and seconded by Mr. Schell. Motion was approved and ordered.*

#### ANNOUNCEMENTS

None

#### ADJOURNMENT

President Bernhard asked that the meeting be adjourned in Memory of Mr. Daugherty who served the Community for the past 38 years.

*Motion to adjourn was made by Mr. Aguglia and seconded by Mr. Mikec. Motion was approved and ordered.*

The meeting adjourned at 7:50 p.m.

APPROVED: December 12, 2007 BOROUGH OF WEST VIEW

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

Kenneth J. Wolf  
Secretary/Manager

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

Mary Kay Bernhard  
President of Town Council



## BOROUGH OF WEST VIEW

## SPECIAL MEETING

NOVEMBER 20, 2007

Minutes of the Special Workshop Meeting of the Town Council of the Borough of West View held Tuesday November 20, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The meeting was called to order by President Bernhard at 5:33 p.m., followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Council Members present were: President Mary Bernhard, Vice President Barry Schell, Members William Aguglia, John Koerts, Donald Mikec, Ralph Burchell and J.R. Henry, Mayor. Also in attendance were: Kenneth Wolf, Secretary/Manager and Cathy Mann, Assistant Treasurer.

Council Member Joseph Nowark was absent.

President Bernhard read the Official Notice that was advertised November 16, 2007 as follows:

Notice is hereby given that the Town Council of the Borough of West View will hold a Special Meeting on Tuesday, November 20, 2007 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 2008.

No other Business will be considered.

President Bernhard said this was an informal workshop for Members to discuss the Budget for 2008.

In the Audience were: Joel Ballon, James Barr and Robert Lochner.

President Bernhard requested Mr. Wolf address each Account title within the Budget.

Mr. Wolf addressed Council of the 2008 Proposed Budget.

Mr. Wolf advised that the budget held the milage tax rate at 5.68 mills, looking at \$400,000 tax anticipation loan for 2008.

Mr. Wolf also advised that the budget includes a 2.9% increase for full-time employees and a \$.30 per hour raise for part-time employees.

General Fund - Revenues

301 Real Property Taxes - \$13,050 Increase

310 Local Enabling Taxes - \$20,485 Increase

319 Penalties and Interest on Delinquent Taxes - \$7,550 Increase

321 Business Licenses and Permits - \$7,595 Increase

322 Non-Business Licenses & Permits - No Change

331 Fines - \$4,000 Increase

341 Interest Earnings - \$1,625 Increase

355 State Shared Revenue & Entitlements - \$19,850 Decrease

Mayor Henry questioned the decrease of \$19,850. Mr. Wolf explained that this decrease was due to a State Aid Pension calculation and also this decrease is reflected in expenditures account 483.

357 Local Government Unit Cap & Grants - \$4,590 Increase

359 Government/Authorized Payment in Lieu of Tax - \$250 Increase

361 General Government Charges for Services - No Change

361 Tax Collection Fees - \$4,100 Increase

362 Special Police Service - \$3,755 Increase

363 Highways and Streets - \$2,230 Increase

364 Sanitation - No Change

380 Miscellaneous Revenue - No Change

387 Contributions & Donations - No Change

399 Balance Forward - \$12,655 Increase

Total General Fund Revenues \$2,849,275 - \$62,045 or 2.2% Increase

#### General Fund - Expenditures

400 Legislative (Governing) Body - \$500 Increase

401 Executive (Mayor/Manager) - \$4,640 Increase

402 Financial Administration - \$400 Increase

403 Tax Collection - \$5,390 Increase

404 Law - \$1,000 Increase

00176

405 Assistant Borough Secretary - \$1,745 Increase  
408 Engineer - No Change  
410 Police - \$33,550 Increase  
411 Fire - \$3,960 Increase  
413 Protective Inspections - No Change  
414 Planning and Zoning - No Change  
421 Health & Sanitation - No Change  
430 Public Works - \$6,575 Increase  
431 Highway Maintenance / Street Cleaning - \$270 Increase  
432 Highway Maintenance / Snow & Ice - \$400 Increase  
433 Highway Maintenance / Signs & Signals - \$165 Increase  
434 Highway Maintenance / Street Lighting - \$15 Increase  
435 Highway Maintenance / Guard Rails/Steps/Walks - \$95 Increase  
436 Highway Maintenance / Storm Sewer & Sewer - \$265 Increase  
437 Highway Maintenance / Machinery & Equipment Repair - \$125 Increase  
438 Highway Maintenance / Highway & Bridge Repair - \$830 Increase  
439 Highway Maintenance / Highway Construction & Rebuild - No Change  
454 Parks - \$10 Increase  
456 Library & Bookmobile - No Change  
457 Civil & Military Celebrations - \$2,915 Increase  
458 Senior Citizen & Recreation - \$195 Decrease  
471 Debt Principal - No Change  
472 Debt Interest - \$7,810 Decrease  
483 Retirement & Pension Contribution - \$19,970 Decrease  
486 Insurance Premiums - \$23,115 Increase

487 Employee Benefits - \$4,055 Increase

491 Refunds of Prior Year Revenues - No Change

Total General Fund Expenditures - \$2,849,275 - \$62,045 or 2.2% Increase

Mr. Burchell asked if the \$ 400,000 tax anticipation loan was the same amount as in 2007.  
Mr. Wolf replied that yes it was.

#### Building Fund - Revenues

341 Interest Earnings - \$35 Decrease

342 Rents - \$2,040 Increase

392 Interfund Operating Transfers - \$6,045 Decrease

Total Building Fund Revenues - \$135,325 - \$4,040 or 2.90% Decrease

#### Building Fund - Expenditures

404 Law - No Change

408 Engineer - No Change

409 Building and Plant - \$1,680 Increase

471 Debt Principal - \$4,790 Decrease

472 Debt Interest - \$595 Decrease

486 Insurance Premiums - \$335 Decrease

Total Building Fund Expenditures - \$135,325 - \$4,040 or 2.90% Decrease

#### Liquid Fuel - Revenues

341 Interest Earnings - No Change

355 State Shared Revenue & Entitlements - \$13,835 Increase

Total Liquid Fuel Revenues - \$141,735 - \$13,835 or 10.8% Increase

#### Liquid Fuel - Expenditures

430 Public Works - \$70 Decrease

432 Highway Maintenance / Snow & Ice - \$13,000 Increase

434 Highway Maintenance / Street Lighting - \$905 Increase

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Total Liquid Fuel Expenditures - \$141,735 - \$13,835 or 10.8% Increase

Capital Reserve UDAG Fund - Revenues

341 Interest Earnings - No Change

392 Interfund Operating Transfers - No Change

Total Capital Reserve UDAG Fund Revenues - \$0.00

Capital Reserve UDAG Fund - Expenditures

409 General Gov't Building & Plant - No Change

471 Debt Principal - No Change

Total Capital Reserve UDAG Fund Expenditures - \$0.00

Proprietary Fund - Revenues

358 Local Government & Associations Revenue - \$74,470 Increase

Total Proprietary Fund Revenues - \$722,440 - \$74,470

Proprietary Fund - Expenditures

421 Health & Sanitation - \$74,470 Increase

Total Proprietary Fund Expenditures - \$722,440 - \$74,470

2007 Project Account (Sewer) - Revenues (New Account)

392 Interfund Operating Transfer - \$463,110

Total 2007 Project Account (Sewer) Revenues - \$463,110

2007 Project Account (Sewer) - Expenditures

471 Debt Principal - \$145,000

472 Debt Interest - \$318,110

Total 2007 Project Account (Sewer) Expenditures - \$463,110

President Bernhard felt Mr. Wolf had done a nice job and thanked everyone for attending the Workshop Meeting. *Motion to Advertise the Budget was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered. Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.* The meeting adjourned at 5:58 p.m. President Bernhard wished all a Happy Thanksgiving.



## BOROUGH OF WEST VIEW

## REGULAR MEETING

DECEMBER 12, 2007

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, December 12, 2007 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. Council President Bernhard 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. Members of Council present were: President Mary Bernhard, Vice President Barry Schell, Joseph Nowark, William Aguglia, John Koerts, Donald Mikec and Ralph Burchell. Also attending were: J. R. Henry, Mayor, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia Rapp, Chief of Police Charles Holtgraver, Solicitor Fred Baxter and Robert Zischkau from Glenn Engineering.

*Motion to approve the Minutes of the Regular Meeting of Town Council on November 14, 2007 was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the Minutes of the Special Meeting of Town Council on November 20, 2007 was made by Mr. Burchell and was 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 \$101,959.60 and Payments to Vendors in the amount of \$82,002.08 was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.*

*Motion to approve the Payment of Building Fund expenditures in the amount of \$4,891.51 was made by Mr. Burchell and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the Payment of Liquid Fuel expenditures in the amount of \$4,854.50 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

## REPORT FROM THE MAYOR - J. R. HENRY, MAYOR

Mayor Henry reported the receipts for November 2007 totaled \$5,613.03 and Council has been provided a detailed copy of the report. Mayor Henry updated Council regarding the November 20<sup>th</sup> Meeting he attended regarding the Girty's Run Joint Sewer Authority and the feasibility of the Borough's possible future participation in the Authority.

Mayor Henry asked Mr. Scott Zoller and Mr. Shawn Victoria to join him at the podium and read Official Commendations to both. Both 12 year-old Youths had provided valuable information to the Police resulting in the apprehension of an Arsonist who was responsible for the Incident at 440 Center Avenue. Mr. Zoller and Mr. Victoria were applauded by all. Mrs. Bernhard thanked both Youths on Council's behalf.

Mayor Henry requested an Executive Session take place later in the Meeting.

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

Mr. Wolf reported on the errors in the 2008 Flyer Waste Management had mailed to Residents in the Borough. Mr. Wolf said Waste Management had been notified of the errors and will supply the correct information to Residents within their Bill.

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

Chief Holtgraver said both Youths were a good example of exactly what to do in an emergency and suggested they attend the next Meeting of Crime Watch. The Chief said Police had 337 Calls during November 2007 and to date, 115 Abandoned Vehicles have been cleared from the streets.

REPORT FROM THE SOLICITOR - FRED E. BAXTER, JR.

Mr. Baxter had no report for Council.

REPORT FROM GLENN ENGINEERING - ROBERT E. ZISCHKAU

Mr. Zischkau had no report for Council other than the written report submitted and wished everyone a Happy and Healthy Holiday Season.

REPORTS FROM THE COMMITTEES

FINANCE REPORT - RALPH R. BURCHELL

Mr. Burchell reported that Wage Tax collection deposits for the month of November totaled \$99,516.64, less \$778.47 which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$49,369.09. These funds were deposited into the General Fund Checking account to help offset Borough expenditures in December.

Our Capital Reserve - UDAG CD in the amount of \$27,500.00 matured on November 11<sup>th</sup> and it earned interest in the amount of \$106.91. We purchased a CD on November 11<sup>th</sup> in the amount of \$27,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$224,000.00 matured on November 11<sup>th</sup> and it earned interest in the amount of \$870.83. We purchased a CD on November 11<sup>th</sup> in the amount of \$224,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$176,000.00 matured on November 11<sup>th</sup> and it earned interest in the amount of \$684.23. We purchased a CD on November 11<sup>th</sup> in the amount of \$177,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$640,000.00 matured on November 11<sup>th</sup> and it earned interest in the amount of \$2,488.10. We purchased a CD on November 11<sup>th</sup> in the amount of \$640,000.00 for 30 days to earn interest.

Real Estate Tax collections for the month of November totaled \$30,355.95. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in November.

## PROPERTY AND PURCHASING REPORT - WILLIAM F. AGUGLIA

Mr. Aguglia had no report for Council.

## PUBLIC WORKS REPORT - BARRY G. SCHELL

Mr. Schell reported 450 Ton of Salt had been ordered to date and the Crew had been busy with Snow removal in the Borough. They have finished the leaf collection and have been patching potholes throughout the Borough. Christmas Trees will be picked up curbside the week of January 7<sup>th</sup> and January 14<sup>th</sup> in 2008. Trees must be free of all debris.

## POLICE AND PUBLIC SAFETY REPORT - JOSEPH J. NOWARK

Mr. Nowark had no report for Council

## ADMINISTRATIVE/BUDGET REPORT - JOSEPH J. NOWARK

Mr. Nowark said the work for the 2008 Budget had been finished and is ready to go.

## FIRE AND WATER REPORT - JOHN W. KOERTS

Mr. Koerts had no report for Council.

## PUBLIC RELATIONS AND RECREATION REPORT - DONALD E. MIKEC

Mr. Mikec reported on the December Meeting of Crime Watch. A Social was held and Pizza was provided to those attending. Giant Eagle provided cookies and there were games and crafts. Both Lt. Freedman and Officer Ganster attended.

Northern Alliance will provide the Program for January 14, 2008 at 7:00 p.m. and it will discuss Drugs and our Children.

Mrs. Bernhard encouraged everyone's attendance, as the Northern Alliance Program gives insight on what to look for pertaining to drug use.

## AUDIENCE

President Bernhard said Council does welcome comments from any Borough Resident who would like to do so. All that we ask is that when addressing Council, you follow these procedures:

Give your name and address and each Individual shall be limited to a maximum time period of five minutes and you will be notified when there is one minute remaining. If that Individual has not used all of his/her allotted five minutes, said Individual shall be allotted to finish his/her five minutes, only after all Individuals wishing to address Council shall be heard.

In no event shall Public comment extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard, in which event, Council may extend the thirty minute time period. This extension shall not allow Individuals that have already used their five minutes to further their time to address Council.

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In turn, if your comments require an answer, Council will try to provide an answer at this time. If Council cannot provide an answer, they will give the proper directions to help you get the information you are looking for.

And, I would like to advise you that Council is here to listen to comments and help when it is possible but, Council is not here to debate your opinions.

Ann Mackarella from 231 Martsolf Avenue spoke representing Crime Watch. She expressed her thanks to Mrs. Bernhard, to the Chief of Police, to Wayne Groskinsky of the WVFD and to Area Merchants supplying food and/or cookies for the Meetings. Ms. Mackarella was in front of Council for four minutes and three seconds.

Mrs. Bernhard said Ms. Mackarella is one of the Chairpersons of Crime Watch and thanked her for speaking to Council.

Jim Barr from 200 Frankfort Avenue questioned Council regarding the \$500.00 donation to Crime Watch (Line Item #387.100) within the proposed 2008 Budget, he voiced his opinion regarding Council's policy for people addressing Council and questioned Street Lighting and Delinquent Real Estate Tax Collection amounts within the proposed 2008 Budget. Mr. Wolf answered all questions pertaining to the proposed Budget. Mr. Barr was in front of Council for five minutes.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider approving Ordinance #1443. *Motion to read Ordinance #1443 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.* Mrs. Bernhard read Ordinance #1443, which fixes the 2008 Tax Rate at 5.68 Mills. *Motion to adopt Ordinance #1443 was made by Mr. Nowark and was seconded by Mr. Burchell. Motion was approved and ordered.*
2. Council to consider approving Ordinance #1444. *Motion to read Ordinance #1444 was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mrs. Bernhard read Ordinance #1444 by Title only as per Solicitor Baxter, which is an Ordinance appropriating specific sums (\$4,311,885.00) required for Year 2008. *Motion to adopt Ordinance #1444 was made by Mr. Nowark and was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider approving Resolution #1341. *Motion to read Resolution #1341 was made by Mr. Burchell and was seconded by Mr. Nowark. Motion was approved and ordered.* Mrs. Bernhard read Resolution #1341 by Title only as per Solicitor Baxter, which is a Resolution to execute the paperwork needed to obtain a \$400,000.00 Tax and Revenue Anticipation Note for Year 2008 through PNC Bank. *Motion to approve Resolution #1341 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

4. Council to consider the payoff of the 2007 Tax and Revenue Anticipation Note in the total amount of \$414,921.00. *Motion was made by Mr. Burchell and was seconded by Mr. Mikec to pay the \$414,921.00 Note on December 19, 2007. Motion was approved and ordered.*
5. Council to consider the Dates of the Meeting for Town Council for the Year 2008. Mr. Wolf advised all Meetings will take place on the second Wednesday of each month at 7:00 p.m. with the exception of the January Meeting. By Law, the Reorganizational Meeting is to take place the first Monday of January. The Regular Meeting will immediately follow the Reorganizational Meeting. *Motion to approve the Meeting dates was made by Mr. Nowark and was seconded by Mr. Aguglia. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

At this time, Mayor Henry explained that Council was going to retire for an Executive Session and the Meeting was basically over, other than the Adjournment. No action would be taken, nor would any further Business be discussed so Mayor Henry advised the Audience they could leave if they chose to.

At 7:33 p.m. Council retired to Executive Session.

At 8:12 p.m. the Meeting resumed and *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Nowark. Motion was approved and ordered.* Meeting was Adjourned at 8:12 p.m.

APPROVED: January 7, 2008

BOROUGH OF WEST VIEW

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

BY: Mary C. Bernhard  
Mary C. Bernhard, President  
Town Council