

## BOROUGH OF WEST VIEW

## REGULAR MEETING

JANUARY 14, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, January 14, 2009 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 and the Pledge of Allegiance to the Flag. There were four people in the Audience.

Roll Call was conducted by Mr. Wolf. Members of Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also attending were: Lieutenant Randall C. Freedman, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp and Solicitor Fred E. Baxter. Mayor J.R. Henry, Robert E. Zischkau from Glenn Engineering and Police Chief Charles M. Holtgraver were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on December 10, 2008 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 \$173, 712.13 and payments to vendors in the amount of \$580,905.64 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount \$9,615.63 was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$5,036.52 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - J. R. Henry, ~~Mayor~~ (Absent)

In the Mayors absence, Mrs. Bernhard read the Mayor's Report for the Month of December and for the Year 2008, as follows:

000080

Motor Vehicle Code Violations -

Parking Violations / Tickets	\$ 200.00
Vehicle Code Violations / Magistrate	\$1,978.72
Ordinance & Statute Violations / Magistrate	\$1,895.91
Allegheny County / DUI	\$ 255.82
State Shared / Vehicle Code	\$2,941.27
Total Receipts for December 2008	\$7,271.72

Motor Vehicle Code Violations -

Parking Violations / Tickets	\$ 9,185.00
Vehicle Code Violations / Magistrate	\$ 19,157.88
Ordinance & Statute Violations / Magistrate	\$22,015.56
Allegheny County / DUI	\$ 5,179.57
State Shared / Vehicle Code	\$ 5,436.52
Total Receipts for the Year 2008	\$60,974.53

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf said the Borough's Auditors have begun the 2008 Audit. Mr. Wolf advised Council that they are to consider an Ordinance at the February Meeting to determine the 2010 through 2013 salaries for the Borough's Real Estate Tax Collector.

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

In the Chief's absence, Lt. Randall Freedman presented the Chief's Report. The Police responded to 350 Complaints during the Month of December 2008, handling 4,578 Complaints during the Year 2008. The Police had 45 abandoned vehicles removed from the streets during the past year.

President Bernhard thanked Lt. Freedman for attending the Crime Watch Meeting with Fire Chief Joe Assisi.



Solicitor Baxter reported on an application received from First City Company, who manages a portion of the West View Shopping Center. First City would like to allow a Fireworks Company to set up a temporary 30' x 40' tent with a storage unit in the parking lot area during June through July, in order to sell nonlethal fireworks from the tent. Solicitor Baxter said the Borough has no Zoning regulations covering this matter and feels it necessary for Council to pass legislation to regulate the sale of fireworks.

Mrs. Bernhard expressed her concerns regarding theft from the tent and storage area. Ms. Steele and Mr. Burchell questioned the legitimacy of the sale of fireworks, along with the necessary permits and Mr. Mikec questioned the area where the tent would be located. The proposal was discussed to use an empty storeroom instead of the parking lot area.

The Borough would have to check into the safety and liability issues regarding this matter and ultimately enact the proper laws governing the sale of fireworks within the Borough. The Borough plans to check with Ross Township regarding their regulations and Council suggested the Chief of Police look into this matter as well.

Report from Glenn Engineering - Robert E. Zischkau (Absent)

#### REPORTS FROM THE COMMITTEES

Finance Report - Ralph R. Burchell

Mr. Burchell said that the Wage Tax collection deposits for the month of December totaled \$25,745.52, less \$139.04, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$12,803.24. 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 \$28,500.00 matured on December 6<sup>th</sup> and it earned interest in the amount of \$44.38. We purchased a CD on December 6<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$204,500.00 matured on December 6<sup>th</sup> and it earned interest in the amount of \$360.38. We purchased a CD on December 6<sup>th</sup> in the amount of \$53,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on December 6<sup>th</sup> and it earned interest in the amount of \$311.92. We purchased a CD on December 6<sup>th</sup> in the amount of \$177,000.00 for 30 days to earn interest.

000082

Our General Fund CD in the amount of \$730,000.00 matured on December 6<sup>th</sup> and it earned interest in the amount of \$1,286.47. We purchased a CD on December 6<sup>th</sup> in the amount of \$230,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of December totaled \$13,643.77. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in December.

#### Property and Purchasing Report - John W. Koerts

Mr. Koerts said Council will consider two items under this evening's Agenda. Mr. Koerts said Council is to consider the Bid received for the Sale of the 1997 GMC Pickup Truck with plow and spreader in the amount of \$6,555.00 from Howard Johnston, Inc. and will also consider the Bid received for the sale of the 2006 Ford Crown Victoria Police Cruiser in the amount of \$4,688.12 from Welcome Motors.

#### Public Works Report - Barry G. Schell

Mr. Schell said the Borough has ordered 100 Ton of salt and 375 Ton of cinders to date to be used on the Borough's streets. The Public Works has been removing snow and doing maintenance on the Borough Building. They have been patching potholes and have been maintaining the Road Crews' vehicles, as well as taking care of street and traffic signs and signals.

Mr. Schell said he has heard many positive comments regarding the Borough's use of the street sweeper to clean the cinders. President Bernhard said the Members of the Road Crew received many compliments from Residents concerning their excellent job at the Crime Watch Meeting.

#### Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

#### Administrative / Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

#### Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 34 Calls in the Month of December. They responded to 292 Calls during the Year 2008, averaging 24 Calls per Month.

## Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele reported on the January 12<sup>th</sup> Meeting of Crime Watch. Ms. Steele extended her thanks to both Fire Chief Joe Assisi and Assistant Chief Rich Rapp for reporting to the Residents on Emergency Management in West View. The next Meeting will be on Monday, February 9, 2009 and the Principal from West View Elementary and the Assistant Principal from the Junior High will present a Program on "Our Schools."

Ms. Steele advised everyone to call 911 if they see anything out of the ordinary.

### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

In no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Mr. Jim Barr from 200 Frankfort Avenue questioned Council on which Company requested the fireworks tent, if the Borough's Meeting dates were posted online and if the Mayor was negotiating with the Girty's Run Authority. Mr. Barr was in front of Council for two minutes and 20 seconds.

Solicitor Baxter said the Owner of the Shopping Center (First City Company) is requesting the tent on the behalf of the Company, which is Phantom Fireworks. Mrs. Bernhard felt the

Meeting should be posted on the website.

Solicitor Baxter said they have been negotiating a flow monitoring agreement. This will show definitively what percentage of flow the Borough contributes to Girty's Run, which will directly affect the payment received from the Borough.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider an Appointment to Ross/West View Emergency Medical Services Authority, which is a five-year term, through December 31, 2013. Mr. Gary Punzak is currently serving in this position and is interested in being reappointed. *Motion to appoint Mr. Punzak was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
2. Council to consider an Appointment to the Municipal Authority of the Borough of West View, which is a five-year term, through December 31, 2013. Mr. Thomas Witherel is currently serving in this position and is interested in being reappointed. *Motion to appoint Mr. Witherel was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.*
3. Council to consider an Appointment to the Vacancy Board, which is a yearly appointment, through December 31, 2009. Mr. Thomas Witherel is currently serving and interested in being reappointed. *Motion to appoint Mr. Witherel was made by Mr. Mikec and was seconded by Mr. Koerts. Motion was approved and ordered.*
4. Council to consider an Appointment to the Recreation Board, which is a five-year term, through December 31, 2013. Ms. Sue Patterson is currently serving and interested in being reappointed. *Motion to appoint Ms. Patterson was made by Ms. Steele and was seconded by Mr. Schell. Motion was approved and ordered.*
5. Council to consider two Appointments to the Three Rivers Wet Weather Demonstration Program, both being two-year terms, through December 31, 2010. Mr. William Aguglia and Mr. Kenneth Wolf are currently serving and are interested in being reappointed. *Motion to appoint Mr. Aguglia and Mr. Wolf was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

6. Council to consider the results of the Bid Opening for the "As-Is" Sale of the 1997 GMC Pickup Truck with Plow and Spreader. The High Bid was received from Howard Johnston, Inc. in the amount of \$6,555.00. *Motion to approve the \$6,555.00 Bid was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*
7. Council to reconsider the results of the Bid Opening for the "As-Is" Sale of the 2006 Ford Crown Victoria Police Cruiser. Welcome Motors had bid \$4,688.12. *Motion to approve the \$4,688.12 Bid was made by Mr. Mikec and was seconded by Mr. Schell. Motion was approved and ordered.*
8. Council to consider authorizing the Engineer to begin repair designs / Bids for the Martsof Avenue Bridge and authorize the subsequent Bidding process after all the Contracts are signed by the Borough and County. Mr. Wolf advised that the Borough has received Grant money for the Project and will be needing to have the Contracts signed by the County and the Borough. *Motion to authorize the Engineer to proceed was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

#### ADJOURNMENT

With no further Business to come before Council, President Bernard requested a Motion to Adjourn. *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

The Meeting Adjourned at 7:32 p.m.

APPROVED: FEBRUARY 12 2009

BY:   
Kenneth J. Wolf  
Secretary/Manager

BOROUGH OF WEST VIEW

BY:   
Mary C. Bernhard  
President of Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

FEBRUARY 11, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, February 11, 2009 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 and the Pledge of Allegiance to the Flag.

Roll Call was conducted by Mr. Wolf. Members of Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also attending were: J. R. Henry, Mayor, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp, Chief of Police Charles M. Holtgraver, Solicitor Fred E. Baxter and Robert E. Zischkau from Glenn Engineering.

*Motion to approve Minutes of the Regular Meeting of Town Council on January 14, 2009 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of general fund expenditures for net pay and payroll withholding in the amount of \$113,623.13 and payments to vendors in the amount of \$89,380.52 was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of 2007 Project Fund (Sewer) in the amount of \$156,516.88 was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve payment of building fund expenditures in the amount of \$6,415.20 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 \$14,557.33 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 said the Receipts for the month of January 2009 totaled \$4,646.53 and the Report had been provided to Council.

The Mayor gave an overview of a Police Incident on January 8, 2009, in which Detective Todd Towne and Officer Gary Pavlecic responded to a call of an adult male threatening suicide at his residence on North Park Road. Upon arriving at the scene, Officer Pavlecic

observed a male sitting on a lawn chair in his driveway, holding a rifle under his chin and threatening to shoot himself.

The Mayor said Officer Pavlecic cleared onlookers and set a safety perimeter while Detective Towne attempted to talk the male into surrendering the weapon. Detective Towne had called for SWAT to assist, but was able to talk the male into surrendering the weapon prior to SWAT's arrival.

The Mayor said the male was transported to a medical facility for mental help. The Mayor said the rifle was armed with two live rounds and said both Detective Towne and Officer Pavlecic did an excellent job handling this incident.

The Mayor asked both Detective Towne and Officer Pavlecic to meet him at the Podium for their Commendation presentation. Mayor Henry read the Commendations and presented them to the Officers as they received a standing ovation, along with applause.

President Bernhard thanked Detective Todd Towne and Officer Gary Pavlecic on the behalf of Town Council and the Residents. Mayor Henry invited the Officer's Family Members to stay for the remainder of the Meeting, should they desire.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf said the Borough Auditors have continued to work on the Borough's 2008 Audit and will do so for the next few weeks. The Audit should be completed and filed by the April 1<sup>st</sup> State DCED deadline and the Independent Audit should be out by the end of Summer.

Report from the Chief of Police - Charles M. Holtgraver

The Chief reported the Police responded to 284 Calls for the month of January 2009.

Report from the Solicitor - Fred E. Baxter

The Solicitor 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 reported that the Borough's Wage Tax collection deposits for the month of January totaled \$106,322.54, less \$1,459.46, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$52,431.55. 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 \$28,500.00 matured on January 5<sup>th</sup> and it earned interest in the amount of \$28.27. We purchased a CD on January 5<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$53,000.00 matured on January 5<sup>th</sup> and it earned interest in the amount of \$52.58. We purchased a CD on January 5<sup>th</sup> in the amount of \$64,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on January 5<sup>th</sup> and it earned interest in the amount of \$181.41. We purchased a CD on January 5<sup>th</sup> in the amount of \$177,000.00 for 30 days to earn interest.

We received our 2009 Tax Anticipation Loan proceeds on January 2<sup>nd</sup>. Our General Fund CD in the amount of \$230,000.00 matured on January 5<sup>th</sup> and it earned interest in the amount of \$235.74. We purchased a CD on January 5<sup>th</sup> in the amount of \$580,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of January totaled \$19,450.06. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in January.

Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

Public Works Report - Barry G. Schell

Mr. Schell said the Borough has ordered 975 Tons of Salt and 675 Tons of Cinders to date for the 2008-2009 Winter Season. The Public Works Department has been busy with snow removal and has been doing preventive maintenance on the Borough Complex.

The Road Crew has been patching potholes and maintaining street signs and traffic signs and signals. Mr. Schell said the Road Crew has been using the Street Sweeper to clear the mess off of the streets that the Cinders have made.

Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

#### Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 19 Calls for the month of January 2009.

#### Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele reported on the February 9<sup>th</sup> Crime Watch Meeting, where West View Elementary School Principal Frank Brettschneider presented a program on "Our Schools" to those attending. Ms. Steele said Secretary/Manager Ken Wolf will present a program on Borough Ordinances and Building Codes at the March 9<sup>th</sup> Meeting.

Ms. Steele said the Recreation Board met on February 3<sup>rd</sup> and Ms. Steele had tentative dates for upcoming Borough functions. Saturday, April 25<sup>th</sup> has been tentatively set for the Borough Cleanup and Ms. Steele said informational flyers will be made available with the exact times and dates.

The Senior Citizen Party "Spring Fling" has been scheduled for Thursday, May 7<sup>th</sup> and the Bike Rodeo, to be held at the VFW, is scheduled for June 6<sup>th</sup>, and is available to all with the help of the VFW and Representative Walko. The Summer Recreation Program is set for June 22<sup>nd</sup> through July 31<sup>st</sup> at West View Elementary School and the Annual Halloween Parade is set for Monday, October 26<sup>th</sup>.

Ms. Steele said the West View Chamber of Commerce has planned some events. The Chamber will hold a Family Bingo at the Firemen's Building on Friday, March 27<sup>th</sup> and will be holding West View Community Day at Bronx Field on Saturday, June 13<sup>th</sup>.

Ms. Steele said the Chamber will sponsor the Farmer's Market again this year, being held in the parking lot behind West View Savings Bank. The Market is scheduled to begin on Tuesday, July 7<sup>th</sup> and run through October of 2009.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes

unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue addressed Council. Mr. Barr wants the Borough's Police Officers introduced to the Residents at a Crime Watch Meeting.

Mr. Barr said he was concerned to find out that the Borough has a problem with drugs. Mr. Barr was in front of Council for two minutes and twelve seconds.

Mrs. Bernhard said drug problems are predominant everywhere and said that Detective Towne and the other Officers are doing a good job at getting rid of our problems. Mrs. Bernhard asked Residents to report any suspicious activity to the Police.

Mayor Henry said when he gave the K-9 presentation, he had explained that the Borough has recognized the drug problems in the area and the Borough has had a Full Time Investigator for the past five years. The Borough Police have been working along with the DA's Office and the State Police Task Force to combat drugs. The Mayor said the Borough is not immune from drug problems and Council and the Police are being very aggressive with this matter.

Bob Locher of 808 West View Park Drive addressed Council to complain about the snow-covered sidewalks at some of the Businesses in West View, especially the bus stop at the Global Café, which is across from the High Rise on West View Park Drive.

Mr. Locher asked if the Port Authority would be responsible for snow removal at the bus stop. Mr. Locher was in front of Council for two minutes and fifty-four seconds. Mayor Henry asked Mr. Locher to see Mr. Wolf after the Meeting in order to help identify any other properties with snow removal problems. President Bernhard said she is aware of some of the problems the Borough has had with getting Businesses to take care of their sidewalks.

Mr. Wolf said the Borough has been in verbal contact with the Agencies that take care of the vacant Businesses along West View Park Drive in order to have the snow removed from the sidewalks. Mr. Wolf said the Borough can look to take a more proactive scenario. Mr. Wolf said the Port Authority is only responsible for their bus shelters and snow removal at the shelters would be the responsibility of the property owner.

## UNFINISHED BUSINESS

There was no unfinished business.

## NEW BUSINESS

There was no new business.

## AGENDA

1. Council to consider Ordinance #1448. *Motion to read Ordinance #1448 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mrs. Bernhard read Ordinance #1448, which is an Ordinance setting the Compensation of the Elected Tax Collector of the Borough of West View for the Years 2010 at \$25,500.00, 2011 at \$25,750.00, 2012 at \$26,000.00 and 2013 at \$26,250.00. *Motion to adopt Ordinance #1448 was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*
2. Council to consider the purchase of a 2009 Ford Crown Victoria Police Interceptor from Tri Star AutoGroup for \$22,875.00 through the SHACOG Purchasing Alliance Bid. President Bernhard explained the Bid is conducted through SHACOG that Municipalities would be able to appreciate lower costs in the purchase of the vehicles. *Motion to approve the purchase from Tri Star AutoGroup was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider approving Resolution #1353. *Motion to read Resolution #1353 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* President Bernhard read Resolution #1353, which is a Resolution adopting the Right-To-Know Policy (Open Records) for the Borough of West View. Mrs. Bernhard said the Borough must adopt a Resolution regarding the Right-To-Know Policy. *Motion to adopt Resolution #1353 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*
4. Council to consider a Proposal from Oce' (part of the Commonwealth of PA Costars) on the purchase of a Copier for the Administrative Office at a cost of \$4,888.00 and a \$46.00 fixed Monthly equipment maintenance cost for five years. *Motion to approve the purchase was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
5. Council to consider approving the onset of the design and bidding process for the 2<sup>nd</sup> Phase of #3 Firehall, for the modification of the ceiling beams. *Motion to approve the 2<sup>nd</sup> Phase design and bidding process was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

## ANNOUNCEMENTS

Mayor Henry said Wednesday, March 18<sup>th</sup> will be "Mayors for Meals" Day, where he will be participating in the Meals on Wheels program, which provides hot meals for Senior Citizens. This is part of the National "March for Meals" campaign and Mayor Henry will be participating with other Allegheny County Mayors. Mayor Henry feels this is a very worthwhile program that helps many Seniors in the West View area.

President Bernhard reminded everyone that the next Crime Watch Meeting will be held on March 9<sup>th</sup>.

## ADJOURNMENT

With no further Business to be discussed by Council, President Bernhard requested a Motion to Adjourn. *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

The Meeting Adjourned at 7:32 p.m.

APPROVED: March 11, 2009

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Mary C. Bernhard  
President of Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

MARCH 11, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held Wednesday, March 11, 2009 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order at 7:00 p.m. by President Mary C. 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: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also present were: J. R. Henry, Mayor, Kenneth J. Wolf, Secretary/Manager, Patricia A. Rapp, Assistant Secretary, Solicitor Fred E. Baxter, Robert E. Zischkau from Glenn Engineering and Charles M. Holtgraver, Chief of Police.

*Motion to approve the Minutes of the Regular Meeting of Town Council on February 11, 2009 was made by Mr. Schell 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 \$112,455.56 and payments to vendors in the amount of \$90,397.55 was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$5,070.30 was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$89,574.75 was made by Mr. Koerts 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 the month of February totaled \$5,608.36. The Mayor read a Proclamation dedicating March 18, 2009 as "Mayors for Meals" Day in the Borough of West View in support of the Lutheran Service Society's Senior Nutrition

Program. Mayor Henry will take part in delivering Meals with the "Meals on Wheels" Program on March 18<sup>th</sup>. *Motion to proclaim March 18, 2009 as "Mayors for Meals" Day was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

Mayor Henry reported on a Proposal from Ross/West View Emergency Medical Services Authority (EMSA) regarding their ongoing financial concerns. Mayor Henry requested Council consider contacting the other Municipalities in order to arrange a Multi-Community Meeting to discuss the EMSA Proposal. Solicitor Baxter had been consulted for his opinion and said Council was not comfortable mandating Residents to subscribe to EMSA service, as they questioned the legality of the matter.

Mr. Burchell felt it was very important for Council to cooperate with the other participating Communities and thought a Meeting of the Municipalities would be appropriate. Mr. Wolf will contact the participating Municipalities in order to set up a Meeting to discuss the EMSA Proposal or alternatives.

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

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

Report from the Chief of Police - Charles M. Holtgraver, Chief

Chief Holtgraver said the Police responded to 265 complaints during the month of February and 11 abandoned vehicles have been removed from the Borough streets to date.

Report from the Solicitor - Fred E. Baxter, Jr., Solicitor

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 reported that the Borough's Wage Tax collection deposits for the month of February totaled \$126,905.00, less \$3,102.57, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$61,901.22. 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 \$28,500.00 matured on February 4<sup>th</sup> and it earned interest in the amount of \$8.19. We purchased a CD on February 4<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$64,500.00 matured on February 4<sup>th</sup> and it earned interest in the amount of \$18.55. We purchased a CD on February 4<sup>th</sup> in the amount of \$64,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on February 4<sup>th</sup> and it earned interest in the amount of \$50.91. We purchased a CD on February 4<sup>th</sup> in the amount of \$177,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$580,000.00 matured on February 4<sup>th</sup> and it earned interest in the amount of \$166.84. We purchased a CD on February 4<sup>th</sup> in the amount of \$425,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of February totaled \$562.32. These funds were deposited into the General Fund Checking Account to help offset Borough expenditures in February.

#### Property and Purchasing Report - John W. Koerts

Mr. Koerts reported that Council will consider a Proposal from Pitney Bowes for a Postage Meter for the Administrative Office as Agenda Item #6. The Borough's current mail machine has a 10-pound scale and the Borough uses the Machine at a cost of \$172.00 per month for 48 months. The Proposal is for a Mail Machine with a 2-pound scale at a cost of \$125.54 per month for 48 months.

#### Public Works Report - Barry G. Schell

Mr. Schell reported that the Borough has ordered 1,075 Tons of Salt and 675 Tons of Cinders to date. The Road Crew has done snow removal, has been doing maintenance on the Building Complex, as well as patching potholes and doing maintenance on their equipment and vehicles.

The Crew has been maintaining street and traffic signs and signals and has been cleaning the streets of cinders. The Borough's Street Sweeping Program will begin on April 22, 2009 and will run through November 13, 2009.

Mr. Schell said they have been putting the quantities together for the 2009 Paving Program and he hopes to have the Bid results to consider at the April Meeting.

Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had nothing new to report to Council.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

Fire and Water Report - Donald E. Mikec

Mr. Mikec reported the West View Volunteer Fire Department responded to 14 Calls during the month of February, which was down from January's 19 Calls.

Mayor Henry referred to Item #5 on the Agenda regarding Council's consideration of the Insurance Proposal for the renewal of property and liability insurance for the Borough and the Mayor questioned the possibility of duplicate coverage regarding the Fire Department.

Mayor Henry suggested the Borough Secretary/Manager meet with the Fire Chief and the Insurance Company to review the vehicle and equipment insurance to possibly reduce the current Insurance premium. Mr. Wolf will meet with Fire Chief Assisi to discuss this matter.

Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele reported the West View Volunteer Fire Department will sponsor a Cash Bash on April 17<sup>th</sup>, which is a Friday evening from 7:00 p.m. until 11:00 p.m. at the West View Banquet Hall and tickets may be purchased through the Members of the Fire Department.

Ms. Steele said a few changes have been made to the upcoming Events Schedule. The Borough Clean Up will be held on Saturday, April 25<sup>th</sup> from 10:00 a.m. until Noon and more information will be on the Borough's Street Sweeping Schedule.

The "Spring Fling" Senior Citizen's Party will be on Friday, May 1<sup>st</sup>, beginning at Noon at the West View Banquet Hall. The cost is \$12.00 per West View Senior and the cost includes a Luncheon, Entertainment and Door Prizes. The Bike Rodeo will be held on June 6<sup>th</sup> at the VFW and the Summer Recreation Program will begin June 22<sup>nd</sup> and run through July 31<sup>st</sup> at West View Elementary. College Aged Students may apply for

Summer Employment by picking up Applications at the Borough Building.

Ms. Steele said the Annual Halloween Parade will be held on Monday, October 26<sup>th</sup>.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue questioned Council if the EMS Board includes the other Municipalities that are Members. Mr. Barr questioned the practicality and cost effectiveness of the Borough's use of Cinders. Mr. Barr was in front of Council for two minutes and 48 seconds.

Secretary/Manager Wolf said the cost of Salt per Ton was \$104.00 and the cost of Cinders per Ton was \$14.00, which is a significant savings of approximately \$67,000.00 over the use of Salt. The Sweeper has been out cleaning up the Cinders and the Crew hopes to be done by the end of the week.

Mayor Henry explained that the EMS Board presented information to all Municipalities,

even though only two Municipalities (Ross and West View) are part of the Board, as the other Municipalities are under Contract as subscribers. Mayor Henry said EMS has been experiencing a financial decline over the past 5-6 years and had originally proposed the idea of a mandatory subscription program, charging a fee per household for service. The Meeting should address alternate income sources for EMS to keep their service at the level that it has been provided to Municipalities over the years.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider an Appointment to the Recreation Board in the 4<sup>th</sup> District, through December 21, 2010, which is the remainder of a vacant term. Ms. Erinn Pierotti of 63 Montclair Avenue has expressed interest in serving in this position. *Motion to appoint Ms. Pierotti was made by Mr. Schell and was seconded by Ms. Steele. Motion was approved and ordered.*
2. Council to consider approving Second Quarter funding in the amount of \$2,278.75 for the Bookmobile. *Motion to fund the Bookmobile through June of 2009 in the amount of \$2,278.75 was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.*
3. Council to consider the appointments of a Delegate and an Alternate Delegate to the MRM Workers' Compensation Pooled Trust. *Motion to appoint William Aguglia as Delegate and Donald Mikec as Alternate Delegate was made by Mr. Koerts and was seconded by Mr. Burchell. Motion was approved and ordered.*
4. Council to consider the appointments of a Delegate and an Alternate Delegate to the MRM Property & Liability Trust. *Motion to appoint Barry Schell as Delegate and John Koerts as Alternate Delegate was made by Mr. Aguglia and was seconded by Mr. Burchell. Motion was approved and ordered.*
5. Council to consider approving the Insurance Proposal through MRM Property & Liability Trust through the HDH Group, Inc. for March 14, 2009 through March 14, 2010 in the amount of \$70,787.87. *Motion from Mr. Burchell to approve the Insurance Proposal as described in Agenda Item #5 and the Motion was*

*seconded by Mr. Aguglia. Question on the Motion from Mayor Henry to reword the Motion to cap the Insurance cost at \$75,000.00 to accommodate any schedule changes that may occur through the Fire Department and insure adequate coverage. After some discussion regarding adequate coverage and duplicate coverage, Motion to amend the Motion by Mr. Burchell to approve the Insurance Proposal with the stipulation not to exceed \$75,000.00 was seconded by Mr. Aguglia. Motion was approved and ordered.*

6. Council to consider the Proposal from Pitney Bowes for a Postage Meter for the Administration Office. *Motion to approve the Proposal was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.*
7. Council to consider approving the payment of \$36,000.00 to Matthews Wall Anchor Service, Inc. for partial payment of improvements to Number 3 Fire Station - Phase I. *Motion to approve the \$36,000.00 payment was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.


#### ADJOURNMENT

With no further Business to come before Council, Mrs. Bernhard thanked everyone for attending the Meeting and requested a Motion to Adjourn.

*Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered. The Meeting Adjourned at 7:36 p.m.*

APPROVED: April 8 2009

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Mary C. Bernhard  
President of Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

APRIL 8, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View, held Wednesday, April 8, 2009 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 and the Pledge of Allegiance to the Flag. Tonight's Meeting was dedicated to the Honor of the Memory of the Three Pittsburgh Police Officers who were killed in the Line of Duty.

Roll Call was conducted by the Secretary/Manager Kenneth J. Wolf. Members of Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Council Members William F. Aguglia, John W. Koerts, Donald E. Mikec, Ralph R. Burchell and M. Kimberly Steele. Also attending were: Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp, Solicitor Fred E. Baxter, Jr., Robert E. Zischkau from Glenn Engineering and Chief of Police Charles M. Holtgraver. Mayor J. R. Henry was absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on March 11, 2009 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 \$105,070.64 and payments to vendors in the amount of \$156,951.87 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$8,047.01 was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$14,725.18 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

REPORT FROM THE MAYOR - J. R. Henry, Mayor (Absent)

President Bernhard read the Mayor's Report for the Month of March 2009 as follows:

Motor Vehicle Code Violations -

Parking Violations / Tickets

\$ 495.00

Vehicle Code Violations / Magistrate	\$ 1,193.26
Ordinance & Statute Violations / Magistrate	\$2,727.68
Allegheny County / DUI	\$ 361.11
State Shared / Vehicle Code	\$ 0.00

Total Receipts for March 2009	\$4,777.05
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#### REPORT FROM THE SECRETARY/MANAGER - Kenneth J. Wolf

Mr. Wolf reported that the installation of the Borough's Administration computer software program has been set back to the end of May by the software company. Mr. Wolf said there is a Meeting at Ross Township on Monday, April 20, 2009 at 7:30 p.m. for the Five Communities to discuss the Ross/West View EMSA matter.

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

The Chief said the Police responded to 328 Calls for the month of March. There have been 19 abandoned vehicles removed from the Borough's streets in 2009.

#### REPORT FROM THE SOLICITOR - Fred E. Baxter

Solicitor Baxter addressed the Appeal regarding Voice Stream / T-Mobile, which is the cellphone Towers for Ridgewood Avenue. Solicitor Baxter has worked out a compromise with T-Mobile regarding the placement of a Buffer, which he feels is very good. Mr. Baxter recommends Mr. Wolf send out the Buffer details to the Residents involved and recommends withdrawing the Appeal. *Motion to withdraw the T-Mobile Appeal, subject to the Residents not objecting to the compromise, was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

#### REPORT FROM GLENN ENGINEERING - Robert E. Zischkau

Mr. Zischkau said the Bids for the Borough's 2009 Street Paving Project are due in on Monday and he will have a recommendation for Council's approval at the May Meeting.

### REPORTS FROM THE COMMITTEES

#### FINANCE REPORT - Ralph R. Burchell

Council Member Burchell reported on the Wage Tax collection deposits for the month of March, which totaled \$83,900.88, less 3,484.40, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$40,208.25. 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 \$28,500.00 matured on March 6<sup>th</sup> and it earned interest in the amount of \$5.85. We purchased a CD on March 6<sup>th</sup> in the amount of



\$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$64,500.00 matured on March 6<sup>th</sup> and it earned interest in the amount of \$13.25. We purchased a CD on March 6<sup>th</sup> in the amount of \$64,500.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$177,000.00 matured on March 6<sup>th</sup> and it earned interest in the amount of \$36.36. We purchased a CD on March 6<sup>th</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$425,000.00 matured on March 6<sup>th</sup> and it earned interest in the amount of \$87.32. We purchased a CD on March 6<sup>th</sup> in the amount of \$325,000.00 for 30 days to earn interest.

#### PROPERTY AND PURCHASING REPORT - John W. Koerts

Mr. Koerts had no report for Council.

#### PUBLIC WORKS REPORT - Barry G. Schell

Mr. Schell said the Road Crew has removed all of the snow removal equipment from their vehicles and has been busy with maintenance on the Borough Complex, with pothole patching, street and traffic sign repair and has been busy with sweeping the cinders from the streets. The Street Sweeping Program will begin on Wednesday, April 22<sup>nd</sup> and will continue through Friday, November 13, 2009.

Mr. Schell said applications for Summer Work are being accepted at the Borough's Office if anyone is interested in applying.

#### POLICE AND PUBLIC SAFETY REPORT - William F. Aguglia

Mr. Aguglia had no report for Council.

#### ADMINISTRATIVE/BUDGET REPORT - Ralph R. Burchell

Mr. Burchell had no report for Council.

#### FIRE AND WATER REPORT - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 25 Calls in March.

#### PUBLIC RELATIONS AND RECREATION REPORT - M. Kimberly Steele

Ms. Steele said the Crime Watch Meeting will be held on Monday, April 13<sup>th</sup> at 7:00 p.m. at the Firemen's Banquet Hall and the Game Commission will present the Program. The

Annual West View Borough Cleanup has been set for April 25<sup>th</sup> from 10:00 a.m. until Noon and interested Participants may register at the Borough Office or contact Margie Lane. The "Spring Fling" for West View Senior Citizens has been scheduled for Friday, May 1<sup>st</sup> and the tickets cost \$12.00 per person. The tickets are available at the Borough Office.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue addressed Council to thank Mr. Schell for advertising about needing Summer Help. He was in front of Council for 12 seconds.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider Resolution #1354. *Motion to read Resolution #1354 was made by*

*Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered. President Bernhard read Resolution #1354, which is a Resolution authorizing the use of an on-line Liquid Fuels Reporting System entitled "dotGrants" and designating Kenneth J. Wolf, Secretary/Manager to execute all paperwork involved. Motion to approve Resolution #1354 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

2. Council to consider a Proposal from Ross Township, asking the Borough to split the cost of paving a portion of William Street from Center Avenue to Kenyon Avenue in the amount of \$12,000.00. *Motion to approve the Proposal from Ross Township was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider starting the application process through Allegheny County Authority for Improvements to Municipalities (AIM) for a Loan in the amount of \$100,000.00 for the proposed purchase of a Street Sweeper. *Motion to approve was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

#### ADJOURNMENT

With no further Business to come before Council, President Bernhard requested a Motion to Adjourn. *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.* The Meeting adjourned at 7:19 p.m.

APPROVED

*May 13, 2009*

BOROUGH OF WEST VIEW

BY:

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

BY:

*[Signature]*  
Mary C. Bernhard  
President of Town Council

BOROUGH OF WEST VIEW

000105

REGULAR MEETING

MAY 13, 2009

Minutes of the Regular Meeting of Town Council held Wednesday, May 13, 2009 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 and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also in attendance were: J. R. Henry, Mayor, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp, Chief of Police Charles M. Holtgraver, Solicitor Fred E. Baxter and Robert E. Zischkau from Glenn Engineering.

*Motion to approve the Minutes of the Regular Meeting of Town Council on April 8, 2009 was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of General Fund expenditures for net pay and payroll withholding in the amount of \$106,143.61 and payments to vendors in the amount of \$128,287.42 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$10,983.64 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$5,012.16 was made by Mr. Mikec 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 the Mayor's Report for the Month of April 2009 was as follows:

Motor Vehicle Code Violations -

Parking Violations / Tickets	\$ 417.00
Vehicle Code Violations / Magistrate	\$ 1,413.67
Ordinance & Statute Violations / Magistrate	\$3,024.57
Allegheny County / DUI	\$ 977.53
State Shared / Vehicle Code	\$ 0.00

Total Receipts for April 2009	\$5,832.77
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Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf reported the AIM Loan Application for \$100,000.00 in order to purchase a Street Sweeper has been approved. Mr. Wolf said more paperwork, a Resolution and Ordinance will need to be completed, along with the Borough filing through the Pennsylvania Department of Economic Development to satisfy the Local Government Unit Debt Act. The Borough had utilized this Program in the past in order to replace the roof on the Borough Complex.

Mr. Wolf said Agenda Item #3 addresses the Proposal through the CoStar Program for the purchase of a Street Sweeper from A & H Equipment Company in the \$188,048.00. The Borough has been awarded \$55,000.00 from Representative Walko's Office, \$100,000.00 from the AIM Loan and the Borough would need to come up with roughly \$33,000.00 in trade or cash to complete the purchase of a new Street Sweeper.

Report from the Chief of Police - Charles M. Holtgraver

The Chief reported the Police responded to 295 Complaints for the month of April. Chief Holtgraver introduced the newest Member of the West View Police Department, our K-9 Officer Eddy, along with his handler, Officer Connolly. Eddy has been going through his training and his extensive six-week training will begin in June. Officer Connolly walked through Council Chambers so all Members could meet Officer Eddy.

President Bernhard thanked Officer Connolly and Officer Eddy and thanked the Chief of Police for introducing Officer Eddy to Council.

Report from the Solicitor - Fred E. Baxter

The Solicitor said he had sent Council information on a Court Case ruling which will legally amend the Borough's Civil Service Rules and Regulations pertaining to promotions within the Police Department. Solicitor Baxter said if the ruling is not appealed, it will be necessary for the Borough to amend our current Rules and Regulations in order to comply with the Court ruling.

The Solicitor requested Council's permission, contingent upon the ruling not being appealed through the Supreme Court and this is now the Law, to contact the Office of Vicky Beatty in order to amend our Rules and Regulations so they are in compliance.

The Mayor clarified that this Case happened in Wilkinsburg and has nothing to do with West View, other than the amendment to the Rules and Regulations, to which Solicitor Baxter agreed. The Solicitor would have Beatty's Office review and amend what is necessary and, after the Civil Service Commission reviews it, the amendments would be brought before Council to consider.

*Motion to approve this request was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau had no report other than the Agenda Items Council is to consider.



## REPORTS FROM THE COMMITTEES

## Finance Report - Ralph R. Burchell

Mr. Burchell said the Wage Tax collection deposits for the month of April totaled \$375,557.60, less \$9,388.92, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$183,084.34. 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 \$28,500.00 matured on April 5<sup>th</sup> and it earned interest in the amount of \$6.55. We purchased a CD on April 5<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

We received our 2009 Liquid Fuel Allocation on April 3<sup>rd</sup> in the amount of \$135,238.91. Our Liquid Fuel CD in the amount of \$64,500.00 matured on April 5<sup>th</sup> and it earned interest in the amount of \$14.84. We purchased a CD on April 5<sup>th</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,000.00 matured on April 5<sup>th</sup> and it earned interest in the amount of \$41.88. We purchased a CD on April 5<sup>th</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$325,000.00 matured on April 5<sup>th</sup> and it earned interest in the amount of \$74.79. We purchased a CD on April 5<sup>th</sup> in the amount of \$150,000.00 for 30 days to earn interest.

## Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

## Public Works Report - Barry G. Schell

Mr. Schell said the Members of the Public Works Department has been busy with the Street Cleaning Program in the Borough, has been cutting all of the grass and has been maintaining the Playgrounds and has been patching potholes. The Crew has been repairing and/or replacing signs and signals as needed and has been working on wall reparations under the Ridgewood Bridge.

## Police and Pubic Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

## Administrative / Budget Report - Ralph R. Burchell

Mr. Burchell said the Committee has met and has reviewed finances through April 30<sup>th</sup> and, other than the Real Estate Transfer Tax being down and needing monitoring throughout the rest of the Year, he reported on the Interest income decreasing on the Borough's CD's. Mr. Burchell said

everything else is in line with what the Borough had budgeted for the Borough for the first four months.

#### Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 20 calls in the month of April and they are averaging 19 ½ responses per month for the Year 2009.

#### Public Relations and Recreation Report - M. Kimberly Steele

Mrs. Steele said the West View Senior Citizen Winter Blues/"Spring Fling" Party was held on May 1<sup>st</sup> and 33 Seniors attended. The North Hills High School Jazz Choir performed for the Seniors and also sent a thank you note about the Party. The Borough's Annual Clean Up Day was held on April 24<sup>th</sup> and the Volunteers were able to clean up a good amount, though there were not a lot of Volunteers.

### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

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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 Individual the proper directions to help get the information they seek.

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 opinions.

Dave Urban from 60 Lakewood Avenue addressed Council to question if any Borough funds have been involved with the Borough's new K-9 Officer, questioned the Solicitor's report that he said he could not hear, questioned what the Water pertained to in Mr. Mikec's Fire and Water Report and expressed his opinions against the West View Water Authority adding a new chemical into the Water System called Chloramine that he feels is dangerous. Mr. Urban was in front of Council for four minutes and twenty-three seconds.



President Bernhard requested Chief Holtgraver to respond to the monies used regarding Officer Eddy. The Chief said the Borough had received and utilized funds from the Rothlisberger Foundation, the District Attorney's Office and from the State. Solicitor Baxter explained his report and the Motion and his reference to the privileged and confidential memo he had sent to Council to Mr. Urban.

President Bernhard was aware of the pros and cons of the Chloramine additive. Mr. Mikec said he felt Mr. Urban would be better served by addressing his concerns about the water with the Municipal Authority of the Borough of West View, as they are the experts on this matter.

Jim Barr from 200 Frankfort Avenue addressed Council to tell of what he felt was a serious communications problem in the Borough. He said he had two unreturned calls from the Principal at West View Elementary and said the Borough's Assistant Secretary had given him a disconnected phone number of 412-931-7620 for the Firemen's Building. He said the correct number is 412-931-2800, extension 120 and said the Firemen never got back to him. He said as of Tuesday, the West View Council Meetings are not posted on the website. He wanted to know if there has been advertisement for summer employment. He said there is a major problem with communications in the Borough and said this is not the first time this has happened to him. Mr. Barr was in front of Council for three minutes and thirty-three seconds.

President Bernhard told Mr. Barr to contact the North Hills School District regarding the Principal and Mr. Wolf said the Borough's website does have an about West View tab for the Council Meetings. Mrs. Bernhard said the Borough does not advertise the part time Summer Jobs and has received seven applications so far by word of mouth and has never needed to advertise for these jobs. However, Mr. Wolf added that a School Guard and Special Police job ad is on the website. The Summer Road Crew and Summer Recreation jobs are announced at the Meetings and anyone may apply.

Mrs. Bernhard said the extension 120 number at the Borough Building is for the Firemen only and was sure Patty had given Mr. Barr the correct number for the Firemen's Building. Mayor Henry said that somewhere in the translation, the Firemen's correct number of 412-931-7260 was unfortunately missed.

## AGENDA

1. Council to consider Council to consider 2009 Paving Program Bid results. The apparent Low Bidder was Victor Paving and Construction for the total amount of \$122,804.50. *Motion to approve the Bid was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
2. Council to consider the NHCOC Bid for the Reconstruction of Oakwood Avenue. The Bid results will be furnished to Council at the Meeting. *Motion to approve the Bid from Victor Paving and Construction in the amount of \$49,454.85 was made by Mr. Koerts and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider the Street Sweeper Proposal received through the Pennsylvania Department of General Services COSTAR Program by A & H Equipment Company in the

amount of \$188,048.00 for a 2009 Elgin Crosswind Street Sweeper. *Motion to approve the Proposal was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

4. Council to consider two Appointees to sit on a Joint Committee with Ross Township, Ohio Township, Reserve Township and Millvale Borough to consider how they can help Ross/West View Emergency Medical Services Authority. President Bernhard said the two Appointees are J. R. Henry and Ralph Burchell. No Motion was necessary.
5. Council to consider the final payment to Matthews Wall Anchor for the work finished at Fire Company #3 in the amount of \$9,150.00. Mr. Schell said they did a very good job. *Motion made by Mr. Schell was seconded by Mr. Koerts to remit final payment. Motion was approved and ordered.*
6. Council to consider approving payment in the amount of \$1,619.77 to MRM Property & Liability Trust. This is the difference for the recent endorsement changes in the Borough's Insurance coverage. *Motion to approve the payment was made by Mr. Schell and was seconded by Mr. Mikec.* Mayor Henry said for full disclosure purposes, part of the additional monies and/or endorsement changes are for the insurance for the K-9 Officer and will be paid for by excess Grant funds. The Mayor said there may be additional funds spent after the Grant funds are expended in one or two years and the Mayor said there may be other Grants available. The current cost is approximately \$950.00 and the money will be paid by the Borough, being reimbursed by the excess Grant funds for this Year. With no further discussion, *Motion was approved and ordered.*
7. Council to consider the results of the Salt Bids received through the NHCOC for the 2009-2010 Winter Season. The apparent Low Bidder is Morton Salt in the amount of \$58.73 Per Ton. President Bernhard said approving this Bid would be a pleasure since 2009's cost per Ton is half as much as 2008's cost. *Motion to approve the Bid was made by Mr. Mikec and was seconded by Mr. Schell. Motion was approved and ordered.*

#### ANNOUNCEMENTS

Mayor Henry asked the Solicitor for his opinion, as he said that in the past, Council always furnished, for the record, the names of the Streets that are to be paved with the monies in the Paving Bid. Solicitor Baxter said it was done as past precedent.

Mr. Wolf said the \$122,804.50 for the 2009 Paving Project includes paving Center Avenue from Bronx to the Y just West of Waverly Avenue and Chalfonte Avenue from Center Avenue to Jamaica Avenue. The separate Project is a special Project for the Oakwood Avenue from Center Avenue to Fenton reconstruction.

The Mayor said he just wanted this on the record for full disclosure purposes.

Mr. Urban addressed Council out of order, stating that when he questioned the Dog Fund, he said that Mr. Henry was sitting right there and didn't say anything about that then, until after the questioning was done and this was all over with. Mr. Urban said "I want to know, when the

Ordinance was passed, it stated in it, that was one of the things that was stated in it, that there be no Borough funding, that was part of the statement that everybody voted that way. Now he's saying that Borough money will be involved. Now, I don't know if that Ordinance is still acceptable now." President Bernhard answered Mr. Urban and said no Borough money will be spent at this time. The Borough has received funds to cover the costs of the Dog and the Insurance money will be coming out of the money. Mrs. Bernhard said that down the road, this could be different.

Mayor Henry said that if Mr. Urban's secondary comments are going to be on the record, let's make sure that it is clarified that there is no Ordinance regarding the Police Dog. Solicitor Baxter said explained the increase in the Insurance premium, saying that he wanted to make sure the Dog and the Borough were insured. The Solicitor had met with the Insurance Company regarding the Dog and Fire Equipment to make sure the Borough was properly insured, but had nothing to do with an Ordinance.

President Bernhard said the VFW Memorial Day Parade will be Monday, May 25<sup>th</sup> and Council and the Police Department have been invited to participate. Mr. Aguglia asked for the start time and Mrs. Bernhard said it was at 10:00 a.m., beginning on Perry Highway at Highland Avenue.

Mayor Henry recognized Mrs. Steele as being a New Grandmother of a little Girl "Leah Elizabeth" and Mrs. Steele recognized Mayor Henry as a New Grandfather as of April of a little Girl "Brianna Marie" and both were congratulated by Council.


#### ADJOURNMENT

With no further Business to come before Council, Mrs. Bernhard requested a Motion to Adjourn. *Motion to Adjourn was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.* The Meeting Adjourned at 7:40 p.m.

APPROVED: June 10, 2009

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Mary C. Bernhard  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

JUNE 10, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, June 10, 2009 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 and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Council present were: President Mary C. Bernhard, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also attending were: J. R. Henry, Mayor, Kenneth J. Wolf, Secretary/Manager, Patricia A. Rapp, Assistant Secretary, Fred E. Baxter, Jr., Solicitor, Robert E. Zischkau from Glenn Engineering, and Charles M. Holtgraver, Chief of Police. Vice President Barry G. Schell and Member William F. Aguglia were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on May 13, 2009 was made by Mr. Mikec 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 \$104,291.34 and payments to vendors in the amount of \$96,612.25 was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$104.21 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$5,012.16 was made by Ms. Steele and was seconded by Mr. Koerts. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - J. R. Henry, Mayor

Mayor Henry reported the total receipts for the month of May 2009 were \$3,720.83 and said his complete report was supplied to Council. The Mayor reported on correspondence he had received Resident's concerns about a traffic situation along Highland Avenue. Both the Mayor and the Police Chief conducted research and had met with a Representative from Senator Orie's Office and had placed a speed deterrent at Highland and Columbia to help stop any speeders.

Mayor Henry thanked the Members of the Road Crew for their help and he appreciated the efforts of everyone involved with the plan of action taken. The Mayor said Mr. & Mrs. Penwell and Jeff & Carlene Bench were happy with the actions taken by the Borough.



Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf reported on the conversion of the Administration Office's computer accounting system and said there have been a few problems that are being worked out with the Company. Mr. Wolf offered to address any Item under the Agenda.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver said the Police received 330 Complaints for the month of May 2009.

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 said the Wage Tax collection deposits for the month of May totaled \$106,040.07, less \$3,751.17, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$51,144.45. 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 \$28,500.00 matured on May 5<sup>th</sup> and it earned interest in the amount of \$5.85. We purchased a CD on May 5<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on May 5<sup>th</sup> and it earned interest in the amount of \$41.09. We purchased a CD on May 5<sup>th</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,00.00 matured on May 5<sup>th</sup> and it earned interest in the amount of \$37.39. We purchased a CD on May 5<sup>th</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$150,000.00 matured on May 5<sup>th</sup> and it earned interest in the amount of \$30.82. We purchased a CD on May 5<sup>th</sup> in the amount of \$175,000.00 for 30 days to earn interest.

Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.



Public Works Report - Barry G. Schell (Absent)

In Mr. Schell's absence, Mr. Koerts read Mr. Schell's report for the Month of May 2009. Mr. Koerts said the Public Works Crew has been busy with the Street Cleaning Program, has been cutting grass and doing playground maintenance. They have been performing maintenance work on the Municipal Building Complex and have been busy patching potholes throughout the Borough.

Mr. Koerts said the Crew has been doing vehicle and equipment maintenance and has been doing storm, sanitary and basin repair work. The Men have been doing rodent and pest control, along with street and traffic sign maintenance.

The Road Crew has been cleaning all of the playground equipment and has refurbished the Gazebo on Perry Highway.

Mr. Koerts said part time summer help has been hired for the Road Crew. The three youths hired are: Robert Serpa from Oakwood Avenue, who is returning from last year and will work 40 hours per week, Stephen Singer from Bronx Avenue will work 32 hours and Michael Guenther from Montclair Avenue will work 32 hours per week.

Mayor Henry said the Road Crew did a fabulous job cleaning and refurbishing the Gazebo and extended his thanks to the Road Crew Members.

Police and Public Safety Report - William F. Aguglia (Absent)

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 26 Calls for the month of May.

Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele said the Bike Rodeo was held on June 6<sup>th</sup> and 25 new bikes were registered. Ms. Steele thanked the Officers for fingerprinting so many Children that day. Ms. Steele extended her appreciation to the Borough, the VFW and Representative Walko's Office, and thanked Mr. Burchell, Mr. Aguglia, Mrs. Bernhard and Officer Holland for their help with the Rodeo.

The Summer Recreation Program will begin June 22<sup>nd</sup> and run through July 31<sup>st</sup> and will be held from 9-3, Monday through Friday at West View Elementary School. Ms. Steele hopes to use the Avonworth Pool for swimming for the Children one day per week.

Ms. Steele advised that there are no Crime Watch Meetings during the summer months and

the Meetings should resume in September.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue questioned Council on what the pest control in the Road Crew was, questioned if the Perry Highway 15 MPH flashing lights would be on for the Recreation Program and questioned if the Borough advertised for the Summer Help positions. Mr. Barr was in front of Council for two minutes and twenty-six seconds.

Mr. Wolf said two Men from the Road Crew are certified through the State of Pennsylvania to bait for rodents throughout the Borough. The County supplies the bait and the Borough supplies the trained men.

Mrs. Bernhard said the flashing lights are controlled by PennDot and will not be working this summer. Mrs. Bernhard said the Borough has never found it necessary to advertise in the papers for open positions. The Borough hires Residents and the positions are announced at the Council Meetings.

David Urban from 60 Lakewood Avenue said he feels the street sweeper program is a waste of taxpayer dollars and expressed his opinions on borrowing money from the County to help purchase a new street sweeper. Mr. Urban wants the money taken in from street sweeping parking tickets to go towards the sweeper. Mr. Urban was in front of Council for two minutes and thirty-nine seconds.

Mr. Barr questioned Council regarding the Street Sweeper matters under the Agenda and the Resolution with Ross regarding the traffic signals. Mr. Barr questioned Council for 84 seconds.

Mrs. Bernhard said the old Street Sweeper would be advertised for sale. Mayor Henry said the traffic signal lights would be replaced with LED Lamps and are less expensive and have higher visibility and enhance safety and will be replaced along Perry Highway.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider Ordinance #1449. *Motion to read Ordinance #1449 by title only was made by Mr. Burchell and was seconded by Ms. Steele. Motion was approved and ordered.* Mrs. Bernhard read the title of Ordinance #1449, which is an Ordinance that increases the Borough's indebtedness through the \$100,000.00 AIM Loan Program for the purchase of a Street Sweeper. *Motion to adopt Ordinance #1449 was made by Mr. Burchell and was seconded by Mr. Mikec. Motion was approved and ordered.*
2. Council to consider Resolution #1355. *Motion to read Resolution #1355 by title only was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.* Mrs. Bernhard read Resolution #1355, which is a Resolution authorizing the execution of a \$100,000.00 AIM Note through the Allegheny County Department of Economic Development for a Loan to help in the purchase of a new Street Sweeper. *Motion to approve Resolution #1355 was made by Mr. Mikec and was seconded by Ms. Steele. Motion was approved and ordered.*
3. Council to consider Resolution #1356. *Motion to read Resolution #1356 was made by Mr. Koerts and was seconded by Mr. Burchell. Motion was approved and ordered.* Mrs. Bernhard read Resolution #1356, which is a Resolution authorizing the Borough to join with Ross Township to pursue a Joint Grant through the Pennsylvania Department of Environmental Protection - PA Conservation Works in order to replace traffic signals with LED Lamps. *Motion to approve Resolution #1356 was made by Mr. Burchell and was seconded by Mr. Mikec.* Mrs. Bernhard said the Borough would be responsible for the 10% Municipal match. With no further discussion, *Motion was approved and ordered.*
4. Council to consider an Appointment to the Planning Commission, for a four-year term, through May 31, 2013. *Motion to appoint Robert Goetz was made by Ms. Steele and was seconded by Mr. Mikec. Motion was approved and ordered.*
5. Council to consider authorizing an expenditure in the amount of \$2,278.75, which is the

Third Quarter payment for the Bookmobile service.

Mrs. Bernhard said the Bookmobile has seen a rise in service and feels the expense for the Bookmobile is worthwhile. *Motion to approve the \$2,278.75 expenditure was made by Ms. Steele and was seconded by Mr. Koerts. Motion was approved and ordered.*

6. Council to consider paying the Summer Help \$7.35 per hour. *Motion to approve the \$7.35 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

#### ANNOUNCEMENTS

Mrs. Bernhard reminded everyone again that Summer Recreation begins soon and there are forms available in the Borough Office. Mrs. Bernhard is looking forward to a nice six-week program.

#### ADJOURNMENT

With no further business to come before Council, President Bernhard requested a Motion to Adjourn the Meeting. *Motion to Adjourn was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.* The Meeting adjourned at 7:29 p.m.

APPROVED:

*July 8, 2009*

BOROUGH OF WEST VIEW

BY:

*[Signature]*

Kenneth J. Wolf  
Secretary/Manager

BY:

*[Signature]*

Mary C. Bernhard  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

JULY 8, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, July 8, 2009 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 and the Pledge of Allegiance to the Flag.

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

*Motion to approve the Minutes of the Regular Meeting of Town Council on June 10, 2009 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of General Fund expenditures for net pay and payroll withholding in the amount of \$174,381.90 was made by Mr. Koerts and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of General Fund expenditures for payments to vendors in the amount of \$158,447.07 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$1,802.57 was made by Mr. Mikec and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$5,012.20 was made by Mr. Aguglia 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 said the total receipts for the month of June 2009 were \$7,589.89 and his



report was furnished to Council. The Mayor reported on the Borough's Street Sweeping Program, saying 346 Tickets and 38 Citations have been issued to date for parking violations. The Mayor said 80 Tickets are currently outstanding and reminded all Residents that they must move their vehicles to conform with the Federally mandated Street Sweeping Program.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf had no report for Council but offered to address any Agenda Item.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver had no report for Council.

Report from the Solicitor - Fred E. Baxter

Solicitor Baxter requested Council have an Executive Session to discuss a matter of Litigation and a matter with Contract negotiations.

Council retired for Executive Session at 7:04 p.m.

The Meeting resumed at 7:16 p.m.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau said the 2009 Paving Project and the CDGB Project will be performed by the same Contractor and Mr. Zischkau expects the Contractor to begin the Projects in late July or in August. The Contractor has faced delays due to the weather and Mr. Zischkau will give Council as much advance notice as he can.

Mr. Zischkau said the design of the Martsolf Bridge Project has been completed and the Bid documents are being completed. The Bids should be received prior to the August Meeting of Council. Mr. Zischkau said this Project will be funded by the CITF Money received through a Grant.

#### REPORTS FROM THE COMMITTEES

Finance Report - Ralph R. Burchell

Council Member Burchell reported that the Wage Tax collection deposits for the month of June totaled \$16,290.53, less \$129.51, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$8,080.52. These funds were deposited into the General Fund Checking account to help offset Borough expenditures

in July.

Our Capital Reserve - UDAG CD in the amount of \$28,500.00 matured on June 4<sup>th</sup> and it earned interest in the amount of \$4.68. We purchased a CD on June 4<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on June 4<sup>th</sup> and it earned interest in the amount of \$32.87. We purchased a CD on June 4<sup>th</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,00.00 matured on June 4<sup>th</sup> and it earned interest in the amount of \$29.97. We purchased a CD on June 4<sup>th</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$175,000.00 matured on June 4<sup>th</sup> and it earned interest in the amount of \$28.76. We purchased a CD on June 4<sup>th</sup> in the amount of \$75,000.00 for 30 days to earn interest.

Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

Public Works Report - Barry G. Schell

Mr. Schell said the Public Works Crew has been street sweeping, cutting grass, taking care of the playgrounds and patching potholes throughout the Borough. They have been repairing basins and storm sewers as needed and have been maintaining street and traffic signals. The Road Crew is starting their line painting projects.

Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell said some of the Reports for Council are in a different format, due to the new Administrative computer software.

Mr. Wolf said everything is going well, though we are still in the design stages for some reports. Mr. Wolf said the Payroll Report furnished to Council is different from before.

Mr. Burchell said the Reports are designed better, more reader-friendly, and hopefully we will have all of the Reports necessary before the next Council Meeting.

Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 15 calls in the month of June and they are averaging 20 calls per month year-to-date.

Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele said Summer Recreation is averaging 30 Children per day. The Children have been going swimming at the Avonworth Community Pool on Mondays and they are going on Field Trips on Thursday. The Children were bowling last week and will be going to Romp 'N Roll for a Skating Trip this Thursday.

AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue addressed Council. He referred to Agenda Item #1 and questioned where the Property Owner of 148 Hawthorne Avenue was. Mr. Wolf said this matter is currently being handled through the Court system, but felt it wise to pursue Grant monies for the demolition, just in case. Mr. Barr questioned if there were

any updates for the Intergovernmental Cooperation with Girty's Run. Mrs. Bernhard said no. Mr. Barr questioned Agenda Item #2, which is money for the paving of Westfield, as he feels Center Avenue at Oakwood Avenue needs repaired more than Westfield. Mr. Barr said there is a pothole at this intersection and wanted to know why this is not a priority.

Mrs. Bernhard referred to Mr. Wolf, who said a large section of the west side of Center Avenue is to be paved this season. Mr. Henry asked Mr. Wolf to tell the issues why Westfield should be reconstructed. Mr. Wolf said that Westfield Avenue is sinking in places and is badly ripped up near Ashford Avenue and Mr. Wolf said it has not been paved since 1996.

Mr. Barr questioned why Agenda Items #1, #2 and #3 refers to "year 36" and wanted to know what year 36 of the Department of Economic Development meant. Mr. Wolf said this was Allegheny County's numbering system and it is year 36 of the 36-year old Program being in effect.

Mr. Barr said he was at Reflections Restaurant on Center Avenue and said the curb is broken there. He felt it is very dangerous and assumed it was the Borough's responsibility to repair. Mrs. Bernhard said it is the Property Owner's responsibility and Mr. Wolf said he will look into having the Owner repair the curb. Mr. Barr asked if this matter was going to be taken care of. Solicitor Baxter said it is the Property Owner's responsibility and said that Mr. Barr did not hear Mr. Wolf say he would take care of the matter. Mr. Barr was in front of Council for three minutes and forty-nine seconds.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider Resolution #1357. Solicitor Baxter said it is legal to read all of the Resolutions by title only. *Motion to approve Resolution #1357, which is a Resolution authorizing the filing of an application for funds with Allegheny County Department of Economic Development (Year 36) for the Demolition of 148 Hawthorne Avenue (\$10,000.00), was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider Resolution #1358. *Motion to approve Resolution #1358,*

*which is a Resolution authorizing the filing of an application for funds with Allegheny County Department of Economic Development (Year 36) for the reconstruction of Westfield Avenue (\$92,000.00) was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

3. Council to consider Resolution #1359. *Motion to approve Resolution #1359, which is a Resolution authorizing the filing of an application for funds with Allegheny County Department of Economic Development (Year 36) for the first phase of commercial revitalization of the Borough of West View Business District (\$1,840,000.00), was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
4. Council to consider Resolution #1360. *Motion to approve Resolution #1360, which is a Resolution declaring certain properties located within the Borough of West View as slums and blight, was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
5. Council to consider Resolution #1361. *Motion to approve Resolution #1361, which is a Resolution to confirm the Planning Commission's Resolution #2009-1 and authorizes the West View Community Development Corporation to request Community Development Block Grant Funding to eliminate and prevent blight in a designated area, was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.*

#### ANNOUNCEMENTS

There were no announcements.

#### ADJOURNMENT

With no further Business to be discussed, President Bernhard requested a Motion to Adjourn.

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

The Meeting adjourned at 7:30 p.m.

APPROVED: August 12 2009

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Mary C. Bernhard  
President of Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

AUGUST 12, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, August 12, 2009 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 and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member Donald E. Mikec, Member Ralph R. Burchell, and Member M. Kimberly Steele. Also in attendance were: Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp, Solicitor Fred E. Baxter, Jr., Robert E. Zischkau from Glenn Engineering and Police Chief Charles M. Holtgraver. Council Member John W. Koerts and J. R. Henry, Mayor were absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on July 8, 2009 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 \$114,206.32 and payments to vendors in the amount of \$298,396.98 was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve the payment of the 2007 Project Fund Sewer expenditures in the amount of \$308,281.88 was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$6,782.66 was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$5,013.32 was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - J. R. Henry, Mayor (Absent)

In the Mayor's absence, President Bernhard read the Mayor's Report for the Month of July 2009 as follows:

Motor Vehicle Code Violations -

Parking Violations / Tickets	\$1,150.00
Vehicle Code Violations / Magistrate	\$1,947.81
Ordinance & Statute Violations / Magistrate	\$1,782.03
Allegheny County / DUI	\$ 377.91
State Shared / Vehicle Code	\$ 0.00
Total Receipts for July 2009	\$5,257.75

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf said Council has been furnished with copies of the Borough's December 31, 2008 Audit and will consider it for acceptance at the September Meeting of Council after their review. Mr. Wolf addressed the 2009-2010 Winter Maintenance Agreement with PennDot, which is second year of the five-year agreement at a reimbursement cost of \$5,535.41. No action is necessary from Council to continue the snow removal agreement with PennDot.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver reported that the Police had responded to 796 Calls for June and July 2009 and have issued 595 Street Sweeping Tickets to date.

Report from the Solicitor - Fred E. Baxter, Jr.

Solicitor Baxter addressed the Comcast Cable Contract and said the Contract looked in order. Mr. Baxter said he found no reason Council should not consider adopting this through an Ordinance at the next Meeting of Council.

Mr. Baxter requested Council retire for an Executive Session in order to discuss some Police negotiations, which he needed Council's direction.

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

Council returned at 7:25 p.m. and the Meeting resumed.

Report from Glenn Engineering - Robert E. Zischkau

Mr. Zischkau reported to Council on the status of the Martsolf Avenue Bridge Project Bid. Due to a call from the Department of Development, the Bid Opening was postponed from August 10<sup>th</sup> to the 25<sup>th</sup> to enable Minority Businesses the chance to bid the Project. The Department of Development had not made the Borough aware of this new guideline and it was necessary to postpone the Bid Opening to conform to use the Tourism Grant Funding Program.

Mr. Zischkau spoke to the Department of Development, advising them that Bids would not be considered until the September 2009 Meeting and they advised Mr. Zischkau that this would not be a problem pertaining to the Funding.

## REPORTS FROM THE COMMITTEES

## Finance Report - Ralph R. Burchell

Council Member Burchell reported that the Wage Tax collection deposits for the month of July totaled \$109,607.02, less \$3,310.99, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$53,481.02. 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 \$28,500.00 matured on July 4<sup>th</sup> and it earned interest in the amount of \$4.68. We purchased a CD on July 4<sup>th</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on July 4<sup>th</sup> and it earned interest in the amount of \$32.87. We purchased a CD on July 4<sup>th</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,00.00 matured on July 4<sup>th</sup> and it earned interest in the amount of \$29.91. We purchased a CD on July 4<sup>th</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$75,000.00 matured on July 4<sup>th</sup> and it earned interest in the amount of \$12.32. We purchased a CD on July 4<sup>th</sup> in the amount of \$50,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of July totaled \$257,873.19. These Funds were deposited into the General Fund checking account to help offset Borough expenditures in July.

## Property and Purchasing Report - John W. Koerts (Absent)

## Public Works Report - Barry G. Schell

Mr. Schell said the Public Works Department has been working on the Street Cleaning Program, has been cutting grass and doing playground maintenance work and has been patching potholes throughout the Borough.

The Crew has been doing vehicle and equipment maintenance, along with storm, sanitary, and basin repair work. They have been doing rodent and pest control and have been maintaining street and traffic signs. The Crew has also been doing traffic line painting throughout the Borough.

## Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 20 Calls for the month of July.

Public Relations and Recreation - M. Kimberly Steele

Ms. Steele said the Summer Recreation Program ended on July 31<sup>st</sup> with a picnic at Accord Park in Avonworth, where two bus loads of Children attended. The Program averaged 30 Children per day during the six-week Program.

The Committee is working on the details for the Halloween Parade and Ms. Steele said the date for the Crime Watch Meeting has been set. The topic of "Abuse" will be discussed on Monday, September 14, 2009 at 7:00 p.m. at the West View Banquet Hall and K-9 Officer Eddy will attend the Meeting for all to meet.

Ms. Steele reminded everyone of the West View Chamber of Commerce's Farmers Market that is held each Tuesday from 4:00 p.m. until 7:00 p.m. in the parking lot behind West View Savings Bank.

AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help

get the information they seek.

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 opinions.

Dave Urban from 60 Lakewood Avenue questioned the Solicitor's report, as he did not hear what was said. Solicitor Baxter explained he had reviewed the Comcast Contract, adding that the NHCOC had taken part in the negotiations. Mr. Urban questioned the Executive Session regarding Police negotiations and was advised that the current Contract expires at the end of the year and there are 10 full time Officers. The Police and Public Safety Committee consists of Chairperson Aguglia, Ms. Steele and Mr. Burchell.

Mr. Urban feels the Borough should take the money from the \$5.00 per ticket for street sweeping tickets, at 595 year-to-date, and use the \$2,500.00 toward the payment of the interest on the new street sweeper loan.

Mr. Urban wanted to know how many tax free Allegheny County HUD houses are in West View. Mr. Wolf said he knows of two and there are three Residential Resources homes, which are corporation group homes, with three individuals residing in each home. Mr. Urban expressed his displeasure that these Residents in these homes do not pay taxes to live in the Borough. Solicitor Baxter explained the Supreme Court ruling that allows the tax-free status. Mr. Urban was in front of Council for three minutes and twenty-six seconds.

Jim Barr from 200 Frankfort Avenue said Council fought with the Girty's Run Sewer Authority for many years through litigation to stand up for what Council thought was right for the people and wanted to know why the Borough did not fight the DEP to stop the mandates on the Borough.

Both Solicitor Baxter and Mr. Zischkau explained the DEP regulations of 1995, where the EPA came in and enforced the Clean Streams Act. All of the 83 local Municipalities joined in on the Consent Decree to avoid being sued by the EPA for non-conformance through the Federal Government and through the State and if a Municipality does not comply, could face a \$1,000.00 per day fine.

Mr. Barr expressed his dissatisfaction that the Borough did not choose to fight the mandatory street sweeping through the DEP in the courts. Mr. Barr was in front of Council for four minutes and twenty seconds.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.



## AGENDA

1. Council to consider an appointment to the Civil Service Commission for a six-year term, through August 1, 2015. *Motion to appoint Mr. Raymond Laporte was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered by Council.*
2. Council to consider an appointment to the Zoning Hearing Board for a three-year term, through August 1, 2012. *Motion to appoint Mr. John Mihm was made by Ms. Steele and was seconded by Mr. Mikec. Motion was approved and ordered by Council.*
3. Council to consider appointing a Primary Voting Delegate, a First Alternate Delegate, and a Second Alternate Delegate to the Tax Collection Committee in order to fulfill the requirements of Act 32, which pertains to the consolidation of the Earned Income Tax. *Motion to appoint Ralph Burchell as the Primary Voting Delegate, Kenneth Wolf as the First Alternate Delegate and Barry Schell as the Second Alternate Delegate was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered by Council.*
4. Council to consider advertising the "As-Is" sale of the 1997 Street Sweeper. *Motion to advertise the sale of the sweeper was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*

## ANNOUNCEMENTS

There was no announcement.

## ADJOURNMENT

With no further Business for Council to discuss, President Bernhard requested a Motion to Adjourn. *Motion to adjourn was made by Vice President Schell and was seconded by Council Member Aguglia. Motion was approved and ordered.* The Meeting was adjourned at 7:43 p.m.

APPROVED: Sept 9 2009

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Mary C. Bernhard  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

SEPTEMBER 9, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, September 9, 2009 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order by President Bernhard at 7:00 p.m. followed by a Moment of Silent Prayer and the Pledge of Allegiance to the Flag.

Roll Call was conducted by Mr. Wolf. Members of Town Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec, Member Ralph R. Burchell and Member M. Kimberly Steele. Also present were: J. R. Henry, Mayor, Secretary/Manager Kenneth J. Wolf, Assistant Secretary Patricia A. Rapp, Police Chief Charles M. Holtgraver, and Robert E. Zischkau from Glenn Engineering. Solicitor Fred E. Baxter was absent.

*Motion to approve Minutes of the Regular Meeting of Town Council on August 12, 2009 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of General Fund expenditures for net pay and payroll withholding in the amount of \$108,110.38 and payments to vendors in the amount of \$86,243.17 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve payment of Building Fund expenditures in the amount of \$19,308.29 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 \$5,013.32 was made by Mr. Koerts 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 the total receipts for the month of August 2009 were \$5,076.91. There have been 713 Street Sweeping Tickets issued year-to-date and Mayor Henry reminded everyone to move their cars off of the street during the mandatory street sweeping days. Mayor Henry commented on the Borough taking possession of a new Street Sweeper.

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

Mr. Wolf had furnished Council with the Minimal Municipal Obligation figures for the Year 2010 for both the Police and Non-Uniformed Pension Plans. Mr. Wolf said no action is needed by Council at this time. The Borough's Minimal Municipal Obligation would be \$21,208.00 for the Police Pension Plan and \$95,012.00 would be for the Non-Uniformed Pension Plan.

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

Chief Holtgraver reported that the Police responded to 390 Complaints for the month of August 2009 and 25 abandoned vehicles have been removed from the Borough streets year-to-date.

President Bernhard questioned Chief Holtgraver on the status of K-9 Officer Eddy. Chief Holtgraver said Officer Eddy must be certified on Aggression and then he will be ready to go to work.

### Report from the Solicitor - Fred E. Baxter (Absent)

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

Mr. Zischkau reported that the Paving Program Contractor has been delayed in starting our Program due to the weather. The Contractor will be doing both the Paving Program and the Oakwood Avenue Project.

Mr. Zischkau said Council is to consider the Bids for the Improvements to the Martsolf Avenue Bridge under the Agenda.

## Reports from the Committees

Mr. Burchell reported that Wage Tax collection deposits for the month of August totaled \$125,673.94, less \$1,518.67, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$62,077.64. 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 \$28,500.00 matured on August 3<sup>rd</sup> and it earned interest in the amount of \$5.85. We purchased a CD on August 3<sup>rd</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on August 3<sup>rd</sup> and it earned interest in the amount of \$41.09. We purchased a CD on August 3<sup>rd</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,00.00 matured on August 3<sup>rd</sup> and it earned interest in the amount of \$37.39. We purchased a CD on August 3<sup>rd</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$50,000.00 matured on August 3<sup>rd</sup> and it earned interest in the amount of \$10.27. We purchased a CD on August 3<sup>rd</sup> in the amount of \$150,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of August totaled \$585,148.83. These Funds were deposited into the General Fund checking account to help offset Borough expenditures in August.

### Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

### Public Works Report - Barry G. Schell

Mr. Schell reported that the Public Works Department has been busy with the Street Cleaning Program, has been cutting grass and doing playground maintenance and has been performing maintenance work on the Municipal Building Complex.

Mr. Schell said the Crew has been patching potholes, doing vehicle and

equipment maintenance, has been repairing storm and sanitary basins and has been doing pest and rodent control.

The Department has been maintaining street and traffic signs and has been working on line painting throughout the Borough.

Police and Public Safety Report - William F. Aguglia

Mr. Aguglia requested Council retire for an Executive Session.

Council retired at 7:08 p.m.

The Meeting resumed at 7:34 p.m.

Mrs. Bernhard said Council was discussing matters pertaining to Police Contract Negotiations.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell said he was pleased to report on the good report and the clean opinion the Borough received from the Independent Auditor regarding the 2008 Borough Audit, which is an Agenda Item.

Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 17 Calls during the Month of August 2009. Mr. Mikec said the Department is averaging 19 ½ Calls per month and has responded to 156 Calls year-to-date.

Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele announced that Officer Eddy will be at the West View Crime Watch Meeting that is scheduled for 7:00 p.m. on Monday, September 14, 2009. Ms. Steele noted that the upcoming Meeting topics are listed on the recent flyer for Crime Watch and the line up looks very nice.

Ms. Steele said the Senior Citizen Fall Trip is planned for Thursday, October 15<sup>th</sup>, at a cost of \$30.00 per West View Senior. The Seniors will tour Bedford Springs Pennsylvania. The Halloween Parade will be on Monday, October 26<sup>th</sup> and the Committee will be signing up Residents on Wednesday, October 21<sup>st</sup> and on



Thursday, October 22<sup>nd</sup> from 5:00 p.m. until 7:00 p.m. The Committee will be packing the Goodie Bags beginning at 5:00 p.m. on October 22<sup>nd</sup> if anyone is interested in volunteering to help pack bags.

### Audience

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue questioned Ms. Steele giving the Recreation Report as he thought Mrs. Bernhard was the Chairperson. Mrs. Bernhard said Ms. Steele is the Chairperson but since Mrs. Bernhard helps out Ms. Steele, her name is often still noted on matters pertaining to Recreation.

Mr. Barr wants the Borough to contest the DEP in the interest of the Residents who receive street sweeping tickets. Mrs. Bernhard said the Solicitor and Engineer had explained to Mr. Barr that the street sweeping is mandatory and

the DEP could fine the Borough a minimum of \$1,000.00 per day for not complying with their mandates. Mr. Barr said he feels money would be better spent by contesting the DEP instead of Girty's Run.

Mr. Barr questioned if the Dog Handler would be walking through the neighborhood and if the Borough was going to attire the Handler in leather.

Mr. Barr questioned Council regarding Agenda Item #1 and #6. Mr. Wolf explained the Comcast Cable Agreement to Mr. Barr and said the old street sweeper is currently being housed at Laidlaw Bus Service for repairs.

Mr. Barr questioned Agenda Item #3, which is the \$250,000.00 Grant Application request and it was explained by Mr. Zischkau that this request is for monies to reconstruct this section of roadway.

Mr. Barr was in front of Council for five minutes.

### Agenda

1. Council to consider Ordinance #1450. Mrs. Bernhard read the title only of Ordinance #1450, 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 of West View and Comcast of California/Pennsylvania/Utah/Washington, Inc. President Bernhard said this Agreement was negotiated through the North Hills Council of Governments on behalf of the Municipalities. *Motion to approve Ordinance #1450 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
2. Council to consider Ordinance #1451. Mrs. Bernhard read the title only of Ordinance #1451, which is an Ordinance amending the Code of the Borough of West View, Article II, Excavation Permits on continuations of State Highways, adopted February 9, 1932, Ordinance #676 to include the following language regulating permittees as set forth herein. *Motion to approve Ordinance #1451 was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
3. Council to consider Resolution #1362. Mrs. Bernhard read the title only of Resolution #1362, which is a Resolution of the Town Council of the Borough of West View authorizing the filing of an Application for Grant

Funding in the amount of Two Hundred and Fifty Thousand Dollars (\$250,000.00) through the Allegheny County Economic Development Community Infrastructure and Tourism Board (ACEDCITB) in order to reconstruct Center Avenue from Cornell Avenue west to Ross Township Line. (William Street) President Bernhard said Council is hoping to receive some money for this Project. *Motion to approve Resolution # 1362 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

4. Council to consider the results of the Bid Opening on August 25, 2009 for the Improvements to the Martsolf Bridge. The apparent low bidder is Nathan Contracting for the Total Bid Items 1 through 8 inclusive of \$119,365.00. *Motion to approve Nathan Contracting was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
5. Council to consider approving the Borough's 2008 Audit prepared by Reddinger, Will, Gallagher & Dickert that was supplied to Council at the August Meeting. *Motion to approve the 2008 Audit was made by Mr. Burchell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
6. Council to consider re-advertising the "As-Is" Sale of the Borough's old Street Sweeper, as no Bids were received on September 2, 2009. *Motion to advertise the "As-Is" sale was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
7. Council to consider approving the 4<sup>th</sup> Quarter Payment for the Bookmobile at a cost of \$2,278.75. *Motion to approve the 4<sup>th</sup> Quarter payment was made by Mr. Mikec and was seconded by Mr. Koerts. Motion was approved and ordered.*

Mayor Henry expressed his concern of reading the Caption and/or Title only of the two Ordinances and the Resolution. Mrs. Bernhard said that the Solicitor had been contacted regarding this matter and the Solicitor had said this was legal. The Mayor said he was concerned that since it was not read "ordained and enacted as" that there could be a challenge. Mayor Henry suggested Council approve a Motion to adopt Ordinance #1450 and Ordinance #1451 and Resolution #1362 in their entirety to remove any chance of challenge to their legality.

*Motion to adopt Ordinance #1450 and Ordinance #1451 and Resolution #1362 in their entirety to remove any chance of challenge to their legality was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

#### Unfinished Business

There was no unfinished business.

#### New Business

There was no new business.

#### Announcements

President Bernhard requested everyone consider attending the Crime Watch Meetings and attend September 14th's Meeting to meet Officer Eddy.


#### Adjournment


With no further Business to come before Council, Mrs. Bernhard requested a Motion to Adjourn. *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

The Meeting Adjourned at 7:53 p.m.

APPROVED: October 14, 2009

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Mary C. Bernhard  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

OCTOBER 14, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, October 14, 2009 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 and the Pledge of Allegiance to the Flag.

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

*Motion to approve the Minutes of the Regular Meeting of Town Council on Wednesday, September 9, 2009 was made by Member Schell and was seconded by Member 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 \$115,056.68 and payments to vendors in the amount of \$74,997.37 was made by Member Koerts and was seconded by Member Burchell. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund Expenditures in the amount of \$6,510.36 was made by Member Schell and was seconded by Member Aguglia. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel Expenditures in the amount of \$5,013.32 was made by Member Burchell and was seconded by Member Schell. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - J. R. Henry, Mayor (Absent)

In the Mayor's absence, President Bernhard read the Mayor's Report for the month of September 2009, as follows:

Motor Vehicle Code Violations -	
Parking Violations / Tickets	\$ 1,015.00
Vehicle Code Violations / Magistrate	\$ 1,115.76
Ordinance & Statute Violations / Magistrate	\$ 3,317.33



Allegheny County / DUI	\$ 659.46
State Shared / Vehicle Code	\$ 0.00
Total Receipts for September 2009	\$ 6,107.55

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

Mr. Wolf reminded everyone that the November Meeting of Town Council will be held on Tuesday, November 10, 2009 at 7:00 p.m. due to Veteran's Day being on Wednesday, November 11<sup>th</sup>. This was advertised in the Post Gazette at the beginning of the year.

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

The Chief reported that the Police responded to 335 complaints during the month of September. The Chief said that Officer Eddy officially came on Duty for the Borough on September 28<sup>th</sup>. The Chief said that so far, he has been involved in five Drug Arrests, all being vehicle searches, all were positive for Marijuana, drug paraphernalia, Viocidan and the last search was a mutual aid search in Ohio Township, where he discovered thirteen bags of Heroin in a vehicle.

Council Member Koerts said he had viewed a Drug Bust at the Schell Station and both him and Chief Holtgraver felt it was an impressive Arrest.

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

Solicitor Baxter had no report for Council.

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

Mr. Zischkau updated Council on a few Items, being the Borough's Paving Project has been completed and the Martsolf Avenue Bridge Project is under construction. Mr. Zischkau said Crews that are under Contract with the Authority will be working throughout the Borough on the next Phase of the Sewer repairs.

### REPORTS FROM THE COMMITTEES

#### Finance Report - Ralph R. Burchell

Mr. Burchell reported that the Wage Tax collection deposits for the month of September totaled \$14,521.08, less \$330.11, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$7,095.49. 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 \$28,500.00 matured on September 2<sup>nd</sup> and it earned interest in the amount of \$5.85. We purchased a CD on September 2<sup>nd</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on September 2<sup>nd</sup> and it earned interest in the amount of \$41.09. We purchased a CD on September 2<sup>nd</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,00.00 matured on September 2<sup>nd</sup> and it earned interest in the amount of \$37.39. We purchased a CD on September 2<sup>nd</sup> in the amount of \$182,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$150,000.00 matured on September 2<sup>nd</sup> and it earned interest in the amount of \$30.82. We purchased a CD on September 2<sup>nd</sup> in the amount of \$550,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of September totaled \$428,447.47. These Funds were deposited into the General Fund checking account to help offset Borough expenditures in September.

Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

Public Works Report - Barry G. Schell

Mr. Schell reported that the Road Crew has finished sealing cracks in the Borough roadways and have been street cleaning, cutting grass, maintaining the playgrounds and patching potholes. The Crew has been maintaining street and traffic signs and finishing up with the street line painting.

Mr. Schell said the Crew is preparing the equipment for the Leaf collection season.

Police and Public Safety Report - William F. Aguglia

Mr. Aguglia requested Council retire for an Executive Session.

Council retired at 7:08 p.m.

The Meeting resumed at 7:25 p.m. President Bernhard said the Session was to discuss Police Contract negotiations.

Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department responded to 14 Calls for the month of September, which is the lowest all year. The Department averages 19 calls per

month, with 170 year-to-date.

#### Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele reported that the date for the Crime Watch Meeting has changed to Tuesday, November 10, 2009 at 7:00 p.m. and a Program from the Alliance Against Drugs will be presented.

The Halloween Parade is set for Monday, October 26<sup>th</sup>, beginning at 7:00 p.m. West View Residents may sign up from 5:00 p.m. until 7:00 p.m. on Wednesday, October 21<sup>st</sup> and Thursday, October 22<sup>nd</sup> at the Borough Building. Trick or Treating will be held on Saturday, October 31<sup>st</sup> from 6:00 p.m. until 8:00 p.m.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

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 opinions.

Jim Barr from 200 Frankfort Avenue questioned Council on a liability issue regarding the Firemen driving the Fire Trucks, questioned if the Borough Parking Meter Ticket Writer is authorized to write tickets within the Plaza and questioned if he could give a flyer to the Borough, which advertised an Event by a former Arizona Sheriff. Mr. Barr was in front of Council for 4 minutes and 16 seconds.

President Bernhard and Solicitor Baxter did not have an exact answer regarding liability Insurance for the Fire Trucks and Chief Holtgraver said the Officers are authorized by the State to write tickets for fire lane and handicapped parking violations. Mrs. Bernhard said the Borough will check into the flyer.

### UNFINISHED BUSINESS

There was no unfinished business.

### NEW BUSINESS

There was no new business.

### AGENDA

1. Council to consider Resolution #1363. *Motion to read Resolution #1363 was made by Mr. Aguglia and was seconded by Mr. Mikec. Motion was approved and ordered.* President Bernhard read Resolution #1363, 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 in the Non-Uniformed - General Pension Plan in the amount of \$69,177.23, pursuant to the Municipal Pension Plan Funding Standard and Recovery Act (Act 205 of 1984). *Motion to adopt Resolution #1363 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
2. Council to consider Resolution #1364. Solicitor Baxter said Mrs. Bernhard may read this Resolution by Title only. Mrs. Bernhard read the Title of Resolution #1364, which is a Resolution of the Town Council of the Borough of West View, certifying that the Borough of West View is willing to participate in an energy audit as part of Allegheny County's Energy Program for Municipalities financed by a Block Grant through the U. S. Department of Energy. *Motion to adopt Resolution #1364 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.* The Buildings will be the Borough Complex, the Real Estate Office at 457 Perry and Fire Companies #1, #2 and #3.
3. Council to consider PennDOT's request to allow an exception to the Borough's Noise Ordinance (per letter of October 7, 2009 from MS Consultants, Inc.) in order to allow them or their Contractors to mill and pave Perry Highway (In 2010), during the hours of 8:00 PM and 6:00 AM, due to high volume of traffic during the day and wanting to maintain traffic without any detours. *Motion to approve this request was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
4. Council to consider approving a Lease (425 Perry Highway) with Dollar General Corporation. A three (3) year Lease (07/01/10 through 06/30/13) in the amount of \$2,750.00 a month. With two (2) additional three (3) year options. First three (3) year

option (07/01/13 through 06/30/16) in the amount of \$3,000.00 a month. Second three (3) year option (07/01/16 through 06/30/19) in the amount of \$3,300.00 a month. *Motion to approve the Lease was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

5. Council to consider negotiating the "As-Is" Sale of the Borough's old Street Sweeper, as no Bids were received on October 7, 2009. *Motion to have Mr. Wolf negotiate the sale of the Street Sweeper was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
6. Council to consider the Proposal from Allegheny County Library Association Bookmobile for 2010 at a cost of \$9,115.00. Mrs. Bernhard suggested this Proposal be tabled until more options could be considered. *Motion to table the Proposal was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
7. Council to consider making a partial payment to Victor Paving and Construction, Inc. In the amount of \$116,664.28, which equals 95% of the 2009 Paving Project cost. President Bernhard asked Mr. Zischkau if he was happy with the work that was done and Mr. Zischkau said they did a very good job, with only one minor repair to fix. Mr. Schell added that the Pavers did a fine job. *Motion to approve the payment was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

#### ANNOUNCEMENTS

Mrs. Bernhard reminded everyone that due to Veteran's Day on the 11<sup>th</sup>, the Regular Meeting will be held on Tuesday, November 10, 2009 at 7:00 p.m.

#### ADJOURNMENT

With no further Business to be brought before Council, President Bernhard requested this evenings Meeting be Adjourned in Honor of the Memory of Retired Road Crew Worker Paul Thompson, who recently passed away. *Motion to Adjourn in Honor of Paul Thompson was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* The Meeting adjourned at 7:43 p.m.

APPROVED: November 10, 2009

BOROUGH OF WEST VIEW

BY:



Kenneth J. Wolf, Secretary/Manager

BY:



President Mary C. Bernhard  
Town Council



## BOROUGH OF WEST VIEW

## REGULAR MEETING

NOVEMBER 10, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Tuesday, November 10, 2009 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 and the Pledge of Allegiance to the Flag.

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

*Motion to approve the Minutes of the Regular Meeting of Town Council on October 14, 2009 was made by Mr. Aguglia 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 \$115,585.17 and payments to vendors in the amount of \$269,450.82 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Building Fund expenditures in the amount of \$4,505.70 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the payment of Liquid Fuel expenditures in the amount of \$5,013.32 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*

## REPORTS FROM THE OFFICERS

Report from the Mayor - J. R. Henry, Mayor (Absent)

In the Mayor's absence, President Bernhard said the total receipts for October 2009 were \$5,023.38.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf said he has supplied Council with the 2010 Proposed Budget for their review and would like Council to consider a date for the Budget Workshop Meeting, which is Agenda Item #1.

Report from the Chief of Police - Charles M. Holtgraver

The Chief reported the Police received 368 Complaints for the month of November 2009.

Report from the Solicitor - Fred E. Baxter, Jr.

Mr. Baxter had no report for Council.

Report from Glenn Engineering - Robert E. Zischkau (Absent)

Written Report was submitted to Council and is on file.

#### REPORTS FROM THE COMMITTEES

Finance Report - Ralph R. Burchell

Mr. Burchell reported the Wage Tax collection deposits for the month of October totaled \$110,011.71, less \$3,088.03, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$53,461.85. 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 \$28,500.00 matured on October 2<sup>nd</sup> and it earned interest in the amount of \$5.85. We purchased a CD on October 2<sup>nd</sup> in the amount of \$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on October 2<sup>nd</sup> and it earned interest in the amount of \$41.09. We purchased a CD on October 2<sup>nd</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$182,000.00 matured on October 2<sup>nd</sup> and it earned interest in the amount of \$37.39. We purchased a CD on October 2<sup>nd</sup> in the amount of \$185,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$550,000.00 matured on October 2<sup>nd</sup> and it earned interest in the amount of \$113.01. We purchased a CD on October 2<sup>nd</sup> in the amount of \$750,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of October totaled \$48,957.93. These Funds

were deposited into the General Fund checking account to help offset Borough expenditures in October.

#### Property and Purchasing Report - John W. Koerts

Mr. Koerts had no report for Council.

#### Public Works Report - Barry G. Schell

Mr. Schell reported the Road Crew has been busy collecting leaves with the vacuum and with the Street Cleaning Program. They have been cutting grass and doing the maintenance on the playgrounds and on the Municipal Building Complex.

Mr. Schell said the Crew has been patching potholes and doing equipment and vehicle maintenance and has been repairing storm and sanitary basins as needed.

Mr. Schell said the Road Crew has been doing rodent and pest control, along with the street and traffic sign maintenance and they have been preparing the equipment for snow and ice removal, which Mr. Schell said will arrive sooner than we'd like. Mr. Schell said the Workers have been preparing all of the Christmas Decorations, which will be displayed soon.

#### Police and Public Safety Report - William F. Aguglia

Mr. Aguglia had no report for Council.

#### Administrative/Budget Report - Ralph R. Burchell

Mr. Burchell had no report for Council.

#### Fire and Water Report - Donald E. Mikec

Mr. Mikec said the West View Volunteer Fire Department had 31 Calls in October, which was one of their busiest months to date.

Mr. Mikec said the Fire Department Members have had 201 Calls year-to-date.

#### Public Relations and Recreation Report - M. Kimberly Steele

Ms. Steele reported the Crime Watch Meeting is set for Monday, December 7<sup>th</sup> at 7 p.m. at the West View Banquet Hall. The topic will be "Meet Your Local Government" and Members from Town Council and Ross/West View EMSA and the West View Volunteer Fire Department and the West View Police will be in attendance.

Ms. Steele said the Annual Halloween Parade was wonderful and Ms. Steele extended her personal thanks to everyone that helped make the Parade a success.

#### AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

Mrs. Bernhard said she 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 opinions.

Dave Urban from 60 Lakewood Avenue questioned Council on why the November Meeting was held on a Tuesday and questioned the Chief of the number of parking tickets issued year-to-date. Mr. Urban wanted to know why the Borough hired a subcontractor to hang the Christmas lights and questioned if the Budget Workshop Meeting is open to the Public. Mr. Urban was in front of Council for five minutes.

President Bernhard said the Meeting day was changed due to Wednesday, November 11<sup>th</sup> being the Veteran's Day Holiday. The Chief said 1,015 tickets have been issued. Mr. Wolf said that he had told Mr. Urban that the subcontractor was retained due to the Borough repairing the decorative lights. Mrs. Bernhard said the Budget Workshop Meeting is open to the Public, but there will be no Public comment. The proposed Budget will be advertised in the newspaper and will be available to review by the Public November 25<sup>th</sup>.

Robert Lachner from 808 West View Park Drive addressed Council, speaking in favor of

keeping the Bookmobile. Mr. Lachner said he knows people from the HiRise that enjoy it. Mr. Lachner was in front of Council for 49 Seconds.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider a date for the Budget Workshop Meeting (Tuesday, November 17<sup>th</sup> or Wednesday, November 18<sup>th</sup>) at 5:30 p.m. in Council Chambers. *Motion to hold the Meeting on Tuesday, November 17<sup>th</sup> was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*
2. Council to consider the Proposal from Allegheny County Bookmobile for the Year 2010 in the total amount of \$9,115.00. (Tabled from October's Meeting) *Motion from Mr. Schell was seconded by Mr. Burchell to table this until the December Meeting. Motion was approved and ordered.*
3. Council to consider a new five-year Contract with Triangle Pet Control Services Co., Inc. for a monthly fixed cost of \$300.00 per month, with other rates applying for Call outs and animal removal. President Bernhard commented that this Company has done very good work for a long time for the Borough. *Motion to approve the Contract was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
4. Council to consider an appointment of a Delegate and an Alternate Delegate to the Allegheny County Boroughs Association. (Currently Bill Aguglia is the Delegate and John Koerts is the Alternate Delegate) *Motion to appoint Bill Aguglia as Delegate and John Koerts as Alternate Delegate was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
5. Council to consider accepting the resignation of Holly Whalen from the Planning Commission and consider appointing a replacement for the remainder of her term, through May 31, 2011. *Motion to accept Ms. Whalen's resignation was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.* Mrs. Bernhard asked that a letter of thanks be sent to Ms. Whalen for her service to the Borough. *Motion from Mr. Burchell to appoint Mr. Justin Lewis, Attorney at Law, to the Planning Commission through May 31, 2011 was seconded by Mr. Schell. Motion was approved and ordered.* Mrs. Bernhard asked that a letter be sent to



Mr. Lewis on Council's behalf.

6. Council to consider approving the Regional Vehicle Inspection Team Agreement for the Police Department, which would renew the Agreement for our Officers to train and participate in a regional commercial vehicle inspection team. Chief Holtgraver said he is in favor of Council accepting the Agreement. *Motion to accept was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
  
7. Council to consider approving the Municipal Police Cooperative Agreement through the Department of Transportation for the Police Department, which would permit Officers join the DUI Task Force. Mr. Mikec said that he had a problem with committing to the Task Force, as people have expressed their displeasure to him with being inconvenienced by the checkpoints. Mr. Mikec expressed his concerns over the cost to the Borough. President Bernhard said this Agreement uses the Officers free of charge to the Borough and Chief Holtgraver said the Officer's time is paid for through Grant Monies. Mr. Mikec wanted to know the locations of the checkpoints and Chief Holtgraver said they are held on the main Highway, which is Perry Highway. *Motion to approve the Agreement was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved by Council and ordered, with Mr. Mikec voicing the only "No" vote.*

#### ANNOUNCEMENTS

There were no announcements.

#### ADJOURNMENT

With no further Business to come before Council, President Bernhard requested the Meeting be closed in Honor of the Veteran's and to keep them safe from harm. *Motion to adjourn was made by Mr. Burchell and was seconded by Mr. Schell. Motion was approved and ordered.*

The Meeting adjourned at 7:26 p.m.

APPROVED: December 9, 2009

BOROUGH OF WEST VIEW

BY: 

Kenneth J. Wolf  
Secretary/Manager

BY: 

Mary C. Bernhard  
President of Town Council

BOROUGH OF WEST VIEW  
SPECIAL BUDGET WORKSHOP MEETING

NOVEMBER 17, 2009

Minutes of the Special Budget Workshop Meeting of the Town Council of the Borough of West View, held Tuesday, November 17, 2009 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was Called to Order at 5:30 p.m. by 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: Mary C. Bernhard, President, Barry G. Schell, Vice President, Members William F. Aguglia, John W. Koerts, Donald E. Mikec, Ralph R. Burchell and M. Kimberly Steele. Also attending were: Secretary/Manager Kenneth J. Wolf and Assistant Borough Secretary Patricia A. Rapp.

There was no one in the Audience. President Bernhard read the Official Notice that was advertised on November 16, 2009, as follows: Notice is hereby given that the Town Council of the Borough of West View will hold a Special Meeting on Tuesday, November 17, 2009 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 2010. No other Business will be considered.

President Bernhard turned the Meeting over to Secretary/Manager Kenneth Wolf.

Mr. Wolf advised Council of the newly created account 412 Ambulance / Rescue, which would be the proposed Ross/West View EMSA Capital Donation of \$10,000.00. Mr. Wolf said that Full Time Employees are looking at a 2% increase, with \$.22 per hour for the Part Time Employees. The Public Works Contract will expire on September 30, 2010 and Mr. Wolf said he prepared the Budget with an 8/10's raise in Millage calculation.

Mr. Wolf said he would go through each category in the proposed 2010 Budget and would address any question Council may have.

General Fund - Revenues

301 Real Property Taxes - \$1,674,850 or increased \$200,510.

310 Local Enabling Taxes - \$776,245 or increased \$475.

319 Penalties & Interest on Delinquent Taxes - \$20,100 or No Change.

321 Business Licenses & Permits - \$123,790 or increased \$5,370.

322 Non-Business Licenses & Permits - \$7,000 or No Change.

331 Fines - \$61,000 or increased \$1,000.

341 Interest Earnings - \$2,000 or decreased \$12,000.

355 State Shared Revenue & Entitlements - \$101,880 or increased \$31,895.

357 Local Government Unit Cap & Grants - \$142,425 or increased \$1,600.

359 Government / Authorized Payment in Lieu of Tax - \$3,375 or decreased \$55.

361 General Government Charges for Services - \$2,500 or No Change.

361 Tax Collection Fees - \$37,060 or increased \$1,035.

362 Special Police Services - \$71,285 or increased \$2,975.

363 Highways & Streets - \$50,535 or decreased \$1,840.

364 Sanitation - \$400 or No Change.

380 Miscellaneous Revenue - \$4,000 or No Change.

387 Contributions & Donations - \$500 or No Change.

399 Balance Forward - \$62,190 or increased \$2,425.

Total General Fund Revenues \$3,141,135 or increased \$233,390.

#### General Fund - Expenditures

400 Legislative (Governing) Body - \$35,530 or increased \$1,010.

401 Executive (Mayor / Manager) - \$102,735 or increased \$5,810.

402 Financial Administration - \$13,800 or increased \$600.

403 Tax Collection - \$102,945 or increased \$4,040.

404 Law - \$15,200 or No Change.

405 Assistant Borough Secretary - \$49,440 or increased \$975.

- 408 Engineer - \$6,200 or increased \$3,000.
- 410 Police - \$982,080 or increased \$26,205.
- 411 Fire - \$80,230 or increased \$1,175.
- 412 Ambulance / Rescue - \$10,000 new category or increased \$10,000.
- 413 Protective Inspections - \$4,000 or No Change.
- 414 Planning & Zoning - \$3,800 or No Change.
- 421 Health & Sanitation - \$11,500 or No Change.
- 430 Public Works - \$251,420 or increased \$17,635.
- 431 Highway Maintenance / Street Cleaning - \$33,190 or increased \$780.
- 432 Highway Maintenance / Snow & Ice - \$50,975 or decreased \$62,190.
- 433 Highway Maintenance / Signs & Signals - \$22,335 or increased \$470.
- 434 Highway Maintenance / Street Lighting - \$4,025 or increased \$50.
- 435 Highway Maintenance / Guard Rails / Steps / Walks - \$15,740 or increased \$280.
- 436 Highway Maintenance / Storm Sewer & Sewer - \$31,975 or increased \$750.
- 437 Highway Maintenance / Machinery & Equipment Repair - \$15,380 or increased \$360.
- 438 Highway Maintenance / Highway & Bridge Repair - \$108,975 or increased \$4,350.
- 439 Highway Maintenance / Highway Construction & Rebuild - \$257,470 or increased \$48,920.
- 454 Parks - \$15,080 or No Change.
- 456 Library / Bookmobile - \$9,115 or No Change.
- 457 Civil & Military Celebrations - \$9,250 or No Change.
- 458 Senior Citizen & Recreation - \$20,100 or increased \$475.
- 471 Debt Principal - \$90,000 or increased \$25,000.

472 Debt Interest - \$22,430 or decreased \$3,905.

483 Retirement & Pension Contribution - \$116,220 or increased \$49,170.

486 Insurance Premiums - \$197,035 or increased \$18,690.

487 Employee Benefits - \$452,710 or increased \$79,740.

491 Refunds of Prior Year Revenues - \$250 or No Change.

Total General Fund Expenditures - \$3,141,135 or increased \$233,390.

Mr. Burchell questioned what the percentage increase of the Health Insurance costs for Category 487. Mr. Wolf said he budgeted for a 30% increase in costs in this Category, but taking into account for the stabilization credit the Trust is offering, Mr. Wolf said there would be a net of 60% increase in this Category. Mr. Wolf said the Employees were asked if he could shop around for alternatives and he is working on this now.

Mr. Burchell said he felt that the 8/10's increase in the Millage was too low and suggested a One Mill increase be considered in calculating the Category 301 within the Budget. Mr. Schell agreed that a One Mill increase would be more feasible.

Mr. Wolf said that the extra 2/10's of a Mill would put the General Fund's Revenue and Expenditures at \$3,191,040 and the Category 301 would assume the 2/10's increase, along with the expense account 487.156, in accordance with Council's request.

#### Building Fund - Revenues

341 Interest Earnings - \$1,000 or decreased \$4,280.

342 Rents - \$100,425 or increased \$1,430.

392 Interfund Operating Transfers - \$15,040 or decreased \$4,955.

Total Building Fund Revenues - \$116,465 or decreased \$7,805.

#### Building Fund - Expenditures

404 Law - \$1,000 or No Change

408 Engineer - \$1,000 or No Change.

409 Building & Plant - \$109,995 or decreased \$2,555.



471 Debt Principal - \$0 or decreased \$5,210. Mr. Wolf said the State Loan for the Roof was paid off, accounting for this decrease.

472 Debt Interest - \$0 or decreased \$40.

486 Insurance Premiums - \$4,470 or No Change.

Total Building Fund Expenditures - \$116,465 or decreased \$7,805.

#### Liquid Fuel Fund - Revenues

341 Interest Earnings - \$0 or No Change.

355 State Shared Revenue & Entitlements - \$130,745 or decreased \$5,220.

392 Interfund Operating Transfers - \$43,480 or decreased \$9,645.

Total Liquid Fuel Revenues - \$174,225 or decreased \$14,865.

#### Liquid Fuel Fund - Expenditures

430 Public Works - \$0 or No Change.

Mr. Wolf noted that the cost of Road Salt has dropped from \$104 per Ton from last Season down to \$58 per Ton for this Season.

432 Highway Maintenance / Snow & Ice - \$105,715 or decreased \$16,145.

434 Highway Maintenance / Street Lighting - \$68,510 or increased \$1,280.

Total Liquid Fuel Expenditures - \$174,225 or decreased \$14,865.

#### Capital Reserve UDAG Fund - Revenues

Mr. Wolf said this is a paper account, showing only interest activity.

341 Interest Earnings - \$0 or No Change.

392 Interfund Operating Transfers - \$0 or No Change.

Total Capital Reserve UDAG Fund Revenues - \$0 or No Change, as Mr. Wolf said there are no budgeted items.

### Capital Reserve UDAG Fund - Expenditures

409 General Government Building & Plant - \$0 or No Change.

471 Debt Principal - \$0 or No Change.

Total Capital Reserve UDAG Fund Expenditures - \$0 or No Change, as Mr. Wolf said this is merely a Paper Fund.

### Proprietary Fund - Revenues

358 Local Government & Associations Revenue - \$802,280 or increased \$45,410.

Total Proprietary Fund Revenues - \$802,280 or increased \$45,410.

### Proprietary Fund - Expenditures

421 Health & Sanitation - \$802,280 or increased \$45,410.

Total Proprietary Fund Expenditures - \$802,280 or increased \$45,410.

### 2007 Project Account (Sewer) - Revenues

392 Interfund Operating Transfer - \$467,635 or increased \$4,600.

Total 2007 Project Account (Sewer) Revenue so \$467,635 or increased \$4,600.

Mr. Wolf said this is the money for the Waste Water Department Bond Issue.

### 2007 Project Account (Sewer) - Expenditures

471 Debt Principal - \$160,000 or increased \$10,000.

472 Debt Interest - \$307,635 or decreased \$5,400.

Total 2007 Project Account (Sewer) Expenditures - \$467,635 or increased \$4,600.

*Motion from Mr. Schell was seconded by Mr. Aguglia to configure the 2010 Budget, taking into account for the One Mill increase. Motion was approved and ordered.*

Council Member Steele requested all Departments consider taking a 10% reduction in order to help reduce overall costs for 2010. Ms. Steele also requested Council forgoes their 12<sup>th</sup> monthly payment.

## Adjournment

With no further Business to come before Council, *Motion to Adjourn made by Mr. Koerts was seconded by Mr. Mikec. Motion was approved and ordered.*

The Meeting adjourned at 6:04 p.m.

APPROVED: December 9, 2009

BOROUGH OF WEST VIEW

BY: \_\_\_\_\_

Kenneth J. Wolf  
Secretary/Manager

BY: \_\_\_\_\_

Mary C. Bernhard  
President of Town Council

## BOROUGH OF WEST VIEW

## REGULAR MEETING

DECEMBER 9, 2009

Minutes of the Regular Meeting of the Town Council of the Borough of West View held Wednesday, December 9, 2009 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 and the Pledge of Allegiance to the Flag.

Mr. Wolf conducted Roll Call. Members of Town Council present were: President Mary C. Bernhard, Vice President Barry G. Schell, Member William F. Aguglia, Member John W. Koerts, Member Donald E. Mikec and Member Ralph R. Burchell. Also present were: J. R. Henry, Mayor, Kenneth J. Wolf, Secretary/Manager, Patricia A. Rapp, Assistant Borough Secretary, Police Chief Charles M. Holtgraver, Solicitor Fred E. Baxter and Robert E. Zischkau from Glenn Engineering. Council Member M. Kimberly Steele was absent.

*Motion to approve the Minutes of the Regular Meeting of Town Council on November 10, 2009 was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

*Motion to approve the Minutes of the Special Budget Workshop Meeting of Town Council on November 17, 2009 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*

*Motion to approve payment of General Fund expenditures for net pay and payroll withholding in the amount of \$119,142.56 and payments to vendors in the amount of \$86,149.89 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 \$6,794.56 was made by Mr. Aguglia and was seconded by Mr. Schell. Motion was approved and ordered.*

*Motion to approve payment of Liquid Fuel expenditures in the amount of \$5,013.32 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, Mayor

(The Mayor's Report for the month of November 2009 is on file at the Borough Office, with the Total Receipts being \$4,491.93.)

The Mayor said he had a Special Presentation to make and asked Mr. & Mrs. Brown to accompany their son Adam Brown to the podium.

The Mayor read a Commendation, honoring seven year-old Adam Brown for the actions he

took on September 12, 2009. Adam had found a lost two year-old and took him to his home to get help from his father, who is a Police Officer. The Mayor extended his congratulations to Adam and his parents and Adam was applauded by all, as he was presented the Commendation. 000165

Mrs. Bernhard extended congratulations to Adam on Council's behalf.

Report from the Secretary/Manager - Kenneth J. Wolf

Mr. Wolf said that he would address any Item on the Agenda for Council if they desire.

Mr. Wolf said that Waste Management, who is the Borough's Refuse Hauler, sent an automated message to Borough Residents about an hour ago. The Borough was unaware of the message, which informed Residents of a rate hike for 2010, however the recording was wrong and did not tell Residents the total correct rate. Mr. Wolf said Residents will actually pay \$15.98 per month or \$47.94 per quarter for 2010 and he is trying to reach the Waste Management representative to correct this error.

Report from the Chief of Police - Charles M. Holtgraver

Chief Holtgraver said he has been handling the traffic arrangements for the funeral of Officer Michael Crawshaw, who is being viewed at Schellhaas Funeral Home. There are parking restrictions in place through the Funeral Procession on Friday, when Center Avenue will close between Brightwood to Norwich.

The Chief said West View Officers have donated their time to work the details all day, every day.

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 reported that Wage Tax collection deposits for the month of November totaled \$106,343.77, less \$1,800.27, which were refunds to Individuals and Municipalities. The Borough's net proceeds were \$52,274.26. 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 \$28,500.00 matured on November 1<sup>st</sup> and it earned interest in the amount of \$5.85. We purchased a CD on November 1<sup>st</sup> in the amount of



\$28,500.00 for 30 days to earn interest.

Our Liquid Fuel CD in the amount of \$200,000.00 matured on November 1<sup>st</sup> and it earned interest in the amount of \$41.09. We purchased a CD on November 1<sup>st</sup> in the amount of \$200,000.00 for 30 days to earn interest.

Our Building Fund CD in the amount of \$185,00.00 matured on November 1<sup>st</sup> and it earned interest in the amount of \$38.01. We purchased a CD on November 1<sup>st</sup> in the amount of \$185,000.00 for 30 days to earn interest.

Our General Fund CD in the amount of \$750,000.00 matured on November 1<sup>st</sup> and it earned interest in the amount of \$154.10. We purchased a CD on November 1<sup>st</sup> in the amount of \$700,000.00 for 30 days to earn interest.

Real Estate Tax Collections for the month of November totaled \$27,522.16. These Funds were deposited into the General Fund checking account to help offset Borough expenditures in November.

#### Property and Purchasing Report - John W. Koerts

Mr. Koerts said Mr. Wolf has been involved in negotiating the rental of the old real estate office at 431 Perry Highway. Council will consider an Agreement of Principle as Agenda Item #7.

#### Public Works Report - Barry G. Schell

Mr. Schell reported the Public Works Crew has finished with the leaf collection and with the street cleaning program. The Crew has been performing maintenance on the Municipal Building Complex, has been patching potholes and has been doing maintenance on their vehicles and their equipment.

Mr. Schell said the Crew has been doing storm, sanitary and basin repair work, along with rodent and pest control. They are doing street and traffic sign maintenance and have been readying the snow and ice removal equipment. All of the Christmas decorations have been displayed by the Crew.

Mr. Schell announced that Christmas Trees will be collected by the Public Works Department beginning January 4<sup>th</sup> through January 15, 2010. Trees are to be placed curbside by Residents, free from all decorations and debris.

#### Police and Public Safety Committee - William F. Aguglia

Mr. Aguglia had no report for Council.

#### Administrative / Budget Committee - Ralph R. Burchell

Mr. Burchell said Council will consider Agenda Items #1 and #2 regarding the 2010 Budget.

## Fire and Water Report - Donald E. Mikec

Mr. Mikec reported the West View Volunteer Fire Department responded to 20 calls for the month of November 2009.

## Public Relations and Recreation Report - M. Kimberly Steele (Absent)

Mrs. Bernhard reported the Crime Watch Meeting was held December 7<sup>th</sup> and Members of Town Council, the Police Department, the Fire Department and Ross/West View EMSA were on hand, along with the Borough Manager. Though there was not a large crowd, Mrs. Bernhard was pleased with the Meeting. The next Meeting of Crime Watch will take place on Monday, January 11, 2010 and Mr. Joseph Dinkel, Executive Director of the West View Water Authority will be attending to present a Program on the Water Authority Plant.

## AUDIENCE

President Bernhard welcomed everyone to the Meeting on the behalf of Town Council. Mrs. Bernhard said that 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:

Each Individual will give their name and address. Each Individual will be limited to a maximum time period of five minutes. Each Individual will be notified when there is one minute left.

If the Individual has not used their allotted five minutes, the Individual will be permitted to finish their five minutes, only after all Individuals wishing to address Council is heard.

Mrs. Bernhard said that in no event will Public comments extend beyond thirty minutes unless Council is of the opinion that those wishing to address Council cannot be heard. In this event, Council will extend the thirty minute time periods, if necessary. This extension will not allow Individuals that have already used their five minutes to further their time to address Council.

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 Individual the proper directions to help get the information they seek.

Mrs. Bernhard said she 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 opinions.

Dave Urban from 60 Lakewood Avenue addressed Council to express his displeasure with the proposed increase in Millage for 2010. Mr. Urban basically said he felt the cost of Labor was the biggest problem, along with the cost of hospitalization and workers' compensation and wanted to know if the Borough has cut people or the Police Force? Mr. Urban was not happy with the proposed increase and questioned the Police Chief's salary and wanted Police to contribute into their Pension Plan (Agenda Item #3). Mr. Urban was in front of Council for five minutes.

Mrs. Bernhard said Council worked long and hard on the Budget and had no choice but to propose a raise in the Millage for 2010 to help pay for increases in everything, including hospitalization. Mrs. Bernhard said the Police Pension is partially funded by State monies.

Jim Barr from 200 Frankfort Avenue questioning if this was the only time the Public could address the Budget, he questioned the new Ross/West View EMSA account in the Budget and said no one was ever informed of this. Mrs. Bernhard said there was an advertised Budget Workshop Meeting for Council that the Public could attend.

Mrs. Bernhard explained that EMSA is asking for contributions from all Municipalities and this matter is still being discussed and is not a definite expense within the Budget. Mr. Barr questioned the \$62,000 drop in Wages and Salaries for the Snow and Ice account, to which Mrs. Bernhard said the cost of Salt dropped. Mr. Barr wanted to know if there was a written policy on the sobriety checkpoints since he strongly disapproves of them. He questioned whether he could do a U-turn to avoid the checkpoints. He disapproved of the Police Chief's \$86,700 salary and wanted to know if the Chief has any Degrees in Law Enforcement or administration? Mr. Barr was in front of Council for four minutes and forty-two seconds.

Mayor Henry said he would respond to the three questions Mr. Barr had, which were the negotiations with EMS, the information on Sobriety Checkpoints and the qualifications of the Police Chief.

Mayor Henry said he was directed by Council approximately six months ago to represent the Borough in EMS negotiations regarding the monetary assistance they have requested. Mayor Henry said Mr. Burchell attended Meetings with him and they are continuing, along with the other four Municipalities concerned. The Mayor said the Budget is a "planning document" and nothing within the Budget is set in stone, but it is the best projection the Borough has. Mr. Henry said the Borough must approve a Budget by State Law prior to December 31, 2009. The Mayor said the Borough would not pay more than their fair share to the EMS contribution and the Mayor will bring the matter back to Council as negotiations progress. Mr. Burchell added that the goal is for Council to be able to provide the service to the Borough Residents and they been working along with all of the other Communities to accomplish this goal. Mr. Burchell said the Line Item must be accounted for within the Budget until an Agreement is met.

The Mayor said there was a press release issued after the November 25<sup>th</sup> Sobriety Roving DUI Taskforce that was conducted throughout the North Hills. The release stated that out of the 209 vehicles stopped, 34 were field sobriety tested and 32 were arrested for DUI. The Mayor said that 32 Individuals that were taken off the streets for being under the influence in just one night. There are a number of procedures and an Agreement that outline the shared Municipal powers of the North Hills DUI Taskforce. The Mayor said that if a Resident approaches a DUI Checkpoint and legally turns off onto a side street to avoid being stopped, the Resident does have this right.

The Mayor feels that participation in the Checkpoints is one of the best things Council can do to protect the Residents of West View and this is a good Regional initiative. The Mayor said all of the wages and overtime cost for the Police is funded by Grant monies.

The Mayor addressed the Police Chief's qualifications. The Mayor said that working along with the Chief during the past 32 years, the Chief's 34 years experience is equivalent to several Masters' Degrees, as well as a Doctorate Degree.

The Mayor questioned Mr. Wolf on the 2010 salary increases to satisfy both Mr. Barr and Mr. Urban. Mr. Wolf said the Full Time Police and Full Time Administration has been budgeted a 2% increase, Part Time will receive \$.22 per hour and the Public Works received their 2.9% increase in October and their Contract expires September 30, 2010.

The Mayor asked Mr. Barr if he had adequately addressed all of his questions. Mr. Barr said yes and then asked for more time to address Council to comment on the Mayor's comments.

President Bernhard said no, as all of Mr. Barr's questions were answered.

#### UNFINISHED BUSINESS

There was no unfinished business.

#### NEW BUSINESS

There was no new business.

#### AGENDA

1. Council to consider Ordinance #1452. *Motion to read Ordinance #1452 was made by Mr. Koerts and was seconded by Mr. Mikec. Motion was approved and ordered.* Mrs. Bernhard read Ordinance #1452, which is an Ordinance fixing the Tax Rate at 6.68 Mills for the Year 2010. *Motion to adopt Ordinance #1452 was made by Mr. Burchell and was seconded by Mr. Koerts. Motion was approved and ordered.*
2. Council to consider Ordinance #1453. *Motion to read Ordinance #1453 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mrs. Bernhard read Ordinance #1453, which is an Ordinance appropriating specific sums in the amount of \$4,751,645 estimated to be required for specific purposes of the Municipal Government during the Year 2010. *Motion to adopt Ordinance #1453 was made by Mr. Burchell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
3. Council to consider Resolution #1365. *Motion to read Resolution #1365 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.* Mrs. Bernhard read Resolution #1365, which is a Resolution establishing and maintaining the West View Police Pension Plan and requiring Zero Percent (0%) Participant Contribution. *Motion to adopt Resolution #1365 was made by Mr. Aguglia and was seconded by Mr. Koerts. Motion was approved and ordered.*
4. Council to consider approving Resolution #1366. *Motion to read Resolution #1366 by Title Only was made by Mr. Schell and was seconded by Mr. Mikec.* Solicitor Baxter said

this Resolution could be read by Title Only. Mr. Baxter said the Borough does the Tax Anticipation Note yearly. *Motion was approved and ordered.* Mrs. Bernhard read Resolution #1366 by Title Only, which is the \$400,000 Tax Anticipation Note Proposal from West View Savings Bank for the Year 2010. *Motion to adopt Resolution #1366 was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*

Mayor Henry said the Interest Rate through West View Savings Bank for the Note will be 1.375%, which the Mayor felt was an important fact to be included in the Minutes.

5. Council to consider approving the payment of \$10,778.05 to Ross Township for the Borough's share of the costs of Milling and Paving the portion of William Street from Center Avenue to Kenyon. *Motion to approve the \$10,778.05 payment was made by Mr. Schell and was seconded by Mr. Mikec. Motion was approved and ordered.*
6. Council to consider approving the payment of \$29,954.85 to the North Hills Council of Governments for the Oakwood Avenue Road Reconstruction Project done by Victor Paving & Construction, Inc. *Motion to approve the \$29,954.85 payment was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
7. Council to consider approving, in principle, the Lease for the property located at 431 Perry Highway (old Petrack Office) to a Tobacco Outlet. *Motion to approve the Agreement of Principle was made by Mr. Koerts and was seconded by Mr. Mikec.* Mr. Wolf said the hours of operation would be Monday through Saturday from 8:00 a.m. until 8:00 p.m. and Sunday from 11:00 a.m. until 5:00 p.m. The Tenant would be responsible for some renovations, electrical work, ADA Bathroom, and ventilation system, estimated between \$13,000.00 and \$15,000.00. The Tenant would be responsible for Utilities and Insurance and would pay \$500.00 per month for Three Years, with an Option for the next three years of \$700.00 per month, to begin when an Occupancy Permit is issued. *With Council being all in Favor, Motion was approved and ordered.*
8. Council to consider approving the payment of \$410,938.89 to PNCBank. This is the payoff of the 2009 Tax Anticipation Note from PNCBank, which is due by 12/31/2009. *Motion to approve was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*
9. Council to consider approving the final payment of \$21,360.60 to Victor Paving and Construction, Inc. for the Borough's 2009 Paving Project. *Motion to approve the \$21,360.60 was made by Mr. Schell and was seconded by Mr. Aguglia. Motion was approved and ordered.*
10. Council to consider the Proposal from Allegheny County Bookmobile for the Year 2010 in the total amount of \$9,115.00. *Motion to approve the payment was made by Mr. Mikec. Motion from Mr. Schell to approve a three-month payment to the Bookmobile and then reevaluate the service.* Solicitor Baxter requested the President have the Motion clarified,



as two Motions were made, both dying for lack of a second to the Motion. Mr. Schell would like to approve payment for only three-months (per Quarter as in 2009) and reevaluate before committing further. Mr. Schell would like to make sure Borough Residents are using the service before committing more money. *Motion to approve a Quarterly payment and revisit this matter was made by Mr. Schell and was seconded by Mr. Burchell. Motion was approved and ordered.*

- 11. Council to consider the 2010 Meeting Dates for Town Council. The Mandatory ReOrganizational Meeting must be held Monday, January 4, 2010. *Motion made by Mr. Schell was seconded by Mr. Koerts. After some discussion by Council, the Motion is the Regular Meetings of Town Council will be held on the second Wednesday of each month at 7:00 p.m., with the exception of the January Meeting. The January Regular Meeting will immediately follow the ReOrganizational Meeting that begins at 6:30 p.m. on January 4, 2010. Motion was approved and ordered.*

ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

Mrs. Bernhard requested a Moment of Silent Prayer for fallen Officer Michael Crawshaw from Penn Hills Police Department. Officer Crawshaw's viewing is being handled through the Schellhaas Funeral Home in West View.

With no further Business to come before Council, *Motion to Adjourn was made by Mr. Schell and was seconded by Mr. Koerts. Motion was approved and ordered.*

The Meeting Adjourned at 7:53 p.m.

APPROVED: January 4, 2010

BOROUGH OF WEST VIEW

BY:   
Kenneth J. Wolf  
Secretary/Manager

BY:   
Mary C. Bernhard  
President of Town Council