

BOROUGH OF WEST VIEW
REGULAR MEETING – September 9, 2021

Minutes of the Regular Meeting of Town Council of the Borough of West View, held Thursday, September 9, 2021 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The Meeting was called to order at 6:02 p.m. by President M. Kimberly Steele.

President Steele asked for a moment of silence and the Pledge of Allegiance.

Members of Council present were: President M. Kimberly Steele, Members William F. Aguglia, Donald E. Mikec, Eugene Borio. Also attending were: Mayor J. R. Henry, Chief of Police/Secretary/Manager Bruce A. Fromlak, Assistant Secretary/Assistant Treasurer Cathy A. Mann, Solicitor Michael Witherel, Lauren Terak from MS Engineers and Public Works Coordinator Richard T. Rapp and Junior Council Member Abrianna Bensc. Absent were: Vice President Bryan S. Kircher, Member Robert D. Schellhaas and Member Scott Miller and Engineer John Balewski.

Motion to approve/amend the Agenda was made by Mr. Aguglia and seconded by Mr. Mikec. Motion approved and ordered.

REPORTS FROM THE OFFICERS

Mayor's Report – J.R. Henry – Mayor Henry reported that the motor vehicle code violations for the month of August totaled \$2,750.96.

Chief of Police/Manager's report – Bruce A. Fromlak – Chief Fromlak reported that there were 317 police calls for service, 26 traffic citations issued, 85 traffic enforcement reports, 5 criminal arrests, 8 accident reports and 4 ordinance violations. There were bid openings for the concrete curb work on Perry Highway. Independent Enterprises had the low bid \$109,600 and partial bid of \$61,751. There were three other bids, Alpine Allegheny with a bid of \$193,416 with a partial bid of \$104,550, Santa Maria Landscaping at \$204,800 with a partial bid of \$115,550 and Michael Faciano with a bid of \$220,900 with a partial bid of \$127,000. Action will be taken at November's meeting.

Solicitor's report – Michael Witherel – Mr. Witherel reported that we are still waiting on the judgement from Judge James on the appeal of the car wash conditional use.

Engineer's report – Mr. Balewski was absent. Mr. Rapp reported that the paving project has been delayed due to equipment breakdown and that they are waiting for parts. The pavers could be in next week, but it could take up to a month to get started. Ms. Lauren Terpak from Mr. Balewski's office reported that there were 4 bids for the curb replacement on Perry Highway. Independent contracting was the lowest bidder but will pull out of the bidding tomorrow morning as there was a part of the bid that was missing causing the amount to be incorrect. The next lowest bid was from Alpine Allegheny and it is recommended to go with them. There were 2 parts, the partial and the overall work. Recommendations will be on next months agenda for Council to consider.

REPORTS FROM COMMITTEES

Finance Report – Bryan S. Kircher – Mr. Kircher reported that Wage tax deposits totaled \$83,047.99 in August and were deposited into the Borough's General Fund checking account by Keystone Collections. The Liquid Fuel checking account had a balance of \$231,523.83 as of August 31st and earned \$36.59 in interest. The Building Fund money market account had a balance of \$19,494.20 as of August 31st and earned \$3.08 in interest. Our General Fund money market account had a balance of \$8,366.52 as of August 31st and earned \$1.32 in interest. Real Estate collections for August were \$554,451.99. Local Service tax collections for August totaled \$0.00 and Business/Mercantile for July totaled \$19,547.64.

Property & Purchasing – Eugene Borio – Mr. Borio had no report.

Public Works – Robert D. Schellhaas – Mr. Schellhaas was absent.

Police & Public Safety – William F. Aguglia – Mr. Aguglia reported that school is back in session so please be aware of school zones and school buses picking up children. West View police will be monitoring school zones and bus stops.

Budget/Administration – Bryan S. Kircher – Mr. Kircher was absent.

Fire & Water – Donald E. Mikec – Mr. Mikec had no report.

Public Relations & Recreation – Donald E. Mikec – Mr. Mikec had no report.

Military and Veterans Affairs – Scott Miller – Mr. Miller was absent.

Public Works Coordinator - Richard Rapp – Mr. Rapp reported that there were 157 work orders completed, 15 property maintenance letters sent, the catch basin at Waverly, Montclair and Lakewood Avenues were repaired. The water garden at Center Avenue was weeded and 4 sewers were jetted and televised. The Borough lot was sealed and painted.

Junior Council – Abrianna Bensch – Miss Bensch reported that NH Football won 49 to 17 against Plum on Friday. NH Homecoming is set for Saturday, October 2nd from 6-9 p.m. at Martorelli Stadium. On August 31st the Pennsylvania Secretary of Health signed an order requiring masks to be worn in all schools and school-associated activities effective September 7th.

AUDIENCE

Kristen Lawrence of 306 Cross Creek has concerns with the recent change in the noise ordinance. Other communities have an 8 am to 10 pm time frame. She feels that her family's ability to be in their backyard is being disrupted. For the past 5 years all is well, there are family gatherings, neighborhood gatherings with no issues. They play basketball, cornhole and do have music playing in the garage. In these times she would rather her kids be home than out on the streets doing who knows what. What is an excessive noise? It doesn't get dark in the

summer until after 9. It seems like since new neighbors moved in there is now a problem. Ms. Lawrence was in front of council for 2:57.27 minutes

Kevin Conner of 327 Cross Creek Court is here to support the Lawrence family. How long has it been since the ordinance has been changed? Mayor Henry replied since 1989. How many complaints were lodged to cause Council to change the ordinance? Mayor Henry did not have a specific number but did state that it was not solely because of the Lawrence family, it was other complaints throughout the Borough. Research started with the proposed car wash going in the plaza and the noise it would create. Residential complaints were then looked at and all was taken into consideration. Different areas of the Borough, Wellington Heights, Amherst Avenue, Bronx Avenue and Martsolf Avenue were just a few. Mr. Conner was in front of council for 2:32.14 minutes.

Rebecca Miller of 6 South Fork Drive stated that she has lived there for all her life. People are going to complaint and with all that is happening in todays world such as COVID a 9 pm time restraint is not fair to the children. Ms. Miller was in front of council for 1:09.18 minutes.

Colleen Jewell of 329 Cross Creek Court has lived there for 29 years and raised 3 girls. If you are in your own backyard you should be able to stay out and participate in your activities with your family. She feels 10 pm would be a better time. Ms. Jewell was in front of council for 27:01 seconds.

Mayor Henry stated that his opinion in this matter is that the Council does not want to place restrictions on their residents and that this matter has been investigated. The ordinance is not restricting residents to stay in their backyard, you don't have to be in your house at 9 pm, it is more on making enough noise to bother the neighbors. If there is a complaint, the police will investigate it and follow the proper procedure. The ordinance was not changed solely on the Cross-Creek complaint.

Jim Barr of 200 Frankfort Avenue commented that he lives on the corner of Frankfort and Center and he hears noise from the buses and motorcycles etc. Is it possible that the paving will be delayed until next year? Mayor Henry replied that there would be legal ramifications as a last result if the paving were delayed to next year. He was told that coyotes were seen in Ross Township and would like to know if there were any sightings in West View. Would Ross and West View work together on a coyote hunt. Mr. Barr was in front of council for 3:46.17 minutes.

Motion to approve the Minutes of the regular meeting of Town Council on August 12, 2021 was made by Mr. Aguglia and seconded by Mr. Mikec. Motion approved and ordered. Motion to approve payments for net pay and payroll withholding in the amount of \$143,304.22 was made by Mr. Mikec and seconded by Mr. Borio. Motion was approved and ordered. Motion to approve payments to vendors for \$220,220.14 was made by Mr. Mikec and seconded by Mr. Borio. Motion was approved and ordered. Motion to approve payment for liquid fuel expenditures for \$5,029.61 was made by Mr. Borio and seconded by Mr. Mikec. Motion was approved and ordered. Motion to approve payments for building fund expenditures for \$24,220.22 was made by Mr. Aguglia and seconded by Mr. Borio. Motion was approved and ordered.

Unfinished Business – None

New Business – None

Agenda

Council to discuss the American Rescue Plan. The Borough received \$314,319.12 this year and will receive another \$314,319.12 next year. These funds need to be used by December 2024. Council discussed possible use for the money we received from the CARES Act. Possible uses are: Playground improvements, Streetscape and Sewer infrastructure. The rehabilitation of the sewer systems on Frankfort, Tomoka, Vassar and Kenyon Avenues are being evaluated. The streetscape project includes lighting, curbs, sidewalks and trees along the business district. Improvements to the playgrounds such as Powell Park on Perry Highway and Glenmore Park on Glenmore Avenue. Mayor Henry commented that we are trying to use the money in the areas that will make a difference. We are working together with the Water Authority on the sewer projects. Council welcomes public input on the spending using the guidelines set, you can contact Chief Fromlak with any ideas or attend a council meeting.

Council to consider Resolution #1515. (A Resolution Commemorating the 20th Anniversary of Ridgewood Assembly of God). *Motion to read Resolution #1515 was made by Mr. Aguglia and seconded by Mr. Mikec. Motion approved and ordered.* Mayor Henry invited Pastor Chris to come forward as Chief Fromlak read the Resolution, this will be presented to his congregation at the end of the month. *Motion to approve Resolution #1515 was made by Mr. Aguglia and seconded by Mr. Borio. Motion approved and ordered.*

Council to consider Ordinance #1518. (An Ordinance prohibiting No Left Turn onto Highland Avenue from Bronx Avenue). *Motion to read Ordinance #1518 was made by Mr. Aguglia and seconded by Mr. Mikec. Motion approved and ordered. Motion to approve Ordinance #1518 was made by Mr. Mikec and seconded by Mr. Aguglia. Motion approved and ordered.*

ANNOUNCEMENTS – The Halloween parade will be held on Monday, October 25th and we will be following CDC Guidelines. Signups will be held online only this year. You can sign up as of October 1st online at our website www.wvboro.com. We will be packing the bags on Thursday, October 21st up in Council chambers starting at 5:00 pm. All are welcome to come help.

President Steele would like to recognize Chuck Kovac who passed away this month. Chuck was a lifetime firefighter for West View with 44 years of service, worked for Ems from 1978 – 1980's and was the Fire Inspector.

As we Commemorate the 20th Anniversary of September 11th, please remember in your thoughts and prayers all of those that gave the ultimate sacrifice. God Bless America!

ADJOURNMENT

With no further business to come before Council, *Motion to adjourn was made by Mr. Aguglia and seconded by Mr. Mikec. Motion approved and ordered.* The meeting adjourned at 6:47 pm.

Approved: October 14, 2021

BOROUGH OF WEST VIEW

BY: _____
Cathy A. Mann
Assistant Secretary/Assistant Treasurer

