

BOROUGH OF WEST VIEW - REGULAR MEETING - AUGUST 8, 2013

Minutes of the regular meeting of the Town Council of the Borough of West View held Thursday, August 8, 2013 in Council chambers at 441 Perry Hwy., Pgh., PA 15229. The meeting was called to order at 7:00 p.m. by President Schell, followed by a moment of silent prayer and the pledge of allegiance to the Flag. Chief Fromlak conducted roll call. Members of Town Council present were: President Barry G. Schell, Vice President William F. Aguglia, Members Donald E. Mikec, M. Kimberly Steele, Bryan S. Kircher and Robert D. Schellhaas. Member John W. Koerts was absent. Also attending were: Chief of Police Bruce A. Fromlak, Secretary/Manager, Asst. Sec. Patty Rapp, Solicitor Fred E. Baxter, Robert Zischkau from Glenn Engineering and Fire Chief Mark W. Scheller.

Mayor Henry stepped to the podium and asked representatives from the West View Volunteer Fire Dept., the West View Fire Police and the Ross Township Fire Police to join him, where he read commendations with thanks for their service during the Perry Hwy. sinkhole incident and then presented the commendations. The representatives were applauded.

President Schell requested a motion to approve the minutes of the regular meeting of Town Council on July 11, 2013, which was made by Ms. Steele and seconded by Mr. Aguglia. Motion approved and ordered. Motion to approve general fund payment of net pay and payroll withholding for \$130,817.66 made by Ms. Steele and seconded by Mr. Aguglia. Motion approved and ordered. Motion to approve general fund payments to vendors for \$109,132.53 made by Mr. Mikec was seconded by Mr. Aguglia. Motion approved and ordered. Motion to approve payment of liquid fuel fund expenses for \$5,095.87 made by Mr. Schellhaas was seconded by Mr. Aguglia. Motion approved and ordered. Motion to approve payment of building fund expenditures for \$23,912.52 made by Ms. Steele and seconded by Mr. Mikec. Motion approved and ordered.

Reports from the officers - Mayor's report - J. R. Henry reported the motor vehicle code violations receipts for July 2013 totaled \$6,594.94 and Council has the report within their packet. Mayor Henry reported on Girty's/Lowry's Run and the feasibility study that Mr. Zischkau filed on the Borough's behalf, proposing the eventual Alcosan take over of the Borough's main trunk lines. The entire County is facing a major expense (over 2 ½ billion dollars) for future renovations to the County's sewer systems and each municipality was required to submit a feasibility study on this matter.

Report from the Chief of Police/Secretary/Manager Bruce A. Fromlak - Chief Fromlak said the Borough's 2013 paving project is 90% complete and payment would be addressed as Item 8 under the Agenda. Two officers will attend a free Allegheny County seminar to address mental health crisis. The Chief read a letter received from Passavant Memorial Homes referencing a positive outcome to a potentially bad situation of a shoplifter/caregiver endangering the welfare of an autistic person found dehydrated in a waiting vehicle, which was successfully resolved by Sergeant Towne and Officer Stern. Report from the Solicitor - Fred E. Baxter recommended Council award the bid for the demolition of 17 Fairview Ave. An advertised public hearing was held and no one appeared to contest or address the demolition. Solicitor Baxter recommends the demolition take place within five days. This matter has been tied up in court due to arson charges and has been deemed a hazardous property and a public nuisance by Council.

Report from Glenn Engineering - Robert E. Zischkau updated Council on the Center Avenue Green Project and he is still addressing paperwork through the DEP and EPA. As soon as Mr. Zischkau receives approval from both agencies, he will be able to proceed with the Project. Report from the Fire Chief - Mark W. Scheller. Chief Scheller said 15 firefighters completed the County's flashover class and 9 or 10 firefighters will be attending a County survivor class, being held the end of August.

Reports from the officers - Finance report - Bryan S. Kircher reported the wage tax collection deposits for July totaled \$8,713.07. The Borough's net proceeds were \$4,356.54 and were deposited into the general fund checking account, along with \$41,003.25 from Keystone Collections. Our capital reserve - UDAG checking account had a balance of \$28,948.24 as of July 31st. Our liquid fuel checking account had a balance of \$170,915.35 as of July 31st and earned \$30.90 in interest. Our building fund money market account had a balance of \$180,343.77 as of July 31st and earned \$16.30 in interest. Our general fund money market account had a balance of \$474,280.53 as of July 31st and earned \$37.68 in interest. Our local services collection deposits totaled \$7,068.49 for July. The Borough's net proceeds were \$6,310.09. Business and mercantile collection deposits totaled \$28,839.17 for July and the Borough's net proceeds were \$13,571.50. Real estate tax collection deposits totaled \$223,839.86 for July. There was no public works report due to Mr. Koerts being absent. Police and public safety report - William F. Aguglia had no report for Council but requested an executive session take place prior to adjournment.

Fire and water report - Donald E. Mikec said the West View Volunteer Fire Dept. had responded to 34 incidents in July with 137.38 man hours used, totaling 173 incidents year-to-date using 813.16 man hours. Robert D. Schellhaas had no public relations report for Council. Recreation report - M. Kimberly Steele reported the 7 week summer recreation program concluded August 2nd and averaged 40 children attending daily. Ms. Steele thanked Chief Fromlak, Patty Rapp and the counselors for their help in the successful program. Budget/Administration report - Bryan S. Kircher had no report.

Audience - President Schell welcomed residents to address Council. Dave Urban from 60 Lakewood Avenue questioned the number of parking tickets issued in July, questioned wage tax collection split and expressed his opinion that he doesn't feel it is right that Mr. Henry remains as Mayor after being appointed to the Water Authority Board. Mr. Urban feels it is a conflict of interest.

Solicitor Baxter said State Code and Borough Code permit it and it is not a conflict, it is not incompatible and it is not unethical for Mayor Henry to serve on the Water Authority's Board. J. R. Henry addressed the fact he is no longer collecting \$175/month from the Borough for being the Mayor and addressed the recent consolidation changes within the Borough i.e. the Chief being Chief/Secretary/Manager. Mr. Urban was in front of Council for over 5 minutes and Chief Fromlak said wage tax is split between West View and the North Hills School District and 67 tickets and 98 citations were issued in July.

Jim Barr questioned Council about the Mayor's Board appointment, questioned where the stipend the West View Board Members collect is generated from and questioned how the Borough would get the money back spent on the demolition of 17 Fairview. Mr. Barr questioned why the Engineer is waiting for approval from the EPA for the Center Avenue project and said his constitution party will be posting a flyer in the Borough window. Mr. Barr was in front of Council for 9 minutes 42.6 seconds.

There was no unfinished business or no new business. Agenda - Item #1 - Council considered an appointment to the Civil Service Commission. Motion to re-appoint Adam Bakaj was made by Ms. Steele and seconded by Mr. Mikec. Motion was approved and ordered. Mr. Bakaj will serve through August 1, 2019, which is a 6 year term. Item #2 - Council considered an appointment to the Zoning Hearing Board for a 3 year term, through August 1, 2016. Motion to re-appoint Dennis Watson made by Ms. Steele and seconded by Mr. Aguglia. Motion approved and ordered. Item #3 - Council to consider Attachment E to Resolution #1400, approved 07/11/13. Motion to approve Attachment E made by Mr. Kircher and seconded by Mr. Aguglia. This attachment accompanies #1400 to Mr. Roller at the NHCOC. Item #4 - Council to consider the bid received for the demolition of 17 Fairview Ave. One bid received from Excavation Contracting for \$11,500 and motion made by Mr. Aguglia was seconded by Mr. Kircher.

Motion approved and ordered.

Item #5 - Council to consider approving the Borough's winter salt agreement option year 1 through the NHCOC with Morton Salt at a cost of \$60.42/ton. Motion to approve made by Ms. Steele and seconded by Mr. Mikec. Motion approved and ordered. Item #6 - Council to consider the results of the 3-part July 30th Bid opening for alterations to the Borough building. Mr. Schell reported 9 bids were received and recommended Council reject the \$229,000 low bid from Repal Construction for Part 1 - General Construction and re-evaluate future alterations. Motion to reject made by Mr. Kircher was seconded by Mr. Aguglia. Motion approved and ordered.

Mr. Schell recommended Council approve the Part 3 - Mechanical Construction for HVAC to low bidder First American Industries for \$121,042. Motion made by Mr. Mikec and seconded by Mr. Schellhaas to approve. Motion approved and ordered. Mr. Schell recommended Council reject all Part 2 - Electrical Construction bids, but approve the Company, Three Rivers Electric, along with \$4,500 for electrical construction for the heating and air work. Motion to approve made by Ms. Steele was seconded by Mr. Kircher. Motion approved and ordered.

Item #7 - Council to consider the results of the July 18th bid opening (4 bids received) for the reconstruction of Frankfort Avenue, Contract 13-4, CD 39. Motion to approve the \$54,342.80 low bid from Victor Paving and Construction, Inc. by Mr. Schellhaas was seconded by Mr. Mikec. Motion approved and ordered. This bid will be in conjunction with the NHCOC. Item #8 - Council to consider payment of \$325,589.61 to Victor Paving and Construction, Inc. for the 2013 paving project. Motion to approve made by Mr. Mikec and seconded by Mr. Aguglia.

The Mayor said 10% of the cost is being withheld until total completion of the 2013 paving project. Victor Paving will also be working on the Perry Highway sinkhole project to bring the temporary fix up to PennDot standards. The Mayor explained the entire cost of the "sinkhole" job would be billed to the sewer authority for payment.

Announcements - Mr. Barr and Mr. Urban questioned Agenda Item 8, as it was not on the audience agenda. The Chief explained Item 8 was received late on Thursday and furnished to Council only and it was too late to add it on to the audience agenda. The payment was for the Council approved 2013 paving project and was in actuality, the normal anticipated payment to Victor Paving. There were no announcements and President Schell thanked everyone for attending and explained Council would retire for Executive Session and no further business would be discussed, other than adjournment.

At 7:48 p.m. Council retired to Executive Session and the Audience left the Council meeting.

At 8:15 p.m. Council returned from Session and Motion to Adjourn was made by Robert Schellhaas and seconded by Donald Mikec. Motion approved and ordered. The meeting adjourned at 8:15 p.m.

APPROVED: September 12, 2013

BOROUGH OF WEST VIEW

BY: _____
Chief of Police Bruce A. Fromlak
Secretary/Manager

BY: _____
Barry G. Schell
President of Town Council