

BOROUGH OF WEST VIEW – SPECIAL PUBLIC HEARING/REGULAR MEETING – OCTOBER 12, 2017

Minutes of the Special Public Hearing Meeting held Thursday, October 12, 2017 in Council Chambers at 441 Perry Highway, Pittsburgh, PA 15229. The meeting was called to order by President Aguglia, 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 William F. Aguglia, Vice President Bryan S. Kircher, Members Donald E. Mikec, Robert D. Schellhaas, Eugene Borio and Scott V. Miller. Also attending were: J. R. Henry, Mayor, Chief of Police Bruce A. Fromlak, Secretary/Manager, Assistant Secretary Patricia A. Rapp, Attorney Matt Kalina, Engineer Robert E. Zischkau, Junior Council Members Andrew Bensch and Michelle Do. Council Member M. Kimberly Steele, Solicitor Michael J. Witherel, and Fire Chief Justin Assisi were absent. President Aguglia introduced Andrew Bensch and Michelle Do as the Junior Council Members attending their first meeting.

Chief Fromlak read the Special Public Hearing Notice that was advertised on Friday, September 29th and on Friday, October 6th, which advertised the discussion of the inter-municipal transfer of Restaurant Liquor License No. R-9636 into the Borough of West View from Stowe Township. Mr. Nicholas Miller, Attorney for Caputo & Caputo, P.C., representing SPBW, LLC from Shirley's Inc., spoke to Council regarding the license transfer. The public meeting is required through State Law, Section 341 – liquor code requirements – in order to explain the transfer and to give the Public the opportunity to speak. Mr. Miller said, if approved, this would begin the steps through the State to transfer a Stowe Township license into West View at 5340 Perry Highway, which is the Sweet Pea Marathon station.

Since the Borough of West View has no available licenses so it is necessary to try to transfer an inter-municipal license into West View. It is their intention to conform this site into a comparable Sheetz site, selling gas, 6 packs/12 packs, offering food and seating 30 people. The Mayor questioned if this would increase traffic in the area, to which Mr. Miller felt it would not. Mr. Mikec questioned the specified requirements for the transfer and Mr. Miller said they are following all State Liquor Laws. The Mayor questioned Attorney Kalina if the Borough had any other legal requirements into this matter and Mr. Kalina said the Borough does not, other than holding this public hearing. With nothing further and no Audience participation, the Special meeting ended at 7:06 p.m.

At 7:06 p.m. President Aguglia continued onto the Regular Meeting of Town Council. Motion to approve the Minutes of the regular meeting of Town Council on September 14, 2017 made by Mr. Miller was seconded by Mr. Mikec. Motion approved and ordered. Motion to approve payments for net pay and payroll withholding for \$166,921.82 made by Mr. Kircher was seconded by Mr. Schellhaas. Motion approved and ordered. Motion to approve payments to vendors for \$182,953.13 was made by Mr. Schellhaas and seconded by Mr. Mikec. Motion approved and ordered. Motion to approve payments for liquid fuel fund expenditures for \$4,688.13 made by Mr. Borio was seconded by Mr. Miller. Motion approved and ordered. Motion to approve payments for building fund expenditures for \$1,530.78 made by Mr. Mikec was seconded by Mr. Kircher. Motion approved and ordered.

Reports from the Officers – Mayor's Report – J. R. Henry – Mayor Henry was met at the podium by Andrew Bensch and Michelle Do and the Mayor swore in both as Junior Council Members. Chief Fromlak added this is a good program for the North Hills students and for the Borough. The Mayor reported the September motor vehicle code violations totaled \$5,262.94. Chief of Police/Secretary/Manager Report – Bruce A. Fromlak – The Chief reported there will be a Zoning Hearing meeting on November 8th at 7:00 p.m. to decide on the tearing down of the old Pizza Hut and erecting O'Reilly Auto Parts Store. The Borough received \$137,647.60 in State aid for the pension plans. The Chief said after consulting with Mockenhaupt, there was an overage from the State, which was split evenly among the Non-Uniformed General and the Police Employee pension plans.

Chief Fromlak said Officer Pavlecic, Detective Ganster, Officer Green, Lieutenant Holland and himself will be participating in "Bigs in Blue" at West View Elementary through Big Brothers and Sisters. The Officers will be mentor students attending 3rd through 6th grade and this program is the first of its' kind in Pennsylvania. The Chief reported the Borough has been granted \$1,200 for the Buckle Up program and the program will run October 16th – 27th. The program will dedicate itself to seatbelts for Teens. The Chief reported the September crime statistics was 361 calls for service, 73 traffic citations issued, 94 traffic enforcement reports, 15 criminal arrests, 10 accident reports and 9 ordinance

violations. Mr. Kircher questioned if there was no monetary match from the Borough for the pension funds and the Chief said there is not.

Solicitor Report – Mr. Witherel was absent and Attorney Kalina had no report for Council. Engineer’s Report – Robert E. Zischkau – Mr. Zischkau took part in a Three Rivers Wet Weather tour and the Borough’s Center Avenue Project was the highlight of the tour. Mr. Zischkau said the Deputy Director was very pleased with this project and said it has been meticulously maintained. Mr. Zischkau requested the Public Works Department be congratulated on a great job. Fire Chief – Justin Assisi was absent and had filed a written report. Reports from the Committees – Finance Report – Bryan S. Kircher – Vice President Kircher read his report as follows: Delinquent wage tax collection deposits totaled \$1,029.79 in September. A total of \$111,929.37 was deposited into the Borough’s general fund checking account by Keystone Collections. Our liquid fuel checking account had a balance of \$217,824.24 as of September 30th and earned \$86.50 in interest. Our building fund money market account had a balance of \$13,570.67 as of September 30th, earning \$5.39 in interest. Our general fund money market account had a balance of \$175,153.61 as of September 30th, earning \$72.18 in interest. Real estate tax collections totaled \$621,382.52 in September. Local service tax collection in September totaled \$12.99 and the Borough received \$11.74. Business/Mercantile collections totaled \$1,919.79, with the Borough receiving \$964.90. Property & Purchasing Report – Eugene Borio had no report for Council.

Public Works Report – Robert D. Schellhaas – Mr. Schellhaas said the Public Works Department completed 20 work orders in September. The Crew used 8 tons of hot mix to patch holes and repair wing curbs throughout the Borough. The Crew has begun the annual crack sealing/filling program and repaired 4 storm inlets in September. Budget / Administration Report – Bryan S. Kircher – Mr. Kircher said the 2018 budget preparation is underway and will be ready for the November meeting for review. Police & Public Safety – William F. Aguglia – President Aguglia had no report for Council. Fire & Water Report – Donald E. Mikec – Mr. Mikec said the West View Volunteer Fire Department responded to 47 calls in September and will have their pumps and hoses inspected. Mr. Mikec announced the Fire Department’s fundraising event – Paint with a Twist – and it will be held on October 26th. Public Relations & Recreation – M. Kimberly Steele was absent and Junior Council Member Michelle Do gave Ms. Steele’s report. Volunteers will be packing goodie bags on Thursday, October 26th at 5:00 p.m. on the second floor of the Borough building. The Halloween parade is on Monday, October 30th beginning at 7:00 p.m. Trick or treating will be from 6:00 – 8:00 p.m. on Tuesday, October 31st.

Audience – President Aguglia welcomed any Borough resident to address Council. Jim Barr from 200 Frankfort Avenue welcomed the Junior Council Members, suggested they study their oaths and questioned the pump and hose inspections. Mr. Kircher said this is a required test by the insurance company to make sure all equipment is in good working order. Mr. Barr questioned the 15 criminal arrests and Chief Fromlak said criminal arrests covers any type of arrest. Mr. Barr was in front of Council for 2.03.87 minutes. Gerald Mackarella from 231 Martsolf addressed Council regarding his recent court hearing about his property maintenance issue of an illegal front yard fence. Mr. Mackarella feels the neighbor is harassing him, that the Borough’s codes are old and outdated and even though he had received prior notices from the Borough about the fence through the mail, he ended up in Court and the Judge ruled for him to take it down. Mr. Mackarella also complained about a rat problem in the neighborhood. Mr. Mackarella was in front of Council for 13.46.83 minutes. Mayor Henry advised him to follow the Borough code, to which the Chief added was update in 2010. After the Mayor advised that dog poop, bird seed and railroad ties can draw rats to an area, the Mayor said rat problem will be referred to Mr. Assisi, Road Crew Coordinator, to investigate. Jim Barr from 200 Frankfort spoke for 43.52 seconds to make sure no one’s 4th amendment rights are violated. The Mayor said they were not and would not be violated.

There was no unfinished business and no new business and President Aguglia moved onto the Agenda. Item #1 – Council to consider amending the year of the appointment of Mr. Malone. President Aguglia clarified that Council had appointed Mr. Paul Malone to the West View Water Authority of the Borough of West View at the last meeting. The year of the term should have been 2017, not 2021. Motion to amend the year to 2017 made by Mr. Miller was seconded by Mr. Schellhaas. Motion approved and ordered. Item #2 – Resolution #1451 – Motion to read Resolution #1451 made by Mr. Kircher was seconded by Mr. Mikec. Motion approved and ordered. Chief Fromlak read #1451 by title only, which is a Resolution approving the transfer of Restaurant Liquor License R-9636 into the Borough of West

View from Stowe Township. Motion to approve #1451 made by Mr. Mikec was seconded by Mr. Miller. Motion approved and ordered. Item #3 – Resolution #1452 – Motion to read #1453 made by Mr. Mikec was seconded by Mr. Borio. Motion approved and ordered. Chief Fromlak read #1452, which authorizes the filing of an application for \$21,000 in CDBG funds for demolition of 18 Glenmore Avenue. Motion to approve #1452 made by Mr. Kircher was seconded by Mr. Mikec. Motion approved and ordered.

Item #4 – Resolution #1453 – Motion to read Resolution #1453 made by Mr. Borio was seconded by Mr. Mikec. Motion approved and ordered. Chief Fromlak read #1453, which authorizes the filing of an application for \$31,000 in CDBG funds for reconstruction of Mineola Avenue. The Chief added this amount, if received, would be added to the 2018 Paving Program. Motion to approve #1453 made by Mr. Schellhaas was seconded by Mr. Mikec. Motion approved and ordered. Item #5 – Resolution #1454 – Motion to read #1454 made by Mr. Miller was seconded by Mr. Schellhaas. Motion approved and ordered. Chief Fromlak read #1454, which declares certain structures in the Borough as slums and blight. Motion to approve #1454 made by Mr. Mikec was seconded by Mr. Borio. Motion approved and ordered. President Aguglia added there is no guarantee the Borough will be awarded the grant monies requested for Glenmore and Mineola and #1454 is needed for the filing of the application. Item #6 – Resolution #1455 – Motion to read #1455 made by Mr. Kircher was seconded by Mr. Miller. Motion approved and ordered. Chief Fromlak read #1455, which distributes the \$137,647.60 Foreign Fire & Casualty Premium Taxes to \$55,930.80 into the Non-Uniformed General Pension Plan and \$81,716.80 into the Police Employee Pension Plan. Mayor Henry explained the Pension Plans are not 100% fully funded, this is the MMO required by Mockenhaupt for this year. With no further discussion, Motion to approve #1455 made by Mr. Kircher was seconded by Mr. Miller. Motion approved and ordered.

Announcements – Chief Fromlak announced the October 21st Clean Up, 9:00 a.m. until Noon, beginning behind the VFW on Center Avenue. Volunteers are welcome and Pitt Serves is sending 80 Students to participate. Adjournment – President Aguglia thanked everyone for attending tonight’s meeting and congratulated the Junior Council Members. President Aguglia requested a Motion to Adjourn. Motion made by Mr. Mikec was seconded by Mr. Miller. Motion approved and ordered. The meeting adjourned at 7:48 p.m.

APPROVED: NOVEMBER 9, 2017

BOROUGH OF WEST VIEEW

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

BY: _____
President William F. Aguglia
Borough of West View Town Council