

**COUNCIL OF THE BOROUGH OF WEST MIFFLIN**, met in regular session in the Municipal Building Council Chambers on Tuesday, August 19, 2008 at 6:30 p.m. prevailing time with President William Welsh presiding.

**ROLL CALL:**

Falce	Present	Olasz	Present
Jabbour	Present	Popovich	Present
Munsie	Present	Stephenson	Present
	Welsh	Present	

Seven members present, absent none. Mayor Andzelik present.

**CITIZENS COMMENTS ON AGENDA ITEMS:**

**Diane Stanesic** of 2803 Glenny Lane Extension remarked under Agenda Item G that a very good job is being done on the project. She also asked for an explanation of Agenda Item A. Mr. Bednar explained that newly hired Police Officer, Michael Woodburn is attending the Police Academy for his Act 120 Certification and the resolution is requesting that the Borough receive reimbursement for his tuition, 60% of his wages and any mileage and meals that he incurred.

**APPROVAL OF MINUTES:**

**Motion** by Munsie, seconded by Falce that the Minutes of the July 15, 2008 Council Meeting be approved. Under remarks, Mr. Olasz said that he consistently votes not to pay the bills, and that the roll call of the July 15<sup>th</sup> Minutes under the Payment of Bills states that he had no response, however he remarked that he was talked over and that his vote should be recorded as a nay since he has consistently voted against the payment of bills in the past. No motion was made to change the Minutes. Roll Call: Six ayes, one nay (Olasz). Motion carried.

**PAYMENT OF BILLS:**

**Motion** by Munsie, seconded by Popovich that all bills properly approved by the Finance Committee be paid. Roll Call: Six ayes, one nay (Olasz). Motion carried.

**Motion** by Olasz, seconded by Stephenson to suspend the Rules of Conduct for Legislative Meetings. Under remarks, he stated that he would like to suspend the rules in order to put a motion on the floor to fill the vacancy on the West Mifflin Sanitary Sewer Municipal Authority Board. He also stated that Mr. Welsh should abstain from this vote. Mr. Welsh questioned Mr. Adams as to whether he should abstain from voting to suspend the rules. Mr. Adams replied that he is permitted to vote to suspend the rules since it is a procedural vote. Roll Call on the Motion to suspend the Rules of Conduct: Three ayes, four nays (Falce, Jabbour, Popovich, Welsh). Motion failed.

## AGENDA ITEMS:

**A. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, REQUESTING REIMBURSEMENT FOR EXPENSES INCURRED FOR MICHAEL WOODBURN PURSUANT TO THE TRAINING PROVISIONS OF THE MUNICIPAL POLICE OFFICERS EDUCATION AND TRAINING ACT.**

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**Motion** by Jabbour, seconded by Popovich that the resolution be read. Motion carried. Mr. Bednar read the resolution. **Motion** by Munsie, seconded by Popovich that the resolution be adopted. Under remarks, Mr. Olasz stated he would vote against this until all members of Council receive the FBI background check. Roll Call: Six ayes, one nay (Olasz). Motion carried. Resolution given No. 1184.

**B. Motion** by Popovich, seconded by Munsie authorizing payment from the assets of the Employee Pension Plan Mockenhaupt Benefits Group Invoice #24637 in the amount of \$175.00 for consulting, actuarial and administrative services. Roll Call: Seven ayes, no nays. Motion carried.

**Motion** by Olasz to suspend the Rules of Conduct for Legislative Meetings. Mr. Welsh questioned his reason. Mr. Olasz said it is to remove Howard Bednar as Borough Manager. Motion died for lack of a second.

**C. Motion** by Munsie, seconded by Falce re-approving the Regional Trail and Union Railroad simple subdivision located off State Route 837, first approved by Borough Council at the March 18, 2008 Legislative Meeting. Roll Call: Seven ayes, no nays. Motion carried.

**D. Motion** by Jabbour, seconded by Popovich awarding the bid for the purchase of two (2) 2009 Ford F-150 pick-up trucks to Tri-Star Ford, the lowest responsible bidder at a total cost of \$35,100, with payment from the Capital Projects Fund. Roll Call: Seven ayes, no nays. Motion carried.

**E. Motion** by Munsie, seconded by Falce authorizing the submission of a Community Revitalization Program Grant application in the amount of \$50,000 through the Office of State Representative Bill Kortz for paving a portion of Curry Hollow Road during the 2009 season. Roll Call: Seven ayes, no nays. Motion carried.

**F. Motion** by Popovich, seconded by Munsie awarding the bid for Municipal Waste Disposal (Landfill) Services effective January 1, 2009 to Waste Management Kelly Run Sanitation, the lowest responsible bidder at the following per ton disposal cost: 2009- \$26.50, 2010 - \$27.83, 2011 - \$29.22, 2012 - \$30.68 and 2013 - \$32.21. Roll Call: Seven ayes, no nays. Motion carried.

**G. Motion** by Jabbour, seconded by Falce approving Payment Request #1 in the amount of \$31,500 to Tedesco Construction Company for work completed on the Webster Avenue Retaining Wall Project, Contract No. 2008-01. Under remarks, Mr. Olasz questioned how far the work has progressed. Mr. Balewski reported that the project is a quarter of the way completed. Roll Call: Seven ayes, no nays. Motion carried.

**DEPARTMENTAL REPORTS:**

**Building Inspection..... Walter Anthony**

Mr. Anthony read the Building Inspector's Report for the month of July 2008.

Mr. Olasz requested that the Building Inspector keep him updated on the situation on Route 885.

**Finance..... Virginia Finnegan**

Ms. Finnegan read the Finance Report for the month of July 2008.

Mr. Olasz questioned why only \$15,000 has been budgeted for Amusement Tax. Ms. Finnegan explained that the budgeted amount was before the Kennywood settlement.

**Police..... Joseph Popovich**

Chief Popovich read the Police Department Report for the month of July 2008.

Mr. Olasz stated a legal advertisement for an ordinance appearing in the McKeesport Daily News was not authorized and was improperly advertised by Chief Popovich and he questioned who authorized advertising it at a cost of \$425.00. He said that the Solicitor had no business taking an order from an appointed official. Mr. Welsh stated that the Safety Committee worked on creating the ordinance, not just Chief Popovich. Mr. Adams replied that he was authorized by Council to advertise the ordinance at an Executive Session after a Caucus Meeting, which Mr. Olasz did not attend.

**Public Works..... James Hess**

Mr. Hess read the Public Works Department Report for the month of July 2008.

## **REPORT OF THE MAYOR:**

Mayor Andzelik reported the Crime Watch Parade and Community Day would be on September 6<sup>th</sup>. He said the parade will begin at 12:00 noon.

Mayor Andzelik reported a Country Fest was held on August 15<sup>th</sup> and 16<sup>th</sup> at the Allegheny County Airport with proceeds going to Children's Hospital.

Mr. Olasz commented on Mr. Welsh's statement at the July 15<sup>th</sup> Council Meeting when Mr. Welsh said that there were clearly 5 yes votes in favor of Ordinance No. 1159 and he questioned whether it is accurate that Mr. Munsie never agreed to support Ordinance 1159. Mr. Munsie stated that it is somewhat accurate. Mr. Welsh reiterated that he clearly thought at the end of the Caucus Meeting that Mr. Munsie would be voting yes for the Ordinance or he would not have pushed forward and put it on the Agenda. Mr. Munsie explained that there was miscommunication.

## **REPORT OF THE SOLICITOR:**

No report.

Mr. Olasz questioned whether the Borough is settled with Kennywood Park. Mr. Adams stated that the case is settled, however the Consent Order has not been signed by the Judge. He also stated that this is a litigation matter and was discussed at the Executive Session, which Mr. Olasz did not attend. He stated that Mr. Olasz is not going to force him to breach attorney client privilege communication in a public meeting.

Mr. Welsh called for a motion to adjourn.

## **ADJOURNMENT:**

**Motion** by Jabbour, seconded by Falce that the Meeting be adjourned. Meeting adjourned at 7:00 p.m. prevailing time.