

COUNCIL OF THE BOROUGH OF WEST MIFFLIN met in regular session in the Municipal Building Council Chambers on Tuesday, January 20, 2009 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 commented under Agenda Item M that she had written to Council when Mr. Miklos passed away that she was interested in serving on the Board. Ms. Stanesic stated that every time there is a motion regarding the Sanitary Sewer Municipal Authority Mr. Welsh abstains and she said she would hope that he would abstain again since this is a conflict of interest. She stated that if Mr. Welsh votes on any position for the Sewage Board that she will personally send a complaint to the Ethics Commission. She also remarked that she finds that there is a conflict of interest with Mr. Adams also since his associate is the Sewer Authority Solicitor. Ms. Stanesic questioned Agenda Item D. Mr. Bednar explained that there are 3 police vehicles being purchased and payment would be from the Federal Forfeiture Fund and the Capital Projects Fund. Ms. Stanesic questioned Agenda Item H. Mr. Bednar explained that it is a contract between the Teamsters Local #636 which consists of the Public Works employees, one employee at the Police Station and one employee in the Building Inspection Department.

John Koczka of 4333 Everlawn Street questioned why names are not included in the motions under Agenda Items L and M. Mr. Bednar explained that the motions would be done by nominations. Mr. Koczka also questioned the salary set under Agenda Item B. Mr. Bednar said that beginning in 2010 through the end of 2013 the compensation would be \$27,794.00 per year. He stated that the salary for the tax collector must be set before February 15th of the year of the election. Mr. Stephenson remarked that the West Mifflin Area School District has agreed to set the same salary.

Jim Jasinski of 4100 Home Street remarked regarding Agenda Items D and F that these vehicles are gas guzzlers and questioned whether any research was done on more economical vehicles. Mr. Hess replied that under Agenda Item F it is a good quote and that it is the same as a quote from the previous year. Mr. Jasinski asked for an explanation of Agenda Item G. Mr. Bednar explained that the Borough is a member of the Steel Valley Council of Governments and pays an annual membership of approximately \$20,000. He stated that there are a number of different services and grant programs that they are responsible for administering the funds for the Borough.

PAYMENT OF BILLS:

Motion by Munsie, seconded by Popovich that all bills properly approved by the Finance Committee be paid. Roll Call: Six ayes, no nays, one present (Olasz). Motion carried.

Motion by Olasz, seconded by Stephenson to suspend the Rules of Conduct for Legislative Meetings. Under remarks, Mr. Olasz stated he would like to present a motion to rescind the motion to purchase the metal detectors. Roll Call: Five ayes, two nays (Falce, Welsh). Motion carried.

Motion by Olasz, seconded by Stephenson that the motion to purchase metal detectors for the Borough Council Chambers be stricken from the record and the motion rescinded. Roll Call: Seven ayes, no nays. Motion carried.

Mr. Stephenson made a request that two future public meeting dates be changed. He noted that the May 19th Legislative Meeting be changed due to it falling on the Primary Election Date and also that the November 11th Caucus Meeting be changed due to it falling on Veteran's Day.

AGENDA ITEMS:

A. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PROPER DISPOSAL OF CERTAIN RECORDS IN COMPLIANCE WITH THE REQUIREMENTS OF THE RETENTION AND DISPOSITION SCHEDULE FOR RECORDS OF PENNSYLVANIA MUNICIPAL GOVERNMENTS.

Motion by Popovich, seconded by Falce the resolution be read. Motion carried. Mr. Bednar read the resolution. **Motion** by Falce, seconded by Popovich the resolution be adopted. Roll Call: Seven ayes, no nays. Motion carried. Resolution given No. 1194.

B. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, SETTING FORTH THE COMPENSATION OR SALARY FOR THE OFFICE OF THE ELECTED TAX COLLECTOR; SETTING FORTH THE METHOD OF PAYMENT OF SAID ANNUAL SALARY; AUTHORIZING ACTUAL NEEDFUL EXPENDITURES; AUTHORIZING THE PERCENTAGE OF THE BOND PREMIUM; SETTING FORTH REGULATIONS FOR THE COLLECTION OF PAYMENT OF TAXES.

Motion by Jabbour, seconded by Popovich the resolution be read. Motion carried. Mr. Bednar read the resolution. Under remarks, Mr. Olasz questioned the bond cost for this year. Mr. Bednar stated it was approximately \$4,300 which is split between the Borough and the School District. **Motion** by Falce, seconded by Popovich the resolution be adopted. Under remarks, Mr. Stephenson requested that the motion include the salary of \$27,794.00. Roll Call: Seven ayes, no nays. Motion carried. Resolution given No. 1195.

C. Motion by Jabbour, seconded by Falce appointing Frank Genes to a one (1) year term on the Vacancy Board with the term to run through January 19, 2010. Roll Call: Five ayes, two nays (Munsie, Olasz). Motion carried.

D. Motion by Falce, seconded by Jabbour authorizing the purchase of three (3) Police vehicles, (one (1) Ford Crown Victoria and two (2) Ford Explorers) from Day Fleet Sales via “piggy-back” through the Central Westmoreland Council of Governments Cooperative Purchasing Program 08-MV-008-009 at an estimated cost of \$100,046.00 with payment from the Federal Forfeiture Assets Fund and the Capital Projects Fund. Under remarks, Mr. Olasz questioned why the Police Detectives are authorized to take their vehicles home. Chief Popovich stated that all 4 detectives are considered on call 24 hours a day. Mr. Olasz questioned whether the Mayor is aware of this. Mayor Andzelik stated that he was not aware of this and was under the assumption that when the other police officers could no longer take a vehicle home that this applied to the detectives also. He stated that this is something he and the Chief will discuss in the near future. Roll Call: Seven ayes, no nays. Motion carried.

E. Motion by Popovich, seconded by Falce authorizing the purchase and installation of six (6) Low Band Radios in six Public Works vehicles from Mobile Radio Service, Incorporated via “piggy-back” on the Kenwood State Contract No. 5820-02 at a cost of \$5,754.00 with payment from the Capital Projects Fund. Roll Call: Seven ayes, no nays. Motion carried.

F. Motion by Popovich, seconded by Falce authorizing the purchase from A&H Equipment Company through a “piggy-back” on the City of Harrisburg, PA Capital City Automotive and Equipment Contract one (1) 2009 Ford F-550 XL Chassis with a Thiele Deluxe Chor-Boy, Aluminum Dump Body with a stainless steel UTG Spreader (installed) and eight foot six inch Western Pro Plug Steel plow with hitch and lights (installed) at a cost of \$62,499.00 with payment from the Capital Projects Fund. Roll Call: Seven ayes, no nays. Motion carried.

G. Motion by Jabbour, seconded by Popovich approving the agreement between the Borough of West Mifflin and Steel Valley Council of Governments (SVCOG) governing the administration of grant funds administered by the SVCOG on behalf of the Borough. Roll Call: Seven ayes, no nays. Motion carried.

H. Motion by Popovich, seconded by Munsie approving a two (2) year contract for the years 2009 and 2010 between the Borough and General Warehouseman and Employees Union Local #636. Under remarks, Mr. Olasz stated that when contacted by Mr. Bednar for a telephone pole of his vote he requested that Mr. Bednar call him back after he had the majority of votes and he had not received a call from him. Mr. Bednar replied that he did return his call and left a message and that Mr. Olasz had not returned his call. Roll Call: Seven ayes, no nays. Motion carried.

I. Motion by Falce, seconded by Jabbour approving the Disability Pension request from Borough Employee Number 254. Under remarks, Mr. Stephenson questioned whether it includes medical benefits. Mr. Bednar stated that it does not include medical benefits. Roll Call: Seven ayes, no nays. Motion carried.

J. Motion by Munsie, seconded by Jabbour terminating effective immediately the employment of Borough Employee Number 144 for violations of Borough Work Rules

and a Last Chance Counseling Agreement. Roll Call: Seven ayes, no nays. Motion carried.

K. Motion by Falce, seconded by Popovich appointing Richard Cecotti as a part-time School Crossing Guard. Under remarks, Mr. Olasz said that he is an elected official and is entitled to see background checks. Mr. Welsh remarked that in the past Council did receive copies of the background checks and they ended up being leaked out to the public violating the rights of the applicant. Roll Call: Six ayes, one nay (Olasz). Motion carried.

L. Motion by Falce, seconded by Stephenson accepting nominations for a three (3) year term on the Board of the West Mifflin Sanitary Sewer Municipal Authority with the term to run through the first Monday of 2012. Under remarks, Mr. Welsh stated that due to a possible conflict of interest it is his intention to abstain from voting and that the proper paperwork has been filed with the Borough Manager. Mr. Stephenson questioned whether Mr. Welsh should vacate his chair for the vote. Mr. Adams stated that he still has his position in the roll call. Mr. Bednar called for nominations. Mr. Olasz nominated Robert Kostelnik, seconded by Stephenson. Mr. Falce nominated Frank Genes, seconded by Popovich. Roll Call:

Falce	Genes	Olasz	Kostelnik
Jabbour	Genes	Popovich	Genes
Munsie	Kostelnik	Stephenson	Kostelnik

Mr. Welsh read the following statement: In the event the required abstention results in the inability of the governmental body to take action because a majority is unattainable due to the abstention from conflict under the Ethics Act, then voting is permissible provided the disclosure requirements noted above are followed. Mr. Welsh stated that the requirements have been filed with the Borough Manager. Mr. Welsh then voted for Genes. Motion carried in favor of Frank Genes.

M. Motion by Munsie, seconded by Popovich accepting nominations for a five (5) year term on the Board of the West Mifflin Sanitary Sewer Municipal Authority with the term to run through the first Monday of 2014. Under remarks, Mr. Welsh stated that due to a possible conflict of interest it is his intention to abstain from voting and that the proper paperwork has been filed with the Borough Manager. Mr. Bednar called for nominations. Mr. Olasz nominated Diane Stanesic, seconded by Stephenson. Ms. Jabbour nominated Albert Kopay, seconded by Popovich. Mr. Munsie nominated Robert

Kostelnik, hearing no second Mr. Bednar explained that during the roll call Mr. Munsie would vote for either Ms. Stanesic or Mr. Kopay. Roll Call:

Falce	Kopay	Olasz	Stanesic
Jabbour	Kopay	Popovich	Kopay
Munsie	Stanesic	Stephenson	Stanesic

Mr. Welsh read the following statement: In the event the required abstention results in the inability of the governmental body to take action because a majority is unattainable due to the abstention from conflict under the Ethics Act, then voting is permissible provided the disclosure requirements noted above are followed. Mr. Welsh stated that the requirements have been filed with the Borough Manager. Mr. Welsh then voted for Kopay. Motion carried in favor of Albert Kopay.

ADJOURNMENT:

Motion by Jabbour, seconded by Popovich that the meeting be adjourned. Meeting adjourned at 7:30 p.m. prevailing time.