

COUNCIL OF THE BOROUGH OF WEST MIFFLIN met in regular session in the Municipal Building Council Chambers on Tuesday, June 16, 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 questioned why Item E was on the Agenda if it was voted on in June. Mr. Bednar explained that the vote last month was to approve the settlement agreement and that this Motion would be to authorize the transfer of the funds from the Real Estate Tax Escrow and the Tax Escrow Reserve to the General Fund. Mrs. Stanesic questioned the rental space amount under Agenda Items G and H. Mr. Bednar stated that under Item G that Bristol Metal Products has 250 square feet and would be paying \$17.34 per square foot for the six remaining months of the year and for the first six months of 2010 they would be paying \$17.69 per square foot. He also reported that under Item H that Allegheny Chiropractic has 535 square feet and would pay \$18.76 per square foot in 2013 and 2014. Mrs. Stanesic commented on Item F that purchasing a street sweeper should be tabled and that giving funds to PRISM Health should take priority.

James Jasinski 4100 Home Street asked under the Payment of Bills if the Finance Committee ever pays bills without an invoice. Mr. Munsie replied that any bill that is paid has an invoice attached as well as a Purchase Order. Mr. Jasinski commented on Item F that he is in agreement with Mrs. Stanesic that it should be tabled. Mr. Jasinski commented that he has not been receiving his sewage bill on a monthly basis and he is being charged late fees. He asked if the situation could be looked into by Council. Mr. Welsh suggested that Mr. Jasinski attend a Sewage Authority Board Meeting and address this and in addition he stated that Council would also look into it.

James Leerburg 1705 Gina Drive requested that Council look into the situation with Mr. Jasinski's sewage bill. Mr. Welsh replied that he has already stated that Council would look into it for Mr. Jasinski.

PAYMENT OF BILLS:

Motion by Munsie, seconded by Popovich that all bills properly approved by the Finance Committee for the months of May 2009 and June 2009 be paid. Under remarks, Mr. Olasz questioned whether there was a duplicate payment to Joyce Insurance Company. Mr. Bednar stated that it was not a duplicate payment and that following the May Council Meeting Mr. Olasz was shown the invoices. Mr. Olasz asked why there was only 7 days between the invoices. Mr. Bednar explained that the amount is for the first 6 months and it was not a duplicate payment. Mr. Olasz questioned why he has not heard a response from Mr. Bednar regarding a request by certified mail to see certain bills. Mr. Bednar explained that the request was sent to him and Mr. Adams and that he turned it over to Mr. Adams to respond. Roll Call: Six ayes, one nay (Olasz). Motion carried.

Mr. Stephenson requested that Mr. Bednar explain to the public why Council would not be voting to approve the Minutes of the May 26th Council Meeting at this meeting. Mr. Bednar reported that a new procedure was

discussed at the June 10, 2009 Caucus Meeting. He explained that approval of the Minutes will be delayed by one month in order to give Council Members, the Mayor and the Department Supervisors enough time to review the Minutes and report back to the Administrative Offices with any proposed revisions. He explained that if there are any requests for corrections, the tape would be reviewed and if corrections are to be made the Minutes would be revised and distributed prior to the next Council Meeting for approval. He said that if there are no calls before the current month's Caucus Meeting then the Minutes will be approved as first distributed. He gave an example such as the May 26, 2009 Minutes will be approved at the July 21, 2009 Legislative Meeting with a deadline to contact the office with any changes by July 15, 2009.

AGENDA ITEMS:

A. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE PARTICIPATION OF THE BOROUGH IN THE REDEVELOPMENT AUTHORITY OF ALLEGHENY COUNTY'S VACANT PROPERTY RECOVERY PROGRAM SUBJECT TO CERTAIN REQUIREMENTS AND AUTHORIZING THE EXECUTION OF THE COOPERATION AGREEMENT WITH THE REDEVELOPMENT AUTHORITY.

Motion by Jabbour, seconded by Falce the resolution be read. Mr. Bednar read the resolution. **Motion** by Munsie, seconded by Popovich the resolution be adopted. Roll Call: Seven ayes, no nays. Motion carried. Resolution given No.1197.

B. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING AN AGREEMENT WITH THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ALLOWING THE BOROUGH TO USE THE DOTGRANTS ON-LINE REPORTING SYSTEM TO FILE THE REQUIRED LIQUID FUELS ANNUALLY.

Motion by Munsie, seconded by Falce the resolution be read. Mr. Bednar read the resolution. **Motion** by Munsie, seconded by Popovich the resolution be adopted. Roll Call: Seven ayes, no nays. Motion carried. Resolution given No. 1198.

C. Motion by Popovich, seconded by Munsie approving payment from the assets of the Employees Pension the following invoices from the Mockenhaupt Benefits Group: Employees Pension – Invoice #25509 - \$175.00 Roll Call: Seven ayes, no nays. Motion carried.

D. Motion by Jabbour, seconded by Falce approving the request of the Jericho Road Ministries, Incorporated to use the Gary L. Parker Memorial Playground on Saturday, July 25, 2009 for their annual Community Day activities. Roll Call: Seven ayes, no nays. Motion carried.

E. Motion by Popovich, seconded by Munsie authorizing the transfer of funds to the General Fund from the Real Estate Tax Escrow Account and the Tax Escrow Reserve Account for the payment of the Century III Mall Real Estate Tax Appeal Settlement. (Total Payment: (\$534,580.20)

Real Estate Tax Escrow Account: \$478,565.53

Tax Escrow Reserve Account: 56,014.67

Under remarks, Mr. Olasz questioned if the money had been in an interest bearing account and if so how much interest did it earn. Mr. Bednar replied that it was in an interest bearing account

but he did not have an interest figure available at this time and if Mr. Olasz had called ahead of time he would have had that information for him. Mr. Olasz also questioned why two separate checks were cut. Mr. Bednar replied that the settlement agreement required that the 2009 taxes be paid directly to Richard Allen, Tax Collector and the remainder would go to Century III Associates. Mr. Welsh thanked everyone involved that had the foresight to put this money aside which alleviates the problem of paying it back. Mr. Stephenson commented that it should also be noted that this tax appeal is a large loss to the Borough. Roll Call: Seven ayes, no nays. Motion carried.

F. Motion by Olasz, seconded by Stephenson to table the motion authorizing the purchase from A&H Equipment Company through a “piggy-back” on the Commonwealth of Pennsylvania Co-Stars Contract 2420-2, one (1) Elgin Street Sweeper as per their quote dated June 10, 2009 at a total delivered cost of \$229,734.67 with payment from the Capital Project fund. Under remarks, Mrs. Popovich stated that the funds for the street sweeper are in the Capital Project Fund and that it should not be an issue of whether the Borough purchases a street sweeper or provides assistance to PRISM Health. She said that everyone is trying to come to an agreement regarding PRISM and she would hope that it can be resolved. Mr. Stephenson replied that he would also like to resolve the issue very soon. Mr. Welsh stated that the issue is not a sweeper or PRISM. He said that the money for the sweeper is there and if Council agrees to give PRISM money that is a separate decision. Mr. Munsie stated that he feels it is premature to authorize the purchase and would like to discuss whether to lease or purchase a street sweeper at the next Caucus Meeting. Roll Call on the Table: Five ayes, two nays (Jabbour, Welsh). Motion carried.

G. Motion by Popovich, seconded by Falce approving a one (1) year lease agreement from July 1, 2009 through June 30, 2010 with Bristol Metal Products for rental space in the Borough Building. Roll Call: Seven ayes, no nays. Motion carried.

H. Motion by Falce, seconded by Popovich approving a one (1) year lease extension from January 1, 2013 through December 31, 2013 with Allegheny Chiropractic and granting an option to Allegheny Chiropractic for the year 2014 for rental space in the Borough Building. Roll Call: Seven ayes, no nays. Motion carried.

I. Motion by Jabbour, seconded by Falce appointing Michael Hasson to a three (3) year term on the Borough Workplace Safety Committee. Term to run through May 31, 2012. Roll Call: Seven ayes, no nays. Motion carried.

J. Motion by Falce, seconded by Popovich appointing Virginia Finnegan to a three (3) year term on the Borough Workplace Safety Committee. Term to run through May 31, 2012. Under remarks, Mr. Olasz questioned whether the position would be vacated if Mrs. Finnegan does not come back next year. Mr. Bednar replied that you have to be a Borough Employee to be on the Safety Committee. Roll Call: Seven ayes, no nays. Motion carried.

Mrs. Popovich reported that she has contacted the Solicitor for advice on whether she is permitted to vote on Agenda Item K. Mr. Shimko replied that Mr. Topolnak is Mrs. Popovich’s brother-in-law. He stated that after researching this situation it was determined that she can vote on this Agenda Item. He said that if anyone had any questions he would explain the ruling.

K. Motion by Falce, seconded by Munsie approving the promotion of Anthony Topolnak to the position of Sergeant with the West Mifflin Police Department. Roll Call: Seven ayes, no nays. Motion carried.

L. Motion by Popovich, seconded by Falce approving the promotion of Richard Bandik to the position of Sergeant with the West Mifflin Police Department. Roll Call: Seven ayes, no nays. Motion carried.

M. Motion by Jabbour, seconded by Falce approving the promotion of William Theil to the position of Sergeant with the West Mifflin Police Department. Roll Call: Seven ayes, no nays. Motion carried.

N. Motion by Popovich, seconded by Falce approving the promotion of Robert Husfelt to the position of Sergeant with the West Mifflin Police Department. Roll Call: Seven ayes, no nays. Motion carried.

Mayor Andzelik presented the newly promoted Sergeants with their Sergeant's badges.

DEPARTMENTAL REPORTS:

Building Inspection..... Walter B. Anthony

Mr. Anthony read the Building Inspector's Report for the month of May 2009.

Mr. Anthony reported that effective July 1, 2009 the name of the Building Inspection Department will change to the Community Development Department.

Mr. Olasz reported that HUD has not yet received their Federal appropriation funds to proceed with the demolition of several dilapidated properties and it would be several months before the Borough receives it.

Finance..... Virginia Finnegan

Ms. Finnegan read the Finance Department Report for the month of May 2009.

Mr. Olasz questioned what the financial position looks like with the depressed economy. Ms. Finnegan stated that the revenues are keeping pace with what they were last year at this time.

Police..... Joseph Popovich

Chief Popovich read the Police Department Report for the month of May 2009.

Mr. Stephenson questioned whether the Chief has knowledge of approximately \$157,000 of Federal Forfeiture money forthcoming. Chief Popovich stated he does not have an exact figure but a substantial amount is anticipated in the coming months.

Public Works..... James Hess

Mr. Hess read the Public Works Department Report for the month of May 2009.

REPORT OF THE MAYOR:

Mayor Andzelik reported that the annual Crime Watch Parade/Community Day would be held on September 12th. He reported that the parade would begin at 12:00 noon from the Calvary Baptist Church Parking Lot and proceed to the West Mifflin Area High School where Community Day activities would take place.

REPORT OF THE SOLICITOR:

No report.

REPORT OF THE ENGINEER:

Mr. Balewski reported that the Webster Avenue Landslide Project will go out for bid July 1st with a bid opening at the end of July. He said that the project should begin in late August or early September.

Mr. Olasz questioned the status of the grant for this project and whether Mr. Balewski has been to the site. Mr. Balewski replied that he has nothing to do with the grant and that he planned on going to Webster Avenue tomorrow to take a look at it.

REPORT OF THE MANAGER:

No report.

Mr. Stephenson questioned the status of the grant to change the traffic signals to include a turning arrow at the intersection of Commonwealth Avenue and Homestead-Duquesne Road. Mr. Bednar reported that it is going out for bid. He stated that there are two separate grants, one for \$15,000 and one for \$20,000. He reported that he met with PENNDOT and Traffic Control who gave him the specs and most likely it will be bid out in August.

Mr. Olasz stated that he previously sent 5 letters requesting the Solicitor bills and asked Mr. Bednar for a reason why he is not receiving them. Mr. Bednar explained that if the bills involve litigation all of Council must authorize their release. Mr. Olasz questioned why there are 2 other Council members that get the bills and he is not permitted to get copies. Mr. Munsie replied that general matters bills from the solicitors are sent to the Finance Committee Members with the rest of the bills for authorization, however any bills involving litigation are shown to the Finance Committee before the meeting to be signed. Mr. Olasz stated he is not permitted to have copies of any bills and he is willing to come to the meeting early to review them.

MOTION TO ADJOURN:

Motion by Jabbour, seconded by Popovich that the Meeting be adjourned. Meeting adjourned at 7:35 p.m. prevailing time.