

**COUNCIL OF THE BOROUGH OF WEST MIFFLIN** met in regular session in the Municipal Building Council Chambers on Tuesday, July 21, 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:**

**James Jasinski** of 4100 Home Street stated he has not received a response regarding last month's discussion pertaining to his sewage bills not coming on a monthly basis. Mr. Bednar reported he contacted Mr. Hannan at the West Mifflin Sanitary Sewer Municipal Authority and he was told that all of the bills are sent out monthly and they have been for the past 6 or 7 years. Mr. Jasinski questioned why Mr. Bednar had not responded to the letter he sent following last month's Council Meeting requesting contact information. Mr. Bednar replied that he had never received a letter from Mr. Jasinski. Mr. Olasz said that he personally has had problems with his sewage bills and he would like to invite the officers of Legal Tax Service, the billing company, to a meeting with Council regarding these problems. Mr. Welsh reported that he had contacted Mr. Kopay, WMSSMA Board Member and was informed that Mr. Jasinski should be contacting Mathew Fetzko at Legal Tax Service to discuss his problem.

**Diane Stanesic** of 2803 Glenn Lane Extension questioned Agenda Item C as to whether performance evaluations were ever completed. Mr. Bednar reported that he and the Department Supervisors have completed all that was required. Mr. Stephenson questioned when they were completed. Mr. Bednar said that the last one was completed on June 15<sup>th</sup>. Mr. Olasz asked Mr. Stephenson and Mr. Munsie if they have ever seen the evaluations. They replied that they had not. Mr. Olasz stated that he feels Council should review the evaluations and recommended tabling the motion tonight. Regarding Agenda Item E, Mrs. Stanesic remarked that Agenda Item E should be put on the back burner at this time due to the economy. Mrs. Stanesic also commented on Agenda Items H through K pertaining to the Planning Commissions recommendations for approval regarding the West Mifflin School District. Mr. Welsh replied that the only issue he is aware of is the cost of building caissons on the property where the Middle School would be built. Mr. Stephenson also said that a resident had questioned a potential water runoff problem with the New England parking lot under Agenda Item J. Mr. Balewski stated that the resident's concerns have been addressed and everything is fine.

**John Koczka** of 4333 Everlawn Street questioned who is included in the Salary Resolution and what the salaries would be. Mr. Bednar stated that it is a proposed 3% increase over the 2008 salaries for the following positions; Borough Manager, Finance Officer, Public Works Director, Assistant Public Works Directors, Planning Director, Emergency Management Coordinator, School Crossing Guards, Security Guard, Recreation and Parks Administrator, Assistant Recreation and Parks Director I, Assistant Parks Administrator, Summer Playground Supervisor, Summer Parks Assistant, Seasonal Workers and Park Monitors. Mr. Koczka remarked that Council doesn't realize the Borough is going through a crisis. Mr. Welsh stated that a 3% raise is in the 2009 Budget and has been delayed. Mr. Koczka commented that Council can give raises but not money to PRISM. Mr. Welsh stated that the Borough already gives PRISM a huge amount of money. Mr. Koczka questioned how much. Mr. Welsh stated that the Borough pays for all their fuel and they were previously given \$20,000 this year which totals approximately \$50,000. Under Agenda Item E, Mr. Koczka questioned how much was spent repairing the last Streetsweeper. Mrs. Popovich replied that it never was repaired and that there would be a \$10,000 trade in toward the new sweeper. She also said that the laborers have been sweeping the streets to be paved with brooms and that last year and this year there has been \$200,000 allocated for paving each year. Mr. Welsh also pointed out that at this month's Caucus Meeting it was decided that the road paving would also be expanded and this would all be paid for without a tax increase. Mr. Balewski reported that the Borough is already into a program that is mapping and keep track of the storm sewers and the next phase requires that the sewers be cleaned out, which he said the Elgin Streetsweeper also cleans out storm sewers.

#### **APPROVAL OF MINUTES:**

**Motion** by Popovich, seconded by Munsie that the Minutes of the May 26, 2009 Council Meeting be approved. 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. Mr. Olasz questioned a bill of Mr. Adams pertaining to a tax appeal. He remarked that there is an agreement that the School District Solicitor would handle the real estate tax appeals and the Borough would pay 1/3 the cost. Mrs. Popovich and Mr. Welsh both replied that when it is a major appeal that would affect the Borough then Mr. Adams would be involved and this particular appeal was Century Square which involves a substantial amount of money. Mr. Adams replied that the current assessment on Century Square is approximately \$30 million dollars and the owners are appealing to lower it to a \$10 million dollar assessment. Roll Call: Six ayes, one no response (Olasz). Motion carried.

**AGENDA ITEMS:**

**A. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION WITH THE ALLEGHENY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING FUNDING IN THE AMOUNT OF \$200,000 FOR THE DEMOLITION OF TWENTY-FIVE (25) HOUSES.**

**Motion** by Jabbour, seconded by Popovich the resolution be read. Motion carried. Mr. Bednar read the resolution. **Motion** by Popovich, seconded by Falce the resolution be adopted. Roll Call: Seven ayes, no nays. Motion carried. Resolution given No. 1199.

**B. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION WITH THE ALLEGHENY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT REQUESTING FUNDING IN THE AMOUNT OF \$35,000 FOR THE RENOVATION OF THE GARY L. PARKER PLAYGROUND.**

**Motion** by Munsie, seconded by Popovich the resolution be read. Motion carried. Mr. Bednar read the resolution. **Motion** by Jabbour, seconded by Falce the resolution be adopted. Roll Call Seven ayes, no nays. Motion carried. Resolution given No. 1200.

**Motion** by Stephenson, seconded by Olasz to suspend the Rules of Conduct for Legislative Meetings to present a motion to advertise immediately for a Borough Manager. Roll Call: Three ayes, four nays (Falce, Jabbour, Popovich, Welsh). Motion failed.

Mrs. Popovich reported that employee evaluations were discussed at the Caucus Meeting; however Council had not completed Mr. Bednar's. She stated that during the Meeting there was a storm and power outage and the process could not be completed. She stated that this is 7 month's overdue and she doesn't see why everyone else should have to wait any longer. Mr. Stephenson questioned whether he could have copies of the evaluations. Mr. Adams replied that copies are permitted to go to Council. Mr. Stephenson stated he would like to have copies to review and would have no problem voting on the Salary Resolution at the meeting next month.

**C. RESOLUTION OF THE BOROUGH OF WEST MIFFLIN, ALLEGHENY COUNTY, PENNSYLVANIA, FIXING AND ESTABLISHING THE SALARIES AND WAGES OF THE SEVERAL AND VARIOUS EMPLOYEES OF THE BOROUGH OF WEST MIFFLIN FOR THE PERIOD COMMENCING WITH THE FIRST PAY PERIOD OF 2009, AND THEREAFTER UNTIL OTHERWISE AMENDED BY THE BOROUGH COUNCIL.**

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**Motion** by Olasz, seconded by Stephenson the motion be tabled until copies of employee evaluations are distributed to Council and reviewed. Roll Call: Six ayes, one nay (Welsh). Motion to table the resolution carried.

**D. Motion** by Munsie, seconded by Popovich authorizing the expenditure of \$5,000 for a fireworks display as part of the Community Day/Crime Watch activities scheduled for Saturday, September 12, 2009. Roll Call: Six ayes, one nay (Jabbour). Motion carried.

**E. Motion** by Popovich, seconded by Jabbour authorizing the outright purchase from A&H Equipment Company through a “piggy-back” on the Commonwealth of Pennsylvania Co-Stars Contract 2420-2, one (1) Elgin Streetsweeper as per their quote dates June 10, 2009 at a total delivered cost of \$229,734.67 with payment from the Capital Projects Fund. Under remarks, Mr. Munsie stated he would like to proceed with purchasing the streetsweeper, however he would like to pursue the leasing option. Mr. Olasz stated that this motion was tabled last month and it should not have been put back on the Agenda until it is removed from the table. Mr. Adams replied that when a motion is tabled it automatically comes back on the Agenda the following month. He stated that based on the discussion at the Caucus Meeting it came back in an amended form which is proper. Roll Call: Four ayes, three nays (Munsie, Olasz, Stephenson). Motion carried.

**F. Motion** by Popovich, seconded by Jabbour approving a six (6) month lease amendment agreement with Science Applications International Corporation (S.A.I.C.) for additional rental space in the Borough Building at a per square foot rental cost of \$18.00. Roll Call: Six ayes, no nays, one no response (Olasz). Motion carried.

**G. Motion** by Jabbour, seconded by Munsie accepting the recommendation of Police Chief Joseph Popovich that Officer Michael Woodburn be retained as a full-time Police Officer having successfully completed his probationary period. Roll Call: Six ayes, no nays, one no response (Olasz). Motion carried.

**H. Motion** by Popovich, seconded by Munsie approving the Consolidation Plan for the West Mifflin Area School District Middle School Project as recommended by the Planning Commission with the following conditions:

1. That the ownership issue be resolved regarding the West Mifflin Sanitary Sewer Municipal Authority (WMSSMA) Sewage Treatment Plant (STP) parcel and reflected on the appropriate plans.

2. Pending Conditional Use approval by Borough Council.

Roll Call: Six ayes, no nays, one no response (Olasz). Motion carried

**I. Motion** by Munsie, seconded by Falce approving the Site Plan for the West Mifflin Area School District Middle School Project as recommended by the Planning Commission and with the following conditions:

1. Penn DOT Highway Occupancy Permit approval.

2. Allegheny County Conservation District Erosion and Sedimentation Plan approval.

3. Written statement from the West Mifflin Sanitary Sewer Municipal Authority (WMSSMA) regarding its ability to treat any additional sanitary sewage generated by the proposed Middle School and Athletic Field.

4. Receipt of Soils Report by Applicant with a copy to the Borough and appropriate integration of Soils Report into Site Plan.

5. Pending Conditional Use approval by Borough Council.

Roll Call: Six ayes, no nays, one present (Olasz). Motion carried.

**J. Motion** by Jabbour, seconded by Munsie approving the Consolidation Plan for the West Mifflin Area School District New England Elementary School Parking Lot Expansion project as recommended by Planning Commission and with the following conditions:

1. The consolidation plan should reflect the changes to the plan that the Allegheny County Economic Development Department indicated in their letter dated June 15, 2009.
2. Pending Conditional Use approval by Borough Council.

Roll Call: Seven ayes, no nays. Motion carried.

**K. Motion** by Popovich, seconded by Jabbour approving the Site Plan for the West Mifflin Area School District New England Elementary School Parking Lot Expansion Project as recommended by the Planning Commission and with the following condition:

1. Pending Conditional Use approval by Borough Council.

Roll Call: Seven ayes, no nays. Motion carried.

**L. Motion** by Jabbour, seconded by Munsie authorizing the Borough Engineer and Public Works Director to prepare the specifications and put out for bid for additional road paving through an outside contractor for the 2009 paving season. Under remarks, Mr. Olasz questioned the price per ton of asphalt. Mr. Balewski replied that it is approximately \$60.00 per ton. Mr. Stephenson commented that he is committed to paving 3 additional roads and won't go beyond that. Roll Call: Seven ayes, no nays, one present (Olasz). Motion carried.

**Motion** by Munsie, seconded by Olasz to suspend the Rules of Conduct for Legislative Meetings to present a motion to give PRISM Health Service \$50,000 for the remainder of 2009. Under remarks, Mr. Welsh stated that he has been told by Mr. Mark English of PRISM Health Services numerous times that they need \$180,000 to continue the service and that \$50,000 would not keep them from going under. Roll Call: Five ayes, two nays (Jabbour, Welsh). Motion carried.

**Motion** by Munsie, seconded by Stephenson to provide PRISM Health Services the amount of \$50,000 for the remainder of this calendar year, payable from the Capital Projects Fund. Under remarks, Mr. Bednar questioned if this is an additional \$50,000. Mr. Munsie stated that it is an

additional \$50,000 above the \$20,000 previously allocated. Mr. Stephenson questioned whether it is to be given in one lump sum immediately or dispersed through the next 5 months. Mr. Munsie replied that it should be given immediately to be put in their General Fund to be used for operations and he stated this should be added to his motion. Mrs. Popovich questioned what the total amount provided to them amounts to at this point. Mr. Bednar reported that the Borough budgeted \$30,000 for fuel and that \$11,744.39 has been used year to date. He reported that along with the \$20,000 previously allocated the total so far to date is \$31,744.39. Mr. Olasz remarked that they are an excellent ambulance service and should take priority. Mayor Andzelik also commended the service and recommended that Council vote in favor of the donation.

**CITIZENS COMMENTS:**

**Diane Stanesic** of 2803 Glenn Lane Extension stated that she is very much in favor of voting yes on the motion.

**Harry Thompson** of 6679 Adams Avenue commented in favor of voting yes on the motion.

**James Jasinski** of 4100 Home Streets commented in favor of voting yes on the motion.

**Edward Manfredi** of 805 Joyce Drive commented in favor of voting yes on the motion.

Roll Call: Six ayes, one nay (Welsh). Motion carried.

**DEPARTMENTAL REPORTS:**

**Community Development..... Walter Anthony**

Mr. Anthony read the Community Development Department Report for the month of June 2009.

Mr. Olasz requested that Mr. Anthony comment on the situation on Webster Avenue. Mr. Anthony reported that a resident had contacted his department with a complaint that several residents on Webster Avenue had disconnected the storm lines that had been installed by the contractor and that storm water was coming down on her property. He reported that his department sent notices advising the property owners to reconnect to the lines or they would be cited. He stated that all of them have since reconnected to their lines.

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

Ms. Finnegan read the Finance Report for the month of June 2009.

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

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

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

Mr. Marecic read the Public Works Department Report for the month of June 2009.

**REPORT OF THE MAYOR:**

Mayor Andzelik reported that Duquesne Annex Volunteer Fire Company #2 would be having their annual fair at the Duquesne Village Shopping Center from August 4<sup>th</sup> – August 7<sup>th</sup>.

Mayor Andzelik reported that the Annual Crime Watch Parade/Community Day would take place on September 12<sup>th</sup> with the parade beginning at 12:00 noon.

**REPORT OF THE SOLICITOR:**

Mr. Adams reported that from the legal risk management position the Borough is currently in the best position since he has been Solicitor.

Mr. Adams reported that legal fees are substantially under budget at this point.

Mr. Olasz questioned why Council is not provided with background checks of new employees. Mr. Welsh replied that it is because they are confidential.

**REPORT OF THE ENGINEER:**

Mr. Balewski reported that bid specs would be available on Friday for the additional streets he and Mr. Hess inspected for paving. He stated that the bid opening would be before next months meeting and there would be a breakdown for different options.

## **REPORT OF THE MANAGER:**

No report.

Mr. Munsie reported that he has been contacted by the Chief of Volunteer Fire Company #3 and was informed that the hot line telephone that rings at the Police Department is inoperative and requested that Mr. Bednar contact him to make arrangements to have it repaired.

Mr. Munsie reported that Volunteer Fire Company #1 has given their drivers individual pin numbers for gas purchases and he is requesting that this be done for the other three Fire Departments. He said that this is the system that the Public Works Department uses and he would like to see it used at all Fire Departments and also for PRISM Health Services.

Mr. Munsie questioned the status of transferring vehicle titles to the Fire Departments. Mr. Bednar reported that there are 4 or 5 trucks that still need to be transferred.

## **ADJOURNMENT:**

**Motion** by Munsie, seconded by Jabbour that the Meeting be adjourned. Meeting adjourned at 8:15 p.m. prevailing time.