

**COUNCIL OF THE BOROUGH OF WEST MIFFLIN** met in regular session in the Municipal Building Council Chambers on Tuesday, September 15, 2009 at 6:30 p.m. prevailing time with President William Welsh presiding.

<b>ROLL CALL:</b>	Falce	Present	Olasz	Present
	Jabbour	Present	Popovich	Present
	Munsie	Absent	Stephenson	Absent
			Welsh	Present

Five members present, absent two (Munsie, Stephenson). Mayor Andzelik absent.

**CITIZENS COMMENTS ON AGENDA ITEMS:**

None.

**APPROVAL OF MINUTES:**

**Motion** by Jabbour, seconded by Popovich that the Minutes of the July 21, 2009 Council Meeting be approved. Roll Call: Four ayes, one nay (Olasz), two absent (Munsie, Stephenson). Motion carried.

**PAYMENT OF BILLS:**

**Motion** by Jabbour, seconded by Popovich that all bills properly approved by the Finance Committee be paid. Under remarks, Mr. Olasz indicated that he has a signed statement that he along with Mrs. Stanesic and Ms. Finnegan had listened to the audio tape from the August 18, 2009 Council Meeting verifying that a motion was passed authorizing the Solicitor to review the Purchase Order for the streetsweeper to find out if there is a cancellation penalty and report back to Council the following day. Mr. Welsh replied that Council has received a report from Mr. Adams. Mr. Olasz said it was received 6 days after the fact. Roll Call: Four ayes, no nays, one no response (Olasz), two absent (Munsie, Stephenson). Motion carried.

**AGENDA ITEMS:**

- A. Motion** by Popovich, seconded by Jabbour authorizing the purchase and installation of a new computer system for the Real Estate Tax Office at an estimated cost of \$25,718.33 to be shared 50/50 with the West Mifflin Area School District. Roll Call: Four ayes, one nay (Olasz), two absent (Munsie, Stephenson). Motion carried.

**B. Motion** by Popovich, seconded by Falce to ratify the expenditure of \$6,800 to replace the transmission in garbage truck G-1. Roll Call: Five ayes, no nays, two absent (Munsie, Stephenson). Motion carried.

**C. Motion** by Falce, seconded by Jabbour authorizing the hiring of Margaret Cowell as part-time School Crossing Guard. Under remarks, Mr. Olasz questioned whether a background check is a Federal Law. Chief Popovich replied that she has passed a background check. Roll Call: Four ayes, one nay (Olasz), two absent (Munsie, Stephenson). Motion carried.

**D. Motion** by Jabbour, seconded by Popovich authorizing the continuation of full benefits and the make-up of any pay difference for Employee #79 during the employees deployment to Iraq as part of the Air Force Reserve Command. Roll Call: Five ayes, no nays, two absent (Munsie, Stephenson). Motion carried.

**E. Motion** by Jabbour, seconded by Falce authorizing the hiring of Scott M. Leshen, Paul J. Thielet, James E. Driscoll and James P. Davis for the Public Works Departments contingent upon the successful completion and passing of a physical examination. Under remarks, Mr. Olasz stated that this was not placed on the Caucus Agenda and questioned who placed this on tonight's agenda. Mr. Welsh stated that he authorized that it be placed on the agenda. Mr. Olasz said he would like to see the Employment Applications of the individuals and questioned why they were not dispersed to Council. Mr. Welsh said that has never been done in the past and that the applications are available to him at the Administrative Office. Mr. Olasz also addressed the applicants telling them that he could assure them that come January 2010 they would be laid off. Roll Call: Four ayes, one nay (Olasz), two absent (Munsie, Stephenson). Motion carried.

Mrs. Jabbour stated that she would be abstaining from Item F due to a conflict of interest and she reported that she has filed papers with the Borough Manager and the Solicitor.

**F. Motion** by Popovich, seconded by Falce to accept a proposal from Panacea Investigating and Consulting, Incorporated to perform nine (9) background checks and polygraph examinations on Police Officer candidates at a cost of \$6,685.00. Under remarks, Mr. Olasz stated he would be voting no on this motion since he has not received any information on the candidates. Roll Call: Three ayes, one nay (Olasz), two absent (Munsie, Stephenson), one abstention (Jabbour). Motion carried.

Mrs. Popovich stated that she would be abstaining from Item G due to a conflict of interest and she reported that she has filed papers with the Borough Manager and the Solicitor.

**G. Motion** by Falce, seconded by Jabbour to accept the retirement of the Chief of Police effective October 13, 2009 including the base retirement package, payment of \$75,000 and husband/spouse coverage until the Chief of Police reaches age 65. Under remarks, Mr. Olasz questioned what would be included in the Chief's retirement. Mr. Bednar replied that his pension would be based on Act 600 which is 50% of his last 3 years average monthly salary and in addition also the \$75,000 included in this motion. Mr. Welsh explained that Council is doing what has been done for the retirement of prior chiefs. Roll

Call: Three ayes, one nay (Olasz), two absent (Munsie, Stephenson), one abstention (Popovich). Motion carried.

**DEPARTMENTAL REPORTS:**

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

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

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

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

Mr. Olasz reported there is a discrepancy with the August 2009 Act 511 taxes collected by Keystone Municipal Collections for the School District, opposed to what Legal Tax Service reported for the Borough. He stated that Keystone reported collecting \$101,133.84 and Legal Tax reported approximately \$28,000 less for the same period. Ms. Finnegan replied that it is more than likely timing differences of when each company is reporting the figures. Mr. Olasz also referred to a memo that Council received from Mr. Bednar regarding the 2007 Audit Report submitted July 2009 for various Act 511 taxes that Legal Tax Service collects. Mr. Olasz stated that the memo reports there were some problems with Legal Tax Service that delayed the report. He indicated that there was a \$22,276.00 discrepancy of the amount reported on December 31, 2007 and the actual amount collected. Mrs. Popovich stated that she had questioned this at the Caucus Meeting and it was discussed at that time. Mrs. Finnegan reported that there was a discrepancy that was ultimately resolved and as a result, the auditor's will be monitoring Legal Tax Service more closely.

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

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

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

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

**REPORT OF THE MAYOR:**

No report.

**REPORT OF THE SOLICITOR:**

No report.

**REPORT OF THE ENGINEER:**

No report.

**REPORT OF THE MANAGER:**

Mr. Bednar reported that notice has been received that the Borough has been awarded \$39,696.00 for the 2007 Recycling Grant. He said that for the seconded year in a row in Allegheny County the Borough came in second to the City of Pittsburgh in total tonnage collected between residential and commercial. Mr. Bednar commended the residents and businesses for their cooperation.

Mr. Bednar reported that the Borough's participation in the Allegheny County Vacant Property Recovery Program has been approved by the Redevelopment Authority. He explained that if there is vacant property in your area that you would like to acquire, you would work with Allegheny County to acquire it.

**ADJOURNMENT:**

**Motion** by Jabbour, seconded by Popovich that the Meeting be adjourned. Meeting adjourned at 6:55 p.m. prevailing time.