

**BOROUGH OF MILLVALE
COUNCIL MEETING MINUTES
MARCH 11, 2008
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8:00 PM**

PRE- MEETING MINUTES STARTED 7:00 P.M.

ALL COUNCIL MEMBERS PRESENT EXCEPT EDWARD WIRKOWSKI

MR RICK HEFLER OWNER OF 14 SEDGWICK STREET ADDRESSED COUNCIL IN REGARDS TO SEVERAL COMPLAINTS DIRECTED TO HIS TENANT IMPORT & EXPORT TIRE COMPANY. HE EXPLAINED HOW THE BUSINESS WORKS AND THAT THEY ARE A WHOLESALE BUSINESS. HE DID STATE THAT THEY DO HAVE DELIVERIES AND THEY DO TRY NOT TO BLOCK THE ROAD WHEN POSSIBLE. HE STATED THAT OTHER BUSINESSES RECEIVE DELIVERIES AND UNLOAD ON THE STREET. HE STATED THAT HIS BUSINESS WAS ON A COMMERCIAL DESIGNATED STREET. HE STATED THAT THEY DO WASH WHEELS AND THEIR OWN CARS BUT OTHER PEOPLE WASH THEIR CARS ON THE STREET. HE STATED THAT NO OTHER BUSINESSES OR RESIDENTS ON THE STREET HAVE COMPLAINED. HE STATED THAT THE BUSINESS IS DOING VERY WELL AND HE HOPES THAT THE BUSINESS WILL STAY HERE. HE WAS AFRAID THE COMPANY WOULD GET TIRED OF RESPONDING TO THE UNFOUNDED COMPLAINTS OF HIS NEIGHBORS. MRS. YOUNG WROTE A LETTER TO COUNCIL IN REGARDS TO SOME COMPLAINTS SHE HAD RECEIVED MARLANE TUCIBAT AND RICHARD STERNINSKI. THE BOROUGH MANAGER HAD CHECK INTO THE COMPLAINTS AND PASSED OUT ANSWERS TO EACH OF THEM. AFTER ALL OF THIS DISCUSSION IT WAS DETERMINED THAT THE BUSINESS WAS OPERATING LEGALLY AND THE BOROUGH STAFF WAS WASTING A LOT OF TIME ON THESE UNFOUNDED COMPLAINTS AND THAT OUR SOLICITOR WOULD WRITE A LETTER FOR THE BOROUGH MANAGER TO SEND TO THEM.

VOTE WAS 5 YES AND 1 OBSTAIN JACK VARLEY.

COUNCIL AGREED TO SEND MANAGER AND FOREMAN TO DEP FLOOD CONTROL SEMINAR. NO COST TO THE BOROUGH. 6/0

DISCUSSED BOND ORDINANCE VOTE WILL BE TAKEN AT REGULAR MEETING.

DISCUSSION REGARDING TRANSFER OF BUDGET FUNDS FROM THE PENNDOT BRIDGE REIMBURSEMENT ACCOUNT TO DISTINGUISH MONEY FROM PENNDOT FOR HOMETOWN AND MONEY FROM COUNTY FOR HOMETOWN. OFFICIAL VOTE TO BE TAKEN AT COUNCIL MEETING

DISCUSSION ON 9 & 11 SEDGWICK DEMOLITION. WE MAY NOT BE ABLE TO PURCHASE 11 SEDGWICK STREET. IT WAS DETERMINED TO HAVE THE ENGINEER AND SOLICITOR REVIEW THE CONTRACT AND GET BACK TO US WITH A DETERMINATION. 6/0

THE MANAGER STATED THAT THE CHIEF OF POLICE HAD RECEIVED A REQUEST TO CLOSE GRANT AVENUE FOR A BIKE RUN FOR THE DOUBLE L. IT WAS DECIDED THAT PARKING SPACES COULD BE BLOCKED OFF FOR THEM INSTEAD OF BLOCKING THE STREET.

ENGINEER TALKED TO COUNCIL ABOUT THE WINTER SHUT DOWN GIVEN TO CONTRACTOR FOR HOMETOWN STREETS. HE STATED THAT PENNDOT DIDN'T ACCEPT THE PAPERWORK AND DID NOT APPROVE THE SHUT DOWN AND COULD POSSIBLY START TO HOLD BACK HIS PAYMENTS. HE ASKED COUNCIL TO SUPPORT THE CONTRACTOR ON THIS ISSUE.

COUNCIL WENT IN TO EXECUTIVE SESSION AT 7:40 TO TALK ABOUT PERSONNEL AND PROPERTY. DON GILLESPIE LEFT HE WAS NOT ATTENDANCE

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CAME OUT OF EXECUTIVE SESSION AT 8:02 P.M

THE APRIL 8, 2008 REGULARLY SCHEDULED MEETING OF THE BOROUGH OF MILLVALE COUNCIL WAS CALLED TO ORDER AT THE BOROUGH COUNCIL CHAMBERS AT 8:02 PM BY PRESIDENT, JIM PORTER. THE PLEDGE OF ALLEGIANCE WAS RECITED AND COUNCIL PRESIDENT ANNOUNCED THAT THE MEETING WAS BEING TAPED.

PRESIDENT OF COUNCIL STATED THAT WE WERE IN EXECUTIVE SESSION FROM 7:40 UNTIL NOW DISCUSING PERSONNEL AND PROPERTY.

ROLL CALL: COUNCIL MEMBERS PRESENT – JIM PORTER, DON GILLESPIE, JACK VARLEY, AL ATKINSON, ANGELINA YOUNG, RORY BENN.

OTHERS PRESENT: SOLICITOR REP – MIKE WITHEREL, ENGINEER - PHIL HERMAN, MAYOR VINCENT CINSKI AND POLICE CHIEF DEREK MILLER.

ABSENT: EDWARD WIRKOWSKI

SINCE EVERY MEMBER OF COUNCIL AND ALL BOROUGH OFFICIALS HAVE HAD AN OPPORTUNITY TO READ THE MINUTES OF THE MARCH 11, 2008 REGULAR COUNCIL MEETING A MOTION IS REQUESTED TO ACCEPT THOSE MINUTES WITHOUT CORRECTIONS, DELETIONS, ADDITIONS OR OBJECTIONS.

MOTION: AL ATKINSON
VOICE VOTE: 6/0

SECOND: DON GILLESPIE

PUBLIC COMMENTS

TRISHA GEORGE -902 HANSEN STREET- GAVE A LETTER TO BOROUGH COUNCIL IN REGARDS TO THE GRANT AVENUE POCKET PARK. SHE STATED THE BENEFITS TO THE COMMUNITY, THE CONTRIBUTIONS THEY WERE GETTING AND HER CONCERNS WITH THE FUND RAISING EFFORT. SHE ASKED IF THE BOROUGH AND MBDC WOULD SIGN AN AGREEMENT COMMITTING THE PROPERTY FOR 25 YEARS.

JOANN LUSKY-918 HANSEN- COMPLAINED ABOUT PARKING IN THE BACK OF HANSEN WHERE THE GARAGES ARE. PARKING IS AT A MINIMUM AND CARS ARE BLOCKING THEIR GARAGES MAKING IT DIFFICULT FOR THEM TO GET OUT. CHIEF STATED HE WOULD LOOK INTO AND POST NO PARKING SIGNS.

SECOND SHE ASKED IF THEIR WAS AN ORDINANCE ON RECREATIONAL FIRES. WE DO NOT HAVE AN ORDINANCE ON RECREATION FIRES BUT SHE STATED THAT THEY WERE BUILDING THE FIRE ON THE STREET. THE CHIEF WOULD CHECK THIS OUT.

THIRD SHE ASKED IF PEOPLE WERE ALLOWED TO SIT AND WATCH THEIR CHILDREN PLAY ON THE STREET SHE SAID THIS WAS VERY DANGEROUS AND THAT SOMEONE WAS GOING TO GET HURT THE CHIEF SAID HE WOULD LOOK INTO THIS.

FOURTH SHE ASKED IF WE COULD PUT A STOP SIGN FOR THE OPPOSITE TRAFFIC ON EVERGREEN ROAD BY SEAVEY ROAD. SHE WAS TOLD THAT IT WAS A STATE ROAD. SHE ASKED IF WE COULD PUT UP A MIRROR AND SHE WAS TOLD THAT IT WAS RECOMMENDED THAT WE DON'T DO THIS BECAUSE IT CAN CAUSE PEOPLE TO THINK THINGS ARE CLOSER THAN THEY APPEAR.

THE BOROUGH MANAGER READ THE MONTHLY REPORTS:

REAL ESTATE TAX COLLECTIONS OF MARCH

CURRENT

\$ 907.51

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DELINQUENT	\$ 1,638.88
OTHER/TAX LICENSE	\$ 4,333.92
COMMISSION PAID	\$ 344.00

WAGE TAX COLLECTIONS OF MARCH

CURRENT	\$ 19,324.10
DELINQUENT	\$ 1,833.77
COMMISSION COLLECTED	\$ 91.69

<u>DISTRICT JUSTICE FEE FOR MARCH</u>	\$ 3,780.02
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<u>ANIMAL CONTROL FEE FOR FEBRUARY</u>	\$ 265.00
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A MOTION IS REQUESTED TO ACCEPT ALL REPORTS AS READ

MOTION: DON GILLESPIE
ROLL CALL VOTE 6/0

SECOND: RORY BENN

COMMITTEE REPORTS

FINANCE (JIM PORTER): NO REPORT

PUBLIC SAFETY (JIM PORTER): THE MAYOR WILL REPORT LATER IN MEETING.

HANDICAPPED COMMITTEE (DON GILLESPIE): ONE SIGN WAS PUT UP AND TWO APPLICATIONS WERE RECEIVED.

RECREATION COMMITTEE (AL ATKINSON): NO REPORT

PENSION (AL ATKINSON): NO REPORT

BOROUGH/PUBLIC PROPERTY & PERSONNEL – (DON GILLESPIE): NO REPORT

PUBLIC WORKS (JIM PORTER): NO REPORT

OLD BUSINESS: NONE

NEW BUSINESS:

A MOTION WAS REQUESTED TO MOVE FUNDS FROM BUDGET ACCOUNT 354.12 PENNDOT BRIDGE REIMBURSEMENT TO TWO ACCOUNTS RECOMMENDED BY OUR AUDITOR FOR HOMETOWN STREETS ACCOUNT #357.00 IN THE AMOUNT OF \$120,000.00 FOR ALLEGHENY COUNTY REDEVELOPMENT AUTHORITY GRANT FOR HOMETOWN AND \$550,000.00 TO ACCOUNT #384.02 FOR PENNDOT HOMETOWN STREETS GRANT A MOTION IS REQUESTED TO ACCEPT HEARTLAND SALES AGREEMENT FOR THE PURCHASE OF LOTS 79-H-126 AND 79-H-134 ON CONDITION THAT IT IS APPROVED BY OUR SOLICITOR.

MOTION: ANGELINA YOUNG
ROLL CALL VOTE 6/0

SECOND: DON GILLESPIE

ORDINANCES:

AN ORDINANCE OF THE BOROUGH OF MILLVALE, AUTHORIZING THE INCURRING OF NONELECTORAL DEBT FOR THE PURPOSE OF PROVIDING FUNDS FROM A REFUNDING PROJECT AND A CAPITAL, BY ISSUANCE OF GENERAL OBLIGATION BONDS NOT TO EXCEED THE AGGREGATE PRINCIPAL AMOUNT OF \$2,225,000; FINDING A SALE BY NEGOTIATION TO BE IN THE BEST INTEREST OF THE BOROUGH; PROVIDING FOR MAXIMUM MATURITIES, MAXIMUM INTEREST RATES AND REDEMPTION FEATURES; COVENANTING TO PAY DEBT SERVICE; PLEDGING FULL FAITH, CREDIT AND TAKING POWER FOR THE PAYMENT OF THE BONDS; APPOINTING A PAYING AGENT, REGISTRAR, AND SINKING FUND DEPOSITORY; ESTABLISHING A SINKING FUND; APPROPRIATING THE BOND PROCEEDS; AUTHORIZING ACCEPTANCE OF A PROPOSAL; RATIFYING PRIOR ADVERTISEMENT AND DIRECTING FURTHER ADVERTISEMENT; AUTHORIZING ACCEPTANCE OF A PROPOSAL; RATIFYING PRIOR ADVERTISEMENT AND DIRECTING FURTHER ADVERTISEMENT; AUTHORIZING THE PAYMENT OF EXPENSES; RATIFYING THE PRELIMINARY OFFICIAL STATEMENT; AUTHORIZING APPROVAL OF THE FINAL OFFICIAL STATEMENT; AUTHORIZING THE OPENING OF A CLEARING ACCOUNT AND A PROJECT ACCOUNT; ADOPTING A FORM OF BOND;

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AUTHORIZING THE EXECUTION AND DELIVERY OF DISCLOSURE AGREEMENT;
AND REPEALING INCONSISTENT ORDINANCES.

MOTION: DON GILLESPIE
ROLL CALL VOTE: 6/0

SECOND: RORY BENN

RESOLUTIONS: NONE

ENGINEER'S REPORT: THE COMPLETE REPORT ATTACHED. THE ENGINEER STATED THAT THERE WAS 25 OF THE 53 POLES INSTALLED AND BY THE END OF NEXT WEEK THEY WILL START TO LIGHT THE ONE SIDE OF THE STREET

1. RIVERFRONT PROJECT
RIVERFRONT TRAIL PHASE II, BACK CHANNEL BRIDGE.
 - FINAL DESIGN EXTENSION APPROVED.
 - SUBCONSULTANT
PSI: SUB SURFACE INVESTIGATIONS COMPLETE.
GEOTECHNICAL ENGINEERING REPORT: PRELIMINARY REPORT SUBMITTED. DRAFT FINAL GER TO BE SUBMITTED 4/15/08.
2. HOMETOWN STREETS AND SAFE ROUTES TO SCHOOLS
 - ASTCO CONSTRUCTION, ARMAND TEDESCO, 40% COMPLETE. FOUNDATIONS COMPLETE ON NORTH AVENUE, GRANT AVENUE EAST SIDE, AND WEST SIDE FROM NORTH TO SEDGWICK.E. POLES AND FIXTURES RECEIVED MARCH 25 POLES AND FIXTURES INSTALLED.
PROPOSED CHANGE ORDER TO LIGHT MCCARTHY PARK 13,021.67
3. DEMOLITION QUOTES
 - 9 AND 11 SEDGWICK. LUTTERMAN EXCAVATING LOWEST BIDDER RECOMMEND AWARD IN THE AMOUNT OF \$11,480.00
4. CD YEAR 34
 - PROJECTS INCLUDE GRANT AVENUE WATERLINE.

SOLICITOR'S REPORT:

A MOTION WAS REQUESTED TO TERMINATE PROBATIONARY OFFICER SCOTT HODGES IMMEDIATELY.

MOTION: AL ATKINSON

SECOND: ANGELINA YOUNG

ROLL CALL VOTE 5 YES AND ONE ABSTAIN DON GILLESPIE, REASON: HE IS ON CIVIL SERVICE

SINCE EVERY MEMBER OF COUNCIL HAS HAD AN OPPORTUNITY TO REVIEW THE TOTAL INVOICES FOR THE MONTH OF MARCH IN THE AMOUNT OF \$263,397.11 AND THE CURRENT INVOICES UP TO TODAY'S DATE IN THE AMOUNT OF \$87,192.37 A MOTION IS REQUESTED TO PAY ALL BILLS WHEN FUNDS ARE AVAILABLE.

MOTION: ANGELINA YOUNG
ROLL CALL VOTE 6/0

SECOND: RORY BENN

MAYOR'S REPORT

THE MAYOR READ THE POLICE STATS FOR THE MONTH OF MARCH.

MAYOR CINSKI STATED THAT EVERYONE WAS TELLING HIM HOW MUCH THEY LIKE THE NEW STREET LIGHTS AND THAT THE ROAD CREW DID A GOOD JOB ON THE STREETS THIS YEAR.

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A MOTION TO ADJOURN THE COUNCIL MEETING.

MOTION: DON GILLESPIE:

SECOND: RORY BENN

VOICE VOTE 6/0

TIME: 8:20 PM

RESPECTFULLY SUBMITTED

VIRGINIA N. PUCCI
BOROUGH MANAGER