

**REGULAR COUNCIL MEETING
April 1, 2008
MINUTES**

President Woshner called the Regular Meeting of the Town Council of the Borough of Bellevue to order 7:00 p.m. L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Walter, L. Woshner, Mayor Doscher and the Solicitor were present. J. Scioscia was present via phone.

The meeting opened with the Pledge of Allegiance to the Flag and silent Invocation.

VISITORS:

Mr. Jon-Paul Carlucci from 694 Shade Avenue stated to Council that he believes the proposed 5K race would be beneficial for the Borough. There was discussion by Council about what the details are for the 5K race and who authorizes for the race to be held.

Ms. Connie Rankin from 116 Arch Avenue stated that the Chamber of Commerce does not have the power to authorize for the 5K race to be held. She further stated that the Chamber thought it is a great idea and that they will try to assist the coordinator of the race with anything that they need help with. She stated that the Chamber of Commerce has no problem with the route of the race going down Lincoln Avenue the day of the Sidewalk Sale since she believes the impact would be minimal due to the 8 A.M. start. There was further discussion by Council about the best route for the race.

MINUTES:

Minutes from the previous meeting of Council were presented. S. Mosolanksy seconded by L. Blaney-Stewart made a motion to adopt the minutes. A voice vote was taken with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

MAYOR:

The March report of the Mayor was read, received and filed. A total collection for the month was \$ 17,172.58.

SOLICITOR:

The March report of the Solicitor was read, received and filed.

DAS REPORT:

The March report of the DAS was read, received and filed.

TREASURER'S REPORT:

The Treasurer stated that the Treasurer's report is unavailable due to the statements not being available. He stated that Council will receive this report within the week. J. Walter questioned if legally the Borough is able to move the sewage surcharge money to the General Fund. The Treasurer stated that it is Council's decision if they don't want the sewer surcharge money moved over temporarily to cover the bills, but Council would need to establish how they are to pay day to day bills without using that money. He suggested getting a Tax Anticipation Note of a higher value to avoid doing this in the future.

TAX COLLECTOR'S REPORT:

The March report for the Elected Tax Collector was not received since there was no collection for the month.

FINANCE COMMITTEE:

L. Woshner stated that the Committee reports will be available the Monday prior to the Pre-Council for the Public. The March report of the Finance Committee was presented to Council by M. Helbling. A copy of the minutes is attached.

M. Helbling seconded by S. Mosolanksy made a motion to approve a contribution to the Chamber of Commerce for the Fire Works display at a cost of \$2,500.00 as recommended by the Finance Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

M. Helbling seconded by S. Mosolanksy made a motion to authorize advertising for a Public Hearing to be held on April 30, 2008 to amend the Administrative Code, the Personnel Code and adopt the job description for the Paid Firefighter position as recommended by the Finance Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

M. Helbling seconded by L. Blaney-Stewart made a motion to pay \$5,000 towards the Borough of Bellevue's portion of the Tri-Borough comprehensive plan as budgeted as recommended by the Finance Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

PUBLIC SAFETY COMMITTEE:

The March report of the Public Safety Committee was presented to Council by J. Walter. A copy of the minutes is attached.

J. Walter seconded by L. Blaney Stewart made a motion to re-advertise for the Chief of Police position with advertising costs not to exceed \$1,800.00 as recommended by the Public Safety Committee. There was discussion about when the Current Chief of Police will retire. There was discussion about when the Mayor intends reviewing the applications that he has received. Mayor Doscher stated that he has a meeting scheduled tomorrow to review the accepted applications. Mayor Doscher explained to Council why he chose to advertise the position in specific publications rather than advertising in just general publications. He further explained that he had informed the Public Safety Committee that he felt the specific web site as well as the local newspaper, after speaking with professionals in the field would be the best way to advertise for this position and the Committee made a motion to approve such. He stated that this position has been advertised with the due date as April 1, 2008. He further explained to Council that after reviewing the applications that he received he feels that there are some very strong candidates. He stated that he has chosen not to accept any more resumes after the April 1, 2008 due date. He stated that he plans on setting up interviews with the applicants. He explained further how he anticipates the hiring process will happen. He stated that he feels paying for another advertisement would be foolish. There was discussion by Council about whether there is a need for additional advertisements. J. Walter stated that he would like to see Council delay the hiring process and re-advertise for this position so that more qualified applicants can apply. There was further discussion about whether it would be beneficial to re-advertise. There was further discussion about whether or not there is discontent towards the Police Department by residents. L. Woshner questioned the Solicitor if the Mayor can disagree with Council to

re-advertise for this position. The Solicitor stated that the Mayor has the right to disagree with re-advertising for the position as well as Council has the right to approve the re-advertisement of this position. He stated that even if Council would re-advertise and the Mayor refuses to look at any additional resumes, there is no way Council can force the Mayor to review those resumes or applications. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting against. Motion fails.

J. Walter seconded by D. Gillingham made a motion to place the Rescue Truck out for bid with the advertisement costs not to exceed \$1,500 to be taken out of the proceeds of the sale as recommended by the Public Safety Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

J. Walter seconded by D. Gillingham made a motion to purchase the Evidence Room software and hardware for less than \$5,000 as budgeted as recommended by the Public Safety Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

J. Walter seconded by D. Gillingham made a motion to place the 2001 Ford Crown Victoria out for bid with a minimum bid of \$500.00 as recommended by the Public Safety Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

PUBLIC WORKS COMMITTEE:

The March report of the Public Works Committee was presented to Council by M. Kutschbach. A copy of the minutes is attached.

M. Kutschbach seconded by D. Gillingham made a motion to advertise for the temporary summer help for the Department of Public Works as recommended by the Public Works Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

M. Kutschbach seconded by J. Walter made a motion to authorize Liadis Engineering and Survey to complete the survey on Maryland Avenue at a cost not to exceed \$1,000 as recommended by the Public Works Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

M. Kutschbach seconded by J. Walter made a motion to purchase a Scan Tool from line item number 430.260 at a cost not to exceed \$1,400 as budgeted as recommended by the Public Works Committee. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

PARKS AND RECREATION COMMITTEE:

The March report of the Parks and Recreation Committee was presented to Council by S. Mosolansky. A copy of the minutes is attached.

S. Mosolansky seconded by M. Kutschbach made a motion to advertise for a Pool Manager, Lifeguards, Concession stand employees and Night watchman position for the 2008 season as recommended by the Parks and Recreation Committee. M. Helbling questioned where the advertisements will be advertised at. S. Mosolansky

stated in the Citizen, McKnight Journal and online on our web site A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

BUILDING COMMITTEE:

Nothing at this time.

IT COMMITTEE:

Nothing at this time.

PENSION MEETING:

Nothing at this time.

TRI-BOROUGH:

Nothing at this time.

COG:

Nothing at this time.

CIVIL SERVICE COMMISSION:

Nothing at this time.

FIRE SERVICES:

Nothing at this time.

THREE RIVERS WET WEATHER:

Nothing at this time.

CHAMBER OF COMMERCE:

J. Walter gave a summary of the upcoming events that the Chamber of Commerce will be holding

BIDS:

Nothing at this time.

UNFINISHED BUSINESS:

Nothing at this time.

RESOLUTIONS:

A RESOLUTION OF THE BOROUGH OF BELLEVUE, A HOME RULE CHARTER MUNICIPALITY, AUTHORIZING DRAWING OF WARRANTS BY THE PRESIDENT OF COUNCIL AND THE DIRECTOR OF ADMINISTRATIVE SERVICES AND SECRETARY, FOR REFUNDS OF REAL ESTATE TAXES DUE TO REDUCTION IN ASSESSMENT VALUE was read.

S. Mosolansky seconded by M. Kutschbach made a motion to adopt the Resolution. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries. Resolution is adopted as 13-08.

ORDINANCES:

Nothing at this time.

NEW BUSINESS:

S. Mosolansky seconded by J. Walter made a motion to authorize advertising for Public Hearing to adopt an Ordinance amending the Administrative Code to establish a more expeditious procedure for enacting Ordinances and Resolutions. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

The Solicitor requested for a motion to be made to execute the signing of a deed involving Infinity Development on Lincoln Avenue. He stated that this is one of three deeds that were to be exchanged. He explained what land the Borough would obtain and what land the Borough would exchange ownership for. There was discussion by Council. S. Mosolansky seconded by L. Blaney-Stewart made a motion to execute the signing of a deed involving Infinity Development on Lincoln Avenue. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

The Solicitor explained that the Borough was notified of a class action law suit involving AT&T and a right of way down by the railroad tracks. He explained to Council that a claim would have been filed at the time that the lawsuit was filed but not knowing what amount of money would be obtained. He explained it was determined that the eased piece of land in question was worth \$100. He stated that a motion will need to be made to execute a release by the President of Council and the Secretary to get this \$100. S. Mosolansky seconded by L. Blaney-Stewart made a motion to permit the President of Council and the Secretary to execute a release of the class action law suit against AT&T. A roll call commenced with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolansky, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

There was discussion by Council about whether or not the Director of Administrative Services should have a copy of the applications & resumes that were received for the Chief of Police position. The Solicitor stated that there is nothing in the home rule charter that states that the Mayor has to present the resumes to the Director of Administrative Services. There was further discussion about whether or not Council Members or the DAS can attend the meetings where those applications & resumes are being reviewed. The Mayor stated that those meetings are currently closed except to those that are apart of the Committee. The Solicitor stated that Council's authority is to accept or reject any candidates that the Mayor recommends. He further stated that there is no provision in the Home Rule Charter that states that Council Members are allowed to attend these meetings. There was further discussion by Council. There was discussion by Council about whether the Mayor's review sessions have to be advertised. The Solicitor stated that they do not have to be advertised since no decision will be made at those meetings.

LETTERS:

Nothing at this time.

LIST OF BILLS:

J. Walter seconded by L. Blaney-Stewart made a motion to pay the bills as approved by the various Committees. A voice vote was taken with L. Blaney-Stewart, J.

Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Motion carries.

VISITORS:

There are no visitors present that wish to speak

EXECUTIVE SESSION:

L. Woshner notated that there will be an executive Session on April 30, 2008 during the Pre-Council meeting to discuss and possibly take action on an Administrative Office Personnel.

Mayor Doscher stated that he would like to have an Executive Session to discuss the wage or benefit package options that will be offered to the Chief of Police candidate. Council agreed to hold this Executive Session to discuss the proposed Police Chief's benefit package and wage compensation range.

ADJOURN:

L. Blaney-Stewart made a motion that was seconded to adjourn the meeting. A voice vote was taken with L. Blaney-Stewart, J. Braunlich, D. Gillingham, M. Helbling, M. Kutschbach, S. Mosolanksy, J. Scioscia, J. Walter and L. Woshner all voting in favor. Meeting adjourned at 8:20 p.m.

Respectfully submitted



Connie Flasher
Secretary