



Borough of Bellevue

Incorporated 1867

Borough Council Meeting Minutes

November 28, 7:00 pm

Municipal Building

2nd Floor Council Chambers

Call to Order

President Cerminara called the meeting to order at 7:00 pm

The call to order was followed by the Pledge of Allegiance and a moment of silence.

Roll Call

The roll was called to establish a quorum. Present were Mr. Hrynda, Ms. Sloane, Mr. Stuncard, Ms. Templeton (via Zoom), Mr. McKelvey, Ms. Denton, Mr. McAfee, and President Cerminara. Ms. Edmondson was absent. A quorum was established.

Also, in attendance were Mayor Val Pennington, DAS Cindy Bahn, DPW Superintendent Jim Kelly, Interim Fire Chief Bill Hartman, Firefighter Lt. Mark Ford, Treasurer Joe Scioscia and Solicitor Matt Racunas.

Public Contribution on Agenda Items:

- Jane Braunlich, 27 E. Roseridge Avenue: Thanked Council members who got back to her regarding the 3 demolitions.
- Joe Scioscia, III, 260 Lincoln Avenue: Stated that there is a lot of misinformation about the alley that is to be vacated and insisted that it belongs to the Borough because Bellevue has paved it. Further stated that if one person objects to the Borough vacating it, it's legally sufficient to stop the process.
- Michelle Wimer, 423 Hallett Place: Stated that she does not support the PLCB petition, and that 202 Tacos ignored complaints.
- Connie Secich, 425 Hallett Place: Believes that the Borough failed by not addressing issues related to permitting taverns.
- David Wisniewski, 418 Forest Avenue: Claimed that the Borough has been maintaining the alley between North Fremont and Dakota Avenues that a resident has requested be vacated by the Borough. Also claimed that residents do not want it closed, and that closing it will prevent fire response.
- Nick Festas, 419 Hallett Place: Stated his concerns about noise levels that are disturbing his "comfort level".

Agenda Items

Finance Committee:

- a. Motion to Approve Payment of the November 28, 2023 Bill List.

Moved: President Cerminara

Second: Ms. Sloane

All voted in favor of the motion. Motion carried, 8-0.

- b. Motion to Adopt Resolution 26-23, Providing for the Refund of Real Estate Taxes as a Result of Changes in Assessed Values and/or Overpayments.

Moved: President Cerminara

Second: Mr. McKelvey

All voted in favor of the motion. Motion carried, 8-0.

Parks and Recreation Committee:

Public Safety Committee:

- a. Motion to Adopt Resolution 23-24, Authorizing the Submission of a Petition to the PLCB for a Hearing to Consider Exemption from the Statute Related to Amplified Music from Licensed Establishments.

Moved: Ms. Sloane

Second: Mr. Hrynda

Discussion: In response to a question regarding next steps, Mr. Racunas responded that the Borough will need to pass an updated noise ordinance, then send a packet to PLCB. A public hearing will then be scheduled for Council Chambers.

All voted in favor of the motion. Motion carried, 8-0.

- b. Motion to Authorize, at a Cost Not to Exceed \$400, Ordinance 23-07, Providing for Limitations on sound from Outdoor Music and/or Entertainment in the Borough, as Amended to Address Clerical Issues. (01.406.341)

Moved: Ms. Sloane

Second: Mr. Hrynda

All voted in favor of the motion. Motion carried, 8-0.

Public Works Committee:

- a. Motion to Authorize, at a Cost Not to Exceed \$400, the Advertisement of Ordinance 23-08, Providing for the Vacation of the Alley Between North Fremont and Dakota Avenues. (01.406.341)

Moved: Mr. McKelvey

Second: Ms. Templeton

Discussion: President Cerminara noted the concern that was raised about legal notification, and the Solicitor responded that his understanding was that this was an unnamed, unopened alley, and that there is a different process for streets and alleys not opened for 21+ years. If the alley has been open, or used for some period of time, there is a different procedure. He noted that DPW and the longest tenured employees in that Department have indicated that there has been no maintenance by Borough personnel in many years. Ms. Denton reported that on Google Earth, it appears that the alley was partially paved at some point. She asked about the advantages of vacating the alley. Mr. McKelvey stated that if people are using it, perhaps the Borough should not vacate it. Mr. Racunas pointed out that if it's not maintained, it could present a liability to the Borough. Mr. Stuncard asked if adjoining property owners would get ownership and the Solicitor responded in the affirmative. Mr. Kelly pointed out that the last 100 or so feet off of Fremont has been used to access a garage for the residents of a multi-unit there. Mr. Racunas pointed out that the Borough does not need to vacate the entire alley.

All voted against the motion. Motion failed, 0-8.

- b. Motion to Reject All Bids Receive for the Grant-Funded Demolition of Structure Located at 211 N. Balph Avenue, 146 Ridge Avenue, and 31 E. Roseridge Avenue as Either Unresponsive or Over the Project Budget.

Moved: Mr. McKelvey

Second: Ms. Templeton

All voted in favor of the motion. Motion carried, 8-0.

Unfinished Business: None

New Business:

- a. Motion to Accept the Resignation of Employee #7147.

Moved: Mr. McKelvey

Second: President Cerminara

Aye: Mr. Hrynda, Mr. McKelvey, Ms. Denton, Ms. Sloane, Ms. Templeton, Mr. McAfee, President Cerminara

Nay: Mr. Stuncard

Motion carried, 7-1, with no abstentions.

Public Contribution on Non-Agenda Items:

- Connie Rankin, 116 Arch Avenue: Complained about procedural issues, including the announcement of an Executive Session to discuss a personnel matter without knowing which Department; President Cerminara responded that it was for the Administrative Department.
- Joe Scioscia III, 260 Lincoln Avenue: Claims the Borough has been maintaining the alley in question, and that he recently drove down it 3 times.
- Dave Wisniewski, 418 Forest Avenue: Believes that Tony Barbarino was in charge when the alley was paved.

- Connie Secich, 425 Hallett Place: Asked why the Borough is petitioning the PLCB, and the Solicitor explained with the assistance of Ms. Sloane.
- Michelle Wimer, 423 Hallett Place: Stated that she raised concerns about the volume from 202 Tacos multiple times; that the time limit is OK, but that volume limits need to be put into place. Stated that she doesn't trust Council to enforce.
- Jeff Fountain, 199 North Fremont Avenue: Noted that a property goes about 225 feet along the alley Council is considering vacating. As a 3-unit apartment building, the owners are required to have a certain number of parking spaces, and there are 2 such buildings along the alley.
- Green Development, 74 Hill Street, Wilkinsburg: Representatives from this company noted that they were one of the bidders on the demolitions, and they have done multiple demolitions in Pittsburgh and Wilkinsburg.

Executive Session:

Council adjourned to Executive Session at 7:56 pm and returned to the Legislative meeting at 8:45 pm; no action was taken as a result of the Executive Session.

Adjournment

There being no further business, President Cerminara adjourned the meeting at 8:45pm.

ATTEST



Cindy L. Bahn, Director of Administrative Services/Secretary



Jodi Cerminara, Council President

