The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, December 15, 2004 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237.

President Gary Thomas called the meeting to order.

Pledge of Allegiance

Cathy Krummert called the roll:

**COUNCIL MEMBERS:**
- Marilyn A. Corey ........................................................... present
- B. Anthony Delserone ...................................................... present
- Richard H. Hartman ......................................................... present
- Franklin B. Libson .......................................................... present
- Michael C. Smith ......................................................... present
- Gary J. Thomas ............................................................ present
- Junior Councilperson Grady Nye ........................................ present
- Mayor G. Reynolds Clark .............................................. present

**ENGINEER:**
- Bob Nedzesky, W.E.C. Engineers ........................................ present

**SOLICITOR:**
- M. Janet Burkardt, Law Offices of Ira Weiss ....................... present

**STAFF:**
- Don Dorsch, Chief of Police ............................................... present
- Cathy Krummert, Borough Secretary ........................................ present
- Ronald Merriman, Superintendent of Public Works ................. present
- Connie O’Brien, Treasurer ................................................ present
- Tim Phillips, Building Inspector/Zoning Officer ................... present
- Ambrose Rocca, Borough Manager ......................................... present
- Bill Schweitzer, Golf Course Superintendent ......................... present
- Jim Watenpool, Parks & Recreation Director ......................... present

**APPROVAL OF THE REGULAR MEETING MINUTES** - Mr. Delserone moved the minutes of the November 17, 2004 regular meeting be approved, seconded by Mr. Smith.

**APPROVAL OF THE PRE/POST MINUTES** - Mr. Delserone moved the minutes of the November 17, 2004 pre/post meetings, be approved, seconded by Mr. Hartman.

**APPROVAL OF THE WORK SESSION MINUTES** - Mr. Libson moved the minutes of the December 1, 2004 work session be approved, seconded by Mr. Smith.

**TREASURER’S REPORT** - Mrs. O’Brien reported November 2004 receipts totaled $323,553.94 and November 2004 expenditures totaled $421,254.49. Year-to-date receipts totaled $5,896,211.23 and year-to-date expenditures totaled $5,649,777.30. Mr. Delserone moved the Treasurer’s Report be accepted as read, seconded by Mr. Smith and carried unanimously.

**POLICE REPORT** - Mayor Clark read the Police Report and activity report for the month of November 2004. Mr. Delserone recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTOR’S REPORT** - Mr. Phillips read the Building Inspection Report for November 2004, wherein 9 permits were issued for a total value of $302,393.00.
ANNOUNCEMENT OF EXECUTIVE SESSION - Mr. Thomas announced that an executive session was held on November 17, 2004 to discuss Teamsters Contract negotiations and on December 1, 2004 to discuss potential litigation regarding Antrim Court and Teamsters Contract negotiations.

COMMENTS FROM THE FLOOR -

Ms. Denise Suba, 1507 Squire Ridge and Ms. Jill Keisling, 1653 Royal Oak Drive - Ms. Suba and Ms. Keisling were present to discuss the proposed walking trail in the Squire Ridge Plan, and they submitted a petition signed by 32 households in the plan. Mr. Rocca stated that a survey was mailed to 48 households and 30 responses were received. Seven households were in favor of the walking trail, 10 households were against the trail and 13 said that they were against the trail, but they may consider an alternate route. Based on the results, Mr. Rocca recommended abandoning the idea of a walking trail in the plan.

JONES ENDOWMENT AGREEMENT FOR THE JONES-NEELY LOG CABIN - Mr. Delserone moved to approve the Jones Endowment Agreement regarding the Jones-Neely Log Cabin, seconded by Mr. Hartman and carried unanimously. Mayor Clark thanked Mr. Chris Jones who was in the audience representing his family. Mr. Jones noted that his father, Tom Jones, had traced his family history and found that his great-great-great-great grandfather was an original settler in Franklin Park and had lived in the log cabin. Mr. Tom Jones then set up this charitable foundation to help with the upkeep and maintenance of the log cabin. Mr. Chris Jones noted that he and his 10 brothers and sisters were looking forward to working with the Borough to preserve history. It was pointed out that when he purchased his home, he did not know that the original location of the log cabin had been within 600-800 feet.

APPROVAL OF THE BILLS - Mr. Libson moved Council authorize the payment of the bills, which have been reviewed and approved since the last meeting, seconded by Mr. Hartman and carried unanimously.

SPRING RIDGE DEVELOPMENT, PRELIMINARY/FINAL APPROVAL - Mr. Frank Zappala of First City Partners briefly reviewed the proposed plan. The plan will include 66 single-family lots on 104 acres. The main entrance will be in the area of Dimond Lane, and the plan will have two emergency accesses. Mr. Zappala noted that they are requesting a waiver on the depth of the ponds and they are requesting relief from installing sidewalks along a small portion of frontage along Nicholson Road. Mr. Phillips indicated that the sidewalk issue had been addressed in his Staff Report, which was a condition of approval. Mr. Hartman moved preliminary and final approval be granted for the Subdivision Application submitted by First City Partners, Inc. for the Spring Ridge Development, located off Dimond Lane in the R-1 Zoning District, contingent upon compliance with the Building Inspector/Zoning Officer’s Staff Report dated December 10, 2004 and the letter from W.E.C. Engineers dated December 2, 2004, seconded by Mr. Libson and carried unanimously.

CONAWAY PLAN OF LOTS, PRELIMINARY/FINAL APPROVAL - Mr. Mark Conaway was present. Mr. Phillips indicated that this was a simple subdivision. Mr. Nedzesky stated that his review letter contained three minor comments. Mr. Delserone moved preliminary and final approval be granted for the Subdivision Application submitted by Tait Engineering to subdivide the property owned by Mark Conaway located at 2218 Rochester Road (Lot 603 in the Franklin Towne Plan No. 6) into two lots, contingent upon compliance with the Building Inspector/Zoning Officer’s Staff Report dated November 24, 2004 and the letter from W.E.C. Engineers dated November 24, 2004, seconded by Mr. Smith and carried unanimously.

CHILDREN’S HOSPITAL REVISED LAND DEVELOPMENT APPROVAL - Ms. Liz Munsch represented Children’s Hospital. Ms. Munsch stated that they had been unsuccessful in negotiating a long-term parking agreement with Saints John and Paul Catholic Church. They now have a tentative agreement with the Franklin Park Travel Center to lease 40 parking spaces for a one-year period, with the intent of further negotiations for a ten-year agreement. Mr. Phillips indicated that the proposed agreement meets the requirements of the Code, but the Solicitor must review it. He also pointed out that the Franklin Park Travel Center must obtain a variance to permit the additional parking on the site, since there would
be two uses on one lot. Mr. Delserone moved to revise the Land Development Approval for Children’s Hospital of Pittsburgh (Council meeting of October 20, 2004) to change the location of the original approved off-site parking area from St. John & Paul Catholic Church to the Franklin Park Travel Center parking area, located at 2619 Wexford Bayne Road with the condition that a reciprocal parking agreement be executed by both parties and reviewed and approved by the Borough Solicitor, seconded by Mrs. Corey and carried unanimously.

**ADOPTION OF THE 2005 BUDGET** - Mr. Smith moved the annual budget for the year 2005 be approved (a summary of which will be available in the general office during normal business hours), with the stipulation that the General Fund chart of accounts be adjusted to reflect the COLA/merit pay increases contained in the 2005 Table of Organization, seconded by Mrs. Corey. Mr. Delserone moved to make an amendment to the previous motion inserting the word “alternate” in front of the year 2005 so it would read the “Alternate 2005 Table of Organization”, which was distributed during the pre-meeting tonight and included a slightly higher increase for the Borough administrative employees. There was some discussion and then Mr. Delserone withdrew his amendment. The main motion was then voted upon and was carried unanimously. Mr. Rocca briefly summarized the 2005 budget.


**2005 TABLE OF ORGANIZATION** - Mrs. Corey moved the 2005 Table of Organization fixing the salaries for employees and appointees of the Borough for the calendar year 2005 be adopted, seconded by Mr. Smith. Mr. Delserone moved to make an amendment to the previous motion substituting for the Table of Organization, which was initially distributed, the Alternate Table of Organization that was distributed at the end of the pre-meeting this evening, including slightly higher pay for administrative employees, seconded by Mr. Hartman. A roll call vote was then taken on the amendment as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Thomas</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Smith</td>
<td>No</td>
</tr>
<tr>
<td>Mr. Libson</td>
<td>No</td>
</tr>
<tr>
<td>Mr. Hartman</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Delserone</td>
<td>Yes</td>
</tr>
<tr>
<td>Mrs. Corey</td>
<td>No</td>
</tr>
</tbody>
</table>

The roll call vote resulted in a tie. Mayor Clark then cast the tie-breaking vote as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mayor Clark</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The amended motion carried.

**MOTION REQUIRING MANAGEMENT AND ADMINISTRATIVE EMPLOYEES TO PAY 5% OF HOSPITALIZATION PREMIUMS** - Mr. Delserone moved to require Management and Administrative employees to pay 5% of the hospitalization premiums paid by the Borough, beginning January 1, 2005, seconded by Mr. Smith. A roll call vote was then taken as follows:

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr. Thomas</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Smith</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Libson</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Hartman</td>
<td>Yes</td>
</tr>
<tr>
<td>Mr. Delserone</td>
<td>Yes</td>
</tr>
<tr>
<td>Mrs. Corey</td>
<td>Yes</td>
</tr>
</tbody>
</table>

The motion carried unanimously.
ORDINANCE NO. 533-2004, AMENDING REAL ESTATE TAX COLLECTOR’S COMPENSATION - Ms. Burkardt summarized Ordinance No. 533-2004. Mr. Delserone moved Ordinance No. 533-2004, amending the Real Estate Tax Collector’s compensation and providing for a fee for tax certifications, be enacted, seconded by Mr. Smith and carried unanimously.


RESOLUTION NO. 876-2004, POLICE PENSION CONTRIBUTION - Ms. Burkardt summarized Resolution No. 876-2004. Mr. Delserone moved Resolution No. 876-2004 establishing the contribution rate of 2% of compensation for the participants of the Borough of Franklin Park Police Pension Plan for the 2005 plan year, be adopted, seconded by Mr. Hartman and carried unanimously.


RESOLUTION NO. 878-2004, BLACKBURN HEIGHTS SEWER AGREEMENT - Ms. Burkardt summarized Resolution No. 878-2004. Mr. Hartman moved Resolution No. 878-2004 authorizing the proper officers to enter into an agreement with the Ohio Township Sanitary Sewer Authority to provide sanitary sewer service in the Blackburn Heights area, be adopted, seconded by Mrs. Corey and carried unanimously.

APPOINT EDMOND R. JOYAL, JR. TO THE CIVIL SERVICE COMMISSION - Mrs. Corey moved Edmond R. Joyal, Jr., 2367 Wilvan Lane, be appointed to the Civil Service Commission to fill the unexpired term of Robert Pipkin, which term will expire December 31, 2008, seconded by Mr. Smith and carried unanimously.

REAPPOINTMENTS TO THE ENVIRONMENTAL ADVISORY COUNCIL - Mr. Smith moved Rebecca Crellin, William H. Kipp and Sally Libson be reappointed to the Environmental Advisory Council for a three-year term, which term will expire December 31, 2007, seconded by Mr. Delserone and carried unanimously.

REAPPOINTMENTS TO THE HISTORICAL COMMITTEE - Mrs. Corey moved William B. Creese and Mary J. Eberhardt be reappointed to the Historical Committee for a four-year term, which term will expire December 31, 2008, seconded by Mr. Hartman and carried unanimously.

REAPPOINT G. REYNOLDS CLARK TO THE MCCANDLESS-FRANKLIN PARK AMBULANCE AUTHORITY - Mr. Libson moved G. Reynolds Clark be reappointed to the McCandless-Franklin Park Ambulance Authority for a five-year term, which term will expire December 31, 2009, seconded by Mr. Smith and carried unanimously.

REAPPOINTMENTS TO THE PLANNING COMMISSION - Mr. Delserone moved Stephen H. Donaldson and Robert C. Schupansky be reappointed to the Planning Commission for a four-year term, which term will expire December 31, 2008, seconded by Mr. Smith and carried unanimously.

REAPPOINTMENTS TO THE RECREATION BOARD - Mr. Delserone moved Janet M. Demma, Rebecca Juneau and Robert L. Zick be reappointed to the Recreation Board for a five-year term, which term will expire December 31, 2009, seconded by Mr. Hartman and carried unanimously.

REAPPOINT CHARLES P. HAMILTON TO THE VACANCY BOARD - Mr. Hartman moved Charles P. Hamilton be reappointed to the Vacancy Board for a one-year term, which term will expire December 31, 2005, seconded by Mr. Delserone and carried unanimously.
BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, DECEMBER 15, 2004

ACCEPT RESIGNATION OF GLENN B. LEWIS FROM THE ZONING HEARING BOARD - Mr. Delserone moved to accept the resignation of Glenn B. Lewis from the Zoning Hearing Board effective December 8, 2004, seconded by Mr. Libson and carried unanimously.

APPOINT SUZANNE C. BERNETT TO THE ZONING HEARING BOARD - Mrs. Corey moved Suzanne C. Bernett be appointed to the Zoning Hearing Board for a five-year term, which term will expire December 31, 2009, seconded by Mr. Delserone and carried unanimously.

APPOINT A. J. PINEVICH TO THE ZONING HEARING BOARD - Mrs. Corey moved A. J. Pinevich be appointed to the Zoning Hearing Board to fill the unexpired term of Edgar Hyer, which term will expire December 31, 2006, seconded by Mr. Delserone and carried unanimously.

ADOPT FUNDRAISING/DONATION POLICY - Mr. Hartman moved to adopt the Borough of Franklin Park Fundraising/Donation Policy to promote and encourage fundraising by Borough Boards and volunteer groups, seconded by Mr. Delserone and carried unanimously.

REAPPROVE CARRIAGE ESTATES PLAN - Mr. Delserone moved to reapprove the Carriage Estates Plan, a 21-lot subdivision to be located at 1020 Aldon Drive in the R-2 and R-3 zoning districts, seconded by Mr. Hartman and carried unanimously.

SOLICIT TAX ANTICIPATION NOTE FOR 2005 - Mr. Libson moved to solicit a $1,000,000 Tax Anticipation Note for fiscal year 2005, seconded by Mrs. Corey and carried unanimously.

APPROVE TEAMSTERS LABOR AGREEMENT - Mrs. Corey moved to approve the Teamsters Labor Agreement effective January 1, 2005 through June 30, 2009, seconded by Mr. Delserone and carried unanimously.

HOLIDAY WISHES - Mr. Rocca, Council and the Mayor wished everyone Merry Christmas, Happy Holidays and Happy New Year.

EXPRESSION OF SYMPATHY - On behalf of himself and Council, Mayor Clark expressed regrets to Solicitor Ira Weiss whose mother had passed away this week.

SANTA VISIT - The Fire Company will bring Santa through the Borough on Sunday, December 19 from 1-5 p.m.

MOTION TO ADJOURN - Mr. Delserone moved to adjourn the meeting, seconded by Mr. Libson and carried unanimously. The meeting adjourned at 8:29 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 30