

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JANUARY 16, 2008**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, January 16, 2008 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237.

President Martha Creese called the meeting to order.

Pledge of Allegiance

Cathy Krummert called the roll:

COUNCIL MEMBERS:

Martha A. Creese, Presidentpresent
Richard H. Hartman, Second Vice Presidentpresent
Jane A. Hopey, Vice Presidentpresent
Ash K. Marwahpresent
Andrew Hrishenkopresent
Amy E. Sablepresent
Junior Councilperson Brenna Thorpepresent
Mayor G. Reynolds Clarkpresent

ENGINEER:

Bob Nedzesky, W.E.C. Engineerspresent

SOLICITOR:

Robert Max Junker, Law Offices of Ira Weisspresent

STAFF:

Don Dorsch, Chief of Police.....present
Cathy Krummert, Borough Secretary.....present
Ronald Merriman, Superintendent of Public Workspresent
Brienne Morris, Assistant Parks & Recreation Directorpresent
Tim Phillips, Building Inspector/Zoning Officerpresent
Ambrose Rocca, Borough Managerpresent
Bill Schweitzer, Golf Course Superintendentpresent
Jim Watenpool, Parks & Recreation Directorpresent

APPROVAL OF THE MINUTES – Mrs. Sable moved the minutes of the December 19, 2007 pre/post meeting, the December 19, 2007 regular meeting, the January 7, 2008 reorganization meeting and the January 7, 2008 work session, be approved, seconded by Mr. Hartman and carried unanimously.

TREASURER’S REPORT - Mr. Rocca read the Treasurer’s Report for December 2007. General Fund receipts totaled \$275,418.29 and year-to-date receipts totaled \$6,256,635.61. General Fund expenditures totaled \$429,308.42 and year-to-date expenditures totaled \$6,120,648.53. Mr. Hartman moved the Treasurer’s Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

POLICE REPORT – Mayor Clark read the Police Report and activity report for the month of December 2007. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for December 2007. Mr. Phillips issued 7 permits and collected \$6,739 in fees. Total value of construction was \$709,981.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session was held on January 7, 2008 to discuss the Teamsters labor contract and the Jenkinson Drive storm sewer project property acquisition.

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COMMENTS FROM THE FLOOR

Mr. Oscar Miller, 2406 Marble Lane – Mr. Miller expressed his opinion that Mr. Hrishenko should be permitted to attend all meetings and executive sessions to represent the residents in Ward 1, and he asked that the borough be consistent with regard to enforcing Borough Code. Mr. Hrishenko responded to Mr. Miller's comments and commented on the Franklin Nursery litigation. Mrs. Creese noted that Mr. Hrishenko was out of order for commenting on pending litigation, and Mr. Junker confirmed that the case is still in litigation.

Mrs. Betty Gail Dietz, 2442 Rochester Road – Mrs. Dietz commented on a flyer that was handed out at the recent senior citizen meeting, and she expressed her opinion that politics should not be brought to these social meetings. Mrs. Creese responded that council discussed this matter, and the solicitor will be advising council on a policy of conduct for elected officials.

APPROVAL OF THE BILLS – Mrs. Hopey moved Council authorize the payment of the bills, which have been reviewed and approved since the last meeting, seconded by Mrs. Sable and carried unanimously.

HERITAGE UNITED PRESBYTERIAN CHURCH PLAN OF LOTS #2 – Mrs. Hopey moved preliminary and final approval be granted for the Subdivision Application submitted by Robert B. and Judith Shust and the Heritage United Presbyterian Church for the Heritage United Presbyterian Church Plan of Lots #2 for a lot line revision to convey property from the church to Robert & Judith Shust at the intersection of Wood Acres Court and Rochester Road in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated December 18, 2007, and the letter from W.E.C. Engineers dated December 18, 2007, seconded by Mr. Hrishenko and carried unanimously.

ORDINANCE NO. 560-2008, NUISANCE PROPERTIES – Mr. Junker summarized Ordinance No. 560-2008. Mrs. Sable moved Ordinance No. 560-2008 providing standards governing facilities and other dwellings as safe, sanitary and fit for human habitation; fixing certain responsibilities and duties of owners, operators and occupants of dwellings, dwelling units, rooming houses and rooming units; authorizing the inspection of dwellings and the vacating or removal of dwellings unfit for human habitation; providing for the removal, repair or demolition of any building or structure, which is or threatens to be a public nuisance, dangerous to the health, safety, welfare and morals of the residents of the borough and providing penalties thereof, be enacted, seconded by Mr. Hartman and carried unanimously.

RESOLUTION NO. 941-2008, AMENDING AND REVISING THE SCHEDULE OF FEES – Mr. Junker summarized Resolution No. 941-2008. Mr. Marwah moved Resolution No. 941-2008 amending and revising the schedule of fees per Borough ordinances, be adopted, seconded by Mrs. Hopey and carried unanimously.

NORTHLAND LIBRARY PAYMENT – Mr. Hartman moved the Treasurer's office be authorized to prepare a check in the amount of \$62,577.50 payable to Northland Library for the first quarter payment of 2008, seconded by Mrs. Sable and carried unanimously.

ADVERTISE FOR PUBLIC WORKS PAVER, VEHICLE AND TWO LABORERS – Mrs. Hopey moved the Secretary be authorized to advertise for the following in the public works department: 1) bids for a new paver; 2) bids for a new vehicle for the Superintendent; and 3) the hiring of two new laborers, seconded by Mr. Hartman and carried unanimously.

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ADVERTISE FOR IN-HOUSE BOROUGH ENGINEER – Mr. Hrishenko moved to authorize the Manager and Secretary to advertise for an in-house Borough Engineer, seconded by Mr. Marwah. Mrs. Hopey suggested tabling the motion and researching the matter further before moving forward. Mrs. Hopey moved to amend the previous motion and table it for another month, seconded by Mrs. Sable. Mrs. Creese called for a vote. Upon hearing opposition to this motion, Mrs. Creese then asked for a roll call vote:

Mrs. Creese – table the motion
Mr. Hartman – table the motion
Mrs. Hopey – table the motion
Mr. Hrishenko – no
Mr. Marwah – no
Mrs. Sable – table the motion

The motion was carried to table the motion.

RESIGNATION OF PATRICIA SMITH, RECEPTIONIST/SECRETARY – Mr. Hartman moved to accept the resignation of Patricia Smith, Receptionist/Secretary effective February 22, 2008, seconded by Mr. Marwah and carried unanimously.

MEMORANDUM OF AGREEMENT REGARDING THOMAS J. SMITH, TEAMSTERS LOCAL 249 – Mr. Hrishenko moved to approve a Memorandum of Agreement with Teamsters Local 249 to change Thomas J. Smith's title from Skilled Laborer to Mechanic and to authorize payment of the appropriate Mechanic's wages as listed in the labor agreement, seconded by Mrs. Sable and carried unanimously.

TRANS ASSOCIATES SUPPLEMENTAL AGREEMENT FOR CHANGES TO TRAFFIC SIGNAL TIMING
Mr. Marwah moved to approve a Supplemental Agreement with Trans Associates to provide consulting services at a cost of \$3,100 for changes to the timing of the traffic signals at the I-79/S.R. 910 corridor, seconded by Mr. Hartman and carried unanimously.

REAPPOINT FRANKLIN B. LIBSON TO THE MCCANDLESS INDUSTRIAL DEVELOPMENT AUTHORITY – Mr. Hartman moved to reappoint Franklin B. Libson to the McCandless Industrial Development Authority for a five-year term, which term will expire December 31, 2012, seconded by Mrs. Hopey and carried unanimously.

URBAN FORESTRY CONSULTANTS, INC. AGREEMENT FOR ASSISTANCE WITH THE SPD LAND, LLC LOGGING APPLICATON – Mr. Marwah moved to enter into an Agreement with Urban Forestry Consultants, Inc. of Shelocta, PA, at a cost of \$100 per hour, to assist the borough with the SPD Land, LLC logging application, seconded by Mrs. Sable and carried unanimously.

ADVERTISE FOR BIDS FOR MATERIALS FOR A NEW PAVILLION AT BLUEBERRY HILL PARK – Mrs. Hopey moved to authorize the Borough Secretary to advertise for the necessary contracts to construct the pavilion in the multi-purpose field to include: plumbing, poured concrete walls, dock planks and steel beams, seconded by Mr. Hartman and carried unanimously.

ESTABLISH NO SOLICITING POLICY AT BOROUGH SPONSORED EVENTS - Mr. Hartman moved to establish a policy that no soliciting take place at borough sponsored events. Council commented that this matter would be tabled until the solicitor reviews the matter further. No second was heard on the motion.

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MOTION TO RE-OPEN THE 2008 BUDGET – Mr. Marwah moved the 2008 budget be reopened to add a \$96,000 expense for senior citizen transportation service to be operated by North Hills Community Outreach, seconded by Mr. Hrishenko. Council then discussed the proposed transportation service, the survey mailed to borough residents regarding the transportation service and the North Hills Community Outreach proposal to provide the service. Several other transportation services offered through Allegheny County were reviewed, and a list will be available in the municipal building. Some members of council would like a transportation service to be started as soon as possible, and other members of council would like to gather more information before deciding if such a service should be implemented. Council has a common goal to help the senior citizens. Mr. Marwah then repeated his motion as previously stated. Mr. Junker reviewed the Borough Code requirements to re-open the budget. Mrs. Creese called for a vote. Upon hearing opposition to this motion, Mrs. Creese then asked for a roll call vote:

Mrs. Creese – no
Mr. Hartman – no
Mrs. Hopey – no
Mr. Hrishenko – yes
Mr. Marwah – yes
Mrs. Sable – no

The motion failed.

Some members of council commented further on their position regarding the proposed transportation service. A “No” vote by some council members did not indicate that they were opposed to senior transportation, but rather that they were opposed to the specific proposal at issue.

MRS. HOPEY – Mrs. Hopey announced that the Northland Library Authority Board met last night and elected Cindy Potter as President, Dan DeMarco as Vice President, Jane Hopey as Secretary and Paul Parobeck as Treasurer. Mrs. Hopey also noted that the borough is still working with North Hills Community Outreach on a senior citizen transportation service and will also consider other avenues.

MRS. CREESE – Mrs. Creese congratulated Mrs. Hopey on her election as Secretary for the Northland Library Authority Board.

MR. MARWAH – Mr. Marwah commented on a Commonwealth Court decision and a Supreme Court order several years ago regarding the Franklin Nursery. Council members questioned if it was appropriate to discuss this matter. Mr. Junker advised that this matter is part of the Franklin Nursery litigation and should not be discussed.

Mr. Marwah attended a Risk Assessment course today through the Local Government Academy. He noted that there is a new system of accounting controls, and he suggested that council meet with the auditors to find out how they are complying with the Statement of Auditing Standards. Mr. Rocca commented that in a council-manager form of government, typical day-to-day details are left to the Manager and staff. The auditors are familiar with the standards, and the staff will work with the auditors to make sure that these standards are adhered to.

GOLF COURSE SUPERINTENDENT/MANAGER

- The Equitrans reimbursement for the relocation of a gas pipeline at Clover Hill Golf Course has been increased by \$475.00 for the reimbursement of a tractor and overseeder. The total reimbursement will be \$11,998.72.
- Mr. Schweitzer has scheduled the removal of the present vending company this Friday, and the new vending company will be in operation on February 15
- The architect who is working on the 1st and 5th holes will be preparing drawings that should be available in late February/early March.
- Mr. Schweitzer is working on getting the new point of sale system in place, and he will follow up with a report to council.
- Last week the course was open on warm days. January revenues are approximately \$4,000, which is exceptional.

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ASSISTANT PARKS & RECREATION DIRECTOR

- The Winter Bonfire will be held at Blueberry Hill Park on Saturday, January 19th from 4-6 p.m.
- The Spring Recreation Newsletter should be mailed by the second week of February.
- The Recreation Board will meet next Tuesday at 7:30 p.m. at the municipal building. There are two positions currently available on the board. There are two residents interested in the positions, but the board is still advertising for the positions. If anyone is interested in serving on the Recreation Board, they should attend the meeting next Tuesday.

PARKS & RECREATION DIRECTOR

- They have addressed several drainage issues in Old Orchard Park, and they will continue to do so as the weather improves.
- The borough has been awarded a DCNR Grant in the amount of \$26,600 for the installation of lights on the volleyball and basketball courts at Blueberry Hill Park.
- February is Black History Month and the borough will have a Black History Month Celebration on February 15th. They are working with NA High School to provide a very educational and entertaining evening.

MR. HRISHENKO – Mr. Hrishenko commented that he should be notified of any changes to the agenda in advance of the meeting. It was noted that each council member receives an amended agenda at the pre-meeting and the changes underlined. Mr. Hrishenko asked that he be told of all changes.

MOTION TO ADJOURN – Mr. Marwah moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary