

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, MARCH 19, 2008**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, March 19, 2008 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237.

Council 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

RECOGNITION OF FORMER COUNCILMAN JAMES W. LAWRENCE – Sara Kennedy from State Representative Mike Turzai’s office presented Mr. Lawrence with a citation for his service to the community. Mrs. Creese presented Mr. Lawrence with Resolution No. 940-2008 recognizing his service on borough council. Mr. Lawrence thanked the mayor, council and staff. Mrs. Sable moved Resolution No. 940-2008 recognizing James W. Lawrence for his service on Borough Council, be adopted, seconded by Mr. Hartman and carried unanimously.

APPROVAL OF THE MINUTES – Mrs. Hopey moved the minutes of the February 20, 2008 pre/post meeting, the February 20, 2008 regular meeting, and the March 5, 2008 work session, be approved, seconded by Mrs. Sable and carried unanimously.

TREASURER’S REPORT - Mr. Rocca read the February 2008 Treasurer’s Report. February 2008 receipts totaled \$404,755.08 and February 2008 expenditures totaled \$540,079.15. Year-to-date receipts totaled \$961,460.27 and year-to-date expenditures totaled \$825,259.64. Mrs. Sable 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 February 2008. Mayor Clark noted that he had received a letter from Mr. Chuck Rowell commending Officer Kevin Lestitian for outstanding work on a case involving Mr. Rowell. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

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BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for February 2008. Mr. Phillips issued 35 permits and collected \$22,824.00 in fees. Total value of construction was \$2,898,386.00.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session was held on March 5, 2008 to discuss police contract negotiations.

COMMENTS FROM THE FLOOR

Kenneth Yarsky, attorney representing Eddy Homes – Mr. Yarsky was present on behalf of his client, Eddy Homes, the developer of the Scarlett Ridge Plan. Mr. Yarsky asked for clarification and a formal response regarding some of the issues that have arisen relative to the completion of the Scarlett Ridge Plan. He questioned the borough requirement that 80% of a development must be built out before the borough accepts the streets and appurtenances, as well as the ongoing cost for snow removal and engineering bills. Mr. Junker indicated that he had sent a letter to Mr. Yarsky in December 2007, and he had not received any response. Mr. Junker then responded to Mr. Yarsky's comments this evening, and he indicated that discussion could continue between the attorneys via letter or phone. Mr. Rocca explained the development process and the borough requirement for acceptance of improvements. Mrs. Creese indicated that the borough would get back to Mr. Yarsky.

Mr. Charles Duffy, 2319 Nicholson Road – Mr. Duffy had sent a letter to the borough requesting that the speed limit on Nicholson Road be decreased. Mr. Rocca noted that council had discussed Mr. Duffy's request, and had sent a letter to PennDOT requesting that the speed limit be lowered. PennDOT has indicated that they will study the road and make a determination. Mr. Duffy asked what else he and other residents could do, and council suggested that they send letters to PennDOT. It was noted that the borough has made several requests in the past for PennDOT to reduce the speed limit on Nicholson Road.

APPROVAL OF THE BILLS – Mr. Marwah 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.

EDWARD HOLZER & NORMA JEAN HUFFMYER SUBDIVISION APPLICATION – Mr. Hrishenko moved preliminary and final approval be granted for the subdivision application submitted by Edward Holzer and Norma Jean Huffmyer for the subdivision of one lot into two lots at the property located at 2118 Reis Run Road, in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated March 14, 2008 and the letter from W.E.C. Engineering dated March 13, 2008, seconded by Mrs. Hopey and carried unanimously.

ORDINANCE NO. 561-2008, CABLE FRANCHISE AGREEMENT WITH NORTH PITTSBURGH TELEPHONE COMPANY – Mr. Junker summarized Ordinance No. 561-2008. Mrs. Hopey moved Ordinance No. 561-2008 authorizing the execution of a Cable Franchise Agreement between the Borough and North Pittsburgh Telephone Company, be enacted, seconded by Mrs. Sable and carried unanimously.

ORDINANCE NO. 562-2008, AUTHORIZING MTSA TO SERVICE LOT AND BLOCK 1067-K-201 (BRETT MARS PROPERTY) – Mr. Junker summarized Ordinance No. 562-2008. Mr. Hartman moved Ordinance No. 562-2008 authorizing the McCandless Township Sewer Authority (MTSA) to service Lot and Block 1067-K-201 that lies within the Borough and designating MTSA as the exclusive provider of sanitary sewer service for said lot, be enacted. Mr. Hrishenko indicated that he would abstain from voting because his property and private road abut the subject property, and there may be a conflict of interest. Mr. Hrishenko had provided the secretary with a memorandum dated March 19, 2008 indicating the reason for his abstention. The motion was then seconded by Mrs. Hopey and voted upon. The motion carried.

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INTRODUCE ORDINANCE NO. 563-2008, ACCEPTING AND ADOPTING HERITAGE DRIVE IN THE HERITAGE ESTATES PLAN – Mr. Junker introduced Ordinance No. 563-2008 accepting and adopting as a Borough street 715 feet of Heritage Drive in the Heritage Estates Plan of Lots, accepting and adopting all appurtenances thereto as Borough facilities including but not limited to curbs and surface water drainage facilities abutting thereon, and authorizing the Borough Council to enter into an agreement requiring K & R LeDonne, LP to maintain aforesaid improvements for a period of 18 months and requiring a surety bond, as recommended by W.E.C. Engineers in the letter dated February 15, 2008. This ordinance will be properly advertised for enactment at a future meeting.

INTRODUCE ORDINANCE NO. 564-2008, ACCEPTING & ADOPTING A 20' STORM SEWER EASEMENT IN LOT #6 IN THE HERITAGE ESTATES PLAN – Mr. Junker introduced Ordinance No. 564-2008 accepting and adopting as Borough facilities all that certain 20' storm sewer easement extension and storm sewer line, catch basin, connections and appurtenances in Lot #6 in the Heritage Estates Plan of Lots, as more fully described in the Dedication dated March 5, 2008. This ordinance will be properly advertised for enactment at a future meeting.

AWARD BID FOR NEW SUV FOR PUBLIC WORKS SUPERINTENDENT – Mrs. Hopey moved Mick's North Hills Chrysler Jeep be awarded the bid to provide one new 2008 Jeep Liberty Sport 4x4, with the trade in of one 2002 Jeep Liberty 4x4, at a cost of \$16,806.50 to be used by the Superintendent of Public Works, and the Secretary be authorized to return the bid security to the unsuccessful bidder, seconded by Mr. Hartman and carried unanimously.

REJECT BID FOR HOLLOW CORE PRESTRESSED CONCRETE PLANKS FOR PAVILION AT BLUEBERRY HILL PARK – Mrs. Sable moved to reject the sole bid received to deliver, install and attach hollow core prestressed concrete planks for the new pavilion in Blueberry Hill Park, and the Secretary be authorized to advertise for a General Contractor for the construction of the new pavilion in Blueberry Hill Park, seconded by Mrs. Hopey and carried unanimously.

APPOINT MARLENE GAYSEK-LASKEY AS EIT CLERK – Mr. Hrishenko moved Marlene Gaysek-Laskey be appointed as EIT Clerk effective March 31, 2008 at a rate of \$10.51 per hour, seconded by Mrs. Hopey and carried unanimously.

APPOINT LORI R. MERRIMAN TO THE ENVIRONMENTAL ADVISORY COUNCIL – Mr. Marwah moved Lori R. Merriman be appointed to the Environmental Advisory Council to fill the unexpired term of Sam Liberto, which term will expire December 31, 2009, seconded by Mr. Hartman and carried unanimously.

AGREEMENT TO VACATE RECORDED EMERGENCY ACCESS EASEMENT, 2434 TRACI DRIVE – Mrs. Sable moved to approve the Agreement to Vacate Recorded Emergency Access Easement within Lot 408 in the West Gate Plan #4, which is known as 2434 Traci Drive, seconded by Mr. Hrishenko and carried unanimously.

REAPPROVE SAINTS JOHN & PAUL SUBDIVISION APPLICATION – Mrs. Hopey moved to reapprove the Subdivision Application submitted by Saints John & Paul Parish Charitable Trust, for the property located at 2586 Wexford Bayne Road for a lot line revision in the R-4 zoning district, with all of the conditions as set forth when the plan was originally granted preliminary and final approval on December 19, 2007, seconded by Mr. Marwah and carried unanimously.

REAPPROVE SAINTS JOHN & PAUL LAND DEVELOPMENT APPLICATION – Mr. Hartman moved to reapprove the Land Development Application submitted by Saints John & Paul Parish Charitable Trust, for the property located at 2586 Wexford Bayne Road for the construction of a new building and site improvements in the R-4 zoning district, with all of the conditions as set forth when the plan was originally granted preliminary and final approval on December 19, 2007, seconded by Mr. Marwah and carried unanimously.

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PURCHASE BLAWNOX PAVER THROUGH FEDERAL CONTRACT – Mr. Marwah moved to purchase a PF150 Blawnox Paver from Rudd Equipment, Leetsdale, PA at a cost of \$140,417.00, less \$22,000.00 trade in value for the 2002 PF150 Blawnox Paver for a final purchase price of \$118,417.00, under Federal Contract No. SP0500-05-D-0006, seconded by Mr. Hartman and carried unanimously.

BOROUGH MANAGER – Mr. Rocca commented that even though we are approving the cable franchise agreement with North Pittsburgh Telephone Company, its successor, Consolidated Communications would not be in a position to provide immediate cable service. They are building off the infrastructure, and it will take 2-3 years to complete.

MRS. HOPEY – Mrs. Hopey noted that Mr. Lawrence was elected to council with four other “rookie” council members. He took his job very seriously and he had no personal agenda. It was a pleasure working with him.

MR. HRISHENKO – Mr. Hrishenko wished Mr. Lawrence good luck and good health, and he thanked him for his service.

JUNIOR COUNCILPERSON, BRENNA THORPE – Miss Thorpe stated that it was a pleasure working with Mr. Lawrence.

MRS. CREESE – Mrs. Creese noted that Mr. Lawrence always exhibited such passion and enthusiasm, and it was a pleasure working with him.

SUPERINTENDENT OF PUBLIC WORKS

- Public works is working on street dig outs in preparation of paving season.
- They are working on the addition to the maintenance building.
- Mr. Merriman thanked council for approving the purchase of a paver and new vehicle. He noted that the paver purchase is under budget.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool thanked Mr. Lawrence for his help while he was on council and noted that he enjoyed working with him.
- Mr. Watenpool met with Chief Dorsch to determine the best location for the new street signs in Blueberry Hill Park. The new 10 MPH speed limit signs, Watch Children signs and stop signs have been installed in the park.
- The DogiPots have been installed in Old Orchard Park, Blueberry Hill Park and Linbrook Park, and they have been well used.
- They are preparing for the Easter Egg Hunt and Lunch with the Easter Bunny.
- Miss Morris has been asked to be a speaker for a recreation class at Penn State, and Mr. Watenpool has been asked to meet with students at Slippery Rock University to help provide them with direction for their future.

ASSISTANT PARKS & RECREATION DIRECTOR

- The Easter Egg Hunt and Lunch with the Easter Bunny will be held on Saturday.
- Miss Morris informed council that Mr. Watenpool was honored at the recent PRPS Conference with a four-year recognition award for his president's position with PRPS District 1.

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GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer thanked Mr. Lawrence for his support and insight.
- The golf course has received two used golf carts for this season.
- The golf course has been granted a membership by the Western PA Golf Association.
- The golf course architect has promised drawings by next week, and Mr. Schweitzer will distribute them to council via email. The drawings will be discussed at the April work session.
- The point of sale system has been ordered. Mr. Schweitzer met with his staff and the IT representative from the company regarding the design and customizing of the program for the golf course. The system should be in place next week.
- Mr. Schweitzer is working with a new processor for debit, credit and gift cards.
- The design work is being completed for the electrical service for the booster pump.
- They are finishing up equipment.
- The vending machines are installed and the room is complete.
- The course is ready to open when weather permits.

ANNOUNCEMENT OF EXECUTIVE SESSION – Mrs. Creese announced that an executive session was held prior to this meeting to discuss personnel and litigation.

MAYOR CLARK, NORTH JOURNAL CITIZEN OF THE YEAR FOR 2008 – Mrs. Creese announced that Mayor Clark was named the North Journal Citizen of the Year for 2008. Mayor Clark stated that it has been a pleasure serving the borough in many capacities.

MOTION TO ADJOURN – Mr. Hartman moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary