

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, MARCH 17, 2010**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, March 17, 2010 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237.

Council President Amy Sable called the meeting to order.

Pledge of Allegiance

Cathy Krummert called the roll:

COUNCIL MEMBERS:

Richard H. Hartman, Second Vice President present
Jane A. Hopey, Vice President..... absent
Andrew Hrishenko present
Ash K. Marwah present
David J. Quatchak present
Amy E. Sable, President present
Junior Councilperson Brennan McGovern present
Mayor Dennis E. O'Keefe present

ENGINEER:

Bob Nedzesky, W.E.C. Engineers present

SOLICITOR:

Robert Max Junker, 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
Brienne Morris, Assistant Parks & Recreation Director absent
Tim Phillips, Building Inspector/Zoning Officer..... present
Ambrose Rocca, Borough Manager present
Bill Schweitzer, Golf Course Superintendent present
Jim Watenpool, Parks & Recreation Director present

RECOGNITION OF CHARLES GRUBER, RETIRING AFTER 30 YEARS OF EMPLOYMENT –

Mrs. Sable expressed sincere gratitude and appreciation to Chuck Gruber on behalf of Council, Mayor, the public works department, borough employees and borough residents. She presented him with a plaque recognizing his 30 years of service to the borough. Mr. Merriman noted that he was here when Chuck was hired in 1980. He was very dependable as an equipment operator and he always got the job done. Chuck thanked Council and his fellow workers noting that he always enjoyed the challenge of the work and he got to know and help a lot of people.

APPROVAL OF THE MINUTES – Mr. Marwah moved the minutes of the February 17, 2010 pre/post meeting, the February 17, 2010 regular meeting and the March 3, 2010 work session, be approved, seconded by Mr. Hrishenko and carried unanimously.

TREASURER'S FINANCIAL REPORT - Mr. Rocca read the February 2010 Treasurer's Financial Report. February 2010 revenues totaled \$442,301.06 and February 2010 expenditures totaled \$378,307.78. Year-to-date revenues totaled \$884,695.37 and year-to-date expenditures totaled \$779,120.88. Mr. Quatchak moved the February Treasurer's Financial Report be accepted as read, seconded by Mr. Hartman and carried unanimously.

POLICE REPORT – Mayor O'Keefe read the Police Report and activity report for the month of February 2010. 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 2010. Mr. Phillips issued 11 permits and collected \$30,436.00 in fees. Total value of construction was \$3,162,612.00.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Sable announced that an executive session was held on February 17, 2010 to discuss a personnel matter and on March 3, 2010 to discuss a police personnel matter, police labor relations and public works personnel.

COMMENTS FROM THE FLOOR - None

APPROVAL OF THE BILLS – Mr. Hrishenko moved Council authorize the payment of the bills, which have been reviewed and approved since the last meeting, seconded by Mr. Marwah. Mr. Quatchak abstained from voting and filed the appropriate form with the Borough Secretary. The motion carried.

PUBLIC HEARING, ORCHARD HILL CHURCH REVISED CONDITIONAL USE APPLICATION CU-09-04-02 – Mrs. Sable turned the meeting over to Mr. Junker to conduct the public hearing. Mary Ellen Wolf, court reporter, was present to take a verbatim transcript of the hearing. Mr. Phillips stated that the Planning Commission met in February regarding this matter, and they recommended both the Conditional Use and the Land Development Applications be approved. Mr. Jeff Berneburg of Mcllvried, DiDiano & Mox, LLC, the site planners, engineers and surveyors for the Orchard Hill Church project was present. Mr. Berneburg noted that the project includes a church addition, classroom project, gymnasium and additional parking lot improvements to the front entrance to the building. No questions or comments were heard from the public. Mr. Marwah moved to close the public hearing, seconded by Mr. Hrishenko and carried unanimously. Mr. Hrishenko moved approval be granted for Orchard Hill Church Revised Conditional Use Application CU-09-04-02 for the construction of a 24,300 sq. ft. addition to the existing building located at 2551 Brandt School Road in the R-3 zoning district, contingent upon the Building Inspector/Zoning Officer's Staff Report dated February 24, 2010, seconded by Mr. Quatchak and carried unanimously.

ORCHARD HILL CHURCH REVISED PRELIMINARY & FINAL LAND DEVELOPMENT APPLICATION LPF 09-04-01 – Mr. Marwah moved approval be granted for Orchard Hill Church Revised Preliminary & Final Land Development Application LPF-09-04-01 for the construction of a 24,300 sq. ft. addition to the existing building located at 2551 Brandt School Road in the R-3 zoning district, contingent upon the Building Inspector/Zoning Officer's Staff Report dated February 24, 2010, and the letter from W.E.C. Engineering dated January 29, 2010, seconded by Mr. Hartman and carried unanimously.

ORDINANCE NO. 579-2010 ACCEPTING A PORTION OF WEST INGOMAR ROAD AS A BOROUGH STREET – Mr. Hrishenko moved Ordinance No. 579-2010 accepting and adopting as a borough street a 0.83 mile long portion of West Ingomar Road (Allegheny County Road Number 1158-01), accepting and adopting all appurtenances thereto as Borough facilities and empowering and directing the proper officers to enter into a Road Transfer Agreement with Allegheny County, be enacted, seconded by Mr. Marwah and carried unanimously.

MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH & THE FRANKLIN PARK OFFICERS ASSOCIATION REGARDING THE KILLED IN SERVICE BENEFIT – Mr. Quatchak moved to approve the Memorandum of Understanding between the Borough and the Franklin Park Officers Association to make changes to the Killed in Service Survivor Benefit currently offered in the Police Pension Plan in order to bring it into compliance with Act 51 of 2009, and authorizing the solicitor to prepare an ordinance to amend The Franklin Park Borough Police Pension Plan Document to incorporate these changes, seconded by Mr. Hartman and carried unanimously.

INTRODUCE ORDINANCE NO. 580-2010 AMENDING THE POLICE PENSION PLAN – Mr. Junker introduced Ordinance No. 580-2010 amending the Police Pension Plan to create a Deferred Retirement Option Plan (DROP), to provide for a Killed in Service Benefit payable by the Commonwealth of Pennsylvania under Act 51 of 2009, and to restate in its entirety such pension plan. This ordinance will be properly advertised for enactment at a future meeting.

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LINBROOK/SBA CELL TOWER DEVELOPMENT CASH AGREEMENT – Mr. Marwah moved to ratify the Cash Escrow Agreement to serve as the financial security for the Linbrook/SBA cell tower development, seconded by Mr. Hartman and carried unanimously.

APPOINT DELEGATE AND ALTERNATE TO PSAB – Mr. Hrishenko moved to appoint Ash Marwah as the delegate and Amy Sable as the alternate for the Pennsylvania State Association of Boroughs, seconded by Mr. Quatchak and carried unanimously.

APPOINT DELEGATE FOR MRM – Mr. Quatchak moved to appoint Ash Marwah as the delegate for the MRM Workers Comp Pooled Trust, and the MRM Property & Liability Trust, seconded by Mr. Hrishenko and carried unanimously.

APPOINT ALTERNATE TO THE ALLEGHENY COUNTY NORTHERN EARNED INCOME TAX REGION
Mr. Marwah moved to ratify the appointment of Andrew Hrishenko as the alternate to the PA Act 32 of 2008 Allegheny County Northern Earned Income Tax Region, seconded by Mr. Quatchak and carried unanimously.

LETTERS OF RECOGNITION FOR PUBLIC WORKS EMPLOYEES – Mr. Hrishenko moved to authorize the President of Council to send letters of recognition to the public works employees for a job well done during the recent snowstorm on February 5, 2010, seconded by Mr. Hartman and carried unanimously.

YMCA ADDITION, RELEASE AND CANCEL LETTER OF CREDIT – Mr. Quatchak moved to release and cancel PNC Bank Letter of Credit No. 12500574-00-000 in the amended amount of \$5,000.00 for the YMCA of Greater Pittsburgh, Baierl Family YMCA addition, in accordance with the Borough Engineer's recommendation letter dated March 5, 2010, seconded by Mr. Hrishenko and carried unanimously.

AGREEMENT WITH CGI COMMUNICATIONS TO UPDATE BOROUGH WEBSITE VIDEO – Mr. Hrishenko moved to approve the agreement with CGI Communications for updates to the Borough website video, seconded by Mr. Marwah and carried unanimously.

AGREEMENT WITH SHANNOPIN COUNTRY CLUB FOR 2010 SCHOLARSHIP GOLF OUTING – Mr. Hartman moved to approve the agreement with Shannopin Country Club for the 2010 Scholarship Golf Outing to be held on Monday, July 26, 2010, seconded by Mr. Hrishenko and carried unanimously.

PENN POWER RIGHT-OF-WAY AGREEMENT FOR LINBROOK PARK – Mr. Marwah moved to approve the Penn Power Right-of-Way Agreement for Linbrook Park, subject to a 10 ft easement on either side of the pole line, seconded by Mr. Hartman and carried unanimously.

REAPPROVE PRELIMINARY AND FINAL LAND DEVELOPMENT APPLICATION 09-10-02 FOR THE LINBROOK/SBA CELL TOWER – Mr. Quatchak moved to reapprove the Preliminary and Final Land Development Application No. 09-10-02 submitted by Tristar Investors, Inc./SBA Towers LLC for a communication tower site located in Linbrook Park in the R-1 zoning district, with all of the conditions as set forth when the application was originally granted preliminary and final approval on December 16, 2009, seconded by Mr. Hrishenko and carried unanimously.

BOROUGH MANAGER – Mr. Rocca noted that yesterday he received his census form and filled it out. He asked every resident to fill out the form since it does determine, to some extent, the amount of money the borough receives from the state and federal government. Mr. Rocca recognized Donna Platt, Secretary/Receptionist, for doing an outstanding job answering calls and complaints from residents after the recent snowstorms. Mr. Rocca noted that the 2010 Scholarship Golf Outing would be held on July 26th. He noted that it is a very worthy cause, and he encouraged participation. Last year's outing raised close to \$10,000 and we are awarding 10 scholarships this year.

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MAYOR O'KEEFE – Mayor O'Keefe recognized the members of the Franklin Park Volunteer Fire Company and their families. The firefighters' dedication requires enormous family support. He noted he had his own experience a few years ago when his car caught on fire threatening his residence. The quick action of the fire company resulted in no damage to his home. Franklin Park residents are very fortunate for the firefighters willingness to serve the community. Mayor O'Keefe read some Irish sayings in honor of St. Patrick's Day.

MR. HRISHENKO – Mr. Hrishenko thanked Chuck Gruber for his dedicated service to the borough, and he wished him good luck and good health. Mr. Hrishenko is attending three Local Government Academy classes that provide municipal officials with fundamentals of zoning principles and practices in Pennsylvania. Mayor O'Keefe is also attending the classes. Mr. Hrishenko attended a meeting of the Allegheny North Tax Collection Committee that was held to implement Act 32, which has become law and will be in full effect in January 2012. Act 32 will consolidate the earned income tax collection system across the Commonwealth of Pennsylvania and will eliminate local earned income tax collectors. Allegheny County will be served by four tax collection districts. The next meeting of the full board will be May 5, 2010. Mr. Hrishenko wished everyone Happy St. Patrick's Day.

MR. QUATCHAK – Mr. Quatchak congratulated Chuck Gruber on his retirement and thanked him for his service. He wished him a happy, lucky and safe retirement.

MR. MARWAH – Mr. Marwah thanked Chuck Gruber for 30 years of service. Mr. Marwah noted that we have concluded a 12-year court case with Franklin Nursery. Mr. Phillips has sent a letter to the Nursery and hopefully this will be the end of it.

MR. HARTMAN – Mr. Hartman congratulated Chuck Gruber on his 30 years of service. Mr. Hartman also thanked the rest of the public works department.

MR. MCGOVERN – Mr. McGovern wished Chuck Gruber a happy and safe retirement, and wished everybody a Happy St. Patrick's Day.

MRS. SABLE – Mrs. Sable thanked Chuck Gruber for his 30 years of dedicated service to the borough, and she hopes he has a wonderful retirement. Mrs. Sable noted that Dr. Stein, Emergency Management Coordinator, asked her to let everybody know that from April 23rd to 25th The Emergency Medical Services Institute will be setting up a 50-bed field hospital at Blueberry Hill Park. This will be used for training and they are looking for volunteers to participate. It is also open to the public to see. A website address was provided in the Recreation Newsletter or those interested may contact Dr. Stein. Mrs. Sable announced that there are currently vacancies on the Scholarship Selection Committee and the Recreation Board.

SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman noted that they are still cleaning up from the remnants of the February snow. Most of the mailboxes and yards have been fixed.
- They will be doing some concrete curb work.
- Spring brush chipping and leaf collection will start on Monday, April 5th at 7 am.
- Mr. Merriman recognized members of the public works department who were in the audience: Reed McCrea, 32 years of service; Larry Bolland, 20+ years of service; Jeff Richmond, 11 years of service; Tom Losco, 20+ years of service; and Bruce Kennedy 31 years of service. He noted that all of the public works employees combined have approximately 224 years of service. Mr. Merriman pointed out that his employees are very knowledgeable, and they are the reason he could go on vacation in February.

CHIEF OF POLICE

- No report.

BUILDING INSPECTOR/ZONING OFFICER

- No report.

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PARKS & RECREATION DIRECTOR

- Mr. Watenpool thanked Chuck Gruber and noted that he enjoyed working with him over the years. He wished him the best in his retirement.
- The parks department has been doing a lot of clean-up work in the parks. The parks are already seeing a lot of use.
- The Black History Month Program has been rescheduled for Friday, April 16th.
- The Easter Egg Hunt and Lunch with Easter Bunny will be held on April 3rd.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer thanked Chuck Gruber for his service and noted that Chuck did quite a bit of work at the golf course over the years. He also noted that Franklin Park has a good group of employees.
- The golf course opened today at noon, and they are hoping to cut grass by Friday. Things look good on the course, although they did have some snow mold damage.

COMMENTS FROM THE FLOOR

Charles Gruber, Locust Road – Mr. Gruber recognized and commended some of his fellow employees in attendance including Jim Watenpool, Bruce Kennedy, Tom Losco, Reed McCrea, Jeff Richmond and Larry Bolland. Mr. Gruber also asked for payment of his clothing allowance.

MOTION TO ADJOURN – Mr. Hartman moved to adjourn the meeting, seconded by Mr. Marwah and carried unanimously. The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present – 30