

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, MAY 19, 2010**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, May 19, 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..... present
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 present
Tim Phillips, Building Inspector/Zoning Officer..... present
Ambrose Rocca, Borough Manager present
Bill Schweitzer, Golf Course Superintendent absent
Jim Watenpool, Parks & Recreation Director present

ACKNOWLEDGE RECIPIENTS OF THE 2010 FRANKLIN PARK COMMUNITY SCHOLARSHIP –

Mrs. Sable stated that money for the scholarships is raised by the borough newsletter, by participation in the Scholarship Golf Outing and through private donations. No funds come from tax dollars. Scholarships were first awarded in 2004, and since that time, the borough has provided \$52,000 in scholarship funds to 53 of Franklin Park's finest high school seniors. The Scholarship Selection Committee reviewed over 30 applications and they were all outstanding. The students that were chosen have all demonstrated a high level of academic performance, exemplary involvement in their school community and had provided countless hours performing volunteer work to benefit others. Mrs. Sable announced the names of the ten 2010 scholarship recipients, and Mayor O'Keefe presented each with a payment voucher to be completed by the college or university of his/her choice:

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1. **Christy Cotter** of Birchwood Court – not present
2. **Jacob DiBattista** of Dogwood Drive – not present
3. **Merel Duursma** of Alydar Drive – attending the University of Pittsburgh to study nursing
4. **Rachel Minto** of Oakridge Lane – attending Youngstown State University to study music education
5. **Maria Munsch** of Country Club Drive – attending the University of Pittsburgh Honors College studying physics and hoping to go pre-med
6. **Katherine Owsiany** of King Charles Drive – attending Cornell University with a major in biological sciences, concentration in neuroscience

7. **Jay Sehgal** of Settlers Drive – not present
8. **Chelsie Stair** of McDevitt Road (Mel Lubert Memorial Scholarship recipient) – no present
9. **Carrie Vereide** of Bellwood Drive – not present
10. **Connie Yuan** of Norman Drive – attending the University of Pennsylvania studying business management with a double major in mathematics.

Mrs. Sable noted that Ambrose Rocca, Borough Manager, has been instrumental in raising monies for the scholarship fund, and he deserves all of the credit for making sure that the borough is able to continue this wonderful program. She encouraged everybody to attend this year's Scholarship Golf Outing, which Mr. Rocca is organizing on July 26th at Shannopin Country Club.

APPROVAL OF THE MINUTES – Mrs. Hopey moved the minutes of the April 21, 2010 pre/post meeting, the April 21, 2010 regular meeting and the May 5, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

TREASURER'S FINANCIAL REPORT - Mr. Rocca read the April 2010 Treasurer's Financial Report. April 2010 revenues totaled \$875,050.39 and April 2010 expenditures totaled \$419,127.07. Year-to-date revenues totaled \$2,014,994.79 and year-to-date expenditures totaled \$1,547,361.37. Mrs. Hopey moved the April Treasurer's Financial Report be accepted as read, seconded by Mr. Quatchak and carried unanimously.

POLICE REPORT – Mayor O'Keefe read the Police Report and activity report for the month of April 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for April 2010. Mr. Phillips issued 22 permits and collected \$15,026.00 in fees. Total value of construction was \$1,870,908.00.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Sable announced that an executive session was held on May 5, 2010 to discuss Franklin Nursery litigation and an executive session was held prior to this meeting with Special Counsel to discuss the legality of certain borough expenditures.

COMMENTS FROM THE FLOOR

Donna McNamara, 116 Rydal Lane – Ms. McNamara is the current president of the North Hills Anti-Racism Coalition. She thanked Mr. Marwah for coordinating the Black History Celebration at the Blueberry Hill Activity Center for the last three years. This year's event was wonderful, and she wanted Council to know how much they appreciated it. She also thanked Jim Watenpool for his assistance that evening.

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Lee-Hannah Allen, 1898 Pioneer Drive – Ms. Allen thanked everyone for the Armed Forces Celebration. She also appreciated Council listening to the comments at the automated garbage meeting, and she believes Council is working for the best of Franklin Park. Ms. Allen noted that they are having issues with the developer finishing the Settlers Walk Plan. She provided pictures of several deficiencies in the plan, noting that the developer has indicated that he is almost done. She urged Council not to release the developer's bond until spring to make sure the plantings have taken. Mr. Rocca noted that he and the borough engineer have been working with the developer to make sure that all items are completed. The developer is in the process of doing the work, but it is not by any means complete. A final inspection will be performed to make sure that all work is done in accordance with the plans and specifications originally submitted.

Anup Kaneri, 1899 Pioneer Drive – Mr. Kaneri discussed the stormwater detention pond behind Phases 4 & 5 in the Settlers Walk Plan. He mentioned that Section 178 (4) (D) of the Codified Ordinances specifically mentions that there should be trees and shrubs planted in the area. He is concerned that the Homeowners' Association may have to bear all the costs to repair it. He asked the borough to consider this and take it to the developer. Mr. Phillips noted that Chapter 178 was adopted well after Phase 5 was approved so the borough cannot use those requirements. Mr. Rocca noted that the borough can go back and look at the approved plans to make sure it is constructed in accordance with those approved plans. Mr. Nedzesky will look at this issue and report back to Council.

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 Mrs. Hopey and carried unanimously.

REAL ESTATE TAX EXONERATION – Mr. Quatchak moved the Real Estate Tax Collector be exonerated from collecting Borough real estate taxes in the amount of \$198.87 from the Borough of Franklin Park and \$279.18 from the Franklin Park Volunteer Fire Company No. 1, and that the Borough and the Fire Company be exempted from paying these Borough real estate taxes, seconded by Mr. Hrishenko and carried unanimously.

RESOLUTION NO. 984-2010 APPOINTING AN AGENT FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE FOR THE FEBRUARY 2010 SNOWSTORMS – Mr. Junker summarized Resolution No. 984-2010. Mr. Marwah moved Resolution No. 984-2010 designating Carolyn A. Strunk, Treasurer, as the agent to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the February 2010 Snowstorms (FEMA-1898-DR-PA), be adopted, seconded by Mrs. Hopey. Mr. Quatchak voted "No". The motion carried.

CLEANING CONTRACT EXTENSION – Mr. Quatchak moved to extend the current Agreement between the Borough and Northern Home Service Company for cleaning services for the municipal building and the Blueberry Hill Park Activity Center for the final one-year period from July 1, 2010 through June 30, 2011, at the rates specified in the original bid and Agreement, seconded by Mr. Hartman and carried unanimously.

MILLING CONTRACT EXTENSION – Mr. Hrishenko moved to extend the current contract with Donegal Construction of Greensburg, PA for the period from May 1, 2010 to September 30, 2010 for milling and disposal of bituminous pavement materials, maintaining the cost of \$2.03 per sq. yd. and \$1,200 per mobilization, as submitted to the North Hills COG for its bid opening on May 14, 2009, seconded by Mr. Quatchak and carried unanimously.

APPOINT BILL KIPP TO THE PLANNING COMMISSION – Mr. Hartman moved Bill Kipp be appointed to the Planning Commission to fill the unexpired term of David Quatchak, which term will expire December 31, 2011, seconded by Mr. Marwah and carried unanimously.

BOROUGH MANAGER – Mr. Rocca announced that the Scholarship Golf Outing would be held on Monday, July 26th.

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MAYOR O'KEEFE – Mayor O'Keefe stated that the Armed Forces Salute was very well done and Debby Rabold put so much work into it by organizing the entire event. Mayor O'Keefe read a letter from Thomas J. McElree, Executive Director of the Emergency Medical Service Institute thanking the borough for allowing the Institute to use Blueberry Hill Park for their medical surge hospital full-scale exercise on April 23-25, 2010. Mayor O'Keefe noted that he attended the exercise and it was a very impressive display. We are also very fortunate to have Dr. Thomas Stein as our Emergency Management Coordinator since he is very knowledgeable. Mayor O'Keefe also noted that he would officiate at his first wedding ceremony this Saturday.

MR. HRISHENKO – Mr. Hrishenko thanked Debby Rabold for a great job organizing the Armed Forces Salute. He also noted that Brennan McGovern, Junior Councilperson, was a featured Junior Councilperson in the recent Borough News Magazine.

MR. QUATCHAK – Mr. Quatchak noted that the Armed Forces Salute did Franklin Park proud, and he acknowledged all of the work Debby Rabold put into the event.

MRS. HOPEY – Mrs. Hopey congratulated Bill Kipp on his appointment to the Planning Commission.

MR. MARWAH – Mr. Marwah noted that the Armed Forces Salute was a wonderful event. Mr. Marwah reviewed the Local Services Tax Report as of the end of April. Mr. Marwah stated that a meeting was held on Monday at the fire hall regarding the automated trash collection system. Overwhelmingly, people did not want the automated system, and he thinks that is the way we are going to go.

MR. HARTMAN – Mr. Hartman noted that Debby Rabold has done some great things for the historical committee. Mr. Hartman also noted that Mr. Rocca did a fantastic job at the refuse meeting Monday night. Mr. Rocca did what Borough Council asked him to do, which was to look into if the automated system would save the residents any money.

MR. McGOVERN – Mr. McGovern congratulated and thanked Debby Rabold for all of the work she did on the Armed Forces Salute. He heard many positive comments, including comments from the teachers at the high school. Mr. McGovern congratulated Mr. Kipp on his appointment. He thanked Mr. Hrishenko for his kind comments and for encouraging him to submit information to the Borough News Magazine.

MRS. SABLE – Mrs. Sable thanked Debby Rabold for a fantastic Armed Forces Salute. Mrs. Sable thanked the members of the community that attended the meeting Monday night regarding automated trash collection. She then cleared up some misconceptions of what the meeting was about. The meeting was to inform the public about automated collection. It was not to put forth the stance that we wanted automated collection. It was to let everyone know that we had this opportunity to accept a grant and go to that system. Council was not comfortable outright rejecting the grant without informing the public. The meeting was the ultimate example of transparency. We called a special public hearing just to discuss that issue. We provided information regarding automated trash collection to allow the public to decide how they felt about it, and it was clear how the public felt. Council was putting the issue in the residents' hands. Council appreciated hearing from so many residents. Mrs. Sable thinks that the outcome will be that there will not be automated trash collection at this time.

Mrs. Sable also updated the audience on some things that Council has been doing. Council has subcommittees, which include Budget/Finance, Land Use, Recreation/Golf Course and Personnel among others. In the past, these committees were not always active. We have decided to start using these committees to look over the way certain things are done at the borough. The Budget/Finance Committee has had several meetings since the beginning of March. The first thing they looked into was how to make the Treasurer's Financial Report easier to understand, more user friendly and have it reflect what they felt needed to be reflected in it while also continuing to comply with what the law requires it must contain. The Treasurer's Financial Report has been revamped with assistance from the Treasurer, Carolyn Strunk, and the Borough Manager. The Recreation/Golf Course Committee has been meeting regularly to address issues in that area. The Land Use Committee just started meeting to look over issues related to our

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proposed ordinances and to discuss how to move them through the system a little bit faster. Council does a lot of work behind the scenes for the residents, and she thanked Council for putting in that extra effort. Mrs. Sable noted that all of the meetings are advertised and the public is welcome to attend.

SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman noted that as a life-long resident and a veteran, he enjoyed the Armed Forces Salute. He noted that Debby Rabold did a fantastic job.
- Public Works is gearing up to pave some roads. The milling contract and asphalt have been approved, so they are starting to prep some of the roads.

CHIEF OF POLICE

- Chief Dorsch noted that the officers very much appreciate the new portables that were approved in the budget, and he thanked Council.

BUILDING INSPECTOR/ZONING OFFICER

- No report.

ASSISTANT PARKS & RECREATION DIRECTOR

- Miss Morris noted that they are preparing for the Festival in the Park on Saturday, June 26th. They are also working on the mailer for that event.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool noted that the Parks Department is working on grass cutting and general field maintenance.
- He noted that the students who attended the Black History Month Celebration were phenomenal. They stayed after the conclusion of the program and asked what they could do to help clean up.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer was absent. Mr. Rocca reported that the golf course is in very good shape, but revenues are down due to the rain.

COMMENTS FROM THE FLOOR

Betty Gail Dietz, 2443 Rochester Road – Mrs. Dietz thanked the borough for having the meeting Monday night regarding the automated refuse. Mrs. Dietz also discussed a comment made by Mr. Marwah at the last meeting regarding Martha Creese's knowledge of what was going on with Mr. Quatchak and the Planning Commission. Mr. Marwah responded that Mrs. Creese received copies of emails. He also noted that these were unauthorized meetings.

Mrs. Sable suggested that these issues should not be discussed now, and she noted that some of these issues would be discussed later this evening in executive session. She explained that there were meetings held that included Mr. Quatchak when he was the Chairman of the Planning Commission and also when he was on Council. The meetings were held at Mr. Quatchak's private work office on the South Side with the solicitor, engineer, zoning officer, and in some cases, our parks and recreation director. The purpose of the meetings was to look at the proposed ordinances that had been presented to the Planning Commission and make revisions to those ordinances. Unfortunately, neither this Council, nor the prior Council, knew that these meetings were occurring. When Council found out about the meetings in February, they asked for an immediate halt to the meetings. Council is now looking into the matter. Approval should have been obtained from all of Council, and no approval was given. One email was provided to Council by Mr. Quatchak on which Martha Creese, the prior Council President had been copied. The email did not indicate that there was a meeting of only a limited number of people. The email seemed to suggest that there were meetings of the entire Planning Commission occurring. Mrs. Creese was not made aware in an email of the meetings specifically being held with only these four individuals.

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Council has hired special counsel to look into the matter and call out the issues he has seen. The special counsel has provided an opinion which was reviewed earlier this evening in executive session. Mrs. Sable could not discuss the contents of the opinion because there are personnel and potential litigation issues that are in that document. Mrs. Sable stated that Council is taking this issue very seriously, and they want to make sure that nothing like this happens again in the future. Procedures will be put in place to prevent an issue like this from coming up again. Council wants to make sure that the borough is not unduly harmed by this. Money was paid out to the professional consultants with respect to these meetings. Council must now go through the work product that was produced to see if it is commensurate with the fees that have been charged. Council is looking into all aspects of the matter, and when more of the issues are able to be discussed in public, Council will do so.

Martha Creese, 2570 Aldon Drive – Mrs. Creese noted that that Mr. Marwah had misspoken , and Mrs. Sable had provided clarification. She stated that she did receive an email stating that there was a meeting, but in no way did it say that there was a select group of people attending. She assumed the whole Planning Commission was attending.

Mary Ann Stearns, 2505 Matterhorn Drive – Mrs. Stearns attended the automated trash collection meeting on Monday, and she thanked the borough for having the meeting to hear the residents' comments. She stated that Mr. Rocca is concerned about senior citizens and he always looks into things and does a good job. She is also glad that her family moved to Franklin Park, because so many residents have made her family feel welcome.

Bob Lang, 2379 Wharrey Drive – Mr. Lang thanked Council for holding the meeting Monday night. He thanked Ron Merriman and his crew for the job they do taking care of this community. He thanked Council and the Mayor for the job they do. This is a great place to live.

Bill Kipp, 1505 Brimfield – Mr. Kipp thanked Council for the vote of confidence. He also thanked Debby Rabold for her work on the Armed Forces Salute and for asking him to be a part of it.

MOTION TO ADJOURN – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 47