

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JUNE 18, 2008**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, June 18, 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:

Gregory Gleason, 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 Superintendent.....absent
Jim Watenpool, Parks & Recreation Directorpresent

APPROVAL OF THE MINUTES – Mr. Hartman moved the minutes of the May 21, 2008 pre/post meeting, the May 21, 2008 regular meeting and the June 4, 2008 work session, be approved, seconded by Mrs. Sable and carried unanimously.

TREASURER'S REPORT - Mr. Rocca read the May 2008 Treasurer's Report. May 2008 receipts totaled \$1,026,577.67 and May 2008 expenditures totaled \$500,728.97. Year-to-date receipts totaled \$2,814,805.49 and year-to-date expenditures totaled \$ 2,187,056.75. Mrs. Hopey moved the Treasurer's Report be accepted as read, seconded by Mr. Hartman and carried unanimously.

POLICE REPORT – Mayor Clark read the Police Report and activity report for the month of May 2008. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for May 2008. Mr. Phillips issued 33 permits and collected \$33,427.00 in fees. Total value of construction was \$4,685,482.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session was held on May 21, 2008 to discuss the Teamsters Union contract, hiring and property acquisition.

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COMMENTS FROM THE FLOOR

Betty Gail Dietz, 2442 Rochester Road – Mrs. Dietz had signed in to speak, but she indicated that she would reserve the right to speak later in the meeting.

Oscar Miller, 2406 Marble Lane – Mr. Miller indicated that the map contained in the long range planning book was incorrect. Mr. Rocca responded that it is unfortunate that this is the map that was approved in the comprehensive plan and the discrepancies were discovered after the fact. He also noted that the map on the website includes a note that it is not the official map and there are some discrepancies. The borough is in the process of addressing this matter. Mr. Miller also asked questions about the overlay zoning that is being discussed by the borough. Mr. Rocca and Mr. Phillips responded by explaining overlay districts. Mr. Rocca also noted that staff would be glad to sit down with Mr. Miller and go over these items in detail.

Arlene Abbs, 2510 Abbs Crest Lane - Mrs. Abbs spoke about a robbery that occurred at her home last year. She thanked the police department for going above and beyond to help her find her belongings. Mayor Clark noted that it was not above and beyond the call of duty and all officers would have followed the same protocol.

NEVILLE ISLAND COMMONS, LLC CONSOLIDATION PLAN – Mrs. Sable moved to take from the table the subdivision application submitted by Charles Snyder for the Neville Island Commons, LLC Consolidation Plan, seconded by Mrs. Hopey and carried unanimously. Mr. Marwah moved preliminary and final approval be granted for the subdivision application submitted by Charles Snyder for the Neville Island Commons, LLC Consolidation Plan, to consolidate three lots into one lot at the Five Points Intersection in the M-1 zoning district (1728 Locust Road, 2413 Rochester Road and 2415 Rochester Road), contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated June 11, 2008 and the letter from W.E.C. Engineering dated June 13, 2008. Mr. Gleason then clarified that prior to the meeting council discussed and agreed to amend the motion to include that the borough must receive adequate assurance that the easement has been properly conveyed. The motion was then seconded by Mrs. Hopey and carried unanimously.

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.

PUBLIC HEARING, CONDITIONAL USE APPLICATION , FRANKLIN B. LIBSON HOME OCCUPATION

Mrs. Creese turned the meeting over to Mr. Gleason to conduct a public hearing. A court reporter was present to take a verbatim transcript. No public comments were heard and there was no discussion regarding the application. Mrs. Hopey moved approval be granted for the Conditional Use Application for Home Occupation submitted by Franklin B. Libson for a professional office to be located at 2356 Sylmar Drive in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated June 11, 2008, seconded by Mr. Hartman and carried unanimously.

BRANDTVIEW PLACE LOT 100 REVISED – Mrs. Sable moved preliminary and final approval be granted for the Subdivision Application submitted by Maronda Homes Inc. for Brandtview Place Lot 100 Revised, a finalization of lot lines for Lot 100 in the Brandtview Place Plan of Lots in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated May 29, 2008 and the letter from W.E.C. Engineering dated June 4, 2008, seconded by Mrs. Hopey and carried unanimously.

RECREATION BOARD BYLAWS, PROCEDURES AND MEMBER GUIDE – Mr. Marwah moved to approve the Franklin Park Borough Recreation Board Bylaws, Procedures and Member Guide, seconded by Mr. Hrishenko and carried unanimously.

AGREEMENT FOR LOWER-LEVEL CONSTRUCTION OF PAVILION IN BLUEBERRY HILL PARK – Mr. Hrishenko moved to approve the agreement with Jerry Horn Construction Inc., for the lower-level construction of a two-story pavilion in Blueberry Hill Park, seconded by Mr. Hartman and carried unanimously.

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AGREEMENT FOR NEW LACROSSE FIELD AT LINBROOK PARK – Mr. Hrishenko moved to approve the agreement with North Allegheny Boys Lacrosse Association for the development of a lacrosse field at Linbrook Park, seconded by Mrs. Sable and carried unanimously.

JENKINSON DRIVE STORM SEWER PROJECT, PAYMENT #2 – Mrs. Hopey moved to approve the payment in the amount of \$32,690.52 be made to R&B Contracting & Excavation representing the second payment for the Jenkinson Drive Storm Sewer Project for work completed, as recommended by W.E.C. Engineers in the letter dated June 4, 2008, seconded by Mr. Hartman and carried unanimously.

JENKINSON DRIVE STORM SEWER PROJECT, CHANGE ORDER NO. 1 – Mrs. Sable moved to approve Change Order No. 1 for the Jenkinson Drive Storm Sewer Project in the amount of \$2,000 for placement of 100 linear feet of 4" French drain, increasing the original contract amount of \$168,925.75 to \$170,925.75, seconded by Mrs. Hopey and carried unanimously.

AGREEMENT WITH MTSA FOR CONSTRUCTION OF A FENCE AT THE BAIERL FAMILY YMCA – Mr. Hartman moved to approve the Agreement with MTSA for the construction of a fence over the sanitary sewer easement at the Baierl Family YMCA, 2565 Nicholson Road, seconded by Mrs. Sable and carried unanimously.

BOROUGH MANAGER – Mr. Rocca invited council and members of the audience to join the scholarship honor roll and contribute \$10 to the scholarship fund. The names of contributors will be listed in the newsletter.

MRS. HOPEY – Mrs. Hopey congratulated Mr. Junker on the birth of his daughter this morning. Mrs. Hopey also read and commented on a letter addressed to the borough manager from George H. Hoffman, Esquire dated June 7, 2008. Mr. Hoffman's letter indicates that he is representing several concerned citizens who are requesting information pertaining to the installation of air conditioning at the Clover Hill Golf Course by Hopey Heating. Mrs. Hopey asked how the borough could respond when the letter refers to several concerned citizens, but the citizens are not mentioned by name. Mr. Gleason responded that the Right to Know Act gives citizens of the Commonwealth the right to request certain public records. This correspondence is from someone acting in a representative capacity, and the identity of the citizens making the request should be identified. The solicitor's office has responded to Mr. Hoffman's letter indicating that this will be taken under review and he will receive a timely reply under the Right to Know Act. Mrs. Hopey commented that she is being accused of benefiting from something that only cost them money.

MR. MARWAH – Mr. Marwah commented that the borough has interviewed three very impressive students for the junior councilperson position for next year. It will be a tough decision for council to select one student as the junior councilperson. Mr. Marwah noted that he is thrilled with the education and work being done at North Allegheny School District.

MR. HARTMAN – Mr. Hartman read and commented on the following letters: 1) A letter from Mr. Marwah addressed to Mr. Mark Wolosik at the Allegheny County Election Division dated May 22, 2008 regarding Mr. Hartman's campaign finance report; 2) A response letter addressed to Mr. Hartman dated June 6, 2008 from the Allegheny County Election Division; 3) A response letter from C. Donald Gates dated June 16, 2008, addressed to the Division Manager, Allegheny County Department of Administrative Services, Election Division. Mr. Hartman commented that he has nothing to hide.

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MRS. CREESE – Mrs. Creese stated that she attended a Pennsylvania Ethics Commission Seminar today with Mr. Marwah, Mr. Hrishenko, and Mr. Rocca. After a discussion at this meeting regarding the borough's use of her daughter's catering service for two events last year, she has been accused of making a mistake to approve the payment, along with other council members, for services provided by her daughter. In order to take a proactive stance to resolve this matter, this afternoon she addressed a letter to the State Ethics Commission clarifying the situation and seeking guidance for future matters of this nature. She stated that council members are elected by their respective constituents to serve the best interest of the borough as a whole and not to use this forum for personal agendas. She noted that this is very difficult for her, because she has always tried to take the high road.

SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman reported that the public works department is moving along with paving projects. The base coat has been put down on Magee Road Extension and Locust Road. He noted that a new paver was purchased this year and there is a problem with it. The company is looking into the problem and how to rectify it.
- They have been working on the irrigation installation at Blueberry Hill Park.

CHIEF OF POLICE

- Chief Dorsch thanked Mrs. Abbs for her kind words regarding the police department.

BUILDING INSPECTOR/ZONING OFFICER

- The dilapidated house on Arndt Road is scheduled for demolition tomorrow.

ASSISTANT PARKS & RECREATION DIRECTOR

- This is the first week of the Ultimate Sports Camp. The second week of the camp will be held in July and the third week will be held in August.
- The first session of the Hands on History Program will be held next week. The second session will be held in July.
- The Festival in the Park will be held on June 28th at Blueberry Hill Park from 2:30 –10 p.m.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool noted that Alan Meininghaus has submitted his resignation as the student representative to the Recreation Board. He noted that Alan has provided help in many ways and has done a lot of work. Mr. Watenpool thanked council.
- The parks and recreation department has been assisting with the installation of the irrigation at Blueberry, which included the hydroseeding and landscaping.
- Asplundh Tree Service has agreed to help remove some of the leaning trees in Linbrook Park, which have not completely fallen to the ground. Due to safety issues, the borough workers cannot safely remove these trees.
- They have been working on grounds maintenance for baseball tournament season, which starts next week.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mrs. Creese noted that Mr. Schweitzer's mother-in law had passed away, and he was not able to attend the meeting this evening.

COMMENTS FROM THE FLOOR (continued)

Betty Gail Dietz, 2442 Rochester Road – Mrs. Dietz made comments about the recent accusations made by Mr. Marwah and Mr. Hrishenko.

Mr. Ron Coombs, 2554 Shellburne Drive – Mr. Coombs thanked council for the work they do, and he also thanked the fire company. He asked council to get passed these issues and move on with the business of the borough.

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MR HRISHENKO – Mr. Hrishenko responded to the comments made by Mrs. Dietz and Mr. Coombs by stating that he attended a State Ethics class this morning and nepotism is not permitted on council.

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

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 41