

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 18, 2007**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, July 18, 2007 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:

Laura A. Coombs.....present
Martha A. Creese, Presidentpresent
Richard H. Hartman.....present
Jane A. Hopey, Second Vice President.....present
James W. Lawrence, Vice President.....present
(participated via speakerphone)
Ash K. Marwahpresent
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 Superintendent.....absent
Jim Watenpool, Parks & Recreation Director.....absent

APPOINT NEW JUNIOR COUNCILPERSON FOR THE 2007/2008 SCHOOL YEAR – Mrs. Coombs moved Brenna Thorpe be appointed as the Junior Councilperson for the 2007/2008 school year, seconded by Mrs. Hopey and carried unanimously. Mayor Clark then administered the Oath of Office.

APPROVAL OF THE MINUTES – Mrs. Creese asked if there were any additions or corrections to the minutes. Mr. Marwah stated that he had previously mentioned that there were two errors in the letter from Ira Weiss, and he would like the following sentences included in the minutes: “The March 21, 2006 letter from Ira Weiss calls Carriage Lane a recorded public right of way whereas it is a private road. Secondly, the abutting properties do not have a right to Carriage Lane since it is a private road. Only the property owners who have an easement to this private road in their deed have a right to this road”. Mr. Junker noted that he had reviewed the Pennsylvania Supreme Court case that was presented at the work session, as well as a Commonwealth Court case involving the Borough of Franklin Park and Lin Point Court and a Mt. Lebanon case, and he then provided his opinion. Mr. Junker also advised Council on the proper procedure to make an addition to the minutes. Council discussed and commented regarding Mr. Marwah’s proposed correction to the minutes. When Mr. Marwah was asked if he wished to make a motion to correct the minutes, he indicated that it was the sentiment not to include these sentences in the minutes and to move on. Mrs. Coombs moved the minutes of the June 20, 2007 pre/post meeting, the June 20, 2007 regular meeting and the July 11, 2007 work session, be approved, seconded by Mr. Hartman and carried unanimously.

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TREASURER'S REPORT - Mr. Rocca read the Treasurer's Report for June 2007. June 2007 receipts totaled \$1,043,383.28 and June 2007 expenditures totaled \$596,838.72. Year-to-date receipts totaled \$3,675,756.16 and year-to-date expenditures totaled \$2,563,264.96. Mr. Lawrence moved the Treasurer's Report be accepted as read, seconded by Mrs. Coombs and carried unanimously. Mr. Marwah commented that the total of the accounts is about \$4.2 million. He reminded everyone that on the first day he sat on Council he proposed a property tax cut. He would like to see a substantial property tax cut in 2008.

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

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for June 2007. Mr. Phillips issued 32 permits and collected \$12,396 in fees. Total value of construction was \$1,233,657.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session was held on July 11, 2007 to discuss the Royal Oak street improvement in the Squire Ridge Plan and a Right to Know Act request. An executive session was also held this evening at 7:50 p.m. to discuss the Franklin Nursery litigation.

COMMENTS FROM THE FLOOR

Ms. Susan Duffy, 1624 Carriage Lane - Ms. Duffy was present once again to discuss the March 21, 2006 letter from Ira Weiss.

Mr. Bill Harris, 1625 Carriage Lane – Mr. Harris stated from the floor that he feels the same way as Mrs. Duffy.

Mr. David White Jr., 1620 Carriage Lane – Mr. White would like to be able to trim the vegetation along Carriage Lane, and he asked that Council rescind the letter from Ira Weiss. Mrs. Hopey and Chief Dorsch responded to Mr. White's comments. Council encouraged all of the neighbors to talk and settle this matter themselves.

Heidi & Mathew Opdyke, 2494 Camp Meeting Road – Mrs. Opdyke stated that they had moved in a few months ago, and they were wondering if there were any plans to widen the Camp Meeting Road bridge at the intersection of Rochester Road. Mr. Rocca indicated that this is a state road, but the Borough could forward a letter to PennDOT suggesting that they widen the bridge the next time they upgrade it.

Ms. Eleanor Wist, 2348 Fairlawn Drive – Ms. Wist noted that she had brought some of the people that she mentioned last month would benefit from a senior citizen bus service: Jean Wolf, 2203 Rochester Road; June Bender, 2369 Trimble Road; Carolyn Osborne, Kingridge Drive; and Dee Walk, 1540 West Ingomar Road. Mr. Marwah noted that he had spoken with North Hills Community Outreach, and they indicated that they could provide this service. They would like to meet with Council and make a presentation. Mr. Rocca will advise Ms. Wist and the other ladies when the meeting date is scheduled.

Ms. Dee Walk, 1540 West Ingomar Road – Ms. Walk asked Council to provide a bus to give the seniors back their independence. She also made many suggestions for setting up this service. Mrs. Creese suggested that Ms. Walk submit her comments and suggestions in writing, and then Council would be happy to meet and discuss this matter further.

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Ms. Marian Ferrar, 1571 Rosemary Drive – Ms. Ferrar thanked the road crew for the excellent job they do taking care of her hill in the winter. She asked why there was no notice of the resurfacing on Brandt School Road. Ms. Ferrar was informed that this is an Allegheny County project and the Borough was not even notified in advance. Chief Dorsch noted that he has been informed that the County is planning to resurface the road on Tuesday and Wednesday of next week. Ms. Ferrar also commented about traffic backing up on Brandt School Road at the intersection of S.R. 910. It was pointed out that Council authorized a study of this intersection and other intersections along S.R. 910. The study made recommendations totaling \$6.5 million. The Borough will try to work with PennDOT and developers, but there will not be an immediate solution. Ms. Ferrar also stated that it would be nice for the Borough to provide a bus service for senior citizens.

APPROVAL OF THE BILLS – Mrs. Coombs 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.

AMENDMENT TO JUNE 6, 2007 WORK SESSION MINUTES – Mrs. Hopey moved to amend the June 6, 2007 work session minutes under the heading Northmont Farms Dam, fifth line: “Mr. Nedzesky indicated that the DEP is also requiring borings because of their concern that there may be voids and/or water in the embankment”, seconded by Mr. Lawrence and carried unanimously.

NORTHLAND LIBRARY 3RD QUARTER PAYMENT – Mr. Lawrence moved the Treasurer’s office be authorized to prepare a check in the amount of \$61,625.50 payable to Northland Library for the 3rd quarter payment of 2007, seconded by Mrs. Coombs and carried unanimously.

SALT CONTRACT, SEPTEMBER 1, 2007 TO AUGUST 31, 2008 – Mr. Marwah moved to accept the COLA adjustment of \$1.93 per ton for the salt contract between Franklin Park Borough and Morton Salt of Chicago, Illinois, for Option Year I, for the period September 1, 2007 to August 31, 2008 in accordance with the original North Hills COG bid specifications for the bids opened June 8, 2004, the new price will be \$40.56 per ton, seconded by Mr. Hartman and carried unanimously.

ACCEPT RESIGNATION OF REBECCA JUNEAU FROM THE RECREATION BOARD – Mrs. Hopey moved to accept the resignation of Rebecca Juneau from the Recreation Board effective June 26, 2007, seconded by Mr. Lawrence and carried unanimously.

APPOINT MAUREEN POISKER TO THE RECREATION BOARD – Mrs. Hopey moved Maureen Poisker of King James Drive be appointed to the Recreation Board to fill the unexpired term of Rebecca Juneau, which term will expire December 31, 2009, seconded by Mrs. Coombs and carried unanimously.

APPOINT ALAN MEININGHAUS AS STUDENT REPRESENTATIVE TO THE RECREATION BOARD – Mrs. Coombs moved to appoint Alan Meininghaus as the student representative to the Recreation Board, seconded by Mrs. Hopey and carried unanimously. Mr. Meininghaus was introduced to the audience.

RETAIN LAW OFFICES OF IRA WEISS AS BOROUGH SOLICITOR – Mrs. Hopey moved to retain the Law Offices of Ira Weiss as Borough Solicitor, seconded by Mr. Hartman. Mr. Marwah voted “no”. The motion carried.

BOROUGH MANAGER – Mr. Rocca noted that Bill Schweitzer was excused from the meeting for personal reasons. The Scholarship Golf Outing was held Monday, and we should be able to award eight scholarships again this year. The Borough would like to change the format and recruit individuals from the community to serve on a committee to recruit golfers for the outing. Mr. Rocca noted that we spend 80% of our time locating golfers, when most of the revenue comes from ads and tee signs.

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SOLICITOR – Mr. Junker attended the Planning Commission meeting last night, and they reviewed the draft of the pending ordinance for design standards. The Commission provided minor comments, nothing that provided a level of major substantive changes. The comments will be forwarded to Council, and the public hearing is scheduled for August 15 at 7:00 p.m.

RESPONSES TO MR MARWAH'S COMMENTS PERTAINING TO THE REDUCTION OF BOROUGH PROPERTY TAXES

Mrs. Hopey noted that the Borough had to delay the paving of some roads this year. She also discussed several projects that will require funds including: the design study for S.R. 910/I-79 recommended traffic improvements, taking over West Ingomar Road, and improvements to Old Orchard Park and the Mel Lubert Park. There is a lot of work to do to serve our residents.

Mr. Lawrence agreed with Mrs. Hopey's comments.

Mayor Clark noted that one-half of the \$4.2 million previously mentioned is restricted dollars that the Borough does not have the flexibility to use for day-to-day expenses. We are only half way through the current year, and we do not yet know what the expenses will be for the full year. We have reached the income peak for the year, and we will now start spending more money than we take in. The Borough has been able to stop borrowing money at the beginning of each year to pay bills, and we have been able to build a reserve.

Mrs. Creese noted that this subject was discussed at a previous public meeting and members of the audience indicated that they would rather this money be used for services within the Borough and not a refund. She also noted that Mr. Marwah's proposal would only reduce Borough taxes, not the school taxes. The Borough taxes are the second lowest in Allegheny County.

Mr. Marwah noted that the surplus has been building for several years and we should not collect money if we don't need it. He noted that if any roads need taken care of, he would agree that the money should be spent on the roads first.

The majority of Council concurred that this matter should be addressed at budget time.

SUPERINTENDENT OF PUBLIC WORKS

- No report.

CHIEF OF POLICE

- No report.

BUILDING INSPECTOR/ZONING OFFICER

- No report.

ASSISTANT PARKS & RECREATION DIRECTOR

- Ms. Morris thanked Council for appointing Maureen Poisker to the Recreation Board. She noted that Mrs. Poisker has helped the Board a lot since January.
- She also thanked the police and fire departments for their participation in the Festival in the Park.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Rocca noted that Mr. Schweitzer had provided a written report that was included in Council's packets this evening.

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MOTION TO ADJOURN – Mr. Hartman moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 9:13 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 36