

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, July 21, 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..... absent
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

APPROVAL OF THE MINUTES – Mr. Hrishenko moved the minutes of the June 16, 2010 pre/post meeting, the June 16, 2010 regular meeting and the July 7, 2010 work session, be approved, seconded by Mr. Hartman. Mrs. Hopey voted “No”. The motion carried.

TREASURER'S FINANCIAL REPORT - Mr. Rocca read the June 2010 Treasurer's Financial Report. June 2010 revenues totaled \$1,085,102.75 and June 2010 expenditures totaled \$405,214.70. Year-to-date revenues totaled \$3,967,506.90 and year-to-date expenditures totaled \$2,319,432.88. Mrs. Hopey moved the June 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 June 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for June 2010. Mr. Phillips issued 24 permits and collected \$20,275.00 in fees. Total value of construction was \$2,115,534.00.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

ANNOUNCEMENT OF EXECUTIVE SESSIONS - Mrs. Sable announced that an executive session was held on June 16, 2010 to discuss unauthorized meeting expenses, on July 7, 2010 to discuss a Teamsters Union grievance, unauthorized meeting expenses and initiation and conduct of investigations of possible or certain violations of the law and prior to this meeting this evening with Special Counsel regarding unauthorized meeting expenses.

STATEMENT REGARDING RECENT INFORMATION IN THE NEWSPAPERS – Mrs. Sable noted that that there had been some information in the newspapers recently regarding some meetings that were held by our former Planning Commission Chairperson, current Councilmember David Quatchak and several other individuals. She stated that the public may have questions regarding this matter. Before opening the floor to public comments, she read a detailed statement informing the public of what the situation entails and what Council is doing to correct the matter. Council has taken this matter very seriously and will continue to look into this matter to make sure that the taxpayers of the borough are duly protected and to make certain that taxpayers' dollars are not wasted.

COMMENTS FROM THE FLOOR

Edith Bollen, 2391 Wharrey Drive – Mrs. Bollen discussed problems in the area of the Five Points intersection that are affecting property values. She presented a petition signed by over 50 residents living in the Five Points area (Nicholson Road, Rochester Road, Locust Road and Wharrey Drive). The residents are seeking Council's help in eliminating problems with deteriorated vacant properties in the area. Council will look into the matter and get back to Mrs. Bollen with the actions that will be taken.

Susan Duffy, 1624 Carriage Lane – Ms. Duffy began to discuss the enforcement of zoning violations and the Franklin Nursery Consent Order noting that the public should be informed of Council's decisions. Mr. Junker stopped Ms. Duffy noting that the fact that she had submitted a letter to the Auditor General has now committed this to an executive session discussion. It is no longer appropriate for public comment, and the Auditor General will review the matter and provide an answer to Ms. Duffy. Mrs. Sable responded with respect to the Franklin Nursery and the Consent Order, the final Judge's Opinion was issued and there was no appeal taken to it. This Council has complied with the Judge's Order and has seen to it that Franklin Nursery is in compliance.

Laura Coombs, 2554 Shellburne Drive – Ms. Coombs is the Chairperson of the Planning Commission. She noted that the Planning Commission met last night after their regular meeting to discuss the recent newspaper articles. She noted that the Planning Commission believes that both Mr. Junker and Mr. Nedzesky have acted professionally and they support them both. She clarified that the Planning Commission did know Mr. Quatchak was meeting with them, but they did not know how many times they were meeting. Mrs. Coombs also noted that Council had received emails from other Planning Commission members, and other Planning Commission members would speak this evening.

Janet Demma, 2343 Rochester Road – Ms. Demma is a member of the Planning Commission. She discussed the recent newspaper articles regarding the meetings that were held. She noted that the Planning Commission knew about the meetings and information was sent out via email. There was nothing that the Planning Commission did that was wrong. They only want to do the best they possibly can, and give the borough the best product that is in their ability to produce.

Bill Kipp, 1505 Brimfield Drive – Mr. Kipp urged Council to retain W.E.C. Engineers, Mr. Nedzesky, and the Law Firm of Ira Weiss, Mr. Junker. He also discussed Council conduct and upcoming Council elections.

Carmine Foglio, 2386 Wharrey Drive – Mr. Foglio noted that he has a water problem affecting his property, and he also signed the petition previously presented regarding the area of the Five Points intersection. He asked that something be done to fix his drainage problem. Mr. Merriman and Mr. Rocca have visited the site and have done some work, but the problem has not been fixed. Mrs. Sable noted that they will send someone out to visit the property when it rains.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

Lee-Hannah Allen, 1898 Pioneer Drive – Ms. Allen lives in the Settlers Walk development and has come to Council before regarding the developer not properly completing the work. She presented pictures of the detention pond, the recreation field and the tot lot noting that the work has not been completed satisfactorily. Residents are frustrated and ask Council to press forward until results are satisfactory. Mr. Rocca noted that he had contacted the developer in March and asked him to make sure that the work was done in the spring. The grass was planted late when it was warm and dry. The work is not acceptable, and the developer will go back and re-seed the area and make sure that it takes when weather permits.

Bob Lang, 2379 Wharrey Drive – Mr. Lang agreed with Mrs. Bollen's previous comments regarding the area of the Five Points intersection. He urged Council to encourage a developer to build a grocery store in the area. Mr. Hrishenko commented that the Five Points overlay district in the new zoning ordinance would be discussed in the future, and he encouraged residents to pay attention to what is going on with this new zoning plan and let Council know their feelings. Mrs. Sable noted that the draft ordinances on the website are draft ordinances that were presented to us by the consultant, Pashek and Associates. These are the ordinances that were referred to earlier with respect to the unauthorized meetings. The section regarding the Five Points intersection has not been reviewed by the Planning Commission, and that draft has not been reviewed by anybody yet. There are many miles to go before it is in final form. Mr. Rocca noted that the Five Points overlay district in the proposed ordinance needs a lot of work. Both the Planning Commission and Council have to work to create a vision for that area that the residents have.

Ralph Pennetti, 2389 Wharrey Drive – Mr. Pennetti discussed the Five Points area and the limited opportunity for development.

Wayne Haas, 2568 Nicholson Road – Mr. Haas commented on the meetings that were held. He noted that he attended many Comprehensive Plan meetings over the past 4-5 years, and he felt he was stonewalled many times. He asked if anyone else attended the meetings, since he read somewhere that Martha Creese was at some of the meetings. It was noted that the people who were involved in the meetings were Mr. Quatchak, Mr. Nedzesky, Mr. Junker, Mr. Phillips and occasionally Mr. Watenpool. He then discussed his property, which is located in the transition area of the Comprehensive Plan across from the YMCA. Mrs. Sable noted that the transition district will be looked at by the Planning Commission at some point in the future and the residents will be made aware. It was also noted that a previous public hearing was held with residents in that area to solicit input and discussion.

Oscar Miller, 2406 Marble Lane – Mr. Miller commented on the meetings that were held and the good that can come from them. He asked if the engineer and solicitor charge for travel to and from meetings. Mr. Junker noted that the solicitor's office charges the regular rate to get to meetings, but they do not bill for return trips. Mr. Nedzesky noted that the engineer's office charges for both directions at the regular hourly rate.

Matthew Matesic, 2633 Glenchester Road – Mr. Matesic asked if the solicitor and engineer conduct other business via cell phone while they are traveling. The both stated that they did not.

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 Mr. Hartman and carried unanimously.

REAPPOINT BRENNAN MCGOVERN AS JUNIOR COUNCILPERSON FOR 2010/2011 SCHOOL YEAR
Mr. Hrishenko moved to reappoint Brennan McGovern as the Junior Councilperson to serve for the 2010/2011 school year, seconded by Mr. Marwah and carried unanimously. Mayor O'Keefe administered the Oath of Office.

ADVERTISE FOR MATERIAL BIDS FOR CONSTRUCTION OF STEEL BUILDING ADDITION TO PUBLIC WORKS GARAGE – Mrs. Hopey moved the Secretary be authorized to advertise for material bids for the construction of a steel building addition to the public works garage to be used as a wash bay, seconded by Mr. Hartman and carried unanimously.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

APPOINT LORI MERRIMAN TO THE RECREATION BOARD – Mr. Marwah moved Lori Merriman be appointed to the Recreation Board to fill the unexpired term of Tammy Whiteside, which term will expire December 31, 2010, seconded by Mr. Hrishenko and carried unanimously.

NORTHLAND LIBRARY QUARTERLY PAYMENT – Mrs. Hopey moved the Treasurer's office be authorized to prepare a check in the amount of \$67,713.75 payable to Northland Library for the third quarter payment of 2010, seconded by Mr. Hartman and carried unanimously.

APPROVE AGREEMENT WITH TIGER PRIDE FOOTBALL ASSOCIATION – Mr. Marwah moved to approve the Agreement between the Borough and the Tiger Pride Football Association for the use and maintenance of the football field and practice football field at Blueberry Hill Park, seconded by Mr. Hrishenko and carried unanimously.

APPOINT DELEGATE AND ALTERNATE TO ALLEGHENY COUNTY NORTHERN EARNED INCOME TAX REGION – Mr. Marwah moved to appoint Andrew Hrishenko as the delegate and Amy Sable as the alternate to the PA Act 32 of 2008 Allegheny County Northern Earned Income Tax Region, seconded by Mr. Hrishenko and carried unanimously.

EXTEND GARBAGE/RECYCLING CONTRACT WITH FAYETTE WASTE – Mr. Hrishenko moved to extend the garbage and recycling contract with Fayette Waste LLC, for an additional 15-month term from October 1, 2010 through December 31, 2011, by mutual consent, at the following rates:

| | <u>2010</u> | <u>2011</u> |
|-------------------------|---------------|---------------|
| UNLIMITED SERVICE | \$14.69/month | \$15.14/month |
| REAR-YARD SERVICE | \$22.11/month | \$22.79/month |
| SENIOR CITIZEN STICKERS | \$ 1.78/each | \$ 1.83/each |
| REGULAR STICKERS | \$ 2.11/each | \$ 2.17/each |

and the Solicitor be authorized to prepare the necessary contract documents, and the proper officers be authorized to sign the documents when prepared, seconded by Mrs. Hopey and carried unanimously.

MOTION TO HIRE SPECIAL COUNSEL TO REVIEW THE FRANKLIN NURSERY CONSENT ORDER - Mr. Marwah moved to hire Attorney Mike Santicola of Sainovich, Santicola and Steele as special counsel to perform additional work related to the Consent Order of 2006 with Franklin Nursery, seconded by Mr. Hrishenko. Mr. Marwah explained that he is making this motion so Attorney Santicola can review the Consent Order and additional documents, interview people and give a legal opinion if it was done properly or improperly and to determine if it qualifies as a surcharge item. Mrs. Sable responded that Council had previously decided that if Attorney Santicola could answer the question of whether he thought a surcharge situation exists with respect to the Consent Order, without detailed legal research and analysis, they would have him answer the question. However, if the matter needed to be looked into further, the majority of Council was not interested in pursuing it. Attorney Santicola was then asked the question and indicated that he could not provide an answer unless he did further investigation into the matter because he did not know all of the facts of the case. Mr. Marwah then read from a letter addressed to Council from Attorney Santicola. Mr. Marwah stated that he is asking Council to spend the money to get this opinion to get the matter over with. Mrs. Hopey commented that the only item that would be in question would be the actual money made on doing the Consent Order and that Mr. Marwah was misrepresenting the facts. Mr. Marwah disagreed noting that Council could recover close to \$20,000. Mrs. Sable then asked for a roll call vote:

Mr. Hartman – No
Mrs. Hopey – No
Mr. Hrishenko – Yes
Mr. Marwah – Yes
Mr. Quatchak - absent
Mrs. Sable – No

The motion failed.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

MOTION TO TERMINATE SOLICITOR IRA WEISS - Mr. Marwah moved to terminate the services of solicitor Ira Weiss effective July 31, 2010, seconded by Mr. Hrishenko. Mr. Marwah discussed that he thinks we have been taken advantage of because the solicitor participated in the unauthorized meetings, and the Consent Order was a similar problem. He also noted that for three years he has not voted for the solicitor's reappointment. Within one month of signing the Consent Order, Mr. Marwah researched the matter and changed his opinion. He wrote a letter in August 2006 telling Council and the Mayor that the solicitor was incompetent, he should not continue to serve and he should be removed. It has taken him four years to finally make the motion and have someone to second it. If this motion is approved, he would also like to offer a motion to appoint an interim solicitor. Mr. Hrishenko commented that the Consent Order was only consented to by former Council President Martha Creese, and no motion was made, nor a vote taken by Council, at a regular public meeting. Mr. Junker cautioned Mr. Hrishenko that this is currently a topic for executive session because it has been referred to the Auditor General for investigation. Mr. Hrishenko commented that this is a problem with this Council that everything is done in secret and whenever the public is to be informed we are shut out. Mr. Hartman stated that he resented Mr. Hrishenko's comments that things are done in secret. Mrs. Hopey referred to an email sent by Mr. Marwah on Monday, July 19th regarding his request to make additional motions this evening whether they pass or not. She asked Mr. Marwah what his purpose was for making this motion. Mr. Marwah noted that when he brought up these two motions at the work session, he was told by the solicitor that he would be out of order. This was not the case since he was able to make the motions this evening. Mr. Marwah stated that he does not feel that Ira Weiss is good for the borough. Mr. Wayne Haas, 2568 Nicholson Road, asked Mr. Junker if his firm feels that they did something wrong since they returned the money as requested. Mr. Junker responded that they did nothing wrong. They made it clear in the letter returning the money to the borough that it was a good faith gesture based on their 20-year experience with the borough. They are absolutely comfortable allowing Council time to look at the issues and the work that was accomplished at the meetings. They are confident that the value will be seen in the work and that the money will be paid by the borough. Mr. Hartman stated that Mr. Quatchak should have apologized at the very beginning for making a mistake. He stated that Ira Weiss is the best person in the City of Pittsburgh to handle legal matters. Mr. Marwah restated his motion, seconded by Mr. Hrishenko. Mrs. Sable then asked for a roll call vote:

Mr. Hartman – No
Mrs. Hopey – No
Mr. Hrishenko – Yes
Mr. Marwah – Yes
Mr. Quatchak - absent
Mrs. Sable – No

The motion failed.

BOROUGH MANAGER – Mr. Rocca commented on the extension of the garbage contract. The current contract expires on October 1, 2010, and Council voted this evening to extend the contract for 15 months for good reasons. The rates we have today are approximately 23% below market rates. The North Hills Council of Governments recently re-bid their garbage contracts, and many communities are paying in the range of \$18.00 per month. The Scholarship Golf Outing will be held this Monday and there is still room for 1-2 more teams. The Outing is held to raise money for scholarships awarded in May each year. This year the borough awarded ten \$1,000 scholarships.

Mr. Rocca provided a mid-year financial report. The borough saw the finances heading south last year, and the July 2009 Manager's Report asked Council to take certain actions. Department directors made recommendations to Council and Council approved the recommendations to cut back last year's budget. Council was also very conservative when preparing the 2010 budget and this strategy has paid off. The mid-year financial report for 2010 indicates that our expenditures are up approximately 1% over last year, but we will be well below the overall budget by the end of the year. Revenues are coming in about 5% above projections. Mr. Rocca stated that the borough will end the year on a very positive financial note. It takes a lot of hard work and a joint effort to ensure that expenditures are reasonable. In order to balance this year's budget certain cuts were necessary. Among those measures was the reduction of road

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

resurfacing work. When we reduce the road resurfacing program, we are basically borrowing from future years. Each year the borough typically paves 3 miles of road; this year we are only paving 1.3 miles. Recently the finance committee went over our capital needs and based on the latest figures, we should actually be paving 4 miles of road per year to maintain a 15-year cycle. Also this year, we did not replace all of the equipment that should be replaced in a normal year. Those two measures saved approximately \$400,000. This year looks very positive and we will have to wait to see what next year holds. Earned Income Tax will be shifted away from the borough and that will cause a one-month delay in the receipt of funds which represents about \$300,000 that we will have to try to make up in 2012. The current financial picture is optimistic and cautionary. The long-term prospect is very positive. As growth takes place, we will use the additional funds to take on the additional expenditures as necessary. When growth stops taxes will typically go up. The bonds will be paid off in 2013, and starting in 2014 the borough will see slightly less than \$500,000 in savings. Mr. Rocca is optimistic that we can hold taxes for next 7 years.

Mr. Merriman commented on the condition of the roads. He noted that a few years ago a 15-year plan was developed for road paving and a vehicle replacement list was developed. We have gotten away from that for obvious reasons but we are suffering. This year they have put down approximately 220 tons of hot asphalt for pothole patching (approximately 42,000 shovelfuls) which is very time consuming. They have been replacing oil pans on vehicles and cross members and beds are rusting on trucks. In addition, they have replaced a couple fuel tanks, hydraulic tanks and headlight buckets. These are items that are not normally replaced. Mr. Merriman estimates that we are six miles behind on road paving, approximately \$900,000, and approximately \$500,000 behind on equipment. Council will receive this information at budget time and review the available resources. Mr. Rocca pointed out that we can cut back for one year, but if we continue to cut back then we get to the point where equipment is not operational. We need to have good equipment and vehicles to respond to situations such as the very large snowfall this past February. We can continue a good response, but not if we continue to cut back on a year-to-year basis. Mr. Marwah asked how we fell behind on road paving. Mr. Merriman responded that some roads are deteriorating faster than expected. It was also noted that the borough has taken over additional roads and the number of miles to be paved each year has increased from 3 to 4 miles in order to have all roads paved on a 15-year rotation.

SOLICITOR – Mr. Junker thanked Council for the vote of support. He thanked the members of the Planning Commission and EAC for their support, and he also thanked the audience for their applause.

MAYOR O'KEEFE – Mayor O'Keefe stated his despair that confidential executive session information has been disclosed while the search for information was ongoing. He discussed The Sunshine Act definition of executive sessions. When Council became aware of the unauthorized meetings, they immediately took the proper steps to investigate and to set new policy and procedures. Council has acted responsibly to the difficult situation in the best interest of the borough. Although the motions did not require that he be a decision maker on any votes this evening, he agrees with the decisions that were made here this evening.

MR. HRISHENKO – Mr. Hrishenko noted that Brennan McGovern completed his first term as a Junior Councilperson, and Council decided to renew his term for another year. He noted that it has been a pleasure to work with Brennan. Mr. Hrishenko congratulated Brennan and thanked him for the fine work he is doing. Mr. Hrishenko noted that they had a great day at the Festival in the Park. He thanked Betty Gail Dietz and Mrs. Hartman for their help in setting up his table.

MRS. HOPEY – Mrs. Hopey announced that Northland Public Library is having a fundraising event at Wildwood Highlands on Saturday, August 21st from 11 a.m. to 11 p.m. The library will receive 20% of all proceeds received that day. Sponsors are also needed for the event. Mrs. Hopey stated that she is extremely discouraged that a Councilperson has given out executive session information to the press, and it should not be taken lightly by constituents. This makes Council's job very difficult when we cannot discuss executive session matters confidentially. Mrs. Hopey encouraged residents to take the time to vote and realize who they are voting for.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

MR. MARWAH – Mr. Marwah noted that the borough is doing very well financially. Hopefully collections will keep going as it is, and we will finish with a very good year even with hard economic times.

MR. HARTMAN – Mr. Hartman thanked everybody who came tonight to express their opinions. He mentioned a sign that someone had seen that was very appropriate. The sign stated, “What has happened to this America that I grew up in?” It is something to think about. Mr. Hartman noted that he was taught to be straight up and if he has something to say, he says it.

MR. MCGOVERN, JUNIOR COUNCILPERSON – Mr. McGovern thanked Council for his reappointment, and thanked Mr. Hrishenko for his kind comments. It has been an honor to serve the borough for the past 9 months, and he looks forward spending the next year with Council. By his observations, every borough official and staff member has had only the best interest of the citizens of Franklin Park at heart. All meetings are intended for the public good.

MRS. SABLE – Mrs. Sable congratulated Mr. McGovern and thanked him for serving another term. He is an asset to Borough Council and it is good to have him here for another year.

SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman noted that he and Mr. Rocca had checked out Mr. Foglio’s water problem several times, and he has not seen the problem Mr. Foglio described. One answer may be to repave the street. Mr. Merriman will try to visit the property when there is a hard rain.

CHIEF OF POLICE

- No report.

BUILDING INSPECTOR/ZONING OFFICER

- No report.

ASSISTANT PARKS & RECREATION DIRECTOR

- Miss Morris reviewed July programs including the Special Needs Family Fun Day, the Ultimate Sports Program and the Movie in Park to be held this Friday at the Blueberry Hill football stadium.
- A Jazz and Blues Concert in the Park will be held next Tuesday at the gazebo in Blueberry Hill Park.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool reported that his department has been working to get caught up on maintenance and repairs since the dry weather has slowed the grass growth. They had some major repairs to the Blueberry Patch Playground to keep everything safe. They are also doing prep work for baseball tournaments and football season.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer was on vacation – no report.

COMMENTS FROM THE FLOOR

Ralph Pennetti, 2389 Wharrey Drive – Mr. Pennetti noted that he lives across the street from Mr. Foglio and he sees the water problem on Mr. Foglio’s property. He has lived in the borough since 1970, and he has been very proud to live here. The park is an excellent example of what has been done for the borough. The streets are well taken care of, brush is collected and workers are very courteous. He thanked Council for the job they do.

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, JULY 21, 2010**

Betty Gail Dietz, 2443 Rochester Road – Mrs. Dietz responded to a comment earlier this evening regarding Martha Creese. She noted that she has known Mrs. Creese a very long time, and she asked that if a derogatory comment is made by someone that they should have written proof. Mrs. Dietz noted that this was her first year working at the Festival in the Park. She had a great time and she looks forward to working in the future. Mrs. Hopey commented that the previous comment regarding Mrs. Creese was unfair because Mrs. Creese had nothing to do with that matter, and the information was unreliable. Mr. Hrishenko noted that Mrs. Dietz did a great job at the Festival in the Park.

Martha Creese, 2570 Aldon Drive – Mrs. Creese stated that she is speaking as a very concerned citizen. She congratulated Mr. Junker noting that Ira Weiss' law firm has done a wonderful job, and the firm is well known in Pittsburgh and Allegheny County as being the best municipal lawyers. She has worked with Mr. Marwah and he has always managed to discredit every member of Council, with the exception of Mr. Hrishenko, and he even attacked a former Junior Councilperson. Mr. Marwah has been publicly censured twice for his own inappropriate conduct and residents should take that into consideration when they are listening to his comments.

Janet Harner, 1705 LaCosta Court – Ms. Harner asked about the status of Attorney Santicola and the status of the investigation into the unauthorized meetings. She asked that the attorney/client privilege be waived so that the report could be published in order to inform the citizens of the borough of what has gone on rather than relying on rumors. Mrs. Sable noted that Council met with Attorney Santicola this evening and they do not have any continuing work from him at this point in time. If there is a need after they readdress certain issues, they may go back and ask him for additional assistance. Mrs. Sable noted that the borough as the client would have to waive the attorney/client privilege to have the report published, and at this point since the investigation is ongoing, Council is not willing to do that. It is something that can be considered when the investigation is finalized. Ms. Harner noted that Ira Weiss' law firm is very well recognized in the entire State of Pennsylvania as being an expert in municipal law. She commented that the borough would be wise to use one law firm only, and she urged Council to conclude the business with Attorney Santicola as quickly as possible. Mrs. Sable explained that Attorney Santicola was hired for this matter only because of the solicitor's conflict. It is the borough's practice to only use one law firm.

MOTION TO ADJOURN – Mr. Marwah moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 10:12 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 57