

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, AUGUST 20, 2008**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, August 20, 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 Bryan Hoggpresent
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 Superintendentpresent
Jim Watenpool, Parks & Recreation Directorpresent

PRESENTATION OF CITATIONS TO ROBERT MEEDER AND DENNIS SARNOWSKI – Mayor Clark presented Robert Meeder and Dennis Sarnowski with citations in recognition of their walking 25,000 miles over the last 18 years.

APPROVAL OF THE MINUTES – Mrs. Sable moved the minutes of the July 16, 2008 pre/post meeting, the July 16, 2008 regular meeting and the August 6, 2008 work session, be approved, seconded by Mr. Hartman and carried unanimously.

TREASURER’S REPORT - Mr. Rocca read the July 2008 Treasurer’s Report. July 2008 receipts totaled \$645,322.13 and July 2008 expenditures totaled \$744,016.99. Year-to-date receipts totaled \$4,487,884.65 and year-to-date expenditures totaled \$3,643,871.54. Mrs. Sable 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 July 2008. 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 July 2008. Mr. Phillips issued 41 permits and collected \$54,499.00 in fees. Total value of construction was \$8,871,871.00.

ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session would be held immediately following this meeting for the purpose of discussing personnel matters and litigation.

COMMENTS FROM THE FLOOR

Mr. Satish Jindel, 1605 Blackburn Heights Drive – Mr. Jindel invited everyone to a cricket event on August 30th and 31st at Linbrook Park.

YMCA OF PITTSBURGH, CONDITIONAL USE APPLICATION – Mrs. Hopey moved to take from the table the Conditional Use Application submitted by the YMCA of Pittsburgh, seconded by Mr. Hartman and carried unanimously. Mrs. Hopey moved approval be granted for the Conditional Use Application submitted by the YMCA of Pittsburgh for revised conditional use approval for a 3,425 sq. ft. footprint (a total of 8,114 sq. ft) addition to the existing facility located at 2565 Nicholson Road in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated June 26, 2008 and the letter from W.E.C. Engineering dated June 10, 2008, seconded by Mr. Hartman and carried unanimously.

YMCA OF PITTSBURGH, LAND DEVELOPMENT APPLICATION – Mrs. Sable moved to take from the table the Land Development Application submitted by the YMCA of Pittsburgh, seconded by Mrs. Hopey and carried unanimously. Mrs. Hopey moved preliminary and final approval be granted for the Land Development Application submitted by the YMCA of Pittsburgh for a 3,425 sq. ft. footprint (a total of 8,114 sq. ft) addition to the existing facility located at 2565 Nicholson Road in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated June 26, 2008 and the letter from W.E.C. Engineering dated June 10, 2008, and further contingent on the construction within the next 18 months of the northbound turning lane if permitted by PennDOT and the neighbors, seconded by Mr. Hartman 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.

ORDINANCE NO. 565-2008, BANNING VEHICULAR PARKING ON MATTERHORN DRIVE AT THE ENTRANCE TO THE BRIARCLIFF DEVELOPMENT – Mr. Junker summarized Ordinance No. 565-2008. Mrs. Hopey moved Ordinance No. 565-2008 banning vehicular parking beginning at the Briarcliff Development entrance on Matterhorn Drive, be enacted, seconded by Mr. Hartman. Mr. Marwah moved to table this motion, seconded by Mr. Hrishenko and carried. Mrs. Sable noted that she abstained from voting because this would affect her property and neighborhood. Mrs. Sable indicated that she would file a memorandum regarding her abstention with the Borough Secretary.

RESOLUTION NO. 947-2008, APPOINTING CHARLES JACKSON AS A FIRE POLICE OFFICER – Mr. Junker summarized Resolution No. 947-2008. Mr. Hartman moved Resolution No. 947-2008 appointing Charles Jackson as a fire police officer for the year 2008, be adopted, seconded by Mr. Marwah and carried unanimously. Mayor Clark administered the oath of office to Mr. Jackson. Mayor Clark noted that the fire police are all members of the fire department but they are under the jurisdiction of the Chief of Police. They assist the full-time police officers with traffic and crowd control at major incidents. Mayor Clark also acknowledged Fire Police Captain George Martin, Lieutenant Bill Smith and fire police officer Jack Hurley who were in the audience.

HERBERT CAMPUS DEVELOPMENT, REDUCE & RELEASE LETTER OF CREDIT – Mrs. Hopey moved that Letter of Credit No. 150100157637 issued by Mars National Bank in the amount of \$230,439.00 for the Herbert Campus Development be reduced to \$0.00 and released in accordance with the Borough Engineer's recommendation letter dated July 31, 2008, seconded by Mr. Hartman and carried unanimously.

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AGREEMENT WITH TEDESCO CONSTRUCTION FOR TREE REMOVAL & GRUBBING OF NEW LACROSSE FIELD – Mr. Hrishenko moved to approve the agreement with Tedesco Construction Co. for the tree removal and grubbing of the new lacrosse field at Linbrook Park, seconded by Mrs. Sable and carried unanimously.

CHANGE ORDER NO. 1, TREE REMOVAL & GRUBBING OF NEW LACROSSE FIELD – Mr. Marwah moved to approve Change Order No. 1 for the tree removal and grubbing of the new Lacrosse Field in Linbrook Park requiring Tedesco Construction Co. to provide a Labor and Material Payment Bond in the amount of 100% of the bid price (\$34,498.00) for this project as directed by the Public Works Contractors' Bond Law, seconded by Mr. Hrishenko and carried unanimously.

AGREEMENT WITH TEDESCO CONSTRUCTION FOR EXCAVATION & GRADING OF NEW LACROSSE FIELD – Mrs. Sable moved to approve the agreement with Tedesco Construction Co. for the excavation and grading of the new lacrosse field at Linbrook Park, seconded by Mr. Hrishenko and carried unanimously.

CHANGE ORDER NO. 1, EXCAVATION & GRADING OF NEW LACROSSE FIELD – Mr. Marwah moved to approve Change Order No. 1 for the excavation and grading of the new Lacrosse Field in Linbrook Park requiring Tedesco Construction Co. to provide a Labor and Material Payment Bond in the amount of 100% of the bid price (\$128,198.00) for this project as directed by the Public Works Contractors' Bond Law, seconded by Mr. Hrishenko and carried unanimously.

THE FIELDS OF NICHOLSON PHASE I, LETTER OF CREDIT REDUCTION – Mr. Hartman moved Letter of Credit No. 74251004R in the amended amount of \$17,337.74 issued by ESB Bank for The Fields of Nicholson, Phase I, be reduced by \$7,094.74 leaving a balance of \$10,242.97, in accordance with the Borough Engineer's recommendation letter dated August 12, 2008, seconded by Mr. Marwah. Mrs. Hopey pointed out that the correct amount to be reduced was \$7,094.77. Mr. Hartman then amended the motion accordingly. The amended motion was then voted upon and was carried unanimously.

THE FIELDS OF NICHOLSON PHASE II, LETTER OF CREDIT REDUCTION – Mrs. Hopey moved Letter of Credit No. 11040506 in the amended amount of \$62,840.50 issued by ESB Bank for The Fields of Nicholson, Phase II, be reduced by \$1,478.00 leaving a balance of \$61,362.50, in accordance with the Borough Engineer's recommendation letter dated August 12, 2008, seconded by Mr. Hartman and carried unanimously.

W.E.C. ENGINEERING FEE SCHEDULE, SEPTEMBER 2008 THROUGH DECEMBER 2008 – Mr. Hrishenko moved to accept the fee proposal dated July 9, 2008 from W.E.C. Engineering, Inc. for the time period September 2008 through December 2008, seconded by Mrs. Sable and carried unanimously.

AWARD SALT BID - Mrs. Sable moved Morton Salt Company of Chicago, Illinois be awarded the bid for rock salt at a cost of \$104.01 per ton delivered, for the period September 1, 2008 to August 31, 2009, as per the North Hills COG Bid opened August 5, 2008, seconded by Mr. Hrishenko, and carried unanimously.

BOROUGH MANAGER – Mr. Rocca noted that the Planning Commission completed their review of the new stormwater ordinance last night. It is a lengthy document, but it does bring the borough up to current standards meeting all the federal and state guidelines. He thanked the Planning Commission members for all of their work.

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MAYOR CLARK – Mayor Clark commented that there was concern by council and mayor last month regarding the need for a northbound turning lane into the YMCA on Nicholson Road. Mayor Clark commended the YMCA for committing to install the turning lane and incurring the additional expense. The YMCA can start the construction of the expansion, but they will have to get approval from PennDOT for the turning lane. Mr. Wayne Haas asked about the wording of the motion requiring the approval from PennDOT and the neighbors. It was clarified that the YMCA would have to make application to PennDOT for approval to install the turning lane, and council also asked the YMCA to make sure that the neighbors have a comfort level with the installation of the turning lane. In addition council also asked the YMCA to consider a southbound right hand deceleration lane.

MR. HRISHENKO – Mr. Hrishenko congratulated Charles Jackson as a new fire police officer.

MRS. HOPEY – Mrs. Hopey announced that Northland Library has started a Tutor.com service that can be accessed through the Northland Library web site. This service is available to the residents of the five municipalities within the Northland Library service area.

Mrs. Hopey then read a statement and a letter from the Pennsylvania Ethics Commission regarding the installation of air conditioning at the Clover Hill Golf Course by Hopey Heating and Cooling. The letter indicated that the Ethics Commission had received allegations that Mrs. Hopey had violated the State Ethics Act and that she had been under investigation over the past two months. The State Ethics Commission found no basis to commence a full investigation because there was insufficient evidence to support a finding of probable cause that the State Ethics Act was violated. Mr. Hrishenko then indicated that he would respond to Mrs. Hopey's comments at the next council meeting.

MRS. SABLE – Mrs. Sable thanked Charles Jackson for agreeing to serve as a fire police officer, and she congratulated him on his appointment.

MR. MARWAH – Mr. Marwah wished Ron Merriman a Happy Birthday. Mr. Marwah then discussed the borough finances and the 2008 budget. He stated that the borough would have more money than expected by the end of the year. Mr. Marwah hopes the borough will send a \$200 check to everybody before the end of the year, if we can afford to do that. This would amount to \$1 million, and the borough would still have more than what is needed by the end of the year.

MR. HARTMAN – Mr. Hartman noted that there is an interest in drilling gas and oil wells in the borough. He informed the audience that the borough is considering drilling on borough property, and he wanted to make everyone aware.

MRS. CREESE – Mrs. Creese thanked Charles Jackson and congratulated him. Mrs. Creese responded to Mr. Marwah's comments by stating that the time for talking about budgets and a tax reduction is during the budget hearings.

MR ROCCA – Mr. Rocca responded to Mr. Marwah's comments regarding the budget and finance. He noted that the borough is in a good financial position because of the decisions that have been made in the past. Decisions should be made as part of the overall budget process when all needs and expenses can be reviewed.

SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman noted at the beginning of the year the goal was to resurface between 5-6 miles of road. We are currently three-quarters of the way there. The public works department began working four 10-hour days at the beginning of summer. This has been more productive and the borough is saving money on fuel.
- Mr. Merriman noted that the borough paved Magee Road Extension and Locust Road in June. Both roads were recently line striped through the PennDOT Agility Program. Through this program, the borough had built up approximately \$12,457.00 in our Agility Program account from mowing state roads over a four-year period. The actual cost for PennDOT to stripe those two roads was \$11,035.20, which was deducted from the amount the borough had built up.

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- Public works has continued to work on the irrigation system in the meadow area of Blueberry Hill Park, and it was turned on today. The system should be fully functional tomorrow.
- Mr. Merriman noted that the borough completes many projects in house rather than depending on outside agencies. He noted that it took two months of working with the PennDOT Agility Program to have the roads line striped. He also noted that he has spent a lot of time working with West View Water, the plumber and the Allegheny County Health Department on the irrigation system.
- The state historical marker has been installed along Brandt School Road for the Kuskusky Path and the dedication ceremony will be held Sunday, August 24th at Trinity Lutheran Church.
- Mr. Marwah asked if Mr. Merriman had heard from PennDOT regarding Rochester Road. Mr. Merriman noted that he has not heard from PennDOT, and he would call them to follow up.

CHIEF OF POLICE

- Chief Dorsch announced that there were three burglaries overnight last night in the Scarlett Ridge Plan. He reminded everyone to lock cars and homes. The police department will post information on the web site and he asked everyone to spread the word.

BUILDING INSPECTOR/ZONING OFFICER

- Mr. Phillips noted that in September the Zoning Hearing Board would consider an application for a zoning variance submitted by Mr. Purdy to build a home on the same site as his nursery.
- In September council will consider an application for the Spring Ridge Plan to adjust easements for the last street in the plan.
- Mr. Phillips is expecting two applications for the Planning Commission in September. One would be for a 40-lot subdivision on the Gallagher farm on Reis Run Road. He is also expecting P/6 Investments to submit an application for mini-storage facilities on Nicholson Road.

ASSISTANT PARKS & RECREATION DIRECTOR

- Miss Morris noted that the summer programs are coming to a close. Last week was the final session of the Ultimate Sports Program and they had the highest number of kids registered (175) since they started the program several years ago.
- This week was also the last session of the Little Tykes Ultimate Sports Program, and they have had a positive response.
- Miss Morris announced that free tickets are available for the Keane Theater production of One Flew Over the Cuckoos Nest on September 26th or September 27th. Contact Miss Morris for ticket information.
- Next week Miss Morris will be attending Directors School through the National Recreation and Parks Association (NRPA) at Oglebay. She received a scholarship from the NRPA to attend the school. Mrs. Creese congratulated Miss Morris on receiving the scholarship.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool mentioned that the last movie in the park for the summer would be held August 22nd and the movie would be Hairspray.
- They have finished the reconstruction of the lower level playground at Blueberry Hill Park. They will complete the final landscaping this fall as weather permits.
- They are continuing to improve the safety around the Blueberry Patch playground.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer announced that September 13th is the Resident Golf Outing at Clover Hill Golf Course.
- Mr. Schweitzer asked for concurrence from council to hold a Rally for the Cure event at Clover Hill Golf Course. They would collect their regular fees and participants would participate in a closest to the pin event for a separate fee. Council concurred.

KUSKUSKY PATH STATE HISTORICAL MARKER DEDICATION – Mrs. Creese reminded everyone that the dedication would be held this Sunday afternoon at 1:30 p.m. at Trinity Lutheran Church. The event will also include music, refreshments and children's activities.

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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 9:00 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 44