

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, SEPTEMBER 19, 2007**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, September 19, 2007 at 8:00 p.m. at the Municipal Building, 2344 West Ingomar Road, Pittsburgh, Pennsylvania 15237.

A moment of silence was observed in honor of Army captain Erick M. Foster who died August 29, 2007 while serving in Iraq.

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. Hartmanpresent
Jane A. Hopey, Second Vice President.....present
James W. Lawrence, Vice President.....present
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
Tim Phillips, Building Inspector/Zoning Officerpresent
Ambrose Rocca, Borough Managerpresent
Bill Schweitzer, Golf Course Superintendent.....present
Jim Watenpool, Parks & Recreation Directorpresent

APPROVAL OF THE MINUTES – Mr. Lawrence moved the minutes of the August 15, 2007 pre/post meeting, the August 15, 2007 regular meeting, the August 15, 2007 public hearing and the September 5, 2007 work session, be approved, seconded by Mr. Hartman and carried unanimously.

TREASURER'S REPORT - Mr. Rocca read the August Treasurer's Report. August 2007 receipts totaled \$562,035.93 and August 2007 expenditures totaled \$669,764.92. Year-to-date receipts totaled \$4,742,970.09 and year-to-date expenditures totaled \$3,750,569.55. Mrs. Coombs moved the Treasurer's Report be accepted as read, seconded by Mr. Lawrence and carried unanimously. Mr. Marwah commented on the surplus shown in the Treasurer's Report and in the Auditor's Report, and he suggested reducing taxes and expanding services.

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

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for August 2007. Mr. Phillips issued 36 permits and collected \$33,341.00 in fees. Total value of construction was \$3,652,788.

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ANNOUNCEMENT OF EXECUTIVE SESSION - Mrs. Creese announced that an executive session was held on August 15, 2007 to discuss Franklin Nursery litigation and on September 5, 2007 to discuss a personnel matter, Zokaites/Nicholson Woods litigation, Pristine Pines tax appeal litigation and Franklin Nursery litigation.

COMMENTS FROM THE FLOOR

Mr. Satish Jindel, 1605 Blackburn Heights Drive – Mr. Jindel commented on the Borough surplus and asked why the Borough charges fees to athletic associations for the preparation of fields and for improvements to the parks. He also commented regarding an error in a recorded right-of-way on a neighbor's property that is delaying the issuance of a building permit to that neighbor and also delaying work on Mr. Jindel's property. Council indicated that they do not all agree about the surplus issue. Mr. Rocca noted that the sports leagues are charged a maintenance fee for the use of the fields. Mr. Rocca and Mr. Junker responded that the Borough is reviewing the easement issue, and we are taking the necessary steps to remedy the situation as soon as possible. The building permit will then be issued to Mr. Jindel's neighbor. Mr. Jindel stated that Council should remember that the residents of the Borough are the customers who pay the taxes to make the Borough what it is. Mr. Lawrence responded that Council is very concerned about the residents. When this easement issue was brought before Council, work began immediately on this issue.

Mrs. Lois Tilly, 2234 Montgomery Road – Mrs. Tilly addressed Council last month regarding a pipe on her property that is used for stormwater. She asked if anything has been done and asked what the Borough would do if the pipe malfunctions. Mr. Rocca responded that the Borough abides by the requirements that exist under state law, the Municipalities Planning Code and stormwater ordinances. Mr. and Mrs. Tilly indicated that they had spoken to an engineer about this situation, and Council asked Mr. and Mrs. Tilly to provide any and all written information provided by the engineer to help the Borough review this matter. Mrs. Creese asked the borough engineer to look at this area and report back to Council and Mr. and Mrs. Tilly.

Thomas Reinsel, 1621 Blackburn Heights Road – Mr. Reinsel thanked the Borough and staff for their work on the easement issue on his property. He asked Council to approve his building permit since this has been going on for a while. Council indicated that they received this information at the September 5 work session and they have been working on this issue since that time. The Borough will issue the building permit once all documentation is in place.

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. Hopeny and carried unanimously.

ADRIAN'S PIZZA, PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL FOR A NEW RESTAURANT – Mrs. Hopeny moved preliminary and final approval be granted for the Land Development Application submitted by Adrian Mazzotto for the construction of a new restaurant building and site improvements at 2562 Brandt School Road in the M-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated August 29, 2007 and the letter from W.E.C. Engineering dated August 16, 2007, seconded by Mr. Lawrence. Mr. Scott Pilston of Pilston Surveying Inc. was present on behalf of the applicant to request approval. The motion was then voted upon and carried unanimously.

SAIN OFFICE BUILDING, PRELIMINARY/FINAL LAND DEVELOPMENT APPROVAL – Mr. Lawrence moved preliminary & final approval be granted for a Land Development Application submitted by S & L Professional Office Building LP for the construction of a 22,000 sq ft office building located across from Corporate Drive on Brandt School Road in the M-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated August 29, 2007 and the letter from W.E.C. Engineering dated September 13, 2007, seconded by Mrs. Hopeny. Mr. Ray Sutherland with GAI Consultants representing S & L Professional Office Building LP and Ms. Kathy Sain, partner with S&L were present to propose a 22,000 square foot office building on Brandt School Road. The motion was then voted upon and carried unanimously.

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PURCHASE 2007 LEE-BOY ASPHALT DISTRIBUTOR FOR PUBLIC WORKS DEPARTMENT –

Mr. Marwah moved to authorize the purchase of a 2007 Lee-Boy asphalt distributor for the public works department from Walsh Equipment, Prospect, PA at a cost of \$8,322.50 under State Contract No. 2420-02, seconded by Mrs. Coombs and carried unanimously.

SETTLERS WALK HOMEOWNERS' ASSOCIATION AGREEMENT FOR STOP SIGNS – Mr. Hartman

moved to approve the Agreement with the Settlers Walk Homeowners' Association regarding stop sign maintenance, seconded by Mr. Marwah and carried unanimously.

CLOVER HILL GOLF COURSE, EQUITRANS ROW AGREEMENT FOR PIPELINE RELOCATION –

Mrs. Coombs moved to approve Right-of-Way Agreement No. 28780 with Equitrans to facilitate the relocation of a pipeline at the Clover Hill Golf Course, seconded by Mrs. Hopey and carried unanimously.

GREY OAKS PLAN, PHASES 2, 3 & 4, LETTER OF CREDIT REDUCTION – Mrs. Hopey moved Letter

of Credit No. SCL011599 in the amount of \$14,393.80 issued for the Grey Oaks Plan of Lots Phases 2, 3 & 4 located off Wexford Run Road be reduced by \$3,638.71 leaving a balance of \$10,755.09, in accordance with the Borough Engineer's recommendation letter dated September 18, 2007, seconded by Mr. Lawrence and carried unanimously.

ADOPT GUIDELINES FOR BOROUGH INVOLVEMENT IN CORRECTING FLOODING PROBLEMS –

Mr. Lawrence moved to adopt the Guidelines for Borough Involvement in Correcting Flooding Problems, seconded by Mr. Hartman and carried unanimously. The guidelines will be posted on the web site.

REAPPROVE RUSTIC RIDGE LOT 204 SUBDIVISION APPLICATION – Mr. Marwah moved to

reapprove the Subdivision Application submitted by Sippel Development Inc. for Rustic Ridge Lot 204, for the alteration of the existing stormwater easement to allow for additional buildable area for a single-family dwelling in the Rustic Ridge Plan, located in the R-1 zoning district, with all of the conditions as set forth when the plan was originally granted preliminary and final approval on February 21, 2007, seconded by Mrs. Coombs and carried unanimously.

APPOINT SCHNEIDER DOWNS AS PENSION FUND MANAGER – Mrs. Coombs moved to appoint

Schneider Downs as pension fund manager for the Borough of Franklin Park, authorize the preparation of a resolution and authorize any other actions that may be necessary to facilitate the transfer of the pension funds, seconded by Mrs. Hopey. A vote was taken. Five members of Council voted "aye" and Mr. Marwah voted "no". The motion carried.

AUTHORIZATION TO PAY ADMINISTRATIVE EMPLOYEES REQUIRED TO WORK AT THE

SEPTEMBER 30, 2007 OPEN HOUSE – Mrs. Hopey moved to authorize the Treasurer's office to pay administrative employees the equivalent of three hours pay to those employees who are required to work at the September 30, 2007 Open House, seconded by Mr. Hartman and carried unanimously.

INTRODUCE ORDINANCE NO. 557-2007, DESIGN STANDARDS FOR MULTI-FAMILY HOUSING -

Mr. Junker introduced Ordinance No. 557-2007, establishing design and building standards for multi-family housing by amending Article II, Section 212-26 of the Franklin Park Borough Zoning Ordinance as first enacted by Ordinance No. 434-96. This ordinance will be properly advertised for enactment at the next regular meeting.

BOROUGH MANAGER – Mr. Rocca encouraged the residents in attendance to get the word out to others to attend the Borough Open House on Sunday, September 30, 2007 from 12:00 noon to 3:00 p.m. to see the operations, make suggestions and talk with staff.

SOLICITOR – Mr. Junker noted that he is working on the easement on the Reinsel property. In order to facilitate the process, he suggested a motion to authorize the preparation of the vacation and grant of the easement.

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REINSEL EASEMENT, 1621 BLACKBURN HEIGHTS ROAD - Mr. Lawrence moved to authorize the preparation of the vacation and grant of the easement, contingent upon approval by the solicitor and the borough engineer, seconded by Mrs. Hopey and carried unanimously.

SUPERINTENDENT OF PUBLIC WORKS

- No report.

CHIEF OF POLICE

- No report.

BUILDING INSPECTOR/ZONING OFFICER

- No report.

PARKS & RECREATION DIRECTOR

- No report.

GOLF COURSE SUPERINTENDENT/MANAGER

- The Borough Golf Outing was held Saturday, September 15 at Clover Hill Golf Course and it was very successful.

MAYOR CLARK – Mayor Clark discussed the finances noting that we are at the point of the year when we spend more money than we take in. He pointed out that the Borough no longer has to borrow money at the beginning of each year to cover beginning year expenses. We also face the possibility of extensive stormwater work and maintenance in the future. The Borough has an obligation to its residents to make some of these improvements to control the flow of water during heavy rains. This is why the Borough maintains reserve funds to cover expenses during the first six months of the year and to cover unanticipated expenses.

There was then a discussion between the Mayor, Council, and some audience members regarding the Borough funds, surplus and misinformation. Mr. Marwah commented that he stands by his previous statement regarding the Borough \$1 million surplus. He suggested that next year the Borough should spend \$500,000 on necessary services and provide a \$500,000 tax cut to residents.

Mrs. Creese commented that many members of Council attended classes for newly elected officials where they learned about these matters. She strongly suggested that all newly elected officials attend these classes. She encouraged residents to come to Council when they receive misinformation and indicate who provided the information.

Council and the Mayor invited residents to review the Treasurer's report each month to see how the money is spent. The budget is available on the web page and residents can attend the budget meetings.

MOTION TO ADJOURN – Mr. Hartman moved to adjourn the meeting, seconded by Mrs. Coombs and carried unanimously. The meeting adjourned at 8:56 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary