

**BOROUGH OF FRANKLIN PARK
BOROUGH COUNCIL REGULAR MEETING
WEDNESDAY, AUGUST 19, 2009**

The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, August 19, 2009 at 8:18 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
Mayor William H. Kipppresent

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

APPROVAL OF THE MINUTES – Mrs. Hopey moved the minutes of the July 15, 2009 pre/post meeting, the July 15, 2009 regular meeting and the August 5, 2009 work session, be approved, seconded by Mr. Hrishenko and carried unanimously.

TREASURER’S REPORT - Mr. Rocca read the July 2009 Treasurer’s Report. July 2009 receipts totaled \$628,900.58 and July 2009 expenditures totaled \$767,499.47. Year-to-date receipts totaled \$4,415,139.01 and year-to-date expenditures totaled \$3,195,782.08. Mrs. Sable moved the July Treasurer’s Report be accepted as read, seconded by Mr. Hartman and carried unanimously.

POLICE REPORT – Mayor Kipp read the Police Report and activity report for the month of July 2009. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

BUILDING INSPECTION REPORT - Mr. Phillips read the Building Inspection Report for July 2009. Mr. Phillips issued 13 permits and collected \$4,465.00 in fees. Total value of construction was \$578,574.00.

COMMENTS FROM THE FLOOR - None

Mrs. Creese explained to the audience that a second public comment session had been added to the agenda at the conclusion of the meeting. This was added in response to requests from residents, and Council decided to try it to see how it works.

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APPROVAL OF THE BILLS – Mr. Marwah 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. 573-2009, PLACEMENT OF ADDITIONAL STOP SIGNS IN THE SPRING RIDGE AND SCARLETT RIDGE SUBDIVISIONS – Mr. Junker summarized Ordinance No. 573-2009, and Mr. Rocca explained that there must be a study by a qualified individual showing that the proposed stop signs meet certain guidelines and criteria before the borough can legally install the stop signs by enacting an ordinance. Mrs. Sable moved Ordinance No. 573-2009 providing for additional stop signs within the Spring Ridge and Scarlett Ridge subdivisions, be enacted, seconded by Mr. Hartman and carried unanimously.

SAINTS JOHN AND PAUL PARISH, NEW CHURCH CONSTRUCTION, LETTER OF CREDIT REDUCTION – Mr. Hrishenko moved Parkvale Bank Letter of Credit No. 2008004 in the amended amount of \$650,413.07 for the Saints John and Paul Parish new church construction, be reduced by \$208,514.41 leaving a balance of \$441,898.66, in accordance with the Borough Engineer's recommendation letter dated July 30, 2009, seconded by Mrs. Sable. Mr. Rocca explained that a Letter of Credit is a financial security that the borough procures from a developer to ensure that public improvements are installed in the plan. The motion was voted upon and carried unanimously.

SAINTS JOHN AND PAUL PARISH, CONNECTOR ROAD, LETTER OF CREDIT REDUCTION – Mrs. Hopey moved Parkvale Bank Letter of Credit No. 2008003 in the amended amount of \$11,413.40 for the Saints John and Paul Parish connector road, be reduced by \$3,013.25 leaving a balance of \$8,400.15, in accordance with the Borough Engineer's recommendation letter dated July 30, 2009, seconded by Mr. Hrishenko and carried unanimously.

SAINTS JOHN AND PAUL PARISH, SIPPEL PARKING LOT, LETTER OF CREDIT REDUCTION – Mrs. Sable moved Parkvale Bank Letter of Credit No. 2008002 in the amended amount of \$24,473.08 for the Saints John and Paul Parish Sippel parking lot, be reduced by \$11,039.93 leaving a balance of \$13,433.15, in accordance with the Borough Engineer's recommendation letter dated July 30, 2009, seconded by Mr. Hartman and carried unanimously.

RESOLUTION NO. 967-2009 APPOINTING ROBERT WALDRON AS A FIRE POLICE OFFICER - Mr. Junker summarized Resolution No. 967-2009. Mr. Marwah moved Resolution No. 967-2009 appointing Robert Waldron as a fire police officer for the year 2009, be adopted, seconded by Mr. Hrishenko and carried unanimously. Mayor Kipp administered the oath of office to Mr. Waldron.

AWARD COSTARS SALT CONTRACT #6810-02 – Mrs. Sable moved American Rock Salt of Mt. Morris, New York be awarded the bid for rock salt at a cost of \$52.29 per ton delivered, for the period August 2009 to July 2010, under COSTARS Contract #6810-02, seconded by Mrs. Hopey and carried unanimously.

BRANDTVIEW PLACE LOTS 300 & 400 REVISED – Mrs. Hopey moved preliminary and final approval be granted for a Subdivision Application submitted by Maronda Homes Inc. for Brandtview Place Lots 300 & 400 Revised, a finalization of lot lines for Lots 300 & 400 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 August 4, 2009, and the letter from W.E.C. Engineering dated August 5, 2009, seconded by Mr. Hartman and carried unanimously.

INTRODUCTION OF ORDINANCE NO. 574-2009, REGULATING BOROUGH PARKS AND RECREATION AREAS – Mr. Junker introduced Ordinance No. 574-2009 amending Ordinance No. 287-86, as amended, and codified as Chapter 146 of the 1986 Code, regulating borough parks and recreation areas. This ordinance will be properly advertised for enactment at a future meeting.

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INTRODUCTION OF ORDINANCE NO. 575-2009, PLACEMENT OF ADDITIONAL STOP SIGNS AND REPEAL OF YIELD SIGNS IN THE BERKSHIRE AND RAMBLEWOOD SUBDIVISIONS – Mr. Junker introduced Ordinance No. 575-2009 providing for additional stop signs and the repeal of yield signs within the Berkshire and Ramblewood Subdivisions. This ordinance will be properly advertised for enactment at a future meeting.

RESOLUTION NO. 968-2009, EARNED INCOME TAX RULES AND REGULATIONS – Mr. Junker summarized Resolution No. 968-2009. Mr. Marwah moved Resolution No. 968-2009 repealing and restating Resolution No. 842-2003 establishing Rules and Regulations for tax on earned income and net profits, be adopted, seconded by Mrs. Sable and carried unanimously.

LINBROOK PARK CELL TOWER AGREEMENT WITH TRISTAR INVESTORS INC. – Mrs. Hopey moved to approve the Linbrook Park Cell Tower Agreement with Tristar Investors Inc., Pittsburgh, PA 15236, seconded by Mrs. Sable and carried unanimously.

JUDGMENT NOTE BETWEEN YMCA, FRANKLIN PARK BOROUGH AND M TSA – Mrs. Creese announced that Council had some concerns about this Judgment Note, and Council will not vote on it this evening. The concerns should be addressed and the Judgment Note will be considered by Council at the next meeting.

BOROUGH MANAGER – Mr. Rocca noted that he is working on the budget and it will be a lean year due to the economy.

SOLICITOR – Mr. Junker recognized Mr. David Bruening, Associate Counsel of TriStar Investors, Inc. He and Mr. Junker worked together on the agreement, and it should be an excellent arrangement for both parties.

MR. HRISHENKO – Mr. Hrishenko attended and served lunch at the Seniors Meeting last week, where there were 71 seniors in attendance.

MRS. HOPEY – Mrs. Hopey announced the Northland Public Library Foundation newly elected board members: President, Matt Cuomo; Vice President, Dan Koller; Secretary, Rita Martin; and Treasurer, Cindy Kirk. If anyone is interested in becoming a member of the Foundation, please contact Mrs. Hopey via her email as listed in the newsletter.

MR. MARWAH – Mr. Marwah commented on a Monday Post Gazette editorial regarding the City of Pittsburgh looking at a new way of paving roads, and he has asked Mr. Merriman to look into it. Mr. Marwah commented that Moon Township videotapes their meetings, and they are shown on public television. He suggested Council consider doing the same. Mr. Marwah read from a Sunday Post Gazette article regarding the court case that resulted in Allegheny County being required to reassess property values. Mr. Junker responded to Mr. Marwah's comments regarding the court case and reassessments since he and Mr. Weiss were both involved in the court case.

MR. HARTMAN – Mr. Hartman commented that he was glad to see so many people in the audience.

MRS. CREESE – Mrs. Creese expressed disappointment that none of the residents who had called her since the last meeting to make suggestions were in attendance this evening to see the suggestions implemented, i.e. additional public comment session and explanations of the motions.

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SUPERINTENDENT OF PUBLIC WORKS

- Mr. Merriman noted that he had researched the new way of paving roads as mentioned earlier by Mr. Marwah. He noted that it takes two machines the size of two big fire trucks to heat up the top 2 inches of existing pavement, mix it with liquid and put it back down as new pavement. He noted that the cost is in excess of \$2,000,000.00. Currently, they can only mix 15% of existing pavement with new asphalt when paving, and the new system would use 100% of existing pavement with added liquid. Mr. Merriman pointed out that this system is not able to pave in cul-de-sacs, and although it is supposed to last 7 years, he thinks that is doubtful.

CHIEF OF POLICE

- Chief Dorsch welcomed Mr. Waldron as a new fire police officer and thanked him for his volunteer service.

BUILDING INSPECTOR/ZONING OFFICER

- Mr. Phillips reported that last night the Planning Commission reviewed and recommended approval of the natural resource protection requirements.

ASSISTANT PARKS & RECREATION DIRECTOR

- Miss Morris reported on recreation programs in August:
 - The "It's a Ducky Day Program" was held on Tuesday and there were approximately 50 children and parents in attendance.
 - The last session of the "Little Tikes Ultimate Sports Program" finished today with 45 kids attending over the three sessions.
 - The "Ultimate Sports Program" finished the last of three sessions last Friday. This session finished with the largest number in attendance - 224 kids.
 - Movies in the Park – The last movie for the summer will be held this Friday and it is "Transformers" starting at dusk.
- Miss Morris noted that next week she will be attending the second year of Directors School under a full scholarship.

PARKS & RECREATION DIRECTOR

- Mr. Watenpool reported that they are mowing grass 2-3 times per week on fields, which is unusual for August. They have also spread insecticide on fields to take care of grubs.
- The ADA required railing from the upper level to the lower level of the new pavilion has been completed.
- They have installed a section of split rail fence and posted a sign "No Motorized Vehicles", as a result of problems with cars driving on the trail at Old Orchard Park.

GOLF COURSE SUPERINTENDENT/MANAGER

- Mr. Schweitzer announced that the Annual Resident Golf Outing would be held on September 19th.
- The public works department track hoe was used to excavate material from the pond, to begin heavy construction on two bunkers on the 8th and 9th holes to improve play on the course and to patch a hole in the driveway. Last year, the golf course had to spend considerable money to clean out the pond, and the excavation of the pond material by borough workers will eliminate spending money in the future.

COMMENTS FROM THE FLOOR - None

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MOTION TO ADJOURN – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Hartman and carried unanimously. The meeting adjourned at 8:58 p.m.

Respectfully submitted,

Cathy L. Krummert
Borough Secretary

Audience Present - 38