

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, JANUARY 20, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, January 20, 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 ..... present  
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 ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**APPROVAL OF THE MINUTES** – Mrs. Hopey moved the minutes of the December 16, 2009 pre/post meeting, the December 16, 2009 regular meeting, the January 4, 2010 reorganization meeting and the January 4, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

**TREASURER'S REPORT** - Mr. Rocca read the December 2009 Treasurer's Report. December 2009 receipts totaled \$242,968.77 and December 2009 expenditures totaled \$313,436.06. Year-to-date receipts totaled \$6,603,036.83 and year-to-date expenditures totaled \$6,445,314.87. Mr. Quatchak moved the December Treasurer's Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of December 2009. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for December 2009. Mr. Phillips issued 10 permits and collected \$7,275.00 in fees. Total value of construction was \$944,540.00.

**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on January 4, 2010 to discuss a Teamsters Union grievance, the PA Human Relations Commission Mance/Wroblewski Case and to review all litigation for newly elected officials.

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**COMMENTS FROM THE FLOOR**

**Bob Kapolka, Faith Community Christian Church, Pittsburgh 15229** – Mr. Kapolka indicated that he had been in contact with the Borough Manager regarding the rental of the Blueberry Hill Activity Center for their church services on Sunday mornings. Mrs. Sable indicated that the borough would welcome the business, and Mr. Kapolka was directed to speak with Jim Watenpool, Parks & Recreation Director. Prior to this meeting, Council had discussed whether or not the borough is permitted to rent the Activity Center to a church. Mr. Junker noted that it is not a violation of the Establishment Clause to permit the use of a governmental facility by a church and it would be permitted.

**OLD BUSINESS**

**FRANKLIN RUN PLAN OF LOTS REVISED NO. 3, SUBDIVISION APPLICATION NO. 09-12-07** –

Mr. Marwah moved to take from the table Subdivision Application No. 09-12-07 Franklin Run Plan of Lots Revised No. 3, seconded by Mrs. Hopey and carried unanimously. Mr. Hrishenko moved preliminary & final approval be granted for Subdivision Application No. 09-12-07 Franklin Run Plan of Lots Revised No. 3, submitted by Franklin Run LLC for a minor subdivision to change 3 lots with 50 ft required front yard setback lines to 40 ft setbacks along Franklin Run Court in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated November 24, 2009, and the letter from W.E.C. Engineering dated November 24, 2009, seconded by Mrs. Hopey and carried unanimously.

**NEW BUSINESS**

**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.

**KING-DIVOSEVIC PLAN OF LOTS, SUBDIVISION APPLICATION NO. SS-10-01-01** – Mr. Quatchak moved preliminary and final approval be granted for Subdivision Application No. SS-10-01-01 submitted by Sylvia Ader and Barb Divosevic for the King-Divosevic Plan of Lots, for a lot line revision for the property located between Rochester Road and Camp Meeting Road in the R-1 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated December 21, 2009, and the letter from W.E.C. Engineers dated January 19, 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 first quarter payment of 2010, seconded by Mr. Hartman and carried unanimously.

**APPOINT DELEGATE & ALTERNATE TO NORTH HILLS COG** – Mr. Marwah moved Council appoint Andrew Hrishenko as the Representative and David Quatchak as the Alternate for the North Hills Council of Governments for the year 2010, seconded by Mr. Hrishenko and carried unanimously.

**APPOINT DELEGATE & ALTERNATE TO ACBA** – Mr. Hrishenko moved Council appoint Ash Marwah as the Delegate and Richard Hartman as the Alternate to the Allegheny County Boroughs Association, seconded by Mr. Quatchak and carried unanimously.

**ACCEPT RESIGNATION OF LUKE SEDAR, PART-TIME POLICE OFFICER** – Mr. Quatchak moved to accept the resignation of Luke Sedar as a Part-time Police Officer effective January 15, 2010, seconded by Mr. Hartman and carried unanimously.

**ACCEPT RESIGNATION OF BRAD KAISER, PART-TIME POLICE OFFICER** – Mrs. Hopey moved to accept the resignation of Brad Kaiser as a Part-time Police Officer effective January 8, 2010, seconded by Mr. Hartman and carried unanimously.

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**AUTHORIZE PURCHASE OF NEW POLICE CAR** – Mr. Marwah moved to authorize the purchase of one (1) 2010 Ford Crown Victoria Police Interceptor from Woltz & Wind Ford, Inc. of Heidelberg, PA, at a cost of \$22,372.00, under the Joint Bid for Police Vehicles submitted to the SHACOG Purchasing Alliance for its bid opening on November 10, 2009, seconded by Mr. Hrishenko and carried unanimously.

**MEMORANDUM OF OPTION AND LAND LEASE FOR COMMUNICATIONS CELL TOWER IN LINBROOK PARK** – Mrs. Hopey moved to approve a Memorandum of Option and Land Lease between the Borough and TriStar Investors Inc., as modified, pursuant to the Option and Land Lease Agreement executed on August 31, 2009 for the construction of a communications cell tower in Linbrook Park, seconded by Mr. Hartman and carried unanimously.

**RESOLUTION NO. 982-2010, RATIFYING THE REAL ESTATE TAX COLLECTOR'S BOND** – Mr. Junker summarized Resolution No. 982-2010. Mrs. Hopey moved Resolution No. 982-2010, ratifying the Real Estate Tax Collector's Bond for the four-year period beginning January 1, 2010 through January 1, 2014 in the amount of \$1,500,000.00, be adopted, seconded by Mr. Hartman and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca announced that Fayette Waste has asked to change some garbage/recycling collection days for customers in order to balance their schedule. The borough will examine the request and ample notice will be provided to the residents. Fayette Waste will distribute door hangers, and the borough will send letters advising residents of the change. If any residents are missed for a period of time, Fayette Waste will go back. It is not expected that a significant amount of homes will be affected.

**MRS. HOPEY** – Mrs. Hopey is a member of the Northland Library Authority Board, and she noted that there have been a few newspaper articles lately regarding the possibility of Ross Township withdrawing from Northland Library. Mrs. Hopey noted that this could have a serious impact for the library and all member municipalities in a few years. She read a message from the Ross Township Board of Commissioners to Ross Township residents regarding this matter. Ross Township intends to put this matter up for a referendum vote in May asking the citizens of Ross Township if they want to withdraw from Northland Library. Mrs. Hopey noted that if Ross Township would withdraw from the library, the library would lose 27% of its funding and it would not be the same library. She announced that the Northland Public Library would be having a fundraiser on February 13th from 5-7 p.m. to support the Bookmobile because funding was taken out of the budget. She asked everyone to get the word out that it is very important to support Northland Library and that Ross Township's funds are needed to sustain the current services at the library. If anyone has any questions they can go to the Northland Library website or contact Mrs. Hopey. Information regarding the Bookmobile Fundraiser will be posted on the borough website.

**MR. MARWAH** – Mr. Marwah noted that CNNMoney.com named Franklin Park as one of the 100 best places to live in the country.

**MAYOR O'KEEFE** – Mayor O'Keefe expressed sadness for the death of State Trooper Paul Ritchie. On behalf of the residents, he extended heartfelt sadness to the Franklin Park officers for the loss of Trooper Ritchie. In addition he extended thanks and gratitude to the Franklin Park police officers for their dedication to duty and for keeping Franklin Park safe for all of us.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman noted that the salt supply had been replenished. Many roads within the borough are heaving because of the cold weather and rain, and these problems will be addressed in the spring.

**CHIEF OF POLICE**

- Chief Dorsch thanked the Northern Regional Police Department for their cooperation with a burglary on Aldon Drive. He also noted that the day of the burglary a resident called in to report a strange incident with a white van. He encouraged everybody to call if anything strange happens or if something doesn't look right.

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**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Morris reminded everyone of the Bonfire/Carriage Ride at Blueberry Hill Park from 4:30 to 6:30 p.m. on Saturday. Donations of non-perishable food items will be accepted for the Carriage Ride. All food will be donated to North Hills Community Outreach food bank.
- Currently there are three Recreation Board positions available. Interested residents are asked to attend three meetings.
- The printer is working on the Recreation Newsletter.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool reported that they have been putting in guardrail near the meadow area in Blueberry Hill Park.
- They have been doing some work inside the maintenance building to retain heat, and they have been doing other minor repairs.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- No report.

**COMMENTS FROM THE FLOOR** - None

**MOTION TO ADJOURN** – Mr. Hartman moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 8:38 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 37

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, FEBRUARY 17, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, February 17, 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..... present  
Amy E. Sable, President ..... present  
Junior Councilperson Brennan McGovern ..... absent  
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 ..... absent  
Brianna Morris, Assistant Parks & Recreation Director .... absent  
Tim Phillips, Building Inspector/Zoning Officer..... present  
Ambrose Rocca, Borough Manager..... present  
Bill Schweitzer, Golf Course Superintendent ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**APPROVAL OF THE MINUTES** – Mrs. Hopey moved the minutes of the January 20, 2010 regular meeting and the February 3, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously. Mrs. Hopey moved the minutes of the January 20, 2010 pre/post meeting, as corrected, be approved, seconded by Mr. Marwah. Mrs. Sable called for a vote on the motion. Mrs. Hopey voted "No" and all other members of Council voted "Aye". The motion carried.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the January 2010 Treasurer's Financial Report. January 2010 revenues totaled \$442,394.31 and January 2010 expenditures totaled \$400,813.10. Mr. Marwah moved the January Treasurer's Financial Report be accepted as read, seconded by Mrs. Hopey and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of January 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for January 2010. Mr. Phillips issued 4 permits and collected \$5,801.00 in fees. Total value of construction was \$754,430.00.

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**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on January 20, 2010 to discuss the Franklin Nursery litigation and a Teamsters Union grievance and an executive session was held on February 3, 2010 to discuss a Police personnel matter, the Police DROP Plan, a Teamsters Union Grievance Memorandum of Understanding and Franklin Nursery litigation.

**COMMENTS FROM THE FLOOR**

**Bill Lafayette, 1520 Sandhurst Drive** – Mr. Lafayette indicated that he was present to complain about letters written by the Borough Manager and Councilwoman Jane Hopey pertaining to stop signs installed on Sandhurst Drive. Mr. Lafayette then read a prepared statement regarding the installation of the stop signs.

**APPROVAL OF THE BILLS** – Mr. Quatchak 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.

**ACCEPT THE NOTICE OF RETIREMENT FOR CHARLES J. GRUBER, EQUIPMENT OPERATOR** – Mr. Hartman moved to accept the notice of retirement from Charles J. Gruber effective January 31, 2010 after 30 years of service to the borough, seconded by Mr. Marwah and carried unanimously.

**ACCEPT RESIGNATION OF ELLEN KAELIN FROM THE SCHOLARSHIP SELECTION COMMITTEE** – Mrs. Hopey moved to accept the resignation of Ellen Kaelin from the Scholarship Selection Committee, effective immediately, seconded by Mr. Hartman and carried unanimously.

**REAPPROVAL, SLADE SITE PLAN REVISED** – Mr. Hrishenko moved reapproval be granted for the Slade Site Plan Revised for revisions made by Barbara Slade for site improvements on the property located at 2615 Nicholson Road in the M-2 zoning district, with all of the conditions as set forth when the application was originally granted preliminary and final approval on June 17, 2009, seconded by Mr. Hartman and carried unanimously.

**PURCHASE PORTABLE RADIOS FOR POLICE DEPARTMENT** – Mrs. Hopey moved to authorize the purchase of 12 Kenwood portable radios with accessories from Mobile Radio Service Inc., Pittsburgh, PA 15201, for the police department at a cost of \$12,095.00 under State Contract #4400005180, seconded by Mr. Hartman and carried unanimously.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH & THE GENERAL TEAMSTERS LOCAL 249 REGARDING GRIEVANCES** – Mr. Quatchak moved to approve the Memorandum of Understanding between the Borough and General Teamsters Local 249 suspending without prejudice a grievance filed on September 9, 2009 and a grievance filed on November 5, 2009, seconded by Mrs. Hopey and carried unanimously.

**DECLARATION OF DISASTER EMERGENCY RESULTING FROM FEBRUARY 5, 2010 SNOW STORM** – Mrs. Hopey moved to approve the Declaration of Disaster Emergency resulting from the snow storm which started on Friday, February 5, 2010 and shall expire March 17, 2010, seconded by Mr. Hartman. Mrs. Sable called for a vote on the motion. Mr. Quatchak voted "No" and all other members of Council voted "Aye". The motion carried. Mr. Rocca noted that Franklin Park was fortunate that we had the manpower, equipment and materials necessary to respond to the emergency without any outside help.

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The snow began on Friday and by the end of Saturday all roads were open and passable. On Sunday public works opened up the roads more and cleared cul-de-sacs. We received many calls from residents, including calls from residents on private lanes asking that we take care of private lanes. In one case we plowed a private driveway for a resident whose husband had been in the hospital since the snow began. The Declaration of Emergency will help to justify the work on roads that the borough would otherwise not do. Council will try to establish a policy to guide the staff as to how and when we can go on private lanes and driveways. This will also ensure a more equal delivery of services to all residents on private lanes. Mr. Rocca reassured the residents that no matter what, in case of an emergency, we will do whatever is necessary to get the emergency services to a residence.

**INTRODUCE ORDINANCE NO. 579-2010 ACCEPTING A PORTION OF WEST INGOMAR ROAD FROM ALLEGHENY COUNTY** – Mr. Junker introduced Ordinance No. 579-2010 accepting and adopting as a borough street a 0.83 mile long portion of West Ingomar Road (Allegheny County Road Number 1158-01), accepting and adopting all appurtenances thereto as Borough facilities and empowering and directing the proper officers to enter into a Road Transfer Agreement with Allegheny County. This ordinance will be properly advertised for enactment at a future meeting.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH & THE FRANKLIN PARK OFFICERS ASSOCIATION REGARDING THE POLICE DROP PROGRAM** – Mrs. Hopey moved to approve the Memorandum of Understanding between the Borough and the Franklin Park Officers Association to make changes to the DROP program as described in Addendum 1 of the Collective Bargaining Agreement, and authorizing the solicitor to prepare an ordinance to amend The Franklin Park Borough Police Pension Plan Document to incorporate the provisions of the DROP program, seconded by Mr. Hartman and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca commented that the guys have been out working diligently since the snowfall. We have gone through just about the entire year's budget for snow removal. We typically budget \$238,000 for salt and \$25,000 for overtime. Right now we have exceeded the annual total for snowfall. Council will probably have to allocate additional funds for snow removal before the end of the year.

**MAYOR O'KEEFE** – Mayor O'Keefe thanked the public works department for keeping everything in order during the recent snow storm. He received very positive emails and comments. Mayor O'Keefe announced that the police department is currently investigating two daylight burglaries. He reminded everybody to keep alert for suspicious activity, don't be afraid to call 9-1-1 and keep all property secure. The police department provides safety alert email messages which are a wonderful tool to help with crime prevention.

**MR. HRISHENKO** – Mr. Hrishenko thanked public works for removing snow from main roads and secondary roads.

**MR. QUATCHAK** – Mr. Quatchak noted that he had received a call on Saturday from a resident whose street had not been plowed. He drove around the western part of the borough around 4:30 p.m. and that particular street had not been plowed. He noted that every street that he was driving on, as well as every street he passed, had been plowed and was somewhat passable. Within 1-1/2 hours, they had plowed the street of the resident who had called him. Mr. Quatchak noted that the City of Pittsburgh streets were not in good condition, and it took 1-1/2 weeks to see bare pavement on the street where he works. He concluded by noting that within five hours of a 28"+/- snowfall, there was pavement visible on borough streets thanks to the public works department.

**MRS. HOPEY** – Mrs. Hopey thanked Mrs. Sable and Mayor O'Keefe for attending the Bookmobile Fundraiser at Northland Library. She also offered kudos to the public works department for an outstanding job.

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**MR. MARWAH** – Mr. Marwah commended the public works department for what they have done to remove snow in a timely manner. In the future, Mr. Marwah recommends erring on the side of caution, even if we overdo it a little bit.

**MR. HARTMAN** – Mr. Hartman thanked public works and noted that we have the best roads in Western Pennsylvania.

**MRS. SABLE** – Mrs. Sable expressed her thanks to public works for doing such a fine job.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman was on vacation.

**CHIEF OF POLICE**

- Chief Dorsch noted that public works did an outstanding job. He also noted that if there is a medical emergency, the fire department and police department have 4-wheel drive vehicles for emergencies.

**BUILDING INSPECTOR/ZONING OFFICER**

- Mr. Phillips had no report.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool reported that the parks department has primarily been plowing snow and keeping the parks open. They had to cancel a few evening activities, however no Activity Center rentals had to be canceled. The parks employees did go out at times and help with snow plowing. They also plow the fire department and the substation.
- The Recreation Newsletter will be mailed tomorrow and it is already on the borough website.
- The Black History Month celebration will be held next Friday at the Activity Center at 7 p.m.
- The Special Needs Family Fun Day will be held at the Ross Township Community Center on Saturday, February 27<sup>th</sup>.
- They are already receiving many registrations for summer programs.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer had no report.

**COMMENTS FROM THE FLOOR** - None

**MOTION TO ADJOURN** – Mrs. Hopey moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 8:36 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 14

**BOROUGH OF FRANKLIN PARK  
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WEDNESDAY, MARCH 17, 2010**

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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..... absent  
Andrew Hrishenko ..... present  
Ash K. Marwah ..... present  
David J. Quatchak ..... present  
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  
Brianna Morris, Assistant Parks & Recreation Director .... absent  
Tim Phillips, Building Inspector/Zoning Officer ..... present  
Ambrose Rocca, Borough Manager ..... present  
Bill Schweitzer, Golf Course Superintendent ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**RECOGNITION OF CHARLES GRUBER, RETIRING AFTER 30 YEARS OF EMPLOYMENT –**

Mrs. Sable expressed sincere gratitude and appreciation to Chuck Gruber on behalf of Council, Mayor, the public works department, borough employees and borough residents. She presented him with a plaque recognizing his 30 years of service to the borough. Mr. Merriman noted that he was here when Chuck was hired in 1980. He was very dependable as an equipment operator and he always got the job done. Chuck thanked Council and his fellow workers noting that he always enjoyed the challenge of the work and he got to know and help a lot of people.

**APPROVAL OF THE MINUTES** – Mr. Marwah moved the minutes of the February 17, 2010 pre/post meeting, the February 17, 2010 regular meeting and the March 3, 2010 work session, be approved, seconded by Mr. Hrishenko and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the February 2010 Treasurer's Financial Report. February 2010 revenues totaled \$442,301.06 and February 2010 expenditures totaled \$378,307.78. Year-to-date revenues totaled \$884,695.37 and year-to-date expenditures totaled \$779,120.88. Mr. Quatchak moved the February 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 February 2010. 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 February 2010. Mr. Phillips issued 11 permits and collected \$30,436.00 in fees. Total value of construction was \$3,162,612.00.

**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on February 17, 2010 to discuss a personnel matter and on March 3, 2010 to discuss a police personnel matter, police labor relations and public works personnel.

**COMMENTS FROM THE FLOOR** - None

**APPROVAL OF THE BILLS** - Mr. Hrishenko moved Council authorize the payment of the bills, which have been reviewed and approved since the last meeting, seconded by Mr. Marwah. Mr. Quatchak abstained from voting and filed the appropriate form with the Borough Secretary. The motion carried.

**PUBLIC HEARING, ORCHARD HILL CHURCH REVISED CONDITIONAL USE APPLICATION CU-09-04-02** - Mrs. Sable turned the meeting over to Mr. Junker to conduct the public hearing. Mary Ellen Wolf, court reporter, was present to take a verbatim transcript of the hearing. Mr. Phillips stated that the Planning Commission met in February regarding this matter, and they recommended both the Conditional Use and the Land Development Applications be approved. Mr. Jeff Berneburg of McIlvried, DiDiano & Mox, LLC, the site planners, engineers and surveyors for the Orchard Hill Church project was present. Mr. Berneburg noted that the project includes a church addition, classroom project, gymnasium and additional parking lot improvements to the front entrance to the building. No questions or comments were heard from the public. Mr. Marwah moved to close the public hearing, seconded by Mr. Hrishenko and carried unanimously. Mr. Hrishenko moved approval be granted for Orchard Hill Church Revised Conditional Use Application CU-09-04-02 for the construction of a 24,300 sq. ft. addition to the existing building located at 2551 Brandt School Road in the R-3 zoning district, contingent upon the Building Inspector/Zoning Officer's Staff Report dated February 24, 2010, seconded by Mr. Quatchak and carried unanimously.

**ORCHARD HILL CHURCH REVISED PRELIMINARY & FINAL LAND DEVELOPMENT APPLICATION LPF 09-04-01** - Mr. Marwah moved approval be granted for Orchard Hill Church Revised Preliminary & Final Land Development Application LPF-09-04-01 for the construction of a 24,300 sq. ft. addition to the existing building located at 2551 Brandt School Road in the R-3 zoning district, contingent upon the Building Inspector/Zoning Officer's Staff Report dated February 24, 2010, and the letter from W.E.C. Engineering dated January 29, 2010, seconded by Mr. Hartman and carried unanimously.

**ORDINANCE NO. 579-2010 ACCEPTING A PORTION OF WEST INGOMAR ROAD AS A BOROUGH STREET** - Mr. Hrishenko moved Ordinance No. 579-2010 accepting and adopting as a borough street a 0.83 mile long portion of West Ingomar Road (Allegheny County Road Number 1158-01), accepting and adopting all appurtenances thereto as Borough facilities and empowering and directing the proper officers to enter into a Road Transfer Agreement with Allegheny County, be enacted, seconded by Mr. Marwah and carried unanimously.

**MEMORANDUM OF UNDERSTANDING BETWEEN THE BOROUGH & THE FRANKLIN PARK OFFICERS ASSOCIATION REGARDING THE KILLED IN SERVICE BENEFIT** - Mr. Quatchak moved to approve the Memorandum of Understanding between the Borough and the Franklin Park Officers Association to make changes to the Killed in Service Survivor Benefit currently offered in the Police Pension Plan in order to bring it into compliance with Act 51 of 2009, and authorizing the solicitor to prepare an ordinance to amend The Franklin Park Borough Police Pension Plan Document to incorporate these changes, seconded by Mr. Hartman and carried unanimously.

**INTRODUCE ORDINANCE NO. 580-2010 AMENDING THE POLICE PENSION PLAN** - Mr. Junker introduced Ordinance No. 580-2010 amending the Police Pension Plan to create a Deferred Retirement Option Plan (DROP), to provide for a Killed in Service Benefit payable by the Commonwealth of Pennsylvania under Act 51 of 2009, and to restate in its entirety such pension plan. This ordinance will be properly advertised for enactment at a future meeting.

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**LINBROOK/SBA CELL TOWER DEVELOPMENT CASH AGREEMENT** – Mr. Marwah moved to ratify the Cash Escrow Agreement to serve as the financial security for the Linbrook/SBA cell tower development, seconded by Mr. Hartman and carried unanimously.

**APPOINT DELEGATE AND ALTERNATE TO PSAB** – Mr. Hrishenko moved to appoint Ash Marwah as the delegate and Amy Sable as the alternate for the Pennsylvania State Association of Boroughs, seconded by Mr. Quatchak and carried unanimously.

**APPOINT DELEGATE FOR MRM** – Mr. Quatchak moved to appoint Ash Marwah as the delegate for the MRM Workers Comp Pooled Trust, and the MRM Property & Liability Trust, seconded by Mr. Hrishenko and carried unanimously.

**APPOINT ALTERNATE TO THE ALLEGHENY COUNTY NORTHERN EARNED INCOME TAX REGION**  
Mr. Marwah moved to ratify the appointment of Andrew Hrishenko as the alternate to the PA Act 32 of 2008 Allegheny County Northern Earned Income Tax Region, seconded by Mr. Quatchak and carried unanimously.

**LETTERS OF RECOGNITION FOR PUBLIC WORKS EMPLOYEES** – Mr. Hrishenko moved to authorize the President of Council to send letters of recognition to the public works employees for a job well done during the recent snowstorm on February 5, 2010, seconded by Mr. Hartman and carried unanimously.

**YMCA ADDITION, RELEASE AND CANCEL LETTER OF CREDIT** – Mr. Quatchak moved to release and cancel PNC Bank Letter of Credit No. 12500574-00-000 in the amended amount of \$5,000.00 for the YMCA of Greater Pittsburgh, Baierl Family YMCA addition, in accordance with the Borough Engineer's recommendation letter dated March 5, 2010, seconded by Mr. Hrishenko and carried unanimously.

**AGREEMENT WITH CGI COMMUNICATIONS TO UPDATE BOROUGH WEBSITE VIDEO** – Mr. Hrishenko moved to approve the agreement with CGI Communications for updates to the Borough website video, seconded by Mr. Marwah and carried unanimously.

**AGREEMENT WITH SHANNOPIN COUNTRY CLUB FOR 2010 SCHOLARSHIP GOLF OUTING** – Mr. Hartman moved to approve the agreement with Shannopin Country Club for the 2010 Scholarship Golf Outing to be held on Monday, July 26, 2010, seconded by Mr. Hrishenko and carried unanimously.

**PENN POWER RIGHT-OF-WAY AGREEMENT FOR LINBROOK PARK** – Mr. Marwah moved to approve the Penn Power Right-of-Way Agreement for Linbrook Park, subject to a 10 ft easement on either side of the pole line, seconded by Mr. Hartman and carried unanimously.

**REAPPROVE PRELIMINARY AND FINAL LAND DEVELOPMENT APPLICATION 09-10-02 FOR THE LINBROOK/SBA CELL TOWER** – Mr. Quatchak moved to reapprove the Preliminary and Final Land Development Application No. 09-10-02 submitted by Tristar Investors, Inc./SBA Towers LLC for a communication tower site located in Linbrook Park in the R-1 zoning district, with all of the conditions as set forth when the application was originally granted preliminary and final approval on December 16, 2009, seconded by Mr. Hrishenko and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca noted that yesterday he received his census form and filled it out. He asked every resident to fill out the form since it does determine, to some extent, the amount of money the borough receives from the state and federal government. Mr. Rocca recognized Donna Platt, Secretary/Receptionist, for doing an outstanding job answering calls and complaints from residents after the recent snowstorms. Mr. Rocca noted that the 2010 Scholarship Golf Outing would be held on July 26<sup>th</sup>. He noted that it is a very worthy cause, and he encouraged participation. Last year's outing raised close to \$10,000 and we are awarding 10 scholarships this year.

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**MAYOR O'KEEFE** – Mayor O'Keefe recognized the members of the Franklin Park Volunteer Fire Company and their families. The firefighters' dedication requires enormous family support. He noted he had his own experience a few years ago when his car caught on fire threatening his residence. The quick action of the fire company resulted in no damage to his home. Franklin Park residents are very fortunate for the firefighters willingness to serve the community. Mayor O'Keefe read some Irish sayings in honor of St. Patrick's Day.

**MR. HRISHENKO** – Mr. Hrishenko thanked Chuck Gruber for his dedicated service to the borough, and he wished him good luck and good health. Mr. Hrishenko is attending three Local Government Academy classes that provide municipal officials with fundamentals of zoning principles and practices in Pennsylvania. Mayor O'Keefe is also attending the classes. Mr. Hrishenko attended a meeting of the Allegheny North Tax Collection Committee that was held to implement Act 32, which has become law and will be in full effect in January 2012. Act 32 will consolidate the earned income tax collection system across the Commonwealth of Pennsylvania and will eliminate local earned income tax collectors. Allegheny County will be served by four tax collection districts. The next meeting of the full board will be May 5, 2010. Mr. Hrishenko wished everyone Happy St. Patrick's Day.

**MR. QUATCHAK** – Mr. Quatchak congratulated Chuck Gruber on his retirement and thanked him for his service. He wished him a happy, lucky and safe retirement.

**MR. MARWAH** – Mr. Marwah thanked Chuck Gruber for 30 years of service. Mr. Marwah noted that we have concluded a 12-year court case with Franklin Nursery. Mr. Phillips has sent a letter to the Nursery and hopefully this will be the end of it.

**MR. HARTMAN** – Mr. Hartman congratulated Chuck Gruber on his 30 years of service. Mr. Hartman also thanked the rest of the public works department.

**MR. MCGOVERN** – Mr. McGovern wished Chuck Gruber a happy and safe retirement, and wished everybody a Happy St. Patrick's Day.

**MRS. SABLE** – Mrs. Sable thanked Chuck Gruber for his 30 years of dedicated service to the borough, and she hopes he has a wonderful retirement. Mrs. Sable noted that Dr. Stein, Emergency Management Coordinator, asked her to let everybody know that from April 23<sup>rd</sup> to 25<sup>th</sup> The Emergency Medical Services Institute will be setting up a 50-bed field hospital at Blueberry Hill Park. This will be used for training and they are looking for volunteers to participate. It is also open to the public to see. A website address was provided in the Recreation Newsletter or those interested may contact Dr. Stein. Mrs. Sable announced that there are currently vacancies on the Scholarship Selection Committee and the Recreation Board.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman noted that they are still cleaning up from the remnants of the February snow. Most of the mailboxes and yards have been fixed.
- They will be doing some concrete curb work.
- Spring brush chipping and leaf collection will start on Monday, April 5<sup>th</sup> at 7 am.
- Mr. Merriman recognized members of the public works department who were in the audience: Reed McCrea, 32 years of service; Larry Bolland, 20+ years of service; Jeff Richmond, 11 years of service; Tom Losco, 20+ years of service; and Bruce Kennedy 31 years of service. He noted that all of the public works employees combined have approximately 224 years of service. Mr. Merriman pointed out that his employees are very knowledgeable, and they are the reason he could go on vacation in February.

**CHIEF OF POLICE**

- No report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

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**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool thanked Chuck Gruber and noted that he enjoyed working with him over the years. He wished him the best in his retirement.
- The parks department has been doing a lot of clean-up work in the parks. The parks are already seeing a lot of use.
- The Black History Month Program has been rescheduled for Friday, April 16<sup>th</sup>.
- The Easter Egg Hunt and Lunch with Easter Bunny will be held on April 3<sup>rd</sup>.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer thanked Chuck Gruber for his service and noted that Chuck did quite a bit of work at the golf course over the years. He also noted that Franklin Park has a good group of employees.
- The golf course opened today at noon, and they are hoping to cut grass by Friday. Things look good on the course, although they did have some snow mold damage.

**COMMENTS FROM THE FLOOR**

Charles Gruber, Locust Road – Mr. Gruber recognized and commended some of his fellow employees in attendance including Jim Watenpool, Bruce Kennedy, Tom Losco, Reed McCrea, Jeff Richmond and Larry Bolland. Mr. Gruber also asked for payment of his clothing allowance.

**MOTION TO ADJOURN** – Mr. Hartman moved to adjourn the meeting, seconded by Mr. Marwah and carried unanimously. The meeting adjourned at 8:49 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present – 30

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

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, April 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..... present  
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  
Brianna Morris, Assistant Parks & Recreation Director .... present  
Tim Phillips, Building Inspector/Zoning Officer..... present  
Ambrose Rocca, Borough Manager..... present  
Bill Schweitzer, Golf Course Superintendent ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**PRESENTATION IN HONOR OF OFFICER RAYMOND BEATTY** – Mayor O'Keefe read and presented a plaque to Pat Beatty, widow of Officer Raymond Beatty, in recognition of Officer Beatty's 46 years of dedicated service to Franklin Park Borough. Officer Beatty's daughter Debby Rabold and her husband Ron were also present.

**APPROVAL OF THE MINUTES** – Mr. Hrishenko moved the minutes of the March 17, 2010 pre/post meeting, the March 17, 2010 regular meeting and the April 7, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the March 2010 Treasurer's Financial Report. March 2010 revenues totaled \$255,249.03 and March 2010 expenditures totaled \$349,113.42. Year-to-date revenues totaled \$1,139,944.40 and year-to-date expenditures totaled \$1,128,234.30. Mrs. Hopey moved the 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 March 2010. 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 March 2010. Mr. Phillips issued 24 permits and collected \$30,923.00 in fees. Total value of construction was \$3,678,958.00.

**EXECUTIVE SESSION** – Mrs. Sable announced that an executive session would be held immediately following this meeting regarding the Schomaker litigation.

**COMMENTS FROM THE FLOOR**

Mr. Hagan Smith from the American Press Association – Mr. Smith noted that he had visited the municipal building today regarding a Right to Know request, and he was met with less than honorable conditions by the Borough Manager. Mr. Smith then reviewed what had taken place, and he also presented a letter to Council explaining what took place. Mrs. Sable indicated that Council would take Mr. Smith's comments under advisement.

Miss Lori Merriman, 1566 Duncan Drive – Miss Merriman was present to suggest and ask that the borough consider building an 18-hole flying disc golf course at Linbrook Park.

Keith Allen, 1898 Pioneer Drive – Mr. Allen, the Treasurer of the Settlers Walk Homeowner's Association, was present to discuss the developer deficiencies within the Settlers Walk Plan and the homeowners' frustrations. He noted that staff has been working with the homeowners, but the developer has not made any progress. Mr. Allen provided pictures and encouraged Council to put pressure on the developer to address all outstanding issues within the plan. Mr. Nedzesky noted that the developer's engineer was meeting with the landscaper to resolve issues with the play field area and the landscaping of the tot lot area. Mr. Nedzesky noted that they hope to do this work this spring, and they are making progress. Mr. Rocca noted that he had informed the developer that Council would discuss this matter at their next work session and establish a deadline date. If the developer does not meet that deadline, it is the borough's intention to go after the bond. The residents will be informed of the deadline date once it has been established by Council.

Bryan King, 1826 Pioneer Drive – Mr. King has been a homeowner in Settlers Walk since 2006, and he noted that he agreed with Mr. Allen. He also pointed out a concern regarding the safety of tot lot #2.

DeeAnn Bellissimo, 1906 Colonial Drive – Ms. Bellissimo is the Board President in the Settlers Walk Plan, and she wanted to echo what had been previously stated by Mr. Allen and Mr. King. She noted that her property borders the tot lot, which is a very unsafe area that gets a lot of use from the community. Ms. Bellissimo thanked the borough for the support with the developer and asked the borough to continue to help the residents get things done in order to have a nice community.

Paul Rechenmacher, 1714 Holmes Drive – Mr. Rechenmacher spoke regarding the clean outs scattered around in the Settlers Walk Plan. He stated that this is unfinished work by the developer. Mr. Rechenmacher noted that staff had visited the plan and there were several clean outs that have never been cut down or done. The plan looks unfinished.

**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. Hopey. Mr. Marwah pointed out that there were some unauthorized meetings held at Mr. Quatchak's office in the South Side and those bills are not being paid. Mrs. Sable called for a vote and the motion carried unanimously.

**STEPHANE TRENT SUBDIVISION APPLICATION SS-10-04-02** – Mr. Hrishenko moved preliminary & final approval be granted for the Stephane Trent Subdivision Plan, Subdivision Application SS-10-04-02, submitted by Michael Dugan & Erin Suter, for a lot line revision for the property located at 2518 Camp Meeting Road in the R-1 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated April 14, 2010, and the letter from W.E.C. Engineering dated March 15, 2010, seconded by Mrs. Hopey and carried unanimously.

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**ORDINANCE NO. 580-2010, AMENDING THE POLICE PENSION PLAN** – Mr. Junker summarized Ordinance No. 580-2010. Mrs. Hopey moved Ordinance No. 580-2010 amending the Police Pension Plan to create a Deferred Retirement Option Plan (DROP), to provide for a Killed in Service Benefit payable by the Commonwealth of Pennsylvania under Act 51 of 2009, and to restate in its entirety such plan, be enacted, seconded by Mr. Hartman and carried unanimously.

**ACCEPT RESIGNATION OF DAVID J. QUATCHAK FROM THE PLANNING COMMISSION** – Mrs. Hopey moved to accept the resignation of David J. Quatchak from the Planning Commission, effective March 31, 2010, seconded by Mr. Marwah and carried unanimously.

**SETTLERS WALK PLAN PHASE 4, DENY REQUEST TO ACCEPT PUBLIC IMPROVEMENTS** – Mr. Quatchak moved to deny the request by Franklin Park Properties, LLC for the borough to accept the public improvements in the Settlers Walk Plan, Phase 4, in accordance with the Borough Engineer's recommendation letter dated March 22, 2010, seconded by Mr. Hartman and carried unanimously.

**SETTLERS WALK PLAN PHASE 5, DENY REQUEST TO ACCEPT PUBLIC IMPROVEMENTS** – Mrs. Hopey moved to deny the request by Franklin Park Properties, LLC for the borough to accept the public improvements in the Settlers Walk Plan, Phase 5, in accordance with the Borough Engineer's recommendation letter dated March 22, 2010, seconded by Mr. Hartman and carried unanimously.

**FIELDS OF NICHOLSON PHASE 1, DENY REQUEST TO ACCEPT PUBLIC IMPROVEMENTS** – Mr. Marwah moved to deny the request by Signature Homes for the borough to accept the public improvements in the Fields of Nicholson Phase 1, in accordance with the Borough Engineer's recommendation letter dated March 24, 2010, seconded by Mrs. Hopey and carried unanimously.

**NORTHLAND LIBRARY SECOND QUARTER PAYMENT** – Mr. Hrishenko moved the Treasurer's office be authorized to prepare a check in the amount of \$67,713.75 payable to Northland Library for the second quarter payment of 2010, seconded by Mr. Quatchak and carried unanimously.

**HIRE SPECIAL COUNSEL TO REVIEW EXPENSES FOR THE SUBDIVISION AND ZONING ORDINANCE UPDATE** – Mrs. Hopey moved to hire Michael F. Santicola, Esquire of Sainovich, Santicola & Steele as special counsel to look into expenses related to the Subdivision and Zoning Ordinance update for an amount not to exceed \$1,200.00, seconded by Mr. Marwah.

Mr. Marwah noted that these were the unauthorized meetings that he had referred to earlier. The meetings started sometime last year; there were 20-25 meetings; and the total billings for these meetings amounted to \$20,000 to \$30,000. Mr. Marwah referred to emails and bills regarding these meetings and telephone conversations between the solicitor and Martha Creese, who was then the Council President. Since our own counsel was a party to those meetings, we must hire outside counsel. Mr. Marwah also mentioned the hiring of special counsel DeLuca two years ago without the knowledge of Council. Mr. Marwah hopes this will be a very short duration analysis by Attorney Santicola and hopes to have the results by the next meeting. We will also ask our auditor to review our financial statement for last year. Because these meetings were not authorized, those expenses were not authorized and the financial statement is in error.

Mrs. Sable provided additional background noting that 2-3 years ago a special committee was formed by Council to review the current zoning and land use ordinances to see if any changes were needed. After some time, proposed ordinances were put together and they were sent on to the Planning Commission. The Planning Commission was to review the ordinances and make a recommendation to Council as to whether or not Council should approve them. Council would then receive the ordinance after the Planning Commission review and there would be public meetings regarding any zoning ordinance changes and then Council would vote on those ordinances. The stage that these ordinances were at was that they were in the hands of the Planning Commission. Unbeknownst to the other members of Council, the then Planning Commission Chairman was meeting with the engineer, solicitor and at least two borough staff members in his office to review these ordinances. The problem is that Council did not authorize those meetings and payments were made to the engineer and solicitor that were not authorized. Council must

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now look into the matter and determine how to proceed. We need some internal procedural and policy changes so Council is aware if meetings are going to occur, and it must be brought before all of Council. This is why we have hired this special counsel to look into the matter and to advise Council what to do. Our solicitor, Mr. Junker, cannot do it because as a party to those meetings he is conflicted out of giving us an opinion. Mrs. Hopey responded to Mr. Marwah's previous comment regarding the hiring of a previous special counsel. She noted that Council obtained the second opinion because Mr. Hrishenko was involved in a lawsuit, and he wanted to attend executive sessions to discuss the lawsuit. Mrs. Sable clarified that the special counsel referred to by Mr. Marwah was hired and a motion was not placed on the meeting agenda. It was ratified after the fact that he had been hired. This time around Council wants to make it clear to the public so they know how their tax dollars are being spent. Mrs. Hopey was asked to restate the motion and it was seconded by Mr. Marwah and carried unanimously.

**RESOLUTION NO. 983-2010, AMENDING THE SCHEDULE OF FEES** – Mr. Junker summarized Resolution No. 983-2010. Mrs. Hopey moved Resolution No. 983-2010 amending the schedule of fees to incorporate a change to the minor subdivision fee, the addition of a new stormwater fee and a change to the rental fee for Linbrook Park Shelter #2, be adopted, seconded by Mr. Hartman and carried unanimously.

**SAINTS JOHN & PAUL CATHOLIC CHURCH REVISED LANDSCAPE PLAN L101P** – Mr. Hrishenko moved to approve the Revised Landscape Plan L101P dated April 13, 2010 for Saints John & Paul Catholic Church, seconded by Mrs. Hopey. Mr. Quatchak disclosed a potential conflict of interest because he is a member of Saints John & Paul Church and he was involved in developing the plan. Mr. Quatchak abstained from voting and filed the appropriate memorandum with the Borough Secretary. The motion carried.

**AWARD BID FOR BITUMINOUS SURFACING MATERIALS, SHACOG PURCHASING ALLIANCE** – Mr. Marwah moved Hanson Aggregates of Connellsville, PA be awarded the bid for Bituminous Surfacing Materials as part of the 2010 spring commodities bids submitted to the SHACOG Purchasing Alliance for its bid opening on April 8, 2010, seconded by Mr. Hrishenko and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca noted that the borough raises money each year for scholarships, and this evening we will announce the scholarship recipients. The scholarship program was originally suggested to Council by a junior councilperson. Every year we raise funds through advertisements in the newsletter and the Annual Scholarship Golf Outing. This year's Scholarship Golf Outing will be held on Monday, July 26<sup>th</sup>, and he encouraged everybody to support the program. The borough has awarded ten \$1,000 scholarships for the past three years. We started out with four scholarships, and as the funds increased every year the number of scholarships increased. Mr. Rocca noted that we have some outstanding students that apply. The Scholarship Selection Committee is made up of borough residents who take the time to review the applications using the criteria that Council has established. Mrs. Sable announced the 2010 Franklin Park Borough Community Scholarship recipients.

Christy Cotter of Birchwood Court

Jacob DiBattista of Dogwood Drive

Merel Duursma of Alydar Drive

Rachel Minto of Oakridge Lane

Marie Munsch of Country Club Drive

Katherine Owsiany of King Charles Drive

Jay Sehgal of Settlers Drive

Chelsie Stair of McDevitt Road (Mel Lubert Scholarship)

Carrie Vereide of Bellwood Drive

Connie Yuan of Norman Drive

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Scholarship recipients will be invited to the May meeting to receive their scholarships.

**SOLICITOR** – Mr. Junker commended Council for hiring special counsel.

**MAYOR O'KEEFE** – Mayor O'Keefe announced that free tickets are available for the Armed Forces Salute to be held at the North Allegheny High School on Sunday, May 16<sup>th</sup>. There will be a fundraiser that day for Fisher House, and he noted that Pfc. Jessica Lynch will be in attendance. He noted that Debby Rabold, Historian, has organized the event. Mayor O'Keefe announced that during the April 7<sup>th</sup> work session, Chief Dorsch mentioned that the police department was nominated by the Ingomar Middle School for the Service to Children Award for outstanding work with the students and having officers in the schools. Receiving this nomination speaks volumes to the dedicated work and community involvement of our police department. Mayor O'Keefe announced that the Emergency Medical Services Institute will be deploying a 50-bed field hospital at Blueberry Hill Park from Friday, April 23<sup>rd</sup> through Sunday April 25<sup>th</sup>. It will be used for continuous operations training for EMS strike teams, regional EMS personnel and the Medical Reserve Corps. This setup is part of a state-wide medical system for use in times of disaster and emergencies when our hospitals are overwhelmed, damaged or destroyed. The public is welcome and urged to attend.

**MR. HRISHENKO** – Mr. Hrishenko noted that Council will be making a very important decision in the near future regarding how refuse will be collected. The borough received a \$500,000 grant from the state to institute automated refuse collection. It is very important for all homeowners to understand the system, and he encouraged everybody to attend the meeting on Monday, May 17<sup>th</sup> at the Franklin Park Fire Hall at 7:30 p.m.

**MRS. HOPEY** – Mrs. Hopey stated that she had enjoyed knowing Ray Beatty. Mrs. Hopey thanked Victor Sinclari for his dedication to the Northland Public Library Foundation. Mr. Sinclari is a borough resident who recently resigned from the Foundation. Mrs. Hopey stated that Justice Wagner had dismissed a case regarding a snowplowing incident. She noted that she was very disappointed in Justice Wagner's decision. Chief Dorsch noted that two summary citations had been issued: one for depositing snow on a roadway and one for harassment. Chief Dorsch reviewed the incident noting that the biggest concern during the monumental snowfall was that the roads be kept open in the event of an emergency. Volunteer firefighters have to drive to the fire station, and the fire trucks have to get to a home that is on fire. The worst thing that could have happened that morning was to have a house fire. The fire hydrants were covered and the road was down to one lane. It was essential that no more snow be deposited on that roadway. The road crew worker is also a volunteer member of the Franklin Park Volunteer Fire Department, and he was concerned for the safety of the residents and keeping the road open. Mrs. Hopey noted that a fellow Councilmember has sent out an email regarding the automated refuse service, and she encouraged residents to attend the May 17<sup>th</sup> meeting to hear the facts.

**MR. MARWAH** – Mr. Marwah noted that he had sent the email, and he is calling the automated refuse collection system a new tax because it will cost more. He discussed increased rates for service; the cost for residents to have three containers for refuse, recycling and yard waste; the inconvenience for residents to store three containers and carry them back and forth to the street; costs for senior citizens; special arrangements for 68 private lanes; and potential traffic delays if three separate trucks are used for collection. Mr. Marwah noted that there is plenty to learn about the automated system. He is opposed to the automated refuse collection system because all of the comments he has received are opposed to this system.

**MR. HARTMAN** – Mr. Hartman stated that he would hold his comments regarding the unauthorized meetings and expenses until after the special counsel provides his findings.

**MR. MCGOVERN** – Mr. McGovern thanked Mrs. Beatty and Officer Beatty because Officer Beatty served loyally as the crossing guard every Sunday morning, rain or shine, at his church, which is the Ingomar United Methodist Church.

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**MRS SABLE** – Mrs. Sable reminded everyone of the Armed Forces Salute on Sunday May 16<sup>th</sup> at 2:00 p.m., noting that the tickets are free and donations will be accepted for Fisher House. Mrs. Sable noted that there are some heated discussions going on regarding the Monday, May 17<sup>th</sup> meeting regarding automated refuse collection system. No decision has been made. The purpose of the meeting is to educate the public about the system and to get feedback from the public. If the public doesn't want it, Council will not go forward with the system. There are pros and cons with the system. Mrs. Sable noted that our current monthly collection fee is lower than it was for the prior contract, and this was good for all of our residents. However, there will likely be an increase the next time the refuse contract is rebid, even if we do not go with the automated system. She noted that the containers are large, but a lot more of what goes into the garbage would then be recycled. Residents will have the option of having a larger recycling container to recycle a lot more items, including paper, plastic, foil, cardboard, cans and glass. Residents will also have the option to have a smaller trash container since more items will be recycled. Residents do not have to take the yard waste container. The automated system is environmentally friendly. The state gives grant money based on the number of tons of recyclables that each municipality recycles every year. Council is looking into the automated recycling system, and we have received a \$500,000 grant from the state. Council needs to determine if this is something we want to do now and accept the money from the state to be utilized toward the purchase of the containers. If we do not take the grant money now, we may have to change to an automated system in the future if all of the waste haulers become automated. Everybody was encouraged to attend the meeting to hear all sides of the story and make their own decision. After Council's May 5<sup>th</sup> work session, more information and details about the automated system will be posted on the web site. There will also be some type of mailing to alert the residents of the meeting.

**SUPERINTENDENT OF PUBLIC WORKS**

- No report.

**CHIEF OF POLICE**

- Chief Dorsch announced that there were two burglaries on Country Side Lane yesterday in the mid-afternoon. The Chief asked everybody to watch out for their neighbors and don't be embarrassed to call the police if they see something strange.
- Chief Dorsch thanked Pat Beatty for coming this evening. He noted that Ray Beatty started in 1964 as a part-time patrolman. After he retired from his first job, he stayed in his position at the Ingomar United Methodist Church until November 2009 when he got sick at the age of 81. Ray was a good man and the Chief has fond memories of him. He was a good officer, a good person and he will be missed a lot.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Morris provided a summary of the recreation programs that were held in April, including the Lunch with the Easter Bunny, the Easter Egg Hunt, the Black History Month Celebration and the Square Dance.
- Upcoming programs include a free Wildflower Hike in Linbrook Park at 9 a.m. on Saturday, April 24<sup>th</sup>. The free Perennial Exchange will take place the same day at the Blueberry Hill Activity Center starting at 11 a.m.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool noted that at this time of year his department is concentrating on the fields and getting them ready. Most of the teams have started their various sports. They have been fertilizing the fields and they reconstructed the cricket pitch at Linbrook Park.
- They are adding new resurfacing materials to the playgrounds to improve safety.

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- Mr. Watenpool announced that at the Pennsylvania Parks and Recreation Conference this year, Brianne Morris received the Outstanding New Professional Award for the state. It is given to one recipient each year who is a young professional who has served a minimum of one year and a maximum of ten years contributing to the field of recreation, to their community and to the Pennsylvania Parks & Recreation Society. Mr. Watenpool noted that Miss Morris was up against very stiff competition, but she stood out above all other nominations in the entire state.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer announced that the golf course is doing very well and the weather has been conducive to golf.
- The juniors program is off to a good start, and the golf course is offering a free handicap service to all juniors 17 and under.
- Mr. Schweitzer passed on his respects to Pat Beatty.

**COMMENTS FROM THE FLOOR**

Pat Beatty – Mrs. Beatty thanked everyone noting that Ray would be so proud. She announced that a memorial service has been scheduled at the Ingomar United Methodist Church on June 5<sup>th</sup> at 11 a.m.

MOTION TO ADJOURN – Mrs. Hopey moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 9:23 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 62

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL SPECIAL MEETING  
MONDAY, MAY 17, 2010**

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A special meeting of the Borough Council of the Borough of Franklin Park was held on Monday, May 17, 2010 at the Franklin Park Fire Hall, 2360 Rochester Road, Sewickley, PA 15143.

Council President Amy Sable called the meeting to order at 7:47 p.m.

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..... present  
Amy E. Sable, President ..... present  
Junior Councilperson Brennan McGovern ..... absent  
Mayor Dennis E. O'Keefe ..... present

**STAFF:**

Cathy Krummert, Borough Secretary ..... present  
Donna Platt, Secretary/Receptionist ..... present  
Ambrose Rocca, Borough Manager..... present

Mrs. Sable opened the meeting by thanking everybody for coming this evening to share their thoughts on the automated trash collection. She explained that the borough had applied for a grant from the state with the idea that automated collection might be mandated by the state government within the next few years. The rationale for applying for the grant was to lessen the economic burden that Franklin Park would endure if a switch from the manual collection system to an automated system became mandatory. The borough has now been awarded the grant in the amount of \$500,000. Borough Council must now consider the option of accepting the grant and making a switch to automated collection or rejecting the grant and remaining with the manual system. This meeting was called by Council as a way of gauging public sentiment with respect to automated collection. No decision has been made with respect to this issue and the goal tonight is to provide information to the residents regarding the automated system. Council would like to hear feedback, thoughts and questions with respect to this issue.

**PRESENTATION BY BOROUGH MANAGER, AMBROSE ROCCA**

1. History of Landfills in Pennsylvania
2. U.S. Supreme Court Decision (City of Philadelphia v. New Jersey, 1978)
3. PA Act-101 of 1988
  - a. Requires Communities > 5,000 to recycle
  - b. Tipping fees
  - c. Grants to host communities
  - d. Operating grants to communities & counties
  - e. Equipment start-up grants to local governments
4. Allegheny County Solid Waste Plan
5. Franklin Park Solid Waste Disposal & Recycling
  - a. Current
  - b. Proposed
6. Past & Future Direction of Waste Industry
  - a. Comingled Collection (1970 & Prior)
  - b. Basic Recycling (1980 & 1990's)
  - c. Single Stream & Yard Waste (1990's to ?)
  - d. Food Waste Municipal Compost (2000 to ?)
  - e. Future of Garbage Collection (Deja-vu)

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**MR. QUATCHAK** – Mr. Quatchak thanked everyone for coming. Hopefully everyone is here to learn a little bit about how a system could work. He is here to learn about how the residents feel about the options that we have.

**MR. MARWAH** – Mr. Marwah commented on the proposed automated collection. He stated that he is against the system, and the primary reason is because it will cost a lot more. He noted that he and Mr. Hrishenko voted no on the grant application. Mr. Marwah then discussed the cost comparison information he had prepared and distributed comparing the current system to the proposed automated system. He noted that the borough could submit a grant application in the future when the conditions are right. He is concerned that the borough would be bound by the automated service, and he is suspicious that the costs for Franklin Park will be higher than the costs for Marshall and Pine Townships. The grass clippings are the only things we are not recycling right now, and we need to better educate the public on how to compost grass clippings. There are 68 private lanes in the borough and the automated trucks cannot go on those lanes. The hauler would have to use pick-up trucks to collect the trash, and this would add to the cost.

**MAYOR O'KEEFE** – Mayor O'Keefe thanked everyone for being here this evening, and he noted that it is important to have this meeting to receive comments from the residents before making a decision.

**BOROUGH MANAGER** – Mr. Rocca commented that Franklin Park tries to respond to our residents' needs. We received feedback that many seniors and sticker customers want to retain their service. Mr. Rocca then called the DEP to discuss the possibility of maintaining this service. He made the argument that the sticker program is a pay-as-you-go system because the stickers are based on the pro-rata share of the monthly fee. The individual he spoke with indicated that more than likely the sticker program would be acceptable, but the borough would have to go back to the DEP with a full blown program showing what we intend to do. The DEP would then respond to the borough and let us know if the sticker program would be acceptable. Based on his preliminary inquiry, the sticker program would remain intact. Mr. Rocca also indicated that private lanes would be collected the same way they are now with the hauler having the option to collect them manually with a smaller truck.

**MRS. HOPEY** – Mrs. Hopey asked for clarification regarding the senior sticker fees. Mr. Rocca clarified that there would be no monthly fee associated with the sticker program; seniors would only pay for the stickers they use. The sticker rate is based on a percentage of the amount that the regular customer pays. The sticker system would remain intact and would not change. Mrs. Hopey noted that we take care of seniors in the borough. When the time comes, the borough would bid both manual and automated collection. Nothing is set in stone.

**PUBLIC COMMENTS/QUESTIONS & ANSWERS**

Linda Hoffman, 2268 Montgomery Road – Why do we have to keep importing garbage from other states? It was noted that the Supreme Court ruled that the state cannot regulate where the garbage comes from. The state is trying to regulate the garbage that does not go into the recycling stream and encourage more recycling.

Suzanne Broughton, 2377 Jenkinson Drive – She supports trying to make this work. She was one of the volunteers who instituted Franklin Park's voluntary recycling program in 1991 and she was the chair of the EAC from 1997 to 2002. In the past Franklin Park has taken creative steps in providing local services. The proposed plan greatly expands the material that can be recycled and has some incentive to do so, which our current system does not. We must move away from throw away habits and conserve resources. We should support a plan that has incentives to recycle, but we have to be sure it works for everyone. The incremental costs between container sizes should be increased so that the larger container costs much more and residents would be encouraged to use the smallest container and recycle more. The borough should provide all three containers at no cost to the residents. Residents should be able to recycle their current trash containers at the onset of the new program. She supports trying to make this work. Although there are some things that need to be worked out, we need to move in that direction.

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Ted Lutz, 2398 Rochester Road – Stressed the recycling part of the system. Single stream recycling that we are considering is the latest and best way to go, although he is not pushing the automated system. What do you do with larger items to put out? Maybe consider expanding the current system to the next level.

Gary Bleakley, 2430 Brandt School Road – Commented on the problem he would have placing the containers out for automated collection. What is the reach of this equipment? Mr. Rocca noted that the mechanical arm has limits and could probably reach 6 feet.

Jerry Clark, 1515 Sandhurst Drive – His biggest concern is the cost and if the hauler would pass on the cost of the new trucks to the residents.

Dick Lindley 1544 Old Orchard Road – Need to educate people not to throw paper products in with the garbage. Let people know what should be recycled and what garbage is.

Joanne Sikina, 1648 Farmington Court – Her relatives and friends who have automated service bring their extra garbage to her house. Yard waste should be collected on a more frequent basis. She also expressed a concern that there would be more dumping with the automated service.

Albert Deeds, 1519 West Ingomar Road – He noted that his lawn care service blows his grass back on the lawn and it is just fine. He suggested residents consider doing this to cut down on the amount of yard waste collected.

Yorum Vodovotz, 1607 Franklin Fields Drive – He is opposed to this plan because of the lack of transparency and an artificial set of options. There is no reason we cannot expand existing service with incentives for recycling. It has not been explained what the grant is for. If the grant was specifically to implement automated pickup, then it is designed to benefit a certain industry. Where are the containers purchased from? Why haven't all of the true options been made available? Mr. Rocca responded that by law any service that the borough provides is advertised and bid on a competitive basis. Containers would be purchased the same way. It is an open process with transparency at its best. Mr. Marwah noted that the grant is for the purchase of approximately 4,750 recycling carts and lids and approximately 4,750 yard waste carts and lids.

Marilyn Senik, 2515 Hopkins Church Road – Are we creating a monopoly? How will we benefit and what leverage will we have when it is time to renew a contract? What about companies going out of business and the jobs that will be lost. When they mandate something it is going to cost you.

Richard Reiter, 2599 Glenchester Road – If the motivation for switching to automated collection is environmental protection, how come there is no mention of increased pollution generated from the diesel that will be used. Attachment "A" on the website refers to \$6,000/year to purchase and operate trucks. What does this figure include? Can existing trucks be modified to use these arms, or do they have to buy new trucks? He is also concerned about where to locate the containers at the street. It makes the most sense to improve recycling with the existing system.

Oscar Miller, 2406 Marble Lane – Do the costs outweigh the benefits? We need to explore more possibilities and change what we are doing rather than going with automation. He has two objections because he lives on a private lane and because of automation. Automation is not just an end to be desired just for itself. Jobs should not be eliminated. What happens if it is snowing and they will not drive up the private lanes? Will the borough require pickup trucks to collect on private lanes?

George Wochley, 2399 Traci Drive – Right now we have a choice about what we put out. Under the proposed plan, do we have a choice as far as competitive bidding? Will it be restrictive on who can actually bid for this service? He is concerned about eliminating jobs since a lot of people are unemployed today. We should increase education and public awareness to convey the options for recycling.

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Bob Lang, 2379 Wharrey Drive – Mr. Lang asked for clarification regarding the senior sticker program. It was noted that those who choose the sticker program would only pay for the stickers they use, and they would not receive containers or pay a monthly fee. He thanked Borough Council for the way they have handled and negotiated past garbage contracts. We have a great deal the way it is. He is totally against automated collection and discussed his reasons including aggravation, hardship, creating an eyesore and the cost. He urged Council to send the \$500,000 back to the state. This \$500,000 is taxpayer money from all over Pennsylvania.

Howard Frey, 1511 West View Lane – He is concerned about the size of the containers and moving them. If some residents are not doing a good job recycling, we should get them on the ball. He thinks we are doing a good job with the current system.

Charles Windisch, 2377 Wharrey Drive – He asked for clarification of the costs for senior citizens. It was noted that the information provided by Mr. Marwah shows that residents in Marshall and Pine pay a base fee and also a separate cost for bags. The borough is proposing that the sticker fee for senior citizens may increase, but seniors would not pay the monthly base fee. Mr. Windisch noted that the borough cannot provide cost information, but the residents are expected to give Council the right to go ahead. He hopes that Council will think of the senior citizens when you do this because it is totally wrong. Mrs. Sable clarified that no decision has been made. Part of the reason we don't have facts and figures with respect to the costs is that we cannot get those things until we bid out a contract. We are using the bid amounts from local communities, but we can bid it differently so that seniors only have to pay the sticker amount and not the base amount. We do not know how this will impact the fees for the rest of the community.

Debbie Stetor, 1511 King Charles Drive – She and her husband live alone and they recycle as much as they can. She is in favor of the proposed automated system. She pointed out that her children have moved to places where they are more progressive in the way that they handle the environment. If we want to attract people and kids that are generating income to pay taxes, these are things we have to consider.

Wayne Franz, 2493 Matterhorn Drive – He thinks recycling is a good thing, but he has questions and concerns. Sometimes he sees one truck collecting both garbage and recycling. Do we receive grant money for the yard waste dump site at Blueberry? Staff responded that all materials that are dumped are submitted for grant money. The grant will pay for two of the three cans, but how will we pay for the third can? What about the disposal of building materials and larger items? If this program will save money in labor, why will we not see a reduction of costs? Council noted that Marshall Township has one-half of the population of Franklin Park. Franklin Park received \$9,000 in recycling grants this year and Marshall received \$70,000 in grants.

Mr. Ralph Pennetti, 2389 Wharrey Drive – He noted that after reading the information and listening to the presentation, the only people who would gain anything with the proposed system would be the garbage companies. His biggest concern is hauling the large containers due to physical limitations. What about elderly residents?

Yunkai Zhou, 1400 Christa Court – He noted that there is a problem with transparency and it is not clear whether or not it will help the environment. The proposal is confusing. If in the end this proposal would help the environment, he would be willing to pay more because it is worth our children's future.

Frank Guzek, 2566 Wexford Bayne Road – He has been recycling since 1974 because he is a contractor. It is a lot of work, but everyone can do it. There are bins at the churches for paper and the borough has dumpsters for cardboard at the municipal building. He also thinks there should be dumpsters for aluminum and glass because the borough could make money from it. We do not need this proposed system. The more we keep government out of what we do, the better off we are.

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Terry Mowrey, 2530 Wexford Run Road – He is concerned about the cost; look what happened with cable television costs. If we go with this system, we will limit the competition as far as the bidding process goes. We need more means for recycling now. The politicians made Pennsylvania a dumping ground for everybody else's garbage and now we have to pay for it since they are telling us we have too much garbage for the landfills. Remember in November.

Jim Stetor, 1511 King Charles Drive – He is totally in favor of the proposed system because it will encourage more recycling, and it will be more convenient. He likes that the recycling and yard waste containers are free. We will have less tipping fees, and it will be better for the environment.

Bob Parry, 2585 Matterhorn Drive – He noted that with the current system, the garbage men come down the street and do little things to provide customer service. He is against the proposed system.

Karl Sieg, 2558A Pheasant Run – What is the replacement cost for the containers and how long will the containers last? He really doesn't have an opinion one way or the other. Most people have limitations on the storage of trash cans. It may be necessary to make alterations to dwellings to accommodate these cans, and if that is the case, he requested that the borough waive building permit fees. Mrs. Sable explained that the containers are expected to last approximately 10 years, and the borough would have a system in place to replace them after that period of time. This system would require money to be put away for that, and there would be a charge on the bills to cover the replacement costs. Mr. Marwah commented that a \$1.25 charge would be added to the monthly fee. The borough would set aside \$20,000 from the grant money each year to purchase these cans.

Lynn Mowrey, 2530 Wexford Run Road – Are residents going to be able to vote on this matter? Mrs. Sable noted that there is no process in place for residents to directly vote for or against. Residents were invited this evening to share their thoughts so Council could find out what people are thinking. This will help Council to make a decision so that they represent the will of the people.

Alina Kurtanich, 1605 Fieldstone Lane – Mr. Rocca had noted that we have one of the lowest real estate taxes, but he did not say that we have one of the highest school taxes. She disputed that garbage collectors have one of the highest worker's compensation rates. She asked who would benefit from people losing their jobs. The companies will because they will pay less worker's comp rates. Unemployed workers will not be paying taxes. How will the mechanical arm pick up garbage bags without breaking them? Will there be a restriction on the number of garbage cans a resident can have? She noted that phone books are recyclable. She is all for recycling and the environment. She believes there are better ways, and she has not been presented with the facts. Council should have done more research to educate the public before they are asked to make a decision.

Gerr Wenzel, 2407 Bellwood Drive – He is somewhat conservatively in favor of this program. Everything seems to be going in favor of the contractor; lower labor costs, higher efficiency, lower landfill costs and eliminating the hazardous occupation. What is in it for the residents? If the costs will be about the same as what we have, why should we change?

Denise Miller, 1600 Fieldstone Lane – How many garbage containers can you put out and what is the cost for additional containers? The response was that the price of the containers will be set at the time of bid. If a second container is needed, the borough can specify a nominal add-on cost. There is no limit to the number of containers. What is the ratio between seniors putting bags out and the regular service picking the bags up? What is the ratio of how many families are going to put those cans out? Is the cost for three more trucks, more cans and all that is proposed going to make up the costs and what is the balance between setting this program up and keeping the same as what we already have? Are stickers available to everybody? Mr. Rocca answered that the sticker program is open to seniors and non-seniors, but there are lower sticker rates for seniors. She is kind of against the program because she does not see it doing anything for us, and she does not see how it will eliminate any more trash than we already put out.

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Ray Uhlig, 2387 Oakview Drive – Taxpayers pay for the grants. This is a program that we are going to pay for, and our children and grandchildren will pay for it. He does not want this. There has to be a better way than going into debt. It is not the debt of Franklin Park, but the debt of our state.

Karl Apel, 2478 Matterhorn Drive – He thanked Mr. Marwah. Council was totally unprepared this evening. Automation is not related to recycling. How was the grant written? Why can't we just buy the containers and not have the automated system? Mr. Rocca noted it is a pay as you throw system. You do not pay for the yard waste or the recycling materials. All of the communities across the country who have implemented this system have followed this format because it works.

Bill Kipp, 1505 Brimfield Drive – If you are a sticker customer will you still recycle and put out yard waste? The response was that sticker customers would still receive recycling and yard waste containers. We would still have a need for a yard waste dump site even if the site at Blueberry fills up. He encouraged Council to consider finding another place for excess yard waste. Mr. Rocca noted that the state's goal is to divert yard waste out of the waste stream so it does not end up in the landfill. The borough chips the yard waste to save space. Mr. Marwah read from the grant requirements. Yard waste collected with this equipment will be taken to a composting facility that is operating according to the department regulations and guidelines. Grant funds will not be released under this or any other category of this agreement if the borough fails to comply with the provisions of Act 101. Mr. Rocca clarified that the yard waste materials collected by a hauler would have to go to a site to be composted. The yard waste material that is brought to the borough dump site does not have to be composted. Mr. Kipp asked if this program is adopted what would the costs be based on? Mr. Rocca noted that the costs would be based on the size of the garbage container selected. Mr. Kipp noted that there are some petitions circulating this evening, and he guessed that they had been signed by the majority of the people here and they say "No". Mr. Kipp stated that in the future, the state will mandate this type, or similar type, of service. We just don't know when that will be.

Mary Ann Stearns, 2505 Matterhorn Drive – Serving on Council is a thankless job. They were elected by us to do what is in the best interest of Franklin Park. Council does a pretty good job and maybe they weren't fully prepared this evening. She appreciates Council letting all of the residents speak. She is concerned about senior citizens and Council should take that into consideration. Is it a possibility to put this on the ballot and let the residents vote?

Angela Baehr, 2527 Secretariat Drive – In favor of any program that increases recycling. Also in favor of a program that composts yard waste. If Council votes against this, she would like to see other ways to increase recycling in the future.

Brigitte Savchik, 2393 Bellwood Drive – How was the recycling rate determined for the borough? Mr. Rocca noted that the figure provided by the hauler is divided by the total garbage collected. How does the borough know what residents recycle at their homes? She believes the figure should be higher for Franklin Park. How about a referendum in November? If we only have six months to make a decision, she votes "No" right now.

Charlie Powell, 2471A Brandt School Road – He recycles, composts his yard waste and takes corrugated cardboard to the municipal building for recycling. He lives on a private lane and takes his garbage to the end of his driveway in the back of his vehicle. We can recycle without having automated collection. It is an education problem not an automation problem. He stated that automated machinery will not pick up garbage bags. The driver gets out and throws them in the truck. If the borough really wants to save money, we need to spend more on education.

Juvenus Charles, 1507 Brimfield Drive – There are no projections for future cost increases. Costs in Pine and Cranberry have increased tremendously since the program started.

Lee-Hannah Allen, 1898 Pioneer Drive – Why do we need to have an automated system to recycle more? We should expand what we already have.

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Rick Beideman, 1549 Crestview Drive – One thing he noticed in the original presentation was the future and that we would not need all of these separate bins. Everything will be together and recycled. Maybe it would be better to just wait.

Bill Lafayette, 1520 Sandhurst Drive – He has not seen any evidence in the handouts that the state wants automated collection. Mr. Rocca clarified that the state wants us to adopt a pay as you throw system, and the typical way to do that is by using these containers. Mr. Lafayette stated that there are plenty of systems that use these types of containers that do not use the automated arm for collection. How will the borough contract for this service? Mr. Rocca responded that specifications will be written and it will be done through a competitive bidding process. The borough typically receives three quotes when bidding. There are two companies that provide this service now, but other companies could start to provide the service. Mr. Lafayette asked if the two companies have equipment that is interchangeable when it is time to re-bid the contract. We are not dealing with a situation where there would be a good competitive atmosphere, and before we know it, the prices will start going up. We may be stuck with a system that only one or two companies can operate.

Jill Hartman, 2602 Big Sewickley Creek Road – What happens to these large containers when they blow over in bad storms and fall into the road? Who takes care of the damage to containers and cars if they are hit? She takes offense to not recycling. Years ago there was no garbage pickup and residents had to take their garbage to the dump. They separated and recycled cans and they also composted. A lot of people still recycle this way. Many people make their own sauce and can their food. This may be one of the reasons that the recycling figure is low for Franklin Park.

John Ripper, 2547 Field Club Drive – He appreciates Council serving, and many times it is a thankless job. He hopes Council will make the right decision. There are three issues: environmental, user-friendly and economics. Right now we can put out as much garbage as we want, and it is a reasonable price. What do we do with excess garbage with the automated system? Will there be an excess waste charge? Pennsylvania takes in garbage from other states. He does not see the benefit for the environment. Don't change something that isn't broken. The automated trucks can only pick up one side of the street at a time and they will use more fuel. The system will be a lot more expensive for a lot less.

Joe Deley, 2595 Matterhorn Drive – What is the population density (people per acre)? Mr. Rocca noted that there are 1,000 per square mile. Mr. Deley noted that the Hong Kong population density is 2,000 per acre. How do they handle their trash? Someone should check it out. A lot of cities are considering using a trash to cash system where they burn trash to make energy and electricity. Also, there is equipment that separates recycling from trash automatically.

Barbara Brock, 2347 Wilvan Lane – The garbage companies have used a pickup truck to collect trash on her gravel lane. The ultimate pay as you go program is the sticker system and she has used that system since it was made available. There is no way anybody on her lane could use the automated containers, and it is not feasible for much of the borough. She would like to see incentives for people to separate and recycle. If there is some way to modify the system we have now to encourage more recycling that would be the way to go.

Tom Kendig, 2380 Oakview Drive – He thanked Council for listening. He stated that approximately 85-90% of the people are against the proposed system, and he asked Council to consider that.

Joan Sarver, 2364 Kuhlview Drive – She has lived in the borough for 50 years. During those years we have had good government, a wonderful police department and a super fire department. Her children live in Forward Township and residents leave their carts at the street all week. She does not believe this system would work on her street. She has a long driveway and there are other sick and elderly neighbors. She thanked Council for the job they do and asked them to reconsider if they are seriously thinking about doing this.

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Tammy Whiteside, 2390 Charles Wray Drive – She commented on the source of statistical information provided in the handouts this evening. Why would we consider taking taxpayers dollars from across the nation from a country that is almost going bankrupt? The deficit is not shrinking and this is something Council should consider. She stated that there is an overwhelming number of people who don't want it. Residents have not been presented with complete facts and figures. If Council's job is to represent the residents, they should go back to the drawing board.

Betty Gail Dietz, 2443 Rochester Road – She is not sure how they will get their containers up and down their long driveway. They compost everything they can. Our society today is a throw away society. Leaf bags are available to compost leaves, and the mulch is brought back to the borough for residents to use in their gardens. Grass does not need to be thrown away.

Charles Windisch – He thanked Council and asked that they listen to the people this evening. He noted that the City of Pittsburgh is not doing this and this system doesn't work.

Bob Lang – He asked that pictures be posted on the website showing the automated trucks picking up plastic bags. If recycling is such a big deal why doesn't the borough consider a recycling co-op? Residents could drop off items and they would be weighed. At the end of the month the materials could be sold to make money that could be given back to those who are involved in the recycling effort.

MR. HRISHENKO – Mr. Hrishenko noted that he makes sure he is prepared and he puts in a lot of time for the borough. Mr. Hrishenko is against the proposed service and he discussed several issues including: large trucks, small trucks, environmental issues, wear and tear to roads, loss of business & income by small haulers, increased costs, issues with containers, issues with collection on private lanes, issues with large items/extra items and costs for seniors. Once we get into this automated system and accept the grant from the state there is no turning back. He noted that he and Mr. Marwah are against the system. He suggested that residents talk to the other Councilmembers and let them know where they stand. Make sure they vote the way the residents want them to vote.

MR QUATCHAK – Mr. Quatchak thanked everyone for taking the time to come out. He came to the meeting trying to find out what people wanted, and his mind was not made up before he came this evening. It was misinterpreted that Council did not know what they were talking about. Until the borough would actually write the specifications, we cannot provide the details including dollar figures. The information provided tonight was based on what surrounding municipalities have done. It is speculation based on people's best guesses. We do not have the information available to us at this time. The grant money is available and the main goal was to find out if there is public interest in an automated system. It is clear from tonight that there is not an interest. Mr. Quatchak and Mr. Hrishenko represent the western half of the borough, which is Ward 1. This ward includes larger lots, more seniors and more private drives and long driveways. Mr. Quatchak heard the residents this evening and he thanked them for their time.

MRS. HOPEY – Mrs. Hopey stated that she had received telephone calls and listened this evening. Council will listen to the residents and do what the people want. She noted that some information had been distributed that was inaccurate. We do not know what the costs will be until we would put specifications out for bid. She appreciates the residents coming out and voicing their opinions. Mrs. Hopey likes the automated system but that does not mean she will vote that way.

MR. HARTMAN – Mr. Hartman noted that he never was in favor of automation, and he would not vote for it.

MR. MARWAH – Mr. Marwah is against the automated system and he will be against it until the price comes down. He noted that some speakers this evening provided some suggestions and questions. One suggestion was to burn the trash. Mr. Marwah noted that it would take a lot of trash, and it is extremely risky. The question was asked if the residents could vote on this matter in November. Mr. Marwah noted that under the borough laws set by the state, Councilmembers must make the decision as your representatives. Mr. Marwah noted that there is a draft proposal at the DEP on mandating yard waste recycling, but it could take 5-10 years or may not ever happen.

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**MAYOR O'KEEFE** – Mayor O'Keefe thanked everyone for staying this evening. He noted that the borough officials did not come here to sell you this program; we came to inform you. Until the bidding process would go forward, numbers are not factual. It is also likely that the cost of our current system could increase in the future. Council could have just taken a vote and it would have been mandated. However, we did not want to do that because we wanted to hear from the residents first. We want to do what is right for the residents of Franklin Park.

**MRS. SABLE** – Mrs. Sable thanked everybody for coming out tonight to let us know what you are thinking. Since we have been elected to represent the interests of the citizens of Franklin Park, we called the meeting as a way of gauging public sentiment with respect to automated collection. We heard your sentiment loud and clear. It is not that we were unprepared. We wanted to hear your opinions, your questions and your thoughts on the issue and that is why we called the meeting. Council had not previously made a decision. We really appreciate that you shared your thoughts with us tonight.

**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 11:13 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present – 230 (approximate)

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, MAY 19, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, May 19, 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..... present  
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

**ACKNOWLEDGE RECIPIENTS OF THE 2010 FRANKLIN PARK COMMUNITY SCHOLARSHIP –**

Mrs. Sable stated that money for the scholarships is raised by the borough newsletter, by participation in the Scholarship Golf Outing and through private donations. No funds come from tax dollars. Scholarships were first awarded in 2004, and since that time, the borough has provided \$52,000 in scholarship funds to 53 of Franklin Park's finest high school seniors. The Scholarship Selection Committee reviewed over 30 applications and they were all outstanding. The students that were chosen have all demonstrated a high level of academic performance, exemplary involvement in their school community and had provided countless hours performing volunteer work to benefit others. Mrs. Sable announced the names of the ten 2010 scholarship recipients, and Mayor O'Keefe presented each with a payment voucher to be completed by the college or university of his/her choice:

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1. **Christy Cotter** of Birchwood Court – not present
2. **Jacob DiBattista** of Dogwood Drive – not present
3. **Merel Duursma** of Alydar Drive – attending the University of Pittsburgh to study nursing
4. **Rachel Minto** of Oakridge Lane – attending Youngstown State University to study music education
5. **Maria Munsch** of Country Club Drive – attending the University of Pittsburgh Honors College studying physics and hoping to go pre-med
6. **Katherine Owsiany** of King Charles Drive – attending Cornell University with a major in biological sciences, concentration in neuroscience
  
7. **Jay Sehgal** of Settlers Drive – not present
8. **Chelsie Stair** of McDevitt Road (Mel Lubert Memorial Scholarship recipient) – no present
9. **Carrie Vereide** of Bellwood Drive – not present
10. **Connie Yuan** of Norman Drive – attending the University of Pennsylvania studying business management with a double major in mathematics.

Mrs. Sable noted that Ambrose Rocca, Borough Manager, has been instrumental in raising monies for the scholarship fund, and he deserves all of the credit for making sure that the borough is able to continue this wonderful program. She encouraged everybody to attend this year's Scholarship Golf Outing, which Mr. Rocca is organizing on July 26th at Shannopin Country Club.

**APPROVAL OF THE MINUTES** – Mrs. Hopey moved the minutes of the April 21, 2010 pre/post meeting, the April 21, 2010 regular meeting and the May 5, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the April 2010 Treasurer's Financial Report. April 2010 revenues totaled \$875,050.39 and April 2010 expenditures totaled \$419,127.07. Year-to-date revenues totaled \$2,014,994.79 and year-to-date expenditures totaled \$1,547,361.37. Mrs. Hopey moved the April Treasurer's Financial Report be accepted as read, seconded by Mr. Quatchak and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of April 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for April 2010. Mr. Phillips issued 22 permits and collected \$15,026.00 in fees. Total value of construction was \$1,870,908.00.

**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on May 5, 2010 to discuss Franklin Nursery litigation and an executive session was held prior to this meeting with Special Counsel to discuss the legality of certain borough expenditures.

**COMMENTS FROM THE FLOOR**

**Donna McNamara, 116 Rydal Lane** – Ms. McNamara is the current president of the North Hills Anti-Racism Coalition. She thanked Mr. Marwah for coordinating the Black History Celebration at the Blueberry Hill Activity Center for the last three years. This year's event was wonderful, and she wanted Council to know how much they appreciated it. She also thanked Jim Watenpool for his assistance that evening.

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Lee-Hannah Allen, 1898 Pioneer Drive – Ms. Allen thanked everyone for the Armed Forces Celebration. She also appreciated Council listening to the comments at the automated garbage meeting, and she believes Council is working for the best of Franklin Park. Ms. Allen noted that they are having issues with the developer finishing the Settlers Walk Plan. She provided pictures of several deficiencies in the plan, noting that the developer has indicated that he is almost done. She urged Council not to release the developer's bond until spring to make sure the plantings have taken. Mr. Rocca noted that he and the borough engineer have been working with the developer to make sure that all items are completed. The developer is in the process of doing the work, but it is not by any means complete. A final inspection will be performed to make sure that all work is done in accordance with the plans and specifications originally submitted.

Anup Kaneri, 1899 Pioneer Drive – Mr. Kaneri discussed the stormwater detention pond behind Phases 4 & 5 in the Settlers Walk Plan. He mentioned that Section 178 (4) (D) of the Codified Ordinances specifically mentions that there should be trees and shrubs planted in the area. He is concerned that the Homeowners' Association may have to bear all the costs to repair it. He asked the borough to consider this and take it to the developer. Mr. Phillips noted that Chapter 178 was adopted well after Phase 5 was approved so the borough cannot use those requirements. Mr. Rocca noted that the borough can go back and look at the approved plans to make sure it is constructed in accordance with those approved plans. Mr. Nedzesky will look at this issue and report back to Council.

**APPROVAL OF THE BILLS** – Mr. Hrishenko 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.

**REAL ESTATE TAX EXONERATION** – Mr. Quatchak moved the Real Estate Tax Collector be exonerated from collecting Borough real estate taxes in the amount of \$198.87 from the Borough of Franklin Park and \$279.18 from the Franklin Park Volunteer Fire Company No. 1, and that the Borough and the Fire Company be exempted from paying these Borough real estate taxes, seconded by Mr. Hrishenko and carried unanimously.

**RESOLUTION NO. 984-2010 APPOINTING AN AGENT FOR THE PURPOSE OF OBTAINING FINANCIAL ASSISTANCE FOR THE FEBRUARY 2010 SNOWSTORMS** – Mr. Junker summarized Resolution No. 984-2010. Mr. Marwah moved Resolution No. 984-2010 designating Carolyn A. Strunk, Treasurer, as the agent to execute all required forms and documents for the purpose of obtaining financial assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act for the February 2010 Snowstorms (FEMA-1898-DR-PA), be adopted, seconded by Mrs. Hopey. Mr. Quatchak voted "No". The motion carried.

**CLEANING CONTRACT EXTENSION** – Mr. Quatchak moved to extend the current Agreement between the Borough and Northern Home Service Company for cleaning services for the municipal building and the Blueberry Hill Park Activity Center for the final one-year period from July 1, 2010 through June 30, 2011, at the rates specified in the original bid and Agreement, seconded by Mr. Hartman and carried unanimously.

**MILLING CONTRACT EXTENSION** – Mr. Hrishenko moved to extend the current contract with Donegal Construction of Greensburg, PA for the period from May 1, 2010 to September 30, 2010 for milling and disposal of bituminous pavement materials, maintaining the cost of \$2.03 per sq. yd. and \$1,200 per mobilization, as submitted to the North Hills COG for its bid opening on May 14, 2009, seconded by Mr. Quatchak and carried unanimously.

**APPOINT BILL KIPP TO THE PLANNING COMMISSION** – Mr. Hartman moved Bill Kipp be appointed to the Planning Commission to fill the unexpired term of David Quatchak, which term will expire December 31, 2011, seconded by Mr. Marwah and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca announced that the Scholarship Golf Outing would be held on Monday, July 26<sup>th</sup>.

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**MAYOR O'KEEFE** – Mayor O'Keefe stated that the Armed Forces Salute was very well done and Debby Rabold put so much work into it by organizing the entire event. Mayor O'Keefe read a letter from Thomas J. McEiree, Executive Director of the Emergency Medical Service Institute thanking the borough for allowing the Institute to use Blueberry Hill Park for their medical surge hospital full-scale exercise on April 23-25, 2010. Mayor O'Keefe noted that he attended the exercise and it was a very impressive display. We are also very fortunate to have Dr. Thomas Stein as our Emergency Management Coordinator since he is very knowledgeable. Mayor O'Keefe also noted that he would officiate at his first wedding ceremony this Saturday.

**MR. HRISHENKO** – Mr. Hrishenko thanked Debby Rabold for a great job organizing the Armed Forces Salute. He also noted that Brennan McGovern, Junior Councilperson, was a featured Junior Councilperson in the recent Borough News Magazine.

**MR. QUATCHAK** – Mr. Quatchak noted that the Armed Forces Salute did Franklin Park proud, and he acknowledged all of the work Debby Rabold put into the event.

**MRS. HOPEY** – Mrs. Hopey congratulated Bill Kipp on his appointment to the Planning Commission.

**MR. MARWAH** – Mr. Marwah noted that the Armed Forces Salute was a wonderful event. Mr. Marwah reviewed the Local Services Tax Report as of the end of April. Mr. Marwah stated that a meeting was held on Monday at the fire hall regarding the automated trash collection system. Overwhelmingly, people did not want the automated system, and he thinks that is the way we are going to go.

**MR. HARTMAN** – Mr. Hartman noted that Debby Rabold has done some great things for the historical committee. Mr. Hartman also noted that Mr. Rocca did a fantastic job at the refuse meeting Monday night. Mr. Rocca did what Borough Council asked him to do, which was to look into if the automated system would save the residents any money.

**MR. MCGOVERN** – Mr. McGovern congratulated and thanked Debby Rabold for all of the work she did on the Armed Forces Salute. He heard many positive comments, including comments from the teachers at the high school. Mr. McGovern congratulated Mr. Kipp on his appointment. He thanked Mr. Hrishenko for his kind comments and for encouraging him to submit information to the Borough News Magazine.

**MRS. SABLE** – Mrs. Sable thanked Debby Rabold for a fantastic Armed Forces Salute. Mrs. Sable thanked the members of the community that attended the meeting Monday night regarding automated trash collection. She then cleared up some misconceptions of what the meeting was about. The meeting was to inform the public about automated collection. It was not to put forth the stance that we wanted automated collection. It was to let everyone know that we had this opportunity to accept a grant and go to that system. Council was not comfortable outright rejecting the grant without informing the public. The meeting was the ultimate example of transparency. We called a special public hearing just to discuss that issue. We provided information regarding automated trash collection to allow the public to decide how they felt about it, and it was clear how the public felt. Council was putting the issue in the residents' hands. Council appreciated hearing from so many residents. Mrs. Sable thinks that the outcome will be that there will not be automated trash collection at this time.

Mrs. Sable also updated the audience on some things that Council has been doing. Council has subcommittees, which include Budget/Finance, Land Use, Recreation/Golf Course and Personnel among others. In the past, these committees were not always active. We have decided to start using these committees to look over the way certain things are done at the borough. The Budget/Finance Committee has had several meetings since the beginning of March. The first thing they looked into was how to make the Treasurer's Financial Report easier to understand, more user friendly and have it reflect what they felt needed to be reflected in it while also continuing to comply with what the law requires it must contain. The Treasurer's Financial Report has been revamped with assistance from the Treasurer, Carolyn Strunk, and the Borough Manager. The Recreation/Golf Course Committee has been meeting regularly to address issues in that area. The Land Use Committee just started meeting to look over issues related to our

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proposed ordinances and to discuss how to move them through the system a little bit faster. Council does a lot of work behind the scenes for the residents, and she thanked Council for putting in that extra effort. Mrs. Sable noted that all of the meetings are advertised and the public is welcome to attend.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman noted that as a life-long resident and a veteran, he enjoyed the Armed Forces Salute. He noted that Debby Rabold did a fantastic job.
- Public Works is gearing up to pave some roads. The milling contract and asphalt have been approved, so they are starting to prep some of the roads.

**CHIEF OF POLICE**

- Chief Dorsch noted that the officers very much appreciate the new portables that were approved in the budget, and he thanked Council.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Morris noted that they are preparing for the Festival in the Park on Saturday, June 26<sup>th</sup>. They are also working on the mailer for that event.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool noted that the Parks Department is working on grass cutting and general field maintenance.
- He noted that the students who attended the Black History Month Celebration were phenomenal. They stayed after the conclusion of the program and asked what they could do to help clean up.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer was absent. Mr. Rocca reported that the golf course is in very good shape, but revenues are down due to the rain.

**COMMENTS FROM THE FLOOR**

Betty Gail Dietz, 2443 Rochester Road – Mrs. Dietz thanked the borough for having the meeting Monday night regarding the automated refuse. Mrs. Dietz also discussed a comment made by Mr. Marwah at the last meeting regarding Martha Creese's knowledge of what was going on with Mr. Quatchak and the Planning Commission. Mr. Marwah responded that Mrs. Creese received copies of emails. He also noted that these were unauthorized meetings.

Mrs. Sable suggested that these issues should not be discussed now, and she noted that some of these issues would be discussed later this evening in executive session. She explained that there were meetings held that included Mr. Quatchak when he was the Chairman of the Planning Commission and also when he was on Council. The meetings were held at Mr. Quatchak's private work office on the South Side with the solicitor, engineer, zoning officer, and in some cases, our parks and recreation director. The purpose of the meetings was to look at the proposed ordinances that had been presented to the Planning Commission and make revisions to those ordinances. Unfortunately, neither this Council, nor the prior Council, knew that these meetings were occurring. When Council found out about the meetings in February, they asked for an immediate halt to the meetings. Council is now looking into the matter. Approval should have been obtained from all of Council, and no approval was given. One email was provided to Council by Mr. Quatchak on which Martha Creese, the prior Council President had been copied. The email did not indicate that there was a meeting of only a limited number of people. The email seemed to suggest that there were meetings of the entire Planning Commission occurring. Mrs. Creese was not made aware in an email of the meetings specifically being held with only these four individuals.

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Council has hired special counsel to look into the matter and call out the issues he has seen. The special counsel has provided an opinion which was reviewed earlier this evening in executive session. Mrs. Sable could not discuss the contents of the opinion because there are personnel and potential litigation issues that are in that document. Mrs. Sable stated that Council is taking this issue very seriously, and they want to make sure that nothing like this happens again in the future. Procedures will be put in place to prevent an issue like this from coming up again. Council wants to make sure that the borough is not unduly harmed by this. Money was paid out to the professional consultants with respect to these meetings. Council must now go through the work product that was produced to see if it is commensurate with the fees that have been charged. Council is looking into all aspects of the matter, and when more of the issues are able to be discussed in public, Council will do so.

Martha Creese, 2570 Aldon Drive – Mrs. Creese noted that that Mr. Marwah had misspoken, and Mrs. Sable had provided clarification. She stated that she did receive an email stating that there was a meeting, but in no way did it say that there was a select group of people attending. She assumed the whole Planning Commission was attending.

Mary Ann Stearns, 2505 Matterhorn Drive – Mrs. Stearns attended the automated trash collection meeting on Monday, and she thanked the borough for having the meeting to hear the residents' comments. She stated that Mr. Rocca is concerned about senior citizens and he always looks into things and does a good job. She is also glad that her family moved to Franklin Park, because so many residents have made her family feel welcome.

Bob Lang, 2379 Wharrey Drive – Mr. Lang thanked Council for holding the meeting Monday night. He thanked Ron Merriman and his crew for the job they do taking care of this community. He thanked Council and the Mayor for the job they do. This is a great place to live.

Bill Kipp, 1505 Brimfield – Mr. Kipp thanked Council for the vote of confidence. He also thanked Debby Rabold for her work on the Armed Forces Salute and for asking him to be a part of it.

**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 9:05 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 47

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, JUNE 16, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, June 16, 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 ..... present  
Amy E. Sable, President ..... present  
Junior Councilperson Brennan McGovern ..... absent  
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 ..... absent  
Cathy Krummert, Borough Secretary ..... present  
Ronald Merriman, Superintendent of Public Works ..... present  
Brianna Morris, Assistant Parks & Recreation Director ..... present  
Tim Phillips, Building Inspector/Zoning Officer ..... present  
Ambrose Rocca, Borough Manager ..... absent  
Bill Schweitzer, Golf Course Superintendent ..... present  
Sam Snyder, Police Sergeant ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**APPROVAL OF THE MINUTES** – Mr. Quatchak moved the minutes of the May 17, 2010 special meeting, the May 19, 2010 pre/post meeting, the May 19, 2010 regular meeting, and the June 2, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

**TREASURER'S FINANCIAL REPORT** – Mayor O'Keefe read the May 2010 Treasurer's Financial Report. May 2010 revenues totaled \$867,409.36 and May 2010 expenditures totaled \$366,856.81. Year-to-date revenues totaled \$2,882,404.15 and year-to-date expenditures totaled \$1,914,218.18. Mr. Hartman moved the May Treasurer's Financial Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of May 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for May 2010. Mr. Phillips issued 24 permits and collected \$39,602.00 in fees. Total value of construction was \$5,732,514.00.

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**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held at the May 19, 2010 Post Meeting to discuss the legality of certain borough expenditures and to discuss Franklin Nursery litigation. An executive session was held on June 2, 2010 to discuss the Schomaker/T-Mobile litigation, potential litigation regarding cell towers, a personnel matter and recovery of borough funds. An executive session was held on June 16, 2010 to discuss a Teamsters grievance and the Franklin Nursery litigation. After this meeting this evening an additional executive session will be held with respect to the P6 Investment Self Storage case as well as the Franklin Nursery litigation.

**COMMENTS FROM THE FLOOR**

**Susan Duffy, 1624 Carriage Lane** – Ms. Duffy stated that there are ongoing violations by Franklin Nursery and she discussed the Consent Order and the Commonwealth Court Order. She stated that this matter was very costly to the residents of Carriage Lane and the taxpayers, and she asked how Council could prevent this from ever happening again. Council responded that they could not speak for previous Councils, but this Council is trying to rectify the situation and make sure that the Judge's Order is being complied with. In the future Council hopes that we would not have a situation like this one, and this Council will work very hard to avoid situations of that nature. It was noted that as of an inspection last week, the nursery has come into compliance for the removal of the tub grinder and respecting the 30 foot buffer.

**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. Marwah and carried unanimously.

**PUBLIC HEARING, CONDITIONAL USE APPLICATION CU-10-05-01, DAVID E. WOLFORD** - Mrs. Sable turned the meeting over to Mr. Junker to conduct a public hearing to consider Conditional Use Application CU-10-05-01 submitted by David E. Wolford. Mary Ellen Wolf, court reporter, was present to take a verbatim transcript of the hearing. Mr. Wolford explained that he would like to erect a 32'x40' structure to use as a storage building for personal use. Mr. Phillips noted that his staff report sets forth all conditions. No public comment was heard. The hearing was closed. Mrs. Hopey moved approval be granted for Conditional Use Application CU-10-05-01 submitted by David E. Wolford for the construction of a 1,280 sq. ft. detached garage on the property located at 2395 Rochester Road in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated May 27, 2010 seconded by Mr. Hrishenko and carried unanimously.

**PURCHASE OF NEW HYDROSEEDER** –Mr. Hrishenko moved to ratify the purchase of one (1) new Turbo Turf 500 EH Hydroseeder from Turbo Technologies Inc. of Beaver Falls, PA at a cost of \$5,505.25, seconded by Mr. Hartman. Mrs. Sable then called for a roll call vote.

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

The vote resulted in a 3-3 tie. Mr. Junker then explained that in the event of a tie the Borough Code directs that the Mayor cast the deciding vote. The Mayor may either cast the deciding vote tonight or he could request that the motion be tabled until a special meeting of Council could be held within no less than 5 days or more than 10 days at which time the matter shall be reconsidered by Council. If a tie or split vote still exists, it shall be the duty of the Mayor at that time to cast the deciding vote. Mayor O'Keefe then stated that he would like to table the motion and reconvene at a later date. Mrs. Hopey stated that she voted no because a hydroseeder has never been listed in the budget over the past 5 years, and she does not like hydroseeders since seed and hay do a much better job.

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Mrs. Hopey moved to table the motion to ratify the purchase of one (1) new Turbo Turf 500 EH Hydroseeder from Turbo Technologies Inc. of Beaver Falls, PA at a cost of \$5,505.25, seconded by Mr. Quatchak. Mrs. Sable then called for a roll call vote.

Mr. Hartman – No  
Mrs. Hopey – Aye  
Mr. Hrishenko – No  
Mr. Marwah – No  
Mr. Quatchak – Aye  
Mrs. Sable – Aye

The vote resulted in a 3-3 tie and the Mayor was asked to cast the deciding vote on the motion to table. The Mayor then voted "Yes" on the motion to table. The motion to table carried unanimously.

**RUSTIC RIDGE PLAN OF LOTS, MAINTENANCE BOND RELEASE AND CANCELATION** – Mrs. Hopey moved Allegheny Surety Company Maintenance Bond No. 624-8575MTN in the amount of \$34,677.27 for the Rustic Ridge Plan of Lots be released and canceled, in accordance with the Public Works Superintendent's recommendation dated May 25, 2010, seconded by Mr. Hartman and carried unanimously.

**PURDY NURSERY LAND DEVELOPMENT, LETTER OF CREDIT REDUCTION AND CANCELATION** – Mr. Marwah moved Bank of America Letter of Credit No. S201343 in the amended amount of \$19,503.27 for Purdy Nursery Land Development, be reduced by \$19,503.27 to \$0.00 and canceled, in accordance with the Borough Engineer's recommendation letter dated May 12, 2010, seconded by Mrs. Hopey and carried unanimously.

**APPOINT KEVIN LINGENFELSER TO THE RECREATION BOARD** – Mr. Hrishenko moved Kevin Lingenfelser be appointed to the Recreation Board to fill the unexpired term of Bob Zick, which term will expire December 31, 2014, seconded by Mrs. Hopey and carried unanimously.

**APPOINT BETTY GAIL DIETZ TO THE RECREATION BOARD** – Mr. Hartman moved Betty Gail Dietz be appointed to the Recreation Board for a five-year term, which term will expire December 31, 2014, seconded by Mr. Quatchak and carried unanimously.

**ACCEPT THE RESIGNATION OF BILL KIPP FROM THE EAC** – Mr. Quatchak moved to accept the resignation of Bill Kipp from the Environmental Advisory Council, effective May 20, 2010, seconded by Mr. Hartman and carried unanimously.

**AGREEMENT FOR THE BLUEBERRY HILL PARK COURT LIGHTING PROJECT** – Mr. Marwah moved to approve the Agreement with Herbert, Rowland & Grubic, Inc. for the Blueberry Hill Park Court Lighting Project at a not-to-exceed fee of \$2,600, seconded by Mr. Hrishenko and carried unanimously.

**ROCK SALT, CONTRACT OPTION YEAR FOR 2010-2011** – Mrs. Hopey moved to approve the Option Year I – Articles of Agreement between the Borough and Morton Salt of Chicago, Illinois, exercising an additional contract option year for the 2010-2011 season beginning September 1, 2010 and ending August 31, 2011, at a cost of \$59.10 per ton delivered, in accordance with the North Hills COG bid for rock salt opened May 12, 2009, seconded by Mr. Hartman and carried unanimously.

**REJECT \$500,000 DEP GRANT FOR PAY-AS-YOU-THROW GARBAGE COLLECTION SYSTEM** – Mr. Hrishenko moved to reject the \$500,000 grant provided to Franklin Park by the PA Department of Environmental Protection to implement a pay-as-you-throw garbage collection system and simultaneously request the PA DEP to authorize a portion of said grant to be used to purchase a cardboard compactor, seconded by Mr. Quatchak and carried unanimously.

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**HIRE ATTORNEY MICHAEL F. SANTICOLA AS SPECIAL COUNSEL TO PERFORM ADDITIONAL WORK RELATED TO SUBDIVISION AND ZONING ORDINANCE UPDATE** – Mr. Marwah moved to hire Attorney Michael F. Santicola of Sainovich, Santicola & Steele as special counsel to perform additional work related to the Subdivision and Zoning Ordinance update, seconded by Mr. Hartman. Mr. Marwah stated that he would like to include the Consent Order in this process. Mrs. Sable stated that it should not be put into the motion this evening, because Council needs to discuss the matter further in more detail in executive session. Mr. Marwah then repeated the motion as previously stated, seconded by Mr. Hartman. Council voted on the motion and Mrs. Hopey voted "No". The motion carried.

Mr. Quatchak announced that he would be abstaining from voting on the next 3 motions related to Saints John and Paul Church because he is a member of the church. He filed a memorandum with the Borough Secretary.

**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 \$441,898.66 for the Saints John and Paul Parish new church construction, be reduced by \$304,067.44 leaving a balance of \$137,831.22, in accordance with the Borough Engineer's recommendation letter dated June 9, 2010, seconded by Mrs. Hopey and carried. Mr. Quatchak abstained from voting.

**SAINTS JOHN AND PAUL PARISH, CONNECTOR ROAD, LETTER OF CREDIT REDUCTION** – Mr. Marwah moved Parkvale Bank Letter of Credit No. 2008003 in the amended amount of \$8,400.15 for the Saints John and Paul Parish connector road, be reduced by \$3,314.58 leaving a balance of \$5,085.57, in accordance with the Borough Engineer's recommendation letter dated June 9, 2010, seconded by Mr. Hrishenko and carried. Mr. Quatchak abstained from voting.

**SAINTS JOHN AND PAUL PARISH, SIPPEL PARKING LOT, LETTER OF CREDIT REDUCTION** – Mrs. Hopey moved Parkvale Bank Letter of Credit No. 2008002 in the amended amount of \$13,433.15 for the Saints John and Paul Parish Sippel parking lot, be reduced by \$0.00 leaving a balance of \$13,433.15, in accordance with the Borough Engineer's recommendation letter dated June 9, 2010, seconded by Mr. Hartman and carried. Mr. Quatchak abstained from voting.

**AGREEMENT FOR MILLING 2009** – Mr. Quatchak moved to ratify the Agreement and execute a written agreement with Donegal Construction of Greensburg, PA for the period from May 1, 2009 to September 30, 2009 for milling and disposal of bituminous pavement materials, at a cost of \$2.03 per sq. yd. and \$1,200 per mobilization, as submitted to the North Hills COG for its bid opening on May 14, 2009, seconded by Mr. Marwah and carried unanimously.

**AGREEMENT RENEWAL FOR MILLING 2010** – Mr. Hrishenko moved to reauthorize the Agreement Renewal with Donegal Construction of Greensburg, PA for the period from May 1, 2010 to September 30, 2010 for milling and disposal of bituminous pavement materials, maintaining the cost of \$2.03 per sq. yd. and \$1,200 per mobilization, as submitted to the North Hills COG for its bid opening on May 14, 2009, seconded by Mr. Hartman and carried unanimously.

**SOLICITOR** – Mr. Junker commented that whenever there are political disputes or disputes in general the solicitor's office is fair target. They can take the heat and criticism as long as it is consistent. He noted that Ira Weiss has been criticized for driving the Franklin Nursery litigation to fill his own pockets and yet he has also been criticized for trying to settle the case.

**MAYOR O'KEEFE** – Mayor O'Keefe noted that Chief Dorsch is not here this evening because he is attending a Law Enforcement Communications During Risk and Crisis Management seminar at Nemacolin, and he reviewed the details of the seminar. The Mayor thanked Sergeant Sam Snyder for sitting in for the Chief this evening.

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**MR. MARWAH** – Mr. Marwah responded to Mr. Junker's comments regarding Ira Weiss. He discussed the Consent Order noting that it was signed in executive session and the neighbors were excluded. It is an unfair thing that happened to residents of Marble Lane and Carriage Lane and it was not handled right. Mr. Marwah also discussed letters he has seen relating to the issue of unauthorized meetings by Mr. Quatchak that if such an action was taken in executive session then it can be appealed by any resident to our auditor and that will have to be pursued. Mr. Marwah noted that the Treasurer's Report shows that we have about \$1.5 million in unrestricted accounts and \$500,000 in restricted accounts. The Earned Income Tax (EIT) office staff collects about \$6.4 million and one-half of that amount goes to the school district. The school district also pays one-half of their salaries. These same staff members collect the Local Service Tax (LST). He noted that at the end of next year the EIT collection will go to a different body and we will no longer collect EIT here. He suggested that Council consider repealing the LST because it costs too much to collect the tax and it would be a net loss. Council will discuss this matter further in October, and he encouraged everybody to participate and express their views on how the LST should be handled in the future.

**MR. HARTMAN** – Mr. Hartman stated that you have to work before you pay the LST. It was clarified that only those who work in the borough pay the LST. Mr. Hartman also stated that Ira Weiss is the right man for the job.

**MRS. SABLE** – Mrs. Sable reminded everybody that the Festival in the Park would be held on Saturday, June 26<sup>th</sup> starting at 2:30 p.m. Mrs. Sable discussed the LST explaining that it is a tax that is paid by individuals who work in the borough. The tax is \$52 per year and the purpose is to support our police and roadway infrastructure. We are expected to collect approximately \$80,000 from this tax this year. This first year there was a lot of work that went into putting the processes in place for the collection of the LST. Now that this work is done, it is anticipated that the work to collect the tax in future years will be minimal and would only require a part-time employee. It has not yet been determined how many hours that employee would have to work. The statement that it would be a net loss is inaccurate. It was also noted that there was an RFP put out for the future collection of the EIT and one of the items in the RFP was to look into whether or not the entity that collects the EIT would also be willing to collect the LST and what that would cost each municipality. Mr. Marwah then corrected his statement to say that it would be a net loss to the employers and the borough because they are both expending some effort. Mrs. Sable noted that she and Mr. Marwah differ in their opinions.

**SUPERINTENDENT OF PUBLIC WORKS**

- No report.

**SERGEANT SNYDER**

- No report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Morris reported that this is the first week for the Playground Program, the Jr. Golf Program and the Ultimate Sports Program.
- The Festival in the Park will be held on Saturday, June 26<sup>th</sup> starting at 2:30 p.m. and concluding with fireworks at 9:30 p.m.
- The Seniors' Luncheon will be held tomorrow.

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**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool reported that they have been spending a lot of time mowing grass.
- They have installed another cricket pitch area for the youth to learn how to play cricket.
- They have installed sleeves in the ground near the pavilion so we can have a volleyball court in the area. The sleeves will allow us to remove the poles for other activities.
- They are working on information for the fall newsletter.
- Mr. Watenpool mentioned that during a very warm evening on June 5<sup>th</sup> there was a double graduation party at the Activity Center and the air conditioning quit working. The Activity Center Supervisor called Mr. Watenpool and he directed her to call the regular service company. Unfortunately that company was extremely busy and indicated that they could not come until the next day. Mr. Watenpool then instructed the supervisor to contact Hopey Heating and Air Conditioning to see if there was anything they could do to fix the air conditioning that evening. Hopey Heating and Air Conditioning was available and came out right away. They replaced the control board and had it working that evening. Hopey Heating and Air Conditioning is only going to charge the borough for the cost of the control board. Mr. Watenpool noted that he really appreciated their help, and we were able to help our residents have a successful graduation party. Mrs. Hopey noted that the reason this was brought up is because of the circumstances under which her husband's company has been criticized in the past. They are volunteering their services, and she does not want any repercussions for their company. They try to stay away from borough facilities because of previous repercussions.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer was absent.

**COMMENTS FROM THE FLOOR** - None

Mrs. Sable asked for a motion to recess to discuss the scheduling of the special meeting regarding the hydroseeder vote.

**MOTION TO RECESS** – Mr. Marwah moved to recess the meeting to the conference room, seconded by Mrs. Hopey, and carried unanimously.

Mr. Junker noted that Council would adjourn to the conference room at this time to continue a discussion to schedule the special meeting, and the public is welcome to attend. We want to keep the meeting open in case we need to vote to authorize it.

**RECONVENE AND OPEN DISCUSSION** – Mrs. Sable reconvened the meeting in the conference room. She noted there had been a motion to table the ratification of the purchase of one (1) new Turbo Turf 500 EH Hydroseeder. Council can either schedule a special meeting to discuss and vote on that matter or vote on the matter this evening.

Mr. Marwah moved to take from the table the ratification of the purchase of one (1) new Turbo Turf 500 EH Hydroseeder from Turbo Technologies Inc. of Beaver Falls, PA at a cost of \$5,505.25, seconded by Mr. Hrishenko. The motion was voted upon and carried unanimously.

Mrs. Hopey moved to ratify the purchase of one (1) new Turbo Turf 500 EH Hydroseeder from Turbo Technologies Inc. of Beaver Falls, PA at a cost of \$5,505.25, seconded by Mr. Hartman. Mrs. Sable then called for a roll call vote.

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

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The vote resulted in a 3-3 tie and Mayor O'Keefe then was asked to vote to break the tie. Mayor O'Keefe voted "Yes". The vote was then 4-3 in favor of the ratification of the purchase of the Turbo Turf Hydroseeder. The motion carried.

**MOTION TO ADJOURN** – Mrs. Hopey moved to adjourn the meeting, seconded by Mr. Marwah and carried unanimously. The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present – 22

**BOROUGH OF FRANKLIN PARK  
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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  
Brianna 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.

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**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.

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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.

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**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:

	<b>2010</b>	<b>2011</b>
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.

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**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 19<sup>th</sup> 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

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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 21<sup>st</sup> 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**

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**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  
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WEDNESDAY, JULY 21, 2010**

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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

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, AUGUST 18, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, August 18, 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 ..... present  
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  
Brianna 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. Marwah moved the minutes of the July 21, 2010 pre/post meeting, the July 21, 2010 regular meeting and the August 4, 2010 work session, as corrected, be approved, seconded by Mrs. Hopey and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the July 2010 Treasurer's Financial Report. July 2010 revenues totaled \$646,604.60 and July 2010 expenditures totaled \$474,477.63. Year-to-date revenues totaled \$4,614,111.50 and year-to-date expenditures totaled \$2,793,910.51. Mr. Hartman moved the Treasurer's Financial Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of July 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for July 2010. Mr. Phillips issued 26 permits and collected \$3,994.00 in fees. Total value of construction was \$405,113.00.

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, AUGUST 18, 2010**

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**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on July 21, 2010 to discuss a potential Police Union grievance and on August 4, 2010 to discuss unauthorized meeting expenses and a Teamsters Union grievance.

**COMMENTS FROM THE FLOOR**

**Joseph Mamros, 2525 Hopkins Church Road and John Sipes Jr., 2532 Hopkins Church Road** – Mr. Mamros and Mr. Sipes were present to ask for Council's assistance to extend public water on Hopkins Church Road for safety, health and personal reasons. Many residents only have cisterns and no well water. There are approximately 25 houses on Hopkins Church Road and there are only homes on the first 9/10 mile from Camp Meeting Road. Mrs. Sable thanked them for bringing this issue to Council and noted that Council will look into it. Mr. Rocca commented that the best place to start is to survey neighbors. In order for it to be successful, a majority of the neighbors must be in favor of public water. The front foot assessment is prescribed by law, unless everybody in the project area agrees to use another form for financing the project.

**Edith Bollen, 2391 Wharrey Drive** – Mrs. Bollen attended the July meeting and submitted a petition regarding the condition of vacant properties at the Five Points intersection. She stated that no one has contacted her, and she asked what was being done by the borough. Mr. Phillips commented that the Berrent property (the property with the building on it) is in violation because of the high weeds and the condition that it is in. The owner was sent notices of violation that were ignored. The borough has now filed with the District Magistrate against the property owner. The borough does not have the right to go on the property to do anything. Mr. Phillips noted that there is no dangerous aspect to the building from the outside and it is secure. Mr. Phillips also discussed the vacant property across the street noting that there is no development approval on the lot, and the borough does not have any regulation to make a property owner mow a property that is vacant. Mr. Phillips had contacted the property owner, Mr. Snyder, who agreed to cut the property, although he has not done so as of this date. We cannot force Mr. Snyder to cut the property, but we are trying to work with him. Residents are concerned that the property is a health and safety issue. Mrs. Sable asked Mr. Phillips to keep Mrs. Bollen informed as things progress. The borough hopes to rectify the situation with the Berrent property within the coming weeks. All we can do is request that Mr. Snyder clean up his property, but we cannot force him to do so.

**Mr. Hrishenko** - At this point, Mr. Hrishenko started to read a statement regarding the last meeting. Mrs. Sable then asked if Mr. Hrishenko would like to comment at the specified time for Council comments at the end of the agenda. Mr. Hrishenko indicated that he wanted to make his comments now. Mrs. Sable then enforced the order of the stated agenda this evening. Mr. Junker advised that the call for the orders of the day during a meeting makes the governing body follow the approved agenda. Such a motion does not require a second, is not debatable, and does not require a vote. There is a time specified at the end of the agenda for comments/reports by Council. If Council wants to allow comments by Councilmembers at this time, it would take a majority will to change the rules to allow comments from the floor from Councilmembers. When Mr. Hrishenko was asked if his statement was relevant to one of the motions on the agenda, he stated that it depends on how you take it. He then stated that we can go on and he will do it later.

**APPROVAL OF THE BILLS** – Mrs. Hopy 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.

**FRANKLIN RUN DEVELOPMENT, LETTER OF CREDIT REDUCTION** – Mr. Hrishenko moved Letter of Credit No. SB-003082 in the amended amount of \$283,000.00 issued by S&T Bank for the Franklin Run Development, be reduced by \$136,000.00 leaving a balance of \$147,000.00, in accordance with the Borough Engineer's recommendation letter dated July 28, 2010, seconded by Mr. Marwah and carried unanimously.

**BOROUGH OF FRANKLIN PARK  
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**BRIARWOOD DEVELOPMENT, LETTER OF CREDIT REDUCTION** – Mr. Quatchak moved Letter of Credit No. 11462-9001 in the original amount of \$1,263,672.08 issued by NexTier Bank for the Briarwood Development, be reduced by \$274,372.08 leaving a balance of \$989,300.00, in accordance with the Borough Engineer's recommendation letter dated July 30, 2010, seconded by Mr. Hrishenko and carried unanimously.

**REJECT AND RE-BID STEEL BUILDING ADDITION MATERIAL BIDS** – Mrs. Hopey moved to reject all bids opened on August 16, 2010 to furnish and deliver materials for one (1) steel building addition to the Public Works lower level garage and to authorize advertising for re-bid, seconded by Mr. Hartman and carried unanimously.

**RESOLUTION NO. 985-2010, UPDATED EMERGENCY OPERATIONS PLAN** – Mr. Junker summarized Resolution No. 985-2010. Mrs. Hopey moved Resolution No. 985-2010 approving, adopting and placing into immediate effect the Updated Emergency Operations Plan of Franklin Park Borough dated July 2010, be adopted, seconded by Mr. Marwah and carried unanimously.

Mr. Quatchak stated that as a member of Saints John and Paul Parish he would be abstaining from voting on the next four motions. Mr. Quatchak also filed the required Memorandum with the Secretary.

**SAINTS JOHN AND PAUL CATHOLIC CHURCH, DUMPSTER ENCLOSURE CONSTRUCTION MATERIAL** – Mrs. Hopey moved to approve the request by Saints John and Paul Catholic Church to change the type of construction material for the dumpster enclosure from masonry to treated wood as indicated on Sheet Number SK.67 dated August 17, 2010, contingent upon approval by the Borough Engineer, seconded by Mr. Hartman. Mr. Quatchak abstained from voting. The motion carried.

**SAINTS JOHN AND PAUL CATHOLIC CHURCH, NEW CHURCH CONSTRUCTION, LETTER OF CREDIT REDUCTION** – Mr. Hrishenko moved Parkvale Bank Letter of Credit No. 2008004 in the amended amount of \$137,831.22 for the Saints John and Paul Parish new church construction, be reduced by \$132,831.22 leaving a balance of \$5,000.00, in accordance with the Borough Engineer's recommendation letter dated August 18, 2010, seconded by Mr. Marwah. Mr. Quatchak abstained from voting. The motion carried.

**SAINTS JOHN AND PAUL CATHOLIC CHURCH, CONNECTOR ROAD, LETTER OF CREDIT REDUCTION** – Mr. Marwah moved Parkvale Bank Letter of Credit No. 2008003 in the amended amount of \$5,085.57 for the Saints John and Paul Parish connector road, be reduced by \$5,085.57 to \$0.00 and canceled, in accordance with the Borough Engineer's recommendation letter dated August 13, 2010, seconded by Mrs. Hopey. Mr. Quatchak abstained from voting. The motion carried.

**SAINTS JOHN AND PAUL CATHOLIC CHURCH, SIPPEL PARKING LOT, LETTER OF CREDIT REDUCTION** – Mr. Marwah moved Parkvale Bank Letter of Credit No. 2008002 in the amended amount of \$13,433.15 for the Saints John and Paul Parish Sippel parking lot, be reduced by \$13,433.15 to \$0.00 and canceled, in accordance with the Borough Engineer's recommendation letter dated August 13, 2010, seconded by Mrs. Hopey. Mr. Quatchak abstained from voting. The motion carried.

**INTRODUCE ORDINANCE NO. 581-2010, ACCEPTING & ADOPTING PUBLIC IMPROVEMENTS IN SETTLERS WALK PHASES 4 & 5** – Mr. Junker introduced Ordinance No. 581-2010 accepting and adopting the public improvements in Phases 4 and 5 in the Settlers Walk Plan. This ordinance will be properly advertised for enactment at a future meeting.

**INTRODUCE ORDINANCE NO. 582-2010, ACCEPTING & ADOPTING PUBLIC IMPROVEMENTS IN NICHOLSON WOODS PHASES 1, 2 & 3** – Mr. Junker introduced Ordinance No. 582-2010 accepting and adopting the public improvements in Phases 1, 2 and 3 in the Nicholson Woods Plan. This ordinance will be properly advertised for enactment at a future meeting.

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**AUTHORIZE PURCHASE OF LIGHTING FOR BLUEBERRY HILL PARK BASKETBALL & VOLLEYBALL COURTS**

– Mr. Quatchak moved to authorize the purchase of lighting for the Blueberry Hill Park basketball and volleyball courts from Musco Sports Lighting, LLC of Oskaloosa, Iowa 52577 at a total cost of \$42,000.00 under the Pennsylvania Department of General Services COSTARS Contract No. 008-119, seconded by Mr. Hrishenko and carried unanimously.

**MOTION TO TERMINATE THE SERVICES OF SOLICITOR IRA WEISS** - Mr. Hrishenko moved to terminate services of solicitor Ira Weiss effective August 31, 2010, seconded by Mr. Marwah. Mr. Junker pointed out that this motion can be considered in order; however, he will have to review Robert's Rules of Order regarding motions that were previously made the meeting before and failed. Only someone who voted against the motion, because it did fail, can make the motion to reconsider. However, Mr. Junker is not comfortable now saying that this rule applies to a motion for somebody that serves at the pleasure of Council. Robert's Rules is intended so that the same motion does not come up every month and the borough's business can be conducted in an efficient manner. Mr. Hrishenko then read a statement in support of his motion to terminate the solicitor. Mrs. Hopey and Mr. Hartman commented in opposition of the motion. Mr. Marwah commented in support of the motion.

Mr. Hrishenko restated the motion, seconded by Mr. Marwah. Mrs. Sable noted that because this motion was not on the agenda, the public may have an opportunity to comment. No member of the public chose to comment. A roll call vote was then taken:

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

The motion failed.

**BOROUGH MANAGER** – No report.

**SOLICITOR** – Mr. Junker commented on a recent newspaper article that included misstatements. He noted that the Special Counsel hired by Council found no violations. The solicitor is not considered to be a public official under the Ethics Act, except for filing a Statement of Financial Interest.

**MAYOR O'KEEFE** – Mayor O'Keefe noted that the Baiert Family YMCA operates Camp High Hopes for students with disabilities between the ages of 3 and 21 who live in northern Allegheny County. The Mayor attended the annual picnic on July 28<sup>th</sup> and was presented with an appreciation plaque for outstanding partnership in service to community families. On Sunday, August 15<sup>th</sup> the Mayor attended the Eagle Court of Honor at North Hills Alliance Church honoring Edward Kiesling, 1653 Royal Oak Drive, for obtaining the rank of Eagle Scout. The Mayor noted that Eddie's grandfather was the first Franklin Park Borough police chief, Joseph Hotnich.

**MR. HRISHENKO** – Mr. Hrishenko commented that Schneider Downs, the borough's pension plan investment manager, has not made any money for the pension plans. He also commented that the former manager made money for the pension funds. Mr. Hrishenko commented that when there is a loss the employees and taxpayers will have to pay more to fund the pension plans. A smoothing technique will be used over the next ten years where taxpayer money will be used to make up for the losses. Mr. Rocca responded that prior to the financial crisis that hit the country, both borough pension plans were overfunded at approximately 110% each. Since the financial crises, they have fallen below 100%. The police are now contributing an additional percentage of their pay. The state has classified the borough as a distressed community #1 which is the least distressed status for the pension plans. The state recognizes the state of the economy so they are allowing the borough some relief in terms of how quickly we have to get back to 100%. The previous investment manager was managing the money at a time

**BOROUGH OF FRANKLIN PARK  
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when everybody was making money, and they were not making as much money as the average. Schneider Downs is losing money, but they are losing less money than the market as a whole, and that is why Council has opted to retain their services because they are doing better than average.

**MR. QUATCHAK** – No comment.

**MRS. HOPEY** – Mrs. Hopey reminded everyone that Northland Public Library would be having a fundraiser on Saturday, August 21<sup>st</sup> at Wildwood Highlands.

**MR. MARWAH** – Mr. Marwah attended the Local Government Academy recognition luncheon with Mr. Hrishenko last week. It was a well presented gathering and we should applaud the work done by the LGA.

**MR. HARTMAN** – Mr. Hartman thanked everybody who comes to the meetings.

**MR. MCGOVERN, JUNIOR COUNCILPERSON** – Mr. McGovern commented that the Scholarship Golf Outing was a wonderful event that raised money for a very worthy cause. He also thanked Mr. Rocca for organizing the event. Mr. McGovern commented that it is his belief that all Councilmembers and officials are working for the best interest of the citizens and taxpayers of Franklin Park.

**MRS. SABLE** – Mrs. Sable made several announcements. The borough received a notice from the Allegheny County Health Department indicating that for the first six months of 2010 the number of rabies infected wild animals in Allegheny County has decreased. Allegheny County will begin a land baiting program on August 23<sup>rd</sup> and aerial baiting on August 27<sup>th</sup>. The bait contains the rabies vaccine and they are fish scented to attract raccoons. They ask pet owners to watch pets so they do not eat the bait. The bait will not harm pets, but they are intended to be eaten by raccoons. The Allegheny County Health Department and the PA Resources Council are providing free curbside pickup and disposal of Freon-containing household appliances for a limited time. ALCOSAN will hold an Open House on Saturday, September 18<sup>th</sup>.

Mrs. Sable commented on an article in the Tribune Review last Thursday that discussed the private meetings that were held by Mr. Quatchak, then Planning Commission Chairman, Solicitor, Engineer, Zoning Officer and sometimes the Parks and Recreation Director. The article stated that emails obtained by the Tribune Review indicate that the meetings were brought to the attention of Mr. Rocca and then Council President Martha Creese in December after Mr. Quatchak was elected to Council. Mrs. Sable noted that Council was provided with emails by Mr. Quatchak back in March. There was a December 8<sup>th</sup> email, but it does not mention the weekly meetings or that they were being held in Mr. Quatchak's office. The email did say that a work session of the Planning Commission was being canceled and in lieu of that meeting Mr. Phillips, Mr. Junker, Mr. Nedzesky and Mr. Quatchak would have a staff meeting from 7-9 instead. It did not specify the location. Mrs. Creese and Mr. Rocca were copied on the email. Unless there is another email that Council has not been made privy to, Council knows of no email that indicates that there was knowledge.

Mrs. Sable commented that she takes offense to Mr. Hrishenko's comment that Councilmembers not supporting his motion to terminate the solicitor must be beholden to Ira Weiss and Max Junker. She is offended by that comment because she is not beholden to anyone other than the taxpayers of this borough. She will always act in the taxpayers' best interest, and she does not believe that it is in the taxpayer' best interest to terminate Mr. Junker.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman commented that next month's expenses will increase because they started the road paving program. If everything goes well, three streets in Field Club will be finished tomorrow: King Edward, King Charles and Sandhurst. Mrs. Hopey asked why PennDOT put down tar and chip on Reis Run Road when it was just paved last year. Mr. Merriman noted that PennDOT does not plan to do any paving this year, so they are treating the roads with tar and chip. The theory is that it seals the cracks and prevents damage.

**BOROUGH OF FRANKLIN PARK  
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**CHIEF OF POLICE**

- No report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Morris provided a quick recap of summer programs including Ultimate Eco Adventure Camp, Ultimate Sports Camp and Tuesday evening concerts. This Friday is the last Movie in the Park starting at dusk.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool noted that they have been working to get the lacrosse field ready. They have put in some drainage and they are seeding, fertilizing and mulching the field.
- They are working with the football association to paint some additional areas. The association purchases the paint and borough employees do the work. They have an upcoming health inspection, and they want to have the place in good shape.
- Mayor O'Keefe noted that Ed Keisling had finished the trail at Linbrook for his Eagle Scout project. He was one of nine boys that worked on the 1.3 mile trail around Linbrook Park. He is currently working with some other boys on other projects. Mr. Watenpool appreciates all of the help he receives from the Eagle Scouts; they are a great group of kids to work with. The borough received approval from the Boy Scouts of America to name the trail The Eagle Scout Linbrook Trail and all of the boys' names will be listed on the trailhead sign. Mr. McGovern commented that he is an Eagle Scout and that the Eagle Scouts are a terrific asset to the borough with all of the projects they do in the borough. We are lucky to have such a great group in our area.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Absent – no report.

**COMMENTS FROM THE FLOOR** – None

**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 9:34 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present – 32

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, SEPTEMBER 15, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, September 15, 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 .....present  
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 .....absent  
Bonnie Hoolahan, Assistant Parks & Recreation Director .....present  
Cathy Krummert, Borough Secretary .....present  
Ronald Merriman, Superintendent of Public Works .....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. Marwah moved the minutes of the August 17, 2010 work session, the August 18, 2010 pre/post meeting, the August 18, 2010 regular meeting, and the September 1, 2010 work session, be approved, seconded by Mr. Quatchak. Mrs. Hopey voted "No". The motion carried.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the August 2010 Treasurer's Financial Report. August 2010 revenues totaled \$483,578.17 and August 2010 expenditures totaled \$430,620.99. Year-to-date revenues totaled \$5,097,689.67 and year-to-date expenditures totaled \$3,224,531.50. Mrs. Hopey moved the August Treasurer's Financial Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of August 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for August 2010. Mr. Phillips issued 12 permits and collected \$1,506.00 in fees. Total value of construction was \$173,294.00.

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, SEPTEMBER 15, 2010**

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**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on August 18, 2010 to discuss unauthorized meetings and on September 1, 2010 to discuss personnel matters.

**COMMENTS FROM THE FLOOR**

John Sipes, 2532 Hopkins Church Road and Joe Mamros, 2525 Hopkins Church Road – Mr. Sipes noted that since the last meeting they had met with Mr. Rocca, Mr. Quatchak and the Edgeworth Water Authority regarding public water on Hopkins Church Road. They received an estimate of \$171,150.00 to run the water line 2,950 feet. The residents need help to fund the project, and they are requesting assistance from the borough to find funding for the project. The borough has done some preliminary checking and there is very limited grant assistance that is available. The borough will continue to work with the residents and look into the matter.

Edith Bollen, 2391 Wharrey Drive – Mrs. Bollen thanked Mr. Phillips for providing her with an update regarding the two overgrown properties at the Five Points intersection, but stated that she was not satisfied with the answer. She believes a solution can be found, and she then read a statement. She asked Council to find a solution to benefit the residents and consider passing an ordinance to do so. The residents will not give up on this issue.

Council noted that the borough ordinances address developed properties and not undeveloped properties. There are many undeveloped properties in the borough that are overgrown. If the borough required that these properties all be maintained, it would be a hardship on many people and it would eliminate many of the greenways in the borough. The borough will continue to investigate possible options to find a solution and will continue to keep the residents informed.

Ralph Pennetti, 2389 Wharrey Drive – Mr. Pennetti complimented the borough on a terrific job with the maintenance of the roads and in the parks. The two property owners at Five Points should be made responsible to maintain the property. It should not be maintained at the borough's cost.

It was noted that the one property owner has partially cleaned her property, but the borough informed her that she must do more. The borough has filed a non-traffic citation with the District Magistrate for this property. The second property owner has refused to cut his property.

**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. Marwah and carried unanimously.

**PUBLIC HEARING – FIELDS OF NICHOLSON, PHASE 2, SECOND REVISION, FINAL PRD APPLICATION PRDF-10-06-01**

– Mrs. Sable turned the meeting over to Mr. Junker to conduct a public hearing to consider PRD Application PRDF 10-06-01 submitted by Dan & Michael, Inc. for the Fields of Nicholson, Phase 2, Second Revision. Mary Ellen Wolf, court reporter, was present to take a verbatim transcript of the hearing. Mr. Ed Thaner of Gibson Thomas Engineering represented Dan & Michael Inc. He explained that they would like to change the building line on Lots 200 through 212 from 25 feet to 17 feet, which is consistent with other building lines in the plan. This will give more room for rear-yard decks and enhance rear-yard buffering. An enhanced landscaping plan is also connected with this, which will provide more shrubbery than the approved plan. The Planning Commission had reviewed the application and recommended approval. There were no questions or comments from Council, and no member of the public chose to comment. The hearing was closed. Mrs. Hopey moved final approval be granted for PRD Application PRDF 10-06-01 submitted by Dan & Michael, Inc. for the Fields of Nicholson, Phase 2, Second Revision, for changes and adjustments to front setback lines and drainage easements in the Fields of Nicholson PRD on Nicholson Road in the R-3 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated August 25, 2010, and the letter from W.E.C. Engineering dated August 12, 2010, seconded by Mr. Hartman and carried unanimously.

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**BRIARWOOD ESTATES LOT LINE REVISION NO. 1, SUBDIVISION APPLICATION SS-10-09-03 –**

Mrs. Sable noted that Council would not consider this application this evening because questions had been raised by the Environmental Advisory Council (EAC) and Planning Commission members regarding the lot line revisions. Council would like to take some additional time to look at the matter and consider it. Mr. Jim Rumbaugh, President of the Meritage Group, asked if he could answer any questions for Council. Council noted that there were concerns regarding how the lot line revision would affect the landscape plan, and Council did not have a revised landscape plan showing the changes that would be made. Mr. Rumbaugh noted he and his staff met with Mr. Rocca, Mr. Phillips and Mr. Nedzesky last week to go over some issues, and he thought that he had submitted everything that was required. He explained that the original plan included three lots, which each had a separate access to Reis Run Road. They are now eliminating one of the three lots and providing one access onto Reis Run for the two remaining lots. They are also improving the emergency access. Mr. Rumbaugh asked why an issue is being raised now. Council indicated that the issues were raised just prior to the meeting regarding the landscaping. The EAC noted that the landscaping could not be the same because the 20 foot driveway access easement that has been put in. Mr. Rumbaugh noted that the landscaping would be moved approximately 12 feet so that the grass easement can be on the property line. Peggy Kipp of the EAC noted that the original drawings were done with part of the trees on one side of the sidewalk, and they would like to have a drawing showing on which side of the sidewalk they would be placing the trees. The EAC will come in to check to make sure that the trees are alive and viable and they need something for their files to show where they will be located. She also noted that the original landscaping plan showed that the sign was involved with the first lot. There is nothing on the plan now to show what they intend to do with the landscaping for that area. Mr. Rumbaugh asked if he could receive approval conditioned upon providing the requested information to the EAC. After some discussion, Council agreed that the approval be granted subject to a revised landscape plan satisfactory to the Planning Commission. The next Planning Commission meeting is scheduled for next Tuesday, September 21<sup>st</sup>. Mrs. Kipp also requested that a note be placed on the plan that says the EAC must approve any changes to the landscape plans.

Mr. Marwah moved preliminary and final approval be granted for Subdivision Application SS 10-09-03 submitted by the Meritage Group L.P. for Briarwood Estates Lot Line Revision No. 1, for lot line revisions, elimination of one lot and the addition of a driveway access easement on Reis Run Road, in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated September 9, 2010, and the letter from W.E.C. Engineering dated September 15, 2010, subject to a revised landscape plan satisfactory to the Planning Commission, seconded by Mr. Hrishenko and carried unanimously.

**ORDINANCE NO. 581-2010, ACCEPTING & ADOPTING SETTLERS WALK PLAN OF LOTS**

**PHASES 4 & 5** - Mr. Junker summarized Ordinance No. 581-2010. Mr. Hrishenko moved Ordinance No. 581-2010 accepting and adopting as Borough streets 1,920 linear feet of Pioneer Drive, 535 linear feet of Holmes Drive and 730 linear feet of Colonial Drive in Phase 4 and 455 linear feet of Colonial Court in Phase 5 of the Settlers Walk Plan of Lots, accepting and adopting all appurtenances thereto as Borough facilities including but not limited to curbs and surface water drainage facilities abutting thereon, and authorizing the Borough Council to enter into an agreement requiring Franklin Park Properties, LLC to maintain aforesaid improvements for a period of 18 months and requiring an appropriate financial security in the amount of \$69,400.00 for Phase 4 and \$19,800.00 for Phase 5, be enacted, seconded by Mr. Hartman and carried unanimously.

**SETTLERS WALK PHASE 4, RELEASE PERFORMANCE BOND** – Mr. Quatchak moved to release Performance Bond No. B98802014784 in the amended amount of \$97,792.37 for Settlers Walk Phase 4, with the requirement that the developer provide the Borough with a cash bond in the amount of \$5,000.00 for reseeding the playing field and tot lot 2 areas, in accordance with the Borough Engineer's recommendation letter dated August 12, 2010, seconded by Mr. Hrishenko and carried unanimously.

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**SETTLERS WALK PHASE 5, RELEASE PERFORMANCE BOND** – Mr. Hartman moved to release Performance Bond No. B98802014787 in the amended amount of \$74,666.47 for Settlers Walk Phase 5, in accordance with the Borough Engineer's recommendation letter dated September 9, 2010, seconded by Mrs. Hopey and carried unanimously.

**ORDINANCE NO. 582-2010, ACCEPTING & ADOPTING NICHOLSON WOODS PLAN OF LOTS PHASES 1, 2 & 3** – Mr. Junker summarized Ordinance No. 582-2010. Mr. Quatchak moved Ordinance No. 582-2010 accepting and adopting as Borough streets 2,320 linear feet of Norman Drive, 1,450 linear feet of Dawn Drive, 410 linear feet of Gibson Drive, 1,075 linear feet of Markley Drive, 195 linear feet of Rosem Court and 475 linear feet of Christa Court in the Nicholson Woods Plan of Lots Phases 1, 2 and 3, accepting and adopting all appurtenances thereto as Borough facilities including but not limited to curbs and surface water drainage facilities abutting thereon, with the exclusion of certain handicap ramps and an underdrain located at 1626 Norman Drive, and authorizing the Borough Council to enter into an agreement requiring Zokaites Contracting, Inc. to maintain aforesaid improvements for a period of 18 months and requiring an appropriate financial security in the amount of \$124,000.00, be enacted, seconded by Mr. Hrishenko and carried unanimously.

**AWARD BID FOR STEEL BUILDING ADDITION TO PUBLIC WORKS LOWER LEVEL GARAGE** – Mr. Marwah moved American Steel Buildings of Murfreesboro, Tennessee be awarded the bid to furnish and deliver materials for one (1) steel building addition to the Public Works lower level garage at a cost of \$31,509.00 for Alternate #1, seconded by Mr. Hrishenko and carried unanimously.

**APPOINT BONNIE L. HOOLAHAN AS ASSISTANT PARKS & RECREATION DIRECTOR** – Mr. Hrishenko moved to ratify the appointment of Bonnie L. Hoolahan as Assistant Parks & Recreation Director effective September 13, 2010 at an annual salary of \$34,460.00, seconded by Mr. Hartman and carried unanimously.

**RESOLUTION NO. 986-2010, ESTABLISHING POLICY & PROCEDURE FOR REVISIONS TO APPROVED SUBDIVISION AND LAND DEVELOPMENT PLANS** – Mrs. Sable noted that Council would skip this motion this evening and revisit it next month.

**RESOLUTION NO. 987-2010, ESTABLISHING MUNICIPAL EXPENDITURE POLICY** – Mr. Junker summarized Resolution No. 987-2010. Mrs. Hopey moved Resolution No. 987-2010 setting forth a municipal expenditure policy to safeguard borough resources and prevent unauthorized expenditure of borough funds, be adopted, seconded by Mr. Hartman and carried unanimously.

**SHANNOPIN COUNTRY CLUB AGREEMENT FOR 2011 SCHOLARSHIP GOLF OUTING** – Mrs. Hopey moved to approve the agreement with Shannopin Country Club for the 2011 Scholarship Golf Outing to be held on Monday, July 25, 2011, seconded by Mr. Hrishenko and carried unanimously.

**BRANDTVIEW PLACE PLAN, DENY REQUEST TO ACCEPT PUBLIC IMPROVEMENTS** – Mr. Marwah moved to deny the request by Bayard Crossings for the borough to accept the public improvements in the Brandtview Place Plan, in accordance with the Borough Engineer's recommendation letter dated September 8, 2010, seconded by Mrs. Hopey and carried unanimously.

**BRANDTVIEW PLACE PLAN, REDUCE LETTER OF CREDIT** – Mrs. Hopey moved Letter of Credit No. 12500073-00-000 in the amended amount of \$21,800.00 issued by PNC Bank for the Brandtview Place Plan, be reduced by \$11,200.00 leaving a balance of \$10,600.00, in accordance with the Borough Engineer's recommendation letter dated September 8, 2010, seconded by Mr. Hartman and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca welcomed Bonnie Hoolahan as the new Assistant Parks & Recreation Director.

**SOLICITOR** – No report.

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**MAYOR O'KEEFE** – Mayor O'Keefe welcomed Bonnie Hoolahan. He also wished Jackie Evancho, a local 10-year old girl, the best of luck competing in the finals of America's Got Talent this evening.

**MR. HRISHENKO** – Mr. Hrishenko welcomed Bonnie Hoolahan.

**MR. QUATCHAK** – Mr. Quatchak welcomed Bonnie Hoolahan.

**MRS. HOPEY** – Mrs. Hopey welcomed Bonnie Hoolahan.

**MR. MARWAH** – Mr. Marwah welcomed Bonnie Hoolahan and commented that financially the borough is doing very well.

**MR. HARTMAN** – Mr. Hartman welcomed Bonnie Hoolahan.

**MR. MCGOVERN, JUNIOR COUNCILPERSON** – Mr. McGovern congratulated and welcomed Bonnie Hoolahan. He also noted that next month concludes his first official year on Council, and it has been a rewarding experience. He looks forward to another year with Council helping to improve this wonderful place to live.

**MRS. SABLE** – Mrs. Sable welcomed Bonnie Hoolahan.

**SUPERINTENDENT OF PUBLIC WORKS**

- They finished paving the last street on the schedule. They are backfilling some of the curbs, sealing cracks, working on a couple storm sewer projects and then they will move on to many other projects.

**CHIEF OF POLICE**

- Absent – no report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Hoolahan thanked everybody for welcoming her and she looks forward to working with everybody.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool welcomed Bonnie Hoolahan.
- They have completed the painting of the floors in the pavilion bathrooms to enhance the facility.
- He announced that the Resident Golf Outing would be held this weekend, and it is filled with 80 golfers.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Absent – no report.

**COMMENTS FROM THE FLOOR**

**John Sipes, 2532 Hopkins Church Road** – Mr. Sipes noted that Motions #7 and #8 add up to \$171,000, which is the cost of providing water to the residents on Hopkins Church Road. Mrs. Sable clarified that those motions pertain to performance bonds that the borough is releasing back to the developers. It is not money coming to the borough.

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**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 9:12 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 27

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, October 20, 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..... present  
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  
Bonnie Hoolahan, Assistant Parks & Recreation Director present  
Cathy Krummert, Borough Secretary ..... present  
Ronald Merriman, Superintendent of Public Works ..... 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. Quatchak moved the minutes of the September 15, 2010 pre/post meeting, the September 15, 2010 regular meeting, the September 22, 2010 work session and the October 6, 2010 work session, be approved, seconded by Mr. Hrishenko and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the September 2010 Treasurer's Financial Report. September 2010 revenues totaled \$508,251.36 and September 2010 expenditures totaled \$1,337,827.94. Year-to-date revenues totaled \$5,605,941.03 and year-to-date expenditures totaled \$4,562,359.44. Mr. Hartman moved the September Treasurer's Financial Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe congratulated Chief Dorsch and the police officers for their highly specialized work leading to the marijuana house bust on Nicholson Road near Wharrey Drive this past Monday. He also thanked the Northern Regional, Ohio Township and McCandless Police Departments for their assistance, and he noted that the North Hills Special Response Team played a vital role. Mayor O'Keefe read the Police Report and activity report for the month of September 2010. 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 September 2010. Mr. Phillips issued 21 permits and collected \$5,225.00 in fees. Total value of construction was \$641,685.00.

**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on October 6, 2010 to discuss a personnel matter, Scarlett Ridge litigation and other potential litigation.

**COMMENTS FROM THE FLOOR**

**Edith Bollen, 2391 Wharrey Drive** – Mrs. Bollen thanked Chief Dorsch for the fine police work and she noted that we have one of the finest police departments in Allegheny County. Mrs. Bollen was present to again discuss the situation at Five Points and ask why borough ordinances are not being enforced. She then read a prepared statement that referred to Chapter 159 Property Maintenance.

Mr. Junker responded that Ordinance No. 560-2008 was a condemnation ordinance specifically enacted for an issue on Arndt Road, and he will go back and look at this ordinance. Mr. Phillips responded that his interpretation of that ordinance is for unsafe buildings. He has been around the building on the (Berrent) property, and there are no safety issues. Mr. Phillips indicated that as far as the weeds, we will not get very far with the Property Maintenance Code unless we are willing to enforce it on all vacant properties in the borough. Council indicated that they have been trying to come up with ways to address the properties. The solicitor found a State Act regarding noxious weeds. The EAC has checked the (Snyder) property and none of those weeds are located on that property. Mr. Hrishenko asked if the borough has the right to clear the right of way for the sewer line that runs through the (Snyder) property. Mr. Phillips noted that the property owner has granted permission for the borough to go on the property and maintain it.

**John Sipes, 2532 Hopkins Church Road** – Mr. Sipes was present to again discuss the need for public water on Hopkins Church Road. He asked Council to find a way to help fix this situation and find the money to fund the project.

**Joe Mamros, 2525 Hopkins Church Road** – Mr. Mamros noted that some of the residents want the public water, but they cannot afford it. They are asking for financial assistance.

Council discussed and indicated that the borough is still working on this matter. Mr. Rocca indicated that the borough is willing to create the water district and front the money. The borough must protect the public money by liening the properties of the residents who do not have the resources to repay the money. A super majority of residents must want the public water in order to move forward and create the water district. Council discussed the borough's finances and health and safety issues. Council indicated that they are willing to prepare a fact sheet and to hold a meeting with the residents to educate them and explain the process. A municipal government represents the majority of the people and cannot choose to provide and pay for water in one area and not do it for others.

**Bill Lafayette, 1520 Sandhurst Drive** – Mr. Lafayette commented on his past discussions with Council regarding stop signs on his street. He also commented on the current engineering company, W.E.C. Engineers, and the current solicitor, the Law Firm of Ira Weiss. Mr. Lafayette suggested that Council advertise for the positions of Borough Engineer and Solicitor between now and the end of the year.

**Satish Jindel, 1605 Blackburn Heights Drive** – Mr. Jindel complimented Jim Watenpool for his help and support with the game of cricket in Linbrook Park. He commented that the Cricket Association would like to contribute some of the funds needed to remove trees near the cricket field, and they asked that the borough budget for this work in 2011. Mr. Jindel requested that one of the basketball courts at Blueberry Hill Park be converted into a tennis court. Mr. Jindel discussed his opposition to the Local Services Tax. Mr. Rocca then commented on the Local Services Tax, the borough's finances and the services provided by the borough.

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Ray Maas, 2331 Haven Hill Road – Mr. Maas commented on the previous discussions regarding the Hopkins Church Road water problem. He noted that the Haven Hill area does not have public water and they also have a water problem. They also cannot get the majority of residents to agree to the installation of public water. Mr. Maas commented that the residents were not asked if they wanted public sewers when they were installed, and he asked why it could not be the same for public water.

**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. Hopey and carried unanimously.

**PUBLIC HEARING, CONDITIONAL USE APPLICATION CU-10-09-02 FILED BY ROGER ZAHN** – Mrs. Sable turned the meeting over to Mr. Junker to conduct a public hearing to consider Conditional Use Application CU-10-09-02 filed by Roger Zahn for Conditional Use approval to construct an 810 sq. ft. detached garage on the property located at 2490 Pleuchel Road in the R-1 zoning district. Mary Ellen Wolf, court reporter, was present to take a verbatim transcript of the hearing. It was noted that the Planning Commission had recommended approval of the application, and this hearing had been properly advertised. Mr. Zahn explained that he wants to build a brick and siding garage (27'x30') for residential use. No members of the public chose to comment. The hearing was closed. Mr. Hrishenko moved final approval be granted for Conditional Use Application CU-10-09-02 filed by Roger Zahn for Conditional Use approval to construct an 810 sq. ft. detached garage on the property located at 2490 Pleuchel Road in the R-1 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated September 30, 2010, seconded by Mr. Marwah and carried unanimously.

**JONES-DUFFEY PLAN OF LOTS, SUBDIVISION APPLICATION NO. SS-10-10-04** – Mr. Quatchak moved preliminary and final approval be granted for Subdivision Application No. SS-10-10-04 submitted by Christopher & Karen Jones, 2539 Shellburne Drive, for the Jones-Duffey Plan of Lots, a lot line revision to include parcels outside of the property owned by the applicant to the property located at 2539 Shellburne Drive in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated September 30, 2010, and the letter from W.E.C. Engineering dated October 14, 2010, seconded by Mr. Hartman and carried unanimously.

**BRIARWOOD DEVELOPMENT, LETTER OF CREDIT REDUCTION** – Mrs. Hopey moved Letter of Credit No. 11462-9001 in the amended amount of \$989,300.00 issued by NexTier Bank for the Briarwood Development, be reduced by \$250,300.00 leaving a balance of \$739,000.00, in accordance with the Borough Engineer's recommendation letter dated September 29, 2010, seconded by Mr. Hartman and carried unanimously.

**ANNUAL CONTRIBUTIONS TO FRANKLIN PARK VOLUNTEER FIRE CO. NO. 1** – Mr. Hartman moved the Treasurer be authorized to prepare a check in the amount of \$75,000.00 payable to the Franklin Park Volunteer Fire Company No. 1 which represents the Borough's annual contribution to the Fire Company, and the Treasurer be authorized to prepare a check in the amount of \$25,000.00 payable to the Pennsylvania Local Government Investment Trust for deposit into the Borough's Fire Company Escrow Account for future fire company vehicle purchases, seconded by Mr. Hrishenko and carried unanimously.

**AWARD FALL 2010 COMMODITIES BID** – Mr. Marwah moved to award the following 2010 fall commodities bid as submitted to the SHACOG Purchasing Alliance for its bid opening on September 20, 2010:

Gasoline & Diesel Fuel: Glassmere Fuel Service, Inc., 1967 Saxonburg Boulevard, Tarentum, PA 15084,

seconded by Mrs. Hopey and carried unanimously.

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

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**2011 NORTHLAND LIBRARY BUDGET APPROVAL** – Mr. Hartman moved to adopt the proposed 2011 Northland Library budget, contingent upon Franklin Park Borough providing up to \$274,570.46 as its share of municipal support, seconded by Mrs. Hopey and carried unanimously.

**2011 PENSION MMOs** – Mr. Hrishenko moved to acknowledge receipt of the 2011 MMOs for the Police and General Employees' Pension Plans and to state Council's intention to budget additional funds beyond the MMOs, seconded by Mrs. Hopey and carried unanimously.

**APPOINT TIMOTHY D. BRETT TO THE EAC** – Mrs. Hopey moved Timothy D. Brett be appointed to the Environmental Advisory Council to fill the unexpired term of William Kipp, which term will expire December 31, 2010, seconded by Mr. Hartman and carried unanimously.

**APPOINT MARIANNE STEARNS TO THE SCHOLARSHIP SELECTION COMMITTEE** – Mr. Marwah moved Marianne Stearns be appointed to the Scholarship Selection Committee to fill the unexpired term of Ellen Kaelin, which term will expire December 31, 2010, seconded by Mr. Hartman and carried unanimously.

**APPOINT MARK A. LINDSAY TO THE BUILDING BOARD OF APPEALS** – Mrs. Hopey moved Mark A. Lindsay be appointed to the Building Board of Appeals to fill the unexpired term of Walter Pitschke, which term will expire December 31, 2013, seconded by Mr. Hrishenko and carried unanimously.

**TIGER PRIDE FOOTBALL LEASE AGREEMENT** – Mr. Hrishenko moved to approve the Lease Agreement between the Borough of Franklin Park and the Tiger Pride Football Association for the use of borough fields for a period of 15 years, beginning October 20, 2010 and ending October 20, 2025, seconded by Mr. Hartman and carried unanimously.

**LOCAL SERVICES TAX** - Mr. Marwah moved to direct the solicitor to prepare an ordinance to repeal the \$52.00 Local Services Tax (LST), seconded by Mr. Hrishenko. Council then discussed and debated the LST. Mrs. Sable then asked for public comment since this motion was not listed on the agenda.

**Janet Harner, 1705 LaCosta Court** – Ms. Harner commented that she has listened to the arguments, pro and con, regarding the LST. Ms. Harner commented on the LST and noted that she has to pay this tax to the City of Pittsburgh and those working in Franklin Park should also have to pay this tax because they utilize borough services.

Mr. Marwah was asked to repeat his motion. Mr. Marwah moved to direct the solicitor to prepare an ordinance to repeal the \$52.00 Local Services Tax (LST), seconded by Mr. Hrishenko.

Mrs. Sable asked for a roll call vote:

Mr. Hartman.....No  
Mrs. Hopey.....No  
Mr. Hrishenko .....Yes  
Mr. Marwah .....Yes  
Mr. Quatchak .....Yes  
Mrs. Sable.....No

Mr. Junker noted that in the event of the 3-3 tie vote, Mayor O'Keefe may cast the tie breaking vote or he may ask to delay his vote for five days. If he would choose to take the five days, Council would have to reconvene, try to work it out and vote again. If it cannot be worked out, the Mayor would be compelled to cast the tie breaking vote at that time.

Mayor O'Keefe noted that he was prepared to cast his vote tonight and commented on his position. He then voted "No". The vote was 3-4 and the motion failed.

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**BOROUGH MANAGER** – Mr. Rocca commented that he has worked in many communities that did not have resources to take care of the needs of the residents. When Franklin Park residents come to Council for assistance, in most cases we are able to help them in some way. Mr. Rocca noted that the borough is not fully depreciating all of our assets as we should be. The borough should also be putting aside money to eventually replace this building, to replace the curbs, to replace all of our streets and to replace equipment. If we are going to operate in a business-like fashion we need the LST. Mr. Rocca is willing to come in early or stay late to discuss the borough finances with any resident who would like to fully understand.

**SOLICITOR** – No report.

**MAYOR O'KEEFE** – Mayor O'Keefe shared his experience with the Fire Safety Program presented by members of the Franklin Park Volunteer Fire Company. He noted that the fire company provides 14 of these presentations for local preschool children. Mayor O'Keefe thanked the firemen for providing such an important program.

**MR. HRISHENKO** – Mr. Hrishenko congratulated the residents who were appointed to the various borough boards/commissions this evening.

**MR. QUATCHAK** – No report.

**MRS. HOPEY** – Mrs. Hopey discussed a recent email sent by Mr. Marwah to Councilmembers and borough residents regarding the borough pension funds and Ron Muhlenkamp's interview on CNBC. Mrs. Hopey provided information disputing the information provided by Mr. Marwah in his email. Mr. Rocca provided and reviewed a handout with information regarding the performance of Muhlenkamp investments. Mrs. Hopey requested that this information be placed on the borough website. Mr. Hrishenko and Mr. Marwah also commented on the pension fund investments.

**MR. MARWAH** – Mr. Marwah noted that two residents, Don Vandergrift and Dee Walk had recently passed away. Mr. Vandergrift was the voice of the NA Tigers for many years and Dee Walk started the Crisis Center North. Mr. Marwah asked that Mr. Vandergrift and Ms. Walk be recognized at the next public meeting.

**MR. HARTMAN** – Mr. Hartman thanked everybody in the audience for attending the meeting this evening. Mr. Hartman also thanked previous Council members for their wise money management.

**MR. MCGOVERN, JUNIOR COUNCILPERSON** – Mr. McGovern noted that this meeting officially ends his first year as a Junior Councilperson. Mr. McGovern noted that once the dividing issues are put aside, this Council is doing a great job of maintaining the excellent quality of life in the borough.

**MRS. SABLE** – Mrs. Sable announced that the Halloween Party would be held this Sunday, October 24<sup>th</sup> at 1:30 p.m. at Blueberry Hill Park.

**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman announced that the starting date for brush chipping has been moved back one week to Monday, November 8<sup>th</sup>. This was done because he had received complaints that the children would be tripping over brush on Halloween.

**CHIEF OF POLICE**

- No report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, OCTOBER 20, 2010**

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**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Hoolahan announced that the Halloween Party would be held this Sunday, and they still need three Councilmembers to serve as judges.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool reported that they have been mowing grass and fertilizing the fields.
- They will be installing trailhead signs at the beginning of the Linbrook Eagle Scout Trail. The trail will also be marked at every one-quarter mile.
- Mr. Watenpool noted that the obstacle course in Linbrook Park was built approximately 30 years ago. He is working with a scout troop to upgrade the course in late winter/early spring.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Absent – no report.

**COMMENTS FROM THE FLOOR** - None

**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mr. Hartman and carried unanimously. The meeting adjourned at 10:38 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 37

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, NOVEMBER 17, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, November 17, 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..... present  
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  
Bonnie Hoolahan, Assistant Parks & Recreation Director present  
Cathy Krummert, Borough Secretary ..... present  
Ronald Merriman, Superintendent of Public Works ..... present  
Tim Phillips, Building Inspector/Zoning Officer..... present  
Ambrose Rocca, Borough Manager..... present  
Bill Schweitzer, Golf Course Superintendent ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**RECOGNITION OF BOY SCOUT TROOP NO. 36 FOR THEIR COMMUNITY SERVICE** – Mayor O'Keefe recognized the following scouts for their community service. First-time awardees received patches.

<u>First Time Award</u>	<u>Third Time Award</u>	<u>Fourth Time Award</u>	<u>Eagle Scout Rank</u>
Rafael Bergerman	Steven Cunningham	Jeff Campbell	Steven Cunningham
Evan Down	Jacob Machi		Eddie Keisling
Mark Freithaler	Matt Waldron		Ryan Hammerschmitt
Chris McHenry			

**RECOGNITION OF RESIDENTS**

Mr. Marwah noted that the borough would like to honor the following residents who passed away in the last few weeks:

Mr. Don Vandergrift was a teacher at North Allegheny for 37 years and the voice of the NA Tigers for 47 years. He was still maintaining the website for the NA Tigers as of this year.

Mrs. Dee Walk was a teacher who saw the need to help battered women in the North Hills. She started Crisis North to help women in need. Crisis North now helps battered women and battered older adults.

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Mr. Warren Soergel started Soergel Orchards 50 years ago. Mr. Soergel worked to keep Soergel Orchards as a farm, even as development was happening all around him.

Mr. Marwah asked for a moment of silence in honor of these residents.

**APPROVAL OF THE MINUTES** – Mr. Hrishenko moved the minutes of the October 13, 2010 work session, the October 20, 2010 pre/post meeting, the October 20, 2010 regular meeting, the November 1, 2010 work session and the November 3, 2010 work session, be approved, seconded by Mr. Hartman and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the October 2010 Treasurer's Financial Report. October 2010 revenues totaled \$558,153.13 and October 2010 expenditures totaled \$910,242.70. Year-to-date revenues totaled \$6,164,094.16 and year-to-date expenditures totaled \$5,472,602.14. Mrs. Hopey moved the October 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 October 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for October 2010. Mr. Phillips issued 16 permits and collected \$9,027.00 in fees. Total value of construction was \$1,031,517.00.

**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on October 20, 2010 to discuss Scarlett Ridge litigation and a personnel matter, and an executive session was held on November 3, 2010 to discuss Scarlett Ridge litigation and potential litigation.

**COMMENTS FROM THE FLOOR**

Edith Bollen, 2391 Wharrey Drive – Mrs. Bollen was present again this evening to discuss the condition of the two properties at the Five Points intersection. Mrs. Bollen asked the borough to consider a new Pennsylvania statewide law, The Neighborhood Blight Reclamation and Revitalization Act of 2010 passed by the Pennsylvania Legislature and signed into law on October 28, 2010.

Mr. Junker noted that he had discussed this matter with Council at the last work session. Mr. Junker had reviewed Senate Bill 900 (the Act that Mrs. Bollen referred to) and the borough ordinances. He noted that the Act does have some pretty significant changes for a violation of a structure or a property, and it has added remedies for after you establish a nuisance in fact. Mr. Junker noted that the issue we are dealing with on the property owned by Neville Islands LLC (Mr. Snyder) is that it is vacant. Mr. Junker noted that Council had directed him to review the ordinances cited by Mrs. Bollen at the last meeting. He indicated that he had provided a five-page letter to the borough going over some of the options and the difficulties the borough could have in dealing with a vacant parcel that has an accumulation of weeds. Mr. Junker then reviewed his findings. Mr. Junker noted that testimony would be required from residents showing that the property does constitute a nuisance in fact and, therefore, a violation could be found. A substantial diminution of value would have to be determined by an appraiser to say that this property has devalued the property around it. Mr. Hrishenko noted that he spoke with Mr. Snyder regarding his property. The borough will continue to look into this matter, and some form of Mr. Junker's letter will be provided to Mrs. Bollen.

**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. Hopey and carried unanimously.

**BOROUGH OF FRANKLIN PARK  
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**DUCHI PLAN OF LOTS, SUBDIVISION APPLICATION SS-10-11-05** – Mrs. Hopey moved preliminary and final approval be granted for Subdivision Application SS-10-11-05 for the Duchi Plan of Lots, submitted by Steve Duchi III, for a lot line revision for the property located at 1825 Franklin Run Court in the R-2 zoning district, contingent upon compliance with the Building Inspector/Zoning Officer's Staff Report dated October 26, 2010 and the letter from W.E.C. Engineering dated October 28, 2010, seconded by Mr. Hartman and carried unanimously.

**BRIARWOOD DEVELOPMENT, LETTER OF CREDIT REDUCTION** – Mr. Quatchak moved Letter of Credit No. 11462-9001 in the amended amount of \$739,000.00 issued by NexTier Bank for the Briarwood Development, be reduced by \$269,000.00 leaving a balance of \$470,000.00, in accordance with the Borough Engineer's recommendation letter dated October 28, 2010, seconded by Mr. Hrishenko and carried unanimously.

**INTRODUCE ORDINANCE NO. 583-2010, TAX ORDINANCE FOR 2011** – Mr. Junker introduced Ordinance No. 583-2010 levying and assessing taxes for general and specific purposes for the year 2011. This ordinance will be properly advertised for enactment at the December 15, 2010 regular meeting.

**CAR WASH SERVICES** – Mr. Hrishenko moved Council accept the proposal from Jerry's Car Wash, Wexford, PA, to provide basic full service car wash services for vehicles owned and maintained by the Borough at a cost of \$6.35 per vehicle for the year 2011, seconded by Mr. Quatchak and carried unanimously.

**RESOLUTION NO. 986-2010, POLICY FOR REVISIONS TO APPROVED SUBDIVISION AND LAND DEVELOPMENT PLANS** – Mr. Junker summarized Resolution No. 986-2010. Mr. Quatchak moved Resolution No. 986-2010 setting forth a policy and procedure for revisions to approved subdivision and land development plans, be adopted, seconded by Mr. Marwah and carried unanimously.

**RESOLUTION NO. 988-2010, CONSULTANT TRAVEL POLICY** – Mr. Junker summarized Resolution No. 988-2010. Mr. Hartman moved Resolution No. 988-2010 setting forth a policy and procedure to ensure that travel by individuals, or employees of firms, who provide consultative services to Franklin Park Borough are consistent with the goals and objectives of the borough, be adopted, seconded by Mr. Marwah. Mr. Quatchak voted "No" and explained that he was voting no because this is not the standard in the industry. The motion carried.

**RESOLUTION NO. 989-2010, POLICY FOR BOROUGH BACKGROUND CHECKS** – Mr. Junker summarized Resolution No. 989-2010. Mr. Marwah moved Resolution No. 989-2010 setting forth a policy and procedure requiring that all applicants for any borough position will be subject to a relevant background check, be adopted, seconded by Mr. Quatchak and carried unanimously.

**RESOLUTION NO. 990-2010, APPOINTING EDWARD MAUS AS A FIRE POLICE OFFICER** – Mr. Junker summarized Resolution No. 990-2010. Mrs. Hopey moved Resolution No. 990-2010, appointing Edward Maus as a Fire Police Officer for the year 2010 and providing for duties and control by the Chief of Police, be adopted, seconded by Mr. Hartman and carried unanimously. Mayor O'Keefe administered the Oath of Office to Edward Maus.

**ALLEGHENY COUNTY SNOW AND ICE AGREEMENT** – Mrs. Hopey moved to authorize the execution of the Snow and Ice Agreement between the Borough and Allegheny County for the winter seasons of 2010/2011, 2011/2012 and 2012/2013, seconded by Mr. Hartman and carried unanimously.

**INVOICES SUBMITTED FOR UNAUTHORIZED MEETINGS** – Mr. Quatchak announced that he would be abstaining from voting on this matter because he had attended the meetings in question. Mr. Quatchak filed the appropriate memorandum with the Borough Secretary regarding his abstention. Mrs. Hopey moved to disallow those portions of any and all invoices submitted to the Borough by the Borough Engineer and Borough Solicitor between June of 2009 and March of 2010 related to the preparation for, attendance at and follow-up work with respect to unauthorized meetings scheduled by

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Mr. David Quatchak (both while Mr. Quatchak served as Planning Commission Chair and Councilmember) and to direct the Borough Manager to formally request any payments issued to the Borough Engineer with respect to such meetings be refunded, it being acknowledged that the Borough Solicitor has already refunded amounts paid by the Borough in connection with the meetings, seconded by Mr. Hartman.

Mr. Nedzesky then read a statement that W.E.C. Engineers strongly disagrees with the borough's decision and requests the opportunity to negotiate or mediate a resolution on this matter that is both fair and equitable to both the borough and W.E.C. before Council makes a final decision. Mrs. Sable noted that Council spent a great deal of time considering this issue. Council had to look at whether the borough had received a benefit from these meetings, and after looking at the work product, Council did not feel that the borough benefited from the meetings. Council had already paid a consultant \$50,000 to provide us with the Zoning ordinances and the SALDO, and the level of review that was being conducted without Council's knowledge was not necessary and the work product supported that. On this basis, Council could not make payment to the solicitor or engineer for these meetings. The taxpayers should not be billed twice for this work. Mrs. Hopey then restated the motion, seconded by Mr. Marwah. The motion was then voted on and was carried, with Mr. Quatchak abstaining.

**BOROUGH MANAGER** – Mr. Rocca announced that taxes next year will remain the same, and no tax increase is anticipated. Council is developing the budget and it has not been finalized. Council will introduce the budget at the December 1<sup>st</sup> work session and adopt it two weeks later. The budget will be on display at that time for the public to review and comment. Mr. Rocca wished everybody Happy Thanksgiving.

**SOLICITOR** – Mr. Junker wished everyone Happy Thanksgiving. Mr. Junker announced that he would miss an upcoming meeting in May 2011 because he and his wife are expecting their second child.

**MAYOR O'KEEFE** – Mayor O'Keefe announced that the Armed Forces Salute and Concert that was held this past May will be broadcast on NATV in December. Because of copyright concerns, the music from the opening will not be broadcast; however, the veterans' photos will be broadcast using a different background. This benefit provided nearly \$6,000.00 in donations to Fisher House. Mayor O'Keefe wished everybody Happy Thanksgiving.

**MR. HRISHENKO** – Mr. Hrishenko wished everybody Happy Thanksgiving. Mr. Hrishenko then discussed the proposed Five Points overlay district and passed around pictures. He encouraged residents to stay informed. Mrs. Sable noted that this overlay district is in the proposed zoning ordinances. The goal of having the overlay district in that area was to keep the residential feel of that neighborhood although it is zoned commercial. Council will address certain issues when they get to the review of that section of the ordinances.

**MR. QUATCHAK** – Mr. Quatchak wished everybody Happy Thanksgiving and congratulated Mr. Junker and his wife.

**MRS. HOPEY** – Mrs. Hopey congratulated Ed Maus, the new fire police officer. She also congratulated Mr. Junker and noted that she would become a grandmother in April. Mrs. Hopey wished everybody Happy Thanksgiving. Mrs. Hopey announced that the First Annual Franklin Park Borough Light Up Celebration and Benefit for the children at Children's Hospital would be held on Saturday, December 4<sup>th</sup> from 5-9 p.m. at the Franklin Park Fire Hall.

**MR. MARWAH** – Mr. Marwah wished everybody Happy Thanksgiving. Mr. Marwah discussed the budget and borough finances for 2010 and 2011. He asked the public if the borough should solicit proposals to replace the engineer and solicitor. Mr. Marwah also discussed the upcoming Allegheny County reassessments.

**MR. HARTMAN** – Mr. Hartman wished everybody Happy Thanksgiving. He noted that years ago he was a member of Boy Scout Troop 36. Mr. Hartman also commented on the Five Points area.

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**MR. MCGOVERN, JUNIOR COUNCILPERSON** – Mr. McGovern thanked and congratulated Boy Scout Troop 36, noting that he is a Boy Scout and an Eagle Scout. Mr. McGovern congratulated Mr. Junker and his wife. He wished everybody Happy Thanksgiving.

**MRS. SABLE** – Mrs. Sable congratulated Ed Maus, Mr. Junker and Mrs. Hopey. Mrs. Sable wished everybody Happy Thanksgiving.

**SUPERINTENDENT OF PUBLIC WORKS**

- No report.

**CHIEF OF POLICE**

- No report.

**BUILDING INSPECTOR/ZONING OFFICER**

- No report.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Hoolahan noted that the Blueberry Hill Over the Hill Gang had 83 in attendance this month to celebrate Thanksgiving.
- Lunch with Santa will be held on Sunday, December 12<sup>th</sup>.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool reported that his department has primarily been working on fall clean up in parks.
- The signs for the Linbrook Eagle Scout Trail will be placed in the near future. He noted that ten Eagle Scouts had worked on this trail.
- Mr. Watenpool congratulated Mr. Junker and Mrs. Hopey.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- No report.

**BOROUGH ENGINEER** - Mr. Nedzesky read a statement responding to comments made by resident William Lafayette at the last Council meeting concerning the stop signs at the intersection of Sandhurst Drive and Field Club Drive.

**COMMENTS FROM THE FLOOR** - None

**MOTION TO ADJOURN** – Mr. Marwah moved to adjourn the meeting, seconded by Mrs. Hopey and carried unanimously. The meeting adjourned at 9:01 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 37

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, DECEMBER 15, 2010**

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The regular meeting of the Borough Council of the Borough of Franklin Park was held on Wednesday, December 15, 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..... present  
Amy E. Sable, President ..... present  
Junior Councilperson Brennan McGovern ..... present  
Mayor Dennis E. O'Keefe ..... present

**ENGINEER:**

Bob Nedzesky, W.E.C. Engineers ..... absent

**SOLICITOR:**

Robert Max Junker, Law Offices of Ira Weiss..... present

**STAFF:**

Don Dorsch, Chief of Police ..... present  
Bonnie Hoolahan, Assistant Parks & Recreation Director ..... present  
Cathy Krummert, Borough Secretary ..... present  
Ronald Merriman, Superintendent of Public Works ..... present  
Tim Phillips, Building Inspector/Zoning Officer..... present  
Ambrose Rocca, Borough Manager..... present  
Bill Schweitzer, Golf Course Superintendent ..... present  
Jim Watenpool, Parks & Recreation Director ..... present

**APPROVAL OF THE MINUTES** – Mr. Hartman moved the minutes of the November 17, 2010 pre/post meeting, the November 17, 2010 regular meeting and the December 1, 2010 work session, be approved, seconded by Mr. Marwah and carried unanimously.

**TREASURER'S FINANCIAL REPORT** - Mr. Rocca read the November 2010 Treasurer's Financial Report. November 2010 revenues totaled \$426,631.12 and November expenditures totaled \$361,887.02. Year-to-date revenues totaled \$6,590,725.28 and year-to-date expenditures totaled \$5,834,489.16. Mr. Hartman moved the Treasurer's Financial Report be accepted as read, seconded by Mr. Marwah and carried unanimously.

**POLICE REPORT** – Mayor O'Keefe read the Police Report and activity report for the month of November 2010. Mr. Hartman recommended the Police Report be filed with the Police Secretary.

**BUILDING INSPECTION REPORT** - Mr. Phillips read the Building Inspection Report for November 2010. Mr. Phillips issued 15 permits and collected \$26,628.00 in fees. Total value of construction was \$2,865,734.00.

**BOROUGH OF FRANKLIN PARK  
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**ANNOUNCEMENT OF EXECUTIVE SESSION** - Mrs. Sable announced that an executive session was held on November 17, 2010 to discuss personnel and Eddy Homes, Inc./Scarlett Ridge litigation and on December 1, 2010 to discuss Eddy Homes, Inc./Scarlett Ridge litigation and personnel.

**COMMENTS FROM THE FLOOR**

**Mr. John Sipes Jr., 2532 Hopkins Church Road** – Mr. Sipes was present to discuss the need for public water on Hopkins Church Road. He asked the borough to use taxpayer money to install a water line on Hopkins Church Road. Council noted that before the borough can get involved there is a process that must be followed. A petition must be submitted that has been signed by 50% of the residents showing interest in the water line installation. The borough could then hold an informational meeting to find out what the interest is and then look for options to help the residents.

**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. Hopey and carried unanimously.

**2011 BUDGET** – Mr. Hartman moved the annual budget for the year 2011 be approved (the official budget will be available in the general office during normal business hours), seconded by Mrs. Hopey. Council then discussed the proposed budget. Mr. Marwah objected to the budget document because of a \$124,000 change that was made since the budget was presented to Council two weeks ago. Mrs. Sable explained that a \$129,000 correction was made to the budget to correct a mistake in the accounting because this amount was being counted twice. (As reflected in the final budget, the actual amount of the correction was \$129,574 plus the \$995,426 listed as G.F. Reserve which equals the original amount of \$1,125,000.) Mr. Hartman then restated the motion, seconded by Mrs. Hopey.

Mrs. Sable then asked for a roll call vote:

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

The vote was 4 in favor and 2 opposed. The motion carried.

**ORDINANCE NO. 583-2010, TAX ORDINANCE FOR 2011** – Mr. Junker summarized Ordinance No. 583-2010. Mrs. Hopey moved Ordinance No. 583-2010 levying and assessing taxes for general and specific purposes for the year 2011, be enacted, seconded by Mr. Hartman and carried unanimously.

**2011 TABLE OF ORGANIZATION** – Mrs. Hopey moved the 2011 Table of Organization fixing the salaries for employees and appointees of the Borough for the calendar year 2011 be adopted, seconded by Mr. Marwah and carried unanimously.

**INCREASE CONTRIBUTION BY ADMINISTRATIVE AND CLERICAL EMPLOYEES TOWARD MEDICAL BENEFITS** – Mr. Marwah moved to adjust the contribution of administrative and clerical employees for medical benefits from 5% to 10% of premium, effective January 1, 2011, seconded by Mr. Quatchak. The motion was then voted on with Mr. Hartman voting "No". The vote was 5 in favor and 1 opposed. The motion carried.

**RESOLUTION NO. 991-2010, ESTABLISHING POLICE PENSION PLAN CONTRIBUTION RATE** – Mr. Junker summarized Resolution No. 991-2010. Mr. Quatchak moved Resolution No. 991-2010 establishing the contribution rate of 2% of compensation for the participants of the Borough of Franklin Park Police Pension Plan for the 2011 plan year, be adopted, seconded by Mrs. Hopey and carried unanimously.

**BOROUGH OF FRANKLIN PARK  
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WEDNESDAY, DECEMBER 15, 2010**

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**SAINTS JOHN AND PAUL PARISH, REDUCE AND CANCEL NEW CHURCH LETTER OF CREDIT –**

Mr. Quatchak announced that he would be recusing himself from voting as he is a member of Saints John and Paul Parish. Mr. Hrishenko moved Parkvale Bank Letter of Credit No. 2008004 in the amended amount of \$5,000.00 for the Saints John and Paul Parish new church construction, be reduced by \$5,000.00 leaving a balance of \$0.00 and canceled, in accordance with the Borough Engineer's recommendation letter dated November 23, 2010, seconded by Mr. Hartman. The motion was voted on with Mr. Quatchak abstaining. The motion carried.

**INTRODUCE ORDINANCE NO. 584-2011, ACCEPTING AND ADOPTING BRANDTVIEW DRIVE IN THE BRANDTVIEW PLACE PLAN OF LOTS** – Mr. Junker introduced Ordinance No. 584-2011 accepting and adopting as a borough street Brandtview Drive and all appurtenances in the Brandtview Place Plan of Lots. This ordinance will be properly advertised for enactment at a future meeting.

**INTRODUCE ORDINANCE NO. 585-2011 ACCEPTING AND ADOPTING PORTIONS OF LAUREL DRIVE IN THE FIELDS OF NICHOLSON PRD PHASE 1** - Mr. Junker introduced Ordinance No. 585-2011 accepting and adopting as a borough street portions of Laurel Drive and all appurtenances to those portions in the Fields of Nicholson PRD Phase 1. This ordinance will be properly advertised for enactment at a future meeting.

**INTRODUCE ORDINANCE NO. 586-2011, TWIN OAKS DRIVE CUL-DE-SAC "NO PARKING" DURING DESIGNATED TIMES** - Mr. Junker introduced Ordinance No. 586-2011 providing for no vehicular parking during certain times in the Twin Oaks Drive cul-de-sac within the Spring Ridge Development. This ordinance will be properly advertised for enactment at a future meeting.

**ACCEPT RESIGNATION OF CAROLYN M. SMITH AS FINANCIAL CLERK** – Mr. Hartman moved to accept the resignation of Carolyn M. Smith as Financial Clerk effective December 31, 2010, seconded by Mr. Marwah and carried unanimously.

**RATIFY THE HIRING OF CHERYL A. BISHOP AS FINANCIAL CLERK** – Mr. Hrishenko moved to ratify the hiring of Cheryl A. Bishop as Financial Clerk effective December 7, 2010 at a rate of \$12.05 per hour, seconded by Mrs. Hopey and carried unanimously.

**EXTEND 12-HOUR SHIFTS FOR POLICE DEPARTMENT IN 2011** – Mr. Quatchak moved to extend the 12-hour shifts for the police department for the period January 1, 2011 to December 31, 2011, seconded by Mr. Hrishenko and carried unanimously.

**RESOLUTION NO. 992-2010, AMENDING FLEXIBLE BENEFITS PLAN** – Mr. Junker summarized Resolution No. 992-2010. Mr. Marwah moved Resolution No. 992-2010 amending the Flexible Benefits Plan pursuant to Section 125 of the Internal Revenue Code of 1986, to increase the employee contribution limit to \$5,200.00 annually, be adopted, seconded by Mr. Hartman. The motion was voted on with Mrs. Hopey voting "No". The vote was 5 in favor and 1 opposed. The motion carried.

**RESOLUTION NO. 987-2010 RATIFYING THE MUNICIPAL EXPENDITURE POLICY** – Mr. Hrishenko moved to ratify Resolution No. 987-2010, adopted September 15, 2010, setting forth a municipal expenditure policy to safeguard borough resources and prevent unauthorized expenditure of borough funds, and to authorize the administrative staff to distribute the policy to borough boards/commissions, seconded by Mrs. Hopey and carried unanimously.

**FRANKLIN RUN DEVELOPMENT, REDUCE LETTER OF CREDIT** – Mr. Quatchak moved Letter of Credit No. SB-003082 in the amended amount of \$147,000 issued by S&T Bank for the Franklin Run Development, be reduced by \$22,000.00 leaving a balance of \$125,000.00, in accordance with the Borough Engineer's recommendation letter dated December 14, 2010, and further reduce the contingency by 5% (\$48,632.00) as recommended by staff, seconded by Mr. Hrishenko. A representative of Tait Engineering spoke from the audience indicating that there was a mistake in the motion. Mr. Junker explained and noted that the motion was correct. The motion was voted on and carried unanimously.

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, DECEMBER 15, 2010**

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**BRIARWOOD DEVELOPMENT, REDUCE LETTER OF CREDIT** – Mrs. Hopey moved Letter of Credit No. 11462-9001 in the amended amount of \$470,000.00 issued by NexTier Bank for the Briarwood Development, be reduced by \$17,000.00 leaving a balance of \$453,000.00, in accordance with the Borough Engineer's recommendation letter dated December 15, 2010, seconded by Mr. Marwah and carried unanimously.

**HIRE ENGINEER TO REVIEW RIDGE FOREST PRD** – Mrs. Hopey moved to accept the proposal from Art Gazdik, Professional Engineer, dated December 6, 2010 to review the Ridge Forest PRD, seconded by Mr. Marwah and carried unanimously.

**BOROUGH MANAGER** – Mr. Rocca noted that Carolyn Smith was in the audience, and he thanked her for her service to the borough. Mr. Rocca commented that the borough's finances are in good shape and we are going to restore the road resurfacing reductions made last year and also replacing equipment. Mr. Rocca wished everyone Merry Christmas and Happy Holidays.

**SOLICITOR** – Mr. Junker wished everybody Happy Holidays, Merry Christmas and Happy Hanukah.

**MAYOR O'KEEFE** – Mayor O'Keefe reminded everyone that the May 16<sup>th</sup> Armed Forces Salute and Concert would be broadcast three times per day during the weeks of December 20<sup>th</sup> and December 27<sup>th</sup> on NATV. Mayor O'Keefe thanked the Recreation Board, firemen and all who participated in the Light Up Celebration. Mayor O'Keefe congratulated Carolyn Smith and wished her the best of everything in the future. Mayor O'Keefe wished everybody Merry Christmas, Happy New Year and Happy Hanukah.

**MR. HRISHENKO** – Mr. Hrishenko thanked Carolyn Smith for services to the borough and wished her a successful retirement. Mr. Hrishenko wished everyone a Merry Christmas, Happy New Year and good health.

**MR. QUATCHAK** – Mr. Quatchak congratulated Carolyn Smith. He wished everyone a Merry Christmas and Happy New Year.

**MRS. HOPEY** – Mrs. Hopey noted that she would miss Carolyn Smith very much. Mrs. Hopey asked Mr. Junker to announce Ira Weiss' appointment as a member of the transition team for Governor-Elect Tom Corbett. Mr. Junker noted that Mr. Weiss was appointed to the local government committee to examine the way that the state handles local government issues. Mrs. Hopey congratulated the firemen and the Recreation Board for a very successful Light Up Celebration. Mr. Merriman noted that the firemen delivered a pickup truck load of toys and gift cards to the burn unit at Children's Hospital. Mrs. Hopey wished everyone Happy Holidays and Merry Christmas.

**MR. MARWAH** – Mr. Marwah discussed the budget. Mr. Marwah acknowledged Rob and Susan Schupansky for starting an organization called Chin Up. Mr. Schupansky works for the homicide division in the District Attorney's office, and he found out that some children in Braddock are sleeping in their basements because they are afraid of being shot at night. The Schupanskys are collecting back packs and supplies for approximately 150 children in Braddock. Mr. Marwah wished everyone Merry Christmas, Happy Holidays, good health and Happy New Year.

**MR. HARTMAN** – Mr. Hartman wished everyone a safe Merry Christmas and Happy New Year.

**MR. MCGOVERN, JUNIOR COUNCILPERSON** – Mr. McGovern congratulated the North Allegheny football team and wished them luck as they play for the state championship this Saturday in Hershey. The team has made the school district and community very proud. Mr. McGovern wished everyone a happy and healthy holiday season and Happy New Year.

**MRS. SABLE** – Mrs. Sable thanked Carolyn Smith for her many years of service noting that she will be missed. Mrs. Sable thanked the Recreation Board and the fire department for the Light Up Celebration. Mrs. Sable wished everybody Merry Christmas and Happy New Year.

**BOROUGH OF FRANKLIN PARK  
BOROUGH COUNCIL REGULAR MEETING  
WEDNESDAY, DECEMBER 15, 2010**

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**SUPERINTENDENT OF PUBLIC WORKS**

- Mr. Merriman wished everyone Merry Christmas.

**CHIEF OF POLICE**

- Chief Dorsch wished everyone a Merry Christmas and Happy New Year. He also wished good luck to Carolyn Smith.

**BUILDING INSPECTOR/ZONING OFFICER**

- Mr. Phillips wished everybody a happy holiday season.

**ASSISTANT PARKS & RECREATION DIRECTOR**

- Miss Hoolahan noted that the 2011 Recreation Newsletter is well underway.
- The Seniors luncheon was held last week with 85 in attendance.
- The Lunch with Santa was held on Sunday with 154 in attendance.
- Miss Hoolahan wished everyone a Merry Christmas and a peaceful new year.

**PARKS & RECREATION DIRECTOR**

- Mr. Watenpool noted that they have been doing snow removal at the municipal building and in the parks.
- The work on the installation of the basketball and volleyball court lights has come to a halt due to weather. Mr. Watenpool is in the process of requesting an extension for the grant.
- Mr. Watenpool wished everybody a Merry Christmas and Happy New Year.

**GOLF COURSE SUPERINTENDENT/MANAGER**

- Mr. Schweitzer expressed best wishes to Carolyn Smith.
- Mr. Schweitzer wished everyone a Happy Holiday.

**COMMENTS FROM THE FLOOR** - None

**MOTION TO ADJOURN** – Mrs. Hopey moved to adjourn the meeting, seconded by Mr. Quatchak and carried unanimously. The meeting adjourned at 8:53 p.m.

Respectfully submitted,

Cathy L. Krummert  
Borough Secretary

Audience Present - 22