

**REGULAR MEETING
MINUTES OF JUNE 22, 2005**

President Crown called to order the Regular Meeting of Crafton Borough Council, in Council Chambers of the Community Center; Flag Salute was led by Mr. Crown. Roll call, by Mrs. Tremblay, recorded eight (8) members of Council present, as follows: Mr. Byers, Mr. Cindric, Mrs. Damits, Ms. Koerbel, Mr. McDonough, Mrs. Sappie, Mr. Stewart, and Mr. Crown (*Mr. Donovan was absent*). Also present were Mayor Hull, Manager Vukotich and Manager Sample, Solicitor Wolfe, and Engineer Minsterman.

APPROVAL OF BILL LIST

MOTION: It was regularly moved by Mr. Cindric, seconded by Ms. Koerbel, to approve the June 22, 2005 List of Bills. **COMMENTS:** Mr. Stewart asked who EBDS was; Mrs. Tremblay advised that they provide the flexible spending, out-of-pocket health cost reimbursement to the employees (*EBDS-Employee Benefit Data Services*).

MOTION carried by Unanimous Roll Call Vote (8-0).

APPROVAL OF MINUTES

MOTION: It was regularly moved by Mr. Cindric, seconded by Ms. Koerbel, to approve the May 11, 2005 and June 8, 2005, meeting minutes.

MOTION carried by Unanimous Roll Call Vote (8-0).

CITIZEN'S PRESENT TO ADDRESS COUNCIL

None

RECEIPT OF WRITTEN REPORTS

The following written reports were provided in Council's Packet: The Treasurer's Report, Financial Report, Act 511 and Trash Collection Fee Reports, Property Tax Collector's Report, Police Report, Building Inspector and Public Works reports, Fire Department's Report and the Engineer's Report.

MAYOR'S REPORT

Mayor Hull reported that the Department responded to 189 complaints during the month of May 2005 and referred Council to the written report.

POLICE CHIEF'S REPORT

(None-Chief Rost on Vacation)

FIRE CHIEF'S REPORT

Chief Hermes referred Council to the written report; these reports are standardized criteria per the State. The pre-construction review of the new truck was completed; a lot of innovations on the new truck that will be very beneficial and make for better efficiency. He reported no major fires, trucks in good condition. The department may lose a few members due to lack of training points and other reasons. Mr. Cindric inquired on the training points. Per the NFPA, various training is assigned points which must be achieved during the one year probationary period, thereafter continued training and points are required. Grant eligibility is

ROBINSON EMS REPORT

Director Meredith thanked Council for the EMS proclamation. He reported that REMS responded to 54 calls to date for the month of June 2005 and continued practice drills with the pool lifeguards. He advised that Campbells Run Road is open to McMichael Road again, then to Church Hill; only experienced problems for a period of about 3 days during the closing. President Crown commented that changes in the use of the bays in the garage will be made for the convenience of accessing the police cars; REMS is requesting that parking of their vehicle be moved to the middle bay and the police units would use the end bay. Also, 24 hour/day REMS coverage is being discussed.

PRESIDENT'S REPORT

None

ENGINEER'S REPORT

Engineer Minsterman reported that bids were opened on June 13, 2005 at ShaCog for the year two CCTV contract; and is seeking approval of the low bidder, Robinson Pipe, for the multi-municipal contract. He advised that they are meeting with PAWC regarding the completion of work on Alley A, and scheduling repairs on Promenade and Warren prior to the start of the paving program, now scheduled for July. He advised that he is also seeking approval for the CharWest COG for the Boroughs' CDBG ADA park sidewalk contractor. Ms. Koerbel commented, at this time, her thanks to Mr. Sample and Mr. Skorich for their efforts and much time spent on the Clearview Avenue project; reporting that it is now finished and open. Mr. Crown explained that with the Clearview Avenue project, one sewer deficiency was discovered that lead to several more problems needing corrected, which is the case with these old streets and sewer lines – and is also occurring presently with the Promenade Street paving project.

SOLICITOR'S REPORT

Solicitor Wolfe reported that an Executive Session was held prior to the meeting to discuss current contract negotiations and matters of potential and existing litigation. He advised that a special bond counsel is necessary to complete the bond refinance, and recommended Council suspending the rules at this meeting to act on this matter. He referred Council to Jim Webster, of Hughes and Harbaugh, who will perform the bond review at a very reasonable cost.

SECRETARY'S/MANAGER'S REPORT

Assistant Manager Sample provided the Public Works report; refer to written report. He noted that pothole patching is being done and have applied approximately 9 ton of hotpatch thus far, sewer repairs have been completed on Grandview, and replacement of the catch basin West Crafton and Steuben. Manager Vukotich advised that he has just finished the work on the bond refinancing and also the inventory review for the updated appraisal.

BUILDING INSPECTOR

Secretary Tremblay provided the Building Inspection report for May 26 – June 22, 2005. Investigated 15 complaints, 30 permits were issued and performed 47 inspections.

OLD BUSINESS

None. Mr. Stewart asked if he could comment on some old business and Mr. Crown asked that it be provided in advance, and appear on the written Agenda similarly to new business items.

BUSINESS AGENDA**PUBLIC WORKS**

MOTION: It was regularly moved by Ms. Koerbel, seconded by Mr. McDonough, to approve the first payment to A. Folino Construction, in the amount of \$7,650., for the under drain installation on Alley A, per the recommendation of the Engineer.

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. Cindric, to approve Crafton Borough's participation in the multi-municipal CCTV, Year Two, Contract in favor of Robinson Pipe Cleaning, in accordance with the bid process and recommendation of the SHACOG, and in accordance with Borough Ordinance No. 1559. **COMMENTS:** Mr. Cindric asked how this compared to last year's prices. Engineer Minsterman advised that it is higher, but the second low bidder was double this; so it is still a very good price

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION: It was regularly moved by Mrs. Damits, seconded by Ms. Koerbel, to approve the low bidder, Varrati Cement Contracting, for the contract amount of \$9,125., as recommended by the CharWest COG, for the ADA – CDBG sidewalk project in Crafton Park. COMMENTS: Mr. Byers asked the location of these sidewalks; Mr. Sample advised that these are handicapped access walks to the shelters as well as to the stage building, and is 100% fun

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION: It was regularly moved by Mr. Cindric, seconded by Mr. McDonough, to authorize Gateway Engineers to prepare a study and establish a standard for setting the sewer tap-in fee, at a cost not to exceed \$2,500. COMMENTS: Mr. Stewart asked for more information. Mr. Crown explained that the State is requiring that municipalities justify their tap-in fees, and a study would determine the dollar amount to replace our combined sewer system divided by the number of users to establish a more accurate fee for a sewer tap-in. Our current rate is very low; at approximately \$200. The revised fee would not affect existing households, only new developments or new sewer tap-ins.

MOTION carried by Unanimous Roll Call Vote (8-0).

ADMINISTRATIVE/PERSONNEL

MOTION: It was regularly moved by Mr. Stewart, seconded by Mrs. Damits, to approve the hiring of Clifford Hughes as a 2005 Summer parks and Street employee.

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION: It was regularly moved by Mr. Stewart, seconded by Mrs. Damits, to adopt Resolution No. 2005-08 intending to offer support of the regional coalition to retain military base facilities in Allegheny County and to keep the 911th Airlift Wing, 99th Regional Readiness Center, and the 171st Air Refueling Wing open and operating.

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION: It was regularly moved by Mr. Byers, seconded by Mr. Cindric, to approve the content copy for the Suburban Gazette “You be the Editor” for publication. COMMENTS: Mr. Cindric advised that there are two articles; one about the Public Works Department and one about volunteers in Crafton, particularly the Crafton Public Library and Meals on Wheels.

MOTION carried by a Seven (7) Yes, One (1) No (*Damits*) Roll Call Vote.

FINANCE

MOTION: It was regularly moved by Mrs. Damits, seconded by Mr. Stewart, to adopt Resolution No. 2005-09 amending Wage Resolution No. 2004-20, to include the Pool Concession Stand employees at a rate of pay of \$6.50 per hour. COMMENTS: Mr. Crown explained that prior to last year, the pool concession stand was leased to other operators and therefore the wage resolution did not include this position or pay rate. Last year, the Borough took over the operation and amended the wage resolution. In using the former resolution as a template, this position and rate of pay was again omitted, which is the reason for needing this amendment to the Wage Resolution.

MOTION carried by Unanimous Roll Call Vote (8-0).

PUBLIC SAFETY

MOTION: It was regularly moved by Mr. Cindric, seconded by Mr. Byers to authorize Chief Rost to attend the PA Chiefs of Police Association Education and Training Conference on July 10-14, 2005 at a cost not to exceed \$1,100. for registration, program, and expenses and to be assigned to budget line item #410.751 as approved by Borough Council in the 2005 Budget. COMMENTS: Mr. Stewart advised that

he had spoken to Chief Rost last Friday afternoon and learned that the Mayor had denied the Chief's attendance at the Chief's Conference; that this is the 4th year his attendance was denied. He continued, that the Mayor has attended the ALOM conferences over the past 4 years and the Chief should also be permitted to attend a conference. Mr. Cindric stated that Borough Council sets aside funds for Chief Rost to attend education and training programs, and he should be permitted to attend. Mr. Byers commented on Chief Hermes earlier comments on the importance of training the fire department members, and feels that it is equally as important to train our police officers and be made aware of up-to-date training and information. Mr. Crown commented that this is a conference, and residents should not think that this is the only training offered to the Chief; there are many other training programs available and attended by the Chief. Mr. Crown continued, that in accordance with the Borough Code, Section 1121 .. the Mayor of the Borough shall have full charge and control over the Police Chief and the Police force and he shall direct the time during which, place and where, and the manner in which, the Chief of Police and Police force shall perform their duties, except that Council shall fix and determine the total weekly hours of employment. Solicitor Wolfe stated that it is not clear if Council can trump the Mayor's decision, and does not believe a motion of Council would override Section 1121. Mr. Stewart stated that Council has always set policy; and referred to an action taken by Council while he was Mayor, to participate in the Drug Task Force, with which he did not agree. But Council overrode his objections. Mr. Byers added that further in Section 1121 It states that Borough Council may assign the Chief of Police or any member of the Police force to undergo a course of training at any training school. Solicitor Wolfe felt that there is a fine line comparing this conference to a training school or training academy. He also stated that Council's decision to participate in the Drug Task Force is not the same, that Council has the ability to determine and limit the risks to the department on a whole, but this conference issue only involves permitting the Chief to attend a conference. Ms. Koerbel inquired on the agenda of this conference. Mr. Stewart stated that it involves a general updating of occurrences over the past year, provides information on new programs and equipment, etc. Mayor Hull stated that the Chief has not requested to attend any other certifications or training at the academy, and Council may proceed to vote on this motion, but he stands on his decision. Mr. Stewart said it is actually too late for the Chief to attend; that registration needed to be completed by July 5th and the Chief is presently on vacation, so timely registration is not possible. Mr. Crown asked what, then, is to be done with this motion, if it is too late for the Chief to go? Council is discussing and arguing over an issue that doesn't really matter.

MOTION TO TABLE: It was regularly moved by Mr. McDonough, seconded by Mrs. Damits, to Table the Motion due to the registration deadline.

MOTION to Table failed by a Five (5) No, Three (3) Yes (*Damits, Koerbel, McDonough*) Roll Call Vote.

MOTION FAILED by a Four (4) Yes, Four (4) No (*Damits, Koerbel, McDonough, Crown*) Roll Call Vote, with a Tie-breaker No Vote by Mayor Hull.

PLANNING

MOTION: It was regularly moved by Ms. Koerbel, seconded by Mr. Stewart, to approve the land development application as submitted by Blair Cress, Owner, for Big Daddy's Doughnuts, per the recommendations of the Crafton Planning Commission and the favorable decision of the Crafton Zoning Hearing Board. COMMENTS: Mr. Cindric inquired on the Zoning Hearing Boards decision; Mr. Sample advised that the variance was unanimously granted by the Board.

MOTION carried by Unanimous Roll Call Vote (8-0).

MOTION TO SUSPEND THE RULES

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. Cindric, to Suspend the Rules to appoint Frederick Wolfe and the firm of Tucker Arensburg, P.C. as Borough Solicitor.

MOTION carried by Unanimous Roll Call Vote to Suspend the Rules.

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. Cindric, to appoint Frederick Wolfe, and the firm of Tucker Arensberg, P.C. as Borough Solicitor, effective June 30, 2005.

MOTION carried by Unanimous Roll Call Vote.

MOTION TO SUSPEND THE RULES

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. McDonough, to Suspend the Rules to appoint Houston Harbaugh as Note Counsel for the 2005 Bond issue Refinance.

MOTION carried by Unanimous Roll Call to Suspend the Rules.

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. Cindric, to approve Houston Harbaugh as Bond Counsel, for an amount not to exceed \$2,000, for the 2005 \$1.5 million dollar bond issue.

MOTION carried by Unanimous Roll Call Vote (8-0).

Mr. Stewart referred to a letter in Council's packet regarding RAD (Regional Asset District) stating that RAD is taking 1% and using these funds to pay for the two stadiums, despite that these two items were voted against.

Mr. Cindric inquired on the legal cost with Tucker Arensberg. Mr. Crown and Mr. Wolfe confirmed that the costs will be at the same rate as was with Springer, Bush.

ADJOURNMENT

MOTION: It was regularly moved by Mr. Stewart, seconded by Mr. Byers that this meeting be adjourned.

MOTION carried by a Unanimous Voice Vote.

Respectfully submitted,

Mary Tremblay, Borough Secretary