

**COUNCIL MEETING  
MINUTES OF JANUARY 11, 2006**

President Stewart called to order the Council Meeting of Crafton Borough Council, in Council Chambers of the Community Center; held the flag salute and roll call was conducted Roll Call, by Mrs. Tremblay, recorded nine (9) members of Council present, as follows: Mr. Byers, Mr. Christman, Mr. Cindric, Mr. Donovan, Mr. Impavido, Ms. Koerbel, Mr. Ogden, Mrs. Sappie, and Mr. Stewart. Also present were and Manager Sample, Solicitor Woodman, and Engineer Wagner (*Absent: Mayor O'Connell*). President Stewart announced that an Executive Session of Council was held prior to the meeting to discuss legal and personnel matters.

**APPROVAL OF BILL LIST**

**MOTION:** It was regularly moved by Mr. Byers, seconded by Mr. Ogden, to approve the January 11, 2006 List of Bills.

MOTION carried by Unanimous Roll Call Vote (9-0).

**APPROVAL OF MINUTES**

It was regularly moved by Mr. Byers, seconded by Mr. Christman, to approve the meeting Minutes of January .

MOTION carried by Unanimous Roll Call Vote (9-0).

**CITIZEN'S PRESENT TO ADDRESS COUNCIL**

Richard Reynolds, Crafton resident and Karen A. Bobash – Ms. Bobash spoke of their interest in purchasing, repairing and renovating 37 White Avenue (*read a prepared letter; attached to and made a part of the Minutes*). President Stewart stated that the Solicitor would review the request and the Borough would get back to Mr. Reynolds as soon as possible.

**APPROVAL OF MINUTES**

It was regularly moved by Mr. Byers, seconded by Mr. Christman, to approve the Re-organization meeting Minutes of January 3, 2006.

MOTION carried by Unanimous Voice Vote (9-0).

**ENGINEER'S REPORT**

Engineer Wagner reported that the sewer defect corrections are progressing, and the Progress reports are due to be submitted at the end of the month. Mr. Stewart welcomed Mr. Wagner back to the Council meetings.

**SOLICITOR'S REPORT**

Solicitor Woodman express Solicitor Ayoobs apologies for not attending the meeting due to a conflict. They are getting up to speed on current issues, pending litigation and the transfer of files from the former solicitor.

**OLD BUSINESS DISCUSSION**

Fire Marshal - Mr. Cindric stated that the rate of pay for the fire marshal was set several years ago at \$9.00 per hour. The Fire Marshal, Gary Ciampanelli, is Head of Safety at Allegheny General Hospital and is an instructor at the Allegheny County Fire Academy; and is very qualified for this position and in comparison, is paid less than the part-time public works employees. He stated that Manager Sample had researched this position and rate of pay in other communities, and he found that the fire marshal position was combined with the duties of the building inspector or fire chief. The few that were found made approximately \$15 - \$16 per hour. He suggested that the hourly wage be increased to \$15 per hour and that the revised budget be increased to \$1,500; for up to 100 hours. Mr. Stewart reminded everyone that a Budget meeting is scheduled for January 12<sup>th</sup>.

**OLD BUSINESS DISCUSSION (Cont.)**

ALOM conference attendance – Mr. Stewart confirmed that the ALOM conference is scheduled for the beginning of April at a cost of over \$900. per person. Mr. Stewart asked that anyone that would go would need to provide a written report; Mrs. Sappie indicated that she could not get time off to go. Mr. Impavido indicated that he would be willing to drive back and forth to save money, and welcomed anyone who would desire to join him. Mr. Byers felt it is not necessary for every Council person to attend every year; and felt the new Council person should attend, and he does not plan on attending. Mr. Cindric advised that he will be assisting on the last day with 3 Rivers Wet Weather. Ms. Koerbel stated that she did not plan on attending, but felt that Manager Sample should attend. Mrs. Tremblay advised that there may not be a conflict with jobs, that anyone attending could arrive either on Thursday evening or Friday evening. Mr. Donovan felt that there is a great deal of information available and a lot of opportunities to interact with officials from other communities, and learn from them, as well. Mr. Cindric agreed with Mr. Donovan. Mr. Cindric felt that this conference should be held in Allegheny County, and Mr. Stewart concurred and suggested a letter be written. Per Mr. Christman's inquiry, Mr. Byers stated that various townships and boroughs get together; there are vendor information booths, and speakers, and hospitality rooms in the evenings. Mr. Ogden, considering the budget review, felt that only one person should go for financial reasons. Mr. Stewart said that the borough cannot afford to send all 9 council persons; perhaps the manager and 1 council person. Mr. Donovan stated that he doesn't recall 9 council persons ever attending; usually just 5, and he plans on using vacation time and attending. Mr. Stewart stated that additional information is necessary before council can make a decision. Mr. Ogden inquired if any video could be available; and Mr. Stewart advised no, and suggested this matter be tabled for now. Mr. Cindric said to be aware of the deadline to register.

Council Meeting Dates and Times - Mr. Stewart felt that a lot of people have to skip dinner to get to the meetings, and are really rushed if there is an executive session; he suggest changing the meeting back to 7:30 pm. Ms. Koerbel asked if there were 2 council meetings previously, and Mr. Stewart said yes. The consensus of Council was to move the time to 7:30 pm. Mr. Ogden wanted the public's input; and Mr. Stewart said they could speak at the end of the meeting.

Junior Council Member - Mr. Cindric had information on this position for Council, but did not bring it. He has been speaking with Carlynton School representatives and stated that Mayor O'Connell could speak to the advanced history class about local government; and the Junior Council members are chosen from that class. Mrs. Tremblay asked if Carnegie Borough still had one; Mr. Cindric did not know. Mr. Byers suggested that Canevin students also be considered.

Planning Commission Solicitor - Mr. John Vogel, with Tucker Arensberg, was appointed last year. Ms. Koerbel stated that he is used very sparingly; that he is very professional, responsive, and quick. She encouraged Council to consider retaining him. Manager Sample added that he agreed with Ms. Koerbel and felt that Mr. Vogel was very knowledgeable. Mr. Cindric asked if Council wanted to retain Mr. Bish regarding Madigan Manor. Mr. Stewart suggested that Mr. Vogel continue representing the Planning Commission for now with the understanding that it is a professional contract and can be terminated at any time. Mr. Stewart suggested Council consider a motion at the next meeting to replace Mr. Bish with Solicitor Ayoob for the Madigan Manor development. Mr. Stewart reported that Solicitor Wolfe is going to finish the matter regarding the Police Contract and this should only involve a few more hours; possibly 4 or 5 hours, but does believe that the Borough should be working toward having only one Solicitor.

**BUSINESS AGENDA****FINANCE:**

MOTION: It was regularly moved and seconded (Cindric/Byers) to amend Wage Resolution No. 2005-20, setting the hourly wage at \$15.00 per hour for the Fire Marshal, for a maximum of 100 hours per annum.

MOTION carried by Unanimous Roll Call Vote (9-0).

ADMINISTRATION:

MOTION: It was regularly moved and seconded (Cindric/Christman) to establish and advertise the 2006 Council Meeting dates to be held as follows: On the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month, at 7:30 pm, commencing with February 2006. COMMENTS: Mr. Cindric asked if this would be sufficient notice to advertise. Mrs. Tremblay advised that it would be advertised on January 18<sup>th</sup>, which should be sufficient notice; providing well over two weeks notice. Solicitor Woodman said he would review the requirements. Ms. Koerbel asked if the citizens in the audience were being permitted to offer their input, as suggested earlier. Mr. Stewart advised that the time should be set to accommodate Council and insure their attendance; that the audience can comment but the decision is Councils.

MOTION carried by a Unanimous Voice Vote (9-0).

ORDINANCE/ZONING:

MOTION: It was regularly moved and seconded (Ogden/Donovan) to approve the request of Duncan Excavating Company to move topsoil in the evenings on January 29, 2006 and February 12, 2006, during hours generally prohibited by Ordinance. COMMENT: Mr. Stewart read the letter from Duncan Excavating requesting to move soil for events; tractor pulls, etc. at the Civic Arena and then bring the soil back, which they have been doing for almost 20 years. Mrs. Tremblay advised that the only prior complaints were from the residents in the immediate area, that they were surprised by the noise and requested advance notice be provided to them. Mr. Byers stated that he would vote favorably on this if it is contingent on the original agreement between the Borough and Mr. Duncan. Mr. Cindric stated that there were contingencies in the agreement as follows: Shall not conduct business on Sundays, Holidays and during the period of 6 pm and 7 am on weekdays. Saturdays limited to 8am and 5pm; restrictions to insure the quiet enjoyment of the property of the adjacent property owners, conduct of business to be restricted under the provisions of this paragraph including passage of trucks and other vehicles, or the operation of any machinery. Mr. Cindric stated that this action by Council would be providing an exemption from this agreement; an agreement that he believes Mr. Duncan has never complied with over the years. The Agreement is dated September 30, 1987. Under the agreement he was to provide proof of compliance with all applicable laws, regulations, ordinances, or rules of Federal, State, county or other governmental bodies or authorities, and should obtain any permits required. He has never obtained any permits to mine that property, under the Surface Mining act of Pa; nor has he ever obtained a license to perform surface mining. Mr. Cindric stated that he will vote favorably on this request, but felt Council and the citizens should be aware of this agreement with Mr. Duncan. Ms. Koerbel commented that she did not feel it was fair to Mr. Duncan to have his agreement read out of context, in public, without the benefit of being able to read the whole agreement; and if anyone is going to advise Council on whether or not Mr. Duncan is in compliance with the agreement, it should be the Solicitor – that it is somewhat prejudicial coming from a council member to make those kinds of conclusions. Mr. Stewart stated that he was not making any conclusions, that he was reading from the contract. Mr. Stewart added that due to the timing of the events, Council can not delay action until the next meeting or cause any undue harm. That this matter should be reviewed in 2006 with Mr. Duncan. Mr. Cindric stated that he did not want to restrict any business in the borough unnecessarily, but when they sign a contract with the borough to do certain things, it should be questioned and they should be held accountable to that contract. This was brought up once before, in 2000, and Mr. Duncan did obtain a permit or license, but Mr. Cindric is not certain if these were renewed.

MOTION carried by Unanimous Roll Call Vote (9-0).

COUNCIL COMMENTS

Mr. Cindric reported that due to the 3 year contract with Jordan Tax Service, Council would not be seeking proposals from tax collection agencies as was moved at the last meeting. Mr. Stewart added that Council had discussed also making a change in the auditor, but after further discussion with the Solicitor, Manager and Secretary, it was decided to retain the appointed auditor of Estermyer and Sharshan. Council was reminded of the Budget meeting dates; which are open to the public.

**ADJOURNMENT**

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

MOTION carried by a Unanimous Voice Vote.

Respectfully submitted,

Mary Tremblay, Borough Secretary