

**REGULAR MEETING  
MINUTES OF MARCH 26, 2008**

President Koerbel called to order the Regular Meeting of Crafton Borough Council, in Council Chambers of the Community Center; Flag Salute was led by Mr. Cindric. Roll call, by Mrs. Tremblay, recorded all (9) members of Council present, as follows: Mr. Bloom, Mr. Byers, Mr. Christman, Mr. Cindric, Mr. Donovan, Mr. Ogden, Mrs. Sappie, Mrs. Viola, and Ms. Koerbel. Also present were Mayor O'Connell, Manager Sample, Solicitor Ayoob and Engineer Minsterman.

**THOMAS J. WITT, SR. MEMORIAM**

Mark Schuster, on behalf of the Crafton Memorial Committee – Tom Witt was an honored friend and colleague; he was an integral part of the planning for the Crafton memorial. Details were very important to him; as was to remember, and never forget, those individuals.

Mayor's Proclamation – Read by Mayor O'Connell; copy attached.

Borough Resolution (*See Business Agenda*; copy attached); Observed a moment of silence.

**APPROVAL OF BILL LIST**

**MOTION:** It was regularly moved by Mr. Donovan, seconded by Mr. Christman, to approve the March 26, 2008 List of Bills. **QUESTIONS:** Mrs. Viola – Fire Fighters Sales & Service; \$1,171.25 – Manager Sample advised that this expense covers the annual inspection, maintenance and replacement of all borough fire extinguishers; all buildings/locations. Mr. Bloom - #410.42 Reimbursement to Mark Sumpter/Pa Chief's Association dues; \$100. Mr. Bloom expressed concern that this is an improper expense; that under contract and rank, he is not entitled to membership. Mr. Bloom also asked if any other officer, or Capt. Tolkacevic, were offered this opportunity or recommended for membership. Mayor O'Connell stated no. Mrs. Sappie asked for clarification on the #430.26 Sky Oxygen expense; Manager Sample advised that this expense is for refilling the tanks for the cutting/welding torches.

MOTION carried by Unanimous Roll Call Vote (9-0); exception noted by Mr. Bloom (#410.42).

**APPROVAL OF MINUTES**

**MOTION:** It was regularly moved by Mr. Christman, seconded by Mr. Donovan, to approve the March 12, 2008 meeting Minutes. **COMMENTS:** Mrs. Viola asked for clarification on Manager Samples' comments regarding the new truck purchase and truck replacement. Manager Sample re-iterated that there are two separate truck purchases; one, which was budgeted for replacement (#107) and one, which was not (#111). Truck #111 was to be slated for replacement in 2009, so the insurance proceeds for truck #111 will be used for this year's lease payment for the replacement truck, and the balance of payments figured into next years' budget.

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

**CITIZEN'S PRESENT TO ADDRESS COUNCIL**

Frank Miller, 14 Baldwick Road – Mr. Miller expressed concerns for safety zones; vehicles parked in or encroaching the zones at intersections, and the need to repaint the yellow curbs; particularly at Bradford and Crafton Blvd. Manager Sample explained that the zones are established by ordinance; that he would review several of the locations mentioned, and look into having the curbs repainted. Mr. Miller volunteered his services to help paint the curbs. Mr. Cindric suggested moving the zone further back to the telephone pole; perhaps have Chief Rost look at it for sight line measurement. Mr. Bloom inquired about installing a stop sign at that intersection, and would PennDot need to approve it. It was commented that documented proof of a dangerous intersection may need to be provided. Also, suggested a stop sign at Stotz and Bradford; the buildings at each corner limit vision of oncoming traffic. Manager Sample to look into it for the next meeting.

Rev. Ed Bowen, Crafton Presbyterian Church – Rev. Bowen thanked the police department for the \$525. donation. He acknowledged and thanked both Carlynton Jr/Sr High School students and Crafton Elementary School students for their recent food drives; their efforts were appreciated.

### **RECEIPT OF WRITTEN REPORTS**

The following written reports were provided in Council's Packet: Treasurer's Report, Financial Report, Act 511 and Trash Collection Fee Reports, ~~Property Tax Collection Report~~, Police Report, Ordinance Officers report, REMs Report, Animal Control and Engineers Report.

**Fire Chief's Report:** Chief Hermes referred Council to the written report; any questions should be directed to Mr. Crown. No significant fire calls; a few nuisance automatic alarms. Nice turnout for the Easter Egg hunt. Mrs. Viola inquired about the "open house" plans – Most likely the 3<sup>rd</sup> week of May in conjunction with EMS week. In response to previous NFPA inquiries, Chief Hermes provided copies of an informational handout. New air compressor is operating well; had some problems, but they have been worked out. Physical fitness program is proceeding well. Mr. Cindric asked if there are any other problem locations for intersections/corners, and if the ones posted last year were sufficient. Chief Hermes said they were fine; he isn't aware of any other locations, but would inquire to the members. He advised that a few more hydrants could be installed. No cost for the hydrant or installation; but borough would have to pay \$125. annual maintenance fee per hydrant. (McMunn at Crafton Blvd., N. Linwood at Taylor, and Mildred at Steuben.) Mr. Cindric asked if the hydrant at the corner of Noble and Steuben should be moved. Chief Hermes stated that it was previously moved, further back from the street; also PAWC is reluctant to move hydrants. Mr. Donovan spoke on the fund raiser held in White Oak; Chief Hermes noted that the CVFD did not participate. Mr. Ogden is working with the members on Thursday evenings on use of the fitness equipment. Mr. Crown said that as a result of the Health and Wellness grant, which funded member physicals, a condition of high blood pressure was found to exist in two members.

**REMS Report:** REMS representative reported that they responded to 64 calls in February; transporting 51. March, to date, they responded to 53 calls; 37 transported.

### **~~Police Chief's Report:~~**

### **MAYOR'S PROCLAMATION AND REPORT**

Mayor O'Connell stated that she attended a dinner at the American Legion, also attended by the National Commander and Department Commander, whereas a Mayor's Proclamation was presented and decreed that March 19, 2008 is American Legion Day in the Borough of Crafton (*copy attached to the Minutes*). Mayor O'Connell reported that the department responded to 184 calls in February; referring Council to the written Police Report. She reported that the Crime Watch Opt-In service has been changed; and if already opted in, you should receive notice introducing the new service, and registration to the CrimeWatch Newsletter would be automatic. With regard to police officer background investigations, she noted that it would take approx. 4-6 weeks to complete; delays are experienced waiting for return information from various agencies, etc. Ms. Koerbel noted that Manager Sample will be reporting on the status of the police officer testing and eligibility list.

### **ENGINEER'S REPORT**

1. Ewing Road Review - Engineer Minsterman reported that he and Manager Sample visited the site again, to evaluate the option and determine the immediate needs.

2. 2008 Paving Program – Engineer Minsterman reported that they have made some adjustments to the specs for the approaches to Blacks Bridge; and revised cost estimate was provided to Council. Mr. Christman inquired about the \$5,000 cost for traffic control. Mr. Minsterman stated that this is standard, and being an unknown is usually estimated high; for road closures, detours, traffic control, and is not included in the unit costs. Mrs. Viola inquired on the status of the City of Pittsburgh sharing in the cost. Manager Sample stated that approx. 25% of the project would be City of Pittsburgh; that a site map and info has been provided to them, which will be reviewed by a survey team and their law department. More than likely this should be approved in the form of a reimbursement to the Borough. Mr. Cindric inquired on Crafton’s practice when putting together paving contracts, as to inclusion of Prevailing Wage. Mr. Minsterman stated that there are specific guidelines and criteria; maintenance vs. repairs. Maintenance is exempt; but recent standards for some maintenance may meet those for repairs. So Crafton does include Prevailing Wage requirements. Mrs. Viola inquired about a handicap ramp maintenance program, due to the many deteriorated ramps. Mr. Minsterman stated that he knew of no existing program in the borough, but an in-house program could be considered to help preserve the life of the concrete, by performing crack sealing and an application of concrete sealant.
3. Chartier’s Avenue Rock Slide - Engineer Minsterman met with contractors to evaluate the site. Some are reluctant to participate due to the difficult scope of work. He will attempt to obtain some ballpark cost estimates and how work the work is to be accomplished.

### **PRESIDENT’S REPORT**

President Koerbel reported that an Executive Session will be held after the meeting to discuss some ongoing litigation. She noted that the Great Crafton Cleanup program is scheduled for Sat. April 19<sup>th</sup> from 9am to 5pm – Any amount of time is appreciated, for family and group participation. Students of the Carlynton National Honor Society will be participating. **SOLICITOR’S COMMENTS:** Mr. Ayoob indicated that there were three items Mr. Cindric had inquired about; the first, with regard to inclusion of Prevailing Wage requirement was answered by the Engineer, and is being included. Second, PA House Bill #1133, a modification to the Borough Code which addresses that the borough insures that fire and emergency medical services are provided within the borough, by the means and to the extent determined by the borough, including financial assistance. Consult with providers to discuss their needs, and the borough shall require any emergency provider organizations to provide an annual itemized listing of all expenditures from these funds before providing additional funds. Lastly, a PA Supreme Court decision with regard to Business Privilege and Mercantile Tax, and temporary businesses. The law hasn’t changed, same language in State tax enabling law, the case concerns mainly a decision regarding what constitutes doing business within a municipality; base of operation analysis, length of time and certain other criteria. Does not believe Council needs to change its’ ordinance; does not believe this case changes anything with regard to temporary construction trailers on location at a development site. He further asked, would it create enough business, is it worth the Solicitor’s time and expense to pursue, and suggested that it also be addressed with the tax collector (Jordan). Chief Hermes asked for further clarification on the financial assistance matter; Solicitor Ayoob said it may or may not be necessary in this case, but it provides a certain accountability.

### **CIVIL SERVICE TESTING UPDATE**

Manager Sample advised that, per the Rules and Regulations, a list providing the top ten candidates has been posted, and the Commission has decided to provide the top 5, rather than the top 3, to the police department for background investigations. In light of the proposed hiring, this would insure a viable eligibility list for the next two years.

### **MANAGER’S REPORT**

Manager Sample reported that he has cancelled his attendance at the ALOM conference; that this money can be better spent on his attendance at other programs and seminars. He will be conducting summer employee interviews on April 2<sup>nd</sup> at 3:30; if anyone is interested in attending to let him know. He advised that approx. ten years ago, Public Works built a crude retaining wall on Ewing Road. He has plans to have Public Works rebuild a retaining wall, however, more structurally sound; estimate the project under

\$10,000. Mrs. Viola inquired about the proposed methods of eliminating water on Ewing Road. Manager Sample stated that they plan on sloping the asphalt to redirect water runoff, to slow erosion, and plan on installing two catch basins. Mr. Cindric questioned inaccurate information being provided to a resident, last year, that conflicts with the stricter ordinance adopted last June (garage; no permit needed under 1,000 sq.ft.). Manager Sample advised that the ordinance has not yet taken affect since it first required a public hearing. Mr. Cindric also asked, with regard to a recent zoning hearing concerning the storage of a recreational vehicle, why the size, in addition to the location, of the trailer was not considered and addressed by the ordinance officer. Mrs. Koerbel indicated that there are issues that need to be addressed; whether the current building inspection is working out, and that ordinance enforcement is somewhat fragmented right now. She noted that Mrs. Viola will be holding committee meetings to address some of the ordinance issues. Mrs. Viola reported that she will be meeting with the ordinance officer to review his systems and methods of enforcement. Mr. Cindric noted that he has brought up the fact, previously, that ordinances are not being enforced consistently. Ms. Koerbel stated that Council should be supportive of Mr. Londino who is getting conflicting direction; that this will be an ongoing process and not resolved over night. Mr. Cindric also mentioned a possible zoning problem with the tattoo parlor. Solicitor Ayoob preferred that this matter not be discussed publicly because it may become a matter of litigation; involving certain rights, reliance on information, money already expended based on the reliance of information, and he offered to discuss the matter further in Executive Session. In response to Mr. Ogden's question, Mr. Ayoob noted that, no, the landlord cannot be held responsible or relied upon by the tenant to know all of the zoning restrictions; the tenant applies for the occupancy.

#### **DISCUSSION ITEMS AND OLD BUSINESS**

1. Commission Vacancies: Zoning Board Alternate, Shade Tree Commission and Planning Commission – Mrs. Koerbel noted that residents should provide letter of interest, and any qualifications, to the borough office. She also noted the Jeffrey Harlich has expressed interest in the alternate Zoning Hearing board seat and a motion is on the Agenda for appointment. Robin Anthony's seat on the Shade Tree Commission is up at the end of March, and Mrs. Koerbel's seat on the Planning Commission expires on April 13<sup>th</sup>.
2. Tractor Trailer Traffic - Manager Sample reported that, with regard to tractor trailer and truck traffic: there are presently 19 signs throughout the borough, and on the major streets leading into the borough. Chief Rost does not see any increased tractor trailer traffic, but they are actively citing tractor trailers; so perhaps instead of spending time and money on additional signage or height restrictions, etc – consider monitoring the situation and revisit it again in six months. Manager Sample re-iterated information on current ordinances and fines. Mr. Cindric noted that previously they had discussed installation of a height restriction structure on either side of the bridge, which Mr. Bloom was not in favor of. Mr. Cindric took some photos of one that exists at Kohls, and thinks Council should look at it and consider it. Mr. Bloom noted that the one at Kohls is in a parking lot, not on a main road; on Crafton Blvd., if potentially a tractor trailer knocks it down so that the structure is laying down on the handrails, at night and unnoticed in the dark, and police cannot respond right away, someone may come along and be unaware of this situation and hit it head-on; it creates a serious hazard and may result in a tragedy.

#### **BUSINESS AGENDA**

##### **ADMINISTRATIVE**

**MOTION:** It was regularly moved by Mrs. Sappie, seconded by Mr. Bloom, to adopt Memoriam Resolution No. 2008-03 remembering our friend and neighbor Thomas J. Witt, Sr. in his passing.  
**COMMENTS:** Resolution was read in part (*copy attached to the Minutes*).

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

**MOTION:** It was regularly moved by Mrs. Sappie, seconded by Mrs. Viola, to appoint Jeffrey Harlich as an "alternate" to the Crafton Zoning Hearing Board to fill an unexpired term, until December 31, 2009.

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

**PUBLIC WORKS:**

**MOTION:** It was regularly moved by Mr. Bloom, seconded by Mrs. Sappie, to authorize Gateway Engineers to prepare Bid Specifications for the 2008 Paving Program, *\*for the Crafton Blvd. bridge approaches \*(amended/language added-Mrs. Viola/Mr. Ogden).*

**MOTION carried by an Eight Yes, One No (Cindric) Roll Call Vote (8-1).**

**COUNCIL COMMENTS/ COMMITTEE REPORTS:**

Mr. Ogden – Acknowledged and thanked the CVFD and Auxiliary for providing the Easter Egg Hunt. Mr. Ogden added comments with regard to Mr. Witt and his local grocery business; that he and members of his family worked there at some point, that in his generosity even extended credit to residents, and had the best meat in town.

Mr. Cindric – Noted that the annual COG dinner is on April 17<sup>th</sup> and if planning to attend, rsvp to the Cog offices.

Mrs. Sappie – Reported that a Senior Citizen dinner is scheduled for Saturday, March 29<sup>th</sup>. She announced that the Rec Board will meet on the first Monday of each month, at 6:30 pm. Members of the Rec Board plan on participating in the Crafton Cleanup on April 19<sup>th</sup>, and noted that even if residents cannot report and participate with the group that day, that perhaps they can do general cleanup around their homes and streets.

Mr. Christman – Acknowledged all that Mr. Witt has done for Crafton Celebrates.

Mrs. Viola – Commented on the tax increase; noting that Council will pay attention to the budget and finances, and will not spend tax money frivolously.

Mr. Bloom – Reported that a hazardous waste/household chemicals collection program is being held at Settler's Cabin Park on Saturday, April 26<sup>th</sup> from 9am to 1pm. For a fee of \$2.00 per gallon, residents can dispose of various paints, chemicals, etc. - check out the Allegheny County website or [www.swpahhw.org](http://www.swpahhw.org) for more information.

Mr. Sample – Reminded everyone that Council Committee meetings are scheduled for Wed., April 2<sup>nd</sup> – Planning and Ordinances at 6:30 and Finance at 7:30

**ADDITIONAL CITIZEN COMMENTS**

None

**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