

**REGULAR MEETING
MINUTES OF MARCH 25, 2009**

Vice President Cindric called to order the Regular Meeting of Crafton Borough Council at 7:15 P.M., in Council Chambers of the Community Center. Flag Salute was led by Mrs. Viola Roll call by Mrs. Tremblay recorded (8) members of Council present as follows: Mr. Bloom, Mr. Byers, Mr. Cindric, Mr. Crown, Mr. Donovan, Mrs. Luxbacher, Mrs. Sappie, and Mrs. Viola. Also present were Mayor O’Connell, Engineer Minsterman and Solicitor Austin. *(Absent: Mr. Christman, Manager Sample)*

MAYOR’S PROCLAMATION

Mayor O’Connell read the proclamation recognizing the interscholastic athletic accomplishments of Jordon Roussos, competing in both football and wrestling; earning the WPIAL Class AA 285 title, and Carlynton’s all-time wrestling leader in wins with 120. *(Proclamation copy attached)* Jordon was present and thanked the Mayor for this acknowledgment and thanked many persons for their support throughout the years.

APPROVAL OF BILL LIST

MOTION: It was regularly moved by Mr. Crown, seconded by Mrs. Sappie, to approve the March 25, 2009 List of Bills as presented for payment. **COMMENTS:** None

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

APPROVAL OF MINUTES

MOTION: It was regularly moved by Mr. Crown, seconded by Mr. Bloom, to approve the March 11, 2009 Meeting Minutes, with the changes made on page 3, Council comments/reports.

MOTION carried by Unanimous Voice Vote (8-0).

CITIZEN’S DESIROUS TO ADDRESS COUNCIL

Regis Patton, Maplewood Avenue – Requested permission for his son to plant a maple tree in Crafton Park, at his sole cost and expense, including a stone marker, in memory of Crafton resident, Fred Peeler.

Edwina Clapperton, Pat Tietz, Kitten Hamscher, Lucetia Ziegler, Edward Stewart, Tom Gerlowski, residents - All spoke in support of retaining REMS as the EMS service provider; recalling excellent and professional service provided to them. Brandi Meredith, 222 Ewing Rd – Also, spoke in favor of retaining REMS, but added that Council should require and contract with a service provider that will provide 24-hour per day, on site, EMS services. Mr. Cindric noted that a special meeting was held a week ago to review proposals and interview three service providers, being REMS, Carnegie, and NorthWest EMS. Mrs. Luxbacher told the residents that, several months ago, Council discussed contract renewals and, in the best interest of the borough, and to be fiscally responsible, RFP’s (requests for proposals) would be requested and considered. It was also noted that although the REMS’ agreement does not expire until the end of the year, they approached the Mayor and requested that Council consider, at this time, a three-year renewal of their current agreement.

Tom Phillips, 9 Fountain Street – Reported parking problems in the area due to Park N Ride vehicles, and noted that he and the neighbors may present a petition to Council for action. Mr. Cindric updated Mr. Phillips on the recent ordinance passed by Council, which provided a residential permit parking process ... petition of at least 75% of the street, review, application and fee. Fee covers costs incurred, such as administrative, forms, permits, signs and posts, etc. It was noted that the original permit fee of \$20. should

not cause a financial hardship, but it was suggested to revisit the ordinance or fee resolution and reduce the permit fee for subsequent years, once initial costs, signs, etc. are covered.

RECEIPT OF WRITTEN REPORTS The following written reports were provided in Council's Packet: Treasurer's Report, Financial Report, Act 511, Property Tax and Trash Collection Fee Reports, Police Report, Ordinance Officers Report, CVFD Report, REMS Report, Animal Control and Engineers Report. **COMMENTS:** Mrs. Viola inquired on the CVFD report, particularly training: #65, 308.5 hrs. Mr. Crown and Mr. Johnston reported that 65 does not represent 65 people, but the number of persons times the number of classes; approx. 12 members attending, for a total of 308.5 hrs. over the course of the training. Adding, that this particular training was hazmat operations level training qualifications through Allegheny County, and these members will also be receiving State and National certifications as well. *Question regarding Elmwood sewer repair to be answered during Engineer's report.* Mr. Cindric, on behalf of a neighbor's inquiry, reported that Craftons QRS is not listed on the PA Dept. of Health's website, but is listed under the United Way and EMSI. Mr. Crown reported that their QRS is fully certified, and Mr. Johnston added that perhaps the Dept. of Health's website is not updated with current information. **MOTION:** It was regularly moved by Mr. Bloom, seconded by Mr. Donovan, to accept the written reports.

MOTION carried by Unanimous Voice Vote (8-0).

ENGINEER'S REPORT

Engineer Minsterman reported that the Elmwood/Bradford sewer repair job was quite extensive; 80 ft. long, 24" and 8" pipe, at 12 ft. deep. It was determined that the deficiency blocked the camera which prevented the failure from being found during original cctv work in that area. Mongiovi was contracted to do this emergency repair work, at their original contract pricing from two years ago, which may have saved the borough cost by not needing to seek a new contractor at possibly higher rates. The road program work was discussed, particularly the need to now replace the existing guide rails along Crafton Blvd. prior to the paving - they are old style and will also be too low once the road surface is raised during the paving. Public works personnel are capable of doing the replacement, so it would be the cost of materials - unknown at this time. Mr. Cindric inquired of the soft spot repair pricing, noting that it was extremely under estimated for the last paving contract. Mr. Minsterman feels this is a more aggressive estimate but there is no certain way to predict or determine the exact amount. Mr. Cindric noted that there is a drain on the right hand side of the hill, underneath Backbone road and over the hillside. Mr. Minsterman acknowledged that this would be included and is on the drawing. Mrs. Viola reported that the paving estimate from 2007 for this area was \$91,623, which two years later, today, is \$97,714 so it is not a lot more expensive considering the price increases in everything. She also noted that after reviewing the area, she did not see a 300 ft. concrete sidewalk, yet #8 on the Base Bid indicates remove and replace concrete sidewalk. This would be looked into and verified, and if this work is not needed, it would be removed from the contract. It was also noted that the intersection paving would only go a few feet past the actual intersection and the asphalt paving will be transitioned to the existing surface. It was noted that the existing speed humps will remain in this contract. He reported that Alcosan has hired consultants to do evaluate the systems in the various communities, and our Basin Group is working with Tetra Tech.

MAYOR'S REPORT

Mayor O'Connell reported that the department responded to 183 calls during the month of February, and referred Council to the written report. She reported that Chief Rost and Danet Coordinator, Capt. Sumpter, attended a DANET participating chiefs meeting, and with some of the changes they've made, it may afford more opportunities to increase our participation. She noted receipt of two letters of thanks to two officers; one, thanking Officer Chedwick for his excellent work/class instruction for the Carlynton Adopt-a-School program, and one, from a young mother of a 5 yr. old, thanking Officer Harvison, on foot patrol, for discovering the wandering 5 yr. old and returning the child. EMS comments deferred until comment period of Business Agenda.

PRESIDENT'S REPORT

None. Mr. Cindric, on behalf of Mr. Christman, reminded everyone of the upcoming Crafton Celebrates meeting and the need for volunteers.

MANAGER/SECRETARY'S REPORT

Mrs. Tremblay reported that HDR will be inspecting Blacks Bridge this week and will be submitting a proposal for the bridge work for the April 8th meeting. She announced that both, Mr. Meighan's and Mr. Bogats' seats on the Crafton Planning Commission will be expire on April 13, 2009, and both of expressed interest in being reappointed. This will be considered at the April 8th Council meeting. She reported that ALDI is scheduled for zoning hearing on April 2nd, requesting variances regarding the front setback, parking location and setback relief and exterior signage. She noted that this is for a proposed development/grocery type market, on West Steuben Street between Walgreens and Walsh Road, where, presently, stands three apartment buildings. She also noted that she had provided Supplement #5 of the Borough Code to all Council members, and any prior supplements (#1 thru #4) can be discarded.

DISCUSSION ITEMS AND OLD BUSINESS

- a. Sample Resolution – Stimulus Package and Buy American – Council requested additional information and will revisit this action at the next meeting.
- b. COPS Grant – Terms, conditions and dollar amount of the grant were discussed. Guidelines may require maintaining same number of officers, effect on possible retirements, etc. during the grant period. Application deadline; April 14th; Mayor O'Connell, Mr. Bloom and Manager Sample are the designated Committee to review this, and report back to Council and possibly act on this at the next meeting.
- c. 2009 PA Chiefs of Police Convention - \$1,500. funds were budgeted for this expense; convention is in July. Mayor O'Connell reported that both Chief Rost and Capt. Sumpter attended the convention last year as well.
- d. 2009 Paving Program – Bids were reviewed; comments during Engineer's report.
- e. Sale of the 1982 Seagrave Aerial – No date available when to be taken out of service; once sold, will rely to mutual aid companies for aerial service, approx. one-two months. The truck was advertised for sale, for the past 3 months, in a national publication, the PA Fireman, Budgeted at least a sales price of \$12,500; Gilmore Fire Dept. has offered \$20,000. This sale would be in accordance with the Borough Code guidelines, exempt from advertising, public auction and bidding requirements when sold to a fire company.
- f. Sale of the 1962 Seagrave Engine – Proposed sale to the CVFD for \$1.00 consideration; to be maintained and insured by them, used for ceremonial/parade events, and maintains certification for fire response as a back up, if necessary. Sale also in accordance with the Borough Code - Article XII, Section 1201 (4) (iv) (A). Mrs. Viola also referenced a 1961 truck that is advertised for \$2,700, Mr. Crown referenced vendor letters provided to the Borough valuing the truck under \$1,000 and Mrs. Viola contends that is still worth more than \$1. Mr. Byers referenced the Borough Code, Section 1201 (4) (ii) estimating the value to be more the \$1,000 and therefore, requires the advertisement and bidding process; and feels it needs appraisal. Solicitor Austin will review the two sections of the Borough Code for case law, and action deferred to the next meeting.
- g. EMS Proposals –Mr. Byers questioned the order of the two motions, placing the 120-day termination notice motion before the motion to consider contracting with an EMS provider. Mrs. Tremblay advised that she believes it is a technicality, that you must first terminate the contract before considering a new provider or renegotiations with

REMS. Mr. Bloom noted that after review of the three proposals, he found them all to be similar in qualifications, etc. but the difference would be the providers that would be stationed in Crafton, 24 hours a day. Mrs. Viola referenced the different membership subscription fees, and also noted that Carnegie EMS indicated that they would have to purchase another ambulance if contracted. Mrs. Luxbacher noted that Northwest EMS provides service to 14 communities and is a backup to REMS in Crafton, and she, too, concurred with Mr. Bloom, wanting the provider stationed in Crafton 24 hours a day; adding that REMS leaves during the night and maintains that, financially, they cannot place personnel in Crafton for 24 hours a day. That having medical response within 2 minutes vs. 8-10 minutes is a big deal; adding that Carnegie also has access to Crafton via the busway for a quick response. Mayor O'Connell has had resident responses to this issue stating that they are very pleased with the current service provided by REMS and don't want a change. Mr. Cindric received similar responses in support of maintaining REMS. He questioned various information provided by Carnegie EMS with regard to forming a Carlynton Emergency Response District, combining service with other communities (Rosslyn Farms, Thornburg). He also expressed concerns that terminating EMS service with REMS may affect our police service contract with Thornburg. It was questioned whether, economically, there are enough nighttime calls to feasibly provide service by NorthWest or Carnegie EMS. Mr. Dudash, of NorthWest, stated that the number of call-outs was not provided to him, that it was based on his research of historic data of call-out records for similar communities. He confirmed that NorthWest is not a 501C3 not-for-profit, and felt that being a for-profit company made them more self-reliant and responsible. Mrs. Sappie noted that Crafton pays REMS for fuel, and was not taken off the table; only to be negotiated - \$250. per month. Mr. Byers noted that he reviewed the IRS 990's for the providers and feels that REMS is more financially stable. Mr. Cindric explained that there were issues that developed when REMS moved their station to the CVFD facility, then left their facility under bad terms. At that time, and since, Council has been pressured to look at other EMS providers. Mrs. Luxbacher said that this was not necessarily accurate; that she was part of a committee to raise revenue for the fire department and the new truck. During brainstorming, the possibility of REMS paying rent was one idea of about 50 – it was just an idea. Mrs. Luxbacher contends that Mr. Cindric contacted REMS with that information, which caused the political issues and turmoil, which resulted in REMS moving out of the CVFD. It was re-iterated that Council agreed to review all contracts before renewal, and it was REMS that started this with their request to renew their current contract for three years, even though it didn't expire until the end of the year. Mr. Cindric contends that Mr. Crown was negotiating for new EMS providers before this point, and Mr. Crown contends that he was authorized by Manager Sample and Mr. Christman to obtain information, not to negotiate with anyone. Mayor O'Connell referred to a letter written by Mr. Crown to Mr. Caliquire, of REMS, negotiating various terms. Various additional comments by Council, Mr. Neimic of REMS, and residents were heard. Average response times, and response time standards were provided. Resident comments were that REMS is very familiar with the borough, and already know a lot of the residents and their medical conditions, and this is a comfort to them. MOTION: It was moved by Mrs. Sappie, seconded by Mr. Bloom, to move to the Business Agenda. MOTION carried by Eight Yes, One No (*Cindric*) Voice Vote (8-1).

BUSINESS AGENDA

PUBLIC SAFETY:

MOTION: It was regularly moved by Mr. Crown, seconded by Mr. Donovan, to adopt Resolution 2009-04 authorizing the sale of the 1982 Seagrave Aerial Truck to the Gilmer County (W.VA) Volunteer Fire Department for the amount of \$20,000.00, and authorize the Borough Secretary to represent the Borough in completing the title transfer.

MOTION carried by Unanimous Roll Call Vote.

~~**MOTION:** I move to adopt Resolution 2009-05 authorizing the sale of the 1962 Seagrave Engine Truck to the Crafton Volunteer Fire Department for the amount of \$1.00, and authorize the Borough Secretary to represent the Borough in completing the title transfer.~~ **Motion withdrawn.**

MOTION: It was regularly moved by Mrs. Sappie, seconded by Mr. Bloom, to authorize the Borough Manager to execute the one hundred twenty (120) day written notice terminating the service agreement between the Borough and Robinson Emergency Medical Services per the conditions of the agreement.

MOTION carried by a Five Yes, Three No (*Byers, Viola, Cindric*) Roll Call Vote.

MOTION: It was regularly moved by Mrs. Viola, seconded by Mr. Byers, to authorize the Borough Manager to begin negotiations with ROBINSON EMERGENCY MEDICAL SERVICES (REMS) to provide the Borough with Emergency Medical Services.

MOTION failed by a Three Yes (*Byers, Viola, Cindric*), Five No Roll Call Vote.

MOTION: It was regularly moved by Mrs. Viola, seconded by Mr. Byers, to designate Chief Rost and Captain Sumpter to represent the Crafton Borough Police Department and attend the 2009 PA Chiefs of Police Convention.

MOTION carried by a Six Yes, Two No (*Bloom, Sappie*) Roll Call Vote (6-2).

MOTION: It was regularly moved by Mrs. Sappie, seconded by Mrs. Luxbacher, to authorize the Borough Manager to begin negotiations with NORTHWEST EMERGENCY MEDICAL SERVICES to provide the Borough with Emergency Medical Services.

MOTION carried by a Five Yes, Three No (*Byers, Viola, Cindric*) Roll Call Vote.

PUBLIC WORKS

MOTION: It was regularly moved by Mrs. Sappie, seconded by Mr. Donovan, amendment by Mrs. Viola, seconded by Mr. Bloom, to award the 2009 Road Resurfacing Base Contract only to A. Folino Construction. for the amount of \$97,714.80, per the Engineer's recommendation.

COMMENTS: At Mrs. Viola's suggestion, Council agreed to amend the motion to reflect only the Base Contract and to exclude the Alternate "A" paving portion of the bid. To retain the money for Alternate "A" in the Road Fund and look to spend those funds, approx. \$100,000. on another needy street.

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

MOTION: It was regularly moved by Mrs. Sappie, seconded by Mr. Donovan, to approve the payment to Mongiovi and Son Excavating, Inc. in the amount of \$49,636.75, per the recommendation of the Engineers. **COMMENTS:** Paid for from the Sewer Fund, not the General Fund.

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

PARKS/RECREATION

MOTION: It was regularly moved by Mr. Bloom, seconded by Mr. Donovan, to approve the request of Regis Patton, to plant a maple tree in Crafton Park with a stone marker, at his sole cost and expense, in memory of Crafton resident, Fred Peeler.

MOTION carried by Unanimous Voice Vote.

COUNCIL COMMENTS/COMMITTEE REPORTS:

Mr. Bloom – Noted unexpected cost, in excess of \$2,000, on the Bill List, to repair the backhoe radiator.

Mrs. Sappie – Finance Committee met on March 18th, and reviewed the year-to-date expenses. Next meeting is April 15th, and requested that comments be provided to the Borough Manager from the various Committees on expenses. She reported that the next Senior Citizen Dinner is March 28th.

Mrs. Luxbacher – Reported that the Recreation Committee and Manager Sample are working with the DCNR on a Grant application, with their support for a feasibility study for green space and park plan. Deadline is fast approaching, and Manager Sample is working on the application. Also noted that this would be a matching grant; that the borough would need to match the grant funds. She also announced that another Crafton senior, Matt Milliken, set a WPIAL record in swimming, and placed 3rd and 4th in State Championship. She reminded everyone of the Grand Opening ceremony and activities planned for the Children's Room expansion of the Library, scheduled for April 25th. Also, other upcoming events: May 2nd – Crafton Clean-up Day, May 7th – Crafton Celebrates/Library Bingo, and May 8th & 9th – Library Spring Book and Bake Sale.

Mr. Donovan – Reminded everyone to support their local Volunteer Fire Department.

Mrs. Viola – Reported that State Rep. Dan Deasy held a Townhall meeting, in the Crafton Community Center, on March 19th, and plans for another one in the Fall. She noted that the Playground is in need of some maintenance and suggested that the Recreation Committee use the money in the Playscape Fund to take care of these issues. Mrs. Sappie reported that the Recreation Committee is already working on this; that members were assigned to report on the various parks and provide this information to Manager Sample. Mrs. Viola added that Public Works has started working on pool maintenance and has removed the pool cover.

Mayor O'Connell – Noted that she plans to review her civic books for the understanding of what a representative form of government is.

Mr. Cindric - Reported he attended the CharWest COG meeting. Referring to State gaming funds, inquired on the status of the funds requested for the new Salt Bin; will need report from Manager Sample. He noted that the salt price dropped to \$42.20 per ton, and the borough should probably stock-up on salt now, at this price. The COG has obtained a State grant of \$40,000. for a new sewer cleaner. He commented on the 2010 census and to possibly consider any costs the borough may incur relating to this in the next budget. Also, the annual COG dinner is scheduled for April 16th at Jrs. Restaurant; cost is \$25. per person, and rsvps should be sent into the Borough

Secretary, so that a group reservation can be provided to the COG. A \$25. door prize is needed for the dinner; suggested a gift certificate from Sarafino's Restaurant again.

ADDITIONAL CITIZEN COMMENTS

Mike Neimic, REMS - Thanked Council and the residents of Crafton for their ten years in Crafton, and wished the borough good luck and hoped the EMS service provider chosen will provide good service, and also, availed REMS to any needs the Borough may have in the future.

ADJOURNMENT

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

MOTION carried by Unanimous Voice Vote (8-0).

Respectfully submitted,

Mary Tremblay
Borough Secretary