

**REGULAR MEETING  
MINUTES OF JULY 22, 2009**

Vice President Cindric called to order the Regular Meeting of Crafton Borough Council at 7:45 P.M., in Council Chambers of the Community Center. Flag Salute was led by Mrs. Luxbacher. Roll call by Mrs. Tremblay recorded six (6) members of Council present as follows: Mr. Byers, Mr. Cindric, Mr. Crown, Mr. Donovan, Mrs. Luxbacher, and Mrs. Sappie. Also present were Mayor O'Connell, Manager Sample and Solicitor Ayoob. (*Absent: Mr. Bloom, Mr. Christman, Mrs. Viola*)

**EXECUTIVE SESSION (6:30pm – 7:45pm)**

Executive Session of Council was held prior to the regular meeting to discuss a personnel matter/Breeden, the Duncan Property litigation and a matter of potential litigation/Thomas Street Sewer Lateral. No Action taken.

**APPROVAL OF BILL LIST**

**MOTION:** It was regularly moved by Mrs. Sappie, seconded by Mr. Donovan, to approve the July 22, 2009 List of Bills as presented for payment. **COMMENTS:** Mr. Crown inquired on a purchase paid from the Police forfeiture account that was not first provided to Council on a Bill list for approval. Mayor O'Connell explained that equipment was purchased with the funds estimated to remain in the account after the purchase of the bullet proof vests. Mr. Crown noted that this account was previously discussed and it was his understanding that no purchases were to be made without prior Council approval/knowledge. Manager Sample stated that this expenditure, for equipment bags, will be placed on the next Bill List and approval ratified. The Solicitor noted that this account should be placed in the borough's name, subject to the borough's audit and expenditures approved by Council.

MOTION carried by Unanimous Roll Call Vote (6-0).

**APPROVAL OF MINUTES**

**MOTION:** It was regularly moved and seconded, to approve the June 24, 2009 and July 8, 2009 Meeting Minutes.

MOTION carried by Unanimous Voice Vote (6-0).

**CITIZEN'S DESIROUS TO ADDRESS COUNCIL**

Rev. Ed Bowen – Reported that the Crafton United Presbyterian Church now has a community nurse program; that an RN is on the premises on a part-time basis, and is available to consult with people in the community. Also providing blood pressure screening; currently at the Crafton Plaza and Crafton Towers to it's residents, once a month. Hoping to provide more health opportunities in the future to other residents, and to contact the church to discuss a home visit, at 412-921-2293, to schedule an appointment.

Charlene Krenke, 800 Clearview Avenue - Expressed comments with regard to an exception to an ordinance; off-street parking/storage of a recreational vehicle. She explained that where their property is situate, her corner property is considered to have three front yards and they cannot comply with the ordinance restrictions. She has owned these vehicles (pop-up camper, boat) for over twenty years, and have parked it on their property without question. Solicitor Ayoob commented that the resident had received Ordinance Enforcement Notices, that this is a zoning issue, and there is a process in place to appeal this matter to the Zoning Hearing Board; and this matter should not come before Council. Mr. Cindric noted that it was his understanding that she is not questioning a zoning issue (under Chapter 225), but addressing Exceptions under Chapter 214.94, Exceptions, of the Ordinance Codification (Chapter 214

Vehicles and Traffic, Article X, Recreation Vehicles; Boats and Trailers, §214). Solicitor Ayoob stated that the violation was cited under the Zoning Ordinance (Ch. 225), not under Chapter 214, and again noted that it is therefore a zoning matter and any relief requests must go to the Zoning Hearing Board. She questioned the fact that this matter is addressed in both chapters, and why, under one chapter it provides for exceptions. She also noted that the boat is in storage during the winter, and is only on their property from approximately April through October.

**RECEIPT OF WRITTEN REPORTS** *(Copies provided to Council; not addressed during meeting)*

**ENGINEER'S REPORT**

Manager Sample provided a report: Paving program is complete and project closed out. CCTV work still ongoing, Contractor completing punchlist items and Engineer to inspect for completeness of the runs. ADA curb ramps project being re-bid. Marion Street – televised the sewer line, and found two defects; Public Works corrected the defects, approx. 40 ft of pipe replaced and a manhole installed. Road is open for traffic. Bid opening for the repair of Marion Street is scheduled for August 20<sup>th</sup>. Proposed contract will state that Public Works is to remove the bricks, and contractor is to do the base repairs and asphalt paving, curb-to-curb – the borough will retain the bricks for other projects/areas. Mrs. Luxbacher noted that it was recently announced that this area does not qualify for disaster assistance. Manager Sample reported that he just received a fax from Allegheny County, requesting damage reports, and there may still be some assistance; he will be following up on this with the County.

**MAYOR'S REPORT**

Mayor O'Connell reported that the department responded to 241 calls during the month of June, and referred Council to the written report. Capt. Sumpter received a thank you note for his work with the Police Officers Support Team during the critical response/incident response with regard to the line-of-duty deaths of the City of Pittsburgh Police Officers. She reported that a grant has been received through S-1 Radio System in the amount of \$5,000 (\$2,500 Crafton/\$2,500 Thornburg) for communication equipment upgrades; new portables, chargers and mics.

**MANAGER/SECRETARY'S REPORT**

None

**DISCUSSION ITEMS AND OLD BUSINESS**

- a. Recommended Ordinance Changes – Manager Sample referred Council to the outline provided; the review is still a work in progress. Solicitor Ayoob noted that there is also an ongoing list of corrections under zoning, as well. Mr. Cindric asked to address the two conflicting ordinances discussed earlier; 214.94 and 225 Zoning; Solicitor noted that section 214 should deal with street issues only, and the sections under 214 dealing with parking (RVs, boats, etc) on property and use of property are invalid, as that matter should only be regulated by the zoning ordinance. The Solicitor noted that he would review this further, but believes his preliminary opinion is correct.
- b. Storage Permits (214.94) – Krenke Request for Exemption. Solicitor re-iterated his opinion, that the citation was issued under 225, Zoning, and, for relief, she must seek a variance through the Zoning Hearing. That the exceptions and remedies under the 214 Sections are invalid and inappropriate.
- c. Sprout Fund Agreement – A typographical error was corrected in the agreement, a final drawing has been included – the Agreement is giving permission to do this mural on our building. Mrs. Luxbacher reported that mobile scaffolding and paint will be in place soon, and the work could start as early as this weekend.

**BUSINESS AGENDA****ADMINISTRATION:**

**MOTION:** It was regularly moved by Mrs. Luxbacher, seconded by Mrs. Sappie, to authorize the Borough Manager to execute the Property Owner Agreement with the Sprout Fund to allow for a permanent community mural to be applied to the eastern wall of the Community Center Complex.

MOTION carried by Unanimous Roll Call Vote (6-0).

**FINANCE**

**MOTION:** It was regularly moved by Mrs. Sappie, seconded by Mr. Donovan, to adopt Ordinance No. 1596 guarantying the \$160,000.00 PEMA Loan on behalf of the Crafton Volunteer Fire Department.

MOTION carried by a Five Yes, One No (*Byers*) Roll Call Vote (5-1).

**PUBLIC WORKS**

**MOTION:** It was regularly moved by Mr. Crown, seconded by Mr. Donovan, to approve payment to Creative Enterprises Corporation, in the amount of \$15,960.00, for the Bells Run Emergency Sewer Repair per the recommendation of the Engineer. **QUESTIONS:** Mr. Crown asked for the exact location of the repairs. Manager Sample said approx. 100' down from the last section repaired; toward the interceptor. Mrs. Luxbacher expressed concern that this is near the City area where the road (Chartiers Avenue) is collapsing. Manager Sample noted that the damage was not near there. Responsibility and repairs of this sewer line was discussed; located in the City (Pittsburgh), but the source of the flow comes from, and the line serves, Crafton. Mr. Byers noted that the damage in that area is being caused by Bells Run/Pittsburgh responsibility, and we keep footing the bill for the sewer line repairs. He requested that the Solicitor and Gateway Engineers look into this further, and possibly contact the City of Pittsburgh about the condition of Bells Run, their lack of maintenance, and the problems and damage it is causing.

MOTION carried by a Unanimous Roll Call Vote (6-0).

**COUNCIL COMMENTS/COMMITTEE REPORTS:**

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

**Mr. Byers** – Thanked the Secretary for providing the quarterly pension fund reports; has not had a chance to review them yet. He reminded Council of his prior suggestion to consider other investment alternatives; such as gold, since it has an intrinsic value – since December, price has increased from \$820 oz. to \$940 oz., which would have realized a gain of \$300,000 instead of \$95,000. in the Police Pension fund.

**Mrs. Sappie** – Thanked Public Works for installing playground and crosswalk signs at Noble Park. Senior Citizen dinner is scheduled for Saturday, July 25<sup>th</sup>.

**Mrs. Luxbacher** – Sprout Fund mural starting, should be completed by the end of September. Children's Reading Program ends Friday, with a swim party and picnic, July 31<sup>st</sup>. Performing Arts has started the Thursday night stage performances, 7:30 pm.

**Mayor O'Connell** – Expressed resident concerns regarding subscriptions paid to REMS and NorthWest soliciting subscription; any proration. It was the consensus assumption that either service would honor each other's subscription. Manager Sample would review the contract and look into this, and report back to Council.

**Mr. Cindric** – Mr. Cindric questioned stated duties, in the contract, with regard to 24 hr. service; did not see the contractual obligation requiring 24 hr. service of NorthWest EMS.

**Secretary Tremblay** – Reported that Sunday Night Movies at the Crafton Park stage have started; the schedule is on the Borough website and also, the movie of the week will be posted on the park sign.

**Manager Sample** – Noted that the Crafton Ingram Rotary Ribfest & Llama Plop is August 6<sup>th</sup>, tickets available in the borough office. He noted that this is one of two major fundraisers, and nets almost \$8,000. which goes back into the community (Library, Fire Dept., Youth Organizations).

**ADDITIONAL CITIZEN COMMENTS**

**Crystal Boehm, Belvidere Street** - Inquired if 911 callers have a choice, when calling for EMS, to request REMS even though the borough is contracted with NorthWest. Solicitor Ayoob said no, there are no options for emergency service/911. Manager Sample added that when and if a change is made in the EMS, subscription honoring concerns can be addressed and stipulated in the Agreement.

**ADJOURNMENT**

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

MOTION carried by Unanimous Voice Vote (6-0).

Respectfully submitted,

Mary Tremblay  
Borough Secretary