

**COUNCIL MEETING
Minutes of April 28, 2010**

CALL TO ORDER

President Cindric called to order the Meeting of Crafton Borough Council, in Council Chambers of the Community Center, at 7:47pm. Flag Salute lead by Mrs. Viola. ROLL CALL, by Mrs. Tremblay, recorded seven (7) members of Council present as follows: Mr. Donovan, Mr. Grapes, Mr. Johnston, Mr. Phillips, Mr. Stewart, Mrs. Viola and Mr. Cindric – Also present were Mayor Bloom, Manager Sample, Engineer Minsterman, and Solicitor Ayoob. (*Absent Council: Mr. Pellegrino/Mrs. Sappie*)

APPROVAL OF BILL LIST

MOTION: It was regularly moved and seconded (*Viola/Donovan*), to approve the April 28, 2010 List of Bills. **QUESTIONS:**

MOTION carried by Unanimous Roll Call Vote (7-0).

APPROVAL OF MINUTES

MOTION: It was regularly moved and seconded (*Johnston/Stewart*) to approve the March 30, 2010 Special Meeting Minutes and the April 14, 2010 Meeting Minutes.

MOTION carried by Unanimous Voice Vote (7-0).

CITIZEN'S PRESENT TO ADDRESS COUNCIL

None. Mr. Cindric acknowledged the attendance of Paul Bingham, representative from Senator Fontana's office in the audience.

RECEIPT OF WRITTEN REPORTS

Treasurer's Report, Financial Report, Act 511 and Trash Collection Reports, Property Tax Collection Report, Police Report, Ordinance Officer's report, ~~Fire Department's Report~~, NorthWest EMS report, Animal Control Report and Engineer's Report. **Motion** made, seconded, unanimously approving receipt of the written reports.

ENGINEER'S REPORT

Engineer Minsterman reported that they are recommending that Council award the sanitary sewer repairs Contracts, A and Alternate A, as per the Motions on the Agenda. He recommends that the bid for Contract B be rejected; too high, may get a better price if re-bid. He reported that the specs for the Phase IV Handicapped Ramp projects need to be prepared and submitted to the COG by May 5th for bidding. He recommends that Council reject the bids for the Black's Bridge rehab project; bid amount is twice the amount estimated by HDR. He spoke with HDR with regard to delaying this project until early 2011 and rebidding it. It was noted that further deterioration until then would be insignificant and would not increase the repair costs. Or, Council has the option to award the contract to the low bidder, Facchiano for \$437,000. He reported that bids are due by May 11th for the Station Street Wall project, and should have a recommendation for the next Council meeting. **QUESTIONS:** Mrs. Viola inquired on the location for the handicapped ramps; Manager Sample noted intersections along N. Linwood from Crafton Blvd. to Crennell. Black's Bridge-Manager Sample noted that a Motion would need to be added to the Agenda to reject or accept the bid for the Black's Bridge Rehab Project; that 2010 paving project would need to be rebid to exclude the bridge and only

address minimal paving work at the intersections/approaches to the bridge. Mr. Stewart noted that the concrete work done previously by Public Works is spalding and needs to be addressed, the bid was almost a half million dollars, and doesn't include any sand blasting or painting; financial assistance is needed to complete this work. He added that this should not be our bridge or responsibility, and it's not fair for our residents to have to pay for it. Engineer Minsterman noted that HDR prepared their estimate using Penndot prices and discussions with a contractor on the work proposed; noting that that contractor did not bid the project. Rebidding may result in a lower bid, and if not, it would confirm that the project cost is being estimated too low. Mrs. Viola noted that the specs should not change, so the only changes to the documents would be dates. It was noted that this could be rebid in December or January. Lastly, Engineer Minsterman addressed prior questions on concrete specs for the handicapped sidewalks/ramps. He noted that specs meet current requirements; AA strength, 6" base.

MAYOR'S REPORT

Mayor Bloom referred Council to the Police Department written report for March; responding to 223 calls, including 8 drug arrests. He reported that several vehicles were entered and items stolen because vehicles were not locked. He noted that the new police car was put into service on March 23rd. He reported that Capt. Sumpter has assumed the Chief's responsibilities at this time and will be working directly with him. He reported that the first Steering Committee meeting for the consolidation study for fire and emergency services will be held on Monday (5/3), at 7:30pm at the CVFD fire hall; open to the public. Mr. Cindric/others commented on vehicles being left unlocked with valuables inside.

PRESIDENT'S REPORT

President Cindric reported that the annual COG dinner was held last week with a good attendance from Crafton Council; he noted that the guest speaker was District Attorney Stephen Zappala. He reported that an Executive Session of Council was held prior to the meeting to discuss two personnel issues. He noted that Councilman Pellegrino was absent because his father passed away, and offered condolences. He also noted ongoing internet bashing of Councilmembers; particularly targeting him – that these blogs are stating misinformation and outright lies, and unfortunately is being believed by readers. He welcomed the anonymous cowards to come to Council meetings and speak openly, and provide an opportunity for accurate information to be offered.

MANAGER'S REPORT

Manager Sample reported: 1. He and Capt. Sumpter will be attending a mandatory meeting – PEMA conference, with regard to reimbursement of costs from the winter storm. 2. Upcoming, on May 19th, a strategic planning meeting with CONNECT – discussing their mission, 2-5 Year outlook, etc. June 2nd Session will include energy efficient lighting; LED lighting for street lights and traffic signals; cutting costs. Their Annual Conference will be held at the Univ. of Pittsburgh on June 18th. He and Mrs. Viola had attended the PSAB conference, on two different days. He attended sessions on reclaiming abandoned properties, fighting blight, and zoning pitfalls, etc. (*no written report provided*). Visited vendor booths, reviewed various information, including property and code enforcement software. He learned that the USDA has a pool of grant money for equipment; but, again, Crafton did not qualify due to the income threshold. Borough did receive a \$5,000 DCED grant, through Rep. Deasy, for pool repairs and park renovations (guard chairs, new roof for filter house, etc). He noted that CONNECT is also looking into EMS funding and reimbursement from the State and insurance companies. Other Issues: Health Care premium increases. He reported that he is on the Executive

Committee of CONNECT; there is also a Policy Committee and Operations Committee. Many communities are a part of CONNECT, but there are still a lot of communities who are not participating, such as Ingram Borough. It is a valuable source of information including grant/funding opportunities. (CONNECT Meeting Minutes provided to Council.)

UNFINISHED BUSINESS and NEW DISCUSSION ITEMS

a. Administration

1. Resolution 2010-07 – Employee Benefit Plan: Motion on Agenda to be withdrawn, pending additional changes/language from Solicitor; should be available for the next meeting.
2. Resolution concerning Crafton Elementary – Consensus of Council to prepare a Resolution for the next meeting expressing Council’s support of renovating the school building, rather than closing it. Will have no legal standing, but expresses a Council statement on the issue.
3. Newsletter – Still some blank pages; waiting for Library’s page of information. Consensus to include a page regarding Crafton Elementary School-Carlynton’s Feasibility Study, with photo of the school and input/article from resident, April Weitzel. Hopefully sent to the printers next week, and distributed by mid/late May. Mr. Cindric noted that the Historic Society will be sponsoring a House Tour and Renovation Fair on May 16th – which would not be a timely article for the Newsletter.
4. Solicitor Ayoob commented on the meeting of Solicitors presented by Three Rivers Wet Weather Demonstration and ALCOSAN, addressing the ongoing status of the Consent Order; going into the next phase; including concepts of intergovernmental cooperation agreements, sharing in resources and costs. It was noted that sewer rates will not be going down in Crafton, or anywhere for that matter.

b. Finance and Grants

1. Resolution 2010-08 – RAAC Grant: This is the same funding as previously submitted as CITF, renamed RAAC (Redevelopment Authority of Allegheny County). Application will be resubmitted including additional information; reimbursement for the sewer lining project estimated at \$312,000; 43 defects. The grant amount would be \$250,000.
2. CDBG Year 37 Pre-Applications – Due in May; resubmitting previously submitted projects for the ADA doors for the Library and Community Center, to be in phases.

c. Parks and Recreation

1. Shade Tree Appointments: Letter of resignation received from Kathy Vincent; Motions/appointments on the Agenda to fill her vacant seat, and also to reappoint Judy Kueshner, as her seat expired on March 31st. It was offered that appointment of Mary Luxbacher should be considered to fill the vacant seat; a Letter of Interest has been received from her.

d. Public Safety

1. REMS – Representative reported that he has the signed Agreement to provide to the Manager. Do not have the report from the County yet, but will submit a report to the Borough.

e. Ordinance and Planning

1. Resolution 2010-09 – Inter-Municipal Liquor License Transfer – Mr. Cindric noted that a public hearing was held on this request; for Giant Eagle’s proposed Market Place Café. Motion to adopt resolution is on the Agenda.

2. Proposed Ordinance Changes – A multi-page summary of the changes being considered thus far has been provided to Council for consideration and input for adoption and ordinance advertisement. Mr. Johnston noted that on Page 10 – Steuben Street Overlay – to add Automotive Service Stations. Mr. Cindric noted that the Ordinance Review Committee has met every month, and publicly discussed these items. Solicitor Ayoob reminded Council that any changes in the Zoning ordinances would first need to go before the Planning Commission for recommendation and a public hearing.
- f. Public Works
1. 2010 Sanitary Sewer Repair Contract A – Discussed previously by Engineer.
 2. Black’s Bridge Rehabilitation Contract – Discussed previously by Engineer.
 3. Purchase of Public Works Dump Truck – Manager Sample reported that the Committee met to discuss the options for replacing truck #109. Consensus to go with the Ford F550, aluminum dump body, with plow, at a price of \$65,687., purchase through the SHACOG State Contract, and do a 4 year Lease/purchase.
 4. 2010 Reclamite Program – Discussed at last meeting; provided the list of streets to Council, cost just under \$9,500 – Motion written at an amount not to exceed \$9,800, in case of incidentals.
 5. Part-Time Summer Help – Manager Sample referred Council to the Motion, and to remove Steven Krenke from the list, as he is requesting full time. Pay rate is \$8.25 per hour. Manager Sample noted that the Borough is also advertising for Full-Time Public Works; employment applications are available on-line and in the office, and are due by May 14th.

BUSINESS AGENDA

ADMINISTRATIVE

~~**MOTION:** I move to adopt Resolution 2010-07 adopting a Paychex Employee Benefit Plan.~~
MOTION WITHDRAWN; pending additional changes.

MOTION: It was regularly moved and seconded (*Stewart/Viola*) to approve the 2010 Spring/Summer Borough Newsletter articles; as submitted, subject to any necessary formatting adjustments by the Newsletter Committee and additional articles, as needed.

MOTION carried by Unanimous Voice Vote (7-0).

FINANCE:

MOTION: It was regularly moved and seconded to adopt Resolution No. 2010-08 being the Concurrent Resolution formally requesting grant funds, in accordance with the Community Infrastructure and Tourism Grant of Allegheny County.

MOTION carried by Unanimous Roll Call Vote (7-0).

MOTION: It was regularly moved and seconded (*Donovan/Grapes*) to approve submission of the Pre-Application to the CharWest COG, for a Year 37 CDBG grant for the following project – Community Center/Municipal Building ADA Accessibility Improvements.

MOTION carried by Unanimous Roll Call Vote (7-0).

ORDINANCE AND PLANNING:

MOTION: It was regularly moved and seconded (*Johnston/Stewart*) to adopt Resolution 2010-09 approving the intermunicipal transfer of restaurant liquor license No. R-7921 by Romark Foods, Inc. into the Borough of Crafton from Moon Township. **COMMENTS:** Mark Kozar, attorney for Romark Foods, confirmed that it will probably be a 4-5 month process to obtain PLCB approval; noting an appeal and intervention hearing requested by the Malt Beverage Association.

MOTION carried by Unanimous Roll Call Vote (7-0).

PUBLIC WORKS:

MOTION: It was regularly moved and seconded (*Phillips/Donovan*) to authorize the Borough Manager to execute the agreement with Pavement Technology Inc. per the specifications of their proposal to apply Reclamite asphalt rejuvenator to designated Borough streets at a cost not to exceed \$9,800.00.

MOTION carried by Unanimous Roll Call Vote (7-0).

MOTION: It was regularly moved and seconded (*Donovan/Phillips*) to award the 2010 Sanitary Sewer Repair Contract A to Mongiovi & Son Excavating, Inc with a base bid amount of \$519,665.00 and Alternate A bid amount of \$26,000.00, per the recommendation of the Engineer.

MOTION carried by Unanimous Roll Call Vote (7-0).

MOTION: It was regularly moved and seconded (*Donovan/Stewart*) to authorize the Borough Manager to proceed on the purchase/lease-purchase of a new Public Works Dump Truck, to be paid for from the General Fund Budget. **COMMENTS:** Manager Sample noted that this will be a four year lease/purchase with 4 annual payments of \$16,500. each.

MOTION carried by Unanimous Roll Call Vote (7-0).

MOTION: It was regularly moved and seconded (*Johnston/Stewart*) to approve the hiring of Robert Murrman, Riley Burgess, ~~Steve Krenke~~, John Gerlowski and Andrew Rose as part time public works laborers at a rate of \$8.25/hr. **COMMENTS:** Manager Sample stated that they will start working as soon as possible.

MOTION carried by Unanimous Roll Call Vote (7-0).

PARKS AND SHADE TREE:

MOTION: It was regularly moved and seconded (*Donovan/Stewart*) to accept the resignation of Kathy Vincent from the Crafton Shade Tree Commission.

MOTION carried by Unanimous Voice Vote (7-0).

MOTION: It was regularly moved and seconded (*Donovan/Viola*) to appoint Mary Luxbacher to the Crafton Shade Tree Commission, for a term which shall expire on March 31, 2011.

MOTION carried by Unanimous Voice Vote (7-0).

MOTION: It was regularly moved and seconded (*Stewart/Grqpes*) to re-appoint Judy Kueshner to the Crafton Park & Shade Tree Commission, for a five year term which shall expire on March 31, 2015.

MOTION carried by Unanimous Voice Vote (7-0).

ADDED MOTIONS:

MOTION: It was regularly moved and seconded (*Stewart/Johnston*) to reject all bids for the Black's Bridge Rehab project.

MOTION carried by Unanimous Roll Call Vote (7-0).

MOTION: It was regularly moved and seconded (*Stewart/Grapes*) to appoint Councilman Phillips as alternate Council representative to the Steering Committee for the Fire Department Consolidation. **COMMENTS:** Mr. Cindric noted that neither he nor Mrs. Viola will be able to attend the May 3rd meeting, and requested that an alternate Council representative be appointed; and it was suggested by Mr. Pellegrino to consider Mr. Phillips as the alternate.

MOTION carried by Unanimous Voice Vote (7-0).

ADDITIONAL CITIZEN COMMENTS

None

OTHER COMMENTS:

Junior Councilperson, Andrew Sheariss reported that he will be attending Georgetown University in the fall.

Mr. Phillips thanked Rep. Dan Deasy's office, Senator Fontana's office, Joan Kury and others for their efforts in re-establishing bus stops on East Crafton Avenue, for the Seniors at the Plaza and Towers; Bus #32, to the shopping center and the Market District.

Mrs. Viola noted that she has prepared a written report on her attendance at the PSAB conference, to be included in the meeting Minutes (attached hereto).

ADJOURNMENT

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

MOTION carried by a Unanimous Voice Vote (7-0).

Respectfully submitted,
Mary Tremblay, Borough Secretary

PSAB CONFERENCE
TUESDAY, APRIL 27, 2010

Attending the second day of the conference, the General Assembly was entitled "The Political Landscape" which was a panel discussion on the primary gubernatorial race for both the Democratic and Republican parties and the subsequent general election and which candidates would make it to the November election.

Also discussed was the senatorial race between Sestak and Spector. Someone asked the panel what their thoughts were regarding the "Tea Party". Both panelists felt there was a strong presence throughout the Commonwealth.

MARKETING HISTORIC ASSETS

I elected to attend the Management Track session "Marketing Historic Assets" since our community is one that was founded at the turn of the century and we have many old homes with some sort of history associated with them. The speaker, Michel Lefevre, is part of the PA Historical & Museum Commission and outlined the necessity of promoting the history of the community as part of a marketing tool to bring visitors as well as new homeowners into the neighborhood. We, who are currently living in the community, need to pass on our appreciation to those who are unaware of the value of our historical assets.

A few of the points the Mr. Lefevre mentioned were to make the Boro "feel" like a community through promotion of our park system, recreation areas, and sports. People like to do things so sponsoring a farmer's market, festival, or race were examples of ways to get outsiders to come into our community. The community needs to pull together to promote the assets that are in the Boro.

ZONING & LAND USE ISSUES

The second session selected was also part of the Management Track - "Zoning & Land Use Issues" presented by Susan Smith, Esq. Another excellent session relevant to Crafton Boro. Ms. Smith covered the areas of zoning, or regulating the use, of a particular part of the community with regard to a use variance and stormwater management. She did indicate that having a joint zoning and planning board with other communities actually protects the borough from a legal standpoint.

Discrete issues for a borough such as Crafton would be to re-establish the historic patterns of urban development and the identity of the community along with visual improvements and a green infrastructure. Signage, parking issues, and stormwater management are key to zoning and land use.

Ms. Smith's last portion of the session was the Right-To-Know Law, which she did not have time to cover. However, there was a very detailed handout given to participants.

RENTAL ORDINANCE DEVELOPMENT

PSAB CONFERENCE
TUESDAY, APRIL 27, 2010

I chose the afternoon session "Rental Ordinance Development" because Crafton has such a high percentage of rental units in the borough. This was the CBO (Certified Borough Official) Training track and was presented jointly between Susan Smith and Ed Knittel. The principles for ordinance drafting in general was reviewed - the purpose of the ordinance, does it conflict with other laws, the constitutional validity or due process, the administrative resources to institute the ordinance, and then testing the ordinance as it applies to existing conditions.

The handout lists a number of cases cited and references to research in the area of developing a rental property ordinance. Reasons for developing/having a rental ordinance is to determine which properties are rental properties and how many units are on that particular piece of land as well as establishing that the renters are registered with the Borough and paying their due EIT to the borough. A rental ordinance can allow the borough to inspect the rental unit for health and safety reasons and to assure that the landlord is managing his property and complying with the details of the ordinance by keeping his property in order.

Respectfully submitted,

Susan M. Viola