

COUNCIL MEETING
Minutes of June 13, 2016

CALL TO ORDER

President of Council, Amendola called to order the Discussion/Agenda Meeting of Crafton Borough Council to Order, in the Council Chambers of the Community Center of the Municipal Building. The Flag Salute led by Ms. Damits.

ROLL CALL, by Manager Scott, recorded Seven (7) members of Council present as follows: Mr. Amendola, Ms. Glaser, Ms. Damits, Mr. O'Brien, Ms. Perry, Mr. Levasseur and Ms. Amendola. Mayor Bloom was absent. Also present Solicitor Gladys and PW Director Kaczorowski and Manager Scott.

Ms. Amendola called for a brief Executive Session on a personnel matter at 7:17 pm.

Ms. Amendola called the meeting back to order at 7:25 pm. She noted that an Executive Session was held on a personnel matter, no action was taken.

BILL LIST APPROVAL

MOTION: It was moved and seconded (*F. Amendola/Perry*) to approve the Bill List dated June 13, 2016 as presented.

MOTION #1 carried by a Unanimous Voice Vote (7-0).

Ms. Amendola noted that each member of Council needs to be clear and express their vote of yea or nay for each motion. Sometimes it does not come across that everyone is announcing their vote on the video.

MOTION: It was moved and seconded (*Levasseur/Perry*) to ratify and approve the Bill List dated May 31, 2016 as presented.

MOTION #2 carried by a Unanimous Voice Vote (7-0).

ACCEPTANCE/APPROVAL OF MINUTES:

MOTION: It was moved and seconded (*O'Brien/Glaser*) to accept the Minutes of the Meeting dated May 23, 2016 as presented.

MOTION #3 was moved and seconded by a Unanimous Voice Vote (7-0).

CITIZEN'S PRESENT TO ADDRESS COUNCIL/Agenda Items Only:

Rachel Engel, 10 Walnut Street spoke in reference to the proposed Open Burning Ordinance. She noted that her and her family enjoy utilizing their fire pit during the summer months to roast marshmallows or hotdogs and would appreciate the opportunity to continue. They only burn the appropriate logs and they take necessary precautions, always making sure the fire is out, adult supervision, etc. She

recommend that the Council consider adopting Allegheny County regulations on Open Burning as several other Communities have done on the matter.

Tom Phillips, 13 Union Avenue, spoke in reference to the proposed Open Burning Ordinance. He noted that he too likes to go outside in the summer months, enjoy the warm weather and the Community, however, those who have breathing problems or allergies, are unable to do this should Council consider allowing open burning. He doesn't want to be condemned to the inside of his home and close his windows.

SOLICITOR'S REPORT:

Solicitor Gladys noted that he has drafted a Waiver of Liability as requested by Council for any volunteer who plans on working on any of the documents recovered from the basement. He noted it is a general Waiver of Liability holding the Borough harmless from loss or liability.

Ms. Amendola asked if Council had an opportunity to review the Waiver. Ms. Scott noted that a copy was uploaded to the Cubby today. If Council approves the waiver, she will provide a copy to the Library or any other organization who plans on working on the documents.

Ms. Amendola asked Council if there were any comments on the waiver. Ms. Perry noted that the waiver was fairly standard and if the Library chooses to work on the documents, the waiver should be made available. Mr. O'Brien asked if this waiver would need to be signed by every volunteer in Crafton for every organization. Ms. Amendola noted that the waiver could be required for every volunteer, but the intention was for those planning on working on the documents. Mr. Gladys noted that a Municipality under State law does have limited monetary liability and that the waiver provides extra protection. Mr. O'Brien noted that volunteers need to be recognized for the work they complete and it should be easy to become a volunteer. He doesn't believe it is a good practice to put limits or terms on volunteers.

Mr. Gladys noted that the Borough could use the waiver in limited situations. This situation with the documents brings a higher risk, the Borough is clearly aware of, such a waiver is necessary. In other circumstances with a lower risk, a waiver may not be necessary.

MOTION: It was moved and seconded (*F. Amendola/Glaser*) to approve the Waiver of Liability as submitted by the Solicitor specifically for the sole purpose of the document remediation from the basement of the Borough Building.

MOTION #4 was moved and seconded by a Unanimous Voice Vote (7-0).

Solicitor Gladys noted that he prepared a proposed Open Burning Ordinance for Council to review. The Ordinance addresses indoor and outdoor burning, the materials permitted for burning and provisions for enforcement, penalties and a permitting process. He noted it is a starting point for consideration. He noted that Allegheny County Regulations provides provisions that are scientific or quantitative standards that may not be optimal for enforcement, these have not been included in the draft ordinance.

Ms. Amendola noted that Council has heard the comments from the audience on the matter this evening. She noted that Council has had the opportunity to review.

Mr. Levasseur noted he believed the Solicitor did a fine job preparing the ordinance and capturing the needs of Council on the burning regulations. He did voice concerns over the penalty Section 113-8. He read the section out loud. Mr. Levasseur noted this is standard language in many ordinances, but questioned the need for imprisonment provision. He suggested a scaled penalty, first, second or third offense, and should someone be unable to pay the penalty some sort of Community Service be included. Mr. Amendola noted that decision would be that of the District Magistrate, and it would be a long process before imprisonment would be considered.

Mr. Gladys noted that the \$300 fine is a standard penalty for a summary offense. The idea behind including an imprisonment provision, affords the District Magistrate the tools necessary for continuous offenders.

Ms. Damits suggested that the Borough consider adopting the Allegheny County Burning Regulations that have been enforced for years in Crafton.

Ms. Amendola noted the Borough has a copy of the Ordinance adopted by Ingram Borough, and read the penalty provision out loud. The maximum penalty that can be imposed by the District Magistrate is \$300, no imprisonment provision.

Mr. Amendola provided an explanation to Council on ordinance violations, and how the Police Department enforces such regulations and when a citation is issued. He noted if a resident continues to burn in violation of the regulations or a complaint is made and numerous citations are issued, the Magistrate may sentence the violator to time in prison. He believes this needs to be a tool maintained in the Ordinance.

Mr. Levasseur noted, he believed this section to be very strongly worded, and suggested that the amount of days that the violator may be imprisoned be reduced.

Mr. Gladys noted that any decision of the District Magistrate is subject to the Appeal Process to the Court of Common Pleas.

Ms. Perry inquired as to the regulations in Allegheny County, the penalty section. She believes that the regulation was recently updated and allows for a \$200 fine if found guilty, with no imprisonment. She noted that Ingram is the same, allowing for a fine with no mention of imprisonment. Ms. Perry suggested Council consider adjusting our proposed ordinance to remove the imprisonment portion of the penalty.

Ms. Amendola provided a summary of the discussion, if a resident received 100 citations, paid each of the citations, however, disregarded the order to stop burning, the ordinance as currently written would afford the magistrate the opportunity to consider imprisonment. This gives the ordinance some strength and that the Borough takes the matter seriously. Ms. Amendola asked each member of Council for their input on the matter. She noted, that it appears that the majority of Council was in agreement with the current penalty section as written.

Ms. Amendola asked the Solicitor to provide a brief overview of the proposed ordinance.

Mr. Gladys noted, the current regulation in Crafton is No burning. Council needs to decide if they want to maintain the current regulation of no burning or do they wish to revise the current regulation and allow open burning.

Mr. Amendola noted that the point of the Solicitor preparing the draft ordinance was for Council to consider revising the ordinance, again, noting it is a draft ordinance.

The Solicitor inquired if it is Council's desire to revise the Burning Regulations. Ms. Amendola noted that the majority of Council does wish to revise the regulations. Mr. Levasseur agreed, the majority of Council acknowledges the current regulation is deficient and updating is necessary.

Mr. Gladys noted that the ordinance as presented included a permitting process. This process allows for the Borough to have prior knowledge of where, when and who is planning on an outdoor fire. Ms. Perry noted that a resident could apply for an annual permit. Ms. Damits inquired if there is a fee involved with obtaining a permit, her feelings there should not be a fee. Mr. Levasseur stated, he does believe a fee is warranted, as to the additional administrative time would be involved in the permitting process. Ms. Scott noted, the cost could be a nominal fee in the first year, and could be addressed in the annual fee resolution adopted each year.

Mr. Levasseur noted the permit would allow the Borough the opportunity to provide safe burning regulations to the Community.

Ms. Perry inquired as the section on indoor burning regulations and the section where it states that indoor burning would be permitted for the purpose of heating the home. She noted that many residents have gas fireplaces for reasons other than heating, and suggested that section may be revised. Mr. Gladys noted that section can be revised.

MOTION: It was moved and seconded (*Damits/O'Brien*) to authorize to advertise for a Public Hearing for the purpose of discussing the Burning Regulations in the Borough of Crafton for Monday, July 11, 2016 at 6:30 pm.

MOTION #5 was moved and seconded by a Unanimous Voice Vote (7-0).

BUSINESS AGENDA

PERSONNEL

MOTION: It was moved and seconded (*Levasseur/O'Brien*) to appoint Season Ciechanowski to the Shade Tree Commission with a term expiring March 31, 2018.

MOTION #6 was moved and seconded by a Unanimous Voice Vote (7-0).

PUBLIC SAFETY

Council authorized the advertisement of an Ordinance 1636 which will authorize and allow a right turn on a steady red traffic signal at Crennell Avenue and North Linwood. A full copy of the ordinance is available in the administration office during regular business hours. Council will consider the ordinance at the next regular meeting of June 27, 2016.

COMPREHENSIVE PLANNING

Mr. O'Brien noted that the next Steering Committee meeting will be held on Tuesday, June 21, 2016 at 6:00 pm at the Ingram Borough Building.

Mr. Levasseur noted there was an action item outstanding, CITHrive website and the Planning Consultants have requested that each member of the Steering Committee upload a profile. He noted he has not completed the task but will shortly, Mr. O'Brien noted he will complete very soon as well.

Mr. Levasseur noted there is a pop up event scheduled for Saturday, June 18, 2016 from 11 am to 3 pm at the Crafton Ingram Shopping Center. A previous pop up event was held on May 21, 2016 at the Garden Center area of Giant Eagle. He noted that the event was very successful, quite a number of people were receptive and had some great ideas that will be shared at the next meeting.

Mr. Levasseur noted that the flyers prepared by the Committee have been sent out to the residents of both Crafton and Ingram and the total cost came in under budget.

FINANCE

Ms. Perry noted the Borough was awarded a 902 Recycling Grant through the PA DEP in the amount of \$78,471. Monies will be used in the purchase of equipment, leaf loader and leaf box and \$31,000 will be put towards the purchase of the new backhoe.

PARKS AND RECREATION

Ms. Glaser asked the Public Works Director to provide an update of the Swimming Pool. Mr. Kaczorowski noted that the swimming pool is open and maintenance is labor intensive. He noted the hot water tank for the shower rooms was not working the crew was able to fix the problem; The pump that operates the slide had to be rebuilt and reinstalled at a price the Borough is negotiating; The sump pump for the pool is currently working, crew did some repairs, hoping we can get through the season, the Borough is looking at options for rebuilding and replacement; the new splash pad, there is a punch list of items still outstanding, it continues to be work in progress, maintaining the level of chemicals seems to be one of the biggest challenges; and finally noted the splash pad had been a great success with the warmer temperatures attendance has increased. He noted Dave Killen from the Public Works has been diligent in keeping the pool maintained and operating property.

Ms. Glaser attended the Recreation Board Meeting prior to the meeting this evening, which was held at the miniature golf course. She noted the Board is interested in bringing renewed interest back into the course and back to the Community. There is a group of volunteers DOXA, who have volunteered previously in Crafton, who will be in the area June 27 through June 30 and would like to complete

whatever work necessary on the course. They have asked if the Public Work Department could possibly spray for weeds on the course prior to their working. Mr. Kaczorowski stated the Department would be able to complete the work this week.

Ms. Glaser noted the Knights of Columbus are interested in participating in the improvement of the miniature golf, by donating monies and time. She noted once the area has been cleaned up the Borough can contact them and discuss the next steps for improvement.

Ms. Amendola noted that pool passes are sold at the Borough Building during regular business hours.

PUBLIC WORKS

Ms. Amendola noted the Duncan Avenue Pipe Bursting Contract was advertised, however, no bids were received. The project has been put on hold and will be considered again in the fall.

MOTION: It was moved and seconded (*Perry/F. Amendola*) to authorize payment of \$85,144.10 for the Joint O&M Point Repair Project, Year 5 payable to SHACOG as recommended by the Engineer.

MOTION #6 was moved and seconded by a Unanimous Voice Vote (7-0).

Ms. Amendola asked the Public Works Director to provide an update on the 2016 Road Program. Mr. Kaczorowski noted that work has begun, the Engineer is keeping a watchful eye on the Contractor work. He noted while working, the contractor hit a waterline on Walnut Street during the reconstruction, PA American is replacing the entire waterline and is working with the Borough on sharing the costs.

Mr. Kaczorowski noted that the steps at Belvidere have been completed, the next steps the crew will be concentrating on are on Promenade.

Ms. Damits requested to discuss a matter with Council regarding the work and paving being completed on Harris Avenue. She is concerned about the design and installation of the proposed handicap ramps on Harris, noting a handicap person would have to cross the street to utilize the ramps as designed. She would like to see the Borough consider extending the curb and sidewalk in front of 401 Harris Avenue.

Mr. Kaczorowski addressed the matter, and has recommended to Council that installation of the ramps be installed as originally designed. He noted the proposed revisions includes the extension of the sidewalk and curb over a paper street. He noted that according to Borough Ordinances, this is not permissible, the Borough does not own nor maintain the paper street and that there is an easement for Duquesne Light, Comcast and Verizon to maintain their lines and access for maintenance.

He noted the other reason the project was designed with the handicap ramps across from each other is twofold; the curb at the corner of 401 Clearview Home located on Harris is approximately 8 inches in height for stormwater management, to divert the water coming off of the paper street into the underdrain connected to the catch basin at the corner of Harris and Clearview. The second reason is due to the grade of Harris. Mr. Kaczorowski explained should a handicap person travel down Harris on the left hand side in front of 401, they would be required to cross the street enter the sidewalk at the ramp to actually slow them down. This is what is referred to as a switchback, it slows down the person traveling on the sidewalk due to the significant grade of the roadway.

He noted by extending the sidewalk and curb, any excessive stormwater that didn't enter the underdrain would enter into the rear/side yard at 401 Clearview. The other reason, a handicap person traveling down Harris toward Clearview on the extended sidewalk would gain significant momentum due to the grade of the roadway, and would be a potential public safety hazard.

Ms. Amendola inquired if this was something Council had time to review or whether the matter needed to be decided upon this evening. Mr. Kaczorowski noted the contractor is working in the area now, a decision on how to proceed with the handicap ramps was required this evening.

MOTION: It was moved and seconded (*F. Amendola/O'Brien*) to maintain the design of the handicap ramps on Harris Avenue as originally designed by the Engineer in the 2016 Road Program Plans and Specifications. A Roll Call Vote was taken

MOTION #7 it was moved and seconded by a Unanimous Voice Vote (5-1; 1-Absention).
Ms. Perry abstained.

ANNOUNCEMENTS

Ms. Scott announced that the roofs at the three park shelters at Crafton Park have been replaced for a total cost of approximately \$10,000. Grow Pittsburgh donated \$1,000 toward the project and Crafton Ingram Rotary donated \$2,500. The Public Works will install a new gutter system on the large shelter, to direct the rainwater to the cistern or rain barrel that will be used to water and maintain the Community Garden. This project was part of the Grow Pittsburgh grant monies received. The Borough has ordered signs and will post on the Shelters.

Ms. Amendola reminded the audience that Crafton Celebrations is scheduled to run from June 30 through July 4, 2016 and they are celebrating their 40 Year Anniversary. The Parade begins at 6:30 pm on June 30 with lots family fun and activities planned during the five-day celebration, ending with fireworks on July 4 at dusk.

DISCUSSION ITEMS

Ms. Perry noted she spoke with the Library Board regarding the monthly report. The Library will provide Council, a monthly report on the number of patrons utilizing the Library, periodicals borrowed, etc A Financial Report will be submitted annually at the budget session.

Ms. Perry noted that a group has been formed to address and discuss communication in Crafton, it is made up of approximately 6 to 8 residents from various demographics getting together to discuss types of communication. The short range goal of the group is to provide recommendations for improvement, the long range goal is to provide outreach and education and to eventually interface with the Comprehensive Plan. Mr. Amendola inquired as to the members of this group. Ms. Perry noted she will email Council with a listing, as there were some brand new faces in attendance and wasn't sure of their last names.

Ms. Amendola inquired with Council asking if each Member is utilizing the Crafton Borough email address. She noted information is disseminated to Council through these emails, including Meeting Agendas, Important Notices, documents, etc. She noted residents may utilize these addresses as well, with problems or concerns. Each Member confirmed the use of these email address.

AUDIENCE AGENDA

Kathleen Watson, 74 Fountain Avenue, appeared before Council regarding the paving on Fountain has been completed and wanted to thank Council for their hard work and commitment to the Community.

Rachel Engle, 10 Walnut Street, appeared before Council regarding the work being done on Walnut Street, residents did not receive any type of notification from the water company that the water was going to be off today. She inquired if residents could receive notification. Mr. Kaczorowski stated that the water company should have provided notification and will contact them regarding notification.

Ms. Engle also wanted to mention to Council again, that she was in favor of allowing burning in the Borough. She and her family enjoy having a fire outside during the evening and roasting marshmallows.

Tom Phillips, 85 Union Avenue, appeared before Council and wanted to Thank Council and the Solicitor for their quick action on the burning regulation. He noted he plans on attending the public hearing in July.

Jerry Petronsky, 16 Taylor Street, appeared before Council regarding regulations on burning in Crafton. He noted that there are numerous furnaces available that provide warmth while being green or cleaner in nature. However, there are also newer furnaces out there that the exhaust and fumes coming from them are dangerous and are required to be installed 100 feet away from the other homes. He suggested Council consider regulating the types of furnaces permitted to be installed in homes in Crafton.

Ms. Amendola noted no other citizen signed up to speak before Council.

ADJOURNMENT

MOTION: It was moved and seconded (*Levasseur/F. Amendola*) to adjourn the meeting at 10:00 pm.

MOTION #8 it was moved and seconded by a Unanimous Voice Vote (7-0).

Respectfully submitted,
Ann C. Scott
Borough Manager