

COUNCIL MEETING
Minutes of July 11, 2016

CALL TO ORDER

President of Council, Amendola called to order the **Public Hearing** on the Proposed Draft Ordinance regarding Burning Regulations in the Borough of Crafton, on Monday, July 11, 2016 at 6:30 pm, in the Council Chambers of the Community Center of the Municipal Building.

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, asked everyone who signed up to speak at the Public Hearing to stand and be sworn in. Ms. Amendola noted that citizens will have three (3) minutes to speak regarding the proposed ordinance regarding burning regulations, any other matters should be held and presented during the regular meeting, which will be conducted directly after the Public Hearing. She noted that Council will not engage or debate any of the comments made by the citizens, however, if they have a question, they will be directed through the President of Council, Solicitor or the Borough Manager. She reminded everyone that Council's responsibilities to listen and consider comments of the Citizens, to put in place Ordinances and Resolutions, to punish those who violate such regulations and benefit those who follow.

Jody Hilarzewski, 266 Noble Avenue

Ms. Hilarzewski noted she has lived in the home at 266 Noble Avenue for 23 years, and that her husband's family has lived there for 72 years, she noted the home is 125 years old. She stated that they burn wood and coal in their home for heating during the winter/colder months. She noted that they maintain the house, having the furnace and chimney maintained once or twice per year. She noted one of the neighbors has come to her home on a number of occasions, he lives on Union Avenue, to complain, has bullied her family, has brought the Ordinance Officer down and the Health Department. Representative from the Health Department sat outside their home to watch the chimney and made suggestions on how to maintain lower levels of smoke and irritation. She noted this resident complained that he has asthma and emphysema and that the smoke irritates his condition. She noted that both of her children have asthma and have never had any problems with indoor burning. She questioned where the regulations are leading to, but confirmed this is their sole source of heating their home.

Matt Hilarzewski, 266 Noble Avenue

Mr. Hilarzewski noted he is not in favor of the proposed ordinance. He noted that the material they burn is consistent with the approved materials for indoor burning in the ordinance, and to not permit their family to burn because of a neighbor complaint, is not fair and should not be permitted.

Laura Sewell, 21 Hawthorne Avenue

Ms. Sewell noted that most of her neighbors on Hawthorne have a fire pit and burn outdoors with family and friends, proper materials without any problems or concerns. However, there is one neighbor who insists on burning his trash, hedges, bedroom furniture and other materials every Friday and Saturday evening from 8 pm to 2 am. She noted that she called the fire department on a number of occasions thinking that her home was on fire, due to all of the smoke.

She has spoken with the neighbor on numerous occasions and have requested him to stop burning improper materials. She noted he was belligerent and uncooperative. She is requesting that the ordinance address several items including the size of fire permitted, it should clearly define the type of material permitted to burn and the frequency and duration of burning. Perhaps incorporate the guidelines approved by Allegheny County.

Debra Mendolia, 37 Coulter Street

Ms. Mendolia noted that she is in favor of the proposed ordinance, however, believes it needs to include and limit the size of the fire permitted. She noted her neighbor recently dug a large hole in the backyard, placed bricks around it and is utilizing it for a fire pit, burning any tree or branch he can find, furniture, clothing and trash, without a screen. The flames are very large and the smoke is horrible. She believes this ordinance provides information to residents on the proper way to burn at your home. She suggested that the Borough consider, once adopted, sending out a notice to all home owners.

Jerry Petronsky, 16 Taylor Street

Mr. Petronsky noted, he believes as a municipality, passing this ordinance, it has to meet or exceed the County regulation. He requested that the following items be included in the proposed ordinance; the size of the fire (3ft x 3ft x 2 ft high); fires must be at least 15 feet from the neighbor property line, roadway or sidewalk; and burning shall not be permitted when “Air Quality Action” alert has been issued. He noted the ordinance lists what is not permitted to be burned, and suggested listing what is permitted to be burned; placing an age limit on who is permitted to burn as well as a time limitation.

Aaron Boynton, 1745 Barr Avenue

Mr. Boynton noted that he has concerns that if a neighbor happens to complain about your indoor wood burning stove or fireplace for any reason, you may be required to stop utilizing this source of heat. Ms. Amendola noted that as long as you are burning the proper materials, you are permitted to have such sources of heat for your home. He noted that including Air Quality Action days and limiting the hours permitted to burn are a great recommendation, especially in Pittsburgh.

Kate Gaglio, 1745 Barr Avenue

Ms. Gaglio noted that she was in favor of the proposed ordinance and noted that it was well written. She appreciated that it provided a listing of items that are not permitted to be burned.

Season Ciechanowski, 1753 Barr Avenue

Ms. Ciechanowski noted that most people that live on her street have a fire pit and have not had any problems. She is in favor of the proposed ordinance and of controlled burning. She stated she believes there should be an age limit for permitted burning and take into consideration the Air Quality Action days should be included.

Derek Corner, 92 S. Linwood Avenue

Mr. Corner is in favor of the proposed ordinance with parameters, however, he noted that the regulations will need to be watched and patrolled. He noted his neighbor has a tendency to put logs and limbs with leaves and greenery in his fire pit, and there are times when the smoke is horrible. He believes that public education is important, teaching residents how to burn safely, how to put out their fires, what to do with the ashes, etc. He noted a mailing or a pamphlet sent to home owners is a great suggestion. He reiterated that he is in favor of the ordinance and burning with controls.

Mike Crown, Fire Chief, Crafton Fire Department

Chief Crown noted that there is an ordinance currently in place that does not allow for any type of burning in Crafton, so anyone who is burning in a fire pit or chiminea of any type, is burning illegally.

He noted about a year or so ago, Allegheny County approved Open Burning Regulations. He noted the proposed ordinance is a little less stringent in some instances and a little more restrictive in others. He would like to see the Proposed Ordinance follow the guidelines of the County Regulations a little closer. Consider including some or all of these regulations; Must be 18 years or older to burn; Set time limits for burning; consider including smoke arrester or ember screen, currently the County regulation doesn't make mention to this; no burning in the front yard; 15 feet from all property boundaries and set restrictions on the size of the fire. These requirements are for recreational fires, for friends and neighbors getting together to enjoy a contained, restricted fire. Educating residents on fire safety and providing information on proper materials to burn will benefit the entire Community.

Chief Crown noted regarding indoor burning, the Department has received a number of calls involving the new wood pellet stoves, the biggest problem being proper ventilation. Regarding outdoor fires, a few small brush fires, have been reported, more nuisance calls than anything.

Chief Crown noted requiring a permit for an outdoor fire pit, becomes a records nightmare. He noted that there are hundreds of fire pits in Crafton, updating and maintaining a permit data base would be difficult for the Police Department.

Ms. Amendola inquired if the Department would work with the Borough on educating the Community on Fire Safety. Chief Crown responded favorably.

Mr. Corner, 92 S. Linwood, inquired with Chief Crown if there were any regulations on how to dispose of the ashes. Chief Crown noted, he is not aware of any regulations on how to dispose of the ashes, however, hopes each resident has the common knowledge to let the fire die down, put water on the fire at the end of the evening and to wait until the ashes are cooled before bagging or removing.

Rachel Engle, 10 Walnut Street

Ms. Engle noted she is in favor of controlled burning, but believes that some of the other points mentioned should be considered to be included in the Ordinance, especially the size of the fire and age of person. However, the time permitted for the controlled burning, needs to be reconsidered, she enjoys sitting in her backyard by the fire, sometimes until Midnight.

Ms. Amendola inquired with Council their thoughts on the Ordinance and the comments from the residents.

Mr. O'Brien noted that a few items need to be included in the Ordinance, the size of the fire, the location on the property and age restriction. He would also like to see a little more substance in the Ordinance that will allow for Public Safety Officials (Police or Code Enforcement) to approach a resident and direct that the fire be put out, and the resident comply. He would like to assure, if a resident is following the proposed regulations for a controlled burn, a neighbor who may have some sort of grudge against that person, cannot demand that a fire be put out just because he doesn't like the neighbor.

Mr. Levasseur suggested an addendum to the current proposed Ordinance to include the following language; The County's Ordinance/Regulations shall supersede the Borough regulations the County's Ordinance is more restrictive. This would address the location of the fire pit, the size and the age. However, it does not address the time restraints or the ember screening. Mr. Levasseur suggested that the time be restricted to 11:00 pm, a compromise to everything presented this evening.

Ms. Perry inquired if the section of the Proposed Ordinance regarding indoor burning could include, "according to the manufacturer's recommendations", she believes this should address most of the indoor burning concerns.

Ms. Damits referred by to the County Regulations regarding the size of the fire permitted.

Ms. Glaser noted she is in favor of age restrictions, 18 years or older, Air Quality Action Days and ember screening requirements are all necessary additions to the proposed ordinance.

Mr. Amendola noted he would like to see these same regulations included in the Proposed Ordinance. He noted the following revisions; Page 1 under Definition of Fire Pit, he believes we need to include the description of those metal dishes residents may purchase; Page 5 under Penalties, the ordinance should read Magisterial District Justice (not District Magistrate); Same Paragraph, the Penalty section should state, a Fine not to exceed \$1,000 (remove not less than \$300 and not more than \$1,000). In accordance with the Borough Code, Section 1702; requires the Borough to include in Ordinances, a fine not to exceed a certain amount.

Ms. Amendola inquired if anyone else had any comments, none being said. No one responded, so with that she closed the Public Hearing at 7:18 pm.

Respectfully submitted
Ann C. Scott
Borough Manager