

BOROUGH OF CANONSBURG
REGULAR COUNCIL MEETING
AUGUST 10, 2009

I. CALL TO ORDER:

The meeting was called to order by Mr. Caruso at 7:00 P.M.

II. MOMENT OF SILENCE:

III. PLEDGE OF ALLEGIANCE:

IV. ROLL CALL:

Present:

Paul Sharkady, Jean Popp, Allen J. Williams, Richard Russo, Joseph Milioto, Ronald Cianelli, George Coleman, Daniel Caruso, Jr., and Steve Lucas (who joined the meeting at 7:02 P.M.)

Others Present:

Borough Manager Terry Hazlett, Engineer Harvey Treschow, and Attorney Patrick Derrico

Absent:

Mayor Anthony Colaizzo

V. GUESTS:

A. Kerry Fox – Washington County Redevelopment Authority

Mr. Fox updated Council on the following:

1. Adams Avenue
2. Streets Project – Park Avenue and Fountain Street
3. Arch Street
4. Canonsburg Pool
5. Appraisal – Pike Street Acquisition
Discussion was held.
6. Library Project
7. Code Enforcement Demolition
8. Fort Pitt Business Park Project

VI. OPENING OF BIDS FOR WASTEWATER PLANT CHEMICALS:

Mr. Hazlett opened and read the following bids:

A. Univar

1. Potassium Permanganate -- \$9.05 per 100 lbs. or
\$18,100 total price
2. Liquid Chlorine -- \$32.50 per 100 lbs. or \$5,850 total

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3. Liquid Sodium Permanganate -- \$109 per 100 lbs. or
\$10,900 total
 4. Cationic Flocculent – No Bid
- B. Neo Solutions, Inc.
1. Potassium Permanganate – No Bid
 2. Liquid Chlorine – No Bid
 3. Liquid Sodium Permanganate – No Bid
 4. Cationic Flocculent -- \$184.80 per 100 lbs.
- C. S & F Polydine – No Bid on any of the four items
- D. Barber’s Chemicals
1. Potassium Permanganate – No Bid
 2. Liquid Chlorine -- \$52.50 per 100 lbs. or \$9,450 total
 3. Liquid Sodium Permanganate -- \$129 per 100 lbs. or
\$12,900 totals
 4. Cationic Flocculent – No Bid
- E. Coyne Chemical
1. Potassium Permanganate – No Bid
 2. Liquid Chlorine – No Bid
 3. Liquid Sodium Permanganate -- \$108.60 per 100 lbs.
or \$10,867 total
 4. Cationic Flocculent -- \$231.16 or \$23,116 total
- F. Sal Chemical
1. Potassium Permanganate – No Bid
 2. Liquid Chlorine -- \$23.75 per 100 lbs. or \$4,275 total
 3. Liquid Sodium Permanganate – No Bid
 4. Cationic Flocculent -- \$216.70 per 100 lbs. or
\$14,302 total
- G. Polutech, Inc.
1. Potassium Permanganate – No Bid
 2. Liquid Chlorine – No Bid
 3. Liquid Sodium Permanganate – No Bid
 4. Cationic Flocculent -- \$203 per 100 lbs. or \$13,398 total

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Mr. Russo moved to award the bids to the lowest bidder of each individual item pending approval of Mr. (Richard) Zollinger.

Mr. Milioto seconded the motion.

ROLL CALL ON THE MOTION:

Steve Lucas	Yes
Paul Sharkady	Yes
Jean Popp	Yes
Allen J. Williams	Yes
Richard Russo	Yes
Joseph Milioto	Yes
Ronald Cianelli	Yes
George Coleman	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

VII. VOTING ITEMS:

A. Approval of Minutes

Mrs. Popp moved to approve the July 13, 2009 Canonsburg Borough Council meeting minutes.

Mr. Milioto seconded the motion.

The motion was passed unanimously.

B. Amendment to Ordinance – Temporary Street Sales

Mr. Coleman moved to advertise amendment to Ordinance limiting temporary street sales.

Mr. Sharkady seconded the motion.

Discussion was held pertaining to enforcement.

Mr. Cianelli asked Mr. Hazlett to get in touch with the State Attorney General's Office to find out who is responsible for enforcing the ordinances in Boroughs and what the role of Council is in enforcing the ordinances.

Further discussion was held.

ROLL CALL ON THE MOTION:

George Coleman	Yes
Ronald Cianelli	Yes

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Joseph Milioto	Yes
Richard Russo	Yes
Allen J. Williams	Yes
Jean Popp	Yes
Paul Sharkady	Yes
Steve Lucas	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

C. Amendment to Ordinance – Cable Franchise Fees

Mrs. Popp moved to advertise amendment to Ordinance regarding cable franchise fees.

Mr. Sharkady seconded the motion.

ROLL CALL ON THE MOTION:

Steve Lucas	Yes
Paul Sharkady	Yes
Jean Popp	Yes
Allen J. Williams	Yes
Richard Russo	Yes
Joseph Milioto	Yes
Ronald Cianelli	Yes
George Coleman	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

D. Appointment – 2010 Census Committee

Mr. Russo moved to appoint Mayor Anthony Colaizzo, Ronald Cianelli, and Steve Lucas to the Canonsburg 2010 Census Complete Count Committee.

Mr. Coleman seconded the motion.

The motion was passed unanimously.

E. Handicapped Sign

Mr. Coleman moved to approve a Handicapped Sign at 231 Spruce

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Street.

Mrs. Popp seconded the motion.

ROLL CALL ON THE MOTION:

George Coleman	Yes
Ronald Cianelli	Yes
Joseph Milioto	Yes
Richard Russo	Yes
Allen J. Williams	Yes
Jean Popp	Yes
Paul Sharkady	Yes
Steve Lucas	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

F. Plan for Recreation/Senior Center at Town Park

Mr. Williams motioned to hire General Industries at \$30,000 to prepare a plan for a recreation/senior center at Town Park.

Mrs. Popp seconded the motion.

Discussion was held pertaining to funding.

Mr. Russo asked Mr. Hazlett to provide Council with an ongoing tally of the Hospital Trust Account showing what has been spent and the remaining balance.

ROLL CALL ON THE MOTION:

Steve Lucas	Yes
Paul Sharkady	Yes
Jean Popp	Yes
Allen J. Williams	Yes
Richard Russo	Yes
Joseph Milioto	Yes
Ronald Cianelli	Yes
George Coleman	Yes
Daniel Caruso, Jr.	Yes

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RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

- G. Mrs. Popp moved to approve 2009-2010 Borough insurance with Employers Mutual Company through Simonin Insurance Agency in the amount of \$50,717.

Mr. Sharkady seconded the motion.

ROLL CALL ON THE MOTION:

George Coleman	Yes
Ronald Cianelli	Yes
Joseph Milioto	Yes
Richard Russo	Yes
Allen J. Williams	Yes
Jean Popp	Yes
Paul Sharkady	Yes
Steve Lucas	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

- H. Resolution – Income Tax Returns

Mr. Coleman moved to approve a resolution to destroy Canonsburg Earned Income Tax Returns from 1997 – 2002 and to destroy Real Estate Tax Notices and Assessment Books from 1988 – 2002.

Mr. Milioto seconded the motion.

Discussion was held pertaining to retention of delinquent taxes.

ROLL CALL ON THE MOTION:

Steve Lucas	Yes
Paul Sharkady	Yes
Jean Popp	Yes
Allen J. Williams	Yes
Richard Russo	Yes
Joseph Milioto	Yes
Ronald Cianelli	Yes

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George Coleman Yes
Daniel Caruso, Jr. Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

- I. Approval of Manager's Report
Mrs. Popp moved to approve the August Manager's Report.
Mr. Sharkady seconded the motion.
The motion was passed unanimously.

VIII. PUBLIC COMMENTS:

- A. Mr. Frank Martorana, of 527 Franklin Avenue, approached Council in reference to the neighbor's tree. The tree is split down about 4 feet and is located on the end of the neighbor's property next to the road, and Mr. Martorana considers it to be a serious safety problem. When backing out of his carport, Mr. Martorana cannot avoid backing out under this huge tree, which extends over the road. In addition, children go up and down this road to get to the playground on the corner. His neighbor said he would take care of the tree, but it has been nine months, and still nothing has been done.
Mr. Hazlett informed Council that both Code Enforcement and Public Works have been to the site, and a letter was sent.
Mrs. Cheryl Martorana added additional input.
Mr. Tom Klink, of 520 Giffin Avenue, indicated that his property faces Fir Alley, and the said property faces Franklin Avenue. He spoke with the owners again a week ago last Saturday, and they informed him that the woman's brother-in-law and his helper were supposed to come more than a year ago to take care of the problem, but the helper quit.
Mr. Klink also expressed the following concerns:
1. The number of children and vehicles who use this alley and the safety hazard it poses for them;
 2. John Elzer (from the Borough) came out and inspected

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the tree, which is bigger than 4 feet, but he didn't have a ladder to climb up and look inside the tree. Mr. Klink doesn't know him, but he felt that John was not a certified arborist.

Mr. Klink invited officials from the Borough to come up on his deck in the back of his house where they can really view the tree, which has cracked even more since the beginning of summer.

Mr. Milioto said that Mr. Martorana called him, so he went down and looked at this situation. He said that Mr. Klink is correct. The tree is completely split – a vertical split going down. However, Mr. Elzer makes no mention of that in the letter. Mr. Milioto also observed children going back and forth on Fir Alley to the playground. The property owner's children play in their yard and could also be in danger.

Mr. Milioto stated that Public Works looked at this and said the tree is on private property, Mr. Elzer said the same thing, and Mr. Milioto agreed.

Mr. Milioto asked Mr. Hazlett if the letter referred to tonight was sent to the property owner.

This letter was sent to Mr. Martorana and doesn't indicate that copies were sent to anyone else. Mr. Hazlett will check on this tomorrow.

Mr. Milioto said the tree is extending over Fir Alley, and one of the high limbs goes over to Mr. Klink's garage. The Borough has an Ordinance pertaining to the height of limbs and damaging fire trucks, but he didn't know if that could be enforced in this matter.

Mr. Milioto invited Public Safety to look at this situation. Further discussion was held.

Mrs. Martorana informed Council that she and her husband had offered at one point to split the cost of cutting the tree.

Mr. Martorana asked that the names of Rick and Darlene Jones be added to the minutes, as they have grandchildren and are also very

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concerned about the situation but were unable to attend tonight. Mr. Russo suggested that Mr. and Mrs. Martorana contact their insurance company, who should send the owner of the property in question a letter that the Martoranas' property is in danger. Mr. Klink said he called his insurance agency (Walter Mark Insurance Agency), who informed him that if the tree falls on his garage, they will pay to have it rebuilt. They are not going to contact the property owner.

Attorney Derrico said to have John Elzer get in touch with him, and he'll figure a way to site the property owner in front of the Magistrate under the Nuisance Ordinance. Half the time citizens go to the Magistrate on their own.

Mr. Milioto explained the reason these people came before Council is that the letter does not say the Ordinance is being violated. It was decided that Mr. Elzer will get together with Attorney Derrico tomorrow.

Mrs. Martorana added that previously, when the tree went under the shingles and lifted them off the roof, they were advised by the former Code Enforcement Officer that they could cut down anything that comes over their property. So they called a tree company to cut them down. The truck went on the neighbor's property, which resulted in the neighbors calling the police.

B. Mr. Leonard Cancilla thanked each Council member on behalf of his family and his mother for authorizing the Handicapped space.

C. Mr. Wagner, of 701 Fountain Street, asked if Fountain Street is going to be paved, as they have been waiting two years for this. Mr. Caruso advised Mr. Wagner that it won't be done this year and explained why.

Mr. Wagner was also concerned about the property on the corner (Dino's) that the Borough surveyed and asked how the gentleman can take possession of it when the Borough owned and maintained it for forty years.

This matter was referred to Attorney Derrico, who will explain

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the situation about this paper alley to Mr. Wagner's attorney. He also said that if Mr. Wagner would like to come to his office with his papers, he would explain it to him there. Mr. Wagner explained that he is not talking about the paper alley; he's talking about the corner and the fact that a fire truck can't get around that corner. Attorney Derrico said the committee got together and tried to resolve all the issues. Both parties have secured attorneys. Discussion was held pertaining to Mr. Wagner's concern about the fact that he can no longer use the road to get to his property. Also discussed was ingress and egress pertaining to Peco, Bow, and Fountain Streets, as well as surveys and paving.

IX. PRESIDENT'S COMMENTS:

A. Contract Negotiations Committee

Mr. Caruso stated that the police contracts are done, but the others need to be addressed.

Mr. Caruso appointed Ronald Cianelli, Joseph Milioto, and Richard Russo to the Contract Negotiations Committee.

X. FINANCE REPORT:

A. Presentation of Bills for Approval

Mrs. Popp motioned to approve the bills, which include the following:

1. General Fund
2. Waste Water Plant Operations
3. Garbage Service
4. Fireman Allocation
5. Concerts in the Park
6. I & I
7. Road Tax

Mr. Coleman seconded the motion.

ROLL CALL ON THE MOTION:

George Coleman	Yes
Ronald Cianelli	Yes

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Joseph Milioto	Yes
Richard Russo	Yes
Allen J. Williams	Yes
Jean Popp	Yes
Paul Sharkady	Yes
Steve Lucas	Yes
Daniel Caruso, Jr.	Yes

RESULTS OF THE MOTION: Nine Yes, Zero No. Motion carried.

XI. UNFINISHED BUSINESS:

- A. Scheduling of Meeting with Borough Managers/Officials
This matter was tabled.
- B. Scheduling of First Budget Workshop – September 21
This matter was tabled.
- C. Washington County Conservation District – Brought up by Mr. Williams
They will be meeting Wednesday, August 12, 2009 and going to Charles Place, Shamrock Estates, and Apple Hill.
- D. Further discussion was held pertaining to Items A and B.
- E. Library – Brought up by Mr. Treschow
Discussion was held pertaining to a proposed day care.
- F. Flood Control Rating – Brought up by Mr. Treschow
Mr. Treschow reported that DEP and the Army Corps of Engineers gave Canonsburg the highest flood control rating it has.
- G. Fort Pitt Industrial Park – Brought up by Mr. Sharkady
Discussion was held pertaining to the 90-day expiration date for the Site Plan of the subdivision.
Mr. Sharkady suggested that a letter should be sent to Mr. Stoehr in reference to this matter.
Attorney Derrico will send the letter.

XII. NEW BUSINESS:

- A. Complaint Form – Brought up by Mr. Coleman

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Discussion was held pertaining to two anonymous e-mails. Mrs. Popp said she talked with Mr. Elzer about this matter. He has checked out the alley, which is completely open. However, he is unable to respond to the initiator because the person did not include his or her name.

- B. Complaint – McNary Street – Brought up by Mrs. Popp
Mrs. Popp received a complaint from Paul Rush of McNary Street. The entrance from Route 980 on to McNary was not done properly, and it needs to have blacktopping done.

XIII. EXECUTIVE SESSION – Ronald Cianelli:

An Executive Session pertaining to personnel began at 8:50 P.M.

XIV. ADJOURNMENT:

The meeting was adjourned at approximately 9:30 P.M.

Mary A. Solomon

ATTACHMENTS:

None

