

BOROUGH OF CANONSBURG
REGULAR COUNCIL MEETING
SEPTEMBER 14, 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, and Daniel Caruso, Jr.

Others Present:

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

Absent:

Steve Lucas

V. GUESTS:

A. Nadeen Steffey – Main Street Program

Ms. Steffey updated Council on the following:

1. Design Committee Projects
2. Economic Restructuring
3. Promotions
4. Organization

VI. PRESENTATION:

Mrs. Popp and Mayor Colaizzo made a presentation to Michael Pantely in appreciation of his donations of mulch for the Gateway Garden on Adams Avenue.

(Applause)

There was a break in the meeting from 7:20 P.M. to 7:25 P.M. for refreshments.

VII. VOTING ITEMS:

A. Approval of Minutes

Mrs. Popp motioned to approve the August 10, 2009 Canonsburg Borough Council Meeting minutes.

Mr. Sharkady seconded the motion.

The motion was passed unanimously.

(continued)

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B. Motion – Revision of Ordinance Chapter A 178

Mr. Russo moved to approve the revision of Ordinance Chapter A 178 (cable television franchise).

Mrs. Popp seconded the motion.

ROLL CALL ON THE MOTION:

| | |
|--------------------|--------|
| Steve Lucas | Absent |
| 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: Eight Yes, Zero No, One

Absent. Motion carried.

C. Motion – Revision of Ordinance Chapter 126

Mr. Russo moved to approve revision of Ordinance Chapter 126 (temporary street sales).

Mr. Milioto seconded the motion.

Discussion was held pertaining to enforcement of the ordinance, the revision, the permit fee, the intent of the ordinance, and the permit process.

Mr. Milioto withdrew his second.

Mr. Russo withdrew his motion.

Mr. Milioto moved to table this matter until the October meeting.

Mr. Coleman seconded the motion.

ROLL CALL ON THE MOTION:

| | |
|-------------------|-----|
| George Coleman | Yes |
| Ronald Cianelli | Yes |
| Joseph Milioto | Yes |
| Richard Russo | Yes |
| Allen J. Williams | Yes |

(continued)

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| | |
|--------------------|--------|
| Jean Popp | Yes |
| Paul Sharkady | Yes |
| Steve Lucas | Absent |
| Daniel Caruso, Jr. | Yes |

RESULTS OF THE MOTION: Eight Yes, Zero No, One Absent. Motion carried.

- D. Motion – Contract for Renovation of Town Park Pool
Mr. Russo motioned to award Specialty Pools a contract for renovations of Town Park Pool @ \$373,250 with an alternate bid of \$25,000 for a total of \$398,250..
Mr. Williams seconded the motion.

ROLL CALL ON THE MOTION:

| | |
|--------------------|--------|
| Steve Lucas | Absent |
| 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: Eight Yes, Zero No, One Absent. Motion carried.

- E. Motion – Conditional Use – Massage Therapy
Mr. Russo motioned to approve a Conditional Use to allow a massage therapy facility as a Home Occupation at 507 Panorama Drive with the condition that a building permit is obtained.
Mr. Milioto seconded the motion.
Discussion was held.

ROLL CALL ON THE MOTION:

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|-----------------|-----|
| George Coleman | Yes |
| Ronald Cianelli | Yes |

(continued)

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

RESULTS OF THE MOTION: Eight Yes, Zero No, One Absent. Motion carried.

F. Approval of Manager's Report

Mr. Williams moved to approve the Manager's Report of September 8, 2009.

Mrs. Popp seconded the motion.

The motion was passed unanimously.

G. Act 537 Revision – Canonsburg-Houston Joint Authority

Mr. Hazlett read aloud a letter he wrote to Council in reference to this matter.

NOTE: A copy of the letter and the Resolution are attached to these minutes.

Discussion was held pertaining to the urgency of this matter due to the fact that the Act 537 Revision must be approved by DEP before application for a two-million dollar grant can be made, and the deadline is rapidly approaching. If Council does not approve this Resolution tonight, they will have to wait a year to apply for the grant, as the state needs 30 days to approve the Act 537 Plan Revision. Mr. Hazlett stated that this cannot be held over to October because the grant application must be submitted in November.

Mrs. Popp felt that Council should be given more time to review this and obtain more information in order to make an educated decision.

Mr. Michael Alterio, Chairman of the Canonsburg-Houston Joint Authority, explained the situation to Council. He also

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informed Council that the Act 537 was sent to the Planning Commission (at the Borough Building) on June 24, 2009.

Mr. Alterio reviewed what has transpired and explained how the Authority did not get its share of the Optimization money because the Act 537 Plan was not approved.

Mr. Alterio explained that an Act 537 Plan is a planning document that outlines the growth in an area for a twenty-year period to determine the sewage needs in the area serving. It is only a planning document; no design has been done and no bonds have been taken out. The schedule in the CHJA Plan calls for a design to be started next year, and it takes one year to complete the design. Once the design is completed and approved by the Department of Environmental Protection, the Authority will set the available capacity remaining at the plant and determine when the project should be built. If growth is slow, the project will be delayed until such time as the capacity is required.

Mr. Alterio also explained that a month is needed for the Department of Environmental Protection to approve the plan.

Mr. Sharkady felt that a representative of CHJA should be at every Council meeting.

Mr. Alterio also felt that someone from Council should attend the Authority meetings.

Further discussion was held.

Mr. Alterio suggested that perhaps Council could study the Plan and then hold a special meeting, as this matter cannot wait until October

Mr. Hazlett mentioned that early this year the Sewer Authority had a meeting at Southpointe to explain this. Also, Mr. Zollinger has reviewed this and approved it.

Mr. Russo moved to approve the revised Act 537 Plan Resolution.

Mr. Milioto seconded the motion.

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Discussion continued.

ROLL CALL ON THE MOTION:

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|--------------------|--------|
| Steve Lucas | Absent |
| Paul Sharkady | Yes |
| Jean Popp | Yes |
| Allen J. Williams | Yes |
| Richard Russo | Yes |
| Joseph Milioto | Yes |
| Ronald Cianelli | Yes |
| George Coleman | No |
| Daniel Caruso, Jr. | Yes |

RESULTS OF THE MOTION: Seven Yes, One No, One Absent. Motion carried.

H. Pike Street Project

Mr. Milioto moved to transfer the excess Pike Street Project money to the Crawford Street Project.

Mrs. Popp seconded the motion.

Discussion was held.

ROLL CALL ON THE MOTION:

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

RESULTS OF THE MOTION: Eight Yes, Zero No, One Absent. Motion carried.

VIII. PUBLIC COMMENTS:

- A. Mr. Joseph Dino (no address given) stated that he was present to complain about the wall in the alley. He said

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that after the survey was done on Fountain, the wall was found to clearly be in the alley. Mr. Dino asked if the wall, which is in front of his two garages, is going to be moved. He also questioned whether his property will be taken when the alley is widened and if the people who infringed on the Borough property will be allowed to keep the wall of the shanty they built over the storm sewer.

Attorney Derrico stated that he has had extensive and ongoing discussions with Mr. Dino's attorney and Ms. Ewaskey's attorney and felt that this should not be discussed at a public meeting.

Mr. John Dino, who also owns property in the same area, added his input and expressed his concerns. He stated that he wants his 20 ft. of roadway.

Ms. Jacqueline Duke, of 410 Peco Street, stated that the only way to get to her house is through Fountain Alley. She informed Council that when the police came a few months ago because of the dispute between the Dino and Ewaskey families, Shirley Ewaskey plainly stated that she got permission from the Borough to build on that land. Ms. Duke stated Ms. Ewaskey totally remodeled the land; she had a sewer dug up, put in a pipe, threw in a bunch of dirt, tore out a bunch of Ms. Duke's trees, and destroyed other trees without ever asking Ms. Duke or her ex-husband for permission. Ms. Duke asked if what Ms. Ewaskey said was true.

Mr. Hazlett will research to see if a building permit was ever issued for 701 Fountain Street.

Ms. Duke also asked if it is true that Mickey Wagner and Ms. Ewaskey are trying to obtain permission to purchase the property in question from the Borough. If this happens, Ms. Duke will be landlocked.

In addition, Ms. Duke is concerned because she has two little girls running around in her yard, Ms. Ewaskey calls the

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police every ten minutes, and her bad language is offensive. Since the new survey was completed, Ms. Duke is not sure exactly where her property line is.

Mr. Treschow asked Ms. Duke to give him her name, address, and telephone number, and he will have one of his people contact her to show her where her property line is.

- B. Terrance Serbak, of 330 Euclid Avenue, who is a Scout with Troop Number 1333, asked questions of Council in order to earn a merit badge for Citizenship and Community.
- C. Ms. Serbak (Terrance's mother) informed Council that she and her family are actually considering moving from 330 Euclid Avenue (where they have lived for 18 years) because they no longer feel safe due to all the crime, vandalism and drugs in the area.

Discussion was held.

IX. FINANCE REPORT:

A. Presentation of Bills – Jean Popp

Mrs. Popp motioned to pay 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

Mr. Coleman 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 |

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|--------------------|--------|
| Steve Lucas | Absent |
| Daniel Caruso, Jr. | Yes |

RESULTS OF THE MOTION: Eight Yes, Zero No, One Absent. Motion carried.

X. UNFINISHED BUSINESS:

- A. Crime and Vandalism – Brought up by Mr. Williams
Further discussion was held pertaining to the matters brought up by Ms. Serbak. (See Item VIII – C on Page 8.)
- B. Enforcement of Ordinances – Brought up by Mrs. Popp
Mr. Hazlett reported that no response has been received from the Attorney General’s office in reference to this matter. Discussion was held.
- C. Library Project – Brought up by Mr. Cianelli
Mr. Cianelli made reference to the July 7, 2009 minutes of the Library Board in which they talked about hiring a project manager. They hired Astorino, who is their engineer and architect, at 5% to oversee the project. They also hired a project manager to oversee the project. Mr. Cianelli questioned whether or not it could come back on the Library or the Borough if the project manager is not qualified and makes an error.
Discussion was held.
- D. Year-to-Date Report – Brought up by Mr. Milioto
Mr. Milioto had questions about three items on this report, which Mr. Hazlett answered and explained.
- E. Street Naming Rights – Brought up by Mr. Coleman
Mr. Coleman suggested that Council think about naming streets after the Imperatore, Kusturiss, and Sarris families, as well as anyone else who has contributed to Canonsburg.
- F. Gardens – Brought up by Mr. Coleman
Mr. Coleman informed Council he is planning to make a motion at the October meeting to name the gardens “The Jean Popp Gardens of Canonsburg” after Mrs. Popp, who

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will be retiring from Council. He would also like to have a ceremony and have a sign erected.

G. Public Safety – Brought up by Mr. Coleman

Mr. Coleman said he would like to see (from tonight's meeting on) the Borough Manager develop a memo that goes to the Mayor with a copy to the Chief of Police (or vice versa) listing each complainant who comes before Council, what the issues are, and what Council's recommendation is. In addition, a copy is to be given to each Council representative.

XI. NEW BUSINESS:

There was none.

XII. ADJOURNMENT:

Mr. Russo moved to adjourn.

Mr. Milioto seconded the motion.

The motion was passed unanimously.

The meeting was adjourned at 9:15 P.M.

Mary A. Solomon

ATTACHMENTS:

1. Letter to Council from Mr. Hazlett, including:
 - a. Resolution for Plan Revision (Act 537)