

BOROUGH OF CANONSBURG
REGULAR COUNCIL MEETING
MARCH 11, 2013

I. CALL TO ORDER:

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

II. MOMENT OF SILENCE:

III. PLEDGE OF ALLEGIANCE:

IV. ROLL CALL:

Present:

Richard Russo, Paul Sharkady, Joseph McGarry, Fran Coleman, Timothy Bilsky, Peter Lucas, and Joseph Graff (who joined the meeting at 7:45 P.M.)

Others Present:

Borough Manager Terry Hazlett, Engineer Harvey Treschow, Attorney Patrick Derrico, Mayor David H. Rhome, and Police Chief R. T. Bell

Absent:

John Bevec and Patricia Romano

V. GUESTS:

A. Chester Engineering

Representing Chester Engineering were Mr. Jim Probst (?), Director of Business Development, and Engineer Rachel Mignogna, who will be the Borough's representative at the Canonsburg-Houston Joint Authority meetings and will report back to Council.

Mr. Probst gave Council a brief overview of their firm.

Discussion was held.

VI. PUBLIC COMMENTS:

A. Ms. Nancy Apple (?), of Brownsville, and Ms. Robin Gostic, of Washington, were representing Washington City Transit. Ms. Gostic passed out information pertaining to bus service.

Ms. Apple informed Council that the Washington City Transit is in a funding crisis. She said they are present to request any amount of financial assistance they can get. She read some of the statistics to Council.

Ms. Apple left bus schedules to put in the Borough office and asked that up to five bus stop signs be put up on Pike Street.

Mr. Russo advised her to contact Mr. Graff, Chairman of Public

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Safety first, and then contact Mr. Hazlett in reference to the signs.
Discussion was held pertaining to funding.

- B. Mr. Marcus Solobay, of 131 Murdock Street, approached Council in reference to problems with a local club that have been going on for over two years.

In addition to the club, Mr. Solobay is still having problems with a neighbor's barking dog. He asked about whether the fines could be raised because the day after the fines are paid, things go back to the way they were with the dog being left out all night and barking all night. Mr. Solobay said that Kim Secreet advised him to keep a log, which he has done. A letter is being sent to her now with this information, and a copy will be sent to the Borough.

Discussion was held pertaining to fines and whether the dog has proper shelter.

In reference to the problems with the club, some of the problems Mr. Solobay mentioned are as follows:

1. Friday, March 1st – Cars from the club blocking people's driveways, carports, and garages;
2. Sunday, March 3rd – Called police around 3:00 A.M. because kids coming out of the club were loud and obnoxious; (Only got 3 hours sleep.)
3. March 9th – Called police at 2:50 A.M. Disturbance lasted until 3:50 A.M. (Only got 3 hours sleep.) 35 people were fighting in street. Six police cars were there – 4 from Canonsburg and 2 from North Strabane. (Mr. Solobay turned in Exhibit A – hair extensions from one of the girls who was fighting, and Exhibit B – a watch.)

Discussion was held pertaining to these problems.

Mayor Rhome stated that since Mr. Solobay was before Council last year, they have had many conversations with the residents of the Murdock Street area as well as the bar itself. There have been many calls that are logged in the system, which are reviewed daily

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by the Mayor and the Chief of Police. Chief Bell has sent copies of every complaint in to the LCE. The club has been cited with three different charges. The Mayor stated that this weekend one of the officers noticed 27 cars parked in St. Patrick's parking lot. He went up to the club, knocked on the door, the door was opened, and he observed people still drinking at 3:59 A.M. The officer shut them down.

Mayor Rhome stated that there was a fight with allegedly fifty people in the street. From the dispatch time to the time they arrived there within minutes, the fight was gone, including the two girls who were going at it. The Mayor said that they are doing everything in their power to make the residents of Murdock Street happy and comfortable.

Chief Bell also stated that the police are doing everything they can. The officers have to call and make cards every time they go by to show that they are checking. Two of the calls his officers went on were done on their own. The Chief talked with their Exalted Ruler today who lives in Pittsburgh. He informed Chief Bell that he was here Friday night and everything was okay. The Chief told him the problem was Saturday night, and that they were open until four in the morning and the police chased them out of there. The gentleman was not aware of this.

NOTE: Mr. Graff joined the meeting at this point.

Further discussion was held.

Mayor Rhome stated that they will put some more pressure on the club and keep doing what they are doing with the LCE.

Chief Bell explained that it's difficult for the state to get a license pulled and close a club. They were just cited by the LCE.

Mr. Russo asked Chief Bell to invite the Exalted Ruler from the club to the April Agenda meeting. He also asked Mr. Solobay to attend the meeting.

Mayor Rhome stated that he and the Chief will call the Exalted Ruler to talk with him and also to invite him to the meeting.

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C. Mr. Keith Evans, of 325 McNary Avenue, stated that he has a small business (Zoom Corporation) located at 127 Adams Avenue. He said he is attempting to expand his business by adding an addition on the side of his property.

Mr. Russo said that that the Borough got the okay from Redevelopment, and this matter is on the agenda tonight.

VII. PRESIDENT'S COMMENTS:

Mr. Russo reported on the following:

- A. In April Council will have a visit from Code Enforcement to report on the Book Store and Little Joe's.
- B. In the packet is information from Mr. Hazlett pertaining to the account that will now hold the expenses for the Borough Building Renovation Project.

VIII. VOTING ITEMS:

A. Approval of Minutes

Mr. Sharkady motioned to approve the minutes of the Regular Council Meeting of February 11, 2013.

Mr. Graff seconded the motion.

The motion was passed unanimously.

B. Amendment to Real Estate Transfer Ordinance

Mr. Graff motioned to approve the Amendment to the Real Estate Transfer Ordinance.

Mrs. Coleman seconded the motion.

The motion was passed unanimously.

C. Approval of Line of Credit

Mr. Graff motioned to seek a line of credit of \$650,000 for the Building Renovation Project.

Mr. Sharkady seconded the motion.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent

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Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

D. Local Share Funds

Mr. Graff motioned to commit \$23,164 in 2013 Local Share Funds to the Building Project.

Mr. Sharkady seconded the motion.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

E. Approval of New Civil Service Commission Regulations

Mrs. Coleman motioned to approve the new Civil Service Commission regulations.

Mr. Graff seconded the motion.

The motion was passed unanimously.

F. Approval of Closing of Pike Street

Mr. Sharkady motioned to approve the closing of Pike Street for events on May 18th and 19th (Hot Diggity Dog Days), May 27th (Memorial Day Parade), July 4th, and September 19th through 22nd (Oktoberfest).

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Mr. McGarry seconded the motion.

Remarks: Mr. Bilsky stated that it seems like a lot of days to be shutting down the streets in a year, as Pike Street is a highly traveled street.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	No
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

RESULTS OF THE MOTION: Six Yes, One No, Two Absent.

Motion carried.

G. Approval of Sale of 119 – 123 Adams Avenue

Mr. Hazlett reported that he talked with Mr. Kerry Fox of the Washington County Redevelopment Authority, who informed him they would approve that sale.

Mr. Lucas motioned to approve the sale of 119 – 123 Adams Avenue to Zoom Corporation conditioned upon construction beginning within six months and a completion date of one year from the six months.

Remarks: Mr. Sharkady stated that he is not too happy about turning over the property just for a parking lot. Some time ago Council denied the apartment building a parking lot for the same reason, and now we're giving up that property for another parking lot.

Mr. Russo replied that the one thing that makes this project a little different is that the apartment building wasn't bringing any new jobs to the area; it was simply a parking lot. Also, it was nor bringing any new construction or building renovations to the area. Mr. Evans is supposedly bringing jobs and an enhancement to his building.

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Mr. Sharkady said that Mr. Evans' plans he saw are very nice; it's just the idea that we turned someone down for the very same thing and are letting someone else do it at a later date.

ROLL CALL ON THE MOTION:

Paul Sharkady	No
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

H. Approval of Borough Manager and Engineer Reports

Mr. Sharkady motioned to approve the Borough Manager and Engineer Reports of March 4, 2013.

Mr. Graff seconded the motion.

The motion was passed unanimously.

I. Comtech Addition

Mr. Treschow reported that the Planning Commission recommended approval of the Comtech addition at Fort Pitt based on a number of conditions listed in the HMT letter of March 6th. They will be going before the Zoning Hearing Board this month for the two required variances: Front setback where they are putting the building and parking for the existing building. (They have adequate parking for the new addition.)

Mr. Treschow added that there are two other issues that involve that addition: (1) Canonsburg sewer line runs underneath where the addition is going, under the existing building, and goes down to the creek. They have to, as part of the approval, take extreme caution when they are building it because they'll be building

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around our sewer line and over it. They will be responsible for the sewer line anywhere it's underneath their building. They did agree to this at the Planning Commission Meeting. (2) They have to realize that the storm water problem caused by Mr. Stoehr exists, and it is the problem of the property owner (Mr. Stoehr) – not the Borough.

They have agreed.

Mr. Bilsky motioned to approve the recommendation of the Planning Commission to approve the Comtech addition based upon meeting the conditions listed in the HMT letter of March 6, 2013.

Mr. Sharkady seconded the motion.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

J. Stoehr Three-Lot Subdivision

Mr. Treschow reported that Mr. Stoehr's request for a three-lot Subdivision at Fort Pitt was recommended for approval by the Planning Commission based upon two conditions: (!) Create a 25 or 30 ft. right-of way continually through that property from road to road; and (2) Correct the storm water problem that exists on that property that was created when they did the demolition work originally.

Mr. Russo added that it is important to note that the Planning Commission had to take some kind of action in order to avoid

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a stale request.

Mr. Sharkady motioned to approve the recommendation of the Planning Commission to approve the three-lot subdivision request of Mr. Stoehr provided that he meets the conditions as outlined by Mr. Treschow of HMT:

1. Create a 25 or 30 ft. right-of-way continually through the property from road to road; and
2. Correct the storm water problem that exists on the property that was created when they originally did the demolition work.

Mr. Graff seconded the motion.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

IX. MAYOR'S REPORT:

Mayor Rhome reported on the following:

- A. Internet Safety Program at Canon-McMillan High School
- B. Upcoming Programs
 1. Electronics Recycling Program -- Borough Lot -- April 13th
 2. Shredding Program -- Borough Lot -- April 25th
 3. National Drug Take Back Program -- Shop 'n Save -- April 27th
- C. Citizen Recognition

The Mayor said that Mr. Edward Knoge, who did not wish to be

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recognized, found a wallet or purse that was lost near PPG on Central Avenue several weeks ago. Inside was a paycheck and personal information. He called the police, and they responded, resulting in the lady being given back all her money.

D. Highlights of What's Going on Between the Police Department and Fire Department

1. Easter Egg Hunt – Town Park – March 30th
2. Participated with School District in Drug Sweep at Canon-McMillan Middle School
There were 5 police dogs there from different police departments. Results were favorable – nothing was found.

E. Excellent Work of Police Department for Drug Busts
Chief Bell mentioned a recent article in the Almanac about the drug work being done by Canonsburg and North Strabane Police Departments.

F. Upcoming Events

1. America's Pop Music Hall of Fame will be announcing on several radio stations the first fourteen inductees;
2. Media Session at McDonald's
Johnny Tillitson will take part in this.
3. Gun Lock Program – End of April or beginning of May

X. FINANCE REPORT:

A. Presentation of Bills for Approval – Peter Lucas

Mr. Lucas motioned to approve the bills, which includes the following:

1. General Fund.
2. Waste Water Plant Operations
3. Garbage Service
4. Fireman Allocation
5. I & I
6. Capital Projects

Mr. McGarry seconded the motion.

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ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	Yes
Timothy Bilsky	Yes
Peter Lucas	Yes
Richard Russo	Yes

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

XI. UNFINISHED BUSINESS:

A. Traffic Study – North Strabane Development

Mr. Treschow explained that a developer in North Strabane is putting in townhouses and wants to tie into White Way. He just received the traffic study late this afternoon. Mr. Treschow suggested a meeting between Public Safety, Public Works, and the Police Department, and they will report back to Council with a recommendation on this matter.

Mr. Treschow said they are also looking at Fourth Street and Bow. He stated that they showed no impact on the roads as far as the cart way itself. Coming from the North Strabane side and trying to come out onto South Central, they are looking at an additional 137 new vehicles a day coming from that development.

Discussion was held.

B. Canonsburg-Houston Joint Authority Meeting

Mr. Lucas reported on a meeting held last Thursday. Also in attendance were Mr. Bevec, Mr. Bilsky, Mr. Sharkady, and Attorney Derrico. There was a woman there who works with different authorities. He said the next step is to determine who's going to borrow the money – the Borough or the Sewer Authority. There will be a workshop where the bonding companies and a couple banks

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will give presentations. Once the money is funded, the question is whether the lease will be renewed or run out, or whether it will become a regional authority.

Mr. Russo asked if the question was answered as to whether or not the Borough could borrow the money and then lend it to the Authority.

Attorney Derrico replied that it can be done.

Mr. Bilsky stated that the lady seemed to indicate that it could be done, but she didn't see any benefit doing it that way. She felt that the Authority borrowing the money is just as good as Mr. Bevec thinking that the Borough borrowing it would result in a better interest rate.

Mr. Lucas said that with the Authority dissolving in 2019, banks/bonds are going to look at that as how we're going to get our money back in six years.

C. Tearing Down of Garage

Mr. Graff stated that he got a call last week from someone who had been in the audience and was questioning a garage that had been torn down at no charge to the owner.

Mr. Russo replied that this was discussed at last week's meeting. The garage belonged to Tony Colaizzo, and it was taken out in blight removal. Council chose a long time ago to not lien properties for the cost of demolition.

Mr. Sharkady said he thinks when Redevelopment is tearing down buildings and homes they are paying for it. He can't see where taxpayers should be responsible for tearing down a building on private property without placing a lien on that property for the amount it cost to tear it down. Mr. Sharkady stated that we do it and we did it for people who needed their grass cut and for some other things that were taken care of for the homeowners.

Mr. Russo replied that when Mr. Sharkady said that Redevelopment pays for it, we pay for it. It's our allocation from HUD.

Mr. Sharkady said that it's not coming from the taxpayers of

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Canonsburg Borough only, as all the share of tearing down the garage is.

Mr. Russo stated that the argument of liening properties when you do blight removal is that when Redevelopment approaches the homeowners to tear down the property, they get their consent. If we tell the blighted property owners that we're going to tear their homes down, we won't get their consent if we're going to lien their property, as they will then be facing a five or ten thousand dollar lien.

Discussion was held pertaining to this matter.

Mr. Sharkady motioned to lien the properties on any private individual before we go on their property to demolish anything.

Mr. Russo asked for clarification on the motion. He asked Mr. Sharkady if he's talking about just the ones the Borough has taken down – Tony Colaizzo's – or all the ones we've taken down with Redevelopment.

Mr. Sharkady replied that he's talking about any of them where specifically the Borough has paid for it. He said he asked several times for an accounting of what it cost to take that garage down, and he hasn't gotten it yet.

Mr. Russo said we can get the accounting; it was \$5,000. But he's looking for clarification of the motion. He mentioned the one on Greenside that was taken down and asked Mr. Sharkady if he wanted to lien that property.

Mr. Sharkady's response was: Not if Redevelopment paid for it.

Mr. Russo stated that we paid for it out of our Redevelopment allocation.

Mr. Sharkady asked if we paid for the garage on Park Avenue out of any Redevelopment money.

Mr. Russo answered "No" to this question.

Mr. Sharkady replied that this is what he's talking about. He wants liens where nothing was taken out of a Redevelopment fund for demolition of any kind.

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Mr. Russo stated that there is a demolition fund with Redevelopment which Council votes on every year. This money was used to tear down Greenside, South Central, and College Street. He asked Mr. Sharkady if he wanted his motion to include those homes.

Mr. Sharkady clarified that he's making a motion to include any home, garage, or whatever when we even go in to cut the grass because people refuse to do it and it's a cost to the Borough taxpayers that we lien their property for that.

Mr. Russo said he wasn't clear on the motion, but he asked if there was a second to the motion.

Mr. Graff seconded the motion.

Remarks: Mrs. Coleman asked if anyone bothered to go up and look at that garage. She said someone could have gotten killed up there. That was something that had to come down.

Mrs. Coleman stated that she doesn't agree with liening what we get from our funding.

Mr. Bilsky felt properties should not be liened that are demolished with Redevelopment funds but we should lien the ones that are done with Borough funds only.

Mr. Lucas felt that when a property comes up for blighting, and whether we're going to pay for it or Redevelopment is, a decision should be made at that time on an individual basis whether or not to lien the property.

Mr. Russo stated that his problem with the motion is that he would want to allow time during an Agenda meeting to discuss this. However, if Council chooses to take a vote, it can be done. The vote will be final.

Mr. Sharkady said he would like the vote to be taken.

Mr. McGarry asked if it was correct that there will only be the one motion, Redevelopment will lien the property and ask them to tear it down.

Mr. Russo explained that we're going to insist on a lien. So

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before they tear it down, we have to ask them.

Mr. McGarry asked what happens if the owner says no,
Mr. Russo replied that we would have to go through quite
a bit of a legal battle, and then you would have to do em-
inent domain.

ROLL CALL ON THE MOTION:

Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	No
John Bevec	Absent
Patricia Romano	Absent
Fran Coleman	No
Timothy Bilsky	Yes
Peter Lucas	No
Richard Russo	No

RESULTS OF THE MOTION: Three Yes, Four No, Two
Absent. Motion denied.

XII. NEW BUSINESS:

There was none.

XIII. EXECUTIVE SESSION:

An Executive Session was not necessary at this time.

XIV. ADJOURNMENT:

Mr. McGarry motioned to adjourn.

Mr. Bilsky seconded the motion.

The motion was passed unanimously.

The meeting was adjourned at 8:40 P.M.

Mary A. Solomon

ATTACHMENTS:

None