

BOROUGH OF CANONSBURG  
REGULAR COUNCIL MEETING  
MAY 13, 2013

I. CALL TO ORDER:

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

II. MOMENT OF SILENCE:

III. PLEDGE OF ALLEGIANCE:

IV. ROLL CALL:

Present:

Richard Russo, Paul Sharkady, Joseph Graff, Joseph McGarry, John Bevec, Patricia Romano, Fran Coleman, and Timothy Bilsky

Others Present:

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

Absent:

Peter Lucas

V. PUBLIC COMMENTS:

- A. Mr. Jim Maier, of 613 Gladden Road, stated that he had asked Council last week about parking on Gladden Road. Mr. Bevec stated that the minutes have been searched for 2004 and 2005 in reference to No Parking signs on Gladden Road, but there was nothing specific to this. Nothing has been resolved yet. Mr. Maier stated that he did some research on his own, and there are no restrictions on parking on Gladden Road. He measured the road, which is 22 feet wide. The Borough has a right-of-way of 15 or 20 feet. He said it was stated to a woman last week that as long as you're legal, you can park anywhere on the road. Mr. Maier said that their vehicles are not blocking any driveways; therefore, they are legally parked. Mr. McGarry stated that he spoke with both gentlemen. There's a fine line, and it would be great if they could work it out between themselves. Perhaps it might have to do with the hedges. Mr. Maier said he has parked there for 10 or 12 years and has

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ROLL CALL ON THE MOTION:

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

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

F. Use of 2012's General Fund Surplus

Mr. McGarry motioned to use 2012's General Fund surplus of \$52,515.72 to resurface North Street. (H.M.T. is providing an estimate.)

Mrs. Romano seconded the motion.

Remarks: Mr. Treschow stated that the estimate of approximately \$59,000 was in last week's packet.

ROLL CALL ON THE MOTION:

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

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

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G. Approval of Engineer's Report

Mr. McGarry motioned to approve the Engineer's Report of May 6, 2013.

Mr. Sharkady seconded the motion.

The motion was passed unanimously.

H. Appointment of Bond Counsel

Mr. Graff motioned to appoint Dean Richardson with Eckert Seamans as bond counsel for the Borough.

Mrs. Coleman seconded the motion.

Remarks: Mr. Sharkady asked if this motion (along with Items 9 and 10 on the agenda) have anything to do with the Sewer Authority's bond issue.

Mr. Bevec replied that Council has talked about this numerous times. They have been looking at floating a bond because there was a savings of 10% involved.

Mr. Sharkady reported that the Sewer Authority at its last meeting approved Piper Jaffrey to do that for them. He said he doesn't see how we can have two different companies doing the same thing.

Mr. Bevec replied that if we move forward in this fashion, either the Borough will float the bond, or the Sewer Authority will float the bond.

Mr. Sharkady stated that Piper Jaffrey has already indicated that they are moving forward.

Mr. Bevec said the Sewer Authority can do what they want, but if the Borough is going to float the bond, a bond counsel, underwriter, and underwriters' counsel are needed.

Mr. Sharkady informed Mr. Bevec that this is very confusing. He said there is one company doing it for the Sewer Authority, and you want us to do it for the Sewer Authority also.

Mr. Bevec replied that the Sewer Authority can't go past a six-year life. If they were to finance the bond as it stands today, he guesses their rate would probably at least double, if

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not quadruple the rates we pay now because they have to pay off the bond in six or seven years..

Mr. Bevec added that Council has had numerous discussions about potential with 10% savings. In addition there's also the potential that everyone here agreed to research the potential of a regional sewer authority for which we need experts to help guide us. Mr. Bevec stated that these guys don't get paid unless there's a bond, so any other front work we do to get it to that point is on them. He said that It doesn't mean that we have to float a bond or the Sewer Authority has to float a bond. We can save 10% if we float the bond. Mr. Bevec stated that he told Mr. (Michael) Alterio that, but they continued to move forward.

Attorney Glenn Alterio, Solicitor for Canonsburg-Houston Joint Authority, explained why the Authority had to move forward.

Mr. Bevec stated that the professionals cautioned Council that there could be a pre-payment penalty on the current bonds if they eliminated them to go to a regional authority. Therefore, in order not to pay pre-payment penalty, Council decided to hold off temporarily until the professionals are on board to advise how they would work that into the bond package to keep Council from paying the pre-payment penalty during the first four years of that bond.

Attorney Alterio stated that he understands. The Authority can save \$200,000, and he's not sure how soon Council will be addressing the issue.

Mr. Bevec replied that he is planning to take it up first thing tomorrow, as once they are on board, they're open to everything and can look at everything to make a determination. He said he agrees that there is a potential to save \$200,00 today, and he realizes the Authority has worked on this for almost a year, if not longer. There was always a savings to be had by

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refinancing.

Mr. Russo felt that one of the other concerns is that the resolution to move forward is not on the table.

Mr. Bevec stated that the Sewer Authority's request is not on the agenda today because of the research. He said we should know by the next meeting whether it's better to refinance or go with the regional authority, and it can be put back n the table.

Mr. Sharkady suggested that perhaps it would be better to table these items until next month, as the Sewer Authority has already told Piper Jaffrey to go ahead with their bond.

Mr. Russo stated that the Sewer Authority can't be going forward because the resolution is not here.

Attorney Alterio explained that the Sewer Authority at its last meeting passed a resolution and requested that this board address the resolution. It is part of the refinancing, and they need the Borough to agree to the extension of a new lease. It would not change the terms; it still ends the Authority in six years. The payments would be the same. All the Authority wanted to do was add the condition to do the refinance.

Mr. Russo stated that what Attorney Alterio is saying is that the Sewer Authority wanted to do that, but they still need Council to say to go ahead and do it.

ROLL CALL ON THE MOTION:

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

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

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I. Approval of Bond Underwriter

Mr. Graff motioned to approve PNC Capital Markets as bond underwriter for the Borough.

Mr. McGarry seconded the motion.

ROLL CALL ON THE MOTION:

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

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

Motion carried.

J. Approval of Underwriter Counsel

Mrs. Coleman motioned to appoint David DiCarlo as underwriter counsel for bond issuance.

Mrs. Romano seconded the motion.

ROLL CALL ON THE MOTION::

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

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

Motion carried.

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K. Approval of Addendum to Collective Bargaining Agreement

Mr. Sharkady motioned to approve the Addendum to the Collective Bargaining Agreement between the Borough and the regular full-time police officers.

Mr. Graff seconded the motion.

Remarks: Mr. Bilsky asked for clarification.

Ms. Lesnock explained that the contract stated that "A sergeant shall be paid a minimum of 5% more than a patrolman of equal seniority". In the actual contract, it wasn't 5%.

ROLL CALL ON THE MOTION:

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

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

Motion carried.

L. Marple Avenue Parking

Mr. Sharkady motioned to approve Resident Parking Only on Marple Avenue.

Mr. Graff seconded the motion.

Remarks: Mr. Bevec thought that this might be opening up a can of worms, as it could result in every street in Canonsburg requesting this. He also asked how it could be policed.

Chief Bell replied that the Borough has a two and a half page ordinance on permit parking, which lists certain reasons why it would be done. He felt that Council should look at all this. Whatever Council votes on, the police will enforce. However, it is very complex.

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Discussion was held.

Chief Bell suggested that Council may want to have a workshop, as there may be changes they may want to make to the ordinance. Mr. Bevec made reference to Blaine Avenue. He asked if it would be necessary to have a permit if he, as a taxpayer, wanted to visit his mother, who is a resident on that street.

Chief Bell replied that, the way the ordinance reads now, each resident can have only two permits. Therefore, Mr. Bevec would need a permit to park on Blaine Avenue to visit her. Even if she has no vehicle, the permit would be needed.

Mr. Bevec asked if this would guarantee her a parking space in front of her house.

Chief Bell answered that it does not. Anyone on that street can park in front of anybody's house.

In reference to Marple Avenue, Chief Bell stated that it was mentioned that the only people who would be able to park on Marple would be the residents, but he noticed when reviewing the ordinance that it doesn't say that. It says "property owners abutting the street". In this case, the back row of the Summit Avenue Apartments all face Marple Avenue. He again suggested a workshop.

Mr. Sharkady said that there are two streets he knows have resident parking only: Elm Street and East Pitt Street. He doesn't think any of those residents have any kind of permits in their possession.

Chief Bell agreed. For the police to enforce the ordinance, Council needs to read the ordinance. Everyone that lives on that street should have to apply for, pay for, and be given a permit if you go by the rules. It's something Council may decide to change.

Mr. Bevec made reference to the woman who came to last week's meeting to complain about a car that was parked in front of her house for a long time. He asked Chief Bell if the car could still be tagged if it stays in front of her house if Council does not go

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through the proper permit process.

Chief Bell replied that he doesn't see how. All he's saying is that Council should look at the ordinance and do it the way it's supposed to be done. He has already had two or three people come to him personally to ask about their street, so the word is getting around.

Mr. Russo added that Council talked last week about doing what the people in that ward would want to do. However, he informed Mr. Sharkady that he has a problem with him bringing these motions before Council on a voting night when there isn't time to talk about them. He said that Council has an agenda meeting in order to review things that are going to be on for vote the following week. Mr. Russo felt that it wasn't fair to Council to bring up the motions without giving them the opportunity to workshop it or talk about it at an agenda meeting.

Mr. Sharkady said it was brought up last week; the lady stood up for quite some time. He also said that he asked to have this put on the agenda for a voting item this week.

Mr. Russo disagreed with that statement.

Mr. Bevec asked Ms. Lesnock if Mr. Sharkady requested this to be a voting item for tonight.

Ms. Lesnock replied that she did not recall.

ROLL CALL ON THE MOTION:

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

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RESULTS OF THE MOTION: Three Yes, Five No, One Absent.  
Motion denied.

M. Stop Signs

Mr. Sharkady motioned to install Stop signs at the intersections of Woodland, both directions, at Bluff Street per the request of residents in that area.

Mr. Bilsky seconded the motion.

ROLL CALL ON THE MOTION:

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

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

VIII. MAYOR'S REPORT:

Mayor Rhome reported on the following:

1. Request for Handicapped Sign – 227 Hutchinson Avenue  
Mr. McGarry motioned to approve a Handicapped Parking Sign for Mr. Thomas Roman in front of his residence at 227 Hutchinson Avenue.

Mrs. Coleman seconded the motion.

ROLL CALL ON THE MOTION:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes

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Timothy Bilsky	Yes
Peter Lucas	Absent
John Bevec	Yes

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

IX. FINANCE REPORT:

A. Presentation of Bills for Approval – Peter Lucas

Mr. Russo stated that Mr. Lucas informed him he had reviewed all the bills with Ms. Lesnock, and everything was found to be in order.

Mr. Russo motioned to approve all the bills for payment, which includes the following:

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

Mrs. Coleman seconded the motion.

Remarks: Mrs. Coleman asked if this includes the bills for work done at the park. She had copies of the bills, which total \$8,700.00.

Ms. Lesnock stated that this would have to be brought up.

Mr. Russo moved to amend the motion to include four bills for the park totaling \$8,700.00 that came in late that Mr. Hazlett and he signed off on.

Mr. McGarry seconded the motion.

ROLL CALL ON THE AMENDMENT:

Richard Russo	Yes
Paul Sharkady	Yes
Joseph Graff	Yes
Joseph McGarry	Yes
Patricia Romano	Yes
Fran Coleman	Yes

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Timothy Bilsky	Yes
Peter Lucas	Absent
John Bevec	Yes

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

ROLL CALL ON ORIGINAL MOTION:

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

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

X. UNFINISHED BUSINESS:

- A. Meeting with Townships – Brought up by Mr. Bevec  
Mr. Bevec asked Ms. Lesnock to set up a meeting with Cecil, Chartiers, Canonsburg, Houston, and North Strabane and invite the chairperson of council or supervisors along with one other person. At the last meeting he and Attorney Derrico represented Canonsburg, and Mr. Bevec would like it to remain the same. The meeting is to discuss the potential of a regional sewer authority. Also to be included are bond counsel and bond underwriters to answer any questions.
- B. Pricing from Different Townships – Brought up by Mr. Bevec  
Mr. Bevec reported that Information will be given to Council in the near future pertaining to the prices we are charging and what some of the other municipalities around us are charging.
- C. Sidewalk on South Central – Brought up by Mr. Sharkady  
Mr. Sharkady stated that someone repaired the sidewalk on

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South Central Avenue where the building was torn down. The work wasn't done properly, and Mr. Sharkady felt that Code Enforcement should take a look at this.

XI. NEW BUSINESS:

- A. Location for Council Meetings – Brought up by Mayor Rhome  
Mayor Rhome said that June 15<sup>th</sup> is the target date when the Police Department will be ready.  
Mr. McGarry suggested holding the meetings at the Library.  
Mr. Bevec stated that before the elevator was installed and there were issues with challenged people coming, the meetings were moved to the Senior Citizens Center. That is a second option. Whatever the change is, it will have to be advertised.  
Mayor Rhome stated that he will move forward to the Library and advise Council of the results.
- B. Demolition of Sarris Bridge – Brought up by Mr. Treschow  
Mr. Treschow reported that they will be coming into his office tomorrow to discuss and review proposals. This will be brought back to Council.
- C. Appreciation of Police Department – Brought up by Mr. McGarry  
Mr. McGarry commended the Police Department for their efforts in handling the recent incident on West College Street.  
Mayor Rhome stated that he was going to wait until next month to report on this. The way it went down with the S.W.A.T Team and everything was necessary. A very bad person was taken out of society, but it's not known yet for how long.  
Mr. McGarry said this took place right down from the school. and a lot of people could have been hurt if it weren't handled properly.  
Chief Bell said that his officers did a very good job and coordinated it very well so that it did not interfere with kids on their way to school or buses. He said that after it was all over most of the neighbors came out and thanked them.

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Mr. McGarry again expressed his appreciation of the Police Department.

XII. ADJOURNMENT:

Mr. McGarry motioned to adjourn.

Mrs. Coleman seconded the motion.

The motion was passed unanimously.

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

Mary A. Solomon

ATTACHMENTS:

1. Copy of Blueprint and Aerial Views turned in by Kathleen Norton  
Re: Proposed Parking Lot for Frank Sarris Public Library
2. Copy of Resolution – Regulation 1 – Under Ordinance 1315  
Re: Transfer of Ownership – Use Permits

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never had a problem.

Mr. Bevec asked how many vehicles are parked there.

Mr. Maier replied that there are 4. After his son buys a house, three of them will be gone.

Mr. Thomas Dettore felt it would be a great idea to work something out. He said the hedges are on his property. Beyond the hedges is his property also – almost to the pole. He said it isn't a question of whether they're parking on his property or not. They block the sidewalk, and his tenants can't walk down the sidewalk. They have to walk around Mr. Maier's vehicles on the street. The vehicles are parked on the street. He suggested surveying Mr. Maier's property.

Further discussion was held between Mr. Maier and Mr. Dettore in reference to the need for Mr. Dettore's tenants to park in the front to unload, difficulty of cutting Mr. Dettore's hedges because of the location of where Mr. Maier's vehicles are parked, and the question of whether or not the vehicles are legally or illegally parked.

Input was also given by Mayor Rhome and Chief Bell in reference to tickets that have been issued and trying to resolve the situation.

Mr. Maier stated that he is unable to park the fourth vehicle in his driveway because they're always driving a vehicle, and it's dangerous backing out because of the hillside.

It was decided that Mr. Maier would temporarily park one of his vehicles at Mr. Bevec's house, and the Mayor and Chief will continue to work with Public Safety, the Solicitor, Mr. Maier, and Mr. Dettore.

Mr. Maier continued stating that his vehicles are legally parked. Mayor Rhome said that when there is a 911 call, the officers has to do his job.

- B. Ms. Kathleen Norton, of 101 Ivy Court, informed Council that she is the property owner of 113 – 115 West Pike Street. She

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expressed concerns about the proposed Library parking lot on Murdock Street from the edge of the Library building to the edge of the cement plant property.

Ms. Norton stated that she has been affiliated for many years with the Canonsburg Renaissance Group, who owned the parcel where the Library wants to put the parking lot. The goal of the Renaissance Group was to make it taxable property, and have some type of redevelopment that makes sense that is a tax revenue as a downtown business district. However, the property ended up being gifted to the Library, and they are proposing a \$350,000 private fenced and gated parking lot that will be attached to their existing non-tax paying property. Ms. Norton said she is not opposed to the parking lot itself. She is opposed to closing it off to public use. She said she was told personally by the President of the Library Board that it is a private lot, it will be a private lot, and nobody will be there that they don't want there. It is for Library patrons only.

Ms. Norton has also presented her concerns to the Planning Commission at their meeting this month.

She passed out information received from Washington County Redevelopment Authority, copy of blueprint, and aerial views. (Ms. Norton purchased 113 – 115 West Pike Street six years ago, but it still shows on the papers she passed out as being owned by the previous owners, Joseph and Edythe Massack.)

Ms. Norton had two concerns:

1. How it will affect her property at 113 – 115 West Pike Street;
2. Historic claim of ingress and egress of open space from Murdock Street to the back of her property.

Attorney Derrico felt that Ms. Norton's attorney should get in touch with the Library Board.

Ms. Norton replied that she officially asked to be added to the agenda of the Library Board that is scheduled for tomorrow,

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but she was denied.

Ms. Norton said that she does not want to stop the parking lot. Her goal is to stop non-public access to the parking lot. Once they fence her in and block in the back of her property, she can't have a restaurant in there. She needs a dumpster. She is standing here as a landlord saying that she is putting money into the property, and she's trying to make them taxable properties. Ms. Norton wants a business in there, or even two or three if she can fit them. She wants this property to be earning as much tax revenue as possible. She said there is a serious financial concern for her if this can't be done.

Ms. Norton stated that she invested in her property to allow access to the public from Murdock to Pike.

Mr. Russo asked Ms. Norton if she presented the same facts in front of the Planning Commission.

Ms. Norton replied that she was focusing more on the fence than on the restriction of public use. She said that when she started talking about the historic aspect, she was told that they weren't Borough Council and that she should go before Council.

Mr. Bilsky said he understands where Ms. Norton is coming from in terms of her view of the Library and keeping that off limits.

On the other hand, there are liability issues with people wandering to and from and coming across different properties.

Ms. Norton responded by saying that there wouldn't be any more than any other private parking lot. She cited some of the local businesses on Pike Street that do not have fenced in lots but also do not restrict the use of their private lots to other people's access.

Ms. Norton felt that the precedent it sets is that they want people to come in to the Library, but they don't want you to sit. She didn't feel this was a good neighbor thing.

Mr. Bilsky replied that this is an opinion. What the Library is choosing to do may not seem right to Ms. Norton, but it all comes down to whether her paper alley claim has any validity.

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Mr. Bevec said he understood that it would be open; the gate will be unlocked during regular business hours of the Library.

Ms. Norton stated that she was informed today by Manuel Pihakis that they will have a guard there to be sure the vehicles belong to Library patrons.

Mr. Bevec informed Ms. Norton that this is on tonight's agenda, but it is contingent upon them being able to join that parcel.

Attorney Derrico said his thought would be to recommend passing on this tonight. If Ms. Norton has a right existing from previous years, the right won't be gone. She has the right to bring action against the Library, and they would have to honor that later on. Whether Council approves or does not approve, her rights are not eliminated.

Attorney Derrico added that the Renaissance Committee conveyed by deed to Sarris, and that deed is on record.

Ms. Norton thanked Council for allowing her to speak tonight and said she hoped they would take into consideration that whatever they decide tonight is going to affect other people, as well as limited tax revenue.

Further discussion was held pertaining to whether or not the parcel in question was taxable or non-taxable.

Mr. Treschow informed Council that the deed is currently in the name of Frank Sarris Public Library, and the property type is exempt. Therefore, there are no taxes at this point.

Mr. Sharkady said that this matter was discussed last week, at which time he asked Mr. Treschow if the fencing in of the place would hinder the access to the alley back there, and the answer was that it wouldn't.

Mr. Treschow stated that what he said was that they moved the fence back 10 feet from the property line, and it meets all codes. There is nothing in the deed or anything that refers to anything being a right-of-way, easement or anything. That doesn't mean there physically wasn't one. It just means

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that by deed and survey none existed.

Mr. Sharkady said he got the impression last week that there would be an opening, even for their safety if their buildings were on fire and they had to use the rear of that property to get out. They wouldn't be able to do it. They're closed in by the cement plant, by the fence and the Library.

Mr. Treschow replied that the lot is totally closed. It's an enclosed lot with a gate.

Mr. Sharkady felt that this should be looked into, as it is a safety problem. He said he also has a problem with a public building having a private parking lot.

- C. Mr. Matt Marasco, Authority Manager for North Strabane Township Municipal Authority, had questions pertaining to Voting Items 8, 9, and 10 and how they relate to North Strabane Municipal Authority.

Mr. Bevec explained that Council is engaging bond counsel and an underwriter as an option to either finance the new project for the Joint Authority or assist in the developing of a regional operating authority if Cecil, Chartiers, and North Strabane Townships agree to come on board.

Mr. Marasco asked if the plan is still to have another meeting with the townships in May.

Mr. Bevec said the lull in between the meetings was because everything was not in place. He will be setting up that meeting tonight under New Business.

VI. PRESIDENT'S COMMENTS:

A. Sewer Plant

Mr. Bevec reiterated something from last week's meeting pertaining to the Sewer Authority. There was an inquiry from the water company and their interest in our plant. He said it was agreed to give them some documents so they could do their due diligence if they want to make us an offer. They have not made an offer.

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Mr. Bevec stated that, since that time, he has been contacted by a member of the water company as to the potential of doing business with them. Therefore, Mr. Bevec recused himself from any and all matters with the sewer plant, Sewer Authority, and PA American Water and turned it over to Attorney Derrico.

VII. VOTING ITEMS:

A. Approval of Minutes

Mr. Sharkady motioned to approve the minutes of the Regular Meeting of April 8, 2013.

Mr. Graff seconded the motion.

The motion was passed unanimously.

B. Amendment to Ordinance Number 1315, Section 2

Mr. Russo motioned to approve an Amendment to Ordinance Number 1315, Section 2: An occupancy permit shall be required ... when new ownership of any property occurs within the Borough whether the prior use is continued the same or changed to a new use. (Eliminates: “when any new occupancy begins as well as ...)

Mrs. Coleman seconded the motion.

Remarks: Mr. Sharkady said that Council talked about a lot more that is not added to this Ordinance. He felt that Council should look into this further and perhaps expand the Ordinance, especially change of use. There are so many different things that go on in change of use that need permits for occupancy, inspection, and different things, He felt that this should be included in the Ordinance, as well as an annual fee.

Mr. Russo stated that Attorney Derrico handed out the verbage for the actual Resolution.

Attorney Derrico stated that he did this by Resolution to save money. What Mr. Sharkady said is that you're suspending Ordinance Number 1315 as to most everything except the change of ownership. Council can certainly study that as such, but what Mr. Derrico has done is said that the only

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policy that's going to be put in effect is that when there is a change of ownership, they need a new occupancy permit. We're not going in to requiring a new occupancy permit for a change in tenant ownership only. He said if Council wants to study this more, they can do so. All that is being put into effect today is saying that the Code Enforcement people will only go in and inspect property where it's changed – someone buys and someone sells. At that point they need a new occupancy permit and an inspection by the Code Enforcement people.

Mr. Russo stated that the original intent was what has now been clarified. This was the original intent to trigger the inspection on the sale of a property and nothing more. He does not disagree with Mr. Sharkady that at some point Council should have a conversation again about getting a handle on all the tenants who come and go.

Further discussion was held pertaining to change of use, an annual inspection fee, and inspections.

ROLL CALL ON THE MOTION:

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

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

NOTE: A copy of the Resolution is attached to these minutes.

C. Petition of Frank Sarris Library

Mr. Bilsky motioned to approve Petition of Frank Sarris Library

(continued)

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plans for construction of a parking lot on Murdock Street conditioned upon satisfying H.M.T.'s May 2, 2013 letter which calls for the consolidation of those lots.

Mr. McGarry seconded the motion.

Remarks: Mr. Bilsky said that he understands Ms. Norton's concerns.

Attorney Derrico stated that this does not hurt her rights; whatever rights she has will still be there.

Mr. Treschow informed Council that the lot consolidation plan will be in front of the Planning Commission next month.

Mr. Sharkady again expressed his concern for the safety of the tenants living above there being able to get out in the event of an emergency, such as some type of fire wiping out that whole block.

ROLL CALL ON THE MOTION:

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

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

D. Petition of A & S Landscaping

Mr. McGarry motioned to approve the Petition of A & S Landscaping for the subdivision and development of the Strabane Industrial Park conditioned upon satisfying the four conditions involving the site plan as listed in H.M.T.'s letter of May 1, 2013.

Mr. Bilsky seconded the motion.

Remarks: Mr. Sharkady said he brought up last week the subject

(continued)

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of radiation on the site and the fact that there's not supposed to be any digging at all on that property.

Mr. Treschow informed him that they can dig down to four feet.

Mr. Sharkady said they would have to dig deeper than that for water lines and sewer lines.

Mr. Treschow replied that none of those are there. The buildings have no utilities. They are just warehouses on slabs.

Mr. Sharkady felt that this is still disturbing the ground and that it isn't the proper thing to do at a radiation dump site.

Mr. Treschow stated that it has an Act 2 clearance. The only clarification in that deed is that they can't excavate more than four feet.

Mr. Russo asked who governs that.

Mr. Treschow replied that it's part of the deed. DOE is the current owner and still controls the property. The covenants are in the deed.

ROLL CALL ON THE MOTION:

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

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

Motion carried.

E. Ordinance Number 1316

Mrs. Coleman motioned to approve Ordinance 1316 authorizing the Borough to borrow \$650,000 to be used as a line of credit for the building project.

Mr. McGarry seconded the motion.

(continued)