

CARNEGIE BOROUGH PUBLIC MEETING

Monday, August 11, 2014

Workshop Meeting @ 6:00 p.m. | Voting Meeting @ 7:00 p.m.

Call Meeting to Order

Moment of Silence | Pledge of Allegiance

Roll Call of Council:

Councilperson Boyd – Present, Councilperson D’Loss – Present, Councilperson Demko – Present, Councilperson Luvara – Present, Councilperson Sarsfield – Present, Council President Catena – Present, Mayor Kobistek – Present.

Public Comment on Listed Motions

No public comments on agenda items.

Administration (Councilperson Sarsfield)

MOTION to approve the Minutes from the Council Meeting held on July 14, 2014. Seconded by Councilperson D’Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to approve the Minutes from the Council Workshop Meeting held on August 4, 2014. Seconded by Councilperson D’Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to appoint Bridget VanDorn to the Shade Tree Commission with a term to expire on June 30, 2016. (Resident Appointment). Seconded by Councilperson D’Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to appoint John Ferri to the Shade Tree Commission with a term to expire on June 30, 2017. (Business Appointment).

Seconded by Councilperson D'Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to appoint Bob Podurgiel to the Shade Tree Commission with a term to expire on June 30, 2017. (Resident Appointment).

Seconded by Councilperson D'Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to appoint Bill Moldovan to the Shade Tree Commission with a term to expire on June 30, 2018. (Resident Appointment).

Seconded by Councilperson D'Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to appoint Marlene Pendleton to the Shade Tree Commission with a term to expire on June 30, 2018. (Resident Appointment).

Seconded by Councilperson D'Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to accept the resignation of Administrative Secretary Edna Morris as of Friday, August 8, 2014.

Seconded by Councilperson D'Loss. Vote: UNANIMOUS. MOTION CARRIED.

Finance (Councilperson D'Loss)

MOTION to approve the August Bill List and Bill List Addendum.

Seconded by Councilperson Sarsfield. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to adopt Resolution No. 2014-17, a Resolution of the Borough of Carnegie, Allegheny County, Pennsylvania, establishing fees for the filing of fees for false alarms by fire alarm devices.

Seconded by Councilperson Sarsfield. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to approve payment of the July 2014 Gaitens, Tucceri and Nicholas Invoice.

Seconded by Councilperson Sarsfield. Vote: UNANIMOUS. MOTION CARRIED.

Public Works (Councilperson Demko)

MOTION to approve Payment Estimate No. 4 to Mongiovi and Sons Excavating in the amount of \$21,666.94 for work completed between July 1, 2014 and July 31, 2014 for the 2014 Sewer Contract No. 2014-1C (Specialty Repairs).

Seconded by Councilperson Boyd. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to approve Payment Estimate No. 2 (Final) to Youngblood Paving, Inc., in the amount of \$19,418.97 for the final retainage for the 2014 Pavement Maintenance Program, Contract No. 2014-2.

Seconded by Councilperson Boyd. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to adopt Resolution No. 2014-18, a Resolution of the Borough of Carnegie, Allegheny County, Pennsylvania, entering into an agreement (5 year) with the Pennsylvania Department of Transportation for the Allegheny County Municipal Winter Traffic Service Agreement.

Comment: Councilperson Demko explained this agreement authorizes PennDOT to pay Carnegie Borough's Public Works to keep roads clear of snow and ice during the winter months.

Seconded by Councilperson Boyd. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to ratify the decision of Council to award Gary Mancini Construction to begin emergency work on the Grienbrier Drive Storm Sewer repairs.

Comment: Councilperson Catena clarified this was deemed an emergency job by our engineers due to a blockage/collapse.

Seconded by Councilperson Boyd. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to enter into a one (1) year extension for Borough waste collection with Allied Waste / Republic Services, Inc.

Comment: Councilperson Sarsfield commented that Carnegie Borough and Allied Waste have been adamantly working together to address and resolve previous issues with trash and recycling removal in the Borough.

Comment: Council President Catena reiterated Councilman Sarsfield's comments regarding Allied's commitment to timely service in the Borough, and also

requested residents communicate with the Borough if they are experiencing any problems with trash and recycling removal.

Seconded by Councilperson Sarsfield.

Roll Call Vote: Councilperson Boyd – No, Councilperson D’Loss – Yes, Councilperson Demko – Yes, Councilperson Luvara – Yes, Councilperson Sarsfield – Yes, Council President Catena – Yes. MOTION CARRIED.

MOTION to permit the Carlynton Soccer Association to use both upper and lower fields, concession stand and restrooms at Carnegie Park on Saturdays from 9:00 a.m. to 3:00 p.m. and Sundays from Noon to 5:00 p.m., and Tuesdays, Wednesdays, and Thursdays from 5:00 p.m. until dusk beginning September 2 through October 25, 2014 for a community soccer league.

Seconded by Councilperson Boyd. Vote: UNANIMOUS. MOTION CARRIED.

Public Safety (Councilperson Boyd)

MOTION to adopt Borough Ordinance No. 2401, an ordinance of the Borough of Carnegie, County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 15, Section 205 of the Borough Code of Ordinances relating to motor vehicles and traffic.

Comment: The Mayor commented that this action is due to the overflow parking on our residential streets from the Port Authority Busway lot.

Seconded by Councilperson D’Loss. Vote: UNANIMOUS. MOTION CARRIED.

MOTION to advertise Borough Ordinance No. 2402, an ordinance of the Borough of Carnegie, County of Allegheny, Commonwealth of Pennsylvania, amending Chapter 6, Part 3 of the Borough Code of Ordinances relating to nighttime curfew of minors.

Comment: Councilperson Sarsfield commented that he will vote to move this motion forward pending further discussion and ongoing feedback on this matter.

Comment: The Mayor asked for the current and proposed curfew times.

Comment: Councilperson Boyd responded that the current curfew is 11:00 p.m. for those under 18-years of age. The proposal is to change the current curfew to 10:00 p.m. for minors. He also explained the history of how the 10:00 p.m. curfew was successfully changed to the current 11:00 p.m. for minors.

Seconded by Councilperson D’Loss. Vote: UNANIMOUS. MOTION CARRIED.

Community Development and Code Enforcement (Councilperson Luvara)

MOTION to adopt Borough Ordinance No. 2400, an ordinance of the Borough of Carnegie granting the conditional use application of Excel USA Trading & Service Company to utilize the property located at 39 West Main Street (103-R-140) to operate a personal service business.

Comment: Council President Catena commented that this Motion was the outcome of the Conditional Use Hearing for a Massage Service Business.

Comment: Solicitor Lucas then outlined the Conditions of Use under the Conditional Use Permit.

Comment: Mayor Kobistek asked to confirm that the owner fully understood the Conditions of Use.

Comment: Solicitor Lucus then outlined the results of failure to adhere to the Conditional Use Permit by the owner.

Comment: Mayor Kobistek again asked the Solicitor if the owners Solicitor fully understood the Conditions of Use and conveyed these conditions to the owner.

Comment: The Solicitor confirmed and stated that all pertinent documentation was provided to all parties involved.

Seconded by Councilperson D'Loss.

Roll Call Vote: Councilperson Boyd – Yes, Councilperson D'Loss – Yes, Councilperson Demko – Yes, Councilperson Luvara – Yes, Councilperson Sarsfield – Yes, Council President Catena – No. MOTION CARRIED.

Committee Reports

Administration (Councilperson Sarsfield) – At these weeks Shade Tree Commission Meeting we will be looking at the basketball court and placement of it, and possible suggestions of more plantings of trees and flowers at the park. I will be meeting with the President of the Shade Tree Commission to provide Council with recommendations.

Finance (Councilperson D'Loss) – Our tax collector reported the income of property taxes have come in for the month of July, and we have received a little over \$300,000.00.

Code Enforcement and Community Development (Councilperson Luvara) – I would like to welcome the new business to this town and to our community, and look forward to doing business with you. Welcome.

Public Works (Councilperson Demko) – Nothing to report.

Public Safety (Councilperson Boyd) – One of our ambulances is down with a blown motor, but this should not affect service, because there are typically two crews working, so we still have two ambulances in service. However, it could be some time before funds are available or grants are obtained to bring this ambulance back in service.

President's Report (President Catena) - Nothing to report.

Manager's Report (Borough Manager Steve Beuter) – The Tri-Community Project with Heidelberg and Scott will be coming to an end within the next month. On August 27, 2014, Congressman Tim Murphy will be attending the Ribbon Cutting Ceremony in Heidelberg at 6:00 p.m.

Carnegie Volunteer Fire Department & EMS Report (Councilperson Boyd) – Fire Calls: 14 | EMS Calls 188 for last month.

Junior Council Report / Remarks – Junior Council will resume again in October. Applications are being accepted during the month of September for anyone interested in participating on Junior Council. New Applicants will be sworn in at the October meeting.

Mayor's Report (Mayor Kobistek) – Criminal Arrests and Citations: 33; Traffic Citations: 57; Parking Tickets: 111; Complaints and Self-Initiating Activities: 1032.

The Mayor reported two daytime burglaries in the past month. The CPD was able to obtain prints from one of the burglaries, a suspect was identified and an arrest transpired. Prints were also obtained from the second burglary and there is a good lead to proceed with that burglary. The Mayor reported most burglaries occur during the day, and both of these burglaries occurred through open windows. Please do not leave your windows open. Please keep your windows and doors locked. This is the number one prevention

Also, on the same note, recently we have had a number of reports of thefts from parked vehicles. Again, burglars are looking for vehicles with open car doors or windows. Lock your vehicles. Very seldom do we see a smash and grab.

Still waiting for speed sign, which will alert people of their speed in the neighborhoods.

Graffiti: We do have some issues with graffiti in the Borough. The Chief and I will be meeting on August 21, 2014 with the BBOC to start talking about an anti-graffiti plan. The graffiti is small time graffiti. We will provide more alerts for business owners with protocols. It takes a community to really stop graffiti issues.

Back to School for Carlynton is September 2. We do have back to school, and as such we will be out in the communities full force making people aware that school is back in session to slow down traffic.

Parkway Construction: Parkway construction has commenced and is on schedule. We will stay on top of this construction project, and keep all residents informed as to closures, lane restrictions, etc., and what we can do as far keeping people informed regarding this project.

Abandoned vehicles: An abandoned vehicle is categorized as a vehicle parked on the street without a valid inspection sticker or registration plate. We have processed more abandoned vehicles this year than any previous year. For years we have asked residents to call the police with regard to abandoned vehicles, and we are getting those calls now. This is an easy fix for us, so if you see an abandoned vehicle on your street, please call the Carnegie Police Department, and they will expedite this matter.

Proposed increasing Solicitation Fees and reducing the hours for “for-profit” entities that go door-to-door in our communities. Council was very receptive to looking at this and in evening the playing field for the Borough as to the other boroughs and townships with regard to what their ordinances regarding this matter. Basically, what we are saying is when you solicit in our neighborhoods we want to know who you are, make sure you get your badge, and reduce the hours for “for-profit” entities. We will keep an eye on this and address this issue.

I want to thank the Chief on servicing all the areas in our community. He has increased foot patrol with special attention to our downtown district. We have seen more foot patrol in the past two months than in any previous years before us. I commend the Chief.

Girl Scouts. The Girl Scouts have been managing an Adopt-A-Block program in the Borough. They have been signing people up for this program, and also have

been active in cleaning litter from around our trees and under the tree grates from Jefferson Street to Washington Avenue.

Boys and Girls Club. The Boys and Girls Club are winding down their summer camp program. This year they had over 1000 individuals in their summer program. This is a very affordable program that keeps our kids busy during the summer months. The Boys and Girls Club also provides thousands of dollars in scholarships to benefit our children. We are very fortunate to have them in our community.

Honus Wagner Muriel and Marker. We are currently working with the Carnegie Arts Initiative with regard to a new Honus Wagner Muriel. We have found an artist, and we are currently working with the Elks for funding. We would like to do a complete Honus Wagner makeover for the community. The Historical Society is working on creating a new Honus Wagner Muriel. The Muriel is slated for the side of the American Legion. Also, the Historical Society is working on a revamp for a new marker. We would like to move the marker from Mansfield to the center of town for more visibility. None of this is concrete as of yet, but it is in the works.

Flag Ceremony. We had a Flag Ceremony last Saturday honoring John L. Welsh. He was a WWII Veteran who served in the Pacific Theatre and also in the battle of Okinawa. It was an honor to do this. Flag Ceremonies are held the second Saturday of each month – Summer and Fall. Anyone interested in a Flag Ceremony to honor someone, please submit an application for consideration.

Public Comment

Jessie Sheu/Chen: Expressing gratitude for the approval of her new business in Carnegie.

Two questions:

1. May we begin business operations: Occupancy Permit and Inspection by Borough Enforcement Code Officer.
2. How do we pay fees. Cost to be paid to Code Enforcement Officer, Terry Roma.
3. Can we hang signs. Signs to be approved by Council and Code Enforcement Officer. Vinyl temporary sign. Council will discuss this matter regarding an

all-purpose sign. Pending Occupancy Permit from Mr. Roma. Owner must apply for a sign permit for a permanent sign.

Jeff Stefan, 318 California Avenue: Expressing concerns with regard to Exxon Sign on top of car on Main Street. The Borough is being bullied by Exxon owner. The sign and the car is two separate issues. Sign needs a variance – does not meet variance guidelines. Please review sign ordinance.

Theresa Balfo, Morrow Avenue: Neighbor feeding wild animals. Bought home in 2006 – code enforcement needs to make a decision to do something about this matter. Hordes of rats on hillside of Morrow Avenue. Raccoons out all hours of the day. Neighbor putting out tuna fish, peanut butter, corn, shell peanuts, and cat food. Sent letters to Allegheny County Health Department – fined by A. C. Health Department. Enforcement of Borough Ordinance regarding feeding wild animals by municipality. Why is there no baiting / no traps. Needs Magistrate enforcement. Also, needs community involvement. Police have talked with individual/mental issues. Ordinance needs to be enforced. Chief Kennedy suggested we stop the source. Council we will cite.

Skunk issues in neighborhood also needs to be addressed.

Diane, 619 Dawson Avenue: Pink house on Dawson Avenue – both individuals deceased. House was supposed to be demolished some time ago. House is run with skunks, rats, raccoons. She has down-syndrome child – afraid for child being bit by wild animal. We have grant coming to demolish house – CDBG Grant to demolish house.

Mike Lisk, 318 Boquet Street: Complaint regarding residents not taking care of their properties – cutting grass, overgrown property, garbage, state of property. One in particular 318 Academy Street. At least three other properties in same condition. Filed complaint with Code Enforcement Officer. Mr. Roma filed with Magistrate's Office. Some of these properties are up for Sheriff Sale. 500 – 502 Boquet / Duplex of deceased. Shouldn't Estate be held responsible? Council will address issues on Boquet.

Lisa Bower, 508 Boquet: Also expressing her concern with regard to 500-502 Boquet Street. Wants the Estate to be held responsible for the condition of the property. Council and Solicitor will look into this matter.

Leonard, 603 Gormley Avenue: Requesting information regarding the “No Truck” signs to be placed on Summit. Dan from DPW stated signs have been ordered.

Sheryl Stefan, 318 California Avenue: Commented the Police Chief on very good police enforcement in Carnegie and also in the Business District. Also, thank Mayor for his good work and involvement.

However, disappointed in processes and protocol on a lot of issues. Lack of follow up, such as sign ordinance. Contradictions should be considered. Laws must be enforced – the law is the law. Leadership needs to be addressed here – no excuses. We are concerned, this is not personal, and this is Carnegie working their way back from the flood and other issues. Looking forward to the flood update on the September 20. Looking forward to and expecting good leadership in the future.

Councilperson Luvara rebutted commenting that everything is not transparent. There are several issues to every circumstance presented. How do we find solutions to these problems without the situation being a “win” or “lose” situation for anyone. We are always looking for amicable solutions to all issues facing the Borough. Things are not always as clear as we want them to be. We are trying to find solutions in a community. We are not skating issues; we are looking for a better way – a solution.

Leonard, 603 Gormley: Again, stood to address his misunderstanding concerning the “No Truck” sign on Summit. Council will look into this matter further.

Mayor: Addressing the vacant property issue in the Borough. Talked about the Vacant Property Working Group, and how the Borough is working to get this program underway in the Borough. With this program each case is examined individually so it does not get lost in the shuffle. Blighted programs throughout the County have all recommended this program as a nice tool to have to address our vacant property issue.

Joanne Letcher, CDC: Commended on the Rotary Sip Event. Carnegie/Collier Rotary voted the best rotary. Rotary Sip Event being held on September 6, 2014 at 6:00 p.m.

Comment ensued with council, residents and Borough engineers regarding flooding and rain fall issues in the Borough, e.g., Alcosan, sewers, yard flooding, basement flooding, torrential rains, heavy downpours, and drainage.

Council Good & Welfare

Councilperson Sarsfield: Gary Miller, First Christian Church retiring after 35-years of service. We extend our appreciation.

Carnegie Entertainment: August 15, 2014 from 7:00 to 9:00 p.m. in front of Duran's there will be free hotdogs, popcorn and music by Bobby V.

Also, on August 29 there will be an entertainment event, and we will get the word out on that event closer to the time.

Police Chief Kennedy: Information of Entertainment

Councilperson Luvara: No Comment.

Councilperson Boyd: Commented on how great the Cultural District was on Friday night. Taxi Cabs dropping people off, picking people up. Everyone out and about, the Mayor, Council Members, cops walking buy, residents having a great time. Very exciting – Carnegie is on the map.

Councilperson D'Loss: No Comment.

Councilperson Demko: No Comment.

Council President Catena: I would just like to say that obviously this council does a lot of work, and if there is a lack of policies, procedures, follow-up and protocol, the buck stops with me. I am the Council President, and I apologize for that. However, I do not believe it is fair to impugn this Council's honesty or integrity, especially when there is no specific accusation lobbied at each or any one of us. I wish Mr. and Mrs. Stefan were here right now, because I wish they would be hearing this from me, but to impugn our integrity – we are not up here because we are getting a personal kick out of this. We are up here because we are trying to move the town forward and do what is best for everyone here. We might not make the best decisions, or we might not make the best decision that is the most popular. We are trying to do what is right, and whether you again

with that sign looks horrible, that sign looks good, or what have you. We are trying to move forward and basically eliminate that sign, and try to come to a compromise with one of our business owners. As residents and taxpayers, I guess my question is – and this is a rhetorical question, obviously I am not asking for an answer – but wouldn't you want someone to work with you and come up with a compromise if you had a problem. I guess that is what I am saying here tonight. I think we try to work with everyone to the best of our ability, and obviously we are not going to make everybody happy. It is unfortunate, we try to do our best, and I just ask that you take that home with you this evening. Thank you all very much for attending.

MOTION to adjourn.

Council retired to the Caucus Room for Executive Session.