

**MINUTES**  
**Borough of Ambridge – Regular Meeting**  
**Ambridge Municipal Complex**  
**August 26, 2008 – 7:00 pm**

**I. Call to order**

President McCoy called the meeting to order at 7:00 p.m.

**II. Roll Call**

Present: Tony Cafarelli, Bob Dunn, Orlando Gagliardi, Tina Iorfido Miller, Mike Mikulich, Joe Pucci and Gerald C. McCoy

Administration and Staff Present: Mayor Carl Notarianni, Borough Manager/Secretary Kristen Denne, Borough Solicitor Rick Start, Borough Engineer Frank Lemmon, Police Chief Mark Romutis, Fire Chief David Drewnowski and Zoning/Code Enforcement Officer.

**III. Invocation**

Mr. Otis McAliley –United Methodist Church.

**IV. Pledge of Allegiance**

**V. Citizen participation on Agenda Items only – 3 minutes per speaker.**

No one wished to speak on Agenda Items.

**VI. Approval of Previous Meetings Minutes**

**June 24, 2008**

**July 22, 2008**

Mr. McCoy asked if anyone has questions or corrections. Ms. Miller commented that she did not recall adjourning meeting at the July 22 meeting. Mr. McCoy remarked that he thought she might be correct- Mr. Cafarelli may have made that motion.

No other comments about the minutes – Mr. Dunn made the motion to accept the minutes from June 24, 2008. Mr. Gagliardi seconded.

**All in Favor: Ayes 7 ~ Nays 0.**

**The motion to adjourn passed unanimously.**

Request for the “One Way Study” – Mr. McCoy asked Ms. Miller if she received anything in writing –Ms. Miller commented that she will speak of that study later in the agenda.

Mr. McCoy asked if there were no other comments. Mr. Mikulich commented that he did not second the motion to adjourn on that meeting. Mr. McCoy commented that he will announce which the council member is speaking in the future.

No other comments – Mr. Pucci made the motion to accept the minutes with the corrections from July 22, 2008, Mr. Dunn seconded.

**All in Favor: Ayes 7 ~ Nays 0.**

**The motion to adjourn passed unanimously.**

VII. **Treasurer's Report** –respectfully submitted by Marilyn Sheleheda –Borough Treasurer

Mr. Mikulich read the following report:

As of 4:00 p.m. 08/26/08

\$1,410,313.09	General Fund Bank Account Balance 8/26/2008 4:00 pm.
<u>\$10,474.21</u>	2007-2008 Outstanding Checks 8/26/2008 4:00 p.m.
<b>\$1,399,838.88</b>	<b>Available Balance 8/26/2008 4:00 p.m.</b>

**Totals are as follows:**

<b>Deposits:</b>	<b>\$341,337.48</b>
<b>Debits:</b>	<b>\$311,915.97</b>
<b>-which include the following:</b>	
<u>106</u> Checks	\$163,420.30
<u>3</u> Payroll (s)	\$148,445.67
<u>1</u> Returned NSF Deposited ck.	\$50.00

**Other Fund Balances as of 8/26/2008**

\$75,353.31	<b>Grants/Special Funds (Insurance Proceeds - Garage Damage)</b>
\$10,119.71	<b>Liquid Fuels Fund</b>
\$10,961.75	<b>Escrow Disbursement Account</b>
\$39,074.00	<b>Recreation Fund</b>
\$332,071.83	<b>Sinking Fund (FEMA Grant)</b>
<hr/> <b>\$467,580.60</b>	<b>Total Other Funds Balances (Restricted Use)</b>

VIII. **Boroughs Bills and Expenses**

Mr. Mikulich has a question about the retirement benefits for Mr. Bufalini, what are the payments for. Ms. Denne commented that the police have post retirement healthcare, if they choose not take that healthcare – they get reimbursed 72% of the cost of the healthcare. Mr. Mikulich commented that they should look into that matter for next contract negotiations; it's costing the Borough Money. Mr. McCoy agreed and asked Ms. Denne to make a notation for contract time. Ms. Miller asked about the credit card payments. Ms. Denne remarked that the credit cards are paid directly, it's used for conferences and things that are needed for around the Borough that companies won't wait for a check, and often there is not a balance. Mr. McCoy stated that we should put it on the Bills & Expenses for future reference. Ms. Denne agreed and said she would make sure it's done. Mr. Gagliardi asked about the tree removal – Ms. Denne commented that it was for all the tree trimming for all of Merchant Street. Mr. Dunn asked if we are still getting gasoline from Loftus – Ms. Denne replied –yes. Mr. Dunn asked why it was not on the bill – Ms. Denne commented that Joanne Trella may have already paid it – council agreed that instead of paying late fees on monthly bills – that we should go ahead and pay these. Mr. McCoy asked that should a bill be paid automatically, could we list them on the bills & expenses as already "paid". Ms. Denne commented yes, she made sure there is a read out. Motion to approved paying the bills made by Mr. Pucci, seconded by Mr. Gagliardi.

**All in Favor: Ayes 7 ~ Nays 0.**

**The motion to adjourn passed unanimously.**

**IX. New Business**

1. Motion to Advertise for Bids for Solid Waste collection for 2009 ~ 2011.

Mr. Mikulich asked if it's for the regular schedule that we have now. Ms. Denne remarked that it was for both ways: the same schedule we have now and an alternate one day a week collection. Mr. Gagliardi asked Ms. Denne how much are we paying now. Ms. Denne stated, off hand, it was around \$300 hundred some thousand a year. Mr. Mikulich mentioned that a few months back we were asked to pay additional money for garbage collection because of the increasing gas prices, so these increases will probably be included in the bid prices. Mr. McCoy remarked that it will probably be listed as a surcharge. Motion made by Mr. Cafarelli, seconded by Mr. Gagliardi.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Y		Mayor Notarianni	

The motion to approve the advertising for Solid Waste Collection for 2009 ~ 2011  
*Passed 7 – 0.*

2. Motion to Accept Ordinance #1226 Repealing Ordinance #1194 which requires the registration & inspection of all rental units in the Borough of Ambridge.

Motion made by Mr. Dunn, seconded by Mr. Pucci.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Y		Mayor Notarianni	

Motion to Accept Ordinance #1126 & Repeal Ordinance #1194  
*Passed 7 – 0.*

3. Motion to Accept Ordinance #1227 Repealing Ordinance #1194 that Establishes Disruptive/Nuisance Properties & Conduct: Provides Notice Provision & the Abatement There of.

Motion made by Mr. Dunn, seconded by Mr. Cafarelli.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Y		Mayor Notarianni	

Motion to Accept Ordinance #1227 and Repeal Ordinance #1194.  
*Passed 7 – 0.*

4. Motion to Accept Ordinance #1228 Repealing Ordinance #1179 Establishing Amendments to the Solid Waste Ordinance.

Mr. Cafarelli made the motion and Mr. Dunn seconds.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Y		Mayor Notarianni	

Motion to Accept Ordinance #1228 & Repeal Ordinance #1179.

*Passed 7 – 0.*

5. Motion to Advertise to the Traffic Ordinance Establishing Stop Signs at the Intersection of 5<sup>th</sup> & Merchant Streets; 7<sup>th</sup> & Merchant Streets.

Mr. McCoy stated that they would like to these 3 ways stops signs: stop signs both ways on Merchant and the one way; these will make it much safer and reduce speed on Merchant.

Motion made by Mr. Mikulich, seconded by Mr. Dunn.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Abstain*		Mayor Notarianni	

Motion to advertise for the Traffic Ordinance Establishing Stop Signs @ 5<sup>th</sup> & Merchant and 7<sup>th</sup> & Merchant.

*Passed 6 – 0. 1 Abstain due to Agenda missing in her packet.*

6. Request for Handicapped parking on 605 Melrose Ave.

Mr. McCoy asked Council to table this request until next meeting because there needs to be additional investigation. This has been before council before. This involves a veteran and he wants to check out the circumstances. Does anyone object to this request?

Mr. Gagliardi asked if this was the property with a garage that is full of furniture and stuff. Mr. McCoy remarked yes, this garage is owned by this individual's mother who will not empty out the garage. This gentleman is a Vietnam Vet who was handicapped in the war. Our ordinance states that if you have a garage you can not be issued a handicapped spot. However, this may require a special dispensation because this is a war veteran and handicapped. This is why he is asking for the 2 weeks so that council can look into this matter and if the facts are correct, we should do some kind of variance to accommodate this gentleman because he did serve our county. Mr. Gagliardi asked if we can approach the mother to inquire why she won't take the junk out of the garage. Mr. McCoy stated that he agrees with Mr. Gagliardi but he said it is not the council's prerogative to inquire about private property; this is why he is asking for more time to investigate this matter.

7. Henrici Street Traffic Study

Ms. Miller discussed the personal study that she conducted about making this street one way between Pugar Way and 16<sup>th</sup> Street traffic should flow southbound; Pugar Way to Merchant Street should flow northbound. One issue that most residents had is the

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excessive speeding that some vehicles travel. She would like to see the Police Chief instruct one of his traffic officers to sit on that street for a while and evaluate the situation. Mr. McCoy asked the Police Chief if we have machine to record the speed of a vehicle, maybe we can put that machine there instead of tying up a police officer. The police chief responded that it is possible, the unit was going to be used on Duss Ave the next day, but he can arrange it. Ms. Miller stated that the other issue that the residents had with Henrici Street; they requested if we have some “Watch Children” or “Slow Children at play” signs –if we could put a couple up. Ms. Miller also commented on the stop sign at the end of Henrici Street and Merchant Street; possibly we can check into this where this stop sign is placed. Right now, in order to see the traffic flowing off of Rte 65, you have to stop and then pull out into the middle of the road to see the on coming traffic. She would like to see this sign placed in a more feasible place. Mr. McCoy stated that we could look into this issue and asked the police chief to look into it. It would only be temporary because hopefully the whole project will change in the new future.

8. Motion to Pay Final Payment to East Coast Paving- Amount \$9,191.09 for lot sealing.  
Mr. Gagliardi made the motion, Mr. Mikulich seconded.

Council	Vote		Council	Vote
Mr. Cafarelli	Y		Mr. Mikulich	Y
Mr. Dunn	Y		Mr. Pucci	Y
Mr. Gagliardi	Y		President McCoy	Y
Ms. Miller	Y		Mayor Notarianni	

Motion to Pay Final Payment to East Coast Paving- Amount \$9,191.09 for lot sealing.  
*Passed 7 – 0.*

9. Request from Residents of Elm Rd for Block Party.  
Mr. Mikulich made the motion, Ms. Miller seconded.  
**All in Favor – Ayes 7 ~ Nays 0.**  
**The motion to adjourn passed unanimously.**

10. Request for curb cut at 901 Beaver Rd.  
Mr. McCoy asked the solicitor to comment. Mr. Start remarked that the Borough Engineer had called him earlier in the day to ask about a clarification on the proposed matter. He asked if it violated a portion of an ordinance which requires when a curb cut is made that it provides at least one additional space. In his opinion this request does not violate the ordinance. However, there is a second issue to this curb cut request. Our ordinance prohibits any driveway to be in the minimum side yard requirement of the zoning ordinance. The drawings that he reviewed show him that this proposed curb cut go through the side yard of this lot and it is contrary to the terms of our current ordinance. Some discussion between the solicitor and the resident who was requesting curb cut concerning the location of the garage. Mr. McCoy asked about the professional opinion of the solicitor. Mr. Start stated that he cannot state other than what is currently on the ordinance. Mr. Lemmon stated that the ordinance that currently exists was adopted after the garage and driveway cut that is there now. This ordinance was revised by the previous borough manager. Mr. Lemmon suggest that the appropriate avenue would be that the resident go to the zoning board and request a various based on hardship since there would be no way to access the garage. Mr. Start also stated that it sounds to him like a good hardship case because the council can not grant something that is contrary to the black letter of the ordinance; however the zoning board can when shown a hardship. Mr. Start suggested that

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he contact Ms. Denne and she would advise him of the proper paperwork he needed to submit. Mr. Lemmon also suggested that there would be a representative from his office in the Borough Building on Wednesday for him to ask any questions. Mr. Cafarelli concurred that it seems like a hardship case because of the location of the telephone pole and the garage.

Mr. McCoy asked for executive session on personnel problems, he would like the police chief and the mayor to attend. Mr. Dunn made the motion, Mr. Cafarelli seconded. Council went into executive session @ 7:35pm.

Mr. Dunn made the motion to return from executive session, Mr. Gagliardi seconded. All in Favor – Ayes 7 ~ Nays 0. Council exited executive session @ 8:05.

#### **X. Other Unfinished Business.**

Mr. Gagliardi commented on how many complaints he gets on rats. He asked if there is still a place in Beaver to get rat poison. Ms. Denne remarked that she has a number in her office that she can give to the residents for rat abatement on their property, however, she can not request the county to do this, and it has to be a resident. Mr. Gagliardi asked if we could put it in the newspaper. Ms. Denne replied she cannot because it is a county service.

Mr. Gagliardi also mentioned the grant that the Volunteer Fireman Philip Kowalski on behalf of the volunteers applied for a grant and received it, therefore saving the tax payers money. This money can be used for anything in that the fire department needs in the way of equipment, like hoses, hydraulic lights works off of a generator, Mr. Gagliardi wants Ms. Denne to write a letter to the volunteers commending these efforts.

Mr. McCoy commented about the new ordinance for nuisance and disruptive properties. He would like to set up a 3 person board, it would be a non paying job, but he would like applications from the audience or if anyone knows someone who would be interested in being on that board to hear appeals and such.

#### **XI. Citizen Participation. – 3 minutes per speaker.**

*Coptic Church Representative – 10<sup>th</sup> & Melrose Ave.*

He spoke of the taxes for their church. They are a non profit organization. They would like exoneration from Ambridge. They went to Beaver County for exemption. Mr. Start, the Solicitor spoke concerning this matter. He referred to the taxes that are owed are 2007 school taxes, and he spoke to the school district solicitor and their solicitor asked that the Borough wait until they are finished examining the situation since they are owed the majority of the money. The borough and school district have always acted identically on requests for exoneration. As soon as the school district has the opportunity to examine & make their decision, I will on behalf of the borough communicate with him.

*Marlene Verygood 652 Melrose Ave.*

She asked the council if there was anything on the books prior to the new disruptive ordinance. The Solicitor commented that Ambridge did have ordinances on the books prior and that ordinance was tied together with the nuisance and what we did was to separate the ordinance into two different ones because they address two different subjects. She asked who inspects the properties and how often. Ms. Denne replied it was done by the code department and it was done bi-annually and will continue to do so. Ms. Verygood commented on why if the ordinance was already on the books, why are there so many properties in deplorable conditions. Ms.

Denne remarked when we sent a fine to the magistrate the landlord may get a \$100.00 fine, or a slap on the wrist and the landlords get away with this stuff. With the new ordinance it's got a lot more bite to it; in fact the code department can issue criminal citations. Ms. Verygood asked there is a rental property next to her that has occupied for 10 years and has never been inspected. Ms. Denne said she would have to look into that matter, she does not know off hand whether it's been inspected or not. At the magistrate hearings they sometimes get handed down the decision to pay up their past fees by paying \$10.00 per month. Ms. Verygood commented that she doesn't think the code department is doing their job. Ms. Denne disagreed, and commented she wished everyone who believes that they are not doing their job could shadow the code enforcement people when they go to these hearing and watch their hard work get dismissed. Unfortunately there are landlords out there keeping up with their property properly, and the others know how to get around the system. Mr. McCoy commented that if any citizen knows of a property that has not been inspected come over to the code enforcement office and let them know.

***TAPE TURNED OVER.***

*Mr. Irwin Roncza – 720 -24<sup>th</sup> St.*

He spoke of the rats in the neighborhood. He said that he hasn't had rats on his property for years and years and in the last few weeks he has seen them on his property and he doesn't want to see poison there because of the small children. Ms. Denne commented that (and Mr. Mihalic can attest to) they have done inspections. Ms. Denne asked that he get a professional to do rat abatement, give her a call tomorrow and she will give him the number for the county and they know how to put the bate down so the children will not get to it. What about the dead rodents. Mr. Cafarelli commented that it's probably because of the all the clean up work between 14<sup>th</sup> & 11<sup>th</sup> Streets.

*Corky Mihalic – 728 -24<sup>th</sup> St.*

He spoke of the situation of rodents in our town, is not the issue, it's how the situation has been addressed. If we have been spending millions of dollars on the Brownsfield and ripping up sewer lines, we should have an engineer watching the progress. I was told by the code people that it was my problem. He believes that code enforcement is not doing their job. When he code enforcement that a rat took a little kids potato chips when the kid went for pop, she (he won't mention a name) told him it was outside on a picnic table not in the house. Mr. Mihalic wants to know what the difference is. Our town has rats. There are all rental duplexes on 23<sup>rd</sup> street.. There is abandoned vehicle , no sticker no license next to an abandoned house. Across the street from that a utility trailer ½ on the sidewalk and ½ on the street. He feels that the code people are not doing what they are getting paid good money and benefits to do. He doesn't want to call anyone a liar, but he is seeing a different story. Mr. McCoy had a meeting with Pat Nardelli with the Brownsfield, he said he is more than willing to put out rat traps around the perimeter of that area, but he showed us and you can look at this information, there are no sewer lines going from 16<sup>th</sup> street up to your area. Mr. Nardelli was very receptive to the situation. Mr. McCoy mentioned it may be municipal sewer problem because they changed 38 maybe 48 lines. We are looking into the situation and we are doing the best we can. Anyone is welcome to look at this information at the end of the council meeting.

*Mr. Angelo Messia – School Crossing Guard.*

He spoke of how many years he has worked at the Borough and has done many jobs. He would like to have the crossing guards get paid for Christmas vacation. Mr. McCoy commented that Kristen Denne has a meeting with the school superintendent and she'll look into that matter.

*Kenneth Kobia – Wilson Ave. - Hopewell*

He has ½ of an unoccupied duplex in Ambridge, and the Borough Manager has told me that since I have used water to keep the property up that I have to pay refuse. I do not generate any

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refuse. I request that I do not have to pay this because I use less than one thousand gallons per quarter. I pay my water bill on time and I do not feel I should pay refuse. Ms. Denne commented that the council has passed a policy that anyone who has more than -0- usage on their water bill in a quarter has to pay refuse. The particular bill in question had a thousand gallons of usage. The ordinance that you are referring to says that everyone pays refuse. Mr. Kobia read: "all occupied premises are required to have solid waste unless they are waived" and you waived me two times. Mr. McCoy asked the solicitor look into the ordinance and give us his legal opinion on the matter.

*Time Waxenfelter – 1014 Kristufek – property owner*

He commented about the last meeting. He thought it was embarrassing. A gentlemen spoke at the podium on July 22, an incident on July 8 took place concerning a police officer. Mr. McCoy commented that if it's about Mr. Boykin, it's under investigation. Mr. Waxenfelter commented that nobody asked him if he filed a complaint. Mr. Pucci commented that he asked him if he filed a complaint. Mr. McCoy stated that he directed the Police Chief to investigate the matter and Mr. McCoy asked Mr. Waxenfelter if he heard him direct the police chief, and Mr. Waxenfelter stated no, he did not. Mr. McCoy stated that he should put away his crossword puzzle and pay attention. Mr. Gagliardi commented that it was a police matter. Mr. Waxenfelter commented that at that meeting you went to executive session and the newspaper reported that at that executive meeting you discussed whether or not to promote sergeants, is that correct. Mr. McCoy commented that it's executive session and the public is not privy to that information. Mr. Waxenfelter said that is not what he is asking, he wanted to know if that is policy. Mr. McCoy stated that when we leave here for personnel problems and you are not privy to that information. Mr. Waxenfelter commented that its part of the Sunshine Law, and that Mr. McCoy was violating it, its policy issue, you are talking about promoting. Mr. McCoy commented that its personnel matter and your 5 minutes is up, Mr. Waxenfelter continued to speak over Mr. McCoy, and Mr. McCoy commented that Mr. Waxenfelter loved Ambridge so much that he moved and his 5 minutes is up.

*Gary Gross – property owner 357 Maplewood Ave*

He commented that the property got clean up and he thanked everyone for that, but we still have a crime problem down there. We need to see the police down in that area also, not just on Henrici Street where the cars seem to speed. The kids on this end of Ambridge are exposed to more dangerous things too. If we could have a little more police presents, maybe hire more police, or get more funds. Mr. McCoy commented that Mr. Gross has come to the podium and spoke on many occasions and he appreciated him speaking like a gentlemen. He asked that since he owns property in Ambridge but does not reside in Ambridge if he could be on the board, Mr. McCoy commented that it is a requirement to reside in Ambridge.

**XII. Official Reports.**

Mr. Dunn made the motion to accept all the official reports. Mr. Cafarelli seconded.

**All in Favor – Ayes 7 ~ Nays 0.**

**Motion Passed Unanimously.**

**XIV. Adjournment**

Mr. Gagliardi moved to adjourn the meeting. Mr. Cafarelli seconded the motion.

**All in Favor – Ayes 7 ~ Nays 0.**

**The motion to adjourn passed unanimously.**

The meeting adjourned at 8:45 p.m.

**NEXT COUNCIL MEETING: September 9, 2008.**

Respectfully submitted, by Kristen Denne, Borough Manager

*I hereby certify that these are the true and correct minutes of the Regular Meeting of the Borough of Ambridge Council for August 26, 2008.*

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**Borough of Ambridge Seal**