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REGULAR COUNCIL MEETING
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ASSEMBLY

Council of the Borough of Tarentum met in regular session on Monday, February 18, 2013, with Councilman President Tim Rapp; Councilman Vice-President Hugh Fox; Councilman Tim Firko; Councilman Mike Gutonski; Councilman Eric Carter; Councilman Raymond Kerr; and Councilman Pete Varos. Also present were Mayor Carl Magnetta; Borough Manager William Rossey; Solicitor David Strellec; and Police Chief Vakulick.

PUBLIC
HEARING

A public hearing was held to discuss new Zoning Ordinance 13-03.

SOLICITOR
STRELLEC

Last January we passed a zoning ordinance. To make a long story short, we reconvened with the Planning Commission in late July, early August. They made a couple recommendations. So, we advertised Ordinance 13-03 which is essentially the same as the last ordinance with three changes. The first change is as per the citizens who live northwest of new Route 28 in West Tarentum. They wanted the rural resource overlay removed and the new ordinance so removes it. That will no longer be in existence. That's per the Planning Commission's recommendation. The second is to add a district called the Roadway Commercial District. That district and I don't know if you can see it well is here and that district goes from Bakers Town Road out toward Cedar Street. It doesn't go very deep, 750 feet deep and it encompasses a couple vacant lots along Cedar and goes to Bakers Town Road, but it doesn't in any way effect people north and west of that area. The third change was brought to me and it's not a major issue change was brought to my attention by Councilman Kerr and that is just to really redefine and I'll be more specific on the two issues we just discussed. On page 46 of the new ordinance in dealing with adult businesses, back when I drafted this ordinance in

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1995, we had VCR which are now passé, but they're still making X rated movies on blue ray and what not and on page 46, actually section of the ordinance, 265-502H which is adult uses and businesses sub and it would replace the word VCR movie rental with the word X rated movie rental in any format. So, God knows what they're going to come up with in ten years from now, so I just replaced that with in any format and I'd like to make that change to this current proposed ordinance, as well as the other two. As to the other two, I think I should be a little more specific. The old RRO, Rural Resource Overlay District, has been, as I said, removed totally and the new Roadway Commercial District is practically identical, except it adds two sub items, warehouses you can put in there and billboards and deleted from there is planned commercial park model. So, you're not going to have like a RIDC Park in there. So, otherwise they're just identical. The language where we can regulate billboards which was removed from the RRO, Rural Resource Overlay, was in fact added to the Roadway Commercial District where we can add, let's see, we can add a permit fee on resolution of Council, height and width regulations that we had in prior ordinances. So, they're in this, just in another place. So, essentially, that's what this public hearing was to make the public aware of the two and final three changes of the ordinance and ask the Council to pass it and that's it. Any questions?

COUNCILMAN
GUTONSKI

Go back to the area Bakers Town Road. How far from Bakers Town Road are we talking?

SOLICITOR
STRELLEC

To Bakers Town Road, this Roadway Commercial District starts at Bakers Town Road and goes east toward Bull Creek Road to Cedar Street and it's

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750 feet deep and just that wide. If anybody wants to see that, it's this darker area right here.

COUNCILMAN GUTONSKI Why are we changing that? What's the reason for that?

SOLICITOR STRELLEC To put billboards in.

COUNCILMAN GUTONSKI The residents of Bakers Town Road don't want that.

SOLICITOR STRELLEC The residents at the Planning Commission meeting had no objection. In fact, this is what they chose. Mr. Grimm had three proposals and this is actually the fourth and it was a compromise on his part to put that there.

COUNCILMAN GUTONSKI I thought that was never an issue. I thought we were talking about the property closest to the expressway.

SOLICITOR STRELLEC That's what it is.

MR. GRIMM This is the property next to the expressway.

SOLICITOR STRELLEC The old one went all the way up to Tim Kuhns. This one goes 750 feet all on 28. It's all on Ross' property. Our old dump, quote, unquote, that we don't have and never had.

COUNCILMAN GUTONSKI I didn't understand where we're talking about. Now I understand.

COUNCILMAN RAPP It's on the last page.

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SOLICITOR
STRELLEC Does that clarify it?

COUNCILMAN
GUTONSKI Yes.

SOLICITOR
STRELLEC It probably wouldn't make it to the top of Orange Mountain.

MR. GRIMM No, not that far.

SOLICITOR
STRELLEC Which we all growing up in Tarentum know what orange mountain is, neither orange nor a mountain. That's the public hearing. Does anybody in the public have any questions?

COUNCILMAN
GUTONSKI Do we have to have that section with adult book stores in there at all?

SOLICITOR
STRELLEC We never had until 1995 thing, kind of regulations for adult book stores.

COUNCILMAN
GUTONSKI Is it against the law to ban?

SOLICITOR
STRELLEC In our ordinance, it has to be two hundred feet from a church or school. You can't have two beside each other and frankly, when I did this in '95, I used our engineers measuring wheel and it can be within the Borough in an area, but it's very limited. So, you have to provide for it, but you can regulate it which this does.

COUNCILMAN
KERR There's almost nowhere it can be though, correct?

SOLICITOR
STRELLEC I know of a place. It would be hard to find.

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COUNCILMAN
KERR

I mean we eliminate almost every piece of property in town.

SOLICITOR
STRELLEC

I know of one area, after measuring all the churches and what not where you can legally put it, general area. If there's no questions from the public, that ends the meeting on the zoning ordinance. We'll go into our regular meeting.

RESOLUTION
APPROVE
MINUTES

Upon motion by Councilman Gutonski, seconded by Councilman Fox, RESOLVED, this Council approves the Minutes of the Regular Council Meeting of January 21, 2013.

All Council members present were in favor and the resolution was adopted.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp stated everyone on Council is here for one reason and one reason only and that is for the betterment of this town. Nobody is up here for self-service or to pick on anybody. Council is here to make this town better. He stated he understands there are some people that have problems and Council is going to try to work those problems out and do it as adults.

AUDIENCE
PARTICIPATION

At this point in the meeting, Council invites questions and comments from members of the audience.

REMARKS:
MR. BOWSER

Mr. Bowser, West 8th Avenue, stated damage has been done to his two houses on 8th Avenue by Green Thumb Excavating hired by the Borough to demolish houses in West Tarentum. He stated the excavating company came in on November 27 and 28 and tore the houses down and in the process of tearing them down, damaged his houses. He stated nothing has been done to fix the damages done and it's already been three months. He stated the excavating company's insurance company said they

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would pay for the damages, but they have not done so. He stated he has \$20,000 in damages for the two houses. He stated the excavating company doesn't return phone calls or anything.

REMARKS:
COUNCILMAN
GUTONSKI

Councilman Gutonski stated the company hasn't been paid and they won't get paid unless they satisfy their responsibilities.

A discussion was held regarding the damages done by Green Thumb Excavating to the houses and the steps to be taken to help solve the problem.

REMARKS:
MR. LOVASIK

Mr. Lovasik, West 7th Avenue, stated he lives next to the barbershop and thanked Council for having the other building demolished, but damage had been done to the barbershop when the building was torn down. He stated Green Thumb didn't do the job it was suppose to. He stated a restoration period down in West Tarentum should be started on the old buildings. He stated there is a lot of traffic speeding on West 7th Avenue and a lot of big trucks. He stated something should be done in West Tarentum.

REMARKS:
COUNCILMAN
FIRKO

Councilman Firko stated he agrees and West 7th Avenue has been discussed. West Tarentum is becoming a focal point. He stated these matters take time and won't be corrected overnight.

REMARKS:
COUNCILMAN
GUTONSKI

Councilman Gutonski stated Council is aware of West 7th Avenue and the work that needs to be done. He stated it is a major concern.

A discussion was held regarding West 7th Avenue and what can be done to improve it.

REMARKS:
MR. BOWSER

Mr. Bowser asked what the purpose was of taking the turning lane along Lock Street away and making traffic more congested.

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REMARKS:
COUNCILMAN
RAPP

Councilman Rapp stated when revitalizing the downtown areas, one of the main reasons is to slow traffic down and that's what they're coming up with. He stated he doesn't think it's going to be as tight as it looks after the equipment is gone and everything is done.

Councilman Rapp stated, under President's Comments, on January 23, attended a COG meeting with Mr. Rossey and Councilman Fox where they met with the congressman and talked to him about setting up a district office in the Borough so the residents can have access to him for any concerns they may have. On February 2, Mr. Rossey, Councilman Fox and he attended the Allegheny County Boroughs Association dinner. On February 8, attended Tarentum Business Advisory Committee meeting and if any Council members have some free time to attend these meetings because the more participation we get from Council, the better it is. There are a lot of different ideas floating around those meetings. He stated on Sunday, he went down West Tarentum and had a few other calls and looked at the properties there and spoke with some of the residents there. He stated some of the places there are falling down. He stated it's not fair that some people are taking care of their property and others just disregard theirs. He stated there were cars without license plates on them and garbage piled up and it's going to stop.

Councilman Rapp asked for a report from the Mayor.

REMARKS:
MAYOR
MAGNETTA

Mayor Magnetta stated, for January 2013, there were 379 calls for service which is a plus of 7 from 2012; 35 arrests which is a plus of 18 from 2012; 220 citations issued which is a minus 18 from 2012; total accidents 8 which is a minus

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one from 2012, accidents with injuries a minus 7 from 2012; fines collected \$7,238.00 which is a minus \$839.97 from 2012; parking tickets were a minus 60 from 2012.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from the Chief of Police.

REMARKS:
CHIEF
VAKULICK

Chief Vakulick stated the super loads will start tonight and Wednesday night. There will be parking restrictions on First Avenue. It has been posted over the weekend and will be enforced. It will begin midnight on both days.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from the Borough Manager.

REMARKS:
BOROUGH
MANAGER
ROSSEY

Borough Manager Rossey stated he had no report.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from the Solicitor.

REMARKS:
SOLICITOR
STRELLEC

Solicitor Strellec stated he had no report.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from Administrative, Employee Relations, Finance Committee.

RESOLUTION
PAY BILLS

Upon motion by Councilman Fox, seconded by Councilman Gutonski, RESOLVED, this Council approves the payment of the February 2013 bills.

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Upon roll call, the resolution was adopted with seven (7) affirmative votes.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from the Water Committee.

RESOLUTION
MAINTENANCE
AGREEMENT

Upon motion by Councilman Gutonski, seconded by Councilman Kerr, RESOLVED, this Council approves the yearly maintenance agreement with HACH for the testing of the meters and sensors at the Water Treatment Plant, in the amount of \$5,691.00.

All Council members present were in favor and the resolution was adopted.

REMARKS:
COUNCILMAN
GUTONSKI

Councilman Gutonski stated he would like the Borough to think about the intake down at the river for the Water Plant. He stated it is going to need dredged down there. The sediment is really high at the intake and the Borough needs to see what the cost of the dredging will be. It hasn't been done for at least five years.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from the Electric Committee.

REMARKS:
COUNCILMAN
KERR

Councilman Kerr stated he had no report.

REMARKS:
COUNCILMAN
RAPP

Councilman Rapp asked for a report from Public Safety & Civil Service Committee.

REMARKS:
COUNCILMAN
FIRKO

Councilman Firko stated Highland Hose report for the period January 21 to February 18, 2013, a total of 30 alarms; 4 structure fires; one water condition; false alarm; wires down; 3 smoke

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investigations; 5 automatic fire alarms; one traffic detail; 4 equipment fires; one vehicle fire; one vehicle into a structure; EMS assists; 2 CO calls; and 3 motor vehicle accidents; for total of 30 calls; 368 man hours. Eureka Hose report for January 2013, 33 alarms; 8 motor vehicle crashes; 7 smoke odors; CO investigation; 4 EMS assists; 3 automatic fire alarms; 3 appliance fires; 2 dumpster fires; 2 false calls; 2 electrical transformer calls; one flooding; and one physical rescue; representing 84 personnel hours. Also had 266 EMS calls representing total of 966 personnel hours. Summit Hose submitted their report for the year 2012, 7 fires; 6 structure fires; 10 cooking fires; one vehicle fire; 2 brush fires; 40 vehicle accidents; 26 Hazmat calls; 21 calls for service; 48 automatic alarms; total of 161 calls; and included in that Mutual Aid, 16 East Deer; 91 Frazer Township; 3 Springdale Borough; and one to Fawn; for 39 Mutual Aid calls; total man hours for the year Summit Hose 2,564. He stated the radios have been handed out and are working. He stated still waiting for permission to put the antenna up on the tower.

A discussion was held regarding the radios and how they are working.

REMARKS:
COUNCILMAN
GUTONSKI

Councilman Gutonski stated he made an observation on 7th Avenue and how important the traffic lights were on West 7th Avenue. They are very old and antiquated. He stated he understands there have been discussions about the lights and realizes the Borough is on its own as far as finding resources to upgrade the lights and maybe one of the solutions could be to get used lights as were installed on Corbet Street.

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A discussion was held regarding the street lights at West 7th Avenue, the availability of any used lights and the costs of those lights.

REMARKS: Councilman Rapp asked for a report from Property
COUNCILMAN & Zoning, Library & Health Committee.
RAPP

RESOLUTION Upon motion by Councilman Varos, seconded by
ORDINANCE Councilman Gutonski, RESOLVED, this Council
13-03 passes Zoning Ordinance 13-03 and the language
with the change to Section 265-502H7 changing VCR
movie rental phrase to the phrase X rated movie
rental in any format.
Upon roll call, the resolution was adopted with
seven (7) affirmative votes.

REMARKS: Councilman Rapp asked for a report from Streets &
COUNCILMAN Sanitary Sewers Committee.
RAPP

REMARKS: Councilman Carter stated he had no report.
COUNCILMAN
CARTER

REMARKS: Councilman Rapp asked for a report from Parks &
COUNCILMAN Recreation Committee.
RAPP

RESOLUTION Upon motion by Councilman Fox, seconded by
HIGHLANDS Councilman Varos, RESOLVED, this Council grants
LITTLE permission to Highlands Little League for the use
LEAGUE of the ball fields at Dreshar Stadium for their
2013 baseball season, from March 1, 2013 thru
September 30, 2013.

REMARKS: Councilman Rapp asked for a report from AVN/COG
COUNCILMAN Committee.
RAPP

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REMARKS: Councilman Fox stated a meeting is scheduled for
COUNCILMAN next week and the information will be given in
FOX Council's packets.

REMARKS: Councilman Rapp asked for a report from KOZ
COUNCILMAN Committee.
RAPP

REMARKS: Mayor Magnetta stated he had no report.
MAYOR
MAGNETTA

REMARKS: Councilman Rapp asked for a report from
COUNCILMAN Redevelopment & Revitalization Committee.
RAPP

REMARKS: Councilman Kerr stated he had no report.
COUNCILMAN
KERR

REMARKS: Mr. Bowser stated Harrison Township replaced all
MR. BOWSER their traffic lights and maybe the Borough can
call them and see if they can get their used
lights.

A discussion was held.

REMARKS: Ms. Volk stated she is to be married May 16 and
MS. VOLK would like the use of the band stand. There will
be approximately 268 guests. She asked that the
road be closed from 3:00 p.m. to 4:30 p.m.

REMARKS: Chief Vakulick stated streets aren't closed due
CHIEF to overtime and it is not a policy to close the
VAKULICK street when someone wants to use the park.

REMARKS: Mayor Magnetta stated a lot of weddings are held
MAYOR in the park and the street wasn't closed for any
MAGNETTA of them. He stated there should be no problem
for her to not have the street closed. He stated

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the overtime would be an expense with the Street Department and Police Department.

RESOLUTION
USE OF
BAND SHELL

Upon motion by Councilman Gutonski, seconded by Councilman Carter, RESOLVED, this Council grants Ms. Volk permission to use the band shell for a wedding party, on Thursday, May 16, 2013, from 3:00 p.m. to 5:00 p.m. A letter will be sent to Ms. Volk verifying permission for the use of the band shell on that date.

ADJOURNMENT

There being no further business to come before Council, upon motion by Councilman Gutonski, seconded by Councilman Varos the meeting of February 18, 2013, was unanimously adjourned at 7:30 p.m.



William Rossey
Borough Manager