

**Borough of New Stanton**  
**Borough Council**  
**January 3, 2017**  
**Minutes of Meeting**

**Attendance**

Council members: Todd Bartlow, Dean Clark, Brandon Clawson, Scott Sistik, Tom Smith, Tom Theis. Mayor Nicholas DeSantis. Others: Borough Engineer Emil Bove, Borough Solicitor John Campfield, and Borough Manager Jeffrey McLaughlin.

**Call to Order**

President Scott Sistik called the meeting to order at 7:00 PM.

**Invocation**

Jeff McLaughlin recited a prayer.

**Pledge of Allegiance**

The Pledge was recited.

**Approval of Bills**

Tom S. made a motion seconded by Dean approving the bills in the amount of \$24,215.64. Motion passed unanimously.

**Approval of Minutes**

Tom S. asked that the minutes of the December 6, 2016 meeting be amended to list the amount of money, \$26,730, that was authorized to pay Kylor Contracting rather than just the percentage of 90%. Tom S. made a motion seconded by Dean approving the minutes of the December 6, 2016 meeting. Motion passed unanimously.

**Council Additions to Agenda**

Tom S. asked that an item be added so as to consider Linda Echard as V. President. Scott stated that it would be number 11.

**Opportunity for Public Comment -- on Agenda Items Only**

There were no comments on agenda items. Scott stated that there would be a general comment period at the end.

**Speakers**

**Ken Noakes and Lucille Ross on Pine Dr. Sewage Issue**

Scott stated that it is most appropriate to have this discussion while Emil is present and given that he was not yet in attendance, due to a meeting conflict, this item would be on hold until his arrival.

Scott also mentioned that the officers for the fire department would be sworn in later in the meeting.

### **Agenda**

**1. M/V on Appointment of Solicitor**

Todd made a motion seconded by Brandon reappointing John Campfield as Borough Solicitor. Motion passed unanimously. John expressed his appreciation.

**2. M/V on Appointment of Engineer**

Todd made a motion seconded by Brandon reappointing Emil Bove Borough Engineer. Motion passed unanimously.

**3. M/V on Appointment of Auditor**

Jeff mentioned that the Henninger has quoted the audit fee for 2016 to be \$4,650. Tom S. made a motion seconded by Tom T. to appoint Henninger Accounting Services to perform the 2016 audit. Motion passed unanimously.

**4. M/V on Chair of Vacancy Board**

Tom S. made a motion seconded by Brandon to reappoint Donna Bailey to the position of Chair of the Vacancy Board. Motion passed unanimously.

**5. M/V on Appointment of Sewage Enforcement Officer**

Tom S. made a motion seconded by Brandon to reappoint Emil Bove as Sewage Enforcement Officer. Motion passed unanimously.

**6. M/V on Appointment of Alternate Sewage Enforcement Officer**

Todd made a motion seconded by Brandon to reappoint Michael Stack to the position of Alternate Sewage Enforcement Officer. Motion passed unanimously.

**7. M/V on Appointment of Animal Control Officer: Resolution 2017-835**

Tom S. made a motion seconded by Todd to reappoint Hoffman Kennels as Animal Control Officer. In adopting this agreement council agreed that the standard agreement from Hoffman should be amended as in previous years, stating that the borough receive notification regarding stray dogs and that Hoffman hold them for a minimum of 72 hours instead of 48 hours. Motion passed unanimously.

**8. Recreation Board Appointments**

**a) M/V on 5-Year Term Resident by Resolution: 2017-836**

Brandon made a motion seconded by Tom S. appointing Charles Humes to the Recreation Board for a 5-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**b) M/V on 5-Year Term Non-Resident by Resolution: 2017-837**

Brandon made a motion seconded by Todd appointing Alan Wagner to the Recreation Board for a 5-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**c) M/V on 4-Year Term Resident by Resolution: 2017-838**

Brandon made a motion seconded by Dean appointing James Smith to the Recreation Board for a 4-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**d) M/V on 4-Year Term Non-Resident by Resolution: 2017-839**

Brandon made a motion seconded by Todd appointing Janine Heatley to the Recreation Board for a 4-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**e) M/V on 3-Year Term Resident by Resolution: 2017-840**

Brandon made a motion seconded by Tom S. appointing Nicholas DeSantis to the Recreation Board for a 3-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**f) M/V on 3-Year Term Non-Resident by Resolution: 2017-841**

Todd made a motion seconded by Brandon appointing Jennifer Miller to the Recreation Board for a 3-year term dependent upon the receipt of all clearances. Motion passed unanimously.

**g) M/V on 1-Year Term Resident by Resolution: 2017-842**

This position was not filled.

**h) M/V on 1-Year Term Non-Resident by Resolution: 2017-843**

This position was not filled.

**9. 2017 Pay Resolutions**

**a) M/V on Borough Manager / Secretary-Treasurer Resolution: 2017-844**

**b) M/V on Assistant Secretary-Treasurer Resolution: 2017-845**

**c) M/V on Public Works Team Leader Resolution: 2017-846**

**d) M/V on 1<sup>st</sup> Class Laborer Resolution: 2017-847**

**e) M/V on 2<sup>nd</sup> Class Laborer Resolution: 2017-848**

**f) M/V on UCC Inspector Resolution: 2017-849**

**g) M/V on Seasonal Park Employee Resolution: 2017-850**

**h) M/V on Part-Time Public Works Employee Resolution: 2017-851**

**i) M/V on Part-Time Casual Snow Plow Operator Resolution: 2017-852**

**j) M/V on Code Enforcement Officer Resolution: 2017-853**

Jeff mentioned that the job titles on two of the pay resolutions were changed, from those sent out to council, to reflect the correct titles listed in the agenda. The Borough Manager pay resolution

was changed to *Borough Manager / Secretary-Treasurer* and *Assistant Secretary to Assistant Secretary-Treasurer*.

Scott asked for a motion to approve the pay resolutions as a package. Todd made a motion seconded by Brandon to approve resolutions 2017-844 through 2017-853. Motion passed 4-2 with Brandon, Todd, Dean and Scott voting *Yes* and Tom S. and Tom T. voting *No*.

#### **10. President's Statement on Committees of Council**

Scott asked, that in the next week or so, if council members think about whether they would like to switch committees or if they would like to remain on the committee(s) on which they are presently assigned and then to contact him with their preference.

Tom S. stated that regarding the previous agenda item, the Code Enforcement Officer pay resolution states that the position is for up to 15 hours per week instead of the 10 hours in the budget. Scott stated that the person may have to work more hours some weeks than others, but the overall total should be monitored to ensure that it does not average more than 10 hours per week.

#### **11. Consideration of New Vice President**

Tom S. made a motion to make Linda the Vice President. After discussion, Tom decided to rescind the motion.

### **Reports**

#### **Administrative**

##### **Borough Manager – Jeffrey McLaughlin**

Jeff stated that the Public Works crew is constructing two separate rooms underneath the mezzanine in the garage: one for paint and the other for pesticides. To be code compliant the paint and pesticides need to be stored in separate fire-proof fire storage cabinets. Right now, there is only have one cabinet. Jeff stated that Mike Stack stated that we need to keep our gas cans in a fire proof storage cabinet as well. Tom S. made a motion seconded by Tom T. to purchase the two cabinets at a cost of \$1,245 plus shipping. Motion passed unanimously.

Jeff reported that Kylor Contracting, the contractor that replaced the roof on the Public Works garage, has completed all work, submitted the warranty information and the certified payrolls so he asked if council would consider releasing the retainage. Todd made a motion seconded by Tom T. to pay the 10% retainage in the amount of \$2,970. Motion passed unanimously.

#### **Swearing in of Fire Department Officers**

Scott stated that at this point, we would digress from the agenda to swear in the officers of the New Stanton Fire Department. The mayor swore in: Art Martz as President, Harry Leisure as Vice President and Jason Copley as Trustee. The Mayor conducted the swearing in ceremony. Council members then thanked them for their service to New Stanton.

### **Solicitor – John Campfield**

John reported that:

- The Hilton Tru developer had requested an extension of time to qualify as an applicant. For the Borough to approve an extension of time for the Developer to complete the requirements under its conditional approval, the Borough needs written evidence of site control, which the developer has not yet provided. On a motion by Tom S. and seconded by Tom T. it was decided to notify the Developer that no extension of time will be granted and conditional approval will be terminated because they no longer qualify as an applicant. The Developer shall have until the next council meeting, February 7, 2017, to produce a written agreement with the owner of the Garden Inn which would qualify the Developer as an applicant. Motion passed unanimously.
- Based on the last council meeting, proposed changes were made to the retaining pond maintenance agreement and sent to PennDOT. The Borough is requesting that the proposed Hampton Inn property and other areas in the retention pond watershed be authorized to use the retaining pond. The Hampton Inn Development and the rest of the Stanton Square Development would be required to meet the Borough's existing Post-Construction Stormwater Management Plan requirement of 80% of the pre-development rate; and the remainder of the pond watershed, consisting of 25 acres (Area B), would comply with a new requirement that Emil is advocating that council adopt, with a post-development water runoff of 50% of the pre-development flow. John stated that it appears that the agreement is moving forward on a PennDOT district level, but that it would still need to go to PennDOT in Harrisburg. He stated that in communications between Barry Lyons of PennDOT and the Borough there are concerns about the capacity of the pond for future development, which may require expanding the retention capacity if it is not sufficient. Barry responded that, so as not to further delay approval of the retention pond maintenance agreement, he would like to hold off discussing expansion until later.
- We are still awaiting Hampton Inn's response to our request that they sign an indemnification agreement.

### **Engineer -- Emil Bove**

No report as Emil was not in attendance at this point.

### **Business**

#### **Fire Department Liaison – Thomas Theis**

No report.

#### **Recreation Board Liaison – Nick DeSantis**

Nick reported that *The Night at the Races* is scheduled for Saturday, January. Tickets are \$15. Baseball sign-ups are coming up in February.

### **PennDOT Project Liaison – Dean Clark**

John stated that we sent our proposed Rachel Drive roundabout agreement changes to Barry including that we would be willing to be responsible for the maintenance of the street lights, the welcome sign and the landscaping and asked that they be responsible for the traffic signage, maintenance of the roadway, truck curbing, line painting, installation of the landscaping and replacement of street lighting at the end of its useful life. John stated that we received an e-mail from Barry stating that these changes would have to be reviewed by his office as well as the Harrisburg office of PennDOT. Jeff reported that he received an estimate for the welcome sign of between \$25,000 an \$35,000 based on the renderings depending upon what features it includes: solar power, etc.

Dean stated that given the holidays and the weather there is not much construction activity at present.

### **Council Committees**

#### **Personnel and Human Resources – Scott Sistik**

Scott mentioned that Matt Sever has been onboard for almost a month with Public Works. He also reported that applications are currently being accepted for the Code Enforcement Officer position and that hopefully the Personnel Committee will have a candidate for council's consideration by the February meeting.

#### **Public Works/MS-4 and Parks – Dean Clark & Todd Bartlow**

Dean reported that John Barnes put together an on-call snow plow schedule for January and that he met with the Public Works crew and Jeff. Dean stated that he reviewed with the PW crew the importance of sticking to the schedule and keeping the roads clear.

#### **Building and Real Estate – Linda Echard**

No report.

#### **Workplace Safety – Thomas Theis**

Jeff stated that he and the PW crew will be participating in the PA Department of Labor's initial Safety Committee start-up webinar in January. Tom T. stated that he is unavailable but will participate in a subsequent webinar.

Tom asked Jeff to update council on the Route 119 and street lighting:

Jeff reported that he and Emil met with PennDOT representatives about the 119 lights on December 14th. PennDOT is in the process of having the system designed, but Barry mentioned that they would not install the lights until a new lighting agreement is in place. Jeff stated that PennDOT is considering LED lights.

Jeff also reported that the paperwork has been submitted to First Energy for the installation of LED bulbs into our existing street lights. This will place us on the waiting list and hopefully the work will be done next year

### **Speakers**

With Emil now in attendance, Scott invited the speakers to present. Ken Noakes from 206 Pine Drive and Lucille Ross from 204 Pine Dr. informed council of sewage flowing through a manhole into their backyards from a sanitary line recently installed by MAWC. Mr. Noakes reviewed the photos and videos that he provided the borough which Jeff displayed on the council chambers' television. Ms. Ross and Mr. Noakes said that they never had a problem with the old sewer line. It was only after the new line was installed this past summer that the flooding problem began. Ms. Ross asked if it is legal to have sewage dumped in her yard. Emil said it is not and that the borough's role in this situation is to contact MAWC and the DEP. He stated that he contacted MAWC to report this issue as soon as heard of it. Mr. Noakes stated that as residents, they felt it was appropriate to come to council first requesting that council represent them with MAWC. He also mentioned that he had additional photos taken the day of the meeting, to show that the problem is still occurring even though the rain was not significant. Tom T. asked about the need to clean the site and who would be responsible for that. It was mentioned that MAWC would be responsible. John asked Mr. Noakes if the old line was removed. Mr. Noakes replied that it wasn't. Jeff and Scott suggested that the homeowners contact the MAWC board members. Scott said that we will do what we can in our capacity. Emil said that he would contact the MAWC again. There was also a suggestion made that the DEP be contacted.

### **Finance – Scott Sistik**

Scott reviewed the report for the period ending December 29, 2016 the check book balance was \$477,293.32 the total in all savings accounts was \$232,696.95 and the tax receipts from December 3<sup>rd</sup> to December 29<sup>th</sup> were \$26,755.67.

### **Comprehensive Plan – Linda Echard**

The public hearing on the comprehensive plan is scheduled for 6 PM, February 7<sup>th</sup>. The regular council meeting for the month will start immediately afterward.

### **Mayor's Report**

No report

### **Announcements**

Scott reported on the I-70 Community Planning Committee meeting scheduled for Thursday, January 12, 2017, from 1-3 PM at the fire hall. He also reminded members about the Recreation Board's *Night at the Races*.

### **Opportunity for Public Comment**

There was no public comment.

**Adjournment**

Todd made a motion to adjourn at 9:08 PM.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary