

Borough of New Stanton
Borough Council
January 8, 2019
Minutes of Meeting

Attendance

Council members: Josh Bennett, Scott Sistik, Tom Smith, Ray Strosko and Tom Theis. Mayor Ronald Echard. Also: Borough Solicitor John Campfield, Borough Engineer Emil Bove and Borough Manager Jeffrey McLaughlin.

Call to Order

President Raymond Strosko called the meeting to order at 5:30 PM.

Invocation

Jeff recited a prayer.

Pledge of Allegiance

The Pledge was recited.

Approval of Bills

Tom S. asked about the \$155.00 for grass seed for Melrose Dr. Jeff stated that it was probably a very large bag, that Public Works typically buys it in bulk for use on other projects. Tom S. asked why we were are paying late fees to Hoffman Animal Control. Jeff stated that he would check. Tom S. stated that the payment of Mark D'Amico for the park conceptual plan should be removed from the bill list. He expressed his concern about the plan including the proposed soccer field being shown in area that is presently a wetland. Jeff stated while the area is damp it may not legally be classified as a wetland. Tom S. also said that the proposed extension of the walking trail needs looked at -- it is on a slope; the existing volleyball court, horseshoe pits, handicapped parking and kayak loading zone are also not shown on the drawing. Jeff stated that it is a conceptual plan, an idea generator. Tom said that in order to put the dumpsters in the location shown, the gas well would have to be removed. Tom S. said that Mr. D'Amico should come to the next meeting and explain these changes before we pay the bill. He also pointed out that that at the last meeting Councilman Bartlow pointed out that the council did not approve of the expenditure.

Tom S. made a motion seconded by Scott approving the bills in the amount of \$31,980.72 reflecting the non-approval of the Mark D'Amico in the amount of \$1,985.00 and the late fee of \$20 for Hoffman Animal Control. Motion passed with all voting in favor with the exception of Ray who voted *no*.

Later in the meeting, Jeff stated that he believed the borough has already paid Mr. D'Amico. He pointed out that Mr. D'Amico performed the work and submitted an invoice. Tom S. stated that the architect was not hired by council and the bill was not approved by council for payment.

Approval of Minutes

Tom T. made a motion seconded by Tom S. to accept the December 18, 2018 meeting minutes. Motion passed with all voting in favor with the exception of Josh and Scott who abstained.

Guests

New Stanton Fire Department Members – Swearing in of Officers by Mayor Echard

Mayor Echard thanked the volunteers and recognized them for all that they do. He then swore in David Hauger as President, Jamie Todd as Vice President, Harry Leasure as Recording Secretary, Glenn Miller as Financial Secretary, and Barry Smith as Chaplain.

Opportunity for Public Comment – Items not on the Agenda

Ray asked if there were any public comments on items not on the agenda.

Dave Hauger, 108 Pagano Drive

Mr. Hauger stated that a driver or drivers are cutting through the grass at the dead end on School St. to access Pagano Dr. going around an existing barricade. He asked that the borough consider adding to the barricade.

Council Additions to Agenda

Ray asked if there were council additions to the agenda. Josh asked about the \$35 deposit that is being required to sign up for baseball/softball. He said it was not voted on by council. Jeff stated that he checked with Councilwoman Echard about the idea of adding the deposit as a way to encourage parents to work at the concession stand twice during the season. Last year it was difficult to get parents to work at the concession stand. Jeff stated that it is a common practice at other baseball programs. Tom S. stated that it is a common practice. Josh stated that he was okay with the idea.

Opportunity for Public Comment -- on Agenda Items Only

Ray asked if there any public comment on agenda items only. There were none.

Agenda

1. M/V on Appointment of Solicitor

Scott made a motion seconded by Josh appointing John Campfield as the Borough Solicitor for 2019. Motion passed unanimously.

2. M/V on Appointment of Engineer

Tom T. made a motion seconded by Josh appointing Bove Engineering as the Borough Engineer for 2019. Motion passed unanimously.

3. M/V on Appointment of Auditor

Jeff reported that as directed by the Finance Committee, he contacted three firms, two submitted proposals: Henninger Accounting Services in the amount of \$4,750 and Singer Accounting in the amount of \$4,500.

Scott stated that given the service that we have been receiving from Henninger over the last few years, the \$250 difference was not enough to warrant a change.

Scott made a motion seconded by Josh appointing Henninger Accounting Services at a price of \$4,750 to perform the 2018 Borough and tax collector audits for 2018. Motion passed unanimously.

4. M/V on Appointment of the Chair of the Vacancy Board -- Resolution 2019-902

Jeff reported that Donna Bailey who was the previous chair of the Vacancy Board has stated that she is willing to continue in that position.

Scott made a motion seconded by Josh adopting Resolution 2019-902 appointing Donna Bailey as Chairperson of the Vacancy Board for 2019. Motion passed unanimously.

5. M/V on Appointment of Sewage Enforcement Officer

Tom T. made a motion seconded by Josh appointing Emil Bove as the Sewage Enforcement and Mike Stack as the Alternate Sewage Enforcement Officer for 2019. Motion passed unanimously.

6. M/V on Appointment of Animal Control Officer -- Resolution 2019-903

Tom S. made a motion seconded by Scott adopting Resolution 2019-903 appointing Hoffman Animal Control as the Borough's Animal Control Officer for 2019 at \$105 per month and \$85 per after-hours call. Motion passed unanimously

7. M/V to Hire Perfection Cleaning, Inc. to Clean the Borough Building

Jeff stated that we contacted 3 companies. Only Perfection Cleaning submitted a bid.

Tom T. made a motion seconded by Josh to hire Perfection Cleaning to clean the Borough Building the initial cleaning being \$75, weekly cleaning being \$60, and carpet cleaning being \$75. Motion passed unanimously.

Jeff also stated that he was going to have the company that used to clean the windows at the old borough building come back and clean them at the new building on a quarterly basis.

Planning Commission Appointment

8. M/V on Appointment to Planning Commission -- Resolution #2019-903

Jeff reported Barbara Bishop was resigning from the Planning Commission and that Mina Crusan from Woodmere Drive was interested in joining. She responded to the article looking

for members for the various boards and committees that was in the recent borough newsletter. He reported that she served on the Safety Committee of her former employer Cenxao and for several years chaired the Relay for Life held at the Route 119 YMCA in Mt. Pleasant.

Tom T. made a motion seconded by Josh to pass Resolution #2019-903 appointing Mina Crusan to a 4-year term on the New Stanton Planning Commission pending clearances. Motion passed unanimously.

Zoning Hearing Board Appointments

9. M/V on Appointment to Zoning Hearing Board -- Resolution #2019-904

Jeff reported that Melvin Steele is willing to continue on the Zoning Hearing Board.

Scott made a motion seconded by Josh adopting Resolution #2019-904 to have Melvin Steele continue on the Zoning Hearing Board through December 31, 2019. Motion passed unanimously.

10. M/V on Appointment to Zoning Hearing Board -- Resolution #2019-905

Jeff stated that Philip Kielbach is willing to continue to serve on the Zoning Hearing Board.

Tom T. made a motion seconded by Josh adopting Resolution #2019-905 appointing Philip Kielbach to a 3-year term through December 31, 2021 on the Zoning Hearing Board. Motion passed unanimously.

11. Recreation Board Appointments

Jeff reviewed the status of the Recreation Board:

- a. It is his understanding that Nathan Bish is resigning but he has not yet submitted a letter of resignation. Josh agreed that it was his understanding that Nathan was resigning.
- b. Jim Purnell has submitted his letter of resignation effective December 31, 2018.
- c. Ed Bellotti has submitted a letter stating that he is resigning as of the end of February. In this way he will be available to help with the 2019 baseball and softball sign-ups before stepping down.
- d. Dean Clark has not yet submitted letter of resignation but has stated that he is resigning. He stated that he wants to continue to serve as the alternate to the Zoning Hearing Board but cannot fulfill both positions.
- e. Bill Naylor has asked to be reappointed.

Jeff stated that the newsletter article about board and commission openings did not generate any Recreation Board candidates.

Tom S. stated that like last year, there does not seem to be any interest in joining the Recreation Board and suggested that we not have a Recreation Board this year.

Tom T. suggested getting people interested in joining next year.

Jeff stated that baseball and softball sign-ups are scheduled for every Saturday in January and February. He stated that the first one was held on the past Saturday, but no one signed up.

John said that the way the ordinance reads that Recreation board members appointments are for one year or until their successors are appointed. Technically Bill would still be on the Recreation Board as the only person that has not resigned.

Jeff stated that Recreation Board primarily served in an administrative capacity last year handling sign-ups, ticket sales, etc. They did not coach any of the teams. He stated that the council could hold off on a decision until after sign-ups to gauge the amount of interest in the program.

Scott expressed concern that if we waited to see how many children signed up and we did not get enough and suspend the program at that point those signing up would be left in a bad position to get their children registered elsewhere. He stated that the Recreation Board should be suspended from activity.

John reiterated that Recreation board members appointments are for one year or until their successors are appointed, but council can suspend the programs. The ordinance lets council dictate the programs.

It was agreed that that the Concession Stand Coordinator would continue to be a borough position and the concession stand would be operated for Spartan Central games and tournaments.

Scott made a motion seconded by Tom T. to suspend the Recreation Board's programs, primarily baseball and softball, for 2019 and to have council, through the Special Events Committee, handle the Easter Egg Hunt, Picnic, Trick-or-Treat and Christmas. Motion passed unanimously.

Council directed Jeff to remove all of the baseball/softball sign-up signs, post the door at the borough building, and put the cancellation on the website and Facebook.

UCC Appeals Board

12. M/V Appointing the CWCOC to serve as UCC Appeals Board

Jeff reported the Central Westmoreland Council of Governments has agreed to continue to serve as the Borough's UCC Board at the same rate. The current two-year contract expires on March 30, 2019.

John asked for time to review the this was handled previously.

13. 2018 Pay Resolutions

- a) M/V on Borough Manager: Resolution #2019-906**
- b) M/V on Assistant Secretary: Resolution #2019-907**
- c) M/V on Public Works Team Leader: Resolution #2019-908**
- d) M/V on 1st Class Laborer – Humes: Resolution #2019-909**
- e) M/V on 1st Class Laborer – Sever: Resolution #2019-910**
- f) M/V on UCC Inspector: Resolution #2019-911**
- g) M/V on Part-Time Code Enforcement Officer: Resolution #2019-912**
- h) M/V on Part-Time Public Works – Seasonal (Park): Resolution #2019-913**
- i) M/V on Part-Time Casual Snow Plow Operator: Resolution #2019-914**

Tom S. questioned how the two 1st Class Laborer pay resolutions could be exactly alike except for the pay rate. Scott stated that the salary difference is due to seniority.

Tom S. asked about the wording in the Park Maintenance Pay Resolution regarding having to perform additional duties as assigned. Scott pointed out that this is standard language to save from listing every single duty. Tom expressed concern about the position being compensated on a monthly basis. If additional duties are assigned, which require extra time, the compensation would not increase. Jeff stated that if the activity would affect the amount of time on the job, the activity could be specifically listed in the pay resolution. He stated that when the dragging of the fields was added to the pay resolution, council increased the compensation of the position.

Scott made a motion seconded by Tom T. that Resolutions 2019-906 through 2019-914 be adopted. Motion passed with all voting in favor with the exception of Tom S. who voted *no*.

(Revisit UCC Appeals Board Item)

John stated that council could make a motion to extend the existing agreement for another year.

Josh made a motion seconded by Scott to renew the agreement with the Central Westmoreland Council of Governments for another year, expiring on March 30, 2020. Motion passed unanimously.

14. M/V on the Sale of Surplus Property – Resolution 2018-915

John stated that under the borough code the amount was increased from \$1,000 to \$2,000.

Tom S. made a motion seconded by Josh adopting Resolution 2018-915 establishing a procedure for the disposal of surplus personal property owned by the borough with a sale value of less than \$2,000. Motion passed unanimously.

15. M/V to Renew Membership in PSAB

Scott made a motion seconded by Josh to renew the borough's membership in the PSAB, in the Association of Mayors of the Boroughs of PA and to purchase 11 subscriptions to the *Borough News*. Motion passed unanimously.

16. M/V to Renew Membership in Central Westmoreland Council of Governments for 2019

Tom T. made a motion seconded by Josh to renew the membership in the Central Westmoreland Council of Governments for 2019 in the amount of \$220. Motion passed unanimously.

17. M/V to Pay the Westmoreland County Transit Authority Local Share Assessment for 2019

Tom T. made a motion seconded by Josh to pay the Westmoreland County Transit Authority Local Share Assessment for 2019 in the amount of \$850.50. Motion passed unanimously.

18. Send Jeff and John to the Westmoreland Conservation District Municipal Roundtable

Jeff referred council to the flyer regarding the Westmoreland Conservation District Municipal Roundtable. He stated that the fee is \$10 per person and staff as well as council members are invited.

Tom T. made a motion seconded by Josh to send Jeff and John to the Westmoreland Conservation District Municipal Roundtable. Motion passed unanimously.

Ray brought up the Concession Stand Operator. Jeff stated that council may want to change that to an hourly position as opposed to paying weekly.

Ray asked Emil about the status of the bridge on Arona Road. Emil gave a short review of the bridge. He stated that one issue was the getting a right-of-way for the detour which was finally procured. Another issue is that bedrock is 25' deep which will affect the cost. If they are unable to keep the cost of caissons down, they will have to change the design to a boxed culvert. However, a sewer line that crosses the stream at the bridge may prevent the boxed culvert design. Emil stated that a determination will have to be made as to how deep the sewer line is.

There was a discussion on the cost of the bridge and going back to PennDOT for additional funds. Emil stated that we may be able to go back for the money to put in the temporary road way around the bridge.

Tom T. asked how long it would take to construct the bridge once a contractor is hired. Emil said approximately 2 months.

Ray asked that Emil report on this regularly.

Ray brought up the Stanmont Plan stormwater control. After discussion it was decided to have John Barnes arrange to have a camera check the line.

Ray mentioned that the only change to the committee list for 2019 was adding Linda to Personnel and removing Scott. Scott said he was fine with the decision.

Reports

Administrative

Planning Commission

Jeff reported that the Planning Commission did not have a quorum for the last meeting, so the Trump subdivision will be considered at the upcoming meeting on January 16, 2019.

Borough Manager – Jeffrey McLaughlin

Jeff reported that:

- The Zoning Heard Board did not decide on the GetGo variance regarding the height of a new sign at the December meeting. A decision was not reached and SignStat asked for a continuance until the February meeting so as to have more time to investigate the board's suggestion.
- The grant was submitted for the demolition of the old borough building. The asbestos test that was submitted as part of the application found no asbestos. He said that the required title search was also submitted as part of the application. Grant awards are to be announced in April.
- Staff members inquired about the pension plan. Jeff said that he was going to have the PA Municipal Retirement System perform a cost study to determine what the cost would be if any to increase employees' benefits. He said that there is no cost to have the study done and he will bring the results to the Finance and Personnel Committees for their review.
- With the mild weather, the Public Works crew has been working on catch basins on Shrader Hollow.
- The Safety Committee had their first meeting since implementing the new format. The meeting lasted 5-20 minutes.
- The Ethics Forms, which were provided to each council member needed to be filled out for 2018. John C. stated that they are due on May 1, 2019.
- First Commonwealth Bank is providing the borough with 1.5% interest on all accounts. S&T has raised their checking account interest to .75% and their savings accounts to 1.5%. He stated that he met with representatives of First Commonwealth regarding other investments: T-Bills are presently at 2.35% for 3 months and 2.45% for 6 months. There would be a commission fee involved of .5% or less. He suggested that the Finance Committee meet to discuss the amounts that we want to invest and the terms of investment.

- The location where we used to dump dirt/concrete/asphalt is no longer available. He stated that Emil and the Westmoreland Conservation District met with John Barnes about the site behind the borough building. Indications are that it would be an eligible site, but before moving ahead he asked if council had any objections to the site. There were none. The site would be for borough use only.

Code Enforcement

Jeff stated that the report was in the packet. He stated that progress is continuing to be made on the demolition of the trailers at the Capri and Suburban Trailer Courts.

He also reported that Scott is also categorizing and filing all of the borough's drawings and site plans.

Solicitor's Report

John updated council on the Park Plan tax situation.

He also reported that the Hempfield Area School District has been appealing assessments of properties that recently sold in the borough.

John stated that Jeff received a letter from PennDOT stating that the work on N. and S. Rachel Drive is completed and that the borough is now responsible for the road. However, he pointed out that PennDOT will not send the bill for the work or a deed for the road until the entire project is completed. He stated that PennDOT sent a letter in 2017 stating that they would not convey the rights-of-way until the project is completed. He suggested sending a letter to PennDOT regarding the contradiction.

He stated that the Federal Communications Commission passed an order in September regarding Distributed antenna systems stating what boroughs do and what fees can be charged for such systems.

John stated that in 2017 the state legislature passed a new fireworks law allowing for the sale of more fireworks. The Commonwealth Court struck a number of provisions dealing with selling fireworks from temporary structures. The Law passed in 2017 repealed the old fireworks law and put a new law in its place, but a number of these provisions have been struck down. He said that the International Fire Code has not been updated to address the new law. John said that we may be able to address the legislation through zoning and the property maintenance code.

Engineer's Report

Emil said the items he had were covered earlier.

Business

Fire Department Liaison

No report.

Special Events

No reports

Council President

Ray stated that an employee inquired about providing bereavement pay to employees for stepmothers and stepfathers.

Tom S. made a motion seconded Josh to amend the Employee Handbook adding the passing of a stepmother and stepfather to the list of family members for which employees are eligible for bereavement leave. Motion passed unanimously.

Personnel

No report

Public Works/MS4 & Parks

No report.

Building and Real Estate

No report.

Safety Committee

No report.

Financial Report

Scott reviewed the financial report: Checkbook balance \$476,601.09 total all savings accounts: \$1,717,549.79 and taxes remitted from for the month of December 2018: \$31,636.39.

Council discussed having Ray asked if council about the fire truck.

Additional Opportunities for Public Comment

There were none.

Adjournment

Josh made a motion to adjourn the meeting at 7:32 PM.

Respectfully submitted,

Jeffrey McLaughlin
Secretary