

Borough of New Stanton
Borough Council
February 7, 2017
Minutes of Meeting

Attendance

Council members: Todd Bartlow, Dean Clark, Linda Echard, Scott Sistek, Tom Smith, Tom Theis. Others: Borough Engineer Emil Bove, Borough Solicitor John Campfield, and Borough Manager Jeffrey McLaughlin.

Call to Order

President Scott Sistek called the meeting to order at 6:19 PM.

Invocation

Linda Echard recited a prayer.

Pledge of Allegiance

The Pledge was recited.

Approval of Bills

Dean made a motion seconded by Todd approving the bills in the amount of \$42,332.17. Motion passed unanimously.

Approval of Minutes

Linda stated that the discussion at the last meeting regarding council members' attendance at meetings was not included in the minutes. She stated that at an appropriate time she may be more specific about this. Jeff stated that if so directed he could add it to the minutes. He also agreed with a statement by Tom S. that after a draft of the minutes is written it can only be changed by an amendment at the next council meeting, prior to being adopted.

Dean made a motion seconded by Todd to approve the minutes of the January 3, 2017 meeting. Motion passed unanimously.

Council Additions to Agenda

There were no additions to the agenda.

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 of the meeting.

Agenda

1. M/V to Adopt the Comprehensive Plan by Resolution – 2017-854

Scott stated that he would like to discuss the Planning Commission's recommendation that language be added to the Comprehensive Plan regarding the fire department at this point of the agenda. The remaining recommendations would be discussed later. Linda asked where in the document would such a comment be placed. Jeff stated that there is a section on public safety.

Todd made a motion seconded by Tom S. to have the Comprehensive Plan Steering Committee draft an amendment to the comprehensive plan to include language on the Fire Department. Motion passed unanimously.

Tom S. stated that we need to make sure the plan is implemented. Jim Evans, a member of the Planning Commission who was in the audience, stated that they agreed to discuss the plan's implementation at every one of their meetings.

Tom S. made a motion seconded by Tom T. to adopt the comprehensive plan as amended to include the addition of language regarding the fire department. Motion passed unanimously.

Scott thanked everyone involved in putting the plan together including Westmoreland County Planning Department, the Comprehensive Plan Steering Committee and Mackin Engineering.

2. M/V to Participate in G-Conference by Resolution

Tom S. stated that we need to have good participation in the G-Conference planning meetings and conference.

Tom S. made a motion seconded by Todd adopting the resolution to participate in the G-Conference. Motion passed unanimously.

3. M/V on Co-stars Sodium Contract

Dean made a motion seconded by Linda approving participation in the 2017 Co-stars sodium contract. Motion passed unanimously.

4. M/V to Place Advertisement in WCBA Banquet Program

Linda made a motion seconded by Todd approving the placing of an ad in the Westmoreland County Boroughs' Association banquet program. Motion passed unanimously.

5. M/V to Transfer \$6,000 from the General Fund to the Recreation Board Account

Tom S. asked who would be processing the coaches' child abuse clearances. Jeff stated that he would but the Recreation Board needs to get him the forms for those participating.

Todd made a motion seconded by Linda to transfer \$6,000 from the General Account to the Recreation Account as per what was approved in the 2017 budget. Motion passed unanimously.

6. Discussion on Planning Commission Recommendations

A. Development of Small Parks at I-70 Ramp Locations

Dean asked about the Planning Commission's recommendation regarding the mini-parks they would like to see at the location of the soon to be closed I-70 ramps onto Center Avenue. He was curious as to how these would be accessed because sidewalks are only being proposed for the opposite side of Center Avenue. Jim Evans responded that the hope is that eventually sidewalks will be added to the other side of Center Avenue as the goal is to be a pedestrian-friendly community. In addition, Jim stated that it is not necessary that the parks be located at those specific locations, but rather when opportunities/properties become available the borough should look at locating small park areas where people could congregate. Such spaces would present a positive impression to travelers as well as residents.

Tom S. asked about a cross-walk at the Cracker Barrel. Dean stated that PennDOT has no plans to install a crosswalk there.

B. Front-Loading the Hours of the Code Enforcement Officer

In response to the recommendation by the Planning Commission that the borough front-load the hours worked by the Code Enforcement Officer to address long-standing issues, Scott said that council budgeted \$7,500 for the position – approximately 10 hours a week. The number of hours worked in a specific week would be dictated by need. Scott stated that Jeff is also currently the Code Enforcement Officer so he would be available to address issues as well.

Tom S. stated that the Code Enforcement Officer pay resolution, 2017-853, needs amended because it states that the employee is to work 15 hours per week. It does not allow for deviation from this number.

Todd asked about how many hours this person could work in a week before the Affordable Health Care requirements would apply. Scott stated that we should table amending the pay resolution until the next meeting to research this question, since the position has not yet been filled.

C. Amend Storm Water Ordinance

Scott asked that council turn its attention to the Planning Commission's two-part recommendation regarding storm water. The Planning Commission is recommending that the entire borough's post-development storm water outflow rate be lowered from 80% to 50%, or if the borough is unable to adopt this change in a timely manner to complete the Bair Boulevard Retaining Pond Maintenance Agreement with PennDOT, to adopt the lower outflow rate for the area known as Watershed B, the area from Bair Boulevard to the UPS.

Emil stated that the Westmoreland Conservation District is working on a county-wide water resource plan that will standardize the outflow rates across the county. John stated that the study is supposed to be completed by the end of 2017 and that at that point municipalities would have to amend their ordinances to agree with the county plan.

John Campfield stated that we would have to conduct our own study for the entire borough if we wanted to move ahead now on a borough-wide policy. Instead, he suggested waiting for the completion of the WCD study and to move ahead now on the change to the 25 acres known as Watershed B, because Emil has already completed the study for that area.

7. Discussion and M/V on Purchase of Trailer to Haul Skid Steer

Jeff reported that the skid steer was delivered and the PW guys are using it at the park to remove the entrance road in anticipation of widening the exit road to support two-way traffic. He stated that a used heavy-duty trailer sufficient to haul the skid steer is available for \$1,000. This would lessen the need for the skid steer to be out on the road and would save its tires, which are not designed for pavement. Tom S. asked if our present trailer could carry the skid steer. Jeff said that it could not. Linda asked if any repairs would be needed to the trailer. Jeff stated it may need some wiring work and the brakes would need checked. Dean said that even with work it is a good deal.

Tom S. made a motion seconded by Dean to purchase a used heavy-duty trailer in the amount of \$1,000. Motion passed unanimously.

8. M/V to Terminate Conditional Approval re: Hilton Tru/Horizon

John reported that the developer asked for a 6-month extension and the borough responded that we needed evidence of site control. At the last meeting, council voted to give Horizon until this month's meeting to provide evidence of site control and Jeff reported that he sent both the Horizon properties representative as well as their attorney a certified letter to that effect and had not received a response.

Tom S. made a motion seconded by Dean to terminate the conditional approval for the Hilton Tru that was to be developed by Horizon Properties. Motion passed unanimously.

9. Discussion on Agreement w/CWCOG Regarding the UCC Appeals Board

Jeff stated that given our difficulty in fielding our own UCC Appeals Board we could contract with the Central Westmoreland Council of Government to handle our appeals. John stated that as a point of disclosure he is the solicitor to the WCOG although he is rarely called upon by them for advice and he does not attend their meetings. He stated that by ordinance we do need to have an appeals board in place. The WCOG charges \$1,200 for an appeal.

Tom S. made a motion seconded by Tom T. to advertise that the borough would consider adopting an ordinance appointing the Central Westmoreland Council of Government as the borough's acting UCC Appeals Board. Motion passed unanimously.

Reports

Administrative

Borough Manager – Jeffrey McLaughlin

A. M/V Closing the Broadview Road Account

Jeff asked council to consider a motion to transfer the \$16,000 in the Broadview Road Account, to the General Account and to close the account. This was the money from DEP earmarked for the road widening which was completed by Mele Brothers when they paved the road.

Todd made a motion seconded by Dean to close the Broadview Road Account and to transfer the balance to the General Account. Motion passed unanimously.

B. M/V to Merge the Emergency Management and EMO Accounts

Jeff asked if the EMO and Emergency Management accounts could be merged which would help limit the number of accounts. After discussion council asked Jeff to bring more information about the accounts to the next meeting.

C. Newsletter

Jeff mentioned that he has drafted a newsletter that he hopes to send out along with a flyer developed by McCormick and Taylor regarding the interchange project. However, the final version of the flyer has not yet been issued as McCormick and Taylor are trying to include firm dates for the opening of the roundabouts and the closing of the Sewickley Creek and I-70 bridges on Center Avenue. Jeff stated that if it takes too long to get the flyer, the newsletter would be sent out without the flyer.

D. Night at the Races

Jeff reported that the Recreation Board raised approximately \$7,700 with the Night at the Races.

E. Code Enforcement Officer Candidates

Jeff reported that the borough has received 8-10 resumes for the position and that most of them have good qualifications.

Solicitor – John Campfield

Given that Joseph B. Fay Company will be accessing the underside of the Sewickley Creek Bridge during its renovation via Mill Street, John stated that he drafted an agreement that would cover the borough in the event of damage to the street. After discussion, it was decided to add the portion of Shelton Drive in front of La Tavala to the agreement since that portion of road will have to be traversed to get to Mill Street.

Tom S. made a motion seconded by Tom T. to approve entering into the agreement with Joseph B. Fay Company for Mill Street as well as a portion of Shelton Drive in front of La Tavala Restaurant.

Engineer -- Emil Bove

Emil reviewed the budget for the 2017 road and public works projects:

- Chanticleer Storm Water Project: \$35,000
- Finish the paving on Melrose Drive from Stanton to Shelton: \$76,000

- Pagano Drive repair/drainage work/paving: \$16,500
- Widening park road to make it two ways: \$18,100.

Emil also discussed recently discovered washouts on Center Avenue. More investigation needs to be done to determine who is responsible to make the repairs. John said that when Route 66 was put in, there were discussions with the Turnpike Commission regarding who was responsible for the water run-off from Center Avenue. He said that there should be an agreement on file outlining responsibilities.

Emil reported that our MS4 permit needs renewed and that we need to include our catch basin and outfall map in the application. Tom S. asked about salt getting into the waterways. Emil stated that the stream along the turnpike near the former Robertshaw is impaired by nutrients which Emil surmises is salt. He stated that we have to advertise and seek public comment and develop a plan by September as to how we are going to reduce the nutrients in the creek by 5%. Emil mentioned that we may have to approach the Turnpike Commission about the salt coming from their road. John stated that we need guidance from the DEP as to how or if somebody could be held responsible. Emil also mentioned that a solution to the impairment could be the installation of a sediment basin on someone's property to collect the nutrients. Cost would be an issue.

Business

Fire Department Liaison – Thomas Theis

Tom T. reviewed the Fire Chief's report for the month of January that was passed out to the council members.

Recreation Board Liaison – Nick DeSantis

No report.

PennDOT Project Liaison – Dean Clark

A. Discussion Regarding Pine Drive and Thermo Village Road

Dean reported that as part of the bridge closures, council should consider having Joseph B. Fay Company remove the speed humps on Pine Drive and Thermo Village Road since Mutual Aid will be using this route as their main detour. There was discussion on whether the Pine Drive speed hump should be relocated when it is reinstalled. Linda stated that she has received some positive comments on the effectiveness of the speed monitoring sign.

Tom S. made a motion seconded by Linda that in order to improve accessibility for ambulances to have the Joseph B. Fay Company remove the speed humps on Pine Drive and Thermo Village Road before the work on the Center Avenue bridges commences and replace the speed humps and all signage and pavement markings in a timely manner after the completion of the bridge repairs. Motion passed unanimously.

B. Discussion Regarding Proposed Sidewalk Ordinance

Dean stated that this item still needs to be addressed. John stated that he could resend a copy of the draft ordinance once again for the council's review. There was agreement that at the next meeting council would vote whether to advertise the ordinance.

C. Discussion Regarding Rachel Drive Roundabout

Dean stated that we needed to discuss the roundabout. Jeff passed out a write-up of a telephone conversation that he had with Barry Lyons and Dominec Caruso of PennDOT. He mentioned that PennDOT:

- Is unwilling to take responsibility for replacement of the 9 lights in the roundabout at the end of their useful life
- Does not want to pay for the landscaping in the roundabout in the event the borough decides to go in that direction.
- Will give us access to their CADD drawings so that we can develop working drawings in their format.
- Will handle the directional signage and line painting in the roundabout.

John said that the last item was a change from PennDOT's previous position and he suggested that because there have been so many discussions, that we simply get a copy of the maps and meet with PennDOT because there is no clear delineation on the map showing who is responsible for the roundabout verses Rachel Drive. Emil stated that the map does show state and borough right-of-ways, but that it would be good to have clarification on responsibilities. Dean said that as part of the agreement PennDOT would be willing to put grass in the roundabout now to give us time to decide on how we want it landscaped, what type of sign we want, etc. He stated that we would have to get an HOP (Highway Occupancy Permit) when it came time to landscape.

Linda mentioned that the members of council on the Comprehensive Plan Steering Committee met regarding landscaping the inner circle, but that there seems to be many more issues, including the lighting, that need to be addressed before we can sign the agreement.

Jeff stated that PennDOT stated that they need an answer by mid-February as to whether we are going to sign the agreement or else they will pour concrete in the roundabout.

Scott asked about cost. Dean said it would be between \$75,000 and \$100,00 for the landscaping, wall and welcome sign. Jeff stated that we could have our PW crew plant the landscaping and build the wall. We could also eliminate or change the sign. Todd stated that the career and technology students could install the landscaping and could possibly help with the wall. They have worked along roadsides in the past. He said that the students may also be able to fabricate a sign.

John was asked about the use of LST money for the landscaping. He stated that he would have to investigate whether it is an eligible expense. He stated LST money can be used for road maintenance and repair.

Scott stated that while we are negotiating the agreement we should send PennDOT a letter stating that we do not want concrete in the inner circle. Todd made a motion seconded by Linda to draft a letter to PennDOT stating that the borough would like PennDOT to plant grass in the center of the Rachel Drive Roundabout, that the borough will provide drawings showing future improvements and that the borough will await the roundabout agreement from PennDOT, which will be reviewed by the borough solicitor and voted on by council at the March 7th meeting. Motion passed unanimously.

D. Request to go into Executive Session

Dean stated that he had an item that needed to be addressed in Executive Session. Council went into Executive Session at 9:08 and came out of Executive Session on a motion by Tom S. at 9:26 PM.

E. Other Items

Tom stated that two stop signs have been taken out on E. Byers by trucks. He asked if the borough could install a flashing light by the Chinese restaurant to prevent trucks from pulling onto the street. Scott said that we may be able to get weight limit signs. Tom S. broached the subject of a traffic light at Pine and Center.

Council Committees

Personnel and Human Resources – Scott Sistek

Scott mentioned that we will be conducting interviews for the code enforcement position.

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

Dean said everything was covered previously.

Building and Real Estate – Linda Echard

Linda said there was nothing to report.

Workplace Safety – Thomas Theis

Jeff stated that he and the PW crew participated in the PA Department of Labor's initial Safety Committee start-up webinar in January.

Finance – Scott Sistek

Jeff apologized, he had drawn up the report but forgot to make copies. Scott stated that it would be tabled until next month.

Comprehensive Plan – Linda Echard

Linda stated that there was no additional information to report given that the plan was voted on earlier in the meeting.

Mayor's Report

No report.

Announcements

Scott mentioned upcoming events include the Fire Department's Gun Bash and Easter Egg Hunt

Opportunity for Public Comment

Tom S. asked what the status was of park grass cutting quotes. Jeff stated that he has one quote and two others landscapers have stated that they would provide quotes. Tom S. also asked for an update on the Pine Drive sewage problem. Jeff stated that Scott contacted County Commissioner Gina Cerilli and MAWC Operations Manager Mickey Kenney. Scott stated that Mr. Kenney understands the situation and is having it addressed.

Adjournment

Todd made a motion to adjourn at 9:34 PM.

Respectfully submitted,

Jeffrey McLaughlin
Secretary