

**Borough of New Stanton**  
**Borough Council**  
**April 4, 2017**  
**Minutes of Meeting**

**Attendance**

Council members: Todd Bartlow, Dean Clark, Linda Echard, Scott Sistek, 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 Sistek called the meeting to order at 7:00 PM and stated that council would go into Executive Session. Council came out of Executive Session at 7:33 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 \$25,801.35. Motion passed unanimously.

**Approval of Minutes**

Jeff stated that there were a couple of incomplete items in the minutes. Linda made a motion seconded by Todd to table the March 7, 2017 minutes. Motion passed unanimously.

**Council Additions to Agenda**

Scott stated that as a result of the just concluded Executive Session, item 7 would be a motion and vote on whether to pay a proportionate share of the appraisal in response to the Pen Allen tax appeal.

Tom S. asked that a discussion on the pay resolution for the Code Enforcement Officer be added to the agenda. Scott stated that this would be agenda Item 8.

Linda asked that a discussion on the public comment period be added to the agenda. Scott stated that this would be agenda Item 9.

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

Scott asked the audience if there were any comments on agenda items. Melvin Steele, 207 E. Pennsylvania Avenue, asked if he could discuss something related to the I-70 interchange road project since the Roundabout Agreement with PennDOT was on the agenda. Scott said okay. Mr.

Steele expressed concern about delivery trucks as well as trucks owned by Joseph B. Fay going up E. Pennsylvania Avenue and the resulting damage being caused to yards and property. He asked that the borough ask PennDOT about installing additional signage and he asked if there was a contact with whom he could discuss the damage occurring at the Hunt Club and homeowners' property. Dean stated that if Mr. Steele was willing, he could accompany him to Fay's office to discuss. Mr. Steele agreed. Tom S. reported that a truck got stuck on Oak St. and took out power lines, telephone wires and cable. Jeff stated that Anita and he have been working to get the GPS systems to register the new ramps as well as the closed bridges so as to prevent trucks from entering the area and having to turn around. Mrs. Steele as well as Crystal Foschia from 211 E. Pennsylvania Avenue also expressed their concerns about the trucks on E. Pennsylvania Avenue. Crystal mentioned the need for anything to alert truckers – a banner, flashing lights. Scott said we need to do something given that the bridges will be closed for 3 more months.

Scott said that there would be a general comment period at the end of the meeting.

### **Agenda**

#### **1. M/V to adopt Sidewalk Ordinance**

Tom T. made a motion seconded by Tom S. approving the sidewalk ordinance. Motion passed unanimously.

#### **2. M/V to Hire a Code Enforcement Officer**

Scott stated that a majority of the Personnel Committee recommended Scott Herod for the part-time Code Enforcement Officer position. Scott introduced Mr. Herod who was in the audience. Mr. Herod stated that he feels that his 14½ years of code enforcement experience makes him qualified for the position. Tom S. asked if we had "ground rules" for the position. Scott said that we did outline the budget as well as general duties with Mr. Herod. Jeff stated Tom S. stopped in his office and asked for a job description. Jeff stated that he developed one for council's consideration and he passed it out and reviewed it with council. Tom S. made a motion seconded by Todd to hire Scott Herod as the new part-time Code Enforcement Officer pending passing borough-required pre-employment clearances. Motion passed unanimously. Scott Herod thanked council for the opportunity and said he looked forward to working for the borough.

#### **3. Discussion on revised Roundabout Agreement**

Tom S. expressed concern with the draft Roundabout Agreement and asked John his opinion on it. John reminded everyone that there is a long history with the document and that after a recent meeting with PennDOT officials, there is a clearer understanding as to what is to take place. He pointed out that PennDOT agreed to plant grass in the inner-circle of the roundabout and to give the borough time to develop a design and landscape that area. Tom S. also expressed concern about the lights, a clause that would hold PennDOT harmless, and a 30-day PennDOT escape clause. John said that the latter two are standard PennDOT agreement clauses. Emil mentioned that John was successful in getting PennDOT to agree to giving us a deed for Rachel Drive which would evidence our ownership of the road.

Todd made a motion seconded by Dean to adopt Resolution 2017-857 authorizing the borough to enter into the Rachel Drive Roundabout Agreement with PennDOT. Motion passed 4 votes to 2 with Tom S. and Tom T. voting no.

**4. M/V on Pennsylvania Avenue Agreement with Fay Construction**

Todd made a motion seconded by Tom T. approving the Pennsylvania Avenue Agreement with Joseph B. Fay Construction. Motion passed unanimously.

**5. M/V to open escrow account for Extenet**

Jeff stated that as part of getting a street opening permit, Extent provided the borough with a \$1,000 check in lieu of getting a two-year bond. The borough needs to deposit this money in an escrow account and hold it for two years.

Todd made a motion seconded by Tom T. approving the opening of an escrow account for the Extenet check. Motion passed unanimously.

**6. M/V to affirm change on trailer purchase for skid steer**

Jeff stated that at the last meeting council voted to purchase a trailer for the skid steer off of Appalachian Trailers for \$3,500. In proceeding with the purchase, it was found that it would take 6 weeks to get the trailer, and that the axles were not as good as those on a competing trailer. In addition, it would take a significant amount of time and money to pick up the trailer because it is in Ohio. Given this, it was thought to purchase a trailer off of Smouse Trailer of Mt. Pleasant at a cost of \$4,145 instead. Dean agreed as head of the Public Works Committee. So they proceeded on the purchase. Jeff stated that he was asking council for a motion affirming the purchase from Smouse.

Tom S. made a motion seconded by Tom T. affirming the purchase of the trailer for \$4,145 from Smouse Trailer. Motion passed unanimously.

**7. Appraisal**

Tom T. made a motion seconded by Todd agreeing to pay the proportionate share of the cost of hiring of an appraiser in response to the Pen Allen tax appeal. Motion passed unanimously.

**8. Code Enforcement Officer Pay Resolution**

Tom S. expressed concern that we have two Code Enforcement Officer Pay Resolutions. Scott stated that Jeff can address this along with incorporating the language from the new job description into a new pay resolution for council's consideration. Tom S. also asked whether we were able to find out anything about health insurance requirements for the new employee. Jeff stated that he did some research and stated that it appears that the Affordable Care Act only requires an employer who has 50 or more employees to provide health insurance to an employee who works more than 32 hours per week.

**9. Discussion on the public comment period**

Linda suggested that council look at adding a general comment period at the beginning of the meetings so as to be visitor-friendly. She stated that at the Youngwood Council meetings, they ask each attendee if they have anything that they want addressed. If it something already on the agenda they let them know that they can make their comment when that item is brought up. If it is not on the agenda, they find out what the topic is and, if the attendee could make their point quickly (e.g., within two minutes) then they could do so immediately. If the comment would take a while and would result in a longer discussion, it would be brought up at the second comment period at the end of the meeting. Such a process, would allow the people that have smaller issues to get them addressed earlier and if they have to be somewhere else they could then leave the meeting. By holding the longer discussions until the end of the meeting, the regular business could be addressed first before getting into an issue that could take a large amount of time.

Scott said we could put both comment periods at the beginning and put a 2 minute time limit on comments. He also stated that if a lot of people wanted to speak on the same topic a spokesperson could be selected to speak on their behalf. Tom S. said we should encourage people to call ahead and get on the agenda. Scott stated that if the present set-up was established by resolution we would have to repeal or pass a new resolution if we wanted to amend the present set-up. Scott suggested that council come up with some ideas for consideration at the next meeting.

## **Reports**

### **Administrative**

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

Jeff reported that:

- Fed-Ex Employees are planning to volunteer at the park for Earth Day on Friday, April 21<sup>st</sup>.
- At the behest of the Rotary District, the New Stanton-Youngwood Rotary will attempt to recruit new members and to continue operations. Tom S. asked what about the Rotary's projects. Jeff reviewed. Jeff stated that membership dues are \$200 and are due shortly. Emil stated that Youngwood voted to send someone to future meetings.
- He nominated the borough's website for an award from the Pennsylvania Borough's Association of Borough's (PSAB) and our website was selected as the first-place winner. The award will be given at the conference in Hershey. He thanked Anita Hoffman and Downs Creative for their work. Jeff stated that although we have had MS4 information on the web site, a separate tab would be created to give it more visibility.
- The borough received an application from Barbara Shipman, a resident living at 125 Stratford Court, for membership on the Recreation Board. Nick mentioned that she would be a good choice and Jeff stated that Charlie stated that she would be a good choice as well.
- Linda made a motion seconded by Tom S. adopting Resolution 2017-842 appointing Barbara Shipman to the one-year resident slot on the board effective January 1, 2017 pending appropriate clearances. Motion passed unanimously.

- We will be receiving \$81,500 in Liquid Fuels money from the state this year.
- Asked if council wanted to move the Community Yard Sale given the bridge construction.

Tom S. made a motion seconded by Todd moving the Community Yard Sale to August 12<sup>th</sup>. Motion passed unanimously.

- Youngwood Borough is sponsoring a seminar on drugs specifically opioid abuse on April 11, 2017 at their borough building.
- The Westmoreland County Borough's Association Annual Dinner is coming up on April 28, 2017. He asked that if anyone is interested in attending to please let him know.
- Reported that he had been soliciting quotes from copier companies and passed out a copy of a cost and feature comparison of 4 copiers from Total Service/Doing Better Business, Ford Business Machines, AmCom and RTR Business Products. While the price of the machines as well as the maintenance costs were very close, it appears that Total Service/Doing Better Business offered the best overall deal. If we were to trade in the machine, Ford Business' price would be slightly better, but their maintenance price was a little higher. Jeff stated that he thought it would be a good idea to donate the current machine to the fire department since they are currently using our previous machine which is probably around 15 years old. The present copier was purchased from Total Service/Doing Better Business. Linda asked about their service. Jeff reported that it has been very good.

Tom S. made a motion seconded by Linda to purchase the machine, and sign a maintenance agreement with Total Service/Doing Better Business and to donate the old machine to the fire department after the hard drive has been wiped clean. Motion passed unanimously.

#### **Solicitor – John Campfield**

No report.

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

Emil reported that:

- He could have the Paving RFP ready for the May meeting. The first advertisement would be placed on April 14, 2017. Emil stated that the RFP would include the Pagano repair, the park entrance road, and the balance of Melrose. He also mentioned that he would get the Chanticleer drainage project ready for bid once he gets a chance to survey the site. It has been too wet to get into the creek bed to survey.

Todd and Tom S. both mentioned the need for paving Broadview Road, possibly next year. Both mentioned drainage as being a concern and Tom S. mentioned that perhaps it could be addressed in the fall of this year to get ready for next year's paving.

Dean made a motion seconded by Todd to advertise the 2017 Paving RFP. Motion passed unanimously.

- As part of the Rachel Drive Retention Pond Agreement with PennDOT we agreed to revise the storm water management ordinance to allow for a 50% release rate from Watershed B (i.e., the area from the DEP building to Center Avenue). John said we need to prepare the ordinance and then at the next meeting council could consider voting to advertise the ordinance. The Bair Blvd area along with the rest of the borough will remain at an 80% post-development outflow rate.

Todd made a motion seconded by Dean to prepare the 50% storm water ordinance for Watershed B. Motion passed unanimously.

- He wanted to bring to council's attention that the Canoe/Kayak Access Ramp would make the creek very accessible to children at the park. Jeff addressed one of the questions brought up previously about insurance: the Sewickley Creek Watershed Association stated that they would not provide insurance, but our carrier said that it would be covered on our policy at no additional cost. After discussion, regarding the additional amenity versus possible safety concern, it was decided that Jeff contact Tom Keller from the Sewickley Creek Watershed Association requesting a sketch or drawing of the proposed ramp.

Tom S. asked about the sewage problem on Pine Drive. Jeff stated that he had forwarded several e-mails from resident, Ken Noakes, to Mr. Kenney at MAWC. Emil stated that the contractor is not going to drive down the problem area until the property dries up because the tire tracks would cause a lot of damage to the yards.

Tom S. also asked about a metal plate at the corner of Highland and Center. Dean said it sounded like a cover for a junction box for the traffic signal controls. Dean said he would check it out.

Tom S. said that he has been getting feedback that residents don't want the speed hump reinstalled on Thermo Village. Regarding the Pine Drive speed hump, Dean said that the stop sign on Pine Drive going toward Thermo Village should be replaced with a stop sign on Fry Hollow Road instead. Dean said a lot of residents are critical of the speed hump/stop sign combination on Pine Drive.

## **Business**

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

Tom T. reviewed the Fire Chief's report for the month of March which was passed out at the meeting. He also reported that the firemen's gun bash went well and the fish fry is going very well.

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

- Nick reported that the Easter Egg Hunt went very well.
- The quad was in need of repair. Now that they have it back they can grade the fields.
- Park clean was held the last weekend of March.

Jeff added the John Crivella started the daily opening and closing of the park on April 1<sup>st</sup>. Tom S. asked that we order a sign directing people to the restroom doors facing the ball field. People see the doors locked on the parking lot side and think that the restrooms are closed.

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

Dean reviewed the roundabout concrete stamp printing options sent out in the agenda packet. These options were provided by Fay's concrete subcontractor. Council selected an option. Dean said that the contractor would pour a sample first.

Dean gave an update on the repairs to the Center Avenue and Sewickley Creek bridges and the progress that Fay has been making.

Linda mentioned the idea of getting permission from PennDOT to put a "Welcome to New Stanton" sign on the Center Avenue Bridge.

### **Council Committees**

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

Tom made a motion seconded by Todd that when an employee is called out they will be paid a 3 hour minimum; time and a half for hours on the clock over 40 and straight time for the unworked balance of the 3 hours. Motion passed unanimously. Scott reminded Jeff to make the amendments to the pay resolutions.

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

Dean reported that John C. would like to create a gravel yard below the PW garage to store trailers, etc. The yard would be fenced in and the top soil from the site would be used at the park to fill in where the old entrance road was taken out. Scott expressed concern about the appearance of the facility and thought it may be better to store materials at Post Avenue. Linda said that council needed clarification on what would be stored there.

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

Linda said that we need to decide what to do about the former borough building given that the interchange is almost completed. She stated that at this point it would be too late to lease the

property. John C. suggested that we get an appraisal; talk to a developer, possibly Trumbul, about what the area would support and the size of property typically needed for development; and also talk to the neighbors to see if they would be willing to sell in conjunction with us. Council also directed Jeff to have the *For Lease* sign taken down.

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

Jeff reported that Tom T. participated in the initial safety webinar this month. The rest of the committee has already participated. The entire committee is now in compliance so that we can start having regular meetings.

Tom S. reported that he and Linda attended the PA One Call presentation at the March the Westmoreland County Boroughs' Association meeting. Jeff reported that he and Tom S. will be attending the county's rescheduled emergency management seminar on April 11<sup>th</sup>.

#### **Finance – Scott Sistek**

Scott reviewed the financial report for March 2017: total checkbook balance: \$395,193.43; total all savings accounts: \$230,193.82, and total taxes remitted \$13,801.83.

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

Linda stated that we need continuous dialogue and communication with the Planning Commission and council. We should have them submit a monthly report or attend the meeting to let us know of their progress. John stated that the Municipal Planning Code requires that the Planning Commission provide an annual report and the MPC requires that the plan be periodically reviewed. It may be a good idea to give the Planning Commission the information the MPC requires. Scott said he would take the *Comprehensive Plan* off of the agenda and add *Planning Commission Liaison*.

#### **Mayor's Report**

No report.

#### **Announcements**

Scott reviewed the announcements: the PSAB Conference is scheduled for May 7<sup>th</sup> - 10<sup>th</sup> and the G-Conference is scheduled for May 18<sup>th</sup> - 20<sup>th</sup>. Council talked about forming a Picnic Committee.

#### **Opportunity for Public Comment**

Tom S. mentioned that the expenses for the PSAB Conference should equal \$1,412.07.

#### **Adjournment**

Todd made a motion to adjourn the meeting at 10:17 PM.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary