

**Borough of New Stanton**  
**Borough Council**  
**July 11, 2017**  
**Minutes of Meeting**

**Attendance**

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

**Call to Order**

President Scott Sistik called the meeting to order at 7:03 PM.

**Invocation**

Jeff recited a prayer.

**Pledge of Allegiance**

The Pledge was recited.

**Review of 2016 Audit with Auditors (Continued from Finance Committee)**

***Martha Henninger & Tara Button, Henninger Accounting Service***

Scott introduced Martha Henninger and Tara Button from Henninger Accounting Service. Tara reviewed the management letter, a copy of which was provided to council:

- Miscellaneous expense: DCED only allow 1% of expenses listed in this category.
- Under recreation some income and expense line items were budgeted twice also some of the debt service expense was budgeted twice. They recommended that council amend the budget.
- Gross collection amount
- A portion of the delinquent property taxes were not being allocated to the fire department.
- A couple of the credit card transactions were posted twice – has been taken care off.
- A pension fund payment was missed – this has been taken care off.
- Pavilion deposits were being shown on profit loss – it should be shown on balance sheet.
- A couple of the employee files had some missing information.
- Some of the payroll liabilities needed adjustment.

Tom stated that there were a couple of items that have been listed in the management letter over a couple of years. Martha stated that more and more changes are being made; issues are being addressed.

Scott stated that the amendments to the budget would be presented to the council for their consideration at the next meeting.

John asked about the bonus payments and the on pension payments. Tara stated that the bonus payments were not set up to have a portion paid into the pension. John stated that the borough's

retirement system may not require bonus to be paid into the pension. Tara stated that should look into that.

Martha stated that they appreciated the opportunity meet with council. Tara stated that income was up over \$58,000 from the previous year. Council thanked the auditors for attending.

### **Approval of Bills**

Dean made a motion seconded by Linda approving the bills in the amount of \$40,422.25. Motion passed unanimously.

### **Approval of Minutes**

Tom made a motion seconded by Todd to accept the June 6, 2017 minutes. Motion passed with all voting in favor with the exception of Brandon who abstained because he was not at the June 6<sup>th</sup> meeting.

### **Opportunity for Public Comment – Items not on the Agenda**

There was no public comment on non-agenda items.

### **Council Additions to Agenda**

Tom said he had something that he would bring up under the park report and he also asked where the budget vs. actuals report would be brought up. Scott said the latter item could be handled under Jeff's report.

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

There was no public comment on agenda items.

## **Agenda**

### **1. Discussion of Pine Drive Drainage System**

Dean stated that there is a 300' long 18" to 2' deep drain along Pine Dr. that could be a hazard to vehicles. The cost to redo the drain would be \$2,550 including geo-fabric, piping, gravel and asphalt.

Dean made a motion seconded by Tom to have the drain fixed at a cost of \$2,550. Motion passed unanimously. The work would be started after the bridges are reopened.

## **Reports**

### **Administrative**

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

Jeff reported that:

- Simply Payroll, a subsidiary of Henninger Accounting Service, is willing to handle the quarterly and annual payroll tax reporting and submittals for a cost not to exceed \$1,000.

Todd made a motion seconded by Dean to hire Simply Payroll to handle payroll tax reporting and submittals at a cost not to exceed \$1,000.

- That a couple of items were double-budgeted in the borough's 2017 operating budget and that the auditors recommended that the budget be revised to correct this. It was thought that the issue could be reviewed by council at the next meeting.
- He is looking at putting together another newsletter given the near-completion of the bridges and to promote the upcoming Community Picnic and Community Yard Sale. Jeff reported that the Hempfield Hunt Club is interested in placing an ad in the newsletter to promote their participation in the Community Yard Sale. They would open their parking lot up to people to set up a table in their parking lot to sell items. Linda suggested that, instead of having them buy an ad, that given that they are a non-profit, we include the information in the community news portion of the newsletter.
- Major Solutions, an IT company that has done some work on the borough computers, suggested making some computer upgrades – backing up the files to the cloud, upgrading the anti-virus software, making a minor upgrade to the hardware (install a 1GB switch) to improve efficiency at a one-time cost of approximately \$500 and \$1,000 annually (for the back-up and anti-virus). They decided to hold off and have Jeff look into how often the back-up occurs, where is it physically backed up to, who is handling the back-up – Verizon, Comcast, etc. and to contact other vendors to see what suggestions that they have.

Linda reported that the Picnic Committee met a couple of times and the planning is coming together. She said that the committee is planning on a Chinese auction featuring two bicycles and an Italian basket, a door prize and 50/50 drawing, a face painting and balloon artist, and Bruster's will bring their trailer down for 2 hours to pass out cups of ice cream. The Recreation Board will be bringing food and also a bounce house. Dean will handle the corn. We will be sending a letter to Shop n'Save about a partial donation of food and purchase the rest. The New Stanton Church choir director will DJ the event and there will also be a live concert by members of the choir.

Linda also expressed concern about the Recreation Board's fund balance and some other Recreation Board issues. Scott suggested that it be handled as a matter of personnel in Executive Session.

- Jeff continued with his report stating that the budget vs. actuals was included in the agenda packet to show how we were tracking in relation to the budget. Jeff said that he would include the comparison to council on a quarterly basis. Tom stated that the *Engineer Expense* line item is at \$42,505 through the first 6 months of the year for the \$50,000.

Tom made a motion seconded by Todd to transfer from the Arona Road Bridge Account to the General Fund 27,227.50 to cover engineering fees associated with design of the Arona Road Bridge.

## **Code Enforcement**

Jeff reviewed the Code Enforcement Report that was provided to council. Todd asked how we were doing on the Code Enforcement budget line item. Jeff said that we are within budget. Scott Herod is working about 10 hours a week.

### **Solicitor – John Campfield**

John reported that:

- He received two draft ordinances from MAWC that they would like council to approve: one is to approve the amendment to the 537 plan and the second is to approve the fact that the 537 plan is going to be undertaken by MAWC. Emil said that he is under the impression that the plan calls for the converting of the Youngwood sewage treatment plant to a holding tank and to have the sewage treated at the New Stanton plant. John stated that when the borough was formed an agreement was put into place between the borough and HTMA stating that the borough's residents would be treated the same by HTMA as the Hempfield residents. He stated that he assumes that as part of the takeover of HTMA by MAWC, that the agreements would still be in place. John wondered if this 537 plan would affect the borough's ability to get sewer taps. He asked that Emil review the 537 plan.
- The Hampton developer has signed 2 of the 3 agreements. John contacted the developer's attorney who said that he would speak to the owner about signing and sending in the agreement.
- The Sell family has submitted a request for a 90 day extension on their subdivision plan.

Tom made a motion seconded by Dean to approve the 90 day extension request made by the Sell family. Motion passed unanimously.

- The medical marijuana developer that was looking at 429 S. Center Avenue has submitted a letter rescinding their Special Exception request. Tom asked if council should consider amending the zoning ordinance to regulate medical marijuana facilities. John stated that the actions that the borough could take are limited. He said that our present zoning language is effective because it requires a Special Exception for any use that isn't permitted or prohibited by the ordinance.
- John reviewed his memo regarding signage in the agenda packet. A recent court case appears to be limiting the ability of borough's to regulate the content of a sign. We will need to review our ordinance to ensure that our zoning is consistent with the outcome of this case.
- John reviewed his memo regarding *Vehicle Refueling with or without Convenience Store* in the agenda packet. He pointed out that the zoning ordinance has inconsistencies regarding *Vehicle Refueling with or without Convenience Store*.

Brandon made a motion seconded by Todd to send the signage and *Vehicle Refueling with or without Convenience Store* issues back to the Planning Commission with an emphasis on turning around the latter as quickly as possible. Motion passed unanimously.

- Extenet has applied for an additional location for a pole for its DAS system. This time on Post Avenue. Jeff stated that Extenet's original plan was to install 4 poles. The borough gave them permission for 2, the other 2 being located in PennDOT right-of-way. Extenet is no longer locating one of the poles in the PennDOT right-of-way and are back seeking a permit to place that pole in borough right-of-way. John stated that when the borough amended its street opening ordinance it required that a public utility submit a Certificate of Public Necessity from the PUC. At the time Extenet had a Certificate of Public Necessity. In March of this year the PUC decided that these DAS systems were not subject to the PUC jurisdiction. John stated that Jeff should ask for them for an updated Certificate of Public Necessity.
- Dollar General has applied for several variances including one on setbacks, number of parking spaces, size of parking spaces, and lot coverage. John asked if council wanted to take a position.

Linda made a motion seconded by Brandon to send representation to the Zoning Hearing Board meeting to support the Dollar General project. Motion passed with everyone voting in favor with the exception of Dean who abstained.

- A recent court decision could have an effect on the money that we receive from Marcellus Shale gas drilling.

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

Emil reported that:

- MS4 Pollution Reduction Plan will be held at 6:45 PM on August 1, 2017 as discussed at the last meeting.
- He would like to have the bid opening for the Chanticleer stormwater drainage pipe project at the September meeting so that work will begin after children are in school and people are not using the swimming pools adjacent to the project.

Brandon made a motion seconded by Dean to have the bids due for the Chanticleer stormwater drainage pipe project on September 5, 2017, the date of the September council meeting. Motion passed unanimously.

As part of the project it was decided that the pool at the corner of Center and Ragan needs to be removed because it is in borough right-of-way. An agreement has to be reached with the homeowner.

- He plans on having an agreement for council to consider to regarding inspection services for the Arona Road Bridge.

#### **Business**

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

No report.

**Recreation Board Liaison – Nick DeSantis**

No report.

**PennDOT Project Liaison – Dean Clark**

Dean reported that:

- He met with Jeff Miller of PennDOT regarding the need for another catch basin at the intersection of Post and Pennsylvania. PennDOT eliminated one of the catch basins which was there when it rebuilt the intersection. Mr. Miller said he would look into it.
- He conveyed his concerns to Mr. Miller regarding the dip in Pennsylvania Avenue in front of Cracker Barrel, a puddle forms there when it rains.
- Overall project deadline for the interchange project is now Thanksgiving of this year.
- Encouraged PennDOT to install a wingwall or guide rail on the Southside of the Sewickley Creek Bridge.
- We should consider installing a guide rail and fence at the canoe/kayak access.
- He received a price of \$625 from Ted's Tree Service to cut down 3 trees and grind out 5 stumps. Tom said we need to get it in writing to make sure all work is completed.

Tom made a motion seconded by Linda to have Ted's Tree service cut down the 3 trees and grind 5 stumps for a cost of \$625. Motion passed unanimously.

Tom stated that he was informed by Alan Wagner that the roof leaks on Pavilion C. He also mentioned that we need to have a new phone number on the sign at the park. The present number is for the borough office. Tom also stated that Alan asked him about installing a locking bar on the concession stand similar to what is on the other doors at the park. Scott stated that it would be a real burden for those working the concession stand to remove the bar. Tom stated that he would convey this to Alan Wagner to see if they would still want the bar.

**Planning Commission Liaison**

No report.

**Council Committees****Personnel and Human Resources – Scott Sistik**

No report

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

**Building and Real Estate – Linda Echard**

No report

**Workplace Safety – Thomas Theis**

No report.

**Finance – Scott Sistek**

Scott reviewed the financial report as of June 30, 2017: total checkbook balance: \$352,868.78; total all savings accounts: \$346,613.62; and total taxes remitted from June 1, 2017 through June 30, 2017: \$20,879.87.

**Mayor's Report**

No report.

**Announcements**

Scott reported that the Community Picnic will be August 5<sup>th</sup>, Community Yard sale will be August 12<sup>th</sup>, and the next council meeting will be August 1, 2017.

**Executive Session**

Scott asked for a motion to go into Executive Session for matters of litigation regarding an application to the Zoning Hearing Board.

Linda made a motion to go into Executive Session at 10:05 PM.

Brandon made a motion to come out of Executive Session at 11:27 PM.

Tom made a motion seconded by Brandon authorizing Linda and Jeff to meet with Bob Fisher the representative of the USX Credit Union regarding the lease of the former borough building.  
Motion passed unanimously

Dean made a motion seconded by Todd to reject the idea of the borough taking ownership of new lighting that PennDOT may install on Route 119. The borough will only agree to new lighting if the current agreement between both parties remains in place. Motion passed with all voting in favor except for Tom who voted no.

**Adjournment**

Dean made a motion to adjourn the meeting at 11:28 PM.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary