

Borough of New Stanton
Borough Council
July 3, 2018
Minutes of Meeting

Attendance

Council members: Todd Bartlow, Josh Bennett, Linda Echard, Scott Sistek (Not present initially), Tom Smith, Tom Theis and Ray Strosko. Mayor Ronald Echard. Also: Borough Engineer Emil Bove, Borough Solicitor John Campfield and Borough Manager Jeffrey McLaughlin.

Call to Order

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

Invocation

Linda recited a prayer.

Pledge of Allegiance

The Pledge was recited.

Approval of Bills – \$28,187.37

Josh made a motion seconded by Tom T. approving the bills in the amount of \$28,187.37. Motion passed unanimously.

Approval of Minutes – June 19, 2018

Todd made a motion seconded by Scott approving the minutes of the May 1, 2018 meeting. Motion passed with all voting in favor except for Tom T. who abstained.

Presentation

Jeff presented two plaques and a resolution recognizing FedEx Ground for volunteering at the park on Earth Day for the past 5 years from 2014 through 2018. Mr. Brezzese accepted the plaques and the resolution on behalf of FedEx Ground and thanked council for this recognition.

Opportunity for Public Comment – Items not on the Agenda

Ray asked if there were any public comments on items not on the agenda. One person asked to speak:

Richard Nedrow, 205 Florence Dr.

Mr. Nedrow thanked council for moving ahead on the farmers market. He stated that he attended the Route 119 public meeting that PennDOT held and that he asked about the noise resulting from the new I-70 improvements and that PennDOT is unwilling/unable to do something. He

suggested asking PennDOT to put up *Engine Braking Prohibited* signs. Ray stated that council has sent a letter to PennDOT requesting the installation of *No Jake Brake* signs but have not yet received a response.

Council Additions to Agenda

Ray asked if any council members had items to add to the agenda. Discussion Regarding Farmer's Market, Discussion regarding Designating President and V. President as Contacts with Market Manager, Update on Codification, Discussion regarding Central Spartan Team

Opportunity for Public Comment -- on Agenda Items Only

Ray asked if there were any public comment on agenda items only:

Michael Davis, 137 Marginal Road

Mr. Davis expressed concern about water runoff from the Smail Farm, that may result from the development of the Broadview Estates housing development plan. He stated that Marginal Road is at a low point and there is a lot of water runoff from area properties. He stated that he put a lot of money into his property addressing the water.

Emil stated that the water runoff does not really have to do with zoning, but he pointed out that the borough requires developers to lower the post-development water runoff to 80% of the pre-development runoff.

James Fox

Mr. Fox said that he would be willing to donate a right-of-way so that a Broadview Road by-pass road could be built on his farm, which faces Broadview Road, to access the rear of Broadview Estates. He suggested that it begin near a point near the DEP building, cut across the Long's property and his property and terminate at the rear of the Broadview Estates development.

Matthew Reagan, 143 Marginal Road

Mr. Reagan echoed Mr. Davis' concerns about water runoff effecting from the Smail site that could result from the development. He stated that his family also spent a lot of money addressing the water problem on his property.

Emil responded that the developer will take several steps to lower the water runoff to 80% of the pre-development amount including installing catch basing son the streets and developing swales and retention ponds.

David Lucci, Victor-Wetzel

Mr. Lucci stated that the developer will be widening Marginal Road and installing catch basins. He stated that the developer will be back with final drawings showing the detailed plans to address the water. He said less water onto the neighbors' property will be the result. He stated that the developer will be widening and installing catch basin on Broadview Road.

Agenda

1. Bid Opening: 2018 New Stanton Paving Program

Ray opened the bids for the 2018 New Stanton Paving Program: Morgan Excavating LP \$165,365.95, Derry Construction \$213,388.75, Victor Paving \$217,921.00, Ligonier Construction \$221,490.00 Independent Enterprises \$143,072.

2. M/V to Award 2018 Paving

Linda made a motion seconded by Josh awarding the contract the 2018 Paving contract to the lowest responsible bidder contingent upon review by Emil. Motion passed unanimously.

Ray skipped over the Broadview Estates agenda item at this point and moved onto the discussion on the audit.

3. M/V Approving the 2017 Audit & to Advertise the Financial Statement

Jeff stated that the auditors will be available to answer questions at the August 7, 2018 council meeting, but as per the borough code we need to move ahead with advertising the 2017 financial statement.

Note: Scott Sistek began attending the meeting during this agenda item.

Tom S. pointed out the need to pay bills in a timely manner.

Todd made a motion accepting the 2017 audit. Motion passed with all voting in favor except for Scott who abstained.

Todd made a motion to advertise the 2017 Financial Statement. Motion passed with all voting in favor except for Scott who abstained.

4. M/V to Pay Borough Employees Weekly

Linda made a motion seconded by Josh to pay employees weekly. Motion passed with all voting in favor except for Scott who voted no.

5. M/V on Dollar General HOP & Indemnity Agreement

John stated that the Dollar General needs to apply for a Highway Occupancy Permit from PennDOT for the connection of their stormwater system to Pennsylvania Avenue. He stated that PennDOT requires the borough to be a co-applicant. He also recommended that the borough approve the indemnity agreement, which, while we are co-applicants, the agreement places the responsibility for the stormwater on the developer.

Linda made a motion seconded by Josh to approve the Dollar General Highway Occupancy Permit application and the indemnity agreement. Motion passed with all voting in favor except for Scott who voted no.

6. M/V on Ordinance 2018-263 Regarding Change to Zoning Map

Ray returned to the discussion on Ordinance 2018-263.

David Lucci, Victor-Wetzel presented an overview of the proposed zoning change that the develop is requesting.

Linda asked Mr. Lucci to review the idea about a \$300 per lot fee for road improvements. Mr. Lucci said yes that they would make such a contribution to the borough since the borough does not have an impact fee. They would also widen and repave Broadview Road where it abuts the property.

Josh made a motion seconded by Scott adopting Ordinance 2018-263 changing the zoning map. Motion passed unanimously.

7. Discussion Regarding Farmer's Market

Jeff stated that he checked with insurance carrier. There would be no additional cost to cover the borough regarding the farmers' market. Linda stated in addition to the agreement with the market manager she developed several forms that the vendors would need to fill out and submit. The borough would get copies. John pointed out that as part of the agreement the market manager agrees not to interfere with other activities at the park, to clean up the park after each event, and to indemnify the borough. Linda asked Jeff to make Colmat aware of the market.

Josh made a motion seconded by Todd approving the farmer's market agreement. Motion passed unanimously.

8. Discussion Regarding Designated President and V. President as Contacts with Farmers' Market Manager

Tom S. made a motion seconded by Josh Motion passed unanimously.

9. Update on Codification

Jeff stated that he needed to send a copy of all the borough's ordinances to American Legal Publishing to ensure that we have an apples-to-apples bid comparison. Jeff stated that the price that they had quoted had a page number cap with a price per page over that number. This could result in a change order.

10. Discussion Regarding Spartan Central Baseball Program

Discussion ensued on the e-mail proposal from the Spartan Central Baseball program. It was decided to meet with representatives of Spartan Central to resolve the remaining questions regarding their proposal.

Reports

Code Enforcement – *Scott Herrod*

The report was included in the agenda packet.

Administrative

Planning Commission Liaison – *Chairperson Jay Gomolak*

No report.

Borough Manager – *Jeffrey McLaughlin*

Jeff reported that there will be Zoning Hearing Board meeting on July 10, 2018.

Solicitor – *John Campfield*

John pointed out that the auditor's management letter stated that an amendment to the 2018 budget needs adopted. He suggested doing this at the next meeting.

Jeff stated that the auditors are awaiting information from the Fire Department so that they can begin that audit.

John said we may also want to look at the Real Estate Transfer line item of the budget since some significant sales have taken place in the borough this year.

John stated that after a month's time he did hear from the GetGo attorney, who has informed us that they okay with the developer's agreement that we presented them. GetGo's start date is also dependent upon getting driveway permits which are dependent upon Rachel Drive being turned over to the borough. John stated that Emil and Jeff met did a walk through with PennDOT to determine the final items needed to complete the project.

Emil stated that a section of guide rail is needed on Rachel Drive near the retention pond, a low spot on Byers needs repaved along with a French drain installed to eliminate a water problem there, some of the drains need cleared, the weeds at the Rachel Drive roundabout need killed and the area reseeded, an I-70 directional sign needs relocated, and the deeds need drawn up. PennDOT has also agreed to add the speed humps to Fay's punch list. Emil stated that the total cost of Rachel Drive was \$322,758.40 with the borough share of 20% being \$64,557.68 before these final improvements. This is about 15% higher than originally estimated. He estimated the additional work at being no more than \$5,000 with us being responsible for 20% of that.

Scott made a motion seconded by Josh to have PennDOT proceed with the punchlist items and for the borough to be responsible for 20% of their cost. Motion passed unanimously.

Engineer -- *Emil Bove*

Emil stated that National Gunitte will give us a price for repairing the Woodmere catch basin and we are getting a material price on rebuilding the box.

Emil stated that the Pennsylvania State Association of Boroughs is looking for boroughs to support state legislation that would allow boroughs to charge mileage for addressing storm water management. John explained that there are different ways to figure out the fees including by the amount of impervious surface on a lot. He stated that more and more the developers are going to have to be responsible for the own storm water.

Business

Fire Department Liaison – *Chairperson Thomas Smith*

No report.

Recreation Board Liaison – *Chairperson Josh Bennett*

Josh reviewed the report that was put together by Bill Naylor, Recreation Board Secretary that was provided to the council members. He stated that at their first meeting, held in June, they elected officers: President Dean Clark, V. President Jim Purnell, Treasurer Ed Bellotti, Secretary Bill Naylor, and Sargent at Arms Nathan Bishop. He reported that the Recreation Board currently has an account balance of \$8,462.23 and are projecting a balance of \$9,042.23 after counting all revenue from sign-ups, banner, fees and concession stand money. He stated that one of the goals that the group discussed was increasing the size of the basketball court from half-court to full court. Jeff asked if that was going to be proposed for next year's budget. Josh wasn't sure.

Tom S. asked if the idea to install clay in the bocce court was brought up at the meeting. Josh said it was not. Jeff stated that Bill contacted him with the idea of getting clay installed in the bocce court. Linda stated that she was planning on checking with the Recreation Board to see if they wanted to do that, but did not do so because she found out that they had purchased additional sports equipment including bocce equipment. Jeff stated that the court is presently limestone dust which he said that in doing research he found that according to *Popular Mechanics* that is an acceptable surface, but that Bill would prefer clay. Jeff was unsure as to the type of clay, if it would be like a baseball field clay or what people traditionally have in mind when they talk about clay. He pointed out that Bill stated that the Recreation Board would maintain the court and agreed to pay for the clay and that they would rely on Public Works to install the clay. Tom S. stated that he has never seen anyone use the bocce court. He asked about water runoff and stated that the court is not presently maintained and that it is far away from the restrooms. Jeff stated that at the last meeting council agreed that a Park Master Plan is needed to determine what amenities the park should have and where in the park the amenities should be located. Tom S. stated that the path where it goes into the woods needs maintained. He stated that we do not have the manpower to maintain the park. He said that we should consider looking into hiring part-time help during the budget discussions for next year. He suggested that we discuss this with John Barnes. Linda wondered if putting money into the bocce court now would be a good idea if we are looking to move it later. Jeff stated that we could consider using FieldTurf (i.e., astroturf) which would prevent weeds. Linda stated that there may be a less expensive way to address the court so that if we do move it we would not be out very much money.

Executive

Council President

No report.

Mayor

No report.

Council Committees

Personnel and Human Resources – Scott Sistik

No report.

Public Works/MS-4 and Parks – Chairperson Ray Strosko

Ray reviewed John Barnes' report. There was also a short discussion on the old borough building.

Building and Real Estate – Chairperson Linda Echard

No report.

Workplace Safety – Chairperson Thomas Theis

No report.

Finance – Chairperson Scott Sistik

Scott reviewed the financial report through June 30, 2018: checkbook balance: \$625,146.18, total all savings accounts: \$1,609,822.66 and taxes remitted from June 1, 2018 through June 30, 2018: \$25,226.41.

Special Events

Josh reported that there was a meeting of the Committee on June 27th to discuss the Community Picnic. There was a small discussion on how to handle Bingo at the event.

Announcements

No announcements.

Executive Session

Todd made a motion to go into Executive Session at 8:03 PM. Scott made a motion to come out of Executive Session at 9:29

Scott made a motion seconded by Tom T. to pay Daniel Bernstein an additional \$1,550 for his employment as Concession Stand Operator. Motion passed unanimously.

Adjournment

Todd made a motion to adjourn the meeting at 9:30 PM.

Respectfully submitted,

Jeffrey McLaughlin
Secretary