

## Meeting April 17, 2023

The meeting of Mount Pleasant Borough Council was called to order by President Ruszkowski 7:00pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said and President Ruszkowski asked for a moment of silence our Fire Chief who passed away this past week. President Ruszkowski asked Solicitor Istik to take roll call. Councilpersons present included Barnes, Czekanski, Phillabaum, Barrick, Lasko, Stevenson and Wojnar. Mayor Bailey and Solicitor Istik were present. President Ruszkowski stated that a quorum is present. Councilman Cholock arrived at 7:05pm.

A Motion was made by Councilwoman Stevenson to approve the minutes of April 3, 2023 since Council has been provided with a copy. Motion seconded by Councilwoman Lasko. Motion carried 8-0.

**Speakers: None.**

### **Public Comment:**

- Amy Kern of 102 South Depot Street, Mt. Pleasant, PA spoke to Council regarding nuisance neighbors and if there will be or has been any updates to the Ordinance. Councilwoman Wojnar stated that the nuisance area that is in question had other issues that the Ordinance would not even address. The Ordinance is still an ongoing discussion and not everyone is open to the idea of changing the “landlord” Ordinance. Councilwoman Stevenson stated that no changes have been implemented and that it does take a long time to change an Ordinance and at this time there is not a general agreement in this body that it should be changed or in what way it should be changed and that they are not anywhere close to implementing any changes. Councilman Phillabaum stated that this is a police matter and by having open discussions it jeopardized the investigations that was happening. Councilman Barrick stated that anytime that it was the recommendation of Council that if there is an issue that 911 should be called so that it creates a file and that there are other actions which builds a better case. Ms. Kern asked if there will be something for a repeat offender Ordinance. Councilman Cholock stated he does not know how the Borough could have a repeat offender Ordinance. Mayor Bailey stated that this goes back to the landlord Ordinance that was previously discussed and trying to adopt something similar to what Scottsdale has where if there are repeat offenders, they have the option to go after the landlords; and it would be in hope that the landlords would be more aware or cautious of who they are putting in their rental properties. Councilman Phillabaum stated that it has been ruled inadmissible in a higher court and that we can add it to our Ordinance; but if it goes to the magistrate and/or higher court they will rule it inadmissible. Mayor Bailey said that we are trying to make the neighborhoods better but the Ordinance committee has not decided if it is something they want to do or if it will stand up in court. Councilwoman Wojnar stated that the current Ordinance that we have has been court tested and that is one of the reasons why changing the Ordinance has not moved any further because the one that Scottsdale has is not court tested, so if the Borough were to adopt it, it does not mean that it will stand up or help anything. Councilman Cholock stated that we do need to rid up the nonsense. Ms. Kern stated that it is going to make it harder to clean up the town if something isn’t done early and that this town is turning into Jeannette. Councilman Phillabaum stated that was not a fair statement because of one or two people. Councilwoman Stevenson stated that she would like Ms. Kern to know that there is no one in this room that does not have a deep regard for the distress that this situation causes you. The Borough Council is not omnipotent and that we aren’t saying that your situation is one of them and that people have often stood at the podium with some complaint or another about their neighbor that we have to say that you have to work that out with your neighbor and were their actual laws being broken it is up to the Police to enforce those and the only way to know about that is by people calling 911. Councilwoman Stevenson also said that the people in this room are not powerful to solve all problems that occur in the neighborhood and that she is not trying to make light of the situation and also that not everything that annoys you is illegal. Ms. Kern stated she feels that nothing will be done about the situation and feels bad for the officers that have to respond continuously. Mayor Bailey said to never feel bad about having to contact 911. That is why the Borough has a police department and

bottom line is to continue to contact 911. Councilman Cholock stated that maybe the homeowner should be contacted every time our Police respond there. Mayor Bailey suggested Police Chief Grippo reach out to the homeowner. Solicitor Istik stated that we will continue to see what we can do and, in the meantime, we will have our Ordinance committee see if they can do anything and keep this under advisement and move it along. We will have our Public Safety Chair reach out to Police Chief Grippo and see what he can also do.

**Mayor’s Report:**

Mayor Bailey gave the following report:

- Attended the library board meeting on Wednesday April 5, 2023. They sent over to the Borough the 2019, 2020 and 2021 Financial Statements. Councilwoman Stevenson stated that a financial statement is not the same as an audit. Mayor Bailey agreed and said that there is one audit with the items that were sent to the Borough and that they do a review every year and only do an audit every three (3) years. They have also sent a copy of the bond that they currently have, which is a \$10,000.00 bond.
- Attended the 250<sup>th</sup> Anniversary Celebration for Mount Pleasant Township along with Council President Ruskowski, Councilwoman Barnes, Assistant Borough Manager Lesko and Councilman Phillabaum.
- Attended Medic 10 meeting on Wednesday, April 12, 2023.
- Extended deepest sympathies to the fire department and family on the loss of Fire Chief Mark Kraisinger and also to Councilman Barrick for the loss of his father-in-law.

**Solicitor’s Report: None.**

**Treasurer’s Report:**

Councilwoman Stevenson read the following Treasurer’s Report for the month of March 2023

<b>Mt. Pleasant Borough Treasurer's Report</b>		<b>Mar-23</b>			<b>Balance</b>
		<b>Prev Bal</b>	<b>Deposits</b>	<b>Disbursements</b>	<b>2023</b>
General Fund Checking	Scottdale Bank 19069335	836,752.68	143,047.79	109,704.68	870,095.79
General Fund Budgetary Reserve	Standard Bank 321615	995,990.48	2,905.56	0.00	998,896.04
**Police	48,591.82				
**Streets	157,131.00				
**Contingency Fund	343,095.71				
**Infrastructure	206,588.62				
**Workers					
Compensation	50,000.00				
**BOMP Gas Wells	25,262.20				
** Frick Park Gas Well	27,520.33				
**Levins	0.00				
**Fire	3,400.00				
**K-9	13,828.76				
**Medic 10	100,000.00				
**Marcellus Impact Fee					
Act 13	23,477.60				
Police Parking Tickets & Meters	Scottdale Bank 1026616	27,130.12	1,967.23	0.00	29,097.35
Escrow Account	Scottdale Bank 19069343	4,431.21	0.00	0.00	4,431.21
Liquid Fuels / Scottdale Bank	Scottdale Bank 19123645	115,089.03	129,194.69	0.00	244,283.72
Monument CD	Standard Bank 446635	7,382.80	0.00	0.00	7,382.80

Payroll Fund	Scottdale Bank 19069350	25,719.05	50,990.65	74,624.89	2,084.81
Veterans Park Fund	Somerset Trust Co 2003058309	25,387.84	2.37	0.00	25,390.21
Veterans Military Banners Fund	Somerset Trust Co 2004522337	2,275.82	0.14	1,225.00	1,050.96
Storm Water Retrofit Phase II	Scottdale Bank 19069368	1,229.59	1.29	0.00	1,230.88
ARPA Covid-19 (American Rescue Plan Act)	Scottdale Bank 19123652	446,244.31	469.96	0.00	446,714.27
Standard Bank CD	Standard Bank 432243	215,254.60	0.00	0.00	215,254.60
Scottdale Bank /MidPenn CD	Scottdale Bank 318012650	53,527.71	0.00	0.00	53,527.71
Standard Bank CD (200yr Anniversary)	Standard Bank 6677418044	54,243.17	0.00	0.00	54,243.17
<b>Total General Fund Balance</b>					<b>2,953,683.52</b>
Medic 10 Checking	Scottdale Bank 19069533	230,645.06	51,461.14	102,720.67	179,385.53
Medic 10 Savings	Scottdale Bank 19069723	51,143.27	53.86	0.00	51,197.13
Medic 10 Money Market	Scottdale Bank 19069376	6,055.39	6.38	0.00	6,061.77
Medic 10 Pittsburgh Foundation	Standard Bank 0000358253	10,616.50	30.97	0.00	10,647.47
Medic 10 CD	Standard Bank 371917	19,458.71	0.00	0.00	19,458.71
Medic 10 CD	Standard Bank 410053	5,269.88	0.00	0.00	5,269.88
<b>Total Medic 10 Fund Balance</b>					<b>272,020.49</b>
WWT Capital Reserve Account	Scottdale Bank - 19123702	896,033.89	943.66	0.00	896,977.55
Capital Reserve M. A. Savings Acct	Somerset Trust Co 2004521230	463,116.40	1,376.66	0.00	464,493.06
Oceanview Annuity CD	Scottdale Bank - MidPenn	3,088,600.02	0.00	0.00	3,088,600.02
Standard Bank CD WWT Cap.Resv	Standard Bank 464569	0.00	0.00	0.00	0.00
Scottdale Bank /MidPenn CD WWT Cap. Resv	Scottdale Bank 318015215	201,508.38	0.00	0.00	201,508.38
Athene Annuity CD (created Jan. 2021)	Somerset Trust	514,605.11	0.00	0.00	514,605.11
<b>Total WWT Balance</b>					<b>5,166,184.12</b>
<b>Total Borough funds</b>					<b>8,391,888.13</b>

Councilwoman Cynthia Stevenson / Secretary  
Sharon Lesko

A Motion was made by Councilwoman Lasko to accept the March 2023 Treasurer's Report.  
Motion seconded by Councilman Barrick. Motion carried 9-0.

### Borough Manager's Report:

Council President Ruszkowski gave the following report:

- Assistant Borough Manager Lesko is away and Council President Ruszkowski was in the office answering phones.
- There was a call about burning leaves in a fire pit. Residents are not permitted to burn in the Borough. Mayor Bailey stated that the Borough does not have an official Ordinance however we are under the Westmoreland County Burning Ordinance. Mayor Bailey stated that former Mayor Lucia / Fire Chief would say if you want to burn in a firepit for an evening entertainment campfire that the flame could not be any higher than 5 inches. You cannot burn rubbish, trash, leaves, grass clippings, logs, or paper.
- The yard sale dates are correct. Saturday and Sunday May 13, and 14, 2023.

### **President's Report:**

A Motion was made by Councilman Cholock to appoint Ken Phillabaum to serve as the voting delegate at the annual PSAB Conference in June 2023. Motion seconded by Councilwoman Czekanski. Motion carried 9-0.

A Motion was made by Councilman Cholock to hold an executive session. Motion seconded by Councilman Phillabaum. Motion carried 9-0.

A Motion was made by Councilman Phillabaum to reconvene. Motion seconded by Councilwoman Stevenson. Motion carried 9-0.

President Ruszkowski stated that the executive session was held from 7:41pm to 8:01pm to discuss personnel issues.

### **Property Report:**

Councilman Barrick gave the following report:

- The gazebo project documents have been sent to Assistant Borough Manager Lesko to send for advertising of bids.

Councilman Cholock asked if there are plans for McCali Manor that recently burned on Main Street. Mayor Bailey reported that K2 Engineering has had discussions with the owner and that she was warned by him, the Fire Marshall and Police that she should not go into the building and that it was unsafe; however, because she is the owner of the property, we cannot keep her from going in there. She was advised that she needed to secure the property so others cannot get inside. K2 Engineering will be sending her a formal letter.

### **Streets / Stormwater Report:**

A Motion was made by Councilman Phillabaum to award the paving bid to Derry Construction in the amount of \$173,642.00 for the 2023 Street Paving Project which will be paid from the liquid fuels account. Motion seconded by Councilman Cholock. Motion carried 9-0.

A Motion was made by Councilman Phillabaum to purchase a 2023 Load Rite 5.5x11 utility trailer from Smouse Trucks and Vans in the amount of \$2,832.00 which will be paid from the Budgetary Reserve – Streets. Motion seconded by Councilman Cholock. Motion carried 9-0.

### **Parks & Recreation:**

Councilwoman Lasko gave the following report:

- Assistant Borough Manager Lesko spoke with Bob Regola regarding an engineering study for the Frick Park hillside. Mr. Regola and Assistant Borough Manager Lesko would like to bring in Gibson Thomas Engineering for this. Mr. Regola will facilitate a meeting with Gibson Thomas Engineering to get this project under way. The plan is to have a rolling hillside. Councilwoman Lasko thanked the street department for putting up the fencing.
- Will be meeting with Assistant Borough Manager Lesko to begin discussions on ordering some playground equipment for Medic 10 Park and Jack Bobbs Park.
- Councilwoman Lasko stated that she will look into possibly using some of the funds from the gas wells and the Marcellus Shale Act 13 funds to use at the parks depending on what the criteria is for using the funds. There was also \$80,000.00 set aside to use for the parks, pavilion and equipment from the Capital Reserve WWT funds.

Council President Ruszkowski reported that there are four (4) lights at the Frick Park that need the ballast replaced. These lights are used for softball night games and evening events that are held there. The Borough will pay for the lighting ballast and Joe Siska will fix them at no cost.

Council President Ruszkowski stated that there was a message from Bob Regola today that he would like to come with Gibson Thomas on April 27, 2023 at 1:00pm to go over Frick Park hillside and the dog park.

### **Public Safety Report:**

A Motion was made by Councilman Cholock to purchase a 2023 Transit AWD Ambulance and Stryker ProCare Pro-Power Stretcher and ProCare Power-load, includes maintenance agreement at a total cost of \$201,366.15 from the ARPA Covid-19 money. Motion seconded by Councilman Phillabaum. Motion carried 9-0.

A Motion was made by Councilman Cholock to hire Olivia Harshell as a full-time police officer at the full-time rate of \$20.50 pending physical and background check.

Councilman Cholock and Councilman Phillabaum asked for a roll call vote to hire Olivia Harshell as a full-time police officer at the full-time rate of \$20.50 pending physical and background check.

The roll call vote was as follows:

- |                                |     |
|--------------------------------|-----|
| • Councilwoman Barnes          | No  |
| • Councilwoman Czekanski       | No  |
| • Councilman Cholock           | Yes |
| • Councilman Phillabaum        | Yes |
| • Councilman Barrick           | No  |
| • Councilwoman Lasko           | Yes |
| • Councilwoman Stevenson       | No  |
| • Councilman Wojnar            | No  |
| • Council President Ruszkowski | Yes |

Motion failed to hire Olivia Harshell as a full-time police officer by a vote of 5 No and 4 Yes.

### **Veterans Park:**

Councilwoman Barnes gave the following report:

- Continuing work on the Veterans' banners and they now have a total of 22 Military banners applications.
- Have received donations from 2 banks so far.
- If Spectrio still has an office in Pittsburgh, Councilwoman Barnes will be going there to ask them for an update in person.

Councilman Phillabaum stated that the digital wall is now flashing.

### **Ordinances:**

Councilwoman Wojnar gave the following report:

- Asked if Council would like to look further in to creating a burning ordinance. Mayor Bailey stated that if we could have one that addresses times, length and fire height. Mayor Bailey stated that we use the Ordinance that is governed by the County. However, it doesn't address firepit burning, length of time or what hours for burning, height of flame.

- If you see people burning rubbish, brush, trash, anything other than a small backyard campfire you should call 911. Anyone having brush or limbs that need picked up can contact the street department and they will pick it up.

Councilwoman Wojnar asked if this something that they want her to spend time on looking into a fire ordinance. Councilman Cholock stated that he believes that they should; however, he does not believe that they should be putting a time on it.

- The second Ordinance is an ATV ordinance and is it something Council wants to pursue.

Councilman Cholock agreed that it is something that we should look in to. Councilwoman Stevenson didn't think that it was something that should be pursued and goes back to her theory of not everything that annoys you is illegal and that because you have neighbors that aren't so nice or does things that are annoying doesn't mean that they are breaking the law. Councilwoman Lasko stated that she saw them going down Eagle Street. Councilwoman Stevenson stated that if they are on the street, they can be arrested.

Councilwoman Wojnar stated that she will look into it and see if she can find some information on ATV Ordinances.

- The next Ordinance would be the one that addresses parking on one side of the street on South Hitchman.

Mayor Bailey stated that the Ordinance was never enforced and she had received a few complaints. Councilman Phillabaum stated that the complaint regarding the trailer has been rectified and it is gone and the other complaint was a gentleman parking his truck where the garbage truck could not make the turn off of Braddock onto South Hitchman without running in a resident's yard. Councilman Phillabaum stated that last week the truck was gone; however, the yellow lines should be painted. Councilman Phillabaum said that he does not like the idea of punishing someone that has parked in the same spot for 50 years because all of sudden we are going to enforce this Ordinance after all of these years. Councilman Phillabaum believes that the curb should be painted yellow to avoid parking where the garbage truck needs to turn and leave the parking as it is now on both sides. Mayor Bailey stated that if you want them to be able to park on both sides of the street then the Ordinance needs changed. Councilman Phillabaum stated that this is basically because the garbage truck cannot make the turn on Wednesday. Councilwoman Wojnar stated that we could prevent the issue if that curb is painted yellow.

Council President Ruszkowski reminded Council that there are other streets within the Borough that has parking limited to one side or the other that is not being enforced. Councilwoman Stevenson stated that this begins to sound like a giant can of worms that is being opened.

**Human Resources: None.**

**Finance / Grants Report: None.**

**New Business: None.**

**Reading of Communications: None.**

**Discussion and Payment of Bills:**

A Motion was made by Councilwoman Lasko to pay all authorized and approved bills. Motion seconded by Councilwoman Stevenson. Motion carried 9-0.

**Public Comment: None.**

**Miscellaneous and Adjournment:**

A Motion was made by Councilwoman Lasko to adjourn the meeting. Motion seconded by Councilman Phillabaum. Motion carried 9-0.

**Meeting Adjourned 8:47pm.**

Respectfully Submitted,

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Sharon Lesko  
Assistant Borough Manager

BOROUGH OF MOUNT PLEASANT

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Susan Ruszkowski, Council President

### Motions from Meeting of April 17, 2023

A Motion was made by Councilwoman Stevenson to approve the minutes of April 3, 2023 since Council has been provided with a copy. Motion seconded by Councilwoman Lasko. Motion carried 8-0.

A Motion was made by Councilwoman Lasko to accept the March 2023 Treasurer's Report. Motion seconded by Councilman Barrick. Motion carried 9-0.

A Motion was made by Councilman Cholock to appoint Ken Phillabaum to serve as the voting delegate at the annual PSAB Conference in June 2023. Motion seconded by Councilwoman Czekanski. Motion carried 9-0.

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| • Councilman Cholock           | Yes |
| • Councilman Phillabaum        | Yes |
| • Councilman Barrick           | No  |
| • Councilwoman Lasko           | Yes |
| • Councilwoman Stevenson       | No  |
| • Councilman Wojnar            | No  |
| • Council President Ruszkowski | Yes |

Motion failed to hire Olivia Harshell as a full-time police officer by a vote of 5 No and 4 Yes.

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