

## Meeting July 5, 2023

The meeting of Mount Pleasant Borough Council was called to order by President Ruskowski 7:00pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said. President Ruskowski asked Borough Manager Lesko to take roll call. Councilpersons present included Barnes, Czekanski, Phillabaum, Barrick, Lasko, Stevenson and Wojnar. Mayor Bailey and Solicitor Istik were present. President Ruskowski stated that a quorum is present.

A Motion was made by Councilwoman Stevenson to approve the minutes of June 5, 2023 since Council has been provided with a copy. Motion seconded by Councilwoman Wojnar. Motion carried 8-0.

**Speakers: None.**

### Public Comment:

- Joe Bauer of North Geary Street, Mt. Pleasant PA asked if the Fire Department audits have been completed. Borough Manager Lesko stated that the audits are not completed including the Borough Audit. Mr. Bauer asked when the Fire Department audit is completed would he be able to review it. Solicitor Istik stated when it is complete copies would not be handed out to anyone; but it will be available for anyone to review.

### Mayor's Report:

Mayor Bailey gave the following report:

- Attended the library board meeting on June 7th. Library director Heidi Leeper will be leaving. She is getting married, moving East and has accepted a new position. The board has a plan and will be working to move forward in the interim. They will be posting for applicants for the director position.
- Mayor Bailey presented a certificate of appreciation from the library to councilwoman Cindy Wojnar for her help in the story garden.
- Attended the Mount Pleasant rotary luncheon on Wednesday June 14th and reported on many things happening in Mount Pleasant. Mayor Bailey thanked their organization for putting up the flags to line Main Street during specific holidays.
- Attended the BDA meeting on Tuesday June 20th
- Attended the borough safety meeting on Wednesday June 21st
- Farmers Market is now up and running. It is held on the 1st and 3rd Wednesday of each month from 4:00 p.m. to 7:00 p.m.
- Did some volunteer work along with Councilman Phillabaum for the Mount Pleasant Fireman's Festival.
- Had a great July 3rd Party in the Park. It was very successful and had a great crowd. Mayor Bailey thanked everyone involved with making it a success.
- Parking meters have been all pulled calibrated and recertified. They are installed now.

Mayor Bailey read the Mount Pleasant Police Dept. Report for the month of May 2023:

The Department answered the following calls:

Incidents	151
Criminal Arrests	3
DUI Arrests	0
Parking Tickets Issued (Boro)	25
Traffic & Non-Traffic Citations	50
Assist Other Departments (Police Fire EMS)	15
Accidents Investigated	5

Income

Parking Tickets	\$0.00
Parking Meters	\$0.00
Fees for Police Reports	\$50.00
Clerk of Courts	\$487.55
District Court	\$711.94
Parking Permit	\$0.00
DUI Task Force Refund	\$0.00

Total Revenue \$1,199.49

**Solicitor's Report: None.**

**Treasurer's Report:**

Councilwoman Stevenson read the following Treasurer's Report for the month of April 2023:

**Mt. Pleasant Borough Treasurer's Report**

**May-23**

		<b>Prev Bal</b>	<b>Deposits</b>	<b>Disbursements</b>	<b>Balance 2023</b>
General Fund Checking	Scottdale Bank 19069335	950,380.38	312,726.42	124,469.52	1,138,637.28
General Fund Budgetary Reserve	Standard Bank 321615	1,001,856.73	4,660.22	0.00	1,006,516.95
**Police	48,591.82				
**Streets	157,131.00				
**Contingency Fund	349,143.56				
**Infrastructure	206,588.62				
**Workers					
Compensation	50,000.00				
**BOMP Gas Wells	26,389.77				
** Frick Park Gas Well	27,965.82				
**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	29,125.03	1,126.67	0.00	30,251.70
Escrow Account	Scottdale Bank 19069343	4,440.10	4.98	0.00	4,445.08
Liquid Fuels / Scottdale Bank	Scottdale Bank 19123645	244,516.09	273.80	321.11	244,468.78
Monument CD	Standard Bank 446635	7,382.80	0.00	0.00	7,382.80
Payroll Fund	Scottdale Bank 19069350	2,088.59	60,905.35	60,900.94	2,093.00
Veterans Park Fund	Somerset Trust Co 2003058309	25,392.51	2.37	0.00	25,394.88
Veterans Military Banners Fund	Somerset Trust Co 2004522337	1,051.06	3,125.19	1,400.00	2,776.25
Storm Water Retrofit Phase II	Scottdale Bank 19069368	1,232.05	1.38	0.00	1,233.43
ARPA Covid-19 (American Resuce Plan Act)	Scottdale Bank 19123652	447,139.20	501.29	0.00	447,640.49
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>3,233,866.12</b>
Medic 10 Checking	Scottdale Bank 19069533	174,599.71	80,544.68	57,036.47	198,107.92
Medic 10 Savings	Scottdale Bank 19069723	51,245.83	6,131.79	0.00	57,377.62
Medic 10 Money Market	Scottdale Bank 19069376	6,067.54	4.12	6,071.66	0.00
Medic 10 Pittsburgh Foundation	Standard Bank 0000358253	10,679.03	32.88	0.00	10,711.91
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>290,926.04</b>
WWT Capital Reserve Account	Scottdale Bank - 19123702	888,110.29	995.66	0.00	889,105.95
Capital Reserve M. A. Savings Acct	Somerset Trust Co 2004521230	465,901.81	1,460.12	0.00	467,361.93
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>5,161,181.39</b>
<b>Total Borough funds</b>					<b>8,685,973.55</b>

Councilwoman Cynthia Stevenson / Secretary  
Sharon Lesko

A Motion was made by Councilwoman Czekanski to accept the May 2023 Treasurer's Report. Motion seconded by Councilman Phillabaum. Motion carried 8-0.

### Tax Collector's Report:

Assistant Borough Manager Lesko read the following report for the month of June 2023:

Property Taxes	\$ 26,126.21
Supplemental Taxes	\$ 0.00
Per Capita Taxes	<u>\$ 0.00</u>
Total Collected	\$ 26,126.21

### Tax Collector's Report:

Assistant Borough Manager Lesko read the following report for the month of May 2023:

Property Taxes	\$ 10,500.27
Supplemental Taxes	\$ 0.00
Per Capita Taxes	<u>\$ 0.00</u>
Total Collected	\$ 10,500.27

### Borough Manager's Report:

Borough Manager Lesko gave the following report:

- Met with Police Chief Grippo and Ron Frinfrock of Bridgeport Technology regarding security cameras for the parks and at the borough building.

- Met with Councilwoman Czekanski regarding the requirements for the secretary position and the ad. The ad was placed on the website, facebook and indeed. Applications/Resumes are coming in. Will begin to conduct interviews next week.
- Met with China Pallido of Somerset Trust. She delivered the donation money towards the fireworks.
- Met with Doug Siler of Gibson Thomas Engineering and Jeff McGuinness to prepare for the DEP MS4 Stormwater Audit. Met with Lisa Milsop on June 30, 2023, auditor for the DEP MS4 Stormwater Audit, along with Jeff McGuinness and Doug Siler. The audit took approximately 2 inside going over all of the paperwork and documentation and an additional 1 hours out in the field with Jeff McGuinness and Doug Siler.
- Met with Councilwoman Stevenson and Council President Ruszkowski regarding the annuities and the bank accounts. We had 2 annuities and since former Borough Manager Landy's passing, they have been closed and placed into a new annuity. Interest rate almost doubled from what it was. The new interest rate will be 5.45%. We would use this interest annually to help balance the budget. The amount was approximately \$88,000.00 in interest prior to this new rate. We will now receive approximately \$160,000.00 annually. We do not have to take all of it. We can let some of it roll over and collect additional interest from that.
- Met with Council President Ruszkowski, Councilman Phillabaum and Jeff McGuinness at a resident's home on South Geary Street regarding an issue with a fence. The Borough hired a contractor to repair a stormwater pipe next to his residence. The fence was removed by the contractor to do the work; however, it was not put back to the resident's satisfaction. The contractor had gone back to fix the fence twice; however, the fence is leaning and was not put back to the way it was. The resident said that the contractor will not answer his calls and he would like the fence put back the way it was. Councilman Phillabaum stated that this was approximately two (2) years ago.

Mayor Bailey asked to speak on this and responded by saying that the resident had called because he had a sink hole in his yard which was caused by a tin whistle pipe that had rotted out and he was right the yard was sinking but it wasn't his yard. Mayor Bailey stated that he had taken over the Borough right of way with his fence behind our right of way. Borough Manager Lesko stated that if somebody had come back and repaired her fence the way that his was repaired, she would be upset. Mayor Bailey stated that the fence repair was not paid for by the Borough and that the repair was paid for by the homeowner and that he and the contractor are friends and the contractor did it as a favor for him. Borough Manager Lesko stated that the agreement was to be put back to the way that it was. Mayor Bailey said that the agreement was between the contractor and the homeowner and not the between the Borough and the homeowner. Mayor Bailey stated that we subbed the work out to repair the pipe and it had nothing to do with the fence and that the fence was between the homeowner and the contractor and it was explained before the fence come down, unfortunately there is nothing in writing. The Borough did not pay the contractor to take down and put the fence back up. Borough Manager Lesko asked if the Borough told the homeowner that everything would be put back the way it was. Mayor Bailey said "no, that was between the homeowner and the contractor".

Council President Ruszkowski said that she believes that he asked will my yard be the way that it was and we said yes.

Mayor Bailey said that his fence is on the other side of our right-of-way and his fence should be on the inside of the right-of-way. Mayor Bailey continued by saying if you go down South Geary Street and look between South Geary Street backyards and Joseph Street, there is a right-of-way between those back yards and you will see that approximately 99.9% of the residents have encroached on the Borough right-of-way so if we have a problem further down the right of way and someone has a shed on it what are we going to do. Mayor Bailey said that this homeowner was to have the contractor move the fence behind the right of way for him. Mayor Bailey said that the contractor was to

take the fence down so he could get his equipment in to make the repair. Mayor Bailey said when we spoke with the contractor, we said this fence is over our right of way, it really belongs on the inside of the right of way, it needs to come down, that's between you and the homeowner. Councilman Phillabaum said that the homeowner is saying one thing and the contractor is not returning calls. Mayor Bailey said because the contractor has been there to repair the fence and she talked to the contractor and he said he is not going back. Council President Ruszkowski stated that it doesn't look good. Councilman Phillabaum said that the way it was put up is sloppy. Mayor Bailey said she is not disagreeing with that and she agrees it does look bad. Mayor Bailey said that her point is that the contractor and the homeowner were told exactly who was responsible for the fence and that agreement was between those two (2) people. The Borough was not involved in that other than it needed to come down to take care of repair the work there because he was over top of the right of way and there was no way to get in there to repair it. Mayor Bailey asked Councilwoman Barnes if she remembered this and she said she did.

Councilman Phillabaum stated that the resident has a different variation of the issue. Council President Ruszkowski asked Councilman Phillabaum what his solution is. Councilman Phillabaum said that he would like to have Jeff McGuinness of the street department go there and put the fence back as it should be. Councilwoman Stevenson asked if we are putting it where it belongs or where it was. Councilman Phillabaum said put it back the way it is supposed to be. Mayor Bailey asked if it is going to be over top of the right of way or inside the right of way. Councilman Phillabaum stated that where the fence is now and that the fence has been located there for approximately 20 years Councilwoman Czekanski stated that she believes that the fence should go where it is supposed to be and not where it was.

Councilman Barrick stated that if the fence is on the Joseph Street right of way it needs to be removed from the Joseph Street right of way. Councilman Barrick stated that the pipe does not have a right of way and it goes underneath all of those homes and it doesn't show any type of easement. The pipe is everyone's responsibility. It is not the Borough's.

Mayor Bailey responded, "ok, then we were kind enough to go in and repair it".

Councilman Barrick stated that at least on tax maps, it doesn't show a paper alley there.

Mayor Bailey stated that the neighbor was fortunate enough to only have a flower garden. The Borough dug up part of their flower garden and they understood that when we backfilled it that we were not replanting flowers.

Councilwoman Ruszkowski asked how many feet of the fence was taken down. Councilman Phillabaum took pictures and stated that there were 4 panels. Councilwoman Stevenson asked why is it the Boroughs job to move the fence. Councilman Phillabaum stated that we contracted someone to move it. Mayor Bailey stated "No, we did not, he did". Councilman Phillabaum said that is the resident's story. Mayor Bailey said that Councilwoman Barnes and Council President Ruszkowski was there and that there were aware of the agreement.

Council President Ruszkowski stated that the agreement was that he would take down only the amount of fence that needed to come down and that it was only a couple of sections. Borough Manager Lesko asked, and it was to be replaced to the way it was? Council President Ruszkowski responded "yes".

Councilwoman Stevenson asked why was it agreed to replace it to the way it was if where it was is illegal? Council President Ruszkowski said because it never came up about where it was. That never happened.

Mayor Bailey said the agreement was between the homeowner and the contractor to take the fence down and then between the homeowner and the contractor to put the fence back up, but there was no discussion as to where the fence was to go.

Councilman Phillabaum asked if this is in writing anywhere. Mayor Bailey said it is not.

Councilwoman Stevenson asked if there was any conversation with the homeowner to say you put your fence in the wrong place. Council President Ruszkowski said “no”. Mayor Bailey said he was told that he was over the right of way. Councilwoman Stevenson asked who told him. Mayor Bailey said that she told him. Councilwoman Barnes was there and Council President Ruszkowski was there and Mr. McGuinness was there. Councilwoman Stevenson asked if the homeowner is pretending that he was not told that.

Councilman Barrick asked Mayor Bailey if she informed him 2 weeks ago or was it 2 years ago. Mayor Bailey said 2 years ago. Councilman Phillabaum said that it was voted on in May of 2021. Council President Ruszkowski said that was to pay the bill for the work. Councilman Phillabaum said the work just didn’t get done right because part of the agreement was to put the fence back. Mayor Bailey said “No!” The agreement was not to take the fence down or put the fence up. The agreement was to get into our easement and fix the pipe. The agreement was between the homeowner and the contractor. The Borough had nothing to do with the fence. Councilwoman Wojnar asked if we have anything in writing with the contractor stating the scope of work. Mayor Bailey said we do not and she does not know what his bill said; it was to repair the pipe. Councilman Barrick said that is probably all it said. Mayor Bailey said probably because contractors don’t want to put any more detail in than they absolutely have to.

Council President Ruszkowski said the resident is asking us to put some concrete in where the posts are holding his fence up. Borough Manager Lesko said that the fence is not straight and falling.

Councilwoman Stevenson asked Councilman Phillabaum if he feels that we have an obligation to do this. Councilman Phillabaum said I feel we should do right by him. Councilman Phillabaum said that we sent a guy to do the job. Mayor Bailey said to talk with the contractor and she can get him on the phone if need be. Councilman Phillabaum stated that he will pay for this out of his own pocket. Solicitor Istik stated that it is not our obligation to fix the fence. Councilwoman Stevenson said if the fence was in the right place to begin with none of this would happen. Councilwoman Ruszkowski said that no you are wrong. Councilman Phillabaum asked who is responsible for the pipe. Councilman Barrick said that if there is no easement for the pipe, the pipe is not ours. The pipe flows all the way through the plan of homes from Church Street all the way to the plan where it is not within our right of way, it is not our problem. It is going to fall apart. It is 40 years old. Councilman Barrick stated that Council should have discussed it and voted whether to go on private property and fix the pipe. Mayor Bailey said that they did not use private property because they were told by the Borough Manager then that it was our easement and our responsibility. Councilman Barrick said that unless someone can show it that each one of those homes have an easement on their deeds, it doesn’t show up on the tax map.

Mayor Bailey asked what happens down the road if we have a blockage or sink hole or something in that tin whistle pipe that is 40 or 60 years old that’s on what Mike is saying probably these people’s property. Is it their responsibility and not ours since it is stormwater that is running through there. Councilman Barrick said that it was the developer’s pipe to pipe the stream through the properties. Solicitor Istik said if it is not our pipe then we are not responsible for it. Councilwoman Stevenson said that we did work on a home that was behind former Mayor Lucia’s home. Mayor Bailey and Council President Ruszkowski said that is where they sleeved the pipe that went under a driveway. Solicitor Istik said that is two so we are setting a bad precedence by working

on a pipe that is not ours. Mayor Bailey said that is because we were told it is ours. Councilman Barrick said if you took ownership of the street. Councilman Phillabaum agreed and said you then took ownership of the project. Councilman Barrick agreed. Councilman Barrick stated that we will need to look at the original plans for that development. Councilman Phillabaum said to resolve this we could have a guy go down and spend 2 hours to fix the fence. Councilman Barrick asked what happens in two years from now. Councilman Phillabaum stated that we already took ownership of the pipe by fixing it. Mayor Bailey said that we have done 2 areas now. Solicitor Istik said that anyone can make that argument now. Councilman Phillabaum said that we took ownership and we now have to do right by this. Councilman Barrick stated that the pipe goes all the way to Gary's Garage and it needs to be replaced and that we should be planning to replace it with a new line, replacing it with a plastic, sleeving with a plastic.

Councilwoman Stevenson asked if our solicitor should research the subdivision and deeds and that it is possible, if it is not the Borough's, that we need to make it clear to the people that live there that we are done fixing that pipe. Councilman Barrick stated that with a stream flowing through this pipe that this should be a stormwater responsibility for the Borough. Councilman Barrick said that there is a storm pipe that flows from Diamond Street to Hitchman Street and that storm pipe carries a creek in it. It flows between Howard Street and Warden and it daylights by Mr. Miele house and the Borough is responsible for that; it is in an alley. This particular plan doesn't have an alley that is the only problem. Councilman Barrick said that he can see both sides; but they need to decide as a group what they are going to do. Councilwoman Lasko said that if it is not repaired as a whole and it gets piece milled together that is not a solution. Councilman Barrick agreed.

Resident Joe Bauer spoke and stated that when he was President of Council there were a couple issues, one on Anne Street and the house on the corner, that was fixed by the Borough. There was another one that ran across the street in front of another gentleman's home that the driveway was sinking and that was sleeved, which cost approximately \$50,000.00 and they had to replace the driveway because he wasn't happy with the patch. Mayor Bailey said that they come to an agreement with that gentlemen that he split the cost to pave the whole driveway.

Mr. Bauer said that when the whole line was camera'ed, the pipe was only rotting on the bottom. Mayor Bailey said that we have then done the resident a favor by fixing the pipe. Mr. Bauer said that he believes you have already set a precedence by all the others that were repaired.

Councilman Phillabaum said that he got with the street department committee after meeting with the resident to see the situation and the sloppy work that was done and informed them, he would like to do right by this and the committee agreed and now Council is disagreeing with the committee. Councilwoman Stevenson asked to define do right by him. Councilman Phillabaum responded by saying put his fence back to the proper way that it was before the work was done. Council President Ruszkowski stated not take the fence down, but to put cement in the post holes to stabilize the posts that are holding the fence up where it is. Councilwoman Stevenson said that she doesn't believe that if we have made a mistake by dealing with these issues in the past, that we would continue to keep dealing with them if it isn't a borough storm pipe and we do not need to compound the mistake.

Councilwoman Stevenson asked Solicitor Istik if she is suggesting that they vote on this one tiny isolated issue of repairing the fence or can we have a vote on going forward in the future to continue to compound our previous and current mistakes. Councilman Phillabaum asked Councilwoman Stevenson if she is agreeing that this was a mistake. Councilwoman Stevenson said it was clearly a mistake. Solicitor Istik said that the motion can be two-fold by making a motion to correct this problem now and in the future have a hardline or however they want to make the motion.

Councilwoman Lasko asked do we have any responsibility since we started this project and have, we set a precedence. Solicitor Istik said you are setting a precedence either way because you are setting a precedence that you are not going to continue to do this or you are going to entertain it, so one way or another moving forward you are going to set some sort of precedence depending on what determination you make. Councilwoman Lasko asked about this specific issue and do we have some sort of responsibility now since we had started the whole thing. Council President Ruszkowski stated that the contractor has retired and sold his business so he wouldn't be going back. Borough Manager Lesko said that the work that was done is a mess on the fence. Councilwoman Stevenson asked do we have a written agreement with the contractor. Mayor Bailey said that we have an invoice and a paid bill for the pipe repair. Councilman Phillabaum stated that if this is the case, Council took on a project that it shouldn't have; but at the end of the day, he feels that we should do right by the resident and put the fence back the way that it was. Councilwoman Lasko stated that we can only deal with the facts that we have for this particular one and then moving forward we can deal with the facts that the solicitor finds for us as to who is actually responsible.

Solicitor Istik stated that we should actually look and see what the invoice says and pull the previous minutes and bring the issue up at the next meeting in August. Councilman Phillabaum can put a motion on the agenda for the next meeting. Councilman Phillabaum stated that when Mayor Bailey was the chair of the street department, they took her recommendation of fixing this pipe; and, that if Council does not want to take his recommendation, then he should chair a different committee. Mayor Bailey stated that she went by the recommendation and information that was provided by a Borough official and that Councilman Phillabaum is going by the information of a resident.

- Reminded Council to look over the profit and loss budget vs actual and if they have any questions to please get with the Borough Manager.

Mayor Bailey stated that the police overtime budget is way over and we are only half way through the year. Mayor Bailey asked Solicitor Istik if we can begin the process of a looking for another fulltime officer even if the one officer did not resign from the parttime position. Solicitor Istik asked if we have retested. Mayor Bailey said that we did not because the department was under the impression that the resignation was needed beforehand. Solicitor Istik stated that we can retest because there was no one suitable on the last test and that the only candidate that was on the last test was disqualified and that there was a motion already made in regard to the particular persons employment as a fulltime officer and disqualified them. Solicitor Istik stated that you do not need to wait for a resignation and you can retest and hire. Solicitor Istik stated that Councilman Cholock and her looked up the regulations when it came to retesting and disqualification of a current list and made sure everything was valid and they had that conversation with Police Chief Grippo, so he should know that he can retest. Mayor Bailey stated the he was under the impression he had to wait for a resignation letter. Solicitor Istik said no, that he may wait forever for a resignation letter and that he can move forward. Borough Manager Lesko said that when Police Chief Grippo returns, she will meet with him and get the ad posted.

- There is a little movement on McCali Manor. After having discussions with Ms. Altman, she would like to save the block portion in the rear of the building. Ms. Altman stated that she has had discussions with the County Landbank and she said that they are willing to let that portion if she separates the buildings, and then go through the Borough to provide plans and certified engineering plans along with reports from a structural engineer stating that the block portion of the structure is safe and acquire the required permits. K2 Engineering sent a 15-day notice letting her know that she will be cited if she did not comply with the code violations that they have issued. Ms. Altman has received the letter and has reached out to the landbank letting them know that she has to move on it. There have been a few moving trucks and she is moving stuff out of the building. The landbank made her aware that they will not guarantee that the block building can stay. Ms. Altman has 15 days and the code and building officials can begin citing her.

- We had Gibson Thomas Engineering look at possibly putting a parking lot in where the vacant lot at the bottom of town known as the former Arevalo property. This is the location where former Borough Manager Jeff Landy wanted to put the sheds Gibson Thomas Engineering said that the lot was not large enough to justify the cost for a parking lot and it would only hold approximately 5 or 6 spaces and that they would have to be on an angle where cars would have to back out of there. The owner of Home Run Graphics reached out and would like to purchase the property so she can expand her business. Councilman Phillabaum reported that while he was at the PSAB Conference he learned of a program called a sidewalk sale or a side lot program where you can offer it to the neighboring property owners before putting it out to bid.
- There is a sprinkler system at Veterans Park that the water pressure is not strong enough to pop open the sprinklers to water the grass and plants and that this has been going since PennDOT redid Main Street. MAWC come in and checked the pressure and they said their numbers are right and there should be no problem. The gentleman that inspects the sprinkler system suggested a booster pump. The cost would be approximately \$1700.00 for the pump and the labor.

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

Council President Ruszkowski thanked everyone that came to the July 3<sup>rd</sup> Party in the Park. It was a beautiful evening with a big turnout, probably the most people that we have ever had. Thanked Councilwoman Czekanski and her committee with the VFW for doing the food stand. Councilwoman Czekanski said that it was a huge success and thanked Council for letting them do the food stand and that they were able to serve food until 10:00pm. The other vendor ran out of food at 8:30pm.

Discussed with Borough Manager Lesko about the possibility of going back to two (2) meetings a month in October and November while working on the budget. When making the schedule for next year, we will include those meetings.

### **Property Report:**

A Motion was made by Councilman Barrick to approve and execute the proposal of Ulery Architecture, LLC to rebid and to review potential add alternates for the gazebo renovation based upon an hourly not to exceed agreement not to exceed a cost of \$3,950.00. Advertising costs are not included. Motion seconded by Councilwoman Wojnar. Motion carried 8-0.

Councilwoman Stevenson asked if this is a lot of money for redoing the bid. Councilman Barrick stated that it is not due to him going to break the bid down, revise the sheets and be advertised. Borough Manager Lesko asked if the gazebo specs are going to be same as they previously were. Councilman Barrick said that he will be adding alternate options that can be omitted or accepted with the bid. Councilwoman Steveson said that architecture costs will be approximately 10% of the cost and wanted to know if this is in the ballpark where these costs should be. Councilman Barrick said that typically engineering and architectural costs are between 7% – 10% of the costs and that he is high because we will have to advertise it a second time and if you take into consideration the bids that were previously received at approximately \$200,000.00, he is not even close to the amount. Councilwoman Stevenson stated that he is at 10% of our budget. Councilman Barrick stated that the bids come in above and beyond the budget. Council President Ruszkowski said that in a previous email from the architect that there were a few things such as the roof and some of the lighting that we could cut possibly saving some of the costs; and are these things that he will be putting in the new specs for advertising. Councilman Barrick said that it is and that a few of the things that were discussed were the pillars and the brick on the pillars, the railing, anything from the bottom of the roof down would be new. The lighting in the ceiling, add alternate LED lighting, which he believes is what pushed the electrical costs over \$36,000.00, which the estimate was more like \$15,000.00 to \$20,000.00. The costs can only be determined by talking to electricians and the estimates are a guess. If we have the option of removing lights and have the can lights and replace them with LED and not have the reflective lighting, that is what is expensive. There are also lights under the railing which are expensive. These are things we can discuss and make them an option. We have committed to purchasing the

stained glass. Councilman Barrick stated that there will be a base bid with various options included in the bid.

Councilwoman Stevenson asked are we replacing the roof for aesthetic reasons or because it is in disrepair. Councilman Barrick stated it was for aesthetic reasons and to him the roof does not look bad. It was wishes of the former Borough Manager and that there are several things on the list that were wishes and when the prices came in, we have seen what those wishes are costing.

Council President Ruszkowski asked Council to make a decision on the last panel for the stained glass of the Indian. We are looking at the panel with the 2 Indians with the greenery behind them. The other was with William Penn and the natives. The gentleman doing the stained glass suggested the 2 Indians with the greenery. Councilwoman Stevenson said that he has put a lot of research into this and feels we should go with his suggestion. Council agreed to let him do what he feels is right. Borough Manager Lesko will let Mr. Davis of The Glass City in Jeannette know that Council agreed with his suggestion to do the 2 Indians with the greenery.

Council President Ruszkowski stated that Mr. Davis would like to do some sort of reveal once they have been put up. They would be covered with a covering that would be dropped to reveal them.

Councilman Barrick gave the following report:

- Asked if there were any updates to the Bridgeport Street subdivision. Solicitor Istik stated that she thought the copies were sent to her and Mr. Barrick. Councilman Barrick said that there were to be some revisions made to the plans, such as utilities and the subdivision showed 3 parcels instead of 2. Solicitor Istik said she would reach out to the surveyor.

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

A Motion was made by Councilman Phillabaum to close Main Street Route 31 from Braddock Road Avenue to Silver Street on September 23, 2023 from 12:30pm to 4:00pm for the Mount Pleasant Glass & Ethnic Festival Parade. Motion seconded Councilwoman Stevenson. Motion carried 8-0

A Motion was made by Councilman Phillabaum to close S. Diamond Street from Route 31 Main Street to Spruce Street and Washington Street from College Avenue to Hitchman from 10:00am September 21, 2023 to 11am September 25, 2023 for the Mt. Pleasant Glass & Ethnic Festival. Motion seconded Councilwoman Stevenson. Motion carried 8-0

A Motion was made by Councilman Phillabaum to close Route 31, Main Street from Braddock Road Avenue to Silver Street on Wednesday, October 25, 2023 from 6:00pm to 8:00pm for the 2023 Halloween Parade. Motion seconded Councilwoman Stevenson. Motion carried 8-0

Councilman Phillabaum gave the following report:

- St. Pius Church has requested closing Summit Street for their festival on July 23, 2023. The street department will drop off barricades for them to block it off.

#### **Parks & Recreation:**

Councilwoman Lasko gave the following report:

- Received a quote from Willy Goat for a few pieces of playground equipment for Medic 10 Park and Jack Bobbs Park. The street department will review to be certain that the equipment can fit in the area at the parks.
- Councilman Barrick coordinated a meeting on August 14<sup>th</sup> with Adam Maddis from the DCNR. The DCNR offers grants for planning for municipal open spaces, such as parks and playgrounds. We can put a planning grant together that would allow us to identify the equipment and put parks in rotation to possibly get funding to replace equipment when

needed. This way there will be a plan in place when new Council comes in, they can see what the plans are and what the scheduling suggests for future. You can then budget CDBG funds and possibly a DCNR grant, which is typically 50/50 and you use that money to purchase it. The plans will help to prepare for the funding. It could be possibly a \$15,000.00 or \$20,000.00 grant; you would match it. You would get a landscape architect or planner to put a plan together of all the community parks and their service areas and you can prioritize instead of shooting from the hip so to speak.

### **Public Safety Report:**

A Motion was made by Councilman Phillabaum to approve splitting the cost with the Volunteer Fire Department for the upgrades of the aerial tower fire truck bringing it up to NFPA Standards at a cost of \$16,891.99 from General Fund Budgetary Reserve – Fire Department line. The total cost of upgrades is \$33,783.98. Motion seconded by Councilman Barrick. Motion carried 8-0.

Paul Harenchar, Assistant Fire Chief, informed Council of what the NFPA Standards are and that they are mostly for safety, such as lighting, intercom systems, it helps to ensure the safety of any fireman on the truck. There are things that had to be disconnected to get it to pass inspection such as the intercom system that lets them talk from the ground to the person that is up in the aerial bucket of the truck. He would like to bring this all up to code while the truck will be at the manufacturer for repairs to the aerial tower.

Borough Manager Lesko reported that we have received the check from the insurance company to have the repairs completed.

Councilman Phillabaum read the following Fire Report for the month of June 2023:

Total Calls – 47  
In Town –17  
Out of Town - 30  
10-45's - 12  
Entrapments - 0  
Fires - 11  
AFA's - 20  
Hazardous Calls – 1  
Public Service Calls – 4  
Ambulance Assistance –2  
Aircraft Down-1  
Standby's – 0  
Turnpike Calls – 7  
Landing Zones – 0  
Drills – 0  
Total Members Answering – 490  
Avg. Member Per Call – 10

Council President Ruszkowski asked the solicitor about by-laws that were prepared for Medic 10 but no one received a copy. Solicitor Istik reported that Councilman Cholock asked her to prepare the by-laws for Medic 10 because the prior by-laws were actually voided in the minutes. She was asked to prepare a new set of by-laws, which she did, and he was to review them with changes before they were sent to Council. Council President Ruszkowski stated that the Board for Medic 10 did not even get to see or review them. Solicitor Istik said that Councilman Cholock was to make some changes and never got back with her. Solicitor Istik said that she would send them to the Board right away. Council President Ruszkowski stated that the Board would need to approve them and then bring them to Council.

## **Veterans Park:**

Councilwoman Barnes gave the following report:

- The Veterans banners are up. There are a few glitches that need to be resolved.
- There are a few banners that are twisted. Councilwoman Barnes stated that some of the bands on the poles are loose and need to be tightened.

Borough Manager Lesko reported that Jeff McGuinness had been working on the banners the last few days to get the banners straightened.

- Commander Zelenak's banner is being blocked by a tree. The banner is hung at the bottom of town in front of the former Arevalo property. The tree has been trimmed but it still is blocking the view of the banner. Councilman Phillabaum reported the Mr. Zelenak would like his banner moved down. Councilwoman Barnes said that she did not want to move it and that she wants the tree removed. Councilman Barrick said that there are heavy duty electric wires that come off of the dentists building and the tree is growing in to them.
- We have received 6 more banner applications, making a total of 8. Once StukUp Grafix prepares them, they will proof them and they will be sent to the printer.
- Councilwoman Barnes reported that when someone comes in to order a banner they will give the application, picture and payment to Borough Manager Lesko. She will prepare a copy for the office, for StukUp Grafix and the original goes to Councilwoman Barnes. Councilwoman Barnes will pick them up and take them to StukUp Grafix to be designed. Once that is complete, the Veterans Park subcommittee will pick up the proofs for the banners will proof read and verify that there are no mistakes. Once approved, they will notify StukUp Grafix that they are good and can be sent out for printing.

Borough Manager Lesko reported that Spectrio has sent a proof of what the digital wall will look like. They have requested measurements of the screen on the digital wall and a picture. She will send the measurements when Jeff McGuinness gets them to her. The project is moving along. Councilman Barrick asked if they have an app that someone could possibly scan a QR code, look on the app, search for their loved one's name and find the information they need in the event that the digital wall would be down.

- They have reached out to an artist regarding painting the scenes on the backside of the wall. The artist is currently overloaded so they will check back with her to see if they can get her scheduled. Councilwoman Czekanski has two (2) names that may be able to do the painting. They have done murals in Connellsville.

Councilwoman Ruszkowski asked what is the timeline for the Veterans banners and how long will they be up. Councilwoman Barnes stated that the timeline will be the end of August and then the Glass Festival banners will go up. Borough Manager Lesko asked if the banners will remain down until Spring next year. Councilwoman Barnes stated that they will remain down until spring and she plans to put them back up in the same order.

Councilwoman Barnes will be contacting people that have submitted pictures for the Veterans banners that they will be available for pickup after next week. She will be calling all of them.

## **Ordinances:**

Councilman Phillabaum reported that last week he encountered someone going door to door soliciting. He informed them that we had an Ordinance requiring them to have a permit. They did not have a permit. Councilman Phillabaum reported it to the police. If there is someone soliciting and they do not have a permit please call 911 and report it.

Councilman Phillabaum reported that he has received complaints about the dryer noise from the carwash. Councilman Barrick said that in the winter the door is closed. Councilman Barrick suggested speaking with the owner.

### **Human Resources:**

Councilwoman Czekanski gave the following report:

- They will schedule and begin conducting interviews for the secretary position with individuals who meet the qualifications.

### **Finance / Grants Report:**

Councilwoman Stevenson gave the following report:

- Reminded Council that it is that time of year to review the profit and loss, watch the budget and see if there are any corrections or adjustments to be made.

### **New Business:**

Councilman Phillabaum updated Council about information that he learned at the PSAB Conference that he attended. Councilman Phillabaum won a free registration for the upcoming fall PSAB Conference in Erie. Borough Manager Lesko will attend the fall conference.

Some of the topics included:

- The sale of fireworks and some of that revenue not going towards first responders.
- Having an Ordinance that fireworks cannot be set off on Borough property.
- Regionalizing emergency services.
- State Fire Commission loans.
- Using drones to inspect buildings.
- Over 500,000,000.00 in grant money available related to MS4/Stormwater.
- House Bill 450, Main Street Program, is on par with the property sidewalk sale. There are a lot of federal and state grants handed out for “mom and pop” businesses on Main Street for towns like ours.
- Monitoring House Bill 1207 trying to eliminate the threshold for the Landbank.
- Use of RADAR in local municipalities. It has passed in the senate but has not in the house. Biggest argument is that the state does not want municipalities making money off of RADAR. Councilman Phillabaum believes that it would be more of a deterrent than a money maker.

### **Reading of Communications:**

Borough Manager Lesko read the following communications:

- Received a letter from the Mount Pleasant Viking Football Booster League requesting sponsorship for their upcoming 2023 season.
- Received a letter from Mount Pleasant Library requesting sponsorship for their library fundraiser to be held on July 21, 2023 with a summer event call “A Magical Journey with Jazz Pop & Swing” with the Sam Brooks Band.

### **Discussion and Payment of Bills:**

A Motion was made by Councilman Stevenson to pay all authorized and approved bills. Motion seconded by Councilwoman Lasko. Motion carried 8-0.

### **Public Comment:**

Joe Bauer stated that the trees on Main Street were not planted by the Borough. They were planted by the Business District Authority. In the past, when businesses come to the Borough to complain about them, they were told that they are yours and do what you want with them. The people that had trees in front of their businesses and didn't want them there removed them their selves. He also believes that the Borough did take several of them down.

Mr. Bauer said that the tin whistle pipe that was discussed earlier, he believes that it was turned over to the Borough by the developer.

Mr. Bauer also reported to Councilwoman Lasko that when the Main Street project was completed and on Eagle Street the water pressure at Harmon House increased by approximately 20lbs. and that she may want to look at her incoming line.

Paul Harenchar, MPVFD Assistant Chief said to look at the colors on the fire hydrants to help determine water pressure near their home; green on the front is a good hydrant, orange is mediocre and red is bad. This will help determine the size of your lines. Councilwoman Lasko asked if they know what color is on the hydrant at Eagle Street. Mr. Harenchar did not know. There are times that they have to put a pumper engines on a hydrant to help with the pressure.

**Miscellaneous and Adjournment:**

A Motion was made by Councilwoman Lasko to adjourn the meeting. Motion seconded by Councilwoman Czekanski. Motion carried 8-0.

**Meeting Adjourned 9:13pm.**

Respectfully Submitted,

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Sharon Lesko  
Borough Manager

BOROUGH OF MOUNT PLEASANT

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Susan Ruszkowski, Council President

**Motions from Meeting of July 5, 2023**