

Meeting August 23, 2021

The meeting of Mount Pleasant Borough Council was called to order by Vice President Cholock 7:00pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said and Vice President Cholock asked for a moment of silence for our deployed troops. Vice President Cholock asked Borough Manager Landy to take roll call. Councilpersons present included Barnes, Bailey, Phillabaum, Smetak, Lasko, Ruszkowski and Wojnar. Mayor Lucia was present. Vice President Cholock stated that a quorum is present. Solicitor Istik and Council President Caruso were absent.

Borough Manager Landy read a resignation letter from Council President Caruso effective August 23, 2021.

A Motion was made by Councilman Phillabaum to accept the resignation letter from Council President Caruso. Motion seconded by Councilwoman Lasko. Motion carried 8-0.

A Motion was made by Councilwoman Ruszkowski to approve the minutes of August 2, 2021 since Council has been provided with a copy. Motion seconded by Councilman Phillabaum. Motion carried 8-0.

Public Comment:

- Taylor Robbins with Jacobs Creek Watershed Association spoke to Council regarding the sidewalk project on the southside of Main Street between Hitchman Street and Silver Street. Ms. Robbins stated she is trying to get landowner agreements for each individual landowner and is having trouble getting them from each landowner. Ms Robbins said that because the project is being done within the Borough, she could get a landowner agreement with just the Borough. In the agreement, it is stated that the landowner would be responsible for the maintenance of the sidewalk in front of their homes. This is the same as the current Ordinance that the Borough has for sidewalks which states that the homeowner must maintain the sidewalk.

Councilman Wojnar asked Ms. Robbins if she has done this with other municipalities and she stated that she has not done a sidewalk like this before. Mayor Lucia asked if they are doing only one side of the street. Ms. Robbins said that it is only one side of the street and two additional locations to be added due to some additional funding that they received from the First United Church of Christ on Main Street, Mt. Pleasant. They will be adding in front of the Church and one additional rental property. Councilwoman Ruszkowski asked what if the landowner refuses to take care of the sidewalk. Ms. Robbins stated that the landowner is responsible according to the Borough Ordinance. Borough Manager Landy stated that the homeowner is essentially getting a new sidewalk installed at no cost to them. Borough Manager Landy said that he met with the engineer and that they were going to put pervious in. Borough Manager Landy said pervious is a maintenance nightmare and had it changed. They will be using cement sidewalk with pavers, which will be much better for the Borough and the residents. The resident will have to maintain it, which everyone has to maintain their sidewalks as it is anyways. Ms. Robbins stated that that project is costing approximately \$170,000.00. Ms. Robbins stated that once the landowner agreement is signed, they could put the project out for bid and begin construction before the end of the year. Council Vice President Cholock stated that they cannot make a decision this evening since the meeting is a work session. Borough Manager Landy thanked Ms. Robbins for all the work that they have done in the Borough.

- Bob Karfelt of 114 S. Depot Street, Mt. Pleasant, PA spoke to Council regarding the Agreement he received from Solicitor Istik for the leveling of the curbing against the apron in front of his business garage located at 115 South Depot Street. Mr. Karfelt stated he was surprised to have so many stipulations in the Agreement just to install an asphalt ramp to making accessing his driveway easier. The terms Mr. Karfelt suggested and had agreed upon was a) that he would fund it; and, b) the Borough would not be responsible if it was damaged while plowing snow. Mr. Karfelt stated that the Agreement made things more complicated than it should have been for a simple project.

Councilman Phillabaum stated that he has not seen the Agreement. Other Council members said they did not receive a copy either. Council Vice President Cholock asked what are the stipulations that are most concerning. Mr. Karfelt stated the important things were the he was funding it and that the Borough would not be responsible for any damages to the asphalt ramp. Borough Manager Landy asked Mr. Karfelt if what he is asking for in the Agreement is just 2 stipulations and everything else come out. Mr. Karfelt stated that there are other projects that have been completed throughout the Borough and never have had to get an engineer. Mr. Karfelt is willing to pay someone that works with asphalt to install the ramp properly but does not feel it is right to have him pay for an engineer. Councilman Phillabaum and Vice President Cholock agreed with Mr. Karfelt that they do not feel he should have to pay for an engineer. Mr. Karfelt said that he contacted K2 Engineering explained what he wanted to do. Mr. Karfelt said they laughed at him and wanted to charge an exorbitant cost. Borough Manager Landy asked Mr. Karfelt to explain exactly what he would be doing. Mr. Karfelt explained that he has large concrete pad in front of his garage, that is a parking area and meets the curb. Mr. Karfelt does not want to remove the curb. He would like to asphalt a ramp to the street which will require them to take a one- or two-inch groove into the street this way when the asphalt is put in it will blend and be smooth with the street. Vice President Cholock stated that what he believes has happened was that Council members thought Mr. Karfelt was going to dig further out into the street. Mr. Karfelt stated he just wanted it to blend into the street to make it smooth and they will seal it so no water gets into it. Mr. Karfelt asked if the project and Agreement could be reevaluated so he can move forward he would appreciate it. Vice President Cholock stated that absolutely they would reevaluate it.

- Joseph Benford and Twila Guidas with the First United Church of Christ on Main Street and Hitchman Street spoke to Council regarding the Ordinance violation that they had received for the LED sign in front of the Church. Mr. Benford stated he spoke with Mark Cypher, Borough Code Enforcement Officer, regarding the violation and what their options were. Mr. Cypher advised them to submit a sign permit to the Borough. Borough Manager Landy phoned Mr. Benford and advised him that the sign permit was not able to be approved due to it being an LED sign and has scrolling illumination. Mr. Benford stated the sign was purchased three (3) years ago to let the people know that they are open. Mr. Benford said that Mr. Rosky and Salooms also have LED signs. Mr. Benford said the LED sign was costly and was helped to be purchased with a grant of \$1,000.00. The remainder of the costs to purchase the LED sign was raised through fundraising. Once the received the Ordinance violation, the immediately took down the LED sign. The Pastor along with two (2) Councilmembers said that the sign could be put back up as long as it wasn't over a certain illumination. Council Vice President Cholock asked Mr. Benford who the Councilmembers were. Mr. Benford stated he was not there so he did not know who it was. Mr. Benford said that they were at a Council meeting when they were told they could put it back up. Borough Manager Landy stated that he does not believe that was ever agreed on and believes that the sign stood out further and they were asked to take it down. Borough Manager Landy said that it was taken down and the Church was to come up with another proposal. Borough Manager Landy said when he received the sign permit, the sign was moved back but it was still the same LED sign. Mr. Benford said that the sign was working. It was drawing people in helping with their fundraisers and now it is not there and they relied on it. The sign was a large investment and they have big expenses coming up and the sign helps them with the fundraising that they need to do to cover the costs of the big expenses. Council Vice President Cholock stated that the Borough wanted to install a digital sign and was not able to do it due to the Ordinance and with Main Street being a state road it is controlled by PennDOT. Ms. Guidas asked if there are no LED signs permitted at all and that there is no way at this time any LED sign would be permitted even if the illumination was decreased. Council Vice President Cholock stated that they would not be allowed at this time. Borough Manager Landy stated that no LED signs were permitted after the Ordinance went into effect. Mayor Lucia stated the only complaint that he had ever received about the sign was that people could not see pulling out of Hitchman Street. Ms. Guidas agreed that she had some complaints about not being able to see when pulling out of Hitchman Street and that the Church had discussed moving it back. Council Vice President Cholock stated that they would like to approve it however they cannot because if you do it for one you have to permit all and Main Street could look like a Vegas Strip. Ms. Guidas asked

if they could use the sign if it did not scroll. Mr. Benford asked if the Ordinance could be updated and that when they purchased the sign, they did not realize that there was an Ordinance against it. Borough Manager Landy stated that the setback off of Main Street is ten feet and that PennDOT has their own guidelines for it since it is a PennDOT road. Council Vice President Cholock stated that the sign still violates the Ordinance and could not be approved. Councilman Smetak stated he has a business in East Huntingdon Township along State Route 31 and has opted not to put an LED digital sign due to the liability, stipulations and red tape that is in place by PennDOT. Councilwoman Lasko stated that PennDOT stipulations also includes how fast the sign scrolls. Mr. Benford asked if he goes to PennDOT and does what they require will he be permitted to put the sign up. Council Vice President Cholock stated he will not be permitted due to the sign ordinance in the Borough. Mr. Benford asked for the Church if the Ordinance can be updated. Council Vice President Cholock stated that the Ordinance can be reviewed. Mr. Benford asked when he should come back to a meeting to see if there has been any movement or discussion on updating the sign ordinance. Council Vice President Cholock stated that they could check back in October.

Speakers: None.

Council Vice President Cholock stated that there will be no motions made this evening since it is a work session meeting only. Council Vice President Cholock stated he will abstain from any motions made other than the regular procedural motions that are recurring.

Treasurer’s Report:

Borough Manager Landy read the following Treasurer’s Report for the month of July 2021:

Mt. Pleasant Borough Treasurer's Report		Jul-21			Balance
		Prev Bal	Deposits	Disbursements	2021
General Fund Checking	Scottdale Bank 19069335	1,104,814.00	288,928.83	393,994.85	999,747.98
**Town Clock	619.92				
**Holiday Lighting	1812.51				
General Fund Budgetary Reserve	Standard Bank 321615	1,018,984.05	3,149.19	0.00	1,022,133.24
**Police	52,619.03				
**Streets	147,131.00				
**Contingency Fund	309,748.85				
**Infrastructure	181,588.62				
**BOMP Gas Wells	22,958.04				
** Frick Park Gas Well	20,911.28				
**Levins	970.06				
**Fire	48,900.00				
**K-9	13,828.76				
**Medic 10	200,000.00				
**Marcellus Impact Fee					
Act 13	23,477.60				
Police Parking Tickets & Meters	Scottdale Bank 1026616	28,146.35	1.59	572.08	27,575.86
Escrow Account	Scottdale Bank 19069343	4,392.51	5,244.05	0.00	9,636.56
Liquid Fuels PLGIT	PLGIT 56980126	0.85	0.00	0.85	0.00
Liquid Fuels / Scottdale Bank	Scottdale Bank 19123645	132,762.19	43.65	0.00	132,805.84
Monument CD	Standard Bank 446635	7,382.80	0.00	0.00	7,382.80
Payroll Fund	Scottdale Bank 19069350	1,293.85	43,391.59	43,405.38	1,280.06
Veterans Park Fund	Somerset Trust Co 2003058309	23,158.60	1.18	0.00	23,159.78
Storm Water Retrofit Phase II	Scottdale Bank 19069368	1,219.66	0.40	0.00	1,220.06
Turn Back Account	Scottdale Bank 19069384	24,811.78	8.16	0.00	24,819.94
ARPA Covid-19 (American Resuce Plan Act)	Scottdale Bank 19123652	0.00	220,957.63	0.00	220,957.63

Standard Bank CD	Standard Bank 432243	215,254.60	0.00	0.00	215,254.60
Standard Bank CD	Standard Bank 410571	0.00	0.00	0.00	0.00
Scottdale/MidPenn CD (200yr Anniversary)	Scottdale Bank 318007294	52,396.87	0.00	0.00	52,396.87
Scottdale Bank /MidPenn CD	Scottdale Bank 318012650	53,527.71	0.00	0.00	53,527.71
Total General Fund Balance					2,791,898.93
Medic 10 Checking	Scottdale Bank 19069533	42,401.14	47,783.52	11,357.16	78,827.50
Medic 10 Savings	Scottdale Bank 19069723	132,091.42	1,043.76	0.00	133,135.18
Medic 10 Money Market	Scottdale Bank 19069376	6,006.41	1.97	0.00	6,008.38
Medic 10 Pittsburgh Foundation	Standard Bank 0000358253	8,470.82	0.00	0.00	8,470.82
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
Total Medic 10 Fund Balance					251,170.47
WWT Capital Reserve Account	Standard Bank 0010175932	917,229.59	311.66	0.00	917,541.25
Capital Reserve M. A. Account	Somerset Trust Co 2004129745	457,744.97	23.33	0.00	457,768.30
Oceanview Annuity CD	Scottdale Bank - MidPenn	3,007,516.44	0.00	0.00	3,007,516.44
Standard Bank CD WWT Cap.Resv	Standard Bank 464569	200,000.00	0.00	0.00	200,000.00
Athene Annuity CD (created Jan. 2021)	Somerset Trust	500,000.00	3,542.44	0.00	503,542.44
Standard Bank CD (Partial MAWC)	Standard Bank 446593	0.00	0.00	0.00	0.00
Scottdale Bank /MidPenn CD (MAWC Final)	Scottdale Bank 318011768	0.00	0.00	0.00	0.00
Total WWT Balance					5,086,368.43
Total Borough funds					8,129,437.83

Councilwoman Susan Ruszkowski / Secretary
Sharon Lesko

A Motion was made by Councilwoman Lasko to accept the July 2021 Treasurer's Report as read. Motion seconded by Councilman Lasko. Motion carried 8-0.

Borough Manager's Report:

Borough Manager Landy gave the following report:

- Received an Athene Annuity report. The interest is reflected on the Treasurer's Report.
- Berkheimer Report indicates that we are up 1.35% from 2020 to 2021.
- Had a meeting with Bob Regola and the finance committee regarding the ARPA Covid-19 money and what you are and are not allowed to do with it and why you should possibly wait a little while before doing anything with it. Mr. Regola would like the Borough to make a list; however, the money must be related to Covid-19.
- Had a meeting with Wendy Nickerson from PMRS regarding the new Sunshine Act. Agenda must be posted 24 hours prior to a meeting and cannot be changed in that 24-hour period. Motions can be amended on the agenda if it is under the amount of \$800.00. Also, you can amend the agenda if it is an emergency. No other amendments can be made to an agenda during a meeting.
- The Street Department will be putting in new plants around the Doughboy statue.
- Mayor Lucia asked if No Loitering signs have been put up at the gazebo. Borough Manager Landy stated that the Borough does have an Ordinance regarding loitering for

the gazebo area. Borough Manager Landy stated he gave a copy of it to our Police Department. Mayor Lucia stated signs would help. Borough Manager Landy stated that the Ordinance distinguishes between loitering and malicious loitering.

President's Report:

Council Vice President Cholock gave the following report:

- With the resignation of Council President Caruso, a new President must be nominated and voted on. Council Vice President Cholock asked if any Council member was interested in being nominated for President. Council Vice President Cholock stated that he does not want to be President and does not want to be nominated for it because he has a lot going on with Medic 10 and asked that he remain the Chairman of Public Safety. Councilwoman Ruszkowski stated that she would be interested in being nominated for President. No other Councilmember stated that they were interested. Council Vice President stated that they can't vote on it today. We have 30 days to fill the vacant seat for 3rd Ward from today's date.

Topics/Discussion:

Property:

A Motion was made by Councilman Smetak to re-advertise for bids to refurbish the gazebo due to not receiving any bids. Motion seconded by Councilman Wojnar. Motion carried 8-0.

Stormwater/MS4:

Councilman Phillabaum gave the following report:

- There was flooding behind Gary's Garage on N. Church Street due to the heavy rains that we had. It was found that there was a log in the storm drain. Councilman Phillabaum stated that after the log was removed, there was additional heavy rains the next day and there were no issues of flooding. Borough Manager Landy suggested speaking with Attorney Les Mlakar regarding the issue since he is the Borough planning attorney. Councilwoman Bailey asked how large the log was and where is the opening that the log could get in to block the drain. Councilman Cholock stated that it goes from an open ditch to a pipe and that would have been how it would have gotten in to the drain. Borough Manager Landy stated that he had spoke with Andy Davis today and that Mr. Davis advised him that his property is also flooding. Mr. Davis stated that a lot of water is coming from Pinto Drive. Mr. Davis said that his flooding is caused due to water coming off of N. Church Street and suggested a lip on the side of the street to divert the water. Mr. Davis said he didn't know if it would solve his flooding issues but it would definitely help.

Streets:

Councilwoman Bailey gave the following report on Streets:

- When the Township did the tar and chipping on Coppula Drive, there was tar & oil sprayed on the wall of James Rega, Sr. They have reached out to Raimondo Masonry to see if the wall can be cleaned or repaired. Borough Manager Landy stated that Raimondo Masonry will look at the wall. Mr. Landy said that he also spoke with another person and they suggested a steam jenny to get it off of the wall. Councilwoman Bailey and Borough Manager Landy stated that this may have to be turned into the insurance company.
- Council Vice President Cholock stated that there is an alley behind the Village Restaurant that needs some work done to it. There was a person that fell there a few weeks ago. The alley is unnamed and he believes it should be named. Mayor Lucia believes it is named.

Parks and Recreation: None.

Public Safety Report:

Council Vice President Cholock gave the following report:

- Council Vice President Cholock, Mayor Lucia, Ryan King and Zach Gergas of Medic 10 attended a meeting with Mount Pleasant Township that the Township requested. Supervisor Jack Rutkowski asked if Medic 10 could put an ambulance at the station in Norvelt 24/7. Council Vice President Cholock advised him that with the financials that Medic 10 has, they are not in a situation that they could do it; however, they could put a truck there a few hours a day or even midway between Norvelt and Mt. Pleasant. When the meeting was completed, they believed that Mount Pleasant Township was going to let Medic 10 continue to handle calls in Norvelt due to Norvelt EMS closing stating that they wanted to work with us. Mayor Lucia stated that at this point, Medic 10 had been handling all of Norvelt EMS' calls for the past 2 months. Two days later, the Township of Mount Pleasant called for another meeting. Supervisor Jack Rutkowski asked again if Medic 10 could put an ambulance at the station in Norvelt 24/7. Council Vice President Cholock stated that they had previously discussed this and that they could not. Mr. Rutkowski stated that it would be best if Mutual Aid would come in since they can put an ambulance there 24/7 and Medic 10 could be the backup. Ryan King of Medic 10 stated that they have been taking all of Norvelt's calls over the past several years when they should have been closed and now that they finally close the Township wants to bring someone else in. Mr. Rutkowski stated that Medic 10 could not put a truck there 24/7 and Mr. Cholock stated that the Township was aware of this previously. Council Vice President Cholock stated that come to find out that the Township had not only previously met with Medic 10 but met with Mutual Aid afterwards. Mr. Cholock advised them that they already made their decision and left the meeting. Council Vice President Cholock stated that as it stands now, Medic 10 does not have the Township.

Veterans Park:

Councilwoman Barnes gave the following report:

- Met with Bella Railings of West Newton, PA regarding the handrail at Veteran's Park. Council has been provided with pictures of the proposed railings. Joe Zelenak from the VFW in Mount Pleasant has asked that the railing be put on hold. He was at the Borough building and saw the white paint on the stairs. He would like the Committee to look at that before purchasing the handrailing. Council Vice President Cholock said he does not like the painting on the steps at the Borough and would be against it. Councilwoman Barnes agreed that she would not want the paint on the steps either; however, she would not be opposed if they painted the grooves on the steps at Veteran's Park. Council Bailey stated that they want a single tube railing.
- The digital wall is down. Councilwoman Barnes has a call into them but has not heard back from them. She will continue to call them.

Human Resources / Ordinances:

Councilman Wojnar stated that he will follow up with an email to his committee regarding the Sign Ordinance.

Council Vice President Cholock asked if the Borough has a mask policy. Councilwoman Bailey stated she believes that we do have one. Councilman Wojnar said that he believes that they did agree on a mask policy and was to be updated in the employee handbook. Borough Manager Landy stated that whatever was in the policy manual is still continued. Borough Manager Landy stated that masks are not worn in the Borough office anymore. Councilman Phillabaum believed that they had opted to follow the state guidelines. Council Vice President Cholock stated that the CDC guidelines were if you were vaccinated you did not need to wear a mask and if you were not vaccinated you should wear a mask and believes that masks should be worn for anyone

coming into the Borough building. Councilman Phillabaum stated that Governor Wolf or PA Department of Health is not putting a mask mandate in place. Councilman Phillabaum also stated that he believed that masks were stopped because Governor Wolf had lifted the mask mandate in Pennsylvania. Councilman Wojnar stated that Solicitor Istik had sent an email for employees regarding the Covid policy. Councilman Wojnar asked if Borough secretary, Sharon Lesko, forwarded it to all employees. Borough Manager Landy stated he is sure that she did. Borough Manager Landy also said that he agrees with Councilman Phillabaum that when Governor Wolf lifted the mask mandate that everyone stopped wearing them. Borough Manager Landy said that no one is wearing them now at the meeting. Councilwoman Lasko stated she does have hers but Mr. Landy said she is not wearing it. Councilman Wojnar stated that from his understanding there is a policy in place but as to whether or not it is being followed, he does not know.

Finance / Grants Report: None.

New Business: None.

Reading of Communications:

- Received invitation from Mt. Pleasant Glass & Ethnic Festival for the Parade. Any Councilmember wanting to ride in the parade should let Sharon Lesko or Marie Dawson know.
- Levin's is sponsoring A special Warriors Rock Tribute Concert on September 11, 2021 at 7:00pm at the Connellsville High School Auditorium.

Discussion and Payment of Bills:

A Motion was made by Councilman Wojnar to pay all authorized and approved bills. Motion seconded by Councilman Phillabaum. Motion carried 8-0.

Public Comment: None.

Miscellaneous and Adjournment:

A Motion was made by Councilman Wojnar to adjourn the meeting. Motion seconded by Councilman Phillabaum. Motion carried 8-0.

Meeting Adjourned 9:11pm.

Respectfully Submitted

Jeffrey A. Landy,
Borough Manager

BOROUGH OF MOUNT PLEASANT

Richard Cholock, Council Vice-President

Motions from Meeting of August 23, 2021

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