

Meeting October 4, 2021

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 for our deployed troops. President Ruszkowski asked Borough Manager Landy to take roll call. Councilpersons present included Bailey, Phillabaum, Lasko, and Stevenson. Mayor Lucia and Solicitor Istik were present. President Ruszkowski stated that a quorum is present.

A Motion was made by Councilwoman Stevenson to approve the minutes of September 20, 2021 since Council has been provided with a copy. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

Public Comment:

- James Rega from 10 N. Church Street, Mount Pleasant, PA 15666 spoke to Council regarding an update on the damages on his wall during the tar and chipping project approximately one (1) month ago. Mr. Rega believed that everything was settled and was going to be fixed by Raimondo Restoration, Inc for \$2,450.00. Since this time, Mount Pleasant Township, Jeff Landy and Diane Bailey from the Borough and Mr. Rega held a meeting at Mr. Rega's. Mt. Pleasant Township wanted to bring in their own gentleman to look at the damage and see if he could repair it and Mr. Rega agreed to it. Mr. Rega stated that the gentleman was to use a chemical to try and remove the tar. Instead of using chemical the gentleman was chipping tar off of the stone and put chisel marks all through the top of the stone. Mr. Rega stopped him from proceeding. The gentleman then returned with a sandblaster and put burn marks in the stone while trying to sandblast. The stone had a rockface front on them and now they are smooth from sandblasting. Mr. Rega asked the gentleman to leave. Mr. Rega stated that Borough Manager Landy was there during this and witnessed it. Mr. Rega stated that the gentleman ruined his stone. Borough Manager Landy stated that Frank Puskar from Mount Pleasant Township come and looked at the area; asked why the gentleman did what he did. Mr. Puskar agreed with Mr. Rega that the gentleman should not have done what he had done. Mr. Rega stated that they found out from Raimondo Restoration that the gentleman had lied to Mr. Puskar about working with Raimondo previously and that he has never worked with them. Mr. Rega had Tom from Raimondo Restoration come and look at what the gentleman had done. Tom stated that there was no way to remove the chisel marks and burn marks from the sandblasting. Tom from Raimondo Restoration stated that 9'4" of stone will have to be replaced due to the damage. The cost now to restore the wall is \$4,850.00. Councilwoman Lasko asked Borough Manager Landy what the status is regarding Mr. Rega. Borough Manager Landy stated that at the last meeting Council decided that the Township should be responsible. Mr. Landy said that everything Mr. Rega has said is accurate. Borough Manager Landy stated that Mr. Puskar went to his Board and they said that all they will pay is half of the \$2,450.00. Councilwoman Bailey stated that Mount Pleasant Township is not aware of the new cost of \$4,850.00. The cost is now double because of the damage that the gentleman, that was recommended by the Township, did. Solicitor Istik advised Mr. Rega to go before the magistrate and file a claim against the Township. Solicitor Istik advised Council not to take the brunt of this damage due to the Borough not causing the initial damage; nor, did they bring in the second gentleman that unfortunately damaged it more. Mr. Rega stated that he will speak with his attorney to see whether he needs to go after the Borough and the Township since the Borough brought in the Township to do the work. Councilwoman Bailey stated that if Solicitor Istik said that Mr. Rega should go to the magistrate then Council will follow her suggestion and not debate the issue any longer. Mr. Rega stated that this is two (2) months now. Councilman Phillabaum stated that the Borough's stance has been the same throughout this. Mr. Rega agreed and complimented Borough Manager Landy for being there from the beginning trying to get it rectified. Mr. Rega stated that he will follow up with his attorney's recommendation.

Speakers: None.

Mayor’s Report:

Mayor Lucia read the Mount Pleasant Police Dept. Report for the month of September 2021:

The Department answered the following calls:

Incidents	175
Criminal Arrests	6
DUI Arrests	1
Parking Tickets Issued (Boro)	54
Traffic & Non-Traffic Citations	37
Assist Other Departments	14
Accidents Investigated	6

Income

Parking Meter	\$214.00
Parking Tickets	\$377.71
Fees for Police Reports	\$45.00
Clerk of Courts	\$215.59
District Court	\$287.05
Parking Permit	\$0.00
DUI Task Force Refund	\$0.00

Total Revenue \$1,139.35

Solicitor’s Report:

Solicitor Istik stated she will hold her report in Executive Session.

Tax Collector’s Report:

Borough Manager Landy read the following report for the month of September 2021:

Property Taxes	\$2,217.64
Supplemental Taxes	\$ 0.00
Per Capita Taxes	<u>\$1,509.20</u>
Total Collected	<u>\$3,726.84</u>

Borough Manager’s Report:

Borough Manager gave the following report:

- Thanked Council for their assistance, cooperation and helping to make the Glass & Ethnic Festival a success. Borough Manager Landy stated that he visited a lot of businesses in the town; and, some of the businesses have said that the festival weekend is their best weekend of the year, so not only is the festival big on the street, everyone in the area benefits from it.
- Drove around town after it had rained and found areas with water issues that need to be tended to. Borough Manager Landy reported the information to Councilwoman Bailey.
- Met with Jim Rega, Councilwoman Bailey and Frank Puskar from the Township at Mr. Rega’s property at 10 N. Church Street. Borough Manager Landy stated that he did not know Mr. Rega was attending the meeting this evening; however, he was correct in what he reported regarding his wall.

- Met with Westmoreland County Commissioner Kertis and will be meeting with Commissioner Chew within the next few weeks.
- Stone Natural Resources located on Bridgeport Street is interested in opening another office located at 109 Center Avenue in the Borough. Borough Manager Landy stated it will be a passive business with 3 or 4 people in the building making phone calls. It is not a business where there will be people coming in and out and it does have off-street parking. Councilwoman Stevenson asked if he needs a zoning variance. Borough Manager Landy stated that on a passive business you do not need a variance. Borough Manager Landy said that another passive business that was approved was someone that stuffed envelopes and mailed them. Solicitor Istik stated that she does not believe that you need a variance for a passive business and she will look into it.
- Did not receive any bids for the gazebo. Borough Manager Landy stated that they will begin contacting contractors to bid it by sections such as the roof, etc. Borough Manager Landy will be meeting tomorrow with Councilman Smetak.
- Received Liquid Fuels and Turnback estimate for 2022. Liquid Fuels is estimated at \$124,261.96. Turnback is estimated at \$3,760.00.
- Should order salt to fulfill the contract.
- Councilwoman Bailey added to Borough Manager Landy's report about the Glass Festival and agreed that it was a nice festival and there was no trouble that she was aware of. However, there was one issue on the corner with one vendor that dumped grease into a storm drain. Councilwoman Bailey stated that she remembered having an issue with him several years ago. Councilwoman Bailey said that the gentleman had 2 buckets and she informed him that he could not dump it into the storm drain. Councilwoman Bailey said that the gentleman dumped the bucket into the drain anyways and she advised him to take the bucket back to his stand and find a grease barrel to dump it into. The gentleman circled around and dumped the second one into the other storm drain. Borough Manager Landy stated that Councilwoman Bailey called him to advise him of the occurrence. Councilwoman Bailey agreed that she did call Mr. Landy to make him aware and to tell him that it is the same gentleman that did it a few years ago. Councilwoman Bailey said that Mr. Landy went and talked to the gentleman and he did come and clean the top of the grate. Councilwoman Bailey requested that the Glass Festival not invite that vendor back since it is not the first time this has happened with them. Councilwoman Stevenson asked what vendor it was. Councilwoman Bailey stated it was the gentleman that sold the Chinese food with the chicken on the stick. Borough Manager Landy said that vendor is one of the best in the country and that a few of the events that he does is the Wisconsin State Fair, Ohio State Fair, North Carolina State Fair and he does the Glass Festival. Borough Manager Landy stated that the person that did it was a helper for the owner of the booth; and, that he admitted it and did go and clean it up. Councilwoman Lasko stated that we always hear each year how important the festival is for the town and the things that it brings to our town; but this is something that is very negative that is not needed in the town. Councilwoman Lasko agreed with Councilwoman Bailey that they should not be invited back and does not care if he is the best. Borough Manager Landy said that he spends his time up and down the street during the festival. He stated that he had caught the Rotary twice doing it in previous years. Borough Manager Landy stated that if he takes the recommendation by Councilwoman Bailey then the Rotary will not be permitted to come back either; and, if he takes the recommendation of Councilwoman Bailey of not allowing anyone back that breaks the rules, then he could look at almost every booth and say you have not been following the rules. Borough Manager Landy stated that this is something that he will have to think about. Councilwoman Bailey suggested that if a rule is broken then they pay a monetary punishment. Borough Manager Landy agreed; however, he asked who is going to fine the Rotary. Borough Manager Landy said nobody and Councilwoman Stevenson agreed. Councilwoman Bailey stated she was only making a recommendation and that it is for the Glass Festival Committee to decide. Councilwoman Lasko asked if she dumped grease into the storm drain and was caught would she be fined. Councilwoman Bailey stated that she would not because our

Ordinance does not state that there is a fine for it. Borough Manager Landy stated that people put grass on the street that washes into the storm drain and is not permitted. Councilwoman Bailey reiterated that all in all it was great year for the Glass Festival.

President's Report:

A Motion was made by Councilwoman Bailey to extend the residential garbage collection with Republic Services for 1 year as an option year from January 1, 2022 through December 31, 2022 with no increase. All rates will remain the same. Motion seconded by Councilwoman Stevenson. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to hold an executive session. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to reconvene. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

Council President Ruszkowski stated that the Executive Session was held from 7:43pm – 8:04pm to discuss legal issues.

Property Report:

A Motion was made by Councilwoman Lasko to sell the old Christmas decorations to other municipalities at a cost to be determined by the Borough Manager. Motion seconded by Councilwoman Bailey. Motion carried 5-0.

Stormwater/ MS4 Report:

Councilman Phillabaum gave the following report:

- Gibson Thomas sent a copy of what was filed for the NPDES Stormwater Permit.

Streets Report:

Councilwoman Bailey gave the following report:

- There were two (2) houses condemned in the Borough. One at 405 Howard Street; and the other on 26 North Shupe Street. The Street Department put no trespassing signs and roped them off. Councilwoman Bailey asked if the County cannot help with the removal of the buildings, is it possible for the fire department to do a controlled burn. Mayor Lucia stated that there is not enough room between the other homes to do it safely. Councilwoman Stevenson asked who has the authority to condemn the buildings. Councilwoman Bailey stated that there were many complaints and K2 Engineering come in and inspected the structures, deemed them unsafe and issued the condemnations. Borough Manager Landy stated that the process was that the courts required you to send out letters, advertise in newspapers to see if there were any heirs that would claim ownership of the property which could take up to a year. The County Solicitor has now created a waiver form for municipalities stating that they are waiving the procedure and the liability goes back on the municipality. If the building is torn down and an heir comes back and states you tore down my family's home, the municipality is liable. Councilwoman Stevenson asked if the Borough will have the expense of tearing down the two (2) structures. Borough Manager Landy stated that there are two (2) programs the Borough can apply to. There is a blighted program and a redevelopment program. One is a 50/50 match and the other is 100% that they pay. Borough Manager Landy stated that there are potential issues down the road if they just go ahead and tear them down; however, there may not be any issues. Borough Manager Landy stated that at this point, since the property is now condemned, the Borough is responsible for the properties. Mayor Lucia stated that they are not having any taxes being paid on the properties; and, if the properties get cleaned up, someone will purchase them and get them back on the taxes. Councilwoman Stevenson reported that there is a vacant home on Braddock Street that should be looked into as a potential hazard to the surrounding homes in that area and

would like K2 Engineering to look at it. Borough Manager Landy stated he is going to forward the Waiver to the Solicitor to review and see if the Borough should move forward with this.

- It is fall leaf time. Beginning October 25th, 2021, the Street Department will begin leaf pick up in the Borough. Pick up days will occur on Monday's and Friday's. Leaves must be along the curb so they can be picked up by the machine. Residents can contact the Street Department at 724-547-1930 to schedule a pick up. As the weather begins to change and preparations begin for snow removal season, they ask that any remaining leaves be placed in bags for pick up.
- Reminder to any residents that have curbs along their property. When cutting your grass, please check along the outside of the curbs to see if there are any weeds or anything and cut them also. It is the resident's responsibility to clean along the curbs along their property.
- Councilwoman Bailey received a call from a lady that her son goes to Frock Day Care. She asked that the Borough take a look at the speed on Washington Street heading East. Also, if you are trying to pull out from Oak Street on to Washington Street it is difficult to see to pull out safely. The lady suggested putting a 3way stop sign at that location. Also, the parents heading up on Oak Street to pick up their children at Frock Day Care are pulling on the wrong side of the street causing a traffic congestion and safety issue there. She also suggested a loading and unloading parking zone along with a 15mph crossing area for the children crossing to the day care. Mayor Lucia stated that they do park on the left side of Oak Street to take their children into the day care where they could go up and around the corner to the backside of the building where it is level and drop their children off. Mayor Lucia said that a 3way stop sign cannot be installed at that location. Mayor Lucia stated that there is a bus stop at that location that picks up children also and he is going to speak with Police Chief Grippo to have the police be in that area around 3:00pm. Mayor Lucia and Borough Manager Landy stated that they do have people from Frock Day Care out with the children during this time.
- Christmas banners are in production and the gentleman will notify Councilwoman Bailey as soon as they ship.

Parks & Recreation: **None.**

Public Safety Report:

Councilman Phillabaum read the following Fire Report for the month of September 2021:

Total Calls - 41
10-45's - 13
Entrapments - 4
Fires -5
AFA's - 10
Public Service Calls – 8
Standby's – 03
Hazardous Calls – 2
Drills – 0
Turnpike Calls – 4
Total Members Answering – 474
Avg. Member Per Call – 11

Mayor Lucia reported that the 3rd Ward Fire Station is in need of a new apron. Borough Manager Landy stated that grant awards take approximately 2 years from start to finish and we also need to see what area of the Borough is most qualified for funding for CDBG grants. The past year it was 1st Ward. Previous years it was 3rd Ward. CDBG provides a map of the area that qualifies and does not qualify. Borough Manager Landy stated that they will have to review the map.

Mayor Lucia asked if the Street Department could put some hot mix in the apron at the 3rd Ward station.

Veterans Park Report:

Councilwoman Bailey spoke with Councilwoman Barnes today and she stated that there was nothing to report since they did not have a meeting this past week; however, there is one schedule for this coming Thursday, October 7, 2021.

Human Resources/Ordinances Report:

Council President Ruszkowski stated that they need to look at the sign ordinance. Solicitor Istik stated that they have looked at it and has reviewed it with Councilman Wojnar. Solicitor Istik stated that she emailed draft of the Ordinance to Councilman Wojnar and Councilwoman Barnes for their review; and, she is hoping to have it so Council can review it, advertise if approved and adopt it before the end of the year. Solicitor Istik stated she will email a copy to Councilwoman Stevenson to review since she is now on this committee. Councilwoman Stevenson asked for a briefing of the Ordinance. Solicitor Istik stated that it will be regarding electronic digital signage.

Finance / Grants Report:

Councilwoman Bailey asked everyone to get together their wish list because they will be soon working on the 2022 Budget within the next few weeks.

New Business: None.

Reading of Communications:

- Laurel Valley Transportation Improvement Project will be conducting a virtual public meeting beginning at 6:00pm on September 30, 2021 through October 7, 2021 ending at 6:00pm.

Discussion and Payment of Bills:

A Motion was made by Councilwoman Lasko to pay all authorized and approved bills. Motion seconded by Councilwoman Bailey. Motion carried 5-0.

Public Comment: None.

Miscellaneous and Adjournment:

A Motion was made by Councilwoman Bailey to adjourn the meeting. Motion seconded by Councilwoman Lasko. Motion carried 5-0.

Meeting Adjourned 8:35PM.

Respectfully Submitted

Jeffrey A. Landy,
Borough Manager

BOROUGH OF MOUNT PLEASANT

Susan Ruszkowski, Council President

Motions from Meeting of October 4, 2021

A Motion was made by Councilwoman Stevenson to approve the minutes of September 20, 2021 since Council has been provided with a copy. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to extend the residential garbage collection with Republic Services for 1 year as an option year from January 1, 2022 through December 31, 2022 with no increase. All rates will remain the same. Motion seconded by Councilwoman Stevenson. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to hold an executive session. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to reconvene. Motion seconded by Councilman Phillabaum. Motion carried 5-0.

A Motion was made by Councilwoman Lasko to sell the old Christmas decorations to other municipalities at a cost to be determined by the Borough Manager. Motion seconded by Councilwoman Bailey. Motion carried 5-0.

A Motion was made by Councilwoman Lasko to pay all authorized and approved bills. Motion seconded by Councilwoman Bailey. Motion carried 5-0.

A Motion was made by Councilwoman Bailey to adjourn the meeting. Motion seconded by Councilwoman Lasko. Motion carried 5-0.