

Meeting October 18, 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 Barnes, Bailey, Cholock, Phillabaum, Stevenson and Wojnar. Mayor Lucia and Solicitor Istik were present. President Ruszkowski stated that a quorum is present. Mayor Lucia left at 8:47pm.

A Motion was made by Councilwoman Stevenson to approve the minutes of October 4, 2021 since Council has been provided with a copy. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

Public Comment: None.

Speakers: None.

Mayors Report:

Mayor Lucia gave the following report:

- Asked if there has been any progress on the electric sign ordinance. Councilman Wojnar reported that he has received an updated Ordinance from Solicitor Istik on Friday; and, he will be reviewing it. Solicitor Istik stated she will send a copy to the Councilwoman Stevenson and Councilwoman Barnes since they are on the Ordinance Committee so that they may review it also. Councilman Wojnar stated that he had spoke with Solicitor Istik and that the wording electronic versus the word electric, it will cover LED lighting. Councilman Wojnar stated he contacted various Borough's and some stated that they will never permit digital signs. Councilman Wojnar stated that we should proceed cautiously and take time to create an Ordinance. Councilwoman Bailey stated that she looks at our town as a small quaint town and would hate for it to begin looking like a Las Vegas strip. Councilman Wojnar agreed. Borough Manager Landy asked if we would be open for challenges by restricting certain types of signs due to freedom of speech. Solicitor Istik stated that she does believe that you can limit who you allow to do it but you can limit it by putting a position such as you cannot have anything that would cause a riot or you cannot put anything on there that is sexually explicit and grotesque. Councilwoman Stevenson said that you should be able to limit the size of a sign. PennDOT guidelines state that you cannot have a sign within the setbacks, you cannot have them where it would restrict their access to a right-of-way and that the largest sign that they permit is a 30 x 60 sign. Councilman Wojnar asked if PennDOT has hour restrictions on electronic signs. Solicitor Istik stated that there are not hour restrictions; however, there is a brightness restriction. Councilman Wojnar stated that he contacted Ligonier, Aspinwall, and Etna regarding their sign ordinance. Councilwoman Stevenson suggested checking with Youngwood. Borough Manager Landy stated that he would send an email through the G-17 to ask for a copy of their sign ordinance.
- Halloween Parade will be on Wednesday, October 27, 2021 and Trick or Treat will be on Sunday, October 31, 2021.
- Christmas Parade will be on Wednesday, December 1, 2021 at 6:30pm.

Solicitor's Report: None.

Treasurer's Report:

Borough Manager Landy read the following Treasurer's Report for the month of September 2021:

Mt. Pleasant Borough Treasurer's Report

Sep-21

		Prev Bal	Deposits	Disbursements	Balance 2021
General Fund Checking	Scottdale Bank 19069335	972,015.60	135,764.82	113,601.39	994,179.03
**Town Clock	619.92				
**Holiday Lighting	1812.51				
General Fund Budgetary Reserve	Standard Bank 321615	1,022,298.20	159.66	0.00	1,022,457.86
**Police	52,619.03				
**Streets	147,131.00				
**Contingency Fund	310,073.47				
**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	27,982.68	1.58	572.08	27,412.18
Escrow Account	Scottdale Bank 19069343	9,639.94	1.90	5,242.09	4,399.75
Liquid Fuels PLGIT	PLGIT 56980126	0.00	0.00	0.00	0.00
Liquid Fuels / Scottdale Bank	Scottdale Bank 19123645	128,872.90	209.24	9,664.73	119,417.41
Monument CD	Standard Bank 446635	7,382.80	0.00	0.00	7,382.80
Payroll Fund	Scottdale Bank 19069350	22,757.65	52,833.80	72,797.07	2,794.38
Veterans Park Fund	Somerset Trust Co 2003058309	23,610.98	151.17	0.00	23,762.15
Storm Water Retrofit Phase II	Scottdale Bank 19069368	1,220.49	0.38	0.00	1,220.87
Turn Back Account	Scottdale Bank 19069384	24,828.64	7.82	0.00	24,836.46
ARPA Covid-19 (American Resuce Plan Act)	Scottdale Bank 19123652	221,035.12	72.67	0.00	221,107.79
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					2,770,149.86
Medic 10 Checking	Scottdale Bank 19069533	94,794.32	38,713.55	44,347.25	89,160.62
Medic 10 Savings	Scottdale Bank 19069723	134,182.20	1,042.59	0.00	135,224.79
Medic 10 Money Market	Scottdale Bank 19069376	6,010.49	1.89	0.00	6,012.38
Medic 10 Pittsburgh Foundation	Standard Bank 0000358253	8,470.82	4.06	0.00	8,474.88
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					263,601.26
WWT Capital Reserve Account	Standard Bank 0010175932	917,648.85	33.69	917,682.54	0.00
WWT Capital Reserve Account	Scottdale Bank - 19123702	0.00	917,820.82	0.00	917,820.82
Capital Reserve M. A. Account	Somerset Trust Co 2004129745	457,791.63	22.58	0.00	457,814.21
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	504,476.73	836.36	0.00	505,313.09
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					5,088,464.56
Total Borough funds					8,122,215.68

Councilwoman Susan Ruszkowski / Secretary
Sharon Lesko

A Motion was made by Councilwoman Stevenson to accept the September 2021 Treasurer's Report as read. Motion seconded by Councilwoman Bailey. Motion carried 7-0.

Borough Manager's Report:

Borough Manager Landy gave the following report:

- Met with Councilwoman Bailey to work on the General Fund Budget for 2022. Liquid Fuels and Medic 10 Budget will be completed in the next few days.
- Met with Richard Harrer of Harrer Construction about the gazebo renovation. He would like everything in writing that needs to be completed on the gazebo.
- Held a meeting regarding the building next to the waterway project. Borough Manager Landy believes that the building should be torn down and not put up another building at this time since there are many guidelines that would need to be followed if you were going to make it a small food establishment. Borough Manager Landy suggested that you could bring in food trucks and trailers that would be self-contained and see how that would work out. If it is successful, you could then decide on putting a building up. Councilman Wojnar asked if the Borough has reached out to the BDA for suggestions. Borough Manager Landy stated that he has not; however, he does believe that the BDA will ask to put the farmers market there. Mayor Lucia asked about the building on the side where Pritt's Feed Mill is. Borough Manager Landy stated that he did have someone ask about putting a small flower shop in it.
- The light poles have come in for the waterway project. Will be meeting with T.P. Electric tomorrow at 9:30am at the waterway regarding installing electric for the poles and food trailers. Council President Ruszkowski asked what is happening with the area where the benches are that are facing the waterway. Borough Manager Landy stated that he met with the Deputy Director of DCNR and he will come and visit the site. Borough Manager Landy said what is happening there is not the vision that we had and that they planted flowering weeds. Borough Manager Landy said it will have to be cleared out and he was thinking about flat stones or boulders put them along the bank to stabilize the bank and put flowers in between it. That portion will have to be started again from scratch.
- Showed the R&R property to a possible buyer.
- Attended the Veteran's Park Committee meeting.

President's Report: None.

Property:

A Motion was made by Councilwoman Barnes to advertise for bids to install electric for the lighting at the waterway project. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

Stormwater/MS4: None.

Streets:

A Motion was made by Councilwoman Bailey to approve the purchase of Christmas decorations of Ribbons, Bows, Lights and Banners for Main Street at a total cost of \$6,754.85. Motion seconded by Councilman Wojnar. Motion carried 7-0.

A Motion was made by Councilwoman Bailey to close Main Street from Eagle Street to Diamond from 10:30am to 11:30am on Thursday, November 11, 2021 for the annual Veterans Day Parade and ceremonies. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

A Motion was made by Councilwoman Bailey to close Diamond Street from Main Street to Washington Street on November 11, 2021 from 10:30am to noon for the Veteran's Day Parade and Ceremonies. Motion seconded by Councilman Cholock. Motion carried 7-0.

Motion to close Route 31 Main Street on December 1, 2021 from Braddock Road Avenue to Diamond Street from 6:00pm to 8:00pm for the 2021 Christmas Parade and Route 819 Diamond Street from Main Street to Washington Street on December 1, 2021 from 6:00pm to 10:00pm. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

Councilwoman Bailey gave the following report on Streets:

- The Christmas banners have come in for Main Street. Christmas lights will be decorated for the Thanksgiving holiday along with the gazebo, Veteran's Park area and Penn Park.
- There was a request by an elderly resident that lives at 309 Washington Street who has trouble getting to house from where she gets out of the car. She is requesting that she can put in a handrail in the small area from the curb to the sidewalk. Councilwoman Bailey and Borough Manager Landy spoke with the contractor and said that they would bring it to Council. Councilwoman Bailey stated that she does use a cane. Councilwoman Bailey stated that her concern is that there are a lot of elderly residents in the Borough. Councilman Cholock was concerned that additional residents would want to install handrails also. Mayor Lucia stated no one has ever requested a handrail like this and she is an 80-year-old senior citizen that needs help getting out of the car to walk up to her home and believes that the Borough should permit her to have the handrail. Councilwoman Stevenson asked what if someone else would park there? Councilwoman Bailey asked if there was a handicap space there? Council President Ruszkowski stated that the drawing submitted by the contractor does show that there is a handicap parking space. Councilwoman Bailey and Councilwoman Stevenson do not believe that the Borough should agree to this request. Mayor Lucia reiterated that we should allow her to install the handrail. Councilwoman Stevenson asked what if there are other requests down the road. Mayor Lucia stated if they are handicap then you should allow it. Councilman Cholock agreed with Mayor Lucia that we should do it and stated if it was his mom and needed it, he would be upset with Council if they didn't approve it. Councilman Wojnar asked if they are requesting a handicap space also. Councilman Cholock stated that could be a requirement for anyone requesting to install a handrail that they are required to have a handicap parking space, at their cost, there also. Councilman Wojnar suggested having a motion to approve this at the next scheduled meeting. Mayor Lucia asked why they could not do it at this meeting. Council President Ruszkowski stated that they cannot change the agenda. Solicitor Istik stated that rules have changed and you cannot amend the agenda.
- Councilman Wojnar reported to Councilwoman Bailey that Mr. McCune had a survey done and will be contacting her once he receives it regarding his wall; and, Mr. Rega spoke with Councilman Wojnar regarding the estimate on his property to correct the damages to his wall has now tripled.

Parks and Recreation: None.

Public Safety Report:

Mayor Lucia reported that the lines have been painted for the speed monitoring by the Police. The stopwatches have been sent out to be calibrated and should be back soon.

Veterans Park:

Councilwoman Barnes asked Councilwoman Bailey to give the report since she met with T.P. Electric.

Councilwoman Bailey gave the following report:

- At the last Veteran's Park Committee meeting, it was discussed to have the lighting that shines on the wall looked at by an electrician. Met with T. P. Electric on Tuesday, October 12, 2021, at Veteran's Park. They will return on Wednesday to look at everything and get an estimate of what it would cost to replace or repair all of the lighting that shines on the wall, not only at the fountain area but also for the tablets at the gazebo area. Councilwoman Bailey asked T. P. Electric about upgrading from the current lighting to LED lighting.
- Mr. Meredith will begin putting the insignias on the back of the wall.
- VFW asked if the fountain could be turned off for the Veteran's Day Ceremony. Councilwoman Bailey stated that the Street Department will turn the fountain off the morning of the ceremony.
- Looking into fencing companies for the handrail to be installed in the Spring.

Councilwoman Barnes reported that the VFW and American Legion believed that they were not responsible for the Veterans Day Parade. Borough Manager Landy stated that the American Legion stated that they do all the planning and that they are responsible. Councilwoman Bailey stated that she didn't think that was what they believed; and, that they did say they took turns putting it together. The American Legion was responsible last year and they are the ones who put the parade together, they put the ceremony together and they file the required PennDOT application for the parade. The American Legion is willing to file the paperwork to PennDOT for the parade since there was additional insurance costs of \$450.00 for a rider for the VFW. The American Legion's insurance will do it at no additional costs to them. Councilwoman Bailey stated that we contacted the Borough insurance company to see if there was anything that the Borough could do. They could not do anything because it was not a Borough event.

Councilwoman Barnes would like to have banners of Veterans down Main Street.

Borough Manager Landy would like to change the fountain pump to be able to do more things to draw more people into that area. Borough Manager Landy stated that he believes the cost of a pump would be approximately \$5,000.00. The original pump when it was installed years ago was approximately \$3,000.00.

Human Resources / Ordinances:

Councilman Wojnar gave the following report:

- Believes they need additional discussions on the updated Covid Policy since other Council members have voiced concerns and Councilman Wojnar also had concerns regarding the application of it. Councilman Wojnar stated that, particularly with the Police Department, he does not agree with them not being paid if the contract Covid. They are front and center with the public and even if you maintain CDC guidelines you can still contract it. Councilman Wojnar stated that he does not believe they should be forced to use sick time or vacation time if the contract Covid, when they are being forced into situations where they could get the virus at no fault of their own. Councilman Cholock stated his concern is with all of the employees, not just the Police Department. Mayor Lucia also mentioned Medic 10. Borough Manager Landy stated that Medic 10 are not employees of the Borough. Councilman Cholock stated we should also look out

for ambulance service. Councilman Cholock stated that he does not agree with one bit of the updated Covid policy. Councilman Cholock asked who asked for an updated Covid policy. Councilman Wojnar stated that it was discussed at a previous meeting because the recommendations had changed. Councilman Cholock asked if this was asked by Council as a whole to have the Solicitor update this policy. Solicitor Istik stated that to clarify it, she received a phone call from the Borough Manager and Council President Ruszkowski regarding multiple issues and this being one of them. Solicitor Istik stated that the question that was posed was the federal mandate that required employers to pay employees still in place and Solicitor Istik told them it was not and that the federal mandate had been lifted. Solicitor Istik stated the next question was, was there any mandate in place that required employers to pay employees to be off for Covid. Solicitor Istik told them no and that in the State of Pennsylvania there is no state or federal mandate that requires any employer, whether it be a public entity, private entity, or government entity to them to pay their employees. Solicitor Istik stated she was asked to bring it up at the next meeting to see if Council wanted to change the Covid-19 policy based upon the fact that the mandate had been lifted. Solicitor Istik stated that at the September meeting during executive session they discussed Covid-19, the policy and whether they wanted to make changes. Solicitor Istik stated that there are 3 things that could be done; Change the policy; Leave the policy as is; or, get rid of the policy altogether. Solicitor Istik stated that her only recommendation at that point was, if they wanted to change the policy, they needed to give their employees ample opportunity and notice to make arrangements themselves based upon the new policy. Council who was present during this meeting, had discussions and made the changes to this updated policy. Originally, the policy had 14 days, there was an updated policy dated October 4 that was discussed; and, a revised policy was sent out via email on October 5th with changes that went to 10 days; but if you had a negative test after 5 days you could contact the Borough Manager and he had the discretion to let the employee return to work. Solicitor Istik stated she did not make the changes, they were made upon Council's request, and, it was made by Council for me to bring it up to see if Council wanted changes made. Solicitor Istik stated she was doing what she was asked to do. Councilman Cholock stated asked by Borough Manager Landy and Council President Ruszkowski. Councilwoman Stevenson stated it was brought up in executive session during her first meeting back on Council. Solicitor Istik stated the policy has been updated to what was discussed and wanted at that time; however, if Council has a change of heart based on discussions it can be changed to whatever Council wants. Council President Ruszkowski stated she emailed Solicitor Istik requesting further discussions on the policy. Councilwoman Bailey stated that the hospital does not pay them to be off for Covid; and, they more than anybody, are open to Covid contraction. Councilwoman Bailey stated that Borough employees do get benefits and she is not opposed to giving them additional sick days for Covid; however, she is opposed to giving employees a blank check when they are already getting benefits. Councilman Wojnar stated that the Borough operated under that pretense previously and it was not abused by employees. Councilman Wojnar stated that we have a good group of people working in the Borough so he is not against paying an employee for time off for Covid based on past experience with the employees. Councilwoman Stevenson said that she had suggested taking it from 14 days to 10 days. Councilman Cholock stated that he is not opposed to 10 days and using sick days for any longer period of time. Councilman Cholock does not want an employee coming to work sick because they can't afford to be off of work; and, that the Borough's situation is not going to be based off of other companies and how they handle paying or not paying their employees for Covid. Councilman Wojnar reiterated that we did not have an employee abuse the Covid policy. Councilwoman Stevenson stated that if the Borough has good upstanding employees, then why would we think they would abuse the policy and come to work sick. Councilman Wojnar stated because they would not be getting paid and we don't know their financial situation. Councilman Phillabaum stated that if an employee is out of work more than 2 weeks they can file for short-term disability. Councilwoman Stevenson asked Councilman Cholock what he would like to be changed on the policy. Councilman Wojnar asked if the employee gets paid for being off with Covid under the current updated policy. Solicitor Istik stated that the current policy that is in place states employees will be paid for 14 days for being off with Covid. Borough Manager Landy stated that there was one employee that was paid for more than 14 days of being off. Councilwoman Bailey asked if we had an employee that was out twice for Covid.

Solicitor Istik stated that the concern was about the overtime generated for a department, which would deplete the budget, when covering for an employee that is out due to Covid.

A Motion was made by Councilman Cholock to amend the agenda to hold an executive session. Motion seconded by Councilman Wojnar. Motion carried 7-0.

A Motion was made by Councilman Cholock to hold an executive session regarding personnel. Motion seconded by Councilman Wojnar. Motion carried 7-0.

A Motion was made by Councilwoman Bailey to reconvene. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

Council President Ruszkowski stated that the Executive Session was held from 8:25pm – 8:47pm to discuss legal issues.

Finance / Grants Report:

Councilwoman Bailey stated that everyone has received a copy of the budget and asked that Council reviews them.

New Business:

- Borough Manager Landy stated that he has received the appraisal for the Bridgeport Street property.
- Councilwoman Stevenson thanked Council on behalf of the Cat Committee for being progressive about the idea in the past.

Reading of Communications:

- There will be a Comedy Night, sponsored by Levin Furniture & Mattress, on Saturday November 6, 2021 at the Scottdale Fireman’s Club, 405 Porter Avenue, Scottdale, PA at 6:00pm benefitting the Coal & Coke Trail linking Scottdale and Mount Pleasant.
- The Drama Club will be having a play called “Noises Off” on November 11, 2021, sponsored by the Mt. Pleasant Alumni Association.

Discussion and Payment of Bills:

A Motion was made by Councilwoman Bailey to pay all authorized and approved bills. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

Public Comment: None.

Miscellaneous and Adjournment:

A Motion was made by Councilman Cholock to adjourn the meeting. Motion seconded by Councilwoman Bailey. Motion carried 7-0.

Meeting Adjourned 9:05pm.

Respectfully Submitted,

Jeffrey A. Landy,
Borough Manager

BOROUGH OF MOUNT PLEASANT

Susan Ruszkowski, Council President

Motions from Meeting October 18, 2021

A Motion was made by Councilwoman Stevenson to approve the minutes of October 4, 2021 since Council has been provided with a copy. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

A Motion was made by Councilwoman Stevenson to accept the August 2021 Treasurer's Report as read. Motion seconded by Councilwoman Bailey. Motion carried 7-0.

A Motion was made by Councilwoman Barnes to advertise for bids to install electric for the lighting at the waterway project. Motion seconded by Councilman Phillabaum. Motion carried 7-0.

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