

Meeting June 22, 2009

The meeting of Mount Pleasant Borough Council was called to order by President Tabita at 7:03pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said and there was a moment of silence for our deployed troops. President Tabita directed Borough Manager Landy to take roll. Councilmen Bauer, McCloy, Slater, Tate and Councilwomen Ruskowski and Stevenson were present. Mayor Lucia and Solicitor Toohey were present. President Tabita stated we have a quorum.

Reading of Previous Minutes:

A motion was made by Councilman Bauer to dispense with the reading of the minutes of June 1, 2009. Motion seconded by Councilman Slater. Motion carried 7-0.

Public Comment: None

Solicitor's Report:

A motion was made by Councilman Bauer for an Executive Session. Motion seconded by Councilman McCloy. Motion carried 7-0.

Executive Session 7:05pm to 7:55pm.

President Tabita announced that the Executive Session was for litigation and personnel.

Mayor's Report:

Mayor Lucia said that the part-time Police patrol of the parks is working out well.

Mayor Lucia addressed Council regarding vendors selling prepared food at the Farmers Market. Councilman Bauer said that the ordinance says only homegrown produce is allowed to be sold at the Farmers Market. Health Inspector Rita Bornstein said that the state requires anyone selling prepared food to the public be inspected. State Representative Kula is trying to eliminate this requirement for churches and fund raisers. Councilman Bauer said Council should follow the ordinance and allow only homegrown produce and homemade products to be sold at the Farmers Market. Anyone with a business license should not be allowed to set up at the Farmers Market. A person can sell up to fourteen days a year and not be considered a business. Ms. Bornstein said any prepared food should be labeled with the date it was prepared. Council agreed that the Farmers Market should be limited to home grown produce, home-baked goods and canned goods.

Speakers:

Health Inspector Rita Bornstein spoke to Council regarding property maintenance on abandoned properties. The Borough is having difficulty contacting the owners who are usually banks and mortgage lenders. Ms. Bornstein said that the Recorder of Deeds at the Westmoreland County Courthouse can fax us the deed to the property showing the owner. Another option would be for the Street Department to cut the grass and for the Borough to put a lien on the property for the cost. Other municipalities are charging up to \$150 for the truck to show up at the property plus the hourly wage of the men doing the mowing. The only time the Borough would lose money is on a free and clear sale because all liens are excused. But it is important for the Borough to see that these properties are maintained because of the health issues. Some banks have Preservation Groups to maintain properties that are in foreclosure. Anything the Borough does to the property is lienable. Councilman Bauer said he feels that the police are unable to monitor all of the properties and next year money should be budgeted for another code enforcement person. Ms. Bornstein said she is available to do the work for the Borough. She has the time and the contacts at the courthouse to get information on the owners. Ms. Bornstein said she would be willing to do the work for \$15.00 per case unless cas becomes complicated and needs a lot of attention. But the Borough has to be willing to maintain a property and lien the property if necessary. Ms. Bornstein would need access to a phone and a computer. Ms. Bornstein represents herself at any hearing and the DA represents us at the courthouse.

Ashley Funk addressed Council regarding a Mount Pleasant organization called Pollution Patrol. Ms. Funk explained that Pollution Patrol would clean up roadside litter, stress No Littering as well as the need for recycling in the Borough. They would like to set up booths with information at the Concerts In The Park and the Glass Festival. Ms. Funk said they would be cleaning the sides of the roads on a weekly basis. She said she spoke with Borough Manager Landy and he offered to have the Borough providing them with vests. They

would need 8 vests so that they could have four people on each side of the road at one time. Pollution Patrol would like to see more signs telling people about the fine for littering as well as more outdoor cigarette disposal sites. They will attempt to take pictures of offenders. Ms. Funk said they would like to use biodegradable garbage bags. The cost of the bags would be \$50 per hundred and that would last a year. Ms. Funk said that Penn Dot may even be willing to donate the vests. President Tabita said that we would also be willing to provide gloves. Pollution Patrol will recycle any glass or plastic they collect in our recycling bins. WWT Supervisor Norm Stout said that Ashley's group could come to the WWT Plant and get a box of gloves.

A motion was made by Councilman Bauer to suspend the rules for a motion to approve Pollution Patrol to pick up litter in the Borough and for the Borough to provide the necessary supplies. Motion seconded by Councilman Slater. Motion carried 7-0.

A motion was made by Councilman Bauer to approve Pollution Patrol to pick up litter in the Borough and for the Borough to provide the necessary supplies. Motion seconded by Councilman Tate. Motion carried 7-0.

Mr. Landy said he will contact Penn Dot regarding vests and the requirements. Councilman Slater told Ashley to notify the Borough where they are picking up the litter and our Street Department will pick up the bags.

Treasurer's Report:

Borough Manager Landy read the following Treasurer's Report for the month of May 2009:

Mt. Pleasant Borough Treasurer's Report:		May-09			
		Previous Balance	Deposits	Disbursements	Balance May09
General Fund Checking	PNC 00-0122-3513	153,990.00	183,706.97	287,476.97	50,220.00
General Fund Sweep	PNC 10-1149-3394	499,893.27	193,340.17	36,536.05	656,697.39
General Fund Budgetary Reserve	PNC 102-457-4388	102,604.47	75.76	0.00	102,680.23
**Fire		30,000.00			
**Police		10,000.00			
**Streets		10,000.00			
**Contingency Fund		52,680.23			
General Fund Budgetary Reserve	Standard Bank 321615	100,161.74	155.80	0.00	100,317.54
**Police		20,000.00			
**Streets		20,000.00			
**Contingency Fund		20,317.54			
**Infrastructure		30,000.00			
**Recreation Grant Fund		10,000.00			
Liquid Fuels PLGIT	PLGIT 56980126	195,333.61	72.51	14,685.94	180,720.18
Monument CD	Standard Bank 242781	5,626.71	0.00	0.00	5,626.71
Holiday Lighting Fund	Standard Bank 050004849	1,796.10	0.23	0.00	1,796.33
Payroll Fund	PNC 00-0122-6415	1,193.75	64,342.98	64,448.50	1,088.23
Veterans Park Fund	National City 981293700	3,258.14	0.00	1,483.31	1,774.83
Veterans Park PLGIT	PLGIT 5698025	11,224.47	4.29	0.00	11,228.76
Police Drug Enforcement	PNC 10-1291-2642	850.50	0.00	0.00	850.50
Town Clock Fund	Standard Bank 0010038847	611.34	0.07	0.00	611.41
Total General Fund Balance					1,113,612.11
WWT Operational Acct	Standard Bank 0320012280	313,135.79	46,000.62	53,536.55	305,599.86
WWT Savings	Standard Bank 0050021008	4,530.51	3,018.52	0.00	7,549.03
WWT Budgetary Reserve	Standard Bank 0000287245	101,388.31	157.70	0.00	101,546.01
**Contingency		61,546.01			
**Infrastructure		40,000.00			
Total WWT Balance					414,694.90
Total Borough funds					1,528,307.01

Respectfully Submitted:
 Councilwoman Susan Ruskowski
 Borough Manager Jeff Landy

A motion was made by Councilman Tate to approve the Treasurers Report as read. Motion seconded by Councilman Bauer. Motion carried 7-0.

President's Report:

President Tabita said that there will be a motion under Property to sign a lease amendment agreement with Kriebel Resources for a gas well at the Bridgeport Street property. This agreement is contingent on Larry Larese from the Westmoreland County Planning Commission looking at the property to check the elevation etc.

President Tabita said that Phase II of the Main Street Street-Scape Project is almost complete. Some concrete had to be replaced at the intersection of the Town Clock Church. Once it is settled on what wattage we can use in the decorative street lights the project should be complete.

President Tabita, Mayor Lucia, Borough Manager Landy and council members attended a luncheon at the Laurelville Mennonite Camp on Friday the 19th. They were offered a tour and were impressed by the facilities. There is a swimming pool available to the community as well as indoor basketball courts and other recreational facilities. The camp consists of 250 acres. It is a great asset to the community.

President Tabita presented Council with the rough-cut version of the DVD of the Borough that he and Mr. Landy have been working on of the Borough. Kingfish Productions is doing the video and President Tabita and Mr. Landy are working closely with them. After watching the video there were very favorable comments from Council. The video will be used to hopefully bring families and businesses into the Borough.

Borough Manager's Report:

Borough Manager Landy reported the following:

- Mr. Landy presented Council with the new brochure from the BDA.
- He received another call from the Movie Licensing Organization regarding showing movies in the park. They require a \$100 permit and since there was so little time until the first movie Mr. Landy authorized payment of the \$100. The \$100 fee is per movie shown. Mr. Landy received a suggestion that if we put in the paper that we now have to pay a license fee and we may get enough donations to cover most of the cost.
- The list of sponsors for this fireworks display are way down from previous years. We did receive a donation from the Yancosky family today. If anyone else would like to donate they can send it to the Borough Office and label it 2009 Fireworks. This is the first year that the fireworks are not already paid for by sponsors.
- The company doing the demolition of the DiNicola building is past their contract deadline. County officials have been talking to them and have decided to work with them. If they call in the Bond and hire another company to finish the work there would be a significant delay. The demolition company put up a fence to cover the property.
- County officials and a group of interns are going to come to Mount Pleasant and take an inventory of businesses on Friday. They will be here approximately one week. They will be gathering information about how many buildings, square footage of each building, how many stories, and if there are vacancies.
- The two people who are working this summer from the P.I.C. Program are working out very well. They may have another person available to us if we want them.
- The Juvenile Probation Program is working well this year. They are coming less frequently but are bringing more kids.
- Council has to make a decision on which signs are going to be put back up on Main Street after Phase II of the Main Street Street-Scape Project is complete. Councilman Bauer said the proposed Sign Ordinance prohibits signs on utility poles.
- There will be a meeting with Mount Pleasant Township regarding flooding at Ramsey Terrace on Thursday June 25, 2009 at 9:00am at the borough building.
- Victor Paving said that their paver should be fixed today and the paving project should be completed soon.

Councilman Bauer said that Street Superintendent Fontanazza should check and make sure Victor Paving is leaving curbs etc. so there are no flooding issues. Mr. Landy said he gave Mr. Fontanazza an inspection form he wants him to follow. The money for this project is from Liquid Fuels and they have strict guidelines that must be followed. Penn Dot requires a final inspection report and Mr. Landy has asked Mr. Fontanazza to inspect each street as it is paved.

Waste Water Treatment Report:

WWT Supervisor Norm Stout addressed Council regarding the Quarry Street Project. Council was provided with copies of notices being posted on each residence affected by the project. The first notice was posted in March for a public hearing on April 1, 2009. The second notice will be posted when a date for the second public meeting is set. Mr. Stout asked Council to read the notices and give their approval or offer changes or suggestions. Mr. Stout said he would like to have the second public meeting before the next council work session. Mr. Stout said he would like Council to make a motion for him to begin the project. Mr. Stout then went into an explanation of what occurred to cause the flooding and why the project is necessary. Mr. Stout said he tried to come with the best solution for the problem. Most of the homes on Quarry are below street level and would have to pump excess water somewhere. Mr. Stout feels this project is the best solution but is requesting Council's approval before he begins. He feels that Council should set aside money each year for one or two of these projects to solve the water problems in the Borough.

Councilman Tate said that Mr. Stout will send the notice for the second public meeting certified mail to the properties affected and then will post their doors a couple of days before the project begins. Councilman Tate said that the project is slated to begin late August or early September 2009.

A motion was made by Councilman Tate to have A & M Painting of Mount Pleasant paint traffic light poles located at the Doughboy, College Avenue and Church Street at a cost of \$2,815. A & M said they cannot do the painting until August but the price will remain the same. Motion seconded by Councilman Bauer. Motion carried 7-0.

WWT Supervisor Stout again encouraged Council to call him with any questions or suggestions regarding the proposed Quarry Street Project.

Public Safety Zoning & Ordinance Report:

A motion was made by Councilman Bauer to put a handicapped parking space on Washington Street in front of Val's Hair Salon. Motion seconded by Councilman Slater. Motion carried 7-0.

Councilman Bauer directed Council to copies of all the ordinances that were discussed at the committee meeting. These ordinances will not be adopted until the recodification is complete and then there will be one ordinance for the complete recodification.

The ordinances include the Graffiti Ordinance and the Yard Sale Ordinance, which was amended to say that group and neighborhood yard sales would need to register with the borough office but would not have to pay for a permit. The Solid Waste Ordinance was amended to say that any apartment building with more than three units must provide a dumpster at a central location. The Sign Ordinance is the one sent to us by Keystate Publishing and covers all types of signs including freestanding signs. The Landlord Registration Ordinance includes inspections, registering with the borough office and complying with the Property Maintenance Code.

Councilman Bauer presented a Fence Ordinance to Council which included set backs, height, maintenance, construction and sturdiness. Councilman Bauer also presented an ordinance about overhanging trees that he would like Council to adopt.

Councilman Bauer said there have been complaints about Grille 31 serving alcohol in an outside area. The ordinance allows this practice but Councilman Bauer said he would like to see that ordinance repealed. Council discussed repealing the ordinance. Councilman Bauer said he would like to see Grille 31 remove the entrance from the sidewalk and make people come and go through the restaurant or bar. President Tabita said that if there is ever a nuisance problem the police should cite the individual patrons.

Councilman Bauer said that the sign that Premier Video wants to use is not against the ordinance. Councilman Bauer said that right now there is no ordinance against the banner that the End Zone wants to put up, but after the recodification is complete there will be. Mr. Landy said he would send a letter to the End Zone explaining this.

A motion was made by Councilman Bauer to allow any council member who is interested to golf in the annual VFD golf outing on July 18, 2009. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

Streets, Parks and Recreation Report:

Councilman Slater said that he spoke with someone from the Mount Pleasant Area School District and they may be willing to help pay for the Tennis Court resurfacing repair.

A motion was made by Councilman Slater to open the sealed bids for the Tennis Court resurfacing. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

President Tabita opened the following bids:

- Meneghini Company \$19,800.00 Tennis Courts
- \$ 500.00 Basketball Court with Tennis Courts
- \$ 1,500.00 Basketball Court without Tennis Courts

Lutz Tennis & Asphalt Co. \$17,895.00

Councilman Slater said he received a call from Mike Koehler who bought property across from the Sub & Pub about whether it is zoned commercial.

A motion was made by Councilman Bauer to turn the bids over to the Recreation Committee for review and award. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

Finance Report:

Councilwoman Ruszkowski said the annual Relay For Life is giving businesses and homes from July 1, 2009 to July 25, 2009 to decorate in purple for the event.

Borough Manager Landy said that the budget for Frick Communities is requiring more money from the participating communities. Originally it was going to cost each community approximately \$150.00 but now they are asking for \$500.00. Mr. Landy asked Councilwoman Ruszkowski what line item to take it from. Councilwoman Ruszkowski said she will look at the budget and let him know.

Property Report:

A motion was made by Councilman Bauer to sign a lease amendment agreement with Kriebel Resources for a gas well at the Bridgeport Street property. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

Community Eco-Green Report:

Councilman McCloy reported that Penn State Cooperative is still working on the report for alternate sources of heat for the borough building and VFD.

Councilman McCloy reported that Allied Waste said that if the Borough wants to put a flyer in the garbage bills for recycling in the Borough there would be a charge. Andrea Ansell from Allied Waste said she would get back to us with the cost.

Councilman McCloy said that once we have a Solid Waste Ordinance in place we will be able to apply for a grant to cover the cost of curbside recycling bins. President Tabita asked Councilman McCloy to check with Allied Waste regarding the size specifications of recycling bins.

Councilwoman Stevenson asked Councilman Bauer to include in the Solid Waste Ordinance that trash and recycling bins can not be put out more than 24 hours in advance of pick up.

Human Resources and Employee Contracts Report:

Councilwoman Stevenson said that Solicitor Toohey has a copy of the Employee Handbook and is reviewing it.

Councilwoman Stevenson said that the Historical Society has possession of an original indenture document for Michael Smith to become a blacksmith.

Community and Economic Development and Grants Report: None

Councilman Bauer said he would like to look into getting signs from the Federal Government alerting people of emergencies for Veterans Park. After 9/11 they offered the signs and he would like to know if they are still available.

Councilman Bauer said he would also like to go forward on the Welcome to Mount Pleasant signs. Council agreed that we should continue pursuing different options.

Councilman Bauer said he received a call from a company who is offering specials on Christmas lights. Council agreed that we do need extra wreaths.

Councilman Bauer said that after looking at the zoning map he believes the property purchased by Mike Koehler is not zoned commercial. Mr. Landy said that zoning variances do not show up on the zoning map and has asked Mr. Koehler for a copy of his deed to see if a variance was ever approved for that property.

Reading of Communications:

Borough Manager Landy read the following communications:

- The Recreational Soccer League has asked the Mount Pleasant Area Senior High School students to paint a mural on their concession stand at no cost to the Borough. Council approved the idea.
- Our insurance company has denied the claim of Nat Abromson falling and hurting his ankle on the sidewalk in front of Doughboy Pizza.
- A citizen wrote a letter asking the Borough to discontinue the practice of throwing candy during parades. He feels that volunteers should walk along side the vehicles and hand out wrapped candy to the children.

Discussion and Payment of Bills:

A motion was made by Councilman Bauer to pay all approved and authorized bills. Motion seconded by Councilman Slater. Motion carried 7-0.

Miscellaneous and Adjournment:

A motion was made by Councilman Bauer to adjourn the meeting. Motion seconded by Councilman Slater. Motion carried 7-0.

Meeting adjourned 10:31pm.

Motions from June 22, 2009

A motion was made by Councilman Bauer to dispense with the reading of the minutes of June 1, 2009. Motion seconded by Councilman Slater. Motion carried 7-0.

A motion was made by Councilman Bauer for an Executive Session. Motion seconded by Councilman McCloy. Motion carried 7-0.

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