

## Meeting July 6, 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, Crivella, McCloy, Slater, Tate and Councilwomen Ruszkowski 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 22, 2009. Motion seconded by Councilman Slater. Motion carried 8-0.

### Public Comment:

Patty Spinwebber, Pine Street, Mount Pleasant representing the Alzheimer's Association said there will be a Memory Walk on Saturday, September 19, 2009 at the Legion Keener Park in Latrobe, PA. Registration begins at 9:00am and the walk begins at 10:00am.

Sherri Wingrove owner of the R & R Station in Mount Pleasant told Council that since the completion of the CSO Project the basement and bar area of the R & R Station floods during hard rains. It has never flooded in the previous 16 years. Ms. Wingrove said that when there is a hard rain the manhole cover between the corner and Pritts Feed Mill comes off and water rushes down Main Street. She would like someone to look into the situation. President Tabita said if the problem is because of the CSO Project Ms. Wingrove will have to contact the Mount Pleasant Municipal Authority because it was their project.

Ms. Wingrove said that she owns property at 434 and 430 Main Street Mount Pleasant. She was notified last August that 434 Main Street must be torn down and she must fix 430 Main Street. In November there was a hearing before Magistrate Eckels who did give them a little more time. On May 7, 2009 there was another hearing to hear their appeal and 434 must still be torn down and she refuses to tear it down. Ms. Wingrove filed another appeal which will be heard on July 28, 2009 at the Westmoreland Co. Courthouse. Ms. Wingrove presented Council with signed contracts for repairing both properties, but by the time her appeal is heard it will be too late in the year to start construction. President Tabita said that Council cannot overturn the Magistrate's decision.

### Mayor's Report:

Mayor Lucia read the following Police Report for the month of June 2009:

Report of the Mount Pleasant Police Department for the month of June 2009

The Department answered 375 calls during the month as follows

|                          |    |
|--------------------------|----|
| Complaints               | 98 |
| Requests for assistance  | 8  |
| Assist Other Departments | 7  |
| Accidents investigated   | 5  |
| Calls Returned           | 30 |
| Assist Medic 10          | 6  |

The Department made 118 arrests during the month as follows

|                   |    |
|-------------------|----|
| Vehicle Code      | 97 |
| Crimes Code       | 19 |
| Borough Ordinance | 2  |
| Warnings Issued   | 1  |

Parking Tickets issued are as follows:

|                            |    |
|----------------------------|----|
| \$1.00 Meter Tickets       | 12 |
| \$10.00 No Parking Tickets | 8  |

|                                |    |            |
|--------------------------------|----|------------|
| Void / Excused                 | 2  |            |
| \$1.00 Parking Tickets Paid    | 10 | \$ 10.00   |
| \$5.00 Parking Tickets Paid    | 2  | \$ 10.00   |
| \$10.00 Parking Tickets Paid   | 0  | \$ -       |
| Return from Magistrate Eckels  |    | \$1,989.66 |
| Return from Clerk of Courts    |    | \$ 219.85  |
| Return from Report Fees        |    | \$ 75.00   |
| Return from Parking Permits    |    | \$ 25.00   |
| Return from Soliciting Permits |    | \$ -       |
| Return from Restitution        |    | \$ -       |
| Total                          |    | \$2,329.61 |
| Meter Receipts 2 Collections   |    | \$1,451.06 |
| Total Receipts for the month   |    | \$3,780.67 |

Mayor Lucia said that Police Chief Ober has done a study of meters in the Borough and there is very little activity on the meters from Hitchman Street to Shupe Street. These meters are in a residential area where most people have off-street parking. Chief Ober recommends eliminating approximately 27 meters in this area. There are a number of meters that need repaired. We need about 75 mechanisms to repair the inoperable meters. The revenue from the parking meters is earmarked to maintain the meters. Councilman Bauer said that if the meters are removed there will be nothing to restrict people from parking and leaving their vehicle there for extended periods which would cause a problem for property owners. President Tabita asked Councilman Bauer to look at the revenue for the meters and come back with a plan on whether they can be repaired this year. Councilman Bauer said he will get the figures from Councilwoman Ruszkowski and report back.

Mayor Lucia thanked Borough Manager Landy and the Recreation Committee for the recent Concerts In The Park. Mayor Lucia has received a lot of good comments on the concerts.

Mayor Lucia also thanked everyone for their support of the Firemen's Fair this year. The weather was wonderful for the first time in about 13 years and the fair was a huge success. The revenue from the fair helps the VFD maintain their budget.

**Solicitor's Report:** None

A motion was made by Councilman Bauer for an Executive Session. Motion was seconded by Councilman Slater. Motion carried 8-0.

**Executive Session 7:28pm to 8:25pm.**

President Tabita stated that the Executive was held to discuss litigation and personnel.

**Tax Collector's Report:**

Tax Collector Carol Yancosky read the following report for the month of June 2009:

|                  |             |
|------------------|-------------|
| Property Taxes   | \$48,407.36 |
| Per Capita Taxes | \$ 819.50   |
| Total Collected  | \$49,226.86 |

**President's Report:**

President Tabita reported that we are still working on the question of wattage for the decorative lights in Phase II of the Main Street Street-Scape Project. The problem should be resolved and the project complete by the end of the month.

President Tabita said that the video of the Borough should also be done by next month and we can put it on the website and perhaps some TV spots.

President Tabita thanked Borough Manager Landy for all his work on the July 3<sup>rd</sup> Celebration. Everyone enjoyed the fireworks and the concert and people from out of town had a lot of good things to say about Mount Pleasant. President Tabita said that the Borough is in need of financial support for the fireworks next year and donations can be sent to the borough office. There is always a great need for volunteers for the different activities in the Borough especially the upcoming Glass & Ethnic Festival. Anyone wanting to volunteer some of their time can call the borough office.

### **Borough Managers Report:**

Borough Manager Landy read the following statement to make the public aware of the drainage system problems in the Borough:

As part of the Pennsylvania DEP'S MS4 Program (SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS), the Borough of Mount Pleasant would like to remind everyone that our storm sewer inlets and drainage swales discharge directly to Jacobs Creek. We are striving to educate the public about the drainage systems and the problems with allowing various items to enter our streams and waterways. Shupe Run and Jacobs Creek bring many benefits to our community. We ask your assistance in educating our community about inappropriate practices that will damage one of our most precious resources.

Mr. Landy asked Council to look at the most recent Profit and Loss Budget Vs. Actual report through July 6, 2009. Some of the line items are already over budget and Secretary Fedorchak has circled those.

Mr. Landy made the following report:

- Borough Secretary Fedorchak has been preparing for the annual audit which will begin next week and will keep us busy for a couple of weeks.
- Allied Waste is our first sponsor for Movies In The Park which will be on July 11th. When we started showing the movies we did not realize that a permit was required. Each movie will now cost \$100 for royalties. We are still looking for a sponsor for the August 14<sup>th</sup> movie.
- As an addition to our Concert In The Park Series Mr. Landy has planned two additional musical events. On July 31<sup>st</sup> and August 28<sup>th</sup>, which are Fridays, the Borough will sponsor "Smooth Sounds Of Summer" featuring jazz music at the park. Then maybe we can cooperate with the BDA and the Chamber to bring back the car shows on Friday nights.
- Mr. Landy thanked everyone who attended the July 3<sup>rd</sup> Celebration. The watermelon-eating contest was a great success and hopefully we can do more of these activities for the kids.
- Mr. Landy would like to see Mount Pleasant, Scottdale and Connellsville meet twice a year at the Laurelville Mennonite Camp and discuss different ideas. Council people from Scottdale and Connellsville were very receptive to the idea. It could possibly grown to include other municipalities.
- The DiNicola building is demolished and the property is being reclaimed. To complete the project there will be a fence across the front.
- Planning for the Glass & Ethnic Festival is underway and Mr. Landy will be giving reports to Council since it is a Borough event. The entertainment has been booked.
- Jokingly, Mr. Landy presented Council with a proposed name for a Mount Pleasant alley. It could be named "Mike's Way" after President Tabita. If Council disagrees with "Mike's Way" it could be changed to "No Way".

Jeff and Jerry decided to skip the weigh-in this week because of the holiday and start the weigh-in again next month. Sponsors for the weigh-in can still call the borough office.

**Waste Water Treatment Report:**

Councilman Tate reported that letters announcing another public meeting to be held on July 8, 2009 regarding the proposed WWT Quarry Street Project were sent to the residents who will be affected by the project. The properties were also posted with the announcement. The public meeting will be held at 7:00pm in council chambers.

Councilman Tate said that the restrooms at the Little League field should be ready in the spring. The roof is almost complete and the plumber is scheduled.

Councilman Tate asked Council to read a letter from Matson Environmental regarding a "PA Conservation Works" program that provides grants for shovel-ready projects that reduce energy use by at least 25%. Matson Environmental is sending preliminary paperwork. There may be money available.

**Public Safety Zoning & Ordinances Report:**

Councilman Bauer read the following Medic 10 report for the month of June 2009:

|                           |     |
|---------------------------|-----|
| Total calls for the month | 128 |
| Medical                   | 103 |
| MVA                       | 7   |
| Fire                      | 7   |
| Transfer                  | 1   |
| Standby                   | 10  |
| In Town                   | 57  |
| Out of town               | 71  |
| Members per call          | 3.0 |

Councilman Bauer read the following Fire Report for the month of June 2009:

|                     |     |
|---------------------|-----|
| Total Calls         | 29  |
| In Town             | 9   |
| Out of Town         | 20  |
| 10-45's             | 10  |
| Fires               | 11  |
| AFA'a               | 5   |
| Public Service      | 2   |
| Watercraft          | 1   |
| Total Men Answering | 541 |
| Avg member per call | 18  |
| Total Hours         | 276 |

Councilman Bauer said there will be a meeting with Keystate Publishers on Wednesday July 8<sup>th</sup> to complete the ordinance re-codification. The ordinances to be added during this re-codification are the Fence Ordinance, Overhanging Tree Ordinance, Sign Ordinance, Solid Waste Ordinance, Yard Sale Ordinance, Graffiti Ordinance and the Landlord Ordinance.

Councilman Bauer said the Landlord Ordinance will require all rental properties to comply with the Property Maintenance Code, inspections every tenant change or every two years, all tenants over the age of 18 must register with the borough secretary and all landlords must register rental property. It will be the responsibility of the landlord to make sure that the tenant registers with the borough secretary. The only change to the sample ordinance will be that the tenant will have 30 days to register with the borough secretary after the ordinance is adopted instead of 72 hours. Keystate Publishers said that the re-codification may be complete by August. Councilman Crivella questioned these ordinances not being advertised individually and Councilman Bauer said it would take too much time and cost too much to advertise each change and ordinance

individually. This way the Borough advertises the re-codification and the book is here for public review before adoption.

Borough Manager Landy asked Councilman Bauer how the registration process would work. Councilman Bauer said that the tenants would have to come to the borough office, fill out the registration form and show proper I.D. Councilman Bauer said the following would be required from the landlord:

- Owners name. Owners telephone number
- Emergency contact name
- Property address
- # of units
- Maximum occupancy per unit
- Emergency phone number
- Name and address of tenant

The following would be required from the tenant:

- Name
- Address
- I.D. (can be any of the following)
  1. Passport
  2. Social Security Card
  3. Birth Certificate
  4. Other Government I.D.

The ordinance reads that the landlord is responsible for getting the tenant to register. They can't rent to the person until he shows proof of registration.

Councilman Bauer pointed out to Council that in the codification book Exhibit 6C pertains to alcoholic beverages and open-air containers.

Councilman Crivella said he feels each ordinance should be advertised and adopted separately. Councilwoman Stevenson said she also misunderstood that the new ordinances would be adopted by simply adopting the re-codification. Councilman Bauer said that when the book is advertised the changes to ordinances will be highlighted and the new ordinances will be in the front of the book. Ken Rotz from Keystate Publishers confirmed this process for adoption.

### **Streets Parks and Recreation Report:**

Councilman Slater said that volunteers are needed to help with the Concerts In The Park to introduce the bands etc.

Councilman Slater said that we received bids for the surfacing of the tennis courts but is not sure where in the budget we can take the money. President Tabita said that the money should come from the gas well revenues. Borough Manager Landy said that gas well revenues are down because of gasoline prices. President Tabita told the Recreation Committee to get together with Borough Manager Landy to estimate what the gas well revenues will be and then get together with the School District to see if they will help with the cost. President Tabita said he would like borough residents to have priority when it comes to using the tennis courts. If they produce a drivers license proving they live in the borough they should be able to bounce non-borough residents off the court. Councilman Tate said that he feels the only way to fix the tennis courts would be to take out a loan. Councilman Bauer suggested hiring an engineer to look at all of the parks and give us a cost to do all the repairs. Councilman Tate said that until we put down the rubber mulch, which is a DCNR requirement, we will be ineligible for any money.

Councilman Bauer said that Victor Paving did an outstanding job paving the alleys this year. Councilman Bauer asked if the Street Department has started using pre-cast storm sewers and Street Supervisor Fontanazza said that for the new storm sewers we are using pre-cast, but the old ones that just need minor repairs we are just repairing them.

Councilman Bauer said there are only 27 spaces left for names at Veterans Park. Council will have to decide if they are going to buy another tablet. And the cost of names on any new tablet

would probably be more than \$75. There are still pavers available for \$50. President Tabita said that before the next work session we should find out the cost of another tablet and what the cost of names on that tablet would be. President Tabita said that when the current tablet fills up we should take names for 6 months to see how many names we get.

Councilman Slater said he got an estimate to run a transformer to the new concession stand at Frick Park. They can't put a transformer on the existing pole. It would have to be run from Caruso's Funeral Home which would cost \$10 per foot for 250 feet. The other option is to come off the old concession stand. Allegheny Power is concerned whether maintaining sufficient amperage would hold up if it is run 250 feet. The other concern is whether the old concession stand has what we want since it is much older and the equipment will be upgraded in the new concession stand. President Tabita made it clear that he wants Council to approve any cost associated with the new concession stand. Councilman Slater said he only got estimates and had no intention of purchasing anything without Council's approval.

**Finance Report:** None

**Property Report:** None

**Community Eco-Green Report:**

Councilman McCloy said he spoke to Brad Cunningham from the DEP regarding grant money for curbside recycling. There will not be grant money available until late summer. Mr. Cunningham will let us know when grant money comes available.

Councilman McCloy said he and Mr. Landy met with two representatives from Westmoreland County Cleanways who said that they will supply anything Ashley Funk and Pollution Patrol needs to clean up litter in the Borough. Westmoreland County Cleanways also supplied recycling bins for our Concerts In The Park etc. The bins were well-used at the most recent concert and people used them correctly.

President Tabita said that Mount Pleasant should come to a decision by the end of the year regarding curbside recycling whether we get grant money or not. President Tabita said he is hearing from residents that they are in favor of curbside recycling. A discussion ensued regarding the cost of the containers and who pays for them.

**Human Resources/Employee Contracts Report:**

Councilwoman Stevenson said she has not heard from Solicitor Toohey regarding the Employee Handbook.

Councilwoman Stevenson reminded everyone about the Community Picnic at Idle Wild Park on Monday July 13<sup>th</sup>. Tickets can be purchased at various locations such as Coke's Barber Shop, Joe's Pools, Diamond Pharmacy and Shop and Save.

Councilwoman Stevenson thanked the residents who have called and cooperated with the Cat Program in the last few months. The program seems to be a success.

**Community/Economic Development and Grants Report:**

Councilman Crivella reported that the application for a Main Street Manager has been submitted.

A motion was made by Councilman Crivella to ratify a \$500 payment to The Frick Communities from line item #480.01. Motion seconded by Councilman Bauer. Motion carried 8-0.

Councilman Crivella said that Scottdale and West Overton have also contributed \$500 to The Frick Communities.

**New Business:**

Councilman Bauer said that he needs to know who will be golfing in the Annual VFD Golf Outing on July 18, 2009.

A motion was made by Councilwoman Stevenson for an Executive Session. Motion seconded by Councilman Crivella. Motion carried 8-0.

**Executive Session 9:37pm to 9:40pm.**

President Tabita said the Executive Session was to discuss litigation.

**Reading of Communications:**

Mr. Landy read the following communication from the PSAB:

- In 2008 the Pennsylvania Legislature passed the Home Improvement Consumer Protection Act. The law requires that all who perform \$5,000 or more in home improvements in a year must register with the Attorney General's Office. Beginning July 1, Pennsylvania consumers will be able to verify a contractor's registration with the Attorney General's Office by visiting [www.attorneygeneral.gov](http://www.attorneygeneral.gov) or by calling a toll-free hotline. The Office of Attorney General is encouraging consumers to use only registered contractors when making home improvements. Contractors can download forms and register online at [www.attorneygeneral.gov](http://www.attorneygeneral.gov). Mr. Landy said the information will be on the Borough's website.

**Discussion and Payment of Bills:**

A motion was made by Councilman Bauer to pay all authorized and approved bills. Motion seconded by Councilman Crivella. Motion carried 8-0.

**Miscellaneous and Adjournment:**

A motion was made by Councilman Bauer to adjourn the meeting. Motion seconded by Councilman Slater. Motion carried 8-0.

Meeting adjourned 9:43pm.

### **Motions from July 6, 2009 Meeting**

A motion was made by Councilman Bauer to dispense with the reading of the minutes of June 22, 2009. Motion seconded by Councilman Slater. Motion carried 8-0.

A motion was made by Councilman Bauer for an Executive Session. Motion was seconded by Councilman Slater. Motion carried 8-0.

A motion was made by Councilman Crivella to ratify a \$500 payment to The Frick Communities from line item #480.01. Motion seconded by Councilman Bauer. Motion carried 8-0.

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