

## Meeting August 2, 2010

The meeting of Mount Pleasant Borough Council was called to order by President Bauer at 7:02pm 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 Bauer directed Borough Manager Landy to take roll. Councilmen Beranek, Crivella, McCloy, Tabita, Tate and Councilwomen Stevenson and Ruszkowski were present. Mayor Lucia and Solicitor Wolfe were present. President Bauer stated we have a quorum.

### Reading of Previous Minutes:

A motion was made by Councilwoman Stevenson to dispense with the reading of the minutes of July 19, 2010. Motion seconded by Councilwoman Ruszkowski. Motion carried 8-0.

### Public Comment:

Lona Spaugy, 206 S Diamond Street spoke to Council about a fence being erected next to her property. She would like to know if the property owner has a permit to put up the fence. Also, the fence is blocking an exit from her property and she feels this is a fire hazard. Mayor Lucia said that the owner has a right to put up the fence as long as it is on his property. Ms. Spaugy said she has a survey to prove that the fence is on her property. Police Chief Ober said he will contact the person erecting the fence and call Mayor Lucia with his findings. Mayor Lucia said that this is a civil matter between property owners. Solicitor Wolfe agreed that this is a civil matter and the police and borough council have no jurisdiction.

A motion was made by Councilman Tabita to extend the 3-minute rule for Lona Spaugy. Motion seconded by Councilman Crivella. Motion carried 8-0.

Ms. Spaugy continued to speak about the problem with the fence. Ms. Spaugy asked again if the person erecting the fence obtained a permit. Police Chief Ober said he will look into the matter. It will first have to be determined if it can be classified as a fence because it is more of a railing.

Wendy Slater, 122 S. Church Street spoke to Council about foul balls from the men's fast pitch softball league at Frick Park damaging her vehicle twice, her son's vehicle once and hitting her garage. She asked why the fast pitch league is being allowed to play at the Frick Park Ball Field. President Bauer said that Council made a motion to permit them to use it. President Bauer said the league has insurance to cover any damages to her property. Councilman Tate said that a portion of the backstop may have been removed and may need to be replaced.

A motion was made by Councilman Tabita to suspend the rules for a motion regarding the men's fast pitch softball league at Frick Park. Motion seconded by Councilman McCloy. Motion carried 8-0.

A motion was made by Councilman Tabita to require the men's fast pitch softball league using Frick Park to station a man from the league in the alley to catch any foul balls. Motion seconded by Councilman Crivella. Motion carried 8-0.

Marylou Henner, 132 Yoder Avenue asked Council's help in selling a small house that is on the same property as another house she owns. The property has never been subdivided. Ms. Henner said she contacted the Planning Commission but hasn't heard back from them. President Bauer said that Council can't act until the Planning Commission rules.

### Speakers:

Jim Pillsbury Westmoreland Conservation District talked to Council about the rain garden project. Mr. Pillsbury said that Mount Pleasant is the first municipality in Pennsylvania deciding to place these little storm water controls on different properties to control flooding. Phase I of the project is complete. There is a problem with the mulch washing out of the rain garden during a heavy rain. Another problem is that a couple of the rain gardens receive excessive water flow. The reason for this is that water coming all the way down Rte 31 turns into the alley beside Levin Furniture and spills into the parking lot containing the rain garden. This only happens during large rainstorms. Westmoreland Conservation District has designed a fix for this problem and the borough engineer has approved the design. An inlet will be put in the alley for the water that spills off of route 31 and some revisions will be made to the outlet of the rain garden in the parking lot at the Municipal Building. The wood chip mulch will be replaced with river stone.

A source of funding is in place to pay for these revisions so that there will be no extra cost to the Borough. Westmoreland Conservation District is committed to fixing these problems. Phase II of the project involving residential rain gardens will receive water just from the roof of a house. Some adjustments have been made to the residential rain gardens as well. Approximately 15 properties are scheduled to receive rain gardens. A bid package is being prepared by the borough engineer for Phase II. Mr. Pillsbury said that there will be grant money left over from Phase II that can be used for future phases. Borough Manager Landy asked about the deadline for the Phase II grant. Mr. Pillsbury said that the grant deadline can be extended. Mr. Pillsbury said that these rain gardens have been successful in other states. Councilman Tate said that the Mount Pleasant Cemetery might be a good location for a rain garden.

President Bauer recognized Pastor Jack Feick and Reverend Ben Tobias from the Mount Pleasant Church of God and some young people from Mount Pleasant for the recent youth project in the Borough. The young people from other communities and states have moved on but the youths from Mount Pleasant have expressed their willingness to continue part of the project including grass cutting.

A motion was made by Councilman Beranek to suspend the rules for an Executive Session. Motion seconded by Councilman McCloy. Motion carried 8-0.

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

**Executive Session 7:41pm to 7:51pm.**

President Bauer said the Executive Session was to discuss legal matters.

**Mayor's Report:**

Mayor Lucia read the following Police Report for the month of July 2010:

Report of the Mount Pleasant Police Department for the month of July 2010:

The Department answered 381 calls during the month as follows:

Complaints	82
Requests for assistance	3
Assist Other Departments	2
Accidents investigated	7
Calls Returned	25
Assist Medic 10	4

The Department made 82 arrests during the month as follows:

Vehicle Code	73
Crimes Code	9
Borough Ordinance	0
Warnings Issued	0

Parking Tickets issued are as follows:

\$4.00 Meter Tickets	69
\$10.00 No Parking Tickets	30
Void / Excused	3

\$1.00 Parking Tickets Paid	0	\$	-
\$4.00 Parking Tickets Paid	51	\$	204.00
\$5.00 Parking Tickets Paid	4	\$	20.00
\$10.00 Parking Tickets Paid	0	\$	-
\$15.00 Parking Tickets Paid	11	\$	165.00
\$10.00 No Parking Tickets Pd	14	\$	140.00

Return from Magistrate Eckels	\$1,118.67
Return from Clerk of Courts	\$ 188.63
Return from Report Fees	\$ 60.00
Return from Parking Permits	\$ -

Return from Soliciting Permits	\$	-
Return from Restitution	\$	-
Total		\$1,896.30
1 Meter Collection		\$1,250.35
Total Receipts for the month		\$3,146.65

Mayor Lucia said that there is a problem with GPS locating software in the area. There is a Center Avenue in Mount Pleasant and a Center Avenue near New Stanton that has a Mount Pleasant 15666 zip code. Trucks are turning up Center Avenue in the Borough and end up with nowhere to go. Mayor Lucia suggested putting up two large “No Trucks Allowed” signs as soon as possible to keep trucks off of Center Avenue in Mount Pleasant Borough.

### **Solicitor’s Report:**

Solicitor Wolfe reported that Tucker Arensberg Attorneys is working on guidelines for WWT provisions dealing with infiltration issues, some lien matters and the Police Procedures Manual. Mr. Wolfe said someone from his firm will be meeting with borough employees regarding the Employee Handbook.

### **Tax Collector Report:**

Tax Collector Carol Yancosky read the following report for the month of July 2010:

Property Taxes = \$2,974.75

Total = \$2,974.75

Ms. Yancosky reminded taxpayers that the school property taxes and the school and borough per capita taxes are ready to be mailed. Also, anyone wanting a receipt must include a self-addressed stamped envelope with their payment and they must return all copies of their statements and the per capita form. Mr. Landy asked Ms. Yancosky if the rental registration has helped with per capita tax rolls and Ms. Yancosky said that there are 220 more residents on the per capita rolls this year.

### **President’s Report:**

A motion was made by Councilman Tate to allow the Mount Pleasant Glass & Ethnic Festival to hold their annual Car Cruise at Frick Park on August 20, 2010 beginning at 6pm with a rain date of August 27, 2010. Motion seconded by Councilman Beranek. Motion carried 8-0.

A motion was made by Councilman Beranek to close route 819 Diamond Street from Route 31 Main Street to Spruce Street and Washington Street from Church Street to Hitchman Street from 12 noon on September 23<sup>rd</sup> to 8:00am on September 27<sup>th</sup> for the Glass & Ethnic Festival. Motion seconded by Councilman Tate. Motion carried 8-0.

A motion was made by Councilman Crivella to close Route 31 Main Street from Braddock Rd Ave to Cooks Way on September 26<sup>th</sup> from 1:00pm to 4:00pm for the Glass & Ethnic Festival Parade. Motion seconded by Councilman McCloy. Motion carried 8-0.

President Bauer said that the Public Safety Committee and the Mayor are working on some recommendations make by the Governor’s Center for Local Government Services in their Police Study.

President Bauer said that during a meeting with Solicitor Wolfe regarding the Mount Pleasant Public Library, the code says that the Borough should have two council members on the Library Board and we only have one. At the first meeting in of 2011 we will appoint another member from Council to the board.

President Bauer said that Mount Pleasant was honored to have the State Farm Insurance Co sponsored “Sea to Shining Sea” bicycle ride by disabled veterans stop in Mount Pleasant.

## **Borough Manager's Report:**

Mr. Landy made the following report:

- He attended the grand opening of McCali Manor in Mount Pleasant. Mr. Landy said that it will be a another good addition to our Main Street.
- He attended the Relay For Life event sponsored by the Cancer Society and it is good to see it getting bigger each year.
- The youth group project sponsored by the Mount Pleasant Church of God was a great success and maybe it will encourage homeowners and property owners along Main Street to look at sprucing up their properties.
- He attended an assessment hearing at the Westmoreland County Courthouse to present the Borough's position on a property tax appeal.
- Bids for the demolition of the Gormley property have been advertised. Bids will be awarded August 24<sup>th</sup> and there will be a mandatory pre bid meeting set for August 9, 2010 at 2:00pm. The County asked Mr. Landy and Mario Fontanazza to attend the meeting along with anyone from Council who wishes to so that bidders can see the inside of the building if they want to.
- Westmoreland Conservation District would like to meet with council members and representatives from Levin Furniture to discuss the rain garden behind the store.
- There will be a meeting between the Borough and Township at the Township facility in Mammoth at 7am on august 4<sup>th</sup> to discuss obtaining a grant to implement storm water solutions on N. Geary Street.
- There will be a Public Utility Commission meeting with Senator Ward regarding the Allegheny Power merger at 1pm on Tuesday August 3<sup>rd</sup> that he and Mayor Lucia will attend.

## **Waste Water Treatment Report:**

Councilman Tate said that WWT would like to replace the existing windows in the office at the plant with new energy efficient windows. WWT personnel will do the installation.

Councilman Tate reported that the Relay For Life event sponsored by the American Cancer Society was a success again this year. 65 groups participated and raised \$138,000 for cancer research.

## **Public Safety Report:**

Councilman Beranek read the following Medic 10 Report for the month of July 2010:

Total calls for the month	162
Medical	125
MVA	15
Fire	9
Transfer	0
Standby	13
In Town	53
Out of Town	109
Members per call	2.5

President Bauer said that the Mount Pleasant Police Department has raised \$4,310 for their K-9 Unit. Patrolman George Grippo is continuing his fundraising efforts and hopes to receive more donations.

### **Zoning and Ordinance Report:**

Councilman McCloy said he forwarded a copy of the Borough's Floodplain Ordinance to FEMA that they requested for their National Flood Insurance Program.

Councilman McCloy discussed suggestions for the Sign Ordinance given to him by Catherine McCollom. All of Council was provided with a copy of the suggestions to be discussed at the next work session.

### **Street Report:**

A motion was made by Councilman Tate to authorize President Bauer to sign the Winter Traffic Services "Municipal Snow" Agreement with Penn DOT for Fiscal Years 2010 through 2015. Motion seconded by Councilman Crivella. Motion carried 8-0.

Councilman Tate said that Street Department personnel worked closely with the Church of God Youth Group while they were in town and helped them complete a lot of much needed work in the Borough.

Councilman Tate said that Joseph Paglio, former WWT Superintendent passed away this week. Mr. Paglio did an excellent job while he was in charge of the WWT Plant.

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

Councilman Crivella said that the CDBG Grant monies for Jack Bobb's Park have been approved bids for the project should go out this fall. The other part of the CDBG Grant will be used to pave Center Avenue and will go out to bid sometime in March 2011. Councilman Crivella said he will meet with his committee to go over equipment to be purchased for Jack Bobb's Park.

### **Veterans Park Report:** None

### **Finance Report:**

Councilwoman Ruszkowski asked Council to look over their copy of the Profit and Loss Budget Vs Actual Report. The 2010 budget year is more than half over and we will begin working on the 2011 budget soon. If anyone has any projects or expenses for 2011, now is the time to discuss them so that they can be included in the 2011 budget.

Councilwoman Ruszkowski said that last year the Borough entered into an agreement with Keytex Energy for our non-metered electric accounts and saved approximately 30% on energy costs. Keytex Energy would like the Borough to sign a 30-month agreement for our metered accounts that will save another 12% through First Energy Solutions.

A motion was made by Councilwoman Ruszkowski to extend the contract with Allegheny Energy Supply for non-metered Borough electric accounts. Motion seconded by Councilman Beranek. Motion carried 8-0.

A motion was made by Councilwoman Ruszkowski to sign a contract with First Energy solutions for metered Borough electric accounts. Motion seconded by Councilman Tabita. Motion carried 8-0.

### **Property Report:**

President Bauer said that he and Mr. Landy met with Architect Jim Gayton about the Welcome to Mount Pleasant signs. Mr. Gayton showed them some preliminary sketches for the signs. Hopefully we can still have the signs up before winter. Suggested locations are the west end of the Borough and the east end. It would also be nice to put one down by CVS Pharmacy at the beginning of Diamond Street. The next step is to get permission from the owners of the properties to erect the sign. President Bauer said we will be using brick from the borough shed for the construction along with glass block, which will be donated by the Assunta Club. Council discussed the advantages of widening Bridgeport Street and maybe doing it before we erect a welcome sign in that area.

### **Sanitation and Recycling Report:**

Councilwoman Stevenson reminded residents that all cardboard boxes must be cut into no bigger than 3ft by 5ft pieces before putting out for recycling.

Councilwoman Stevenson said that the Hazardous Waste Collection will be on Saturday October 2, 2010 at the Arnold Palmer Airport.

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

Councilman Tabita said that he received a proposal from Catherine McCollom that he will go over with the BDA.

Councilman Tabita said that the Rotary has completed the sign for the bike trail and he would like to send a letter to Mike Barrick requesting an update of bike trail activities. Mr. Landy said that there is a meeting scheduled with Mr. Barrick on August 17<sup>th</sup> at 1pm.

**New Business:** None

### **Reading of Communications:**

Borough Manager Landy read the following communications:

- A letter from the Mount Pleasant Girls Softball League asking for permission to use the ball field at Frick Park on Saturday and Sunday from August 28, 2010 through October 31, 2010.
- An email from the BDA requesting a meeting to discuss enhancing visibility and design of the pedestrian crossings and the proposed sign ordinance.
- PSAB Fall Leadership Conference will be in Gettysburg from October 15, 2010 to October 17, 2010.
- Westmoreland Cleanways would like us to donate \$25 to sponsor one of their programs.

A motion was made by Councilwoman Stevenson to sponsor a Westmoreland Cleanways program for \$25. Motion seconded by Councilman Crivella. Motion carried 8-0.

- An invitation from PA Cleanways to a Volunteer Recognition Dinner at the Fred Rogers Center at St Vincent College in Latrobe on October 27, 2010.
- Information from PSAB and the Governor's Center regarding seminars on roadside tree care and managing a professional police department.

### **Discussion and Payment of Bills:**

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

### **Miscellaneous and Adjournment:**

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

**Meeting Adjourned 8:43pm**

### **Motions from August 2, 2010 Meeting**

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