

Meeting August 6, 2012

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 and borough residents Jack Hostoffer and Jack Kitta who passed away this week. President Bauer directed Borough Manager Landy to take roll. Councilman McCloy, McFeaters, Pritts, Snyder, Tate and Councilwomen Ruszkowski and Stevenson were present. Mayor Lucia and Solicitor Wolfe were present. President Bauer stated we have a quorum.

Reading of the Minutes:

A motion was made by Councilwoman Stevenson to dispense with the reading of the minutes of July 23, 2012 since Council has been provided with a copy. Motion seconded by Councilman Snyder. Motion carried 8-0.

Citizens of the Month: Mount Pleasant Area Garden Club

Public Comment:

Valerie Tressler, owner of Val's Family Styles, Mount Pleasant said that she is upset because Borough Manager Landy would not tell her where the fireworks were going to be launched on July 3, 2012. She said that one of her customers who is handicapped asked her to find out. Ms. Tressler said that Mr. Landy would only tell her that the fireworks can always be seen from Veterans Park and that there is handicapped parking at the park. President Bauer said that there have been damage claims involving the fireworks in past years and it is best and safest if people view the fireworks from the Gazebo area but Council is looking into making it a better situation next year.

Mr. Bruce Katz, 330 College Avenue, Mount Pleasant spoke to Council about parking on College Avenue. Mr. Katz said that he and his son get parking tickets for parking on a yellow line, but that they have nowhere else to park. President Bauer said that there is permit parking on College Avenue and each house is allowed two permits. Mr. Katz said that there is still not enough parking and he would like to see property owners who have driveways park in the driveway and not on the street.

Gerard Rendine, 1361 State Route 31, Mount Pleasant, President of the Mount Pleasant Landlord Association, commented on the money the Borough is spending to defend the lawsuit the Landlord Association filed against the Borough. Mr. Rendine said the money would be better spent on playground equipment or our police department instead of defending the rental inspection process. President Bauer said that the rental inspection ordinance has been in place since 1975 and the Landlord Ordinance adds the registration requirement. Mr. Rendine stated that he would like Council to listen to the people. Mr. Rendine stated that if Council does not listen to the people today, they will listen on Election Day. President Bauer said that he feels the Landlord Association misrepresented the facts when they were campaigning for a council seat in the last election. President Bauer also said that Mr. Rendine's statement that he pays \$10,000 per year to the Borough in taxes is incorrect because a majority of Mr. Rendine's taxes go the School District and County. Mayor Lucia said that he is very upset about the landlords' incorrect and disrespectful comment in the newspaper, stating that the members of Mount Pleasant Borough Council are communists. A heated discussion ensued between Mr. Rendine and Mayor Lucia in which Mayor Lucia stated that in 1975 the cost of a rental inspection was \$15 and landlords did not comply with the ordinance. Mayor Lucia said that he would take Mr. Rendine to a rental property in the Borough and get his opinion on how safe the property actually is. Mr. Rendine said that he agrees that there are rental properties in the Borough that will not pass inspection.

Speakers:

Joy Burkholder, Neighborhood Crime Watch, thanked Mayor Lucia for attending the first meeting and told Council that it has been established that there is certainly a need for a neighborhood crime watch program. Ms. Burkholder asked residents to keep an eye on the newspapers for the time and date of the next crime watch meeting. Ms. Burkholder urged everyone who is able, to join the crime watch because there is a lot of success in numbers.

Mayor's Report:

Mayor Lucia said that he was happy to attend the first crime watch meeting and Ms. Burkholder did a good job organizing the meeting and had a lot of good ideas. Mayor Lucia said he will be happy to work with the Neighborhood Crime Watch in the future because the Borough recognizes that there is a problem with vandalism and other crimes in town. Mayor Lucia said that the Mount Pleasant Police will have two cars on patrol every night from 9pm to 5am.

Mayor Lucia said that the Borough is going to condemn the property at 344 Washington Street. The property has been foreclosed on by the bank and is empty. Mayor Lucia said that after the property is condemned it may take years for something to be done with it and used the example of the Gormley property and how long it took to get it torn down.

Mayor Lucia said that there are a number of properties in the Borough that have been abandoned. These properties all need the grass cut. The Mount Pleasant Street Department has been working with the youths from the Church of God to cut grass at these properties.

Solicitors Report:

Solicitor Wolfe said he would like to clear up any misunderstandings regarding the Landlord Ordinance. Solicitor Wolfe said that Council has never had any discussion regarding an ordinance to require inspections of private, owner-occupied properties.

Solicitor Wolfe said that one of the complaints from the Mount Pleasant Landlord Association is the Borough's cost to defend a lawsuit brought against the Borough by the Landlord Association, that raises arguments that have been rejected by any court that has ever heard it. Landlord registrations and inspections have been tried in many cases across many states and have been determined that these are legitimate public purposes and the inspection ordinance is related to that important public purpose. One argument by the Landlords is that it is unconstitutional to require a name and phone number on an application for a permit. This argument is absurd and it is wrong for the Landlord Association to complain about the money spent by the Borough to defend against a claim such as this, which has been made by them.

Solicitor Wolfe stated that another issue that Council should be aware of is record requests that ask such things as the status of every piece of litigation that has ever been filed against the Borough for the last 25 years. Even though it was made abundantly clear to Mr. Rendine that the Borough does not possess any such list, he has taken it upon himself to file an appeal with the Office of Open Records, which will cost the Borough and taxpayers even more money to defend. Mr. Wolfe said he will keep Council updated on the suit that is in litigation.

Mr. Wolfe also said that according to data from B.I.U. who is doing the inspections of the rental properties, 78% of the properties inspected did not pass inspection the first time. Some of the failures include batteries in smoke detectors, missing smoke detectors, and defective ignition chambers in furnaces. These are serious thing that could put tenants at risk. Inspections are directly related to safety.

Tax Collector Report:

Tax Collector Carol Yancosky read the following Tax Report for the month of July 2012

Property Taxes	\$4,351.42
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Ms. Yancosky reported that the Borough and School Per Capita taxes and Property Taxes were mailed on August 1, 2012. If residents do not receive their statement please call the tax office. Ms. Yancosky said that everyone is eligible for the installment plan but if they choose to pay on the installment plan they will pay the face amount and not the discount amount.

Ms. Yancosky said that those that qualify for the Homestead Exclusion must go online and print out a certificate that you use for the payment plan. The certificates are also available in the tax office in the Municipal Building, 1 Etze Avenue, Mount Pleasant PA 15666.

Ms. Yancosky said that the Per Capita Tax forms are different this year. There will be three copies. The bottom copy says "to keep for your records". If you want a stamped receipt please send a self-addressed stamped envelope and she will mail you a receipt. The second copy of the form says "School District Copy, return with payment" and the first copy says "Tax Collector Copy, return with payment. The School District Copy and the Tax Collector Copy are both mailed to Ms. Yancosky's office. If anyone has any questions they can call the Tax Office at 724.547.7347.

President's Report:

President Bauer reported the following council committee appointments:

Waste Water Treatment	Joe Bauer, Chairman Dave Pritts Fred McCloy
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Streets	Larry Tate, Chairman David Pritts Cory Snyder
Public Safety	Cory Snyder, Chairman Fred McCloy Larry Tate
Zoning & Ordinance	Fred McCloy, Chairman Cory Snyder David Pritts
Parks & Recreation	Kevin McFeaters, Chairman Cynthia Stevenson Cory Snyder
Finance & Human Resources	Susan Ruszkowski, Chairwoman Fred McCloy Diane Bailey
Property	David Pritts, Chairman Susan Ruszkowski Larry Tate
Sanitation & Recycling	Cynthia Stevenson, Chairwoman Susan Ruszkowski Kevin McFeaters
Community & Economic Development/Grants	Diane Bailey, Chairwoman Kevin McFeaters Cynthia Stevenson
Communications	Cindy Stevenson, Chairwoman Diane Bailey Joe Bauer Borough Office Staff

President Bauer said that he received a letter from the Federal Highway Administration stating that 46 of the regulations on traffic signals that were to be imposed have been eliminated. This may save us some money on signage in the Borough.

President Bauer said that he has received many comments from citizens who support the Landlord Ordinance. The suit filed by the Landlord Association is in the hands of the courts and should be decided soon.

President Bauer said he is continuing work on the pamphlet and would like each council person to contribute an article for the publication. President Bauer said that he and Mayor Lucia are working on a pamphlet explaining the Landlord Ordinance and what it involves. Those pamphlets will be taken door to door with everyone's help.

President Bauer reported that the testing of soil at the Borough property on Bridgeport Street is almost complete and it looks favorable for development. President Bauer said that the Borough will look at an area to put storage sheds that borough residents will be able to rent at an affordable rate.

Borough Manager Report:

Borough Manager Landy gave the following report:

- The Bridgeport Street property has been evaluated by KU Inc. and they are putting together a proposal for them to evaluate the property and get it to the point that DEP will accept. There is another approach that would not need DEP approval to develop the property. Mr. Landy said the Borough will meet with representatives from the Westmoreland Redevelopment Authority to look at that approach.
- Phase II of the Storm Water Retrofit Project is winding down. The Westmoreland Conservation District has talked to all of the home owners regarding rain gardens and they are waiting for the final go-ahead from Frick Hospital. If the Hospital portion is not approved there will be money available to do more residential rain gardens. The grant should be closed by the end of 2012 unless an extension is granted.

- Mr. Landy had a meeting with the President of the Mount Pleasant BDA and the President of the Library Board. Meetings will be held individually with these organizations so that there is no miscommunication.
- An Escrow Account was opened at PNC Bank.
- The Rotary is holding its last Movie In The Park on Friday August 10, 2012.
- A certified public accounting firm did a peer review of Sarp & Co. and they have determined that Sarp's system of quality control "has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable profession standard in all material respects".
- Mr. Landy asked council committee chairmen to ask the borough supervisors to look at their budget line items. Half of 2012 is over and projections for next year will begin soon.
- Mr. Landy said that there is money in the budget to do the street projects this summer, but money is tight and hopefully we do not have a bad winter.

Mr. Landy replied to Ms. Tressler's public comments by stating that he works closely with the Borough's Solicitor, insurance carriers and vendors. When those people provide information on what is needed to protect the Borough, as Borough Manager, Mr. Landy said he must follow their advice. When asked a question he gives the same answer to everyone, following the advice of the Solicitor, insurance carriers and vendors.

Waste Water Treatment Report:

President Bauer said that the WWT Pump Station is complete and the pump on the Vactor has been repaired. Waste Water Treatment Superintendent Norm Stout said that he was able to save over \$3,000 by getting the pump repaired at a local machine shop rather than purchasing a new one.

Streets Report:

Councilman Tate said that the selected alleys have been tarred and chipped and College Avenue has been paved. Rumbaugh Avenue will be paved this year as well.

A motion was made by Councilman Tate to authorize Borough Manager Landy to sign a Land Owner Access Authorization to permit Jacobs Creek Watershed Association to survey, soil sample and develop designs for storm water best management plans. Motion seconded by Councilman McCloy. Motion carried 8-0.

Councilman Tate said that there were water main breaks on Main Street and Silver Street. There was a lot of damage to Silver Street as well as Washington Street. Street Supervisor Fontanazza is assessing the damage and will contact the Westmoreland County Municipal Authority to repair the damages.

Public Safety Report:

Councilman Snyder read the following Fire Report for the month of July 2012:

Total calls	54
In town	19
Out of town	35
10-45's	11
Fires	15
Public service calls	10
Standbys'	1
AFA's	17
Turnpike calls	4
Total men answering	817
Avg. members per call	15
Total hours	523

A motion was made by Councilman Snyder to approve the following changes to the Mount Pleasant EMS

- Roster:
- Tamara Sopko, Volunteer
 - Tiffany Vargo, Paid Staff
 - Joseph Marincic, Paid Staff
 - Dan Sirianni, Paid Staff

Motion seconded by Councilman Tate. Motion carried 8-0.

Mayor Lucia read the following Police Report for the month of July 2012:

Report of the Mount Pleasant Police Dept. for the month of July 2012

The Department answered 359 calls during the month as follows:

Complaints	113
Requests for assistance	7
Assist Other Departments	6
Accidents investigated	
Calls Returned	10
Assist Medic 10	9
Assist Mutual Aid	

The Department made 20 arrests during the month as follows:

Vehicle Code	10
Crimes Code	10
Borough Ordinance	
Warning Issued	

Parking Tickets issued are as follows:

\$1.00 Meter Ticket			
\$4.00 Meter Tickets			
\$10.00 No Parking Tickets	11		
Void / Excused	1		
\$2.00 Parking Tickets Paid	0	\$	-
\$4.00 Parking Tickets Paid	0	\$	-
\$5.00 Parking Tickets Paid	0	\$	-
\$10.00 Parking Tickets Paid	8	\$	80.00
\$15.00 Parking Tickets Paid	0	\$	-
\$10.00 No Parking Tickets Pd	0	\$	-
\$20.00 Parking Tickets Pd	0	\$	-

Return from Magistrate Eckels	\$	751.95
Return from Clerk of Courts	\$	2,988.22
Return from Report Fees	\$	135.00
Return from Parking Permits	\$	50.00
Return from Soliciting Permits	\$	-
Return from Restitution	\$	-
Return from Fence Permits	\$	-

Total \$ 4,005.17

1 Meter Collection n/a

Total Receipts for the month \$ 4,005.17

Zoning & Ordinance Report:

Councilman McCloy said that Health & Safety Officer Rita Borenstein will attend the next meeting to give Council a report on properties in the Borough.

Councilman McCloy said that when Mr. Frank Crivella resigned as Councilman for the 2nd Ward he reported that someone stole his book of ordinances. Councilman McCloy said he would like to order a replacement for Councilman Snyder who was assigned to the 2nd Ward vacancy. The cost of the replacement is \$69.30. Council agreed to purchase the book of ordinances.

Community & Economic Development/Grants Report: None

Veterans Park Report: None

Parks & Recreation Report:

Councilman McFeaters reported that he is looking at the parks in the Borough and making a list of things that need to be done.

Councilman McFeaters said that he still does not agree with the Landlord Ordinance, but he also knows that members of Council work hard for the Borough.

President Bauer brought the possibility of having glass Christmas ornaments made with an etching of the Gazebo and selling them to raise money for Parks & Recreation.

Borough Manager Landy said the Recreation Advisory Board that Councilman McFeaters is putting together may be an asset when organizing a golf outing or other fund raiser.

Finance Report:

Councilwoman Ruszkowski said that the time to start preparing for the 2013 budget is approaching and she would like anyone who has a special project or expense they would like to see included in the budget to please let her know.

Property Report:

Councilman Pritts said he made some inquiries about an electronic sign for the middle of the community sign on Main Street and he is still waiting for responses. Councilman Pritts also asked Council if they wanted the electronic sign to face both directions of Main Street. Council agreed that they would like to see prices for both sides. Councilman Pritts said he would like to find a company that does the enclosure along with the electronics.

Councilman Pritts said that he is getting a final quote from Colleen at Fayette Plasma Cut for the design Council approved for the Welcome to Mount Pleasant sign.

Sanitation/Recycling Report & Communications:

Councilwoman Stevenson said that she is very excited about the new Communications Committee and has a long list of things she wants to do.

New Business:

President Bauer said that he received letters from people concerned about Council cutting funds to the Mount Pleasant Public Library. President Bauer said that he wants to assure residents of the Borough that it is not true that funding for the Library is going to be cut. President Bauer said many of the letters also included praise for Council and the good job they are doing for the Borough.

Borough Manager Landy reported that the Safety Committee met again in July and there were no accidents or lost time reported. This month's topic was dangerous fires and how to handle fire extinguishers.

Reading of Communications:

Borough Manager Landy read the following communications:

- A thank you card from the Fontanazza family.
- Pennsylvania One Call is holding safety seminars and Mr. Landy will talk to President Bauer and Councilman Tate regarding which borough employees should attend.

Discussion and Payment of Bills:

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

Miscellaneous and Adjournment:

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

Meeting Adjourned 8:13pm

Motions from August 6, 2012 Meeting

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