

## Meeting February 22, 2016

The meeting of Mount Pleasant Borough Council was called to order by President Wagner 7:02pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said and President Wagner asked for a moment of silence for our deployed troops. President Wagner directed Borough Manager Landy to take roll. Councilpersons present included Bailey, Barnes, Caruso, Cholock, Pritts, Rogacki, Ruszkowski, and Stevenson. Mayor Lucia was absent and Solicitor Liptak, Davis & Davis was present. President Wagner stated that a quorum is present.

A motion was made by Councilwoman Ruszkowski to approve the minutes of February 1, 2016 since Council has been provided with a copy. Motion seconded by Councilman Cholock. Motion carried 8-0.

### **Public Comment:**

Mr. Tony Vecchio, Northwood Realty and Meg Caruso, ERA Real Estate asked Council for an update on the situation at 324 College Avenue where it was discovered that a total of four homes were connected to one lateral under the basement floor of 324 College Avenue.

Mark Loughran, AKA Pipeline, said that he has been working with borough maps trying to figure out how the lines are tying together. Basically there are three taps on the property at 324 College Avenue. The pipe is in bad shape. The sale of the property is at a standstill until the Borough decides if they want them separated and tapped or if they will let it pass as is with a letter to the closing company. Councilman Rogacki said that the Borough is aware of the situation and is trying to work out something that will be feasible for everyone concerned. Hopefully something will be decided in the very near future. Ms. Caruso said that the owner of 324 College Avenue is actually in compliance and would like to close on the sale by the end of March 2016.

A motion was made by Councilman Cholock to extend the three-minute rule for this matter. Motion seconded by Councilwoman Barnes. Motion carried 8-0.

Solicitor Liptak said that she looked at the sewer system regulations the Borough has already adopted and it states that if two or more lines come together the Borough has to take it over as a main line. Each home must be connected to the main line. Properties at 318, 320, 322, 324, and 231 on College Avenue all connect to the property at 324 College Avenue. Some of these lines are deteriorating and not up to standards anymore and are connected to a line running underneath 324 so if any repairs need to be made they would have to go underneath of that property. Solicitor Liptak said that her recommendation is that these homeowners tap directly into the main line in the street. Due to the weather and financial constraints the Borough must give these homeowners an appropriate amount of time to connect to the main line. The Borough should draft an amendment to the Rules and Regulations so that in the future these procedures are followed. President Wagner said that Councilman Rogacki and his committee need to draft an amendment to the existing rules and regulations, Council needs to come up with a time frame for residents that have to connect to the main line.

A motion was made by Councilman Rogacki to extend public comment another 3 minutes. Motion seconded by Councilwoman Barnes. Motion carried 8-0.

Solicitor Liptak said that when Council informs homeowners of the requirement to tap into the main line in the street they can consider waiving the tap-in fee. President Wagner said that Council should have an answer to this situation by the first or second meeting in March 2016. Councilman Rogacki said that a meeting should be held prior to March 7<sup>th</sup> with all of the homeowners involved to explain the situation and that the Solicitor should be there.

Mr. Mark Brokenbek, 691 Armbrust Road Mount Pleasant PA and Treasurer of the Recreation Soccer League said that the league will continue but will hold games elsewhere this year. Mr. Brokenbeck said that they have no resources for their travel program and the only option would be to use Willow Park on Sundays even though it may cause a potential parking problem. Mr. Brokenbeck asked Council for any recommendations on a parking solution. A discussion ensued regarding options.

A motion was made by Councilwoman Bailey to extend public comment for another three-minutes. Motion seconded by Councilman Pritts. Motion carried 8-0.

President Wagner reminded Council that representatives from the County agreed to put the railroad crossing in at Willow Park if the Recreational Soccer League would agree to get five million dollars of liability insurance.

Mr. Brokenbek said that he looked into it and insurance companies were reluctant to give the league insurance since they did not own the field.

Solicitor Liptak said that she sees two issues with the agreement. The agreement with the County and the Railroad stipulates that the Borough provide insurance in excess of five million dollars which would mean that the Borough would be responsible for anything that happens on the land. The agreement also says that the Borough will cover all costs of putting in the crossing and after that the railroad would maintain the crossing. If the Borough leases the property to the League they could stipulate in the lease that the League is responsible, but once again, the League would have to procure liability insurance.

**Speakers:**

President Wagner said that the scheduled speakers were not able to attend the meeting tonight. Council received a letter from Attorney Nat Abromson stating that they cannot attend. Attorney Abromson said that the role of the Mount Pleasant Municipal Authority is to provide a financing mechanism for various and appropriate community project to avoid the Borough of Mount Pleasant the need for borrowing monies for those purposes. President Wagner said that the Municipal Authority has said that they have made a commitment to assist and supply funds for the Main Street Project.

President Wagner said that the Mount Pleasant Parking Authority owns and maintains four parking lots in the Borough and the Mount Pleasant Police Department monitors and enforces the parking meters. The monies from the meters are turned over to the Parking Authority and they reimburse the Borough \$1,800 per year. The Parking Authority maintains, repairs and governs the parking meters in their lots as well as emptying them.

**Reading of Communications:**

Borough Manager Landy read the following communications:

- Westmoreland County would like the Borough to participate in a strategy meeting with HUD to promote fair housing issues and responsibilities on March 2, 2016 at 10am at the Westmoreland Department of Planning and Development fifth floor boardroom in Greensburg. They would like an RSVP by February 26<sup>th</sup>.
- The Borough has received checks in the amount of \$69,318.12 from the Mount Pleasant Township Municipal Authority in regards to the bio-tower and \$89,172.85 remains due.
- The Borough has received a \$47,000 CDBG Grant for the Frick Park Lighting Project and they are requesting that we submit another request for future projects.
- Going forward Council and Mayor salaries will go through payroll and each council member will be asked to fill out a W4. Checks will be issued quarterly.
- Interest of \$840 will be received from the Pittsburgh Foundation. This money is to be used specifically for maintenance and repair of the Gazebo.
- The Westmoreland Chamber of Commerce is requesting a \$50 donation to their Staff Appreciation Luncheon.
- Representative Mike Reese is having Campaign Kickoff Pizza Party at Giannilli's II on Thursday March 10, 2016 from 5:30pm to 7:30pm. Donations are \$50 per person and \$75 per couple. Kids are welcome and eat free.
- Westmoreland County Boroughs Association will hold their Annual Banquet on April 29, 2016 at Lakeview beginning at 6pm. The cost is \$20 per person. The Borough will pay for council members to attend and each council member will pay for their guest. Reservations are due by April 21<sup>st</sup>.
- Penn Dot will hold a Public Meeting to discuss the Laurel Valley Transportation Improvement Project on Thursday February 25, 2016. The meeting for officials will be at 3pm and the meeting for the public will begin at 5pm at the Pleasant Unity Fire Hall in Pleasant Unity.
- The Westmoreland Conservation District will hold its Annual Round Table on Friday February 26<sup>th</sup> from 11:30am to 3:30pm at The Barn on Donohoe Road in Greensburg.

A motion was made by Councilman Caruso to amend the agenda. Motion seconded by Councilman Cholock. Motion carried 8-0.

A motion was made by Councilman Caruso to donate \$50 to the Westmoreland Chamber Staff Appreciation Luncheon. Motion seconded by Councilman Cholock. Motion carried 8-0.

**Mayor's Report:** None

## Borough Manager's Report:

Borough Manager Landy said that he, Police Chief Sam and Patrolman Zilli looked at police vehicles and made a very good deal with Harper Chevrolet.

Borough Manager read the following Treasurer's Report for the month of January 2016:

Mt. Pleasant Borough Treasurer's Report		Jan-16			Balance 2016
		Previous Balance	Deposits	Disbursements	
General Fund Checking	PNC 00-0122-3513	50,000.00	122,676.81	122,676.81	50,000.00
General Fund Sweep	PNC 10-1149-3394	816,845.90	19,712.86	90,030.82	746,527.94
General Fund Budgetary Reserve	Standard Bank 321615	566,106.23	48.08	0.00	566,154.31
**Police		30,683.60			
**Streets		110,000.00			
**Contingency Fund		204,464.51			
**Infrastructure		96,588.62			
**BOMP1 Gas Well		11,498.30			
**BOMP2 Gas Well		4,668.35			
**Frick Park Gas Well		28,783.09			
**Levins		970.06			
**Surveillance Cameras		160.00			
**Early Warning Siren Grant		1,300.00			
**Fire		50,000.00			
**K-9		12,772.76			
**Marcellus Impact Fee Act					
13		14,265.02			
Police Parking Tickets & Meters	Scottsdale Bank 7000126	12,351.35	0.00	0.00	12,351.35
Escrow Account	PNC Bank 10-2912-6867	17,326.92	0.00	0.00	17,326.92
Liquid Fuels PLGIT	PLGIT 56980126	48,370.85	8.55	0.00	48,379.40
Monument CD	Standard Bank 327085	6,747.79	95.06	0.00	6,842.85
Holiday Lighting Fund	Standard Bank 050004849	1,804.55	0.07	0.00	1,804.62
Payroll Fund	PNC 00-0122-6415	625.07	56,309.07	56,309.07	625.07
	Somerset Trust Co				
Veterans Park Fund	2003058309	6,209.21	0.00	2,304.81	3,904.40
Town Clock Fund	Standard Bank 0010038847	614.21	0.03	0.00	614.24
Storm Water Retrofit Phase II	PNC Bank 10-3888-4556	1,247.21	0.00	0.00	1,247.21
<b>Total General Fund Balance</b>					<b>1,455,778.31</b>
Medic 10 Checking	Standard Bank 0010107643	64,069.68	38,715.89	9,363.45	93,422.12
Medic 10 Savings	Standard Bank 0310000238	139,238.27	1,011.91	0.00	140,250.18
Medic 10 Money Market	PNC Bank 10-1516-8804	5,886.71	0.24	0.00	5,886.95
Medic 10 Pittsburgh Foundation	Standard Bank 0000358253	3,821.42	0.00	0.00	3,821.42
<b>Total Medic 10 Fund Balance</b>					<b>243,380.67</b>
WWT Operational Acct	Standard Bank 0320012280	393,759.23	71,684.67	63,301.72	402,142.18
WWT Savings	Standard Bank 0050021008	127,352.14	1,515.05	0.00	128,867.19
WWT Budgetary Reserve	Standard Bank 0000287245	40,876.00	3.47	0.00	40,879.47
**Contingency		33,409.65			
**Infrastructure		7,469.82			
WWT Bio-Tower	Standard Bank 10127923	56,118.53	18,027.65	6,915.25	67,230.93
<b>Total WWT Balance</b>					<b>639,119.77</b>
<b>Total Borough funds</b>					<b>2,338,278.75</b>

Councilwoman Diane Bailey  
Secretary Beverly Fedorchak

A motion was made by Councilman Pritts to approve the Treasurer's Report as read. Motion seconded by Councilwoman Stevenson. Motion carried 8-0.

## Solicitor's Report:

Solicitor Liptak said that Borough Manager Landy requested that she look at the agreement for the Honeywell Project to see if the Borough can get out of paying the reimbursement fee for their report. The Borough did sign an agreement to reimburse them for engineering and other expenses not to exceed \$6,000. Attorney Liptak said she would need to have Council's permission to contact Honeywell representative regarding a settlement.

Honeywell was unable to hold up their part of the bargain regarding lowering the Borough's electric cost and it may be possible to reduce the reimbursement fee and satisfy both parties.

A discussion ensued regarding the study by Honeywell to reduce the electric costs for the Borough. According to the Solicitor the electric savings proposed did not justify the Borough taking out a 30-year loan and the project did not go forward.

A motion was made by Councilwoman Bailey to amend the agenda. Motion seconded by Councilman Pritts. Motion carried 8-0.

A motion was made by Councilman Pritts to have Solicitor Liptak finalize the agreement with Honeywell and to eliminate or reduce the reimbursement fee in the agreement with the Borough. Motion seconded by Councilman Cholock. Motion carried 8-0.

Solicitor Liptak stated that she reviewed the agreement with East Huntingdon Township regarding the Quarry Street overflow and the agreement does not state what overage rate must be exceeded for them to terminate the agreement. President Wagner said that this agreement is simply a band aid for the problem at our WWT Plant and the cost of a long term solution must be discussed.

**President's Report:**

A motion was made by Councilman Pritts to approve Resolution 2016-01 to sign and submit applications for Traffic Signal Approvals to Penn Dot. Motion seconded by Councilman Caruso. Motion carried 8-0.

A motion was made by Councilman Pritts to reappoint Joe Siska to the Mount Pleasant Municipal Authority. Motion seconded by Councilman Cholock. Motion carried 8-0.

President Wagner explained why he thought it was necessary to open the 2016 General Fund Budget and discuss raising the millage rate in the Borough. The Borough infrastructure is deteriorating and it will be necessary to raise the millage rate in the future in order to do the repairs necessary. Borough Manager Landy added that in order to receive grant funds in today's age it is necessary to provide in-kind money. Grants are no longer 100%. It is necessary to show that the Borough is also attempting to fill the need by raising sewage rates or taxes etc. After opening the 2016 General Fund Budget Solicitor Liptak said that in order to raise the 2016 millage in the budget certain steps must be taken and there was not enough time to complete these steps.

A motion was made by Councilwoman Bailey to close the 2016 General Fund Budget. Motion seconded by Councilman Cholock. Motion carried 8-0.

**Waste Water Treatment Report:**

Councilman Rogacki said that the East Huntingdon Township Quarry Street Agreement should be finalized soon.

A motion was made by Councilman Rogacki to advertise for a temporary part-time employee for the Waste Water Treatment Plant to cover the absence of Tom Pawlikowski.

Councilwoman Bailey said that she feels the plant is being run with two full-time employees and one part-time employee and that the money budgeted for a seconded part-time person could be used for something else needed at the plant. Councilwoman Bailey said that the current part-time employee should be covering the weekends. A discussion ensued regarding different personnel options at the WWT Plant.

Motion seconded by Councilman Pritts. A roll-call vote was requested.

Councilwoman Bailey	No
Councilwoman Barnes	Yes
Councilman Caruso	Yes
Councilman Cholock	Yes
Councilman Pritts	Yes
Councilman Rogacki	Yes
Councilwoman Ruszkowski	No
Councilwoman Stevenson	Yes

Motion carried 6-2.

Councilman Rogacki congratulated WWT employee Andy Zelinski on obtaining his WWT Certification. Mr. Zelinski said that he is thankful for the opportunity to work for the Borough.

A discussion ensued regarding the sewer line issues at 324 College Avenue and neighboring properties, the amount of time that should be allotted each property owner to do the repairs necessary to tap into the main line and what would be the consequences if the work is not done. Solicitor Liptak said that would be covered in the amendment to the WWT Rules and Regulations and the penalty may have to be that the Borough will cut off the old line. Council agreed that the tap-in fee would be waived.

A motion was made by Councilman Rogacki to approve expenses as presented. Motion seconded by Councilman Cholock. Motion carried 8-0.

### **Streets Report:**

Councilman Caruso reported that a post-snow meeting was held and one point that was brought up was the importance of communication. Councilman Caruso said that he purchased two-way radios to be used during an event that required communication. Another topic of the meeting was help during an event. There is a limit to how long an employee can work without a break. During the time a Street Department worker is taking his break it was suggested that qualified citizens be used to drive the small plow trucks. Traffic control is also an issue that needs to be addressed.

Councilman Caruso said that he will need recommendations about which streets need maintenance this year. The Street Department may be able to offer suggestions since they work on borough streets. President Wagner said he would like a list at the next meeting so that we can request bids at an early date.

Borough Manager Landy said that he and WWT Superintendent Larry Hague worked together on the PEMA reimbursement for the January snow event and they submitted \$38,000 for reimbursement. PEMA may reimburse 50% of that total or FEMA may reimburse 75%.

A motion was made by Councilman Caruso to approve expenses as presented. Motion seconded by Councilman Pritts. Motion carried 8-0.

### **Public Safety Zoning & Ordinance Report:**

Councilman Cholock read the following Police Report for the month of January 2015:

Incidents – 103  
Criminal Arrests – 19  
DUI Arrests – 3  
Traffic and Non-Traffic Citations Issued – 29  
Assist other departments – 6  
Accidents investigated – 4

There was zero income for January 2016, but February deposits already equal \$6,605.39.

Police Chief Sam said that letters will be posted on Washington Street and College Avenue vehicles explaining the parking permits required and that the Police will start issuing tickets for vehicles parking against traffic.

Councilman Cholock said that Police Chief Sam informed him that they made an arrest for the car break-ins and the case will be going to a hearing soon.

Councilman Cholock said that in a letter to Council, Police Chief Sam addressed the comment that night-shift Patrolman were spending too much time in the office. After looking at the surveillance cameras Chief Sam determined that the time spent in the office was justified. Police Chief Sam also addressed the comment that police vehicles were seen for long periods of time at Willow Park. In order to address these claims Police Chief Sam said that he would have to speak to the person making the claim.

Police Chief Sam said that he will be adjusting the Police Department work schedules because of a complaint regarding two full-time officers working day shift at the same time. Police Chief Sam said that because of that adjustment he feels mandatory and essential items may have to be delayed due to lack of man power.

Police Chief Sam stated that there are mandatory duties the Police Department must do and they take hours out of his day to do them. Police Chief Sam said that the current Police Department is being proactive to finding the crime before it overwhelms the Borough.

A motion was made by Councilman Cholock to repeal Appendix 15-IIC in Parking Ordinance #456 which specifies two and three hour parking on certain streets. Motion seconded by Councilman Rogacki. Motion carried 8-0.

A motion was made by Councilman Caruso to advertise the addition to Appendix 15-IC in Parking Ordinance #456 to make the alley between Spring Street and Washington Street one-way going northbound. Motion seconded by Councilman Rogacki. Motion carried 8-0.

A motion was made by Councilman Caruso to advertise the addition to Appendix 15-IC in Parking Ordinance #456 to make Warden Street one-way from Center Avenue to S. Silver Street. Motion seconded by Councilwoman Bailey. Motion carried 8-0.

A motion was made by Councilman Cholock to approve payment of expenses as presented. Motion seconded by Councilman Rogacki. Motion carried 8-0.

### **Parks & Recreations (General) Report:**

Councilwoman Barnes reported that there are still spaces on the Digital Wall and Pavers available at Veterans Park.

Councilwoman Barnes said that she met with Steve Simon from the Mount Pleasant YMCA regarding this year's summer program.

Councilwoman Barnes said that she received a request from the Westmoreland Drug and Alcohol Commission Inc. to use Frick Park on August 2, 2015 from 5:30pm to 7:30pm for a "National Night Out" in conjunction with the Mount Pleasant Police Department and the Mount Pleasant Business District Authority. Borough Manager Landy said that we will not be able to answer their request until we receive the schedule for the Girls Softball League.

Councilwoman Barnes said that she received a request from the Fast Pitch League and also from the Senior League and the Slow Pitch League to use the field at Frick Park that is currently being used by the Girls Softball League. Councilwoman Barnes said that there will have to be a meeting to look at all of the league schedules.

Councilwoman Barnes said there will be a meeting between members of the Recreation Committee and members of the Glass & Ethnic Festival Committee to discuss the Festival on March 3, 2016.

A motion was made by Councilwoman Barnes to amend the agenda. Motion seconded by Councilman Rogacki. Motion carried 8-0.

A motion was made by Councilwoman Barnes to purchase a triaxle of stone for the Little League Field at Willow Park. Motion seconded by Councilman Caruso. Motion carried 8-0.

Councilwoman Barnes made a motion to approve payment of expenses as presented. Motion seconded by Councilman Caruso. Motion carried 8-0.

### **Finance & Human Resources Report:**

A motion was made by Councilwoman Bailey to adjust Andrew Zelinsky's pay rate to \$21.42 per hour effective February 22, 2016 to reflect the attainment of Waste-Water State Certification. Motion seconded by Councilman Pritts. Motion carried 8-0.

A discussion ensued regarding putting a \$5,000 camera in the new police vehicle. The PSAB states that it is advised that no cameras be installed until borough ordinances are in place.

A motion was made by Councilwoman Bailey to amend the agenda. Motion seconded by Councilman Pritts. Motion carried 8-0.

A motion was made by Councilwoman Bailey to purchase a 2016 Ford Explorer police vehicle for \$35,000 which will be financed through Scottdale Bank for four years at an interest rate of 1.5% with a yearly balloon rate of \$5,500. There was no seconded and the motion was tabled.

A discussion then ensued regarding the different options on the new police vehicle including the color choice between black and white. Police Chief Sam stated that the white vehicle is \$1,500 more than the black vehicle and Borough Manager Landy stated that he received an email from the car dealership stating that there is no price difference between the black and white vehicles. At one point Solicitor Liptak stated that Council should make a decision.

After some discussion Police Chief Sam agreed to save the Borough money by dismantling the police vehicle trade-in himself even if the new vehicle is white. He requested some cooperation on other matters, including concessions regarding work schedules. President Wagner stated that Council is unable to make concessions on work schedules at the Police Department because the Mayor is in charge of the Police Department.

A motion was made by Councilwoman Bailey to amend the agenda. Motion seconded by Councilman Pritts. Motion carried 8-0.

A motion was made by Councilwoman Bailey to purchase a 2016 Ford Explorer police vehicle for \$35,000 which will be financed through Scottdale Bank for four years at an interest rate of 1.5% with a yearly balloon rate of \$5,500. Motion seconded by Councilwoman Stevenson. Motion carried 8-0.

A motion was made by Councilwoman Bailey to approve payment of expenses as presented. Motion seconded by Councilman Caruso. Motion carried 8-0.

#### **Property Report:**

Councilwoman Ruszkowski said that there will be some changes to the original quote for the new bathroom in the Police Station. The electrical breaker box for the elevator will be moved out of the bathroom.

Councilwoman Ruszkowski said that she will inform Council of the cost to move the breaker box as soon as she gets it.

Councilwoman Ruszkowski said that there has been a voltage meter installed on the elevator. If the elevator gets stuck two or three times the borough office will document the date and time including whether the elevator was going up or down and report it. If the elevator does not get stuck we will have no documentation.

A motion was made by Councilwoman Ruszkowski to ratify TP Electric to install a voltage meter on the elevator at a cost of \$100 to install, \$25 per day and \$100 to remove. Motion seconded by Councilman Rogacki. Motion carried 8-0.

A motion was made by Councilwoman Ruszkowski to approve payment of expenses as presented. Motion seconded by Councilman Cholock. Motion carried 8-0.

Councilwoman Ruszkowski did question the amount of the electric bill for the Municipal Building because it is the third highest bill this year.

#### **Sanitation & Recycling Report:**

Councilman Pritts said that he and Borough Manager Landy met with John McGoran from Republic Services who reviewed the new recycling program and the flyer that will be sent to residents regarding the way the program will work. May 1, 2016 is the deadline for new recycling containers. The Sanitation & Recycling Committee approved the flyer and Councilman Pritts said that he will give Republic Services the ok to print and mail it.

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

Councilwoman Stevenson said that she will be pursuing a grant opportunity she received and she will also be looking at the CDBG Grant in conjunction with Borough Manager Landy.

**New Business:**

Councilman Rogacki said that in the future it would benefit the Borough if the department heads were involved in what their department needs are.

**Public Comment: None**

**Miscellaneous and Adjournment:**

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

**Meeting adjourned 11:20pm**



### Motions from March 22, 2016 Meeting

A motion was made by Councilwoman Ruszkowski to approve the minutes of February 1, 2016 since Council has been provided with a copy. Motion seconded by Councilman Cholock. Motion carried 8-0.

A motion was made by Councilman Cholock to extend the three-minute rule for this matter. Motion seconded by Councilwoman Barnes. Motion carried 8-0.

A motion was made by Councilman Rogacki to extend public comment another 3 minutes. Motion seconded by Councilwoman Barnes. Motion carried 8-0.

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Councilwoman Bailey said that she feels the plant is being run with two full-time employees and one part-time employee and that the money budgeted for a seconded part-time person could be used for something else needed at the plant. Councilwoman Bailey said that the current part-time employee should be covering the weekends. A discussion ensued regarding different personnel options at the WWT Plant.

Motion seconded by Councilman Pritts. A roll-call vote was requested.

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Councilwoman Barnes	Yes
Councilman Caruso	Yes
Councilman Cholock	Yes
Councilman Pritts	Yes
Councilman Rogacki	Yes
Councilwoman Ruszkowski	No
Councilwoman Stevenson	Yes

Motion carried 6-2.

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