

## Meeting March 7, 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 and Solicitor Liptak, Davis & Davis were present. President Wagner stated that a quorum is present.

A motion was made by Councilwoman Ruszkowski to approve the minutes of February 22, 2016 since Council has been provided with a copy. Motion seconded by Councilman Cholock. Motion carried 8-0.

### Public Comment:

Mr. Mark Brokenbek, 691 Armbrust Road Mount Pleasant PA and Treasurer of the Recreation Soccer League provided Council with an application and insurance declaration page to permit the league to use the soccer field at Willow Park on Sundays in 2016. Mr. Brokenbek said that he contacted several insurance carriers regarding insurance to cover the league in the event the Borough allows them to sign a lease for the soccer field. He was told that they need railroad protective liability insurance and it would have to be a fully underwritten policy and it would be very unlikely that the league would be able to obtain the insurance. Mayor Lucia asked if the Soccer League and Little league have held any meetings regarding the parking issue. Mr. Brokenbek said that both leagues have travel games on Sunday so that will pose a problem. President Wagner said that Council will have an answer regarding the application at the next meeting.

Mr. Joe Bauer, 607 N Geary Street Mount Pleasant PA spoke to Council regarding rumors about the Mount Pleasant Glass & Ethnic Festival and the audit being performed by Councilwoman Barnes. Mr. Bauer said that an audit is done every year by a certified public account and approved by Council. Mr. Bauer said he has an issue with the suggestion that money from the Festival be used to pave streets and what other volunteer organizations in the Borough will be asked to contribute. Mr. Bauer said that the Festival benefits many organizations and businesses in town that rely on income from that weekend. The volunteer Festival Committee has worked very hard for the last 30 years.

Councilwoman Barnes said that she has lived in Mount Pleasant since the Glass Festival began and she appreciates all of the work the volunteers do and does not want to see the Festival discontinued. She wants members of the community to be able to get answers to questions regarding the Festival. Councilwoman Barnes said she would like to see the Glass Festival Committee meetings advertised so that the public can attend. Mr. Landy said that the next meeting date is chosen at the end of each meeting and is determined by the availability of volunteers. That makes it very difficult to advertise. Furthermore no one from the public has ever come to an advertised council meeting to ask questions about the Glass Festival

Mr. Landy said that he began with the Festival as a volunteer 29 years ago. He asked members of the council meeting audience to speak about the benefits of the Glass Festival. Diana DeMaise, a festival vendor and sponsor said that it is one of the premier events in the area. Mr. Landy said that he is criticized about where the money is and the money is presented in the audit every year. The Glass Festival has a surplus of funds so that it can continue to operate without running out of money. Mr. Landy said that the Festival has always been there to back up the Borough. Mayor Lucia said he has a list of donations made by the Festival showing that \$93,391.14 has been donated since the year 2000.

Mr. Landy said that he has been persecuted for 29 years regarding festival funds and he has never had any access to the funds. He does not sign check and he does not receive any cash. And there has always been a member of Council on the Glass Festival Committee.

President Wagner said that there will always be questions about the Festival even though it is audited every year. The public does not see the effort that is put into the Festival by the volunteers and they will always have questions about what the Festival does to benefit the Borough. Mr. Bauer stated that Council should back the Festival and put a stop to the rumors.

President Wagner said that he will ask the Glass Festival for funds to pave the borough streets, especially Washington Street where the Festival is held. Councilman Pritts stated that it would have to be a Council decision to take money from the Glass Festival and he would not be in agreement. President Wagner said that he would not be afraid to ask. Several members of the audience offered comments.

Kelsey Landy, Glass Festival Committee Member said that she has always been proud to say she is from Mount Pleasant and a member of the Festival Committee, but she takes the current accusations as a personal attack because the integrity of her father, Jeff Landy and Mayor Lucia who are co-chairman of the Festival are in

question. Ms. Landy said that she feels the questions posed at the last festival meeting were answered and she is disappointed that the committee is still being questioned.

Councilwoman Barnes said that she feels that her questions were not answered fifteen years ago and they are not being answered today. Mayor Lucia requested that she ask her questions tonight in front of Council, festival committee members and vendors. Councilwoman Barnes said that she has not accused anyone of anything yet and may still have questions that need answered.

Rhonda Hammrock, Scottdale PA said that as a volunteer herself she feels Mount Pleasant is destroying the volunteerism in the Borough. She said that if she were a member of the Festival Committee she would be very offended. An audit has been performed and is available to the public therefore the accusations should stop. If the Borough loses the Mount Pleasant Glass & Ethnic Festival Committee it would be a great loss to Mount Pleasant.

Mindy Smith, Glass Festival Committee Member said that she is offended by what she is hearing. She runs a non-profit that greatly benefits from the Glass Festival.

Councilman Cholock asked Glass Festival Committee members to continue their good work and keep the Mount Pleasant Glass & Ethnic Festival going for him, his family and the people who enjoy it.

President Wagner said that there are residents who do not understand how much work goes into the Festival and do not know where the money comes from or goes to. He himself has a better understanding now, but there are still people with questions.

Councilwoman Ruszkowski asked Councilwoman Barnes when she felt the questions would be asked and answered so that this matter can be put to rest. Councilwoman Barnes said that maybe by the next council meeting.

President Wagner questioned the income at the end of the Glass Festival Budget and where the money went. Mr. Landy explained that a budget is just a projection. Incomes are projected low and expenses are projected high for budget purposes.

Mr. Landy stated that he has done everything he can to answer Councilwoman Barnes questions and he wants the witch hunt to end. Mr. Landy said he still must decide if he is willing to co-chair the Festival in 2016.

Solicitor Liptak stated for Council, volunteers and vendors that if the audit has been turned over with no issues and no criminal charges brought against anyone then obviously at this point there are no findings of wrong doing. This is an issue that needs to be completely put to bed. Solicitor Liptak suggested that the Festival Committee hold a meeting where the Parks & Recreation Committee can attend so that at the next council meeting the issue is put to rest. Mayor Lucia said that a festival committee meeting was already held and the Recreation Committee attended where questions were asked and answered. And then another meeting was held and questions were asked and answered. Solicitor Liptak said that the next meeting should be advertised and anyone with an issue can attend. Mayor Lucia stated that the next Mount Pleasant Glass & Ethnic Festival Committee Meeting will be advertised and held on Wednesday March 16, 2016 at 6:30pm in council chambers and the public is welcome to attend.

A motion was made by Councilwoman Bailey to suspend the meeting at 8:08pm. Motion seconded by Councilman Cholock. Motion carried 8-0.

A motion was made by Councilman Cholock to resume the meeting at 8:16pm. Motion seconded by Councilman Pritts. Motion carried 8-0.

Mr. Ken Swank, President, Mount Pleasant Girls Fast Pitch, 201 S Hazelnut Drive Mount Pleasant asked Council to allow him to use Frick Park Ball Field for 3 days over the summer of 2016. Mr. Swank said that he will meet with the Girls Softball League to discuss using the field and will agree to leave the field the same as when they arrived and will provide liability insurance. Mr. Swank said that they are also willing to pay any expenses including electricity for the lights. Mr. Swank said that he would also like a link to his organization on the Mount Pleasant Borough web-site. President Wagner said that the Parks & Recreation League will look at the schedule and get back to Mr. Swank

**Speakers:** None

**Reading of Communications:**

Borough Manager Landy read the following communications:

- Letter from Armstrong stating that there will be a rate increase for borough customers beginning on the April 2016 statement. A letter will be sent to all customers
- There will be an annual Emergency Management Seminar for Westmoreland County Elected Officials and their Emergency Management Coordinators on April 13, 2016 from 9m to 3pm in the Commissioner's Hall Room 2112 on the WCCC Campus.
- The Rotary Club of Mount Pleasant will hold its Citizen of the Year on Sunday April 24, 2016 beginning at 5pm at Nino's Restaurant. The cost is \$30 per person. The Borough pays for Council and each council member pays to bring a guest. This year's recipient will be Mr. Jim Lozier.
- Westmoreland County Boroughs Association monthly meeting will be held on March 31, 2016 at the Westmoreland Conservation District Office beginning at 7pm.
- The Mount Pleasant Glass & Ethnic Festival is requesting permission to use Frick Park for their annual Mt. Pleasant Cruise Night on August 19, 2016 beginning at 6:00pm. The rain date will be August 26<sup>th</sup>.

### **Mayor's Report:**

Mayor Lucia questioned the last Police Report and the fact that there was no income recorded.

Mayor Lucia also asked for clarification on why the Police Department has their own bank accounts. Councilwoman Bailey said she is aware of this and will look into it because no department should have its own bank account. All funds should be part of the General Fund and signers will be the President, Vice-President and Borough Manager just like all of the other bank accounts. Councilwoman Bailey said she will meet with Police Chief Sam.

Mayor Lucia reported that the Annual Firemen's Easter Egg Hunt will be held on March 20, 2016 at 2pm at Central Fire Station.

Mayor Lucia said that he removed the American Flag from the flag pole at the Municipal Building because it was damaged. Mayor Lucia requested that the Street Department check the flag on Mondays to make sure it is not damaged or twisted etc.

President Wagner said that Mr. Bob Ceroni will assist council members who have not been NIMS certified. Training will be at the Medic 10 building.

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

Borough Manager Landy asked Council to look at their copies of the Budget vs. Actual Report dated March 7, 2016. The report covers January and February and will give council committees an idea of how the departments are doing so far.

Mr. Landy said that he received a letter from French Engineering regarding new traffic signals as part of the Main Street Penn Dot Project. The questions in the letter can be answered by President Wagner, Mayor Lucia and the Safety Committee.

Mr. Landy reported that Penn Park meetings are ongoing with contractors for the sign, clock and benches. Construction should resume as soon as the weather breaks.

Borough Landy said that he attended a seminar at the Westmoreland Conservation District and spoke to some engineers. Mr. Landy said that he will recommend that the Borough uses Mr. Dietrick of Ligonier who has spoken to Council about sidewalk inlets for our MS4 Permit. Mr. Landy said that the MS4 Permits will be audited in the near future.

Mr. Landy reported that the Liquid Fuels Tax Fund payment for 2016 will be \$124,305.67 which is higher than anticipated and includes a 7% increase due to Act 44.

Borough Manager Landy said that there will be a "Transaction Fee" assessed by the Westmoreland County Land Bank as a fee paid by the transferee of the property at closing in the amount of 2% of the selling price or a set fee as determined by the complexity of the project but not less than \$750.

Borough Manager Landy said that Columbia Gas has informed us that we can no longer be tapped into their service at the Municipal Building and Central Fire Station because we are using gas from the gas well at Frick Park owned by the Borough. The Borough has an agreement to use a specified amount of gas from the well free of charge and after that amount is used we can purchase gas from the well at a reduced rate. Mr. Landy said that he recommends we disconnect with Columbia Gas.

Mr. Landy said that there will be a reorganization meeting and hearings before the Mount Pleasant Zoning Hearing Board on appeals filed by Gerard Rending and Billie Lynn Hoadwonic.

**Tax Collector's Report:**

Councilwoman Stevenson read the following Tax Report compiled by Tax Collector Yancosky for the month of February 2016:

Per Capita Tax = \$148.50

Total Collected = \$148.50

County and Borough taxes have been mailed and if any property owner does not receive their statement please call the Tax Office.

**Solicitor's Report:**

Solicitor Liptak said that she sent a letter to Steven Perry of Honeywell on February 23, 2016 regarding the agreement and she expects a response in approximately 30 days.

Solicitor Liptak said that she and WWT Superintendent Hague made some changes to the Quarry Street Agreement with East Huntingdon Township and it is on the agenda for Council to approve.

Solicitor Liptak said that she has drafted an opinion letter regarding amendments to the Rules and Regulations for the Mount Pleasant WWT Plan if anyone has any questions before the motion at tonight's meeting.

Solicitor Liptak reported that she drafted a letter to the homeowner of the property at 324 College Avenue addressing the Borough's concerns. The homeowner needs the letter for a conditional approval for the sale to go forward. The conditional letter that will be sent provides that the homeowner take care of the problem with existing sewage line within six months. This letter assures that the buyer is informed of the situation and the Borough is not held liable. There is also a problem with storm water at this address that will have to be addressed in the future.

**President's Report:**

President Wagner proposed that Mount Pleasant Borough Council take a field trip to another municipality and reciprocate by inviting another municipality to Mount Pleasant. It would be beneficial to the Borough to meet with another municipality that has recently gone through a Penn Dot project like the one being proposed on Main Street in Mount Pleasant.

**Waste Water Treatment Report:**

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

A motion was made by Councilman Rogacki to amend the Rules and Regulations Section 113 in ordinance 592 for the Mount Pleasant WWT Plant to clarify the intent of adopting waste water sanitary sewage lines within the borough limits. Councilwoman Stevenson asked Solicitor Liptak to describe the amendment. Solicitor Liptak said that the amendment states that any lines that were placed prior to the establishment of the Sewer System Rules and Regulations will not be considered a main line if two or more buildings share a line to the main sewer line. It also states that if during an inspection by the Borough's WWT personnel they find the existence of one line connecting several homes to the main line, those residents upon notification from the Borough must disconnect their current line and reconnect to the main sewer line. In the event that the property owner fails to comply with the installation of the new sewer line within six months the Borough has the right to fine the owner up to \$100 per day for each day past the compliance period. After thirty days past the compliance date the Borough has the right to shut off and tap any existing sewer line to ensure the installation of a new sewer line that is up to borough code. Motion seconded by Councilman Pritts. Motion carried 8-0.

A motion was made by Councilman Rogacki to sign a 5-year agreement with East Huntingdon Township for the Quarry Street Pump Station. Motion seconded by Councilman Caruso. Motion carried 8-0.

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

A motion was made by Councilman Pritts to authorize Solicitor Liptak to send a conditional letter to the owner of 324 College Avenue regarding the issue with the property's sewer line. Motion seconded by Councilman Cholock. Motion carried 8-0.

President Wagner asked WWT Superintendent for an update on the comminutor at the plant. Mr. Hague stated that DEP rejected the original application, corrections have been made and the application has been resubmitted.

WWT Superintendent Larry Hague said that Main Street has been marked and surveyed for the Penn Dot Project. President Wagner said that the Penn Dot Main Street Project has been turned over to the Mount Pleasant Municipal Authority and the Borough has requested a loan from the Authority. The Mount Pleasant Municipal Authority will take over administration of the Penn Dot Main Street Project and will stay in communication with Council. The Borough will be responsible for paying back the loan. This will cover sewer lines only and the storm lines will be a separate issue.

### **Streets Report:**

Councilman Caruso said that during the recent nice weather the Street Department has been patching pot holes, cleaning storm drains, getting their equipment ready for spring and organizing the parts room at the shed. They are also replacing the nets in all of the basketball courts.

Councilman Caruso said that he will meet with his committee and present Council with a list of streets to be paved. Mayor Lucia said that there is a problem with a spring at the corner of Warden and Hitchman that will need piped and the road will need paved. Councilman Rogacki said that there is a similar problem on Sycamore Street. President Wagner said that he would like to get together with the Streets Committee and put together a 4-year plan. Borough Manager Landy said that the 4-year plan should include crack sealing and tar and chipping.

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

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

Councilman Cholock read the following Fire Report for the month of February 2016:

Total Calls – 31  
10-45's – 10  
Fires – 9  
AFA's – 8  
Public Service Calls – 2  
Standby's – 2  
Turnpike Calls – 3  
Total Members Answering – 499  
Avg Member Per Call – 16  
Total Staff Yours – 371

Councilman Cholock said that Police Chief Sam has ordered the tests for the purpose of hiring another full-time officer.

Councilman Caruso asked if the Borough is ready to hire a Zoning Officer. The money has been budgeted for 2016. Councilman Pritts questioned whether the money budgeted for the Ordinance Officer should be held in reserve until Council decides if they will hire another full-time police officer. Councilwoman Bailey said that it will require much more than the \$8,000 budgeted for the Zoning Officer to hire another full-time police officer and the money has been earmarked for a Zoning Officer. Councilman Caruso said that he will meet with his committee regarding a Zoning / Code Enforcement Officer and have more information at the work session meeting.

A motion was made by Councilman Cholock to approve all expenses as presented. Motion seconded by Councilman Patience. Motion carried 7-0. Councilman Caruso abstained.

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

Councilwoman Barnes said that she spoke to a resident of the Borough about community clean-up day. Councilwoman Barnes said she would like to see the day sometime in April and she will meet with her committee to discuss it.

Mayor Lucia said that there have been members of the Girls' Softball League who have been arrested and maybe the Recreation Committee should look at the league's finances. Mayor Lucia said that the Glass Festival has not been under the Park & Recreation Committee since its inception and does not understand why it is now. He does not believe it is a recreation committee, he believes it is a festival. Mayor Lucia pointed out that the Glass Festival has never asked Council for money and has made donations to the borough. Mayor Lucia said that he feels the Glass Festival is being singled out. President Wagner said that he feels the Glass Festival is an arm of the Borough and needs to report to someone. Mayor Lucia stated that he and Mr. Landy along with council members who are also on the Glass Festival Committee already report to Council.

Borough Manager Landy asked if the Recreation Committee will be handling the Concerts In The Park. Mr. Landy said that he will continue to handle the July 3<sup>rd</sup> event because he would like to maintain the standards of the past. President Wagner requested that Borough Manager Landy continue to handle the Concerts In The Park as well.

Councilwoman Barnes asked why the surface of the basketball court at Frick Park is deteriorating and Mr. Landy said that it is because water sits on the surface. Mayor Lucia said that maybe WWT personnel could use their transit to determine where the low spots are on the surface of the court.

Councilwoman Barnes asked what the issue is with the walking bridge at Willow Park. Mr. Landy said that a couple of the boards need to be replaced and there may be an issue with the ramp being too steep.

Councilman Pritts asked if there have been any applicants for the Veterans Park Digital Wall. Borough Manager Landy said that there has very little interest in the Digital Wall. Mayor Lucia said that there should be some sort of promotional drive.

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

Councilman Wagner asked Street Supervisor Fontanazza if he has made plans to move the piece of playground equipment from Frick Park to Willow Park. Councilman Caruso said that he has someone who has agreed to donate his time to excavate Willow Park to get ready for the equipment and he will speak to him regarding when he can do it.

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

A motion was made by Councilwoman Bailey to ratify the agreement with Higbee Insurance for the 2016-2017 Workers Comp and Liability Insurance at a cost of \$45,506. Motion seconded by Councilwoman Barnes. Motion carried 8-0.

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

#### **Property Report:**

A motion was made by Councilwoman Ruszkowski to sign a contract with Coverall to clean the Municipal Building for \$265.00 per month and bathrooms at Frick and Willow Park in the amount of \$305.00 per month. Motion seconded by Councilman Pritts. Motion carried 8-0.

Mayor Lucia said that in order to have the roof fixed at the Synagogue West Penn has to wrap their power lines because they are too close to the building. Council agreed that the cost of \$508 should be paid for from line item #409.25 under borough property maintenance.

Councilwoman Ruszkowski said that she spoke to Street Supervisor Mario Fontanazza and he said that the contractor who will be doing the back flows on borough property is on vacation and he will check with Councilman Caruso when he returns.

Councilwoman Ruszkowski said that there is an invoice from Schindler Elevator for work done on the elevator and the Property Committee has decided not to approve the invoice until Borough Manager Landy talks with Schindler.

A motion was made by Councilwoman Ruszkowski to approve expenses as presented excluding the invoice from Schindler Elevators. Motion seconded by Councilman Pritts. Motion carried 8-0.

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

Councilman Pritts said that he spoke with Mr. John McGoran, Republic Services and he will send a sample of the pamphlet before it is mailed out.

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

Councilwoman Stevenson said that she and Borough Manager Landy submitted a pre-qualification application for the Southwest Pennsylvania Smart Living Through Transportation. The grant funds applied for will be used for decorative street lighting for the east end of Main Street from Silver Street to Cherry and Center Avenues so that it will match the center of town. The grant is for improving safety whether it be pedestrian or automobile/bicycle traffic.

Councilman Pritts said that Westmoreland Cleanways is open one Saturday every month and will accept televisions to be recycled.

**New Business:**

Councilwoman Bailey reported that she has been elected as President of the Library Board. The Vice-President will be Joan Stairs, Secretary Kathy Ceroni and Co-Treasurers Jill Cook and Phyllis Shumar.

Borough Manager Landy said that he is on the Grants Committee of Jacob's Creek Watershed as well as a member of the Board and will be presenting grants for them to look at.

**Public Comment:** None

**Miscellaneous & Adjournment:**

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

**Meeting Adjourned 10:10pm**

## Motions from Meeting of March 7, 2016

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