

## Meeting July 5, 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 asked Borough Manager Landy to take roll call. Councilpersons present included Bailey, Cholock, Rogacki, Ruskowski and Stevenson. Mayor Lucia and Solicitor Liptak were present. President Wagner stated that a quorum is present. Councilwoman Barnes arrived at 7:13pm. Solicitor Liptak left the meeting at 9:55pm.

A motion was made by Councilwoman Ruskowski to approve the minutes of June 20, 2016, 2016 since Council has been provided with a copy. Motion seconded by Councilwoman Bailey. Motion carried 6-0.

### **Public Comment:**

Mark Brokenback, Mount Pleasant Recreational Soccer League, spoke to Council regarding Midget Football League using one of the Willow Park Soccer Fields for practice. The Recreational Soccer League feels that the field may be damaged and they have maintained the field for many years. President Wagner said that in 2015 Council was working on a railroad crossing to assist with parking issues, but it was put on hold until 2016. In 2016 talks with county officials continued regarding the railroad crossing as well as other solutions to the parking issue. Council was then informed that the Recreational Soccer League was moving to Mammoth Park. Then the league requested that they be allowed to use the field for the Fall League.

A motion was made by Councilman Rogacki to extend the three-minute rule for Mr. Brokenback. Motion seconded by Councilwoman Bailey. Motion carried 6-0.

Mr. Brokenback said that the league submitted a request to Councilwoman Barnes on March 21, 2016. President Wagner said that Councilwoman Barnes is not currently present at this meeting and Council will have to wait to hear from her regarding the request.

Mr. Brokenback stated that the Soccer League developed the field originally. The lights, fence and storage shed were paid for by the Soccer League.

Mr. Scott Pfifer, Mount Pleasant Recreational Soccer League, stated that he was the one who maintained the soccer field for the last 15 years free of charge. Mr. Pfifer said he continues to maintain the field and he feels that if Midget Football uses the field for practice the field will deteriorate.

A motion was made by Councilman Rogacki to extend the three-minute rule for Mr. Pfifer. Motion seconded by Councilwoman Barnes. Motion carried 7-0.

Councilwoman Stevenson said that she feels the railroad crossing for the soccer field is a dead issue because the Borough and the Soccer League are unable to meet the insurance liability requirements made by the Railroad. Solicitor Liptak said that she has reached out to the Railroad again and they are still unwilling to eliminate the liability from the Borough.

Councilwoman Barnes said that representatives from Midget Football have asked to use one of the soccer fields for practice four days per week and they will maintain both fields. Councilwoman Barnes stated that Midget Football has submitted the application and insurance documents required by the Borough. President Wagner said that he feels Council did everything they could to keep soccer at Willow Park, but Mount Pleasant Recreation Soccer League moved to Mammoth Park. When they came back and asked to use the field for the fall, Council agreed and the Soccer League stated that they would maintain the field. When the field was not maintained and Midget Football came and asked to use one field while maintaining both fields, Council agreed. The Soccer League is still unclear where they will play in the future.

Mr. Pfifer, 228 S Church Street said that he would like Council to reverse its decision to allow Midget Football use of the Soccer Field and have them continue to use Ramsay Field and Frick Park. Mr. Pfifer said that the Soccer League would continue to maintain the field. Mayor Lucia

said that he agrees that football would tear up the soccer field but all of the sports being played by our young people in the Borough are important. President Wagner said that Council will take all of the comments under advisement.

Mr. John Suzinski, 228 S Church Street, Mount Pleasant PA stated that the Mount Pleasant Recreational Soccer League had every intention of using Willow Park Soccer Field and played one game there this year. There was discussion regarding the accessibility to the field due to the condition of the bridge and it was decided to play at the High School. Mr. Suzinski said that he feels the Soccer League should be the ones to make the decision about whether they will use the Willow Park Soccer Field or not. President Wagner said that a meeting will be scheduled with the Soccer League to discuss the issues.

Ms. Hannah Hunter, 292 E Main Street Mount Pleasant PA spoke to Council regarding Cancer fund raisers in the Borough. Ms. Hunter said that she would like to see yellow ribbons on parking meters at the Gazebo area until September 21, 2016 for Juvenile Cancer Awareness. Ms. Hunter said that she would like to see a ceremony to make the public aware of what the ribbons stand for and get the newspapers involved in publicizing the event. Council agreed to allow Ms. Hunter to organize the event.

Mr. Joe Bauer, N Geary Street, Mount Pleasant PA spoke to Council about resident's concerns regarding the Mount Pleasant Police Department and Medic 10. Mr. Bauer said that before Council took over Medic 10 it was a mess and Council formed a Board of Directors that included member of Medic 10 and Council with Mayor Lucia as the Board Chairman. Any decisions made by the Board were to be voted on by Council. One of the stipulations Council made was absolutely no overtime and he feels that that stipulation is not being met. He also feels it would be a mistake for the Borough to allow Medic 10 to take control of the property.

Mr. Bauer said that the second issue is the Mount Pleasant Police Department ticketing vehicles in the Municipal Building parking lot while watching their children play softball. He also feels that Council should put together the employment contract for Police Chief and not let Chief Sam write it to his specifications. Mr. Bauer also stated that he feels a fourth full-time Police Officer is unwarranted.

A motion was made by Councilwoman Barnes to extend the three-minute rule for Mr. Bauer. Motion seconded by Councilwoman Ruskowski. Motion carried 7-0.

Mr. Bauer said that when Police Chief Sam was hired he understood that it is a part-time police department with only three full-time officers and that he would have to cover a shift.

**Speakers:**

Mr. Ira Bennett, Mount Pleasant Borough Code Enforcement Officer gave the following report for the month of June 2016:

High Grass and Weeds	26 Cited	19 Resolved	7 Received Summons
Vehicle violations	4 Cited	2 Resolved	2 Received Summons
Painting	3 Cited	3 Resolved	
Rubbish/Garbage	4 Cited	2 Resolved	2 Received Summons
Encroachment/Hedges	2 Cited		1 Received Summons
			1 has 3 days left on due date
Unsafe Structure	9 Cited	2 Resolved	2 Received Summons
Safety Issues	3 Cited	2 Resolved	1 Extension

Mr. Bennett requested that Council approve the cost of \$75 each to cut the grass at three properties where he was not able to locate the owners. Mr. Bennett said that he is speaking with Youth Groups for future mowings. Borough Manager Landy said that he and Councilman Cholock found a line item in the budget where the \$225 could be taken from.

**Reading of Communications:**

Borough Manager Landy read the following communications for the month of June 2016:

- Mount Pleasant VFD is holding its annual Golf Outing on Sunday August 28, 2016 at Madison Golf Course. In previous years the Borough has sponsored a hole for the event for \$100.

Council agreed to sponsor a hole at the 2016 Mount Pleasant VFD Golf Outing for \$100.

### **Tax Collector Report:**

Tax Collector Yancosky read the following report for the month of June 2016:

Property Taxes \$34,884.96

Per Capita Taxes \$ 676.50

Total Collected \$35,561.46

Ms. Yancosky announced that June 3, 2016 was the last day her office collected 2015 Per Capita Tax. The new Per Capita Tax statements will be mailed August 1, 2016.

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

Mayor Lucia proclaimed Tuesday August 2, 2016 "National Night Out". "National Night Out" will involve 38 million people from 16,000 communities in partnership with local Police Departments to promote safer communities and better places to live. Mayor Lucia asked borough residents to participate with the Mount Pleasant Police Department, Westmoreland County Drug and Alcohol and the National Town Watch in "National Night Out" on August 2, 2016. Mayor Lucia said he would like to see several thousand residents attend the event at Frick Park and participate in the program. Residents can also participate by having a blue light bulb at their front doors from now until August 2<sup>nd</sup>.

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

Borough Manager Landy said that the Party In The Park on July 3<sup>rd</sup> was a great success. Hayden's Pharmacy and Somerset Trust donated the money for the fireworks display this year and money will be donated from the vendors to pay for the band "Switch".

Mr. Landy said that Penn Park should be completed within the next month. There will be a plaque at Penn Park of the park's history.

Mr. Landy said the Borough is still looking for one sponsor for a Concert In The Park this year and for council members to volunteer for concerts.

Borough Manager Landy said that the final paperwork has been sent to FEMA for reimbursement of the Borough's cost for the 2015 Winter Storm Jonas.

Mr. Landy said that he would like to know which council members will attend the 2016 Smart Growth Partnership 15-year Celebration and Recognition Dinner on July 14, 2016 at the University of Pittsburgh at Greensburg Chamber Hall. Please let the borough office know who will attend.

Borough Manager Landy discussed the issue with the Arevalo Building with Solicitor Liptak. Other businesses are hesitant to move into the area because of the blighted property and it is time to take the next step in removing the building. Mr. Landy said that the Westmoreland County Land Bank would be willing to accept the donation of the property if no liens are attached so that they can tear it down.

Borough Manager Landy said that the R&R Restaurant is still for sale and the Land Bank is marketing the property at a very reasonable price.

### **Solicitor's Report:**

Solicitor Liptak said she has a claim number for the 2013 Ford Taurus police vehicle and will move forward as soon as she receives invoices from Police Chief Sam.

Solicitor Liptak said that she is working to resolve an issue with a vendor for the Mount Pleasant WWT Plant. The Plant is receiving invoices for a part that they did not order. Ms. Liptak has sent the vendor a letter requesting that they pick up the part which is in the original packaging and credit the account for the total.

Solicitor Liptak said that she is working with the Borough and the Township to decide if sewage rates can be increased to fund the 2017 Main Street Project.

Solicitor Liptak said that the dollar amount in the original resolution to fund the 2017 Main Street Project has been increased to over one million dollars. The Mount Pleasant Municipal Authority has requested an amendment to the resolution to include the increase.

President Wagner asked Councilman Rogacki if there is a formula to go by for increasing sewage rates.

A motion was made by Councilman Rogacki to amend Resolution 2016-03 allowing the Mount Pleasant Municipal Authority to borrow money on behalf of the Borough to include the cost of \$1,006,042 for the 2017 Main Street Project to replace sewer lines.

Borough Manager Landy said that the cost of \$1,006,042 does not include legal fees.

Councilman Rogacki said that MAWC brought in counsel and he does not feel that the Borough should be responsible for those fees.

Motion seconded by Councilman Cholock. Councilwoman Bailey questioned where the money to repay the Mount Pleasant Municipal Authority loan is coming from and Borough Manager Landy said that the money will come from increasing sewage rates. Mr. Landy said that the base rate may be increased by \$11.00 per quarter and usage rates will be increased as well. President Wagner said that the increase in sewage rates will also cover the 5-year plan for WWT Plan improvements. Motion carried 7-0.

Solicitor Liptak said that if Council is considering raising property taxes a motion should be made by October 2016 to go into effect in 2017.

Borough Manager Landy said that the current Zoning Ordinance does not fully address the difference between a fixed structure and a non-fixed structure and whether swimming pools require a zoning permit. Mr. Landy used the modern blow-up swimming pools as an example. He has asked Solicitor Liptak to look at the ordinance.

Solicitor Liptak said that all swimming pools are fixed to the ground by the water that is in the pool, making it a permanent fixture and in her opinion a Zoning Permit is required. Solicitor Liptak said that with pools that are already installed Council needs to inform them of the ordinance requirements and give them a specific time frame to move the pool if it does not meet zoning regulations.

A discussion ensued regarding zoning and building permits required for swimming pools.

Solicitor Liptak said that she feels Council should amend the Zoning Ordinance to include this issue.

Council decided that the requested Zoning Permit should be issued to the property putting up a swimming pool.

Attorney Henry Lee Moore, attorney for Medic 10, requested to speak to Council. President Wagner gave Attorney Moore permission to speak to Council.

Attorney Henry Lee Moore spoke to Council regarding changing the current business status of Mount Pleasant EMS Medic 10 into a new company that would provide emergency medical services as well as a transport division which would fund the emergency medical services division.

Attorney Moore discussed a two-page document which outlined how Medic 10 would form a new non-profit organization that would encompass an EMS division as well as a transport division. Attorney Moore said that he cannot proceed further until he is informed that both the Borough and Medic 10 are in agreement. Borough Manager Landy said that Attorney Moore

should not be asking Council what they want, it should be asking Medic 10 what they want and how they want to proceed. When Medic 10 decides how they want to proceed, they should come to Council with a proposal for Council to consider.

When questioned by Mr. Landy Attorney Moore said that he could not determine at this time what sort of organization Medic 10 is operating as. Attorney Moore said that in his opinion the real property Medic 10 is operating out of is deeded to the Borough of Mount Pleasant and the assets are Borough assets.

Solicitor Liptak said that the Borough is not allowed to simply turn over property and assets to another company. The property and assets must advertised for sale at a fair market value.

Attorney Moore said that he suggested to Medic 10 that they lease the property and assets from the Borough. Councilwoman Stevenson said in that case Medic 10 could not use the property or assets as collateral and she understood that the new company could not move forward without collateral.

Solicitor Liptak said that Council cannot move on this matter until they have a proposal from Medic 10 on how they want to proceed. Solicitor Liptak said that Council is only interested in what Medic 10 proposes to give the Borough for the property and assets and what kind of proposal they will provide stating that there will be an ambulance service in the Borough and for how many years. Attorney Moore said that he will meet with Medic 10.

### **Waste Water Treatment Report:**

A motion was made by Councilman Rogacki for a Town Meeting on Tuesday July 26, 2016 at 6:30pm at a location to be determined at the next council meeting. Motion seconded by Councilwoman Barnes. Motion carried 7-0.

Councilman Rogacki said that the Town Meeting will be held to inform and educate residents regarding the necessity of a sewage increase.

A motion was made by Councilman Rogacki to approve payment of expenses as presented. Motion seconded by Councilwoman Ruskowski. Motion carried 7-0.

WWT Superintendent gave the following report of work done by WWT Plant personnel for the month of June 2016:

- Finish the approach ramp wall block at Willow Park bridge.
- Replace Manhole frames and lids for upcoming paving project.
- Install overflow line from Borough manhole to East Huntingdon Township's manhole for the Quarry St. Pump Station overflow. Installed a flow meter to record and notify if the overflow is active. This is only a five year "FIX", we need to come up with a permanent solution. Landscape yards from the pipe installation, reinstall post and rail fence. Also stoned the entire driveway at the pump station.
- Came up with a five plan of the most critical projects at the wastewater treatment plant.
- Numerous meetings on the Main St. Sewer line replacement project, and upcoming capital improvement projects, including bid opening, funding, and agreements with Mt. Pleasant Township Municipal Authority concerning increasing the usage rates, and Mt. Pleasant Borough Municipal Authority concerning borrowing money for the project.
- Correct sewer line issue at 121 College Ave with contractor than ran onto adjacent property.
- Updated the Off Site Response Plan at the plant (Plan in case of a chlorine leak).
- Maintenance to equipment and trucks (dump truck, excavator, skid steer, blowers, VFD, Wacker ditch tamper, 1996 F250 pickup truck).
- Replace strut and strut clamps in the chlorine room with stainless steel strut and clamps that hold the piping to the walls. Also painted and labeled the piping in accordance with the GHS.
- Finished up the FEMA paperwork for Winter Storm Jonas with Jeff Landy.
- Interviewed two engineering firms with Paul, John, and Jeff.

- There will be a preconstruction meeting for the new bar screen on Monday July 11, 2016 at 10am.

### **Streets Report:**

Councilman Rogacki asked Street Superintendent Mario Fontanazza to give Council an update on patching potholes on borough streets. Mr. Fontanazza said that street department personnel are installing a pipe on Ramsey Court in approximately two weeks they will be able to start preparing the streets for repair.

Street Superintendent Fontanazza gave the following report for the month of June 2016:

- Erected a stop sign at St. Clair and Washington Streets.
- Patched holes on streets before tar & Chipping.

President Wagner asked Mr. Fontanazza if the Street Department is patching holes in the preferred manner, which is to cut them out, dig them out and then seal them.

- The Street Department is storing the stones for the 2016 tar & chipping project.
- Repaired a bollard on the corner of Diamond and Main Streets.
- Removed broken table from Jack Bobb's Park.
- Mr. Fontanazza said that the salt trucks need some work done in order to pass state inspection.
- The one-way signs have been order for Shupe Street.
- Mount Pleasant Township will start tar & chipping the last week of July 2016 or the first week of August 2016.
- The streets being paved need to have all of the weeds trimmed and the trees cut back.
- Worked on Willow Park Playground equipment.
- Set out barricades for Firemen's Parade, Concerts In The Park and Movies In The Park.
- Pick up brush from residents requesting it.
- Tub Grinder needs to be repaired.
- Removed felled trees at Frick Park.
- Reported street lights needing repaired.

President Wagner told Mr. Fontanazza that there are lights at Veterans Park that need to be replaced and the fire truck playground equipment at Frick Park needs to be removed.

Councilman Rogacki asked Mr. Fontanazza if pot holes are cutout and cleaned before putting in the hot mix. Mr. Fontanazza said that the holes are cleaned out before being patched. President Wagner said that it is important that the road base is in good shape before paving and tar & chipping.

A motion was made by Councilman Rogacki to pay all approved expenses as read. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

A motion was made by Councilman Rogacki to sign the Penn Dot Winter Maintenance Agreement. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

Borough Manager Landy said that he received a call from a developer asking for Council's permission to have MAWC put a water line down Goo's Way from property on Washington Street. MAWC will fix the alley when the work is complete. Council agreed to grant permission to have MAWC put a water line down Goo's Way from property on Washington Street.

President Wagner said that he spoke with Mr. Porterfield on Vine Street and he agreed that no parking spot is necessary. Mr. Porterfield suggested a 10 minute parking sign or a loading and unloading sign in its place. Council agreed to leave the yellow line on Vine Street and not put up any parking signs.

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

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

Total Calls 52  
10-45's 24  
Fires 12  
AFA'S 10

Public Service Calls 4  
Standbys 2  
Turnpike Calls 8  
Total Members Answering 850  
Avg. Member Per Call 16  
Total Staff Hours 434

Councilman Cholock said he received a request for a handicap parking sign from Mr. Jeffrey S. Zelenka at 12 W Vine Street and Mr. Zelenka agreed to pay all costs for the sign. Mayor Lucia said that Police Chief Sam will determine if a handicap sign can be erected at that address.

Mayor Lucia said that the current Medic 10 Board of Directors is short one member from Council since his resignation and he feels Council should act to replace the board member.

Borough Manager Landy said that Code Enforcement Officer Ira Bennett would like permission to use the borough vehicle while he is working. Mr. Landy said that the vehicle is used for council trips and as a police back up vehicle. Council decided not to allow Mr. Bennett the use of the vehicle.

A motion was made by Councilman Cholock to pay all approved expenses as presented. Motion seconded by Councilwoman Bailey. Motion carried 7-0.

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

Councilwoman Barnes said that the 10-person Recreation Advisory Board will meet before the next council meeting.

Councilwoman Barnes said that she received a quote from Lutz Tennis & Asphalt Company for the resurfacing of the basketball court. There are two quotes depending on whether Council wants a one-coat one-color surface or a three-coat two-color surface. There will also be a cost to remove the current asphalt from the basketball court. Councilwoman Barnes said that the project must be completed before October 2016 because the Borough is using CDBG Grant funds and the grant runs out in October.

Councilwoman Barnes said that she received a request from Mr. Chatfield, Midget Football League, to use the field at Willow Park for practice five days per week from 5pm to 8pm. Council agreed to discuss the issue at the July 18, 2016 council meeting. Borough Manager suggested that the Soccer League and the Midget Football League meet to discuss what they each want.

Council discussed the invoice from Mr. Zelinsky for cutting the trees. The invoice included a \$250 charge for truck rental and \$600 for removing the trees. Council agreed to pay the \$600 but wait until Mr. Zelinsky provides an invoice from the truck rental company before paying the \$250 for the truck.

Councilwoman Barnes questioned Council about the legalities surrounding the gas well at Frick Park. Borough Manager Landy said that before the well was drilled years ago Kriebel Minerals researched all of the legalities. Councilwoman Barnes said that she would like to see the well removed. Borough Manager Landy stated that the gas well at Frick Park supplies gas to the Municipal Building and Central Fire Station and saves the Borough approximately \$8,000 per year.

A motion was made by Councilwoman Barnes to pay all approved expenses as presented with the exception of the \$250 truck rental charge from Mr. Zelinsky. Motion seconded by Councilwoman Ruszkowski. Motion carried 8-0.

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

A motion was made by Councilwoman Bailey to pay all approved expenses as presented. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

**Property Report:**

Councilwoman Ruszkowski said that she is still working on having backflows installed at the Municipal Building. The job is complicated and there is an issue of decreased water pressure after the backflows are installed. Something will have to be done to increase the pressure to the building before the backflows are installed. Councilwoman Ruszkowski said that she has contacted various companies and can find no one willing to do the job.

Borough Manager Landy said that the company who is going to install the railing in front of the Municipal Building will install the railing after the curb is repaired. Council agreed to get an outside company to repair the curb.

A motion was made by Councilwoman Ruszkowski to pay all approved expenses as presented. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

Mayor Lucia said that the Mount Pleasant VFD received a grant in the amount of \$10,000 to put new lighting fixtures in the Central Fire Station. Mayor Lucia said that he has to pay someone to do the installation. Mayor Lucia asked Council if they would be willing to take the money from the General Fund for installation.

**Sanitation & Recycling Report:**

Borough Manager Landy said that he met with the General Manager of Republic Services to discuss some of the recent complaints. The General Manager said that he is willing to address and solve the issues that were discussed.

**Community & Economic Development/Grants Report: None**

**President's Report:**

President Wagner asked Council to look at the present Budget vs Actual to determine whether a property tax increase will be required in 2017. WWT has presented a five year budget and it will be important to plan ahead for the 2017 General Fund Budget.

President Wagner said that he will be making changes to Council Committees at the next meeting.

**New Business: None**

**Public Comment: None**

**Miscellaneous & Adjournment:**

A motion was made by Councilman Rogacki to adjourn the meeting. Motion seconded by Councilman Cholock. Motion carried 7-0.

**Meeting Adjourned 10:50pm**



### **Motions from Meeting of July 5, 2016**

A motion was made by Councilwoman Ruszkowski to approve the minutes of June 20, 2016, 2016 since Council has been provided with a copy. Motion seconded by Councilwoman Bailey. Motion carried 6-0.

A motion was made by Councilman Rogacki to extend the three-minute rule for Mr. Brokenback. Motion seconded by Councilwoman Bailey. Motion carried 6-0.

A motion was made by Councilman Rogacki to extend the three-minute rule for Mr. Pfifer. Motion seconded by Councilwoman Barnes. Motion carried 7-0.

A motion was made by Councilwoman Barnes to extend the three-minute rule for Mr. Bauer. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

A motion was made by Councilman Rogacki to amend the Resolution 2016-03 allowing the Mount Pleasant Municipal Authority to borrow money on behalf of the Borough to include the cost of \$1,006,042 for the 2017 Main Street Project to replace sewer lines. Borough Manager Landy said that the cost of \$1,006,042 does not include legal fees. Councilman Rogacki said that MAWC brought in counsel and he does not feel that the Borough should be responsible for those fees. Motion seconded by Councilman Cholock. Councilwoman Bailey questioned where the money to repay the Mount Pleasant Municipal Authority loan is coming from and Borough Manager Landy said that the money will come from increasing sewage rates. Mr. Landy said that the base rate will be increased by \$11.00 per quarter and usage rates will be increased as well. President Wagner said that the increase in sewage rates will also cover the 5-year plan for WWT Plan improvements. Motion carried 7-0.

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