

*Borough of New Stanton Council meeting
August 7, 2008*

The August 7, 2008 Council meeting of the Borough of New Stanton was called to order by Council President Scott Sitek at 7:00 p.m. The meeting was held at the Municipal Building, 451 North Center Avenue, New Stanton, Pennsylvania. A Prayer and the Pledge of Allegiance were recited.

Members present were Scott Sitek, Wilbur Bussard, Thomas Smith, Robert Quinn, and James Mack. Also present was Mayor Joseph Kazan, Code Enforcement Officer Melvin Steele, Borough Solicitor John Campfield, and Borough Engineer Emil Bove. Members absent were Todd Bartlow and Kelly Moore.

General Business

A motion was made by Wilbur Bussard second by Robert Quinn to approve paying the bills in the amount of \$18,808.44. The motion carried.

A motion was made by Wilbur Bussard second by James Mack to approve the minutes from the July 9, 2008 Special Meeting. The motion carried with Thomas Smith abstaining.

A motion was made by Robert Quinn second by James Mack to approve the minutes from the July 17, 2008 Council Meeting. The motion carried with Wilbur Bussard abstaining.

Council additions to agenda

Councilman Mack added The New Life Tabernacle Church on the agenda.

Audience Comment

Anita Hoffman said I received a flyer from Westmoreland Cleanways and they are starting a new program that they will distribute containers to different locations for recycling items that we can't give to the hauler. Items such as flattened cardboard, newspaper, magazines, phonebooks, office paper etc. There was a short discussion.

A motion was made by Wilbur Bussard second by James Mack to have Westmoreland Cleanways to place a bin in the far corner of our parking lot. The motion carried.

Anita Hoffman said our trash hauler is having some problems with collecting money from some residents. This is a copy of the letter that they wrote and wanted Council to take a look at before it was sent out. There was some discussion about the situation.

A motion was made by Wilbur Bussard second by Robert Quinn to direct Mr. Campfield to review our Ordinance and the letter and recommend to Allied Waste what the letter should say. The motion carried.

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Mr. Tom Bailey from Sewickley Street said that whoever was awarded the paving contract did a fine job and was meticulous. Councilman Mack said that he was satisfied also with Highland Avenue.

Mrs. Morgan said at the last meeting Todd was supposed to call us together and we never heard anything. I called several people who signed up to be on the citizens committee and no body has heard from him. I called him and he told me there was no need to notify any of the citizens at this time because he was handling it himself. Can you bring us up to light? Council President said I had spoken to him and he said he spoke to you. He said that he has an appraisal of the Fire Department building and we would like to get the appraisal from whoever has the appraisal on the other building. We are going to have a finance committee meeting and I am working on getting some figures together. There was a heated discussion on the subject of having a meeting about the purchase of a new Borough building.

Mr. Bitar said I would like to know why Todd is not here again and why he is not willing to contribute any time or effort on. This is becoming a little frustrating for all of us here. We are getting upset with what the committee is doing with our money; and the next step will be to hire a lawyer to find out what is going on behind close doors. If I have to head it along with the rest of these people we will do that. Explain to us why Todd is not here again. I would like to nominate him off or impeach him. Council President said I am not Mr. Bartlow's keeper. Mayor Kazan read section 904 of the Borough Code; right of Council to declare a seat of Councilman vacant for failure to attend meetings etc. Mayor Kazan then went on to read section 904. There was a heated discussion about why Mr. Bartlow was not at the meeting and that he should be removed from the building committee.

Mr. Keilbach asked about the water and sewage on Broadview Road. Council President said Mary Ann and I have been in contact with the County, and there is some information that they still need to determine if Group B will nor will not qualify. Group A and Group C do not qualify.

Mrs. Smyda said at the meeting where Mike Arthurs resigned you turned around and resubmitted names to the committee so that we could get this moving forward. Why tonight is it just a major deal to take Todd off. Todd has other things going on in his life which is fine but put somebody who is interested on this committee so that we can move forward. This committee was made in June and there has not been a meeting and that is telling me he is not interested. Councilman Mack said Denise one correction to your statement its not he is not interested they are not interested. If the committee would be interested somebody else on the committee would say give me the paperwork and I will take it to Council.

Announcements

Concert in the Park	Aug. 31, 2008 Noon to 8:00 p.m.
Community Picnic	Sept. 6, 2008 Noon to 6:00 p.m. (Food Service 1:00 p.m.)

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Administrative Reports

Code Enforcement Officer

Melvin F. Steele, Jr.

Mr. Steele said everyone has my report in front of you. Does anyone have any questions about the report? Councilman Mack said I will not vote on anything that is not complete, so if there are items on the report that are not complete I will not vote on the report.

A motion was made by James Mack second by Wilbur Bussard to approve Mr. Steele's report on the finished activities. The motion carried.

Mayor Kazan asked Mr. Steele about the damage that was done on Melrose Drive. Mr. Steele said they would take care of it but in the future I think we are going to have to have anyone who is bringing in machines with tracks that they bond the road. There was some discussion about the damage that was done.

Councilman Mack said whatever happened about the question on the mineral rights on the property above the Church? Council President said we sent a letter to the County and to the Church.

A motion was made by James Mack second by Thomas Smith to investigate as to what happened to the mineral rights on the property above the Church on Thermo Village Road. The motion carried.

Solicitor

John Campfield

Mr. Campfield said to follow up on what was raised earlier, the Borough received on July 30th from New Life Tabernacle concerning a property line dispute. I have spoken to Mel and as I have indicated we have to research the files. Any further discussion on it which we can have this evening I think should be in executive session. The discussion on the New Life Tabernacle was moved to executive session because it involves potential litigation.

Mr. Campfield said I have received some inquires from Mr. Kellner's lawyer that he wants to open his car repair business. Councilman Mack said he already did. Mr. Campfield said I told his lawyer to have Mr. Kellner contact the Borough and make application. It is going to have to be monitored closely. Councilman Mack said he needs to start from square one. There was a short discussion.

Mr. Campfield said Mr. & Mrs. Leonard's Development is later on your agenda here and everyone has received a memorandum on that.

Mr. Campfield said I urge everybody to take a look at the Zoning Map and clarify as to whether the Sign Overlay District applies or does not apply in the V-1 Village District. There was a short discussion.

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Engineer

Emil Bove

Mr. Bove said the 2008 Street Improvement Project is essentially complete. We actually came under budget. The contract was awarded for \$86,453.00 and the total amount came to \$84,931.00. We need a motion to approve the payment to Derry Construction. This amount is minus the 5% retainage which we will hold. The total amount is \$80,684.83.

A motion was made by James Mack second by Wilbur Bussard to pay Derry Construction Co., Inc. minus the 5% retainage. The motion carried.

Mr. Bove discussed with Council about adding another project as a second choice for the CDBG money and a good second choice would be the reconstruction of School Street.

Mr. Bove discussed with Council about the camera taping of Storm Sewers and Dye testing in Stanmont Plan and gave his recommendation to Council and that is that we tell him what we have done and what needs to be done and he needs to make the repairs and I believe that he should come back in with another camera company or the one we used and have the camera put through the lines again at his expense.

A motion was made by James Mack second by Thomas Smith to send a certified letter giving him two (2) weeks to respond to the letter and sixty (60) days to have all the repairs made. The motion carried.

Public Works

Wilbur Bussard

Councilman Bussard said other than road restorations we have some ditches to do. Alan Wagner called me about a project at the Park about having a wall put up that is 12' X 36" outside the concession stand. Proscap is will do this and put two tables on the top of it at no charge to the Borough. The only thing we have to do is fill in the wall with road grindings and for his work he would like to put up a Proscap sign like we do around the ball field for advertising.

A motion was made by Wilbur Bussard second by Robert Quinn that Proscap will put up a wall that is 12'X 36" with two tables on the top at no charge to the Borough other than putting up a sign for advertising.

Councilman Quinn said he attended the Recreation Board picnic on Saturday, August 2, 2008 and everything went well. They donated rolls of tickets to the Borough for our community picnic.

Finance

Scott Sistik

Council President Scott Sistik read the financial report.

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Checkbook	\$590,475.03
Savings	273,257.43
Taxes	18,358.11

Agenda

New Business

A motion was made by Wilbur Bussard second by James Mack to acknowledge a vacation request by Mary Ann Roll for October 20th through the 24th, 2008. The motion carried.

A motion was made by James Mack second by Wilbur Bussard to acknowledge a vacation request by Anita Hoffman for September 17, & 18, 2008. The motion carried.

A motion was made by James Mack second by Wilbur Bussard to approve Resolution 2008-654 appointing Nicholas DeSantis to the Recreation Board for a term of five years. The motion carried.

Old Business

Council President said we need a motion and vote on the Open Records Officer. We delayed this until John was here to discuss this. Mr. Campfield said there is a new act that goes into effect January 2009. After some discussion Council asked Mr. Campfield to get us more information for the next meeting.

Lock on Front Door

After a short discussion the following motion was made.

A motion was made by Robert Quinn second by James Mack to get quotes on any keyless lock system. The motion carried.

Mark Leonard Development Plans

Mr. Dan Hewitt attorney for Mr. Leonard addressed Council about the development plans. There was some discussion about the plan.

A motion was made by James Mack second by Wilbur Bussard to re-approve and sign the Mark Leonard Development Plans. The motion carried.

A motion was made by James Mack second by Wilbur Bussard that the Borough will have the Mark Leonard Plans recorded. The motion carried.

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Reports

President

Scott C. Sistik

Council President said I have a letter that was placed in my mailbox today. The letter read as follows.

To New Stanton Borough Council:

Effectively immediately I resign my position on Borough Council.

Kelly L. Moore

A motion was made by Wilbur Bussard second by James Mack to accept Kelly L. Moore's resignation. The motion carried.

A motion was made by James Mack second by Thomas Smith to advertise the vacancy on Council in the Tribune Review with the Statement of Financial Interest due back in the office by August 25, 2008 and applications due back in the office by August 29, 2008. The motion carried.

Mayor

Joseph Kazan

Mayor Kazan read the following: Government of the people by the people and for the people. Two weeks ago I had an opportunity to visit my wife's cousin in Richland Township in Eastern Pennsylvania. The Mayor then gave a little history about Richland Township and that it is run by three Township Supervisors how do they do it? They have nine committees of residents, eight to ten residents per committee. I am just wondering what the problem is. Council rules and there is no participation by the residents. I am just surprised that a big township like this could have so many people involved and all the decisions of our Council is made by seven individuals.

Mayor Kazan said there has been some vandalism in Stanton Heights. There was some discussion about having a neighborhood crime watch.

Executive Session

A motion was made by Wilbur Bussard to go into executive session at 10:19 p.m.

A motion was made by James Mack second by Thomas Smith to come out of executive session at 10:51 p.m.

A motion was made by James Mack to adjourn the meeting at 10:51 p.m.

Respectfully Submitted

Mary Ann Roll
Secretary