

Borough of New Stanton
Borough Council
Via Teleconference
June 2, 2020
Minutes of Meeting

Attendance

Council members: Todd Bartlow, Joshua Bennett, Art Cicero, Linda Echard, Ray Strosko, Tom Theis (Joined meeting at 5:56 PM) and Mayor Ronald Echard. Also: Borough Solicitor John Campfield, Borough Engineer Emil Bove and Borough Manager Jeffrey McLaughlin. Absent: Councilmember Scott Sistik. Guests: Jim French, French Engineering; Jay Shah owner the Garden Inn and representatives from Sheetz: Henry Fownes, Ron Herrington, David Masterstefano, Chuck Wooster, Ryan Wotus and Court Reporter Brook Schweitzer.

Call to Order

President Raymond Strosko called the meeting to order at 5:44 PM. He reported that there was an Executive Session held immediately before the meeting for matters of litigation.

Prayer

Linda recited a prayer and held a moment of silence for all COVID-19 victims and New Stanton Fire Fighter Nathan Karas.

Pledge of Allegiance

The Pledge was recited.

Approval of Bills

Josh made a motion seconded by Todd approving the bills in the amount of \$19,829.31. Motion passed unanimously.

Approval of Minutes

Josh made a motion seconded by Todd to approve the minutes of the May 19, 2020 meeting. Motion passed unanimously.

Opportunity for Public Comment -- Items Not on the Agenda

There were no public comments.

Council Additions to Agenda

Opportunity for Public Comment -- on Agenda Items Only

There were no public comments.

Tom Theis joined the meeting at 5:56 PM.

Agenda

1. M/V Regarding Sheetz 2020-943 – Sheetz Lot Consolidation

After discussion it was decided to move this to later in the meeting.

2. M/V on Sheetz Stormwater Agreement

Emil stated that the stormwater plan has been approved by the borough and the conservation district. He stated that the plan will have a positive impact on the entire area site. There is currently no stormwater management on the Sheetz or hotel sites. He said that the developer did a nice job on the plan.

Linda made a motion seconded by Josh adopting the Sheetz Stormwater Agreement. Motion passed unanimously.

John point out there will be a memorandum of the agreement that will be recorded. The agreement just approved will not be recorded. Ryan Wotus said that they had just received the agreement so they want to take an opportunity to review.

3. M/V on Sheetz Land Development Plan

After discussion, Todd made a motion seconded by Art to adopt the Sheetz Land Development Plan contingent upon the:

- Settlement of the Conditional Use disagreement
- Sheetz’s securing a Highway Occupancy Permit from PennDOT.
- Both, representatives of Sheetz and the borough agreeing to a Developer’s Agreement which will include but not be limited to:
 - The Drawings listed as Exhibit A in the Developer’s Agreement
 - The Sheetz Landscaping Plan including adequately addressing the landscape issue with the two neighboring properties (Parcel ID# 64-03-00-0-091 and 64-04-00-0-099) on the border of the rear of the site.
 - The approval of the stormwater management agreement
 - The *Sheetz Store No. 239R Proposed Gas Station /Convenience Store Post Construction Stormwater Management Report* last revised January 2020
 - The parties agreeing to the following traffic items:
 - Sheetz shall install and the borough shall maintain, approved PennDOT signage on North Center Avenue, north of the intersection with Bair Boulevard, indicating

that tractor trailer traffic should turn right onto Bair Boulevard to access Sheetz's Diesel fueling stations

- Sheetz shall, upon approval of PennDOT, lengthen the left turning lane on Center Avenue to approximately 200 feet from the intersection with Byers Avenue
- Sheetz shall install approved PennDOT pedestrian signage on both sides of Center Avenue and on Byers Avenue along the Property to alert pedestrians to traffic
- Sheetz shall, after six (6) months of operation of the Development, conduct a traffic study, in accord with PennDOT standards, to determine if the study determines that for safety reasons, signage at the egress drive on Byers Avenue for tractor trailers shall be established and maintained setting forth that no left turns shall be made for the egress Drive onto Byers Avenue.

Motion passed unanimously.

4. M/V Regarding Sheetz 2020-943 – Sheetz Lot Consolidation

Ryan Wotus, Counsel for Sheetz had concerns about the language found in the paragraph numbered #2 on page 2 of the lot consolidation resolution. John invited Ryan Wotus to submit replacement language for consideration. There was discussion about the ordering of permits needed before recording the lot consolidation plat.

Todd made a motion seconded by Josh adopting Resolution 2020-943 regarding the Sheetz Lot consolidation pending final approval of the resolution's language by John Campfield. Motion passed unanimously.

At this point Jim French and Chuck Wooster left the meeting.

5. M/V to Extend the Hearing Date for the Sheetz Liquor License

Josh made a motion seconded by Art to extend the Sheetz Liquor License request by 60-days. Motion passed unanimously.

At this point, the balance of the Sheetz representatives and the court reporter left the meeting.

6. Discussion as to Whether to Hold the Next Meeting in Council Chambers or Remotely
After discussion this was moved to the end of the agenda.

7. Discussion as to Whether to Loosen Park Restrictions

Linda made a motion seconded by Josh to allow the Spartans Central to use the field at the park beginning on June 5, 2020, when Westmoreland County moves into the *Green Phase*, as long as they meet the terms and conditions of the lease including rules regarding food, that they would provide proof of insurance, that they would maintain the field and that they would comply with the state's COVID-19 requirements. Motion passed unanimously.

Todd made a motion seconded by Linda to reopen the playground equipment when Westmoreland County moves into the *Green* beginning on June 5, 2020 installing signage that stipulates social distancing as per the state's COVID-19 requirements. Motion passed unanimously.

8. M/V to Purchase \$2,000 Worth of Extra Support from Henninger Accounting

After discussion, council asked Jeff to bring back to the next meeting information on how much time was purchased previously and how long it took to use up the hours purchased.

9. Codification Ordinance to be Considered at July 7, 2020 Meeting

Jeff stated that John drafted the codification ordinance that was included in the agenda packet for council's review. It will be advertised and placed on the agenda at the July 7, 2020 for consideration.

Todd made a motion seconded by Josh that we once again take pavilion rentals as of Friday, June 5, 2020, the date upon we enter the state's *Green Phase*, stipulating no more than 50 person occupancy, that renters comply with COVID-19 requirements, and that proper signage be installed. Motion passed unanimously.

Reports

Administrative

Planning Commission

Jeff stated that there was no business so there was no meeting in May and none expected in June.

Borough Manager

Jeff reported that:

- Anticipating getting seal coating project started.
- Staff seems to be doing well with social distancing and following requirements per COVID-19.
- PW staff doing pothole patching.
- Received the zoning decision on the former beer distributorship building
- Zoning permit requests are picking up.

Code Enforcement

Jeff stated that activity is picking up with Scott H. sending out 3 high grass notices and following up on two junk vehicles. He said that Scott has filed with the magistrate against the owner of one of the junk vehicles. It is set to go to the magistrate on August 21, 2020. Jeff stated that we received a call about an undeveloped lot in the Trotwood Plan but Scott said it is in compliance.

Solicitor's Report

No report.

Engineer's Report

Emil reported that:

- The seal coat project should begin on June 3rd and should be wrapped up in 2 weeks.
- He is putting together the erosion and sediment control plan for Shrader Hollow Culvert.
- He is hoping to have the park survey for the next meeting.
- There was nothing new on the Arona Road Culvert.

Jeff reported that he failed to bring up under his report that he submitted a letter to PennDOT to get the speed limit on S. Center Avenue from the bridge to Bruster's lowered. He also sent a copy to Rep. Ward's office.

Fire Department Liaison

Ray said that the Chief's Report was in the packet.

Council President

Ray stated that he would like to get council thinking about putting an electronic message board sign at Shelton and Center. Linda said she mentioned it a couple of years ago and would support such a sign.

that he received a call from a representative from Latrobe asking how the borough put on the display.

Jeff reported that he wrote thank you letters to Rob Cammarata and Tim Seale for all of their time and effort in making the *Fireworks over New Stanton* a success.

Mayor

The mayor thanked Todd for allowing the fireworks to be shot off from his property and Ray for coming up with the idea. reported that he received a lot of positive feedback on the fireworks display.

Personnel

Public Works/MS4 & Parks

Special Events

Nothing new to report.

Building and Real Estate

Linda asked Jeff to follow up with the borough's real estate agent, David Reese.

Safety Committee

Nothing new to report.

Financial Report

Ray reported that as of May 29, 2020, the total balance of all checking accounts was \$579,954.36. The total of all savings accounts was \$1,746,111.39 and the amount of taxes remitted from April 29, 2020 through May 29, 2020 was \$113,567.13.

Additional Opportunities for Public Comment

There were no additional public comments.

Announcements

Todd made a motion seconded by Josh to continue the declaration of emergency and to give Ray the authority to decide whether to hold the July 7, 2020 council meeting in council chambers or virtually. Motion passed unanimously.

Adjournment

Josh made a motion seconded by Todd to adjourn the meeting at 8:22 PM. There were no objections.

Respectfully submitted,

Jeffrey McLaughlin
Secretary