

**Borough of New Stanton**  
**Borough Council**  
**New Stanton Council Chambers**  
**January 2, 2023, 6 PM**  
**Minutes of Council Meeting**

**Attendance**

Councilmembers: Todd Bartlow, Jeff Kerr, Ray Strosko, and Edwina Zack. Also present Mayor Tom Smith via telephone. Absent: Linda Echard.

Also in attendance: Borough Solicitor Alex Brown, Borough Engineer Steve Eby and Borough Manager Jeff McLaughlin.

**The Meeting Began at 7 PM.**

**Pledge of Allegiance**

The Pledge was recited.

**Prayer**

Jeff M. recited a prayer.

**Selection of Council Member to Run Election of Officers**

Jeff M. stated that since the mayor is not physically present at the meeting, council needs to select someone from amongst themselves to seek nominations for President and Vice President.

Todd made a motion seconded by Jeff K. that Edwina seek the nominations for President and Vice President. Motion passed unanimously.

**Nominations for Election of President of Council**

Todd nominated Jeff K. to serve as President of Council. There were no other nominations

Todd made a motion seconded by Tim to elect Jeff K. as President of Council. The motion passed with all voting in favor with the exception of Ray who voted *no*.

**Nominations for Election of Vice President of Council**

Jeff K. nominated Edwina to serve as Vice President of Council. There were no other nominations

Jeff K. made a motion seconded by Todd to elect Edwina as Vice President of Council. The motion passed with all voting in favor with the exception of Ray who voted *no*.

**Approval of Bills**

Jeff K. asked about the \$535 bill to repair the turn signals on the 2016 Ford Truck. He asked that a history of the repairs on the vehicle be put together for review.

Edwina made a motion seconded by Todd to approve the bills in the amount of \$31,629.17. Motion passed unanimously.

### **Approval of Minutes of the December 12, 2023 Meeting**

Todd made a motion seconded by Edwina to approve the minutes of the December 12, 2023 meeting. Motion passed with all voting in favor with the exception of Tim who abstained.

### **Opportunity for Public Comment -- Items Not on the Agenda**

There were no public comments.

### **Opportunity for Public Comment -- on Agenda Items Only**

There were no public comments.

### **Agenda**

#### **1. Discussion and or Deliberation and/or Official Action to Elect a President Pro-Tem**

Tim made a motion seconded by Edwina to elect Todd as the President Pro-Tem. Motion passed with all voting in favor with the exception of Ray who voted *no*.

#### **2. Discussion and/or Deliberation and/or Official Adopting Res. 2024-1051 Accepting the Resignation of Alex Brown as a Member of New Stanton Council**

Alex reminded council that they have 30 days to fill the vacant position once the resignation is accepted. If a decision is not made in 30 days, the Vacancy Board would make the decision. If a decision is still not made, it would go to the Westmoreland County Court of Common Pleas.

Edwina made a motion seconded by Todd to adopt Resolution 2024-1051 accepting the resignation of Alex Brown from council. Motion passed unanimously.

#### **3. Discussion and or Deliberation and/or Official Action Adopting Res. 2024-1052 Appointing Edward Lucas to the Unexpired Portion of Alex Brown's Seat or Taking Other Action to Fill the Seat Including Possibly Advertising for It**

Edwina made a motion seconded by Ray to appoint Edward Lucas to the unexpired portion of Alex Brown's council seat. Todd asked for discussion

Ed Lucas was in the audience and was invited to speak. Mr. Lucas introduced himself. He stated that he has been a resident of New Stanton and the Stanton Heights neighborhood for 35 years. He said that it is a good community with good people. He worked for the United Parcel Service for 43 years. It is a service industry position so he is used to interacting with people and helping them address problems. He said that that he would like to contribute his talents to the community.

After discussion, motion passed unanimously.

Alex pointed out that before sitting on council Mr. Lucas would have to fill out the Oath of Office and the Oath of Residency and be sworn in. After completing these documents, he would be seated as a council member.

**4. Discussion and or Deliberation and/or Official Action to Adopt Bank Resolutions Authorizing New Check Signers**

Jeff M. stated that with the resignation of Alex and change in officers he suggested changing who can sign checks.

Todd made a motion seconded by Tim adopting Resolutions 2024-1053 through 2024-1064 authorizing that Jeff K., Todd, Tim and Jeff M. be designated to sign the checks on the borough's 12 accounts. Motion passed unanimously.

**5. Discussion and or Deliberation and/or Official Action to Issue the Notice of Award and the Notice to Proceed for the E. Pennsylvania Avenue, E. Post Avenue and Sewickley Street Stormwater Project to G. Salandro Excavating, LLC.**

Steve said that the bids had been awarded and the low bid was in order.

Todd made a motion seconded by Tim to issue the Notice of Award and the Notice to Proceed for E. Pennsylvania Avenue, E. Post Avenue and Sewickley Street Stormwater Project to G. Salandro Excavating, LLC in the amount of \$217,778. Motion passed unanimously.

**6. Discussion and/or Deliberation and/or Official Action to Issue the Notice of Award and Notice of Proceed for the Park Splash Pad Contract to KGD Contracting, Inc.**

Ray made a motion seconded by Todd to issue the Notice of Award and Notice to Proceed for the Park Splash Pad contract to KGD Contracting in the amount of \$202,090. Motion passed unanimously.

**7. Discussion and or Deliberation and/or Official Action to Approve the 1<sup>st</sup> Drawdown Request from KGD Contracting, Inc. for the Park Splash Pad**

Steve said that the contract will be broken down into 3 payments. The first two payments would each be for 45% with the final payment being for 10% when the project is completed.

Steve asked who would be on a committee that he would consult regarding the different features, drawdown requests, etc. He said that Connellsville has also ordered a splash pad and the borough may want to swap interchangeable features with them periodically so that the features are not the same year after year.

Jeff M. reminded Jeff K. that as President it is his prerogative to select the membership of the various borough committees.

Ray made a motion seconded by Todd to approve drawdown #1 in the amount of \$45,588 to KGD Contracting, Inc. for the Park Splash Pad. Motion passed unanimously.

**8. Discussion and or Deliberation and/or Official Action Authorizing the Advertising of Bids for Sandworks Road Bridge with Bids Due on February 6, 2024 the Date of the Next Council Meeting**

Steve said that he would bid out this project two ways: replacing the deck or replacing the entire bridge with a new culvert. Council could then make a decision on which design it would want to go with.

Todd made a motion seconded by Edwina to advertise for bids for Sandworks Road and to have the bids due on February 6, 2024 the date of the 1<sup>st</sup> meeting in February. Motion passed unanimously.

**9. Discussion and or Deliberation and/or Official Action to Approve the 2022 Borough and Tax Collector Audits**

Ray made a motion seconded by Todd to accept the 2022 Borough and Tax Collector audits. Motion passed with all voting in favor with the exception of Tim who abstained.

**10. Discussion and or Deliberation and/or Official Action to Hire Henniger Accounting Services to Perform the 2023 Borough and Tax Collector Audits**

Jeff M. stated that Henniger is undergoing a name change and will be submitting a proposal as soon as they receive their new letterhead, so Jeff M. suggested tabling consideration of this item until receipt of the proposal.

Edwina made a motion seconded by Todd to table action on the auditing proposal for the 2023 borough and tax collector audits. Motion passed unanimously.

**11. Discussion and or Deliberation and/or Official Action to Accept Westmoreland County Audit of Borough Tax Collector 3/1/22 – 2/28/23**

Tom made a motion seconded by Edwina to accept the Westmoreland County audit of the borough tax collector from March 1, 2022 through February 28, 2023. Motion passed with all voting in favor with the exception of Tim who abstained.

**12. Discussion and or Deliberation and/or Official Action to Appoint The Hideaway Kennels as Animal Control Officer for 2024**

Todd made a motion seconded by Edwina adopting the 2024 Animal Control contract with The Hideaway Kennels including a \$75 a month increase from \$150 a month to \$225 a month. Motion passed unanimously.

**12a. Discussion and or Deliberation and/or Official Action to Assist The Hideaway Kennels with Care of Stray and Abandoned Dogs Found in the Borough**

*Note: This agenda item was not numbered, so it was dubbed 12a.*

In response to the discussion at the last meeting, Jeff M. reached out to The Hideaway Kennels regarding an accident involving a vehicle that was transporting 9 dogs. The Hideaway Kennels was called to the accident and took the dogs, many of which were sick, into their care. They reported that they had incurred thousands of dollars in costs and, at the last meeting, council had expressed an interest in possibly helping to defray some of the

costs. The Hideaway Kennels put together a letter about the situation which was provided to council.

Ray gave more details about the accident and said that the fire department discussed helping out, but wasn't sure if they did.

Edwina made a motion seconded by Todd to give \$1,000 to The Hideaway Kennels to help defray the costs that they incurred caring for the dogs found at the accident scene. Motion passed with all voting in favor with the exception of Jeff K. who voted *no*.

**13. Discussion and or Deliberation and/or Official Action to Amend the Intergovernmental Agreement Between New Stanton and Hunker Borough for 2024, Increasing the Public Works Hourly Employee Rate that is Charged to Hunker Borough from \$32 to \$33 Regular Time and from \$42 to \$43.50 for Overtime**

Jeff M. said that he e-mailed Hunker to make them aware that a rate increase for 2024 is being considered, but he has not heard back.

Alex suggested that this be passed as a resolution because it is an Intergovernmental Agreement.

Ray made a motion seconded by Todd to adopt Resolution 2024-1065 amending the Intergovernmental Agreement with Hunker to reflect an increase in the Public Works hourly employee rate that is charged to Hunker Borough from \$32 to \$33 regular time and from \$42 to \$43.50 for overtime. Motion passed unanimously.

**14. Discussion and or Deliberation and/or Official Action on Resolution 2023-\_\_\_\_\_ Appointing \_\_\_\_\_ to the Planning Commission**

Jeff M. reported that no one has expressed an interest in serving on the Planning Commission.

It was agreed to put the idea of compensating Planning Commission members on next month's agenda for consideration.

Todd made a motion seconded by Ray to table the resolution appointing someone to the Planning Commission. Motion passed unanimously.

**15. Discussion and or Deliberation and/or Official Action on Resolution 2023-1066 Appointing Donna Bailey as Chair of the Vacancy Board**

Alex explained that the Vacancy Boards's purpose is to meet in the event that council is deadlocked on selecting someone to fill an available council seat. The board is made up of council plus one additional individual who would break a tie in the event that council's vote was evenly split.

Jeff M. stated that Donna Bailey has served as the Chair of the Vacancy Board in the past although she has never had to participate in appointing a new councilmember.

Tim made a motion seconded by Todd adopting Resolution 2023-1066 appointing Donna Bailey as Chair of the Vacancy Board. Motion passed unanimously.

#### **16. Discussion and or Deliberation and/or Official Action to Pay the Fee for Interested Borough Officials to Attend the PSAB Boot Camp**

Ray made a motion seconded by Todd to have the borough pay for members interested in attending the Pennsylvania Stated Association of Boroughs Boot Camp for Newly Elected Officials. Motion passed unanimously.

### **Reports**

#### **Administrative**

##### **Planning Commission's Report**

Jeff M. stated that the commission did not meet in December.

##### **Code Enforcement Report**

Jeff M. referred to Mark's report which was provided to council.

Edwina mentioned that there is an abandoned car located near the intersection of Arona and Center Avenue. She suggested contacting the state police.

Jeff K. asked if there were any further updates on code enforcement. Jeff M. stated that he met with Mark Cypher and encouraged him to file with the magistrate against the owner of a property on Water St. The property has been vacant and poorly maintained for years. Jeff M. also reported about a property on Arona Road that has been in front of the magistrate for approximately two years. Jeff M. stated that another hearing on the property is set for this March, but Jeff M. stated that the property owner recently passed away.

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

Jeff M. reported that:

- Mason Casario's start date with Public Works is January 8<sup>th</sup>.
- If council decides to hold the Easter Egg Hunt this year, decisions will need to be made at the next meeting. Traditionally the Egg Hunt is on Palm Sunday, which this year is on March 24<sup>th</sup>.
- *Bathrooms Closed for the Season* signs have been installed at the entrance to the park.
- Jeff M. gave an overview for Tim and Ed's benefit regarding the multi-municipal group that has been meeting regarding the formation of a UCC Appeals Board as well as the possible formation of a Council of Governments (COG).

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

Alex said that he is looking forward to working with council.

He said that he and his boss have entered their Record of Appearance with the court in the Stipkovic matter and that he will be the primary on the case. He said that the next step in the case would be the selection of dates for parties to submit their written legal arguments.

There was a discussion about recognizing John Campfield.

### **Engineer's Report**

No report.

### **Personnel**

Alex suggested that Jeff M. give an update on the next several items since there are currently no committees.

Jeff M. reiterated that Mason Casario would be starting on January 8<sup>th</sup>.

### **Public Works/MS4 & Parks**

Jeff M. said that the Public Works crew was out salting over the weekend. He reported that the upper gate will be left open at the park during the winter while the lower gate remains closed. This will allow for more parking for those who go to the park to walk.

### **Community Betterment**

Jeff M. stated that the next event would be the Easter Egg Hunt.

### **Workplace Safety Committee**

Jeff M. said that he will be scheduling the meeting for January. He stated that he submitted the information regarding the 2023 Safety Committee to the Department of Labor and Industry and the 5% discount on the workers' compensation insurance was approved for 2024.

### **Finance Report**

Jeff M. reviewed the financial report: as of December 27, 2023, there was a checking balance of \$978,417.75; the total of all savings accounts was \$856,375.64 and the taxes remitted from December 1, 2023 through December 27, 2023 were \$14,200.28.

### **Fire Department Liaison**

There was a discussion about the Fire Department Liaison Report. Alex stated that one of the new president's duties is to select which committees he wants, what the names of the committees will be and who will be on the committees. He stated that the new president, for example, could decide not to have a fire department liaison.

### **Council President**

Jeff K. stated that he will be putting together the committees. He will be phoning the members to get an idea of which committees they would be interested in.

## **Mayor**

The mayor wished everyone a safe and happy new year and said that the first meeting of the year was very good and hoped for similar meetings in the future.

## **Additional Opportunity for Public Comment**

Steve reminded council about the \$250,000 grant that the borough received for the fire department. He stated that the grant is for three years and that it has been almost a year since the borough was awarded the grant. He said that if the borough doesn't have enough money for the entire project, council should determine what can be done with the money.

Jeff K. asked if the money can only be used for new construction. Steve said if we decide to do some sort of renovation with the money he would check with the state to see if that would be okay.

Jeff M. pointed out that the council decided to hold off on expending the \$250,000 grant until receiving word on a grant request that was submitted to the Department of Agriculture, which Congressman Guy Reschenthaler suggested.

Steve said it takes a while to get approval about spending so he wanted to remind council.

## **Announcements**

Jeff K. stated that if necessary, the second meeting of the month will be on January 16, 2024 otherwise the next meeting will be on February 6, 2024 at 6 PM. The Zoning Hearing Board and Planning Commission meetings for January are canceled due to no business.

## **Adjournment**

Todd made a motion seconded by Edwina to adjourn the meeting at 7:22 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary