

Borough of New Stanton
Borough Council
New Stanton Council Chambers
November 6, 2023, 6 PM
Minutes of Council Meeting

Attendance

Councilmembers: Alex Brown, Jeffrey Kerr, Ray Strosko, Tom Theis and Edwina Zack. Also present Mayor Tom Smith. Absent: Linda Echard and Todd Bartlow.

Also in attendance: Borough Engineer Steve Eby, Borough Solicitor John Campfield, and Borough Manager Jeffrey McLaughlin.

Call to Order

President Alex Brown called the regular November 6, 2023 council meeting to order at 6:00 PM.

Pledge of Allegiance

The Pledge was recited.

Prayer

Jeff M. recited a prayer.

Approval of Bills as of October 31, 2023 in the Amount of \$32,617.07

Ray made a motion seconded by Jeff K. to approve the bills in the amount of \$32,617.07.

Motion passed unanimously.

Approval of Minutes of the October 3, 2023 Meeting

Ray made a motion seconded by Edwina to approve the minutes of the October 3, 2023 meeting.

Motion passed unanimously.

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 on Aerial Photo from Greg Cromer**

Tom T. made a motion seconded by Ray to purchase a 20" x 28" framed aerial photo of the borough in the amount of \$195 from Cromer Photography. Motion passed with all voted in favor with the exception of Jeff K. who voted *no*.

2. Discussion and/or Deliberation and/or Official Action on Robert Stipkovic / Steel City Auto Performance

Edwina made a motion seconded by Jeff K. to go into Executive Session for matters of litigation at 6:13 PM. Motion passed unanimously.

Edwina made a motion seconded by Jeff K. to come out of Executive Session at 6:51 PM. Motion passed unanimously.

3. Discussion and or Deliberation and/or Official Action to Adopt Ordinance 2023-284 Regarding the 2018 Uniform Construction Code

Jeff M. stated that the Planning Commission reviewed the ordinance and is recommending approval by council.

Edwina made a motion seconded by Ray to adopt Ordinance 2023-284 regarding the 2018 Uniform Construction Code. Motion passed unanimously.

4. Discussion and or Deliberation and/or Official Action to Adopt and Advertise a Tentative General Fund and Liquid Fuels Budget for 2024

Alex gave an overview of the Finance Committee's process in developing the 2024 budget. He said that no tax increase is required and the committee took a conservative approach to estimating revenue. He mentioned some of the projects for which the borough has budgeted. These projects will not critically affect the borough's reserves because many of them are being paid for with grant money. He pointed out that the budget will be up for final approval at the December meeting and can be opened up by the new council at the beginning of the year if it desires.

Edwina made a motion seconded by Ray to adopt and advertise a tentative General Fund and Liquid Fuels Budget for 2024. Motion passed unanimously.

5. Discussion and or Deliberation and/or Official Action on Resolution 2023-1031 Adopting an Intergovernmental Agreement for the Establishment of the Central Westmoreland Uniform Construction Code Board of Appeals

Alex stated that as part of adopting the Uniform Construction Code, the borough needs to have a functioning board of appeals. This agreement would allow the borough to work with other municipalities to create a new board since the regional appeals board, which the borough was participating in, appears to no longer be functioning.

Tom T. made a motion seconded by Jeff K. to adopt an Intergovernmental Agreement for the establishment of the Central Westmoreland Uniform Construction Code Board of Appeals. Motion passed unanimously.

6. Discussion and or Deliberation and/or Official Action on Resolution 2023-1032

Appointing a Member of Council to Represent the Borough in Selecting Members for the Central Westmoreland Uniform Construction Code Board of Appeals

Alex said that as part of establishing a regional UCC appeals board, the borough will choose a representative to select the individuals that comprise the board. Alex asked for a volunteer from council to represent the borough in this process. Jeff K. said that he would be willing to represent the borough.

Tom T. made a motion seconded by Ray adopting Resolution 2023-1032 designating Jeff K. as the borough's representative to appoint members to the Central Westmoreland Uniform Construction Code Board of Appeals. Motion passed unanimously.

7. Discussion and or Deliberation and/or Official Action on Res. 2023-1033 Setting the Fee for Uniform Construction Code Appeals

Alex gave an overview and there was a short discussion.

Jeff K. made a motion seconded by Tom T. adopting Res. 2023-1033 setting the fee for filing an appeal with the UCC Appeals Board at \$1,000. Motion passed unanimously.

8. Discussion and or Deliberation and/or Official Action to on Res. 2023-1034 to Explore Formation of an Intergovernmental Cooperation Organization

Alex stated that by adopting this resolution the borough would show that it is interested in exploring the possibility of forming a council of governments (COG). This resolution would not create a COG, but would allow the communication with other municipalities to continue.

Jeff K. made a motion seconded by Tom T. adopting Res. 2023-1034 to explore formation of an intergovernmental cooperation organization. Motion passed unanimously.

9. Discussion and or Deliberation and/or Official Action to on Res. 2023-__ Appointing a New Member to the Planning Commission or to Advertise for a New Member

Jeff M. said that the commission currently has 6 members with George Miller's seat needing to be filled.

Tom S. suggested that council consider lowering the number of Planning Commission members to 5 given the difficulty of attracting new members. Alex suggested that the borough first advertise for new members and if that is not successful Tom S. could bring this idea up at the beginning of the 2024.

Tom T. made a motion seconded by Jeff K. to advertise for a new Planning Commission member on Facebook, Savvy Citizen and the event sign. Motion passed unanimously.

10. Discussion and or Deliberation and/or Official Action to Accept the Resignation of Scott Sistek as Constable

Alex said that Scott has moved out of the borough and has submitted his resignation as Constable.

Tom T. made a motion seconded by Ray to accept the resignation of Scott Sistek as Constable. Motion passed unanimously.

Alex thanked Scott for his service.

11. Discussion and or Deliberation and/or Official Action on the Purchase and Installation of a New Salt Bin Roof/Cover

Jeff M. reported on the damage caused by a recent storm to the salt bin. He stated that he has contacted the insurance company. He said that the one quote received was above the \$12,200 threshold requiring three quotes, but was below the \$22,500 threshold which requires advertising. He said that while waiting for the insurance company to make a determination on whether the roof is covered he asked council to consider moving ahead with the work so as to keep the salt in the bin dry. Tom T. suggested that making sure that the materials being submitted by the different companies are “apples-to-apples”, for example the thickness of the fabric.

Jeff K. made a motion seconded by Tom T. authorizing Jeff M. and Steve to get three bids and award replacement of the salt bin cover. Motion passed unanimously.

12. Discussion and or Deliberation and/or Official Action on Advertising for Bids for the E. Post, E. Pennsylvania and Sewickley St. Stormwater Project

Alex said that it may be possible, given the time of year, to get a better bid on this stormwater project. He said that this project would be paid for with grant money.

Steve asked if council wanted the streets in the whole project area overlaid. Alex said he deferred to Steve, but he thought it was a good idea. It was agreed to include this in the advertisement.

Tom T. made a motion seconded by Edwina to advertise for bids for the E. Post, E. Pennsylvania and Sewickley St. Stormwater project. Motion passed unanimously.

13. Discussion and or Deliberation and/or Official Action on Resolution 2023-1035 to Apply for a Pennsylvania Local Share Account Grant and Allocate a \$15,000 Grant Match for ADA Bathrooms and a New Pavilion

Edwina made a motion seconded by Ray to adopt Resolution 2023-1035 to apply for a Pennsylvania Local Share Account grant in the amount of \$248,300 and allocate a \$15,000 grant match for ADA bathrooms and a new pavilion. Motion passed unanimously.

14. Discussion and or Deliberation and/or Official Action on Res. 2023-1036 to Apply for a PA Local Share Account Grant and Allocate a \$15,000 Grant Match for New Playground Equipment and Drainage

Jeff K. made a motion seconded by Edwina to adopt Resolution 2023-1036 to apply for a Pennsylvania Local Share Account grant in the amount of \$191,800 and allocate a \$15,000 grant match for new playground equipment and drainage. Motion passed unanimously.

15. Discussion and or Deliberation and/or Official Action on Borough Building Safety Measures

Jeff K. reported on the Safety Committee meeting that was held regarding *Active Shooters*. He reviewed the idea which would enhance security in the building installing a wall with a solid wood door between the lobby and the offices and also heavy-duty glass in the tax office and reception windows. As an alternative, Jeff K. also suggested keeping all of the existing office doors locked and putting a thumb print activated opener on each knob so staff can move about the office. There was a discussion on the matter.

Steve stated that Scottdale Borough is setting up a secure lobby.

Jeff K. made a motion seconded by Ray to further investigate the feasibility and cost of the work. Motion passed unanimously.

16. Discussion and or Deliberation and/or Official Action to Have Line Painting Done on N. Center Ave. and Schrader Hollow Rd.

Jeff M. said that council voted to have line painting done at a recent meeting, and Steve worked with the contractor to have the work done on several borough streets. However, at the time there was some discussion about paving Center Avenue, so it would not have been cost effective to paint lines only to have them paved over in a few months. Council has since decided not to pave Center Avenue in 2024.

Steve suggested painting the yellow lines on either side of the median on Center and along the median on Shrader to the Route 66 interchange. He also suggested painting the white turning lanes.

Tom T. made a motion seconded by Jeff K. to paint the yellow lines on either side of the median on Center and along Shrader Hollow to the Route 66 interchange along with the white turning lanes. Motion passed unanimously.

17. Discussion and or Deliberation and/or Official Action Regarding Sandworks Bridge

Steve wanted to make council aware that the Sandworks Bridge owned by the borough needs work. Council informally asked council to look into possible causes of the situation and get back to council.

18. Discussion and or Deliberation and/or Official Action on Central Westmoreland Career and Technology Center Project

Steve said that he just wanted to make council aware that the Central Westmoreland Career and Technology Center is looking to purchase a property and construct a facility in which they can teach CDL classes. Steve said that they would be submitting a land development plan.

19. Discussion and or Deliberation and/or Official Action Regarding Northeast Townhouses

Steve said that he just wanted to make council aware that the owner of some townhouses on Northeast Dr. is looking to sell the units individually and is trying to determine whether to sell them with the land or retain ownership of the land and create a condominium association.

Reports

Administrative

Planning Commission's Report

Jeff M. stated that the commission is scheduled to meet on November 15, 2023 to discuss the Tzou property on E. Byers Avenue.

Borough Manager's Report

Jeff M. reported that:

- He is awaiting the next hearing date from the magistrate for 366 Arona Road.
- He attended the hearing at the magistrate for 290 Arona Road. The property owner did not attend. The magistrate issued a fine.
- He received a no lien letter request from an oil company for the old Exxon station, which implies that there is an interested buyer.
- A building permit was issued for two new modular homes to be set at 341 / 355 Arona Road.
- The last meeting of the group held on November 2nd was very productive. The president of the Central Westmoreland COG board attended. There was discussion of the viability of the CWCOG and whether it still is functioning as an organization. The CWCOG president said that he would provide some documents about the CWCOG to the group. The next meeting is scheduled for December 7, 2023.
- After looking into the dead trees along Sandworks Road that were mentioned at the last meeting, he found that they were actually located in Hempfield Township. Hempfield has been contacted and said that they were going to have the problem addressed.

Code Enforcement Report

Jeff M. gave a quick review of Mark's report.

Solicitor's Report

John passed out a section of the PA Municipal Planning Code that has to do with Intergovernmental Agreements. He referred specifically to Article 11 which he said provides the information necessary regarding the UCC Appeals Board and new COG agreement which are currently being discussed.

He also mentioned working with John Sweeney on the Stipkovic matter.

Engineer's Report

Steve reported that in lieu of getting a maintenance bond to guarantee the improvements to Glenn Fox Road, the SunCap Property Group would like to provide a check that the borough would deposit and hold until the final inspection of the road takes place. Upon the inspection, if there is found to be any issues with the road the borough would have the repairs done using the funds. If the road passes inspection the money will be returned. Council was in agreement with the idea.

Fire Department Liaison

With the council meeting being rescheduled for Monday due to Election Day, Ray said that the 1 meeting conflicted with the fire department meeting, so he did not have a report.

Alex said that the fire department financial report and the Chief's report were in the packet for council's review.

Council President

Alex took the opportunity to thank the council members involved in the budget process as well as those involved in the personnel decisions that were part of the budget process. He said that he thinks that the borough is on track to have a good year in 2024 with more infrastructure improvements and that the overall direction of the borough is good.

Mayor

Tom S. mentioned the need to review the Hunker Intergovernmental Cooperation Agreement.

Alex asked Jeff M. to put the Hunker Intergovernmental Cooperation Agreement on the December meeting agenda. He said it would be good to get the agreement updated before the winter season begins.

Personnel

No report.

Public Works/MS4 & Parks

Jeff M. said that the park was closed as of the end of October with the public works crew winterizing the park. He said that while the lower gate will remain closed the upper gate has been left open so that people that want to still walk in the park can have a place to park.

He said that the public works crew has also been working to keep the bridge sidewalks and the catch basins clear of leaves.

Jeff K. suggested putting a sign near the park entrance stating that the bathrooms were closed for the season.

Tom T. said that Main St. is damaged due to the water line break that was finally repaired. The leak had been going on for several years and water was actually pooling and cat tails were growing. Steve said he would contact the water authority.

Community Betterment

Alex said that he was looking forward to the Veterans' Day event, which will be held on Friday, November 10, 2023, at 11 AM at the New Stanton Fire Hall. State Representative Eric Nelson will be the keynote speaker.

Workplace Safety Committee

No report.

Finance Report

Todd reviewed the financial report: as of October 31, 2023, there was a checking balance of \$1,012,702.76; the total of all savings accounts was \$826,204.61 and the taxes remitted from September 27, 2023 through October 31, 2023 were \$14,743.77.

Additional Opportunity for Public Comment

No public comment.

Announcements

Alex stated that if necessary, the second meeting of the month will be on November 21, 2023 at 6 PM. The Zoning Hearing Board for November 13th is canceled, but the Planning Commission meeting will be held on November 15th as scheduled.

Adjournment

Edwina made a motion seconded by Tom T. adjourn to the meeting at 8:17 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin
Secretary