

Borough of New Stanton
Borough Council
New Stanton Council Chambers
December 6, 2022, 6 PM
Minutes of Council Meeting

Attendance

Council members: Todd Bartlow, Alex Brown, George Miller, Ray Strosko, and Edwina Zack and Mayor Tom Smith. Absent: Linda Echard and Tom Theis.

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

Call to Order

President Alex Brown called the regular December 6, 2022 council meeting to order at 6:00 PM.

Pledge of Allegiance

The Pledge was recited.

Prayer

Jeff recited a prayer.

Approval of Bills in the Amount of \$22,939.75

Todd made a motion seconded by Ray to approve the bills in the amount of \$22,939.75. Motion passed unanimously.

Approval of Minutes of the November 16, 2022 Meeting

Alex stated that the date of the next meeting listed in the minutes needs corrected. Tom pointed out that the date in the minutes that the Public Works crew was planning on hanging the Christmas lights also needs corrected.

Edwina made a motion seconded by Todd to approve the minutes of the November 15, 2022 meeting with these changes. 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 comments on agenda items.

Agenda

1. Discussion and/or Deliberation and/or Official Action to Pay Pugliano Construction Requisition #4 for the Arona Road Culvert in the Amount of \$207,424.97

Todd made a motion seconded by Edwina to pay Pugliano Construction Requisition #4 in the amount of \$207,424.97 for the Arona Road Culvert. Motion passed unanimously.

Edwina made a motion seconded by Todd to exhaust the Arona Road account and pay the balance of Pugliano Construction's Requisition #4 out of the Local Services Tax account. Motion passed unanimously.

2. Discussion and/or Deliberation and/or Official Action to Pay Gibson-Thomas the Arona Road Sewer Line Inspection Fee out of the Pugliano Escrow Account in the Amount of \$5,883.25

Steve said that currently the borough only has \$3,000 in escrow from Pugliano Construction to pay Gibson-Thomas for inspecting the sewer line. The borough will have to get the remaining money from Pugliano to pay the bill, but Steve asked that the motion for payment be made contingent upon him getting a notice of acceptance of the sewer line by MAWC.

Edwina made a motion seconded by Todd to pay Gibson-Thomas the Arona Road Bridge sewer line inspection fee out of the Pugliano escrow account in the amount of \$5,883.25, contingent upon receipt of the balance of funding from Pugliano Construction and receipt of a notice of acceptance of the sewer line by MAWC. Motion passed unanimously.

3. Discussion and/or Deliberation and/or Official Action to Adopt a 2023 General Fund and Liquid Fuels Budget in the Amount of \$1,499,077.04

Todd made a motion seconded by George adopting the 2023 General Fund and Liquid Fuels Budget in the Amount of \$1,499,077.04. Motion passed unanimously.

4. Discussion and/or Deliberation and/or Official Action to Adopt Resolution 2022-1008 Setting the 2023 Real Estate Tax

Alex pointed out that with the adoption of this resolution there would be no change to the mileage rate, which is 2 mils for general purpose, 1 for debt service and 1 for the fire department.

Edwina made a motion seconded by Todd adopting Resolution 2022-1008 setting the 2023 Real Estate Tax. Motion passed unanimously.

5. Discussion and/or Deliberation and/or Official Action to Renew Property Liability and Automobile Insurance with Century Insurance Consultants for 2023 in the Amount Of \$29,673.00

Todd made a motion seconded by Ray adopting Resolution 2022-1009 to renew property, liability and automobile insurance with Century Insurance Consultants for 2023 at a premium of \$29,673.00. Motion passed unanimously.

6. Discussion and/or Deliberation and/or Official Action to Take Out a Cyber Insurance Policy with Century Insurance Agency / Node International

Jeff stated that he forwarded a copy of the policy to the borough's IT consultant for review and he outlined the consultant's insights on the policy.

George asked if there were policies that would have less options and would cost less. Edwina also suggested starting with a little lower coverage. George suggested asking the IT consultant if we are meeting all of the affectations stipulated in the insurance policy.

John suggested that perhaps George or Alex could go through the Pennsylvania Bar Association to get advice.

George made a motion seconded by Edwina tabling the purchase of cyber insurance of Century Insurance Consultants / Node International. Motion passed unanimously.

7. Discussion and/or Deliberation and/or And Official Action to Renew Workers Compensation Insurance with Simpson-McCrady for 2023 in the Amount of \$14,577

Todd made a motion seconded by Ray to renew workers' compensation insurance with Simpson-McCrady for 2023 in the amount of \$14,577. Motion passed unanimously.

8. Discussion and/or Deliberation and/or Official Action to Advertise the Consideration of Amendments to the Codification of Ordinances (See Attached)

There was a discussion about the pension resolution. Jeff said that he sent an e-mail to the Pennsylvania Borough's Association expressing the borough's concern about the audit finding issued by the Auditor General for passing a resolution amending the pension plan instead of an ordinance. It was decided to include consideration of a pension ordinance along with the other ordinances being considered.

Todd made a motion seconded by George to advertise the consideration of the amendments to the codification of ordinances discussed at previous meetings including adopting a new pension ordinance. Motion passed unanimously.

9. Discussion and/or Deliberation and/or And Official Action to Advertise the Public Hearing for Amending the SALDO, Zoning Ordinance and Zoning Map (See Attached)

Edwina made a motion seconded by Todd to advertise a public hearing for January 17, 2023: amending the SALDO, zoning ordinance and zoning map. Motion passed unanimously.

10. Discussion and/or Deliberation and/or And Official Action to Appoint the Hideaway Kennels as Animal Control Officer for 2023

Edwina made a motion seconded by Ray to appoint the Hideaway Kennels as Animal Control officer for 2023. Motion passed unanimously.

11. Discussion and/or Deliberation and/or Official Action to Pay Westmoreland County Transit Authority the 2022-2023 Local Share in the Amount of \$850.50

Ray made a motion seconded by George to pay Westmoreland County Transit Authority the 2022-2023 Local Share in the amount of \$850.50. Motion passed unanimously.

- 12. Discussion and/or Deliberation and/or Official Action to Hire Henninger Accounting Services to Perform the 2022 Borough and Tax Collector Audits at a Cost Of \$5,000**
Ray made a motion seconded by Todd to Hire Henninger Accounting Services to perform the 2022 Borough and Tax Collector Audits at a cost of \$5,000. Motion passed unanimously.
- 13. Discussion and/or Deliberation and/or Official Action to Appoint John Campfield, Campfield and Ferraro as Solicitor for 2023 (See Attached)**
Edwina made a motion seconded by Ray to appoint John Campfield, Campfield and Ferraro as Solicitor for 2023. Motion passed unanimously.
- 14. Discussion and/or Deliberation and/or Official Action to Hire Steve Eby with Widmer Engineering as Borough Engineer for 2023 (See Attached)**
Edwina made a motion seconded by Todd to hire Steve Eby with Widmer Engineering as Borough Engineer for 2023. Motion passed unanimously.
- 15. Discussion and/or Deliberation and/or Official Action to pay resolutions setting salaries and Wages in 2023:**
- a) Assistant Manager Res. 2022-1009 (See Attached)
 - b) Public Works Team Leader Res. 2022-1010 (See Attached)
 - c) First Class Labor (Bilesimo) Res. 2022-1011 (See Attached)
 - d) First Class Laborer Grace Res. 2022-1012 (See Attached)
 - e) Borough Manager Res. 2022-1013 (See Attached)
 - f) UCC Inspector Res. 2022-1014 (See Attached)
 - g) Part Time Public Works Seasonal Park Res. 2022-1015 (See Attached)
 - h) Part Time Casual Snowplow Operator Res. 2022-1016 (See Attached)
 - i) Part Time Code Enforcement Officer Res. 2022-1017 (See Attached)
- Ray made a motion seconded by Edwina to adopt Resolutions 2022-1009 through 2022-1017
Motion passed unanimously.
- 16. Discussion and/or Deliberation and/or Official Action to Adopt and Advertise the Official 2023 Borough Meeting Calendar (See Attached)**
There was a discussion about the meeting calendar. Regarding the Budget Committee meetings, council decided to set the times for October 3rd and 17th, 2023 at 4:30 PM and October 10th and 24th and 31st, 2023 at 4 PM.
- George made a motion seconded by Ray to adopt and advertise the official 2023 Borough Meeting Calendar. Motion passed unanimously.
- 17. Discussion and/or Organization and/or Official Action to Waive the Pavilion Rental Charge for Trout Unlimited / 4H for Earth Day Cleanup of Sewickley Creek on Saturday, April 22, 2023, Earth Day**
Todd made a motion seconded by Ray to waive the pavilion rental charge for Trout Unlimited / 4H for Earth Day cleanup of Sewickley Creek on Saturday, April 22, 2023, Earth Day. Motion passed unanimously.

Reports

Administrative Planning Commission

Jeff stated that there was no Planning Commission meeting since the last council meeting.

Borough Manager

Jeff reported that:

- UPS is going to install a temporary gravel path on their property parallel to Center Avenue so that the 5K participants do not have to go onto Center Avenue, which is a state road.
- He and Alex will be attending the Central Planning District meeting on December 8, 2022.
- The Zoning Hearing Board meeting regarding Layton's variance request is scheduled for December 12, 2022.
- Representatives from RSP, LP stopped into the borough office to bring up the idea of possibly rezoning a property to the east of the turnpike that abuts Greek Road. They are also interested in meeting to discuss possible upgrades to the intersection with Center Avenue and Westinghouse Drive.
- He received a complaint about the glare from a parking lot light at Wendy's. Jeff spoke to the owner who adjusted it.
- He received a complaint that two structures on a single lot on Westmore Avenue were being renovated. Jeff reported that he had issued a zoning and building permit to the owner of the property because he understood from discussions with the owner that both structures had been single family homes. The complainant is suggesting that there was only one house on the property and the other structure was never used as a home. Jeff is trying to get the situation resolved.
- He had sent a listing of additional properties to Mark Cypher.

Code Enforcement Report

Mark Cypher's monthly report was included in council's agenda packet.

Solicitor's Report

John discussed the *Breach of Personal Information Notification Act* that was passed by the state originally in 2005 and was amended in November of this year. The act expands the categories of "personal information" for which notice is required, reduces the time for individual notifications by state entities, imposes new reporting requirements and municipalities must implement security-related policies. The District Attorney must be notified within three days of when a breach of security takes place.

John reported that he and Jeff are trying to get the fire truck lease in place. The hold-up has been an invoice that the fire department never received for installing additional items on the truck.

John also raised the issue about the truck warranty and the fact that some of the other truck agreements are not in place.

Engineer's Report

Steve reported that:

- The contractor has installed the connector pieces on the Arona Road Bridge and started to backfill.
- The notice of award for the state Local Share Account grants has been delayed from November 15th until January 15th.
- He will be unable to attend the Zoning Heard Board meeting, but had reviewed the borough's position with Jeff.
- Layton is planning on having the utility poles moved on Glenn Fox Road in the near future. When this takes place the road will be closed down until approximately April so that it can be rebuilt and paved.
- He is finishing paperwork on the small water grant which is due on December 21st.
- He will have the 2023 paving specifications ready to put out to bid for the next meeting.

Alex asked about the culvert on Westinghouse Drive that was brought up at the last meeting. Jeff said that it was determined that the culvert is not on borough property and he informed the property owner.

John said that Jeff should attend the Zoning Hearing Board meeting.

Fire Department Liaison

Ray reported that the fire department's general account had a balance of \$92,184.44. Jeff said that the Chief's report was provided to council and the mayor.

Jeff stated that Anita did a review, tracking all of the borough's LST money. He said he gave a copy to Alex and to Rob Cammarata.

Alex pointed out that the Fire Department has a *New Building* savings account which has a current balance of \$25,000. He said that sharing the LST account information will hopefully create a rapport with the fire company. Alex said that the fire department is a big part of the community and thanked them for what they do.

George said that the fire department sent out their annual donation letter.

Council President

Alex reported that he would be attending the Central Planning District with Jeff on December 8th. He said that the county has asked him and Jeff to do a survey of parks to determine if there could be intergovernmental cooperation regarding park maintenance.

Tom asked about the benefits of attending the meetings. Alex said that it allowed the borough to get some of the roads on the PennDOT priority list for possible funding and it was educational. However, he wasn't sure if the long-term benefits of intergovernmental cooperation would pan out.

Mayor

The mayor thanked Todd and everyone who volunteered for the *Lunch with Santa*. There was a discussion about how to improve the event: perhaps Santa should arrive on the fire truck, more food should be ordered and the length of the event should be scaled back to 2 hours. Council thanked Linda and the volunteers from the fire department.

Tom also asked what the status was of the new Ford dump truck. Jeff stated that John Barnes informed him that the chassis has been delivered to U.S. Municipal and that it should be retrofitted with the bed and plow in the next few months. He also reported that the borough is the next in line of 13 Megan Ford customers to receive a DEF filter for the 2016 Ford 550; however, there are 5,000 back ordered across the U.S. and only 100 are being produced every week.

Administration

No report.

Public Works/MS4 & Parks

No report.

Community Betterment

No report.

Workplace Safety Committee

Jeff reported that the committee met on November 23rd. The topic was Safe Vehicle Operation.

Personnel

No report.

Finance Report

Todd reviewed the financial report: as of November 28, 2022, there was a checking balance of \$1,041,213.91; the total of all savings accounts was \$1,073,796.81 and the taxes remitted from October 24, 2022 through November 28, 2022 was \$44,881.47.

Additional Opportunity for Public Comment

There were no comments.

Announcements

Alex said that the next scheduled council meeting is on December 20, 2022 although he said it would likely not be held. The first meeting in the new year is set for January 3, 2023 at 6 PM. He reported that there would be no Planning Commission meeting in December but that the Zoning Hearing Board meeting will be held on December 12, 2022 to address the Layton variance.

Adjournment

Todd made a motion seconded by Edwina to adjourn the meeting at 7:37 PM. There were no objections.

Respectfully submitted,

Jeffrey McLaughlin
Secretary