

Borough of New Stanton
Borough Council
New Stanton Council Chambers
March 5, 2024, 6 PM
Minutes of Council Meeting

Attendance

Councilmembers: Todd Bartlow, Jeff Kerr, Scott Miller, Tim Seale, Cory Thoma, and Edwina Zack. Absent: Ray Strosko and Mayor Tom Smith.

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

Call to Order

Jeff K. called the meeting to order at 7 PM.

Pledge of Allegiance

The Pledge was recited.

Prayer

Jeff M. recited a prayer.

Approval of Bills

Edwina made a motion seconded by Todd to approve the bills in the amount of \$24,024.30. Motion passed unanimously.

Approval of Minutes of the February 6, 2024 Meeting

Edwina made a motion seconded by Tim to approve the minutes of the February 6, 2024 meeting. Motion passed unanimously.

Opening of 2024 Paving Bids

Steve opened the bids:

Bidder	Base Bid	Alternate #1	Alternate #2
A. Folino Construction, Inc.	\$171,038	\$34,062	\$92,310.25
A. Liberoni, Inc.	\$151,550	\$32,490	\$83,893.75
Derry Construction Co., Inc.	\$150,010	\$32,490	\$83,893.75
Dun Rite Construction and Paving LLC	\$165,186	\$37,800	\$97,650.00
El Grande Industries	\$172,900	\$37,050	\$95,712.50
Mele & Mele Sons, Inc.	\$251,640	\$36,900	\$90,287.50
Morgan Excavating	\$167,356	\$34,950	\$85,250.00
Nagy Construction & Asphalt Paving	\$152,992	\$34,215	\$108,965.00

Redstone Paving	\$155,400	\$36,675	\$76,918.75
Ten Mile Paving	\$150,150	\$32,175	\$83,118.75
Tresco Paving Corporation	\$175,000	\$40,500	\$100,750.00
Wright Asphalt & Concrete, LLC			

Opportunity for Public Comment -- Items Not on the Agenda

There were no public comments.

Opportunity for Public Comment -- on Agenda Items Only

Stratford Court Resident

A resident expressed concern about Murrysville Machinery’s application for an expansion of a non-conforming use on Arona Road. They are concerned that expansion plans would involve the removal of the tree buffer and would create additional noise and light emanating from the property. They stated that the tree line keeps the sound down and blocks sight Murrysville Machinery’s equipment, Arona Road and the turnpike.

Jeff M. stated that Murrysville Machinery’s application will be before the New Stanton Zoning Hearing Board (ZHB) on April 8, 2024. Residents are able to testify. Jeff M. said that on the meeting agenda is whether council should take a position on this issue and present it to the ZHB. He said that a copy of the application is available at the borough building. A notice is to be sent out to property owners within a 500’ radius of the property.

Jeff K. said that council will take their testimony into account when deciding its stance on the application.

Agenda

1. Discussion and or Deliberation and/or Official Action Awarding the 2024 Paving Contract

Steve pointed out that the base bid included the paving of Stratford Court, Hill Street and Shrader Hollow Road from the median to the borough line. Alternate #1 is for the paving of Main Street and Alternate #2 is for the paving of Shrader Hollow Road on both sides of the concrete median from the intersection of Center Avenue to the end of the median below the Route 66 ramp.

Jeff M. stated that the 2024 budget amount for this work was \$308,769.

Scott made a motion seconded Edwina to award the 2024 Paving Contract to Tresco Paving Corporation including the base bid, Alternate #1 and Alternate #2 in the amount of \$235,100.25 pending review by the engineer and solicitor. Motion passed unanimously.

2. Discussion and/or Deliberation and/or Official to Adopt Ord. 2024-285 to Pay the Planning Commission Members

Cory made a motion seconded by Scott to adopt Ordinance 2024-285 to pay the Planning Commission Members \$50 per Planning Commission meeting attended. Motion passed unanimously.

3. Discussion and or Deliberation and/or Official Action to Advertise Ord. 2024-286 Regarding Utility or Municipal Authority Street Openings

Todd made a motion seconded by Tim to advertise Ord. 2024-286 regarding utility or municipal authority street openings. Motion passed unanimously.

4. Discussion and or Deliberation and/or Official Action to Advertise and Hold a Hearing for Ord. 2024-_____ Regarding Amending the Permeable Surface Requirement in the R-2 Moderate Residential Zoning District.

No action was taken on this item.

5. Selecting a Consultant to Perform the Asbestos Assessment at the New Stanton Fire Station

Tim made a motion seconded by Todd to award the asbestos testing to KTA Tater contingent upon them doing the work for a not to exceed price of \$2,7340. Motion passed unanimously.

6. Discussion and/or Deliberation and/or Official Action to Adopt Res 2024-_____ to Apply for a DCNR Grant for New Stanton Park

For the benefit of the new councilmembers, Steve reviewed the grants that the borough has been able to secure for the park over the last couple of years. He said that the first grant from the state was in the amount of \$204,595 which is being used for the water park. The second grant received a couple of months ago is in the amount of \$207,000. He asked if council wanted to wait on spending the second grant and using it as a match for a PA Department of Conservation and Natural Resources (DCNR) grant, the application is due on April 3, 2024 or to go ahead with spending the grant and asking for a smaller amount from DCNR.

Steve also mentioned that the council has discussed putting a bridge across the stream to access property that the borough owns on the other side.

Todd made a motion seconded by Tim adopting Resolution 2024-1072 to apply for a DCNR Grant for new playground equipment and to commit matching money toward the application for New Stanton Park. Motion passed unanimously.

7. Discussion and or Deliberation and/or Official Action to Award the Park Grass Cutting to CT Specialties, LLC in the Amount of \$12,500 for 25 Cuts

Jeff M. said CT Specialties cut the grass at the park last year and did an excellent job. The price has not changed from last year.

Todd made a motion seconded by Edwina to award the park grass cutting to CT Specialties, LLC in the Amount of \$12,500 for 25 cuts. Motion passed unanimously.

8. Discussion and or Deliberation and/or Official Action Setting the Date for the Annual Borough Yard Sale for Saturday, June 1, 2024

Edwina made a motion seconded by Todd setting the date for the annual borough yard sale for Saturday, June 1, 2024. Motion passed unanimously.

9. Discussion and or Deliberation and/or Official Action to Waive the Pavilion Fee for the Armbrust Veterans Association

Jeff M. stated that the Armbrust Veterans annually participate in the borough's Veteran's Day event.

Tim made a motion seconded by Scott to waive the pavilion fee for the Armbrust Veterans Association. Motion passed unanimously.

10. Discussion and or Deliberation and/or Official Action to Adopt Res 2024-_____ Supporting America250PA and America's Sem—quincentennial

Jeff M. said that this was requested by Go Laurel Highlands Tourism.

Todd made a motion seconded by Cory to adopt Resolution 2024-1073 supporting America250PA and America's Sem—quincentennial. Motion passed unanimously.

11. Discussion and or Deliberation and/or Official Action to Purchase an Ad for the Westmoreland County Boroughs Association Annual Dinner Scheduled for Friday, April 26, 2024

Todd made a motion seconded by Edwina to purchase a half-page ad in the Westmoreland County Boroughs Association Annual Dinner Program at a cost of \$90. Motion passed unanimously.

12. Discussion and or Deliberation and/or Official Action to Pay for Borough Representatives to Attend the Annual Westmoreland County Boroughs Association Dinner on Friday April 26, 2024

Todd made a motion seconded by Tim to pay for borough representatives to attend the Westmoreland County Boroughs Association Dinner with borough representatives being responsible for paying for their guests. Motion passed unanimously.

13. Discussion and or Deliberation and/or Official Action to Purchase a Plaque and Issue a Proclamation in Honor of Former Councilmember Linda Echard

Edwina made a motion seconded by Todd to purchase a plaque and issue a proclamation in honor of former Councilmember Linda Echard. Motion passed unanimously.

Executive Session

Cory made a motion seconded by Todd to go into Executive Session for matters of litigation at 7:27 PM. Motion passed unanimously.

Executive Session

Todd made a motion seconded by Cory to come out of Executive Session at 8:03 PM. Motion passed unanimously.

14. Discussion and or Deliberation and/or Official Action Regarding the Borough’s Position on a Request from Murrysville Machinery for the Expansion of an Existing Non-Confirming Use from 350 Arona Road to an Adjacent Property

Todd made a motion seconded by Tim to have Alex research Murrysville Machinery’s request for the expansion of an existing Non-Confirming Use from 350 Arona Road to an adjacent property and to bring his recommendations back to council at the April 8th meeting. Motion passed unanimously.

15. Discussion and or Deliberation and/or Official Action Regarding the Borough’s Position on the Request for Variances for the Construction of a Modular Home at the Lovell Property, 127 School Street

Tim made a motion seconded by Todd to take no position on Beau Lovell’s request to the Zoning Hearing Board for variances for the construction of a modular home at 127 School St. Motion passed unanimously.

16. Discussion and or Deliberation and/or Official Action Regarding the Borough’s Position on the Request for a Variance for the Construction of a Storage Building at the Sell Property, 120 Northeast Drive

Todd made a motion seconded by Cory to take no position on Bonita Sell’s request to the Zoning Hearing Board for variances for the construction of a storage building at 120 Northeast Drive. Motion passed unanimously.

17. Discussion and or Deliberation and/or Official Action Regarding the Borough Position on the Request for Variances for the Construction of Townhouses on Gregory Stone’s Properties on Park and Pool Road/10th Street

Todd made a motion seconded by Edwina to take no position on Gregory Stone’s request to the Zoning Hearing Board for variances for the construction of townhouses on properties on Park and Pool Road/10th Street. Motion passed unanimously.

18. Discussion and or Deliberation and/or Official Action Regarding the Requiring of a Land Development Plan and/or Whether to Hire a Conflict Solicitor and/or Engineer for a Townhouses Development on Park and Pool Road/10th Street

Tim made a motion seconded by Todd not to require a Land Development Plan and not to hire a conflict solicitor or engineer to review the townhouse development on Park and Pool Road/10th Street. Motion passed unanimously.

Reports

Administrative

Borough Manager’s Report

Jeff M. reported that:

- Westmoreland County Boroughs Association monthly meeting is scheduled for Wednesday, March 20, 2024 at Hoss’s Steak and Seafood.
- Ethics forms are due on May 1st

- Jeff K. and Edwina signed the Commonwealth Financing Authority Grant on behalf of the borough.
- Jeff M. received the LERTA agreement from SunCap and sent it to Alex for his review.
- The borough issued a building permit to remove shelving in the Amazon facility.
- He and Jeff K. will be meeting on March 15th with representative from the Eric Nelson's office and the Westmoreland County Land Bank about a blighted property on Painter St.

Code Enforcement Report

Jeff K. referred council members to Mark Cypher's report in the agenda packet.

Todd asked if a lien could be placed on a property if the owner does not pay a fine levied due to a code violation. Alex stated that it depends on the situation.

Solicitor's Report

Alex stated that the hope is that the home on Painter St. would be torn down and a new home rebuilt on the site. He said that if the home is started within 12 months of the prior home being torn down and is built on the same footprint as the prior home it would be in keeping with the borough's ordinances regarding non-conforming use.

Engineer's Report

No report.

Council of Governments Formation

Jeff K. reported on the most recent meeting. He stated that he is learning more about the group and has concerns. He stated that there is another meeting scheduled for March 7, 2024.

Mayor

No report.

Council Committees

Administration/Personnel

Jeff K. stated that he is working with Jeff M. on establishing an evaluation system so as to have documentation at the end of the year to determine if any raises are to be given.

Finance Report

Todd reviewed the financial report: as of February 27, 2024, there was a checking balance of \$871,732.99; the total of all savings accounts was \$897,742.91 and the taxes remitted from January 30, 2024 through February 27, 2024 were \$94,651.99.

Workplace Safety Committee

Jeff K. said that the committee continues to meet on a monthly basis.

Public Works/MS4 & Parks

Scott mentioned a water problem in the vicinity of his property. Jeff K. asked Steve to look into it.

Fire Department Strategic Planning

No report.

Community Engagement

Cory stated that the Easter egg hunt is scheduled for Sunday, March 24, 2024 at 2 PM.

Parks and Recreation

Cory said that he has been trying to coordinate a meeting of the committee.

Mutual Aid Liaison

No report.

Planning Commission Liaison

Tim said that the Commission would be meeting on March 13, 2024.

Additional Opportunity for Public Comment

Announcements

Jeff K. stated that if necessary, the second meeting of the month will be on March 19, 2024, if necessary, otherwise the next meeting will be on April 2, 2024 at 6 PM. The Zoning Hearing Board meeting is scheduled for March 11, 2024 and the Planning Commission is scheduled for March 13, 2024.

Adjournment

Todd made a motion seconded by Cory to adjourn the meeting at 8:26 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin
Secretary