

**Borough of New Stanton**  
**Borough Council**  
**New Stanton Council Chambers**  
**April 2, 2024, 6 PM**  
**Minutes of Council Meeting**

**Attendance**

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

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 6 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 \$24,843.66. Motion passed unanimously.

**Approval of Minutes of the March 5, 2024 Meeting**

Todd made a motion seconded by Tim to approve the minutes of the March 5, 2024 meeting. Motion passed unanimously.

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

*Dave Hager, President New Stanton Fire Department*

Dave reported that the fire department received a \$150,000 grant from the U.S. Department of Agriculture. The request was for \$2,200,000. Dave stated that this funding and the \$250,000 from the previous grant would bring the total to \$400,000 which is approximately 20% of the approximately \$2 million construction cost. Dave said that council needs to decide where to go from here.

*Renee Shipley, Republic Services*

Renee Shipley, Republic Services stated that she wanted to give a brief update on what has been going on with Republic Services, the borough's trash and recycling collector. She said that Republic Services is a national company and they have been acquiring companies so as to evolve

more and more into the environmental services sector so as to respond to the needs of their municipal partners. They are working to make sure more products are recycled so they do not end up in the landfill. Renee reported that Republic Services is also in the process of converting all of their vehicles to electric. They are aiming for 50% electrification by 2030.

She said that they now have the ability to help with cleanup efforts after a chemical spill or natural disaster.

Tom Smith asked whether Republic is introducing more trucks that lift garbage cans. Renee said yes that they are safer and more efficient. She said that they would like the borough to consider that system for the next contract.

Jeff M. stated that he believed the borough has an annual electronic recycling day built into the existing contract. Renee said that was the case. Jeff M. said that under the contract Republic would staff and bring bins to the borough to collect electronic waste once a year. Jeff M. said if council wants him to set up such a date he would work with Republic to do so. Renee confirmed that Republic still offers curb side electronic waste pickup.

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

*Jessica Gilbert, Stratford Court Resident*

Ms. Gilbert addressed council regarding the application from Murrysville Machinery before the Zoning Hearing Board (ZHB) for expansion of a non-conforming use. She said that at their current location, Murrysville Machinery makes an excessive amount of noise, there is a lot of banging and backup beepers going off for 10 minutes at a time. It is an eyesore as well with all of the large equipment on the site. She said that she did not remember receiving a notice the previous time Murrysville Machinery was before the ZHB.

*Unnamed Resident, Chanticleer Neighborhood*

The resident commented on Murrysville Machinery. They stated that they are getting a lot of noise from the facility beginning at 6:30 AM. The noise is loud and disruptive. She said it was good to get a notice about the upcoming ZHB meeting but does not recall getting a notice regarding Murrysville Machinery's original application. She said that that she started to grow bamboo to block the glare from the lights from the facility. She also mentioned the increase in traffic that would be caused by expanding the facility.

*Dan Shipley, Chanticleer Neighborhood*

Mr. Shipley stated that he wanted to echo what his neighbors mentioned about the noise and lights. He stated that he and his neighbors have invested a lot of time and money into their homes, building decks and improving their backyards. He asked if council would take the residents' concerns into consideration.

*Robert Gilbert, Chanticleer Neighborhood*

Mr. Gilbert said that no notice was sent out regarding Murrysville Machinery's original request back in 2016 and that there was break between the truck shop and Murrysville Machinery taking ownership. Mr. Gilbert also reiterated some of the concerns of his neighbors regarding excessive noise and disregard for neighbors. He also mentioned work going on early in the morning and late at night and that the business is affecting the quality of life of the residents.

Jeff M. stated that the Zoning Hearing Board (ZHB) meeting is scheduled for April 8, 2024. The ZHB members are appointed by council but they are their own board with their own solicitor. Council can take a position and present it to the ZHB but the ZHB makes the decision. He stated that the upcoming meeting was advertised in the Tribune Review, the two properties were posted and notices were sent to everyone owning property living within a 500' radius of the two properties.

*Lisa Tabaka, Chanticleer Neighborhood*

Ms. Tabaka asked that council take a position in favor of the neighbors on the Murrysville Machinery request.

Alex stated that council is not required to take a position on this matter. He said council can deliberate and take a position, can do nothing, can support, can oppose or do something in between.

Todd suggested that neighbors attend the ZHB meeting so that their voices are heard.

### **Agenda**

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

### **Executive Session**

Todd made a motion seconded by Cory to go into Executive Session for matters of litigation at 6:27 PM. Motion passed unanimously.

Todd made a motion seconded by Edwina to come out of Executive Session at 6:55 PM. Motion passed unanimously.

*The agenda was reordered so as to consider the Murrysville Machinery motion first.*

### **1. Discussion and or Deliberation and/or Official Action on Murrysville Machinery's Request Before the New Stanton Zoning Hearing Board**

Todd made a motion seconded by Edwina to send the borough solicitor to the ZHB meeting to advocate for the best interests of the property owners regarding Murrysville Machinery's request. Motion passed unanimously.

**2. Discussion and or Deliberation and/or Official Action to Adopt Ord 2024-286 Regarding Utility or Municipal Authority Street Openings**

Alex asked that council double-check the measurements that he inputted as a result of the discussion at the last meeting.

Todd made a motion seconded Tim to adopt Ordinance 2024-286 regarding utility or Municipal Authority street openings. Motion passed unanimously.

**3. Discussion and/or Deliberation and/or Official to Approve the Component 4A Municipal Planning Agency Form for the Stonecrete Townhouse Project**

Jeff M. stated that at its last meeting, the Planning Commission voted to recommend to council that it approve the Component 4A Municipal Planning Agency form for the Stonecrete townhouse project. He stated that this form is needed because the developer is putting in a new sanitary sewer line that would serve the townhouses. There would be no cost to the borough for the installation.

Todd made a motion seconded by Scott to approve the Component 4A Municipal Planning Agency Form for the Stonecrete townhouse project. Motion passed unanimously.

**4. Discussion and or Deliberation and/or Official Action to Contract for the Memorial Day Weekend Fireworks Display**

Jeff M. stated that Schaefer Fireworks submitted a quote of \$7,700 and Zambelli \$17,000.

Cory made a motion seconded by Todd to award the contract for the fireworks display to Schaefer Fireworks. Motion passed unanimously.

The fireworks display is set for Saturday, May 25, 2024 with a rain date of Sunday, May 26, 2024.

There was a discussion about reimbursing local residents for the purchase of gasoline for their ATVs which they use to transport the fireworks to the launch site. It was decided to add this to the next meeting's agenda.

**5. Discussion and or Deliberation and/or Official Action to Have the Code of Ordinances Updated**

Jeff stated this proposal would update the codification of ordinances which is online, reflecting all of the recent ordinances that were adopted.

Todd made a motion seconded by Cory to have the Code of Ordinances updated at a not to exceed price of \$2,000. Motion passed unanimously.

**6. Discussion and/or Deliberation and/or Official Action Regarding Seeking Grants to Bury Utility Lines**

Edwina made a motion seconded by Scott to have Jeff M. seek grants to bury utility lines. Motion passed unanimously.

### **Executive Session**

Todd made a motion seconded by Cory to go into Executive Session for matters of personnel at 7:13 PM. Motion passed unanimously.

### **Executive Session**

Todd made a motion seconded by Tim to come out of Executive Session at 7:35 PM. Motion passed unanimously.

### **7. Discussion and or Deliberation and/or Official Action Regarding Personnel Issues**

No action was taken.

### **Reports**

#### **Administrative**

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

Jeff M. reported that:

- The Zoning Hearing Board found in favor of the property owners (Stonecrete, Sell and Lovell) in all three cases last month:
- The Park opened for the season on April 1, 2024.
- Community Yard Sale signs are up. The event is scheduled for Saturday, June 1, 2024.
- KTA Tater agreed to perform the asbestos testing for the estimated price.
- He attended the last COG planning meeting.
- He attended the County Boroughs Association dinner meeting along with Jeff K. and Tom.
- The County Boroughs Association annual dinner is at Lakeview Restaurant on Friday, April 26<sup>th</sup>.
- Two billboard firms are looking to move their billboards from sites in the borough to other sites.
- 5 residential building permits were issued in March.
- Ethics forms are due on May 1, 2024.

#### **Council President**

No report.

#### **Mayor**

Tom said that he residents ask him about the extension of the walking trail and about the process to enforce a decision from a zoning notice appeal.

Alex stated that if someone does not comply with a ruling by the Common Pleas Court for a violation, they can be taken to the magistrate where a fine can be imposed and the borough could

also attempt to recover legal fees that have been incurred from the appeal. The borough could also ask that the Common Pleas Court require through a court order that the property be properly maintained.

Tom also reported on a letter that he received from UPS regarding some layoffs that are to occur at the New Stanton facility.

### **Code Enforcement Report**

Jeff M. reviewed Mark Cypher's report.

### **Solicitor's Report**

Alex reported that he, John Sweeney the ZHB solicitor and the attorney for Mr. Stipkovic will be before Judge Smail on April 18, 2024 presenting oral arguments.

### **Engineer's Report**

Steve stated that:

- He submitted the \$170,000 grant request to the PA Department of Conservation and Natural Resources for a pavilion, 2 new pavilion roofs, lower park drainage, mulch, playground equipment, solar panels and an electronic gate. There was a discussion about the gate and it was decided to have the Park Committee discuss the idea.
- After the Park Committee meets and makes some decisions on the expenditure of the \$207,000 Commonwealth Financing Authority grant, he will put together a bid package.
- The stormwater project on E. Pennsylvania, E. Post and Sewickley was scheduled to start on April 1, 2024 but rain prevented that.
- The gazebo was moved in preparation for the installation of the water park.

Tom suggested that a future grant request should include money for restrooms by Pavilion A.

### **Council of Governments Formation**

Jeff K. stated that he and Jeff M. attended the most recent meeting.

### **Council Committees**

#### **Administration/Personnel**

Jeff K. stated that council just met in Executive Session to discuss personnel matters and will go forth with the decisions made.

### **Finance Report**

Todd reviewed the financial report: as of March 25, 2024, there was a checking balance of \$872,107.40; the total of all savings accounts was \$986,600.01 and the taxes remitted from February 28, 2024 through March 25, 2024 were \$29,368.34.

### **Workplace Safety Committee**

Jeff K. said that the committee continues to meet on a monthly basis. At the last meeting the committee participated in the recertification webinar offered by the PA Department of Labor and Industry.

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

Jeff K. asked Jeff M. to send Scott job descriptions for the Public Work personnel and the standards forms that the PW staff signed off on. He also asked that a copy of the standards be given to each PW employee. Scott suggested putting a borough map on the wall or project a map on the television screen. Jeff M. stated that the television has been used to project the aerial view of different buildings that are being discussed. Scott asked that it be on at every meeting in case a question comes up about the location of a building, etc.

### **Fire Department Strategic Planning**

No report.

### **Community Engagement**

Cory stated that the Easter egg hunt went very well. He stated that there were approximately 115 children in attendance. Todd said that Cory did a fantastic job organizing the event.

### **Parks and Recreation**

Cory said that Steve covered all of the items in his report.

### **Mutual Aid Liaison**

No report.

### **Planning Commission Liaison**

Tim said the only item discussed at the March meeting was the Component 4A Municipal Planning Agency Form for the Stonecrete townhouse project.

### **Additional Opportunity for Public Comment**

*Joshua Bennett, Stanton Heights Neighborhood*

Josh asked how the electronic gate at the park would be controlled. Steve said that if a person is locked in they would push a button that would alert a borough staff member who would then pull up the camera to assess the situation. If necessary, they could then unlock the gate remotely. Steve said all of the contingencies will have to be worked out in the event that the grant for the gate is secured.

### **Announcements**

Jeff K. stated that the Zoning Hearing Board meeting will be held on Monday, April 8, 2024. The second council meeting for April will be held on April 16, 2024, if necessary. The meeting for May will be on May 7, 2024.

**Adjournment**

Todd made a motion seconded by Edwina to adjourn the meeting at 8:20 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary