

Borough of New Stanton
Borough Council
New Stanton Council Chambers
April 4, 2023, 6 PM
Minutes of Council Meeting

Attendance

Councilmembers: Todd Bartlow, Alex Brown, George Miller (*via telephone*), Ray Strosko Tom Theis, Edwina Zack and Mayor Tom Smith. Absent: Linda Echard.

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 April 4, 2023 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 \$23,771.40

Edwina made a motion seconded by Todd to approve the bills in the amount of \$23,771.40. Motion passed unanimously.

Approval of Minutes of the March 21, 2023 Meeting

Edwina pointed out that the minutes listed George making the motion on Resolution 2023-1025 at the March 21, 2023 meeting, but George was not in attendance.

Edwina made a motion seconded by Todd to approve the minutes of the March 21, 2023 minutes with the correction that Edwina made the motion adopting Resolution 2023-1025 and Todd seconded. Motion passed with everyone voting in favor with the exception of George 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 Adopt Motorcycle Safety and Awareness Month Proclamation

Patty Smith the Legislative Coordinator for the Westmoreland County Chapter of ABATE gave an overview of the organization and encouraged the council to vote to support making May Motorcycle Safety Awareness Month.

Todd made a motion seconded by Tom T. to adopt a proclamation making May Motorcycle Safety Awareness Month. Motion passed unanimously.

2. Discussion and or Deliberation and or Official Action on Jake Brake Prohibition on N. Center Avenue

Alex stated that this was brought to the council's attention by a resident at the last meeting. He stated that there was a recent article in the Tribune Review about a local borough considering adopting the same ordinance. He mentioned that the article mentions a comment by the borough's police chief that they would have no power to enforce the ordinance and that the state police wouldn't enforce it. However, Alex did report that the article stated that the borough did adopt the ordinance. There was a discussion about the slope of N. Center Avenue, which is a criteria of eligibility. Todd said if the *jake brake* prohibition is adopted, signage could be installed which may help address the problem.

Edwina made a motion seconded by George to table a decision on *jake brake* usage in order for more research to be done. Motion passed unanimously.

In order to get Steve out of the meeting to attend another appointment, Alex rearranged some of the agenda items.

3. Discussion and/or Deliberation and/or Official Action Regarding the Borough's April 10, 2023 Presentation to the Zoning Hearing Board

Jeff stated that the developer of the former Pizza Hut site is seeking variances from borough parking, sidewalk and wall height requirements. A discussion followed.

Edwina made a motion seconded by Tom T. directing Jeff to advocate that the Zoning Hearing Board does not give a variance that would waive the sidewalk on Highland Avenue. Motion passed unanimously.

4. Discussion and/or Deliberation and/or Official Action on Whether Turning Restrictions Should be Implemented on E. Pennsylvania Avenue

Tom T. stated that he asked to have this item on the agenda in response to the situation at 106 Sewickley St. He said that the former use should not have been allowed because of the large trucks that were brought onto the site and now the property is being rented to another business that appears to be bringing in large trucks, including one that went into the yard of his property across E. Pennsylvania Avenue. He said that the property was issued two driveway permits. He said that trucks have gone onto his property in the past as they have entered and exited the driveway. He said that the new business has brought in a large

shipping container and the truck delivering it left tracks in his yard. Tom also mentioned that the new tenant is storing material outside. Tom T. said that it is an industrial use. He questioned why the occupancy was approved for the new tenant and if it wasn't, wondered why the tenant had moved in. Jeff stated that he visited the location the same day that Tom T. contacted him about the new tenant. Jeff informed the tenant that he needed to fill out an occupancy permit application as well as an accessory structure permit application for the storage box. Jeff said that he received the completed applications about a week later, after reminding the tenant. He received the applications the day before the council meeting. Alex suggested sending the Code Enforcement Officer to the property. Tom T. said that the Code Enforcement Officer should find out what type of vehicles are going to be used by the tenant and if they are going to have trailers.

Tom T. made a motion seconded by George that the Code Enforcement Officer be sent over to 106 Sewickley Street to determine if the use of the property is in compliance with the zoning district. Motion passed unanimously.

5. Discussion and/or Deliberation and/or Official Action to Advertise Amendment to Zoning Ordinance Regarding Traffic Studies

Alex reviewed the possibility of amending the ordinance.

Todd made a motion seconded by Edwina to advertise the council's consideration of amending the zoning ordinance, raising the threshold of trips needed before a traffic study has to be performed from 20 to 100. Motion passed unanimously.

6. Discussion and/or Deliberation and/or Official Action to Adopt Resolution 2023-____ Applying for a Grant from the PA Department of Conservation and Natural Resources

Jeff stated that Steve informed him that another resolution was not required, since council had passed one last month authorizing the submittal of a grant request to DCNR. However, Jeff did request that council vote on a letter that Steve put together for Jeff's signature that commits the borough to matching funding. The letter states that the total cost of the project is projected to be \$176,800 which includes the new pavilion, trail and parking enhancements. Of that amount, \$100,000 is being requested from DCNR, with the borough matching \$76,800: \$40,080 of that being cash and \$36,720 of that being in-kind, with the Public Work's employees roughing in the walking trail.

Todd made a motion seconded by Edwina authorizing Jeff to sign the letter drafted by Steve for the DCNR grant. Motion passed unanimously.

7. Discussion and/or Deliberation and/or Official Action on Ted's Tree Service's Bid for Tree Removal at New Stanton Park

Jeff said that Ted was at the park to cut the remaining trees that were contracted for cutting and he went ahead and ground down 10 stumps for an additional \$600.

8. Discussion and/or Deliberation and/or Official Action Regarding NSPA Suites, LLC, Tax Appeal

John reviewed the “Consent Order of Court” for the property owned by NSPA Suites, LLC that was provided to council. Alex pointed out that the order seems to be saying that the tax appeals for years 2016 and 2017 are being dismissed and from 2018 until present still needs to be adjudicated.

Todd made a motion seconded by Edwina authorizing John to sign the agreement. Motion passed with everyone voting in favor with the exception of Tom T. who abstained and Alex who abstained due to his position as Chairman of the Westmoreland County Board of Tax Assessment Appeals.

9. Discussion and/or Deliberation and/or Official Action to Hire a Lawn Service to Cut the Grass at New Stanton Park

Jeff contacted 5 companies seeking quotes for grass cutting at the park. Two companies said that they were too busy and the other three provided quotes. One company stated that they would perform the work for \$12,000, but stipulated that it wanted to be paid half of the money at the beginning of the season and the balance at the halfway point of the season. Jeff said that they did not respond after he told them that the borough would only pay after work is completed, typically on a monthly basis. Jeff stated that CT Specialties submitted a bid of \$12,500 and met the insurance requirements and agreed to getting paid after the cuts. The other quote was from Colmat Landscaping at \$13,416.

George made a motion seconded by Todd to hire CT Specialties at a cost of \$12,500 to cut the grass at the park for the 2023 season. Motion passed unanimously.

Reports

Administrative

Planning Commission

Jeff stated that the Planning Commission will be meeting on March 15, 2023. Jeff said that in addition to reviewing a land development plan, the commission will begin the process of reviewing the fee schedule.

Borough Manager

Jeff reported that:

- The 2022 Ethics forms are due on May 1, 2023.
- The Central Planning District met on March 23, 2023. The attention of the group has turned to possibly creating a council of governments that would work to address blight. Jeff said that the next meeting is scheduled for April 27, 2023.
- The Westmoreland County Redevelopment Authority’s Blight Workshop is scheduled for Friday, April 21, 2023, at the Westmoreland County Community College.

- The Westmoreland County Boroughs' Association dinner is scheduled for Friday, April 28, 2023 at Ferrante's Lakeview Restaurant.
- He contacted a representative from Spartans Central Baseball. They informed Jeff that they had made other arrangements and will not be using the borough's field.

Code Enforcement Report

Mark Cypher's monthly report was included in council's agenda packet. Ray mentioned that there is a house on Melrose that has a camper in the driveway along with construction material outside. There was a discussion about code enforcement. Jeff said that he has invited Mark to council meetings but Mark has had conflicts. Tom T. mentioned that there has been a trailer parked in the parking lot of a local hotel for a couple of months. Alex stated the importance of contacting the state police if possible criminal activity is spotted.

Solicitor's Report

No report.

Engineer's Report

No report.

Fire Department Liaison

Ray reported that the fire department had net revenue of \$32,769.86 over the last month, because of the gun bash and fish fry. There was a discussion about the LSA grant that the borough was awarded for the fire department and the grant that the fire department is currently awaiting word on from the Department of Agriculture. Alex said that it would be a good idea to meet with members of the fire department after hearing if the Department of Agricultural grant is awarded so as to discuss the design and budget of the proposed fire station.

Council President

No report.

Mayor

Mayor Tom S. reported on the Easter Egg Hunt. Todd suggested getting yard signs next year to promote the event. Jeff stated that the event was listed on the event sign and posted on the *411 New Stanton* Facebook page. There was also talk about scheduling the event in the afternoon instead of late morning and also about setting an end time.

Personnel

Alex said that Personnel would be addressed in Executive Session.

Public Works/MS4 & Parks

Tom T. said that the Public Works crew is doing a good job.

Community Betterment

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Jeff stated that the next event would be the fireworks on May 27, 2023.

Workplace Safety Committee

Jeff said that the committee did meet in March and needed to schedule something for April.

Finance Report

Todd reviewed the financial report: as of March 26, 2023, there was a checking balance of \$886,557.23; the total of all savings accounts was \$850,388.06 and the taxes remitted from March 1, 2023 through March 26, 2023 was \$7,825.84.

Additional Opportunity for Public Comment

No public comment.

Executive Session

Todd made a motion seconded by Edwina to go into Executive Session for matters of Personnel at 7:42 PM.

Todd made a motion seconded by Edwina to come out of Executive Session at 8:35 PM.

Adjournment

Todd made a motion seconded by Edwina to adjourn the meeting at 8:36 PM. There were no objections.

Respectfully submitted,

Jeffrey McLaughlin
Secretary