

**Borough of New Stanton**  
**Borough Council**  
**New Stanton Council Chambers**  
**July 11, 2023, 6 PM**  
**Minutes of Council Meeting**

**Attendance**

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

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

**Call to Order**

President Alex Brown called the regular July 11, 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 \$19,860.68**

Edwina made a motion seconded by Todd to approve the bills in the amount of \$19,860.68. Motion passed unanimously.

**Approval of Minutes of the June 6, 2023 Meeting**

Todd made a motion seconded by Edwina to approve the minutes of the June 6, 2023 meeting. Motion passed with all voting in favor with the exception of Linda who abstained.

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

There were no public comments.

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

*David Hauger, President New Stanton Volunteer Fire Department*

Dave thanked Alex, Tom S. and Jeff for meeting with Chief Cammarata and him to discuss the proposed new fire station.

He said that as per council's request the fire department revisited the design and was able to lower the \$3 million cost to \$1.8 million, but including demolition and soft costs the price would be closer to \$2.2 million. He said that the savings resulted from eliminating the commercial kitchen and large community room, but this will severely limit their ability to raise funds. He

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said that through numerous phone calls and e-mails to Senator Ward the borough was in receipt of the \$250,000 Local Share Account grant. He encouraged council to move ahead with the development of detailed working drawings and bidding so as to take advantage of the narrow April to October window of construction, eliminating the need to store the trucks outside in inclement weather.

*(Steve arrived at the meeting at 6:05 PM.)*

## **Agenda**

### **1. Discussion and or Deliberation and or Official Action to Approve the CWCTC Land Development Plan**

Jeff stated that the Planning Commission reviewed the CWCTC Land Development Plan and recommended that council approve it. Jeff stated that the CWCTC's application and Steve's review letter were included in the agenda packet. Jeff stated that the small addition is adjacent to two wings of the building, far from the property line.

Steve said that the process started last fall. Initially, the CWCTC did not get permits and thus Steve said he volunteered to help them submit the appropriate permits. Steve said because of the small addition, in comparison to the size of the lot, he did not require them to submit a survey.

Edwina made a motion seconded by Todd to adopt the CWCTC Land Development Plan. Motion passed unanimously.

### **2. Discussion and or Deliberation and or Official Action Regarding Upgrades to the Traffic Signal at Center and Arona Road**

Steve stated that there are issues with the sensors on the traffic signal at Center Avenue and Arona Road. He stated that SunCap may be willing to help if the borough would release the bond currently being held and waive the need for the post-construction traffic study. He said that during construction traffic has not been an issue.

Edwina made a motion seconded by Todd to give Steve the authority to negotiate a final plan with SunCap that would be brought back to council for review and approval. Motion passed unanimously.

Todd asked Steve to check the traffic signal sensor at the intersection of Bair Boulevard and Center Avenue. He said it does not seem to be sensing the presence of a vehicle in the Bair Boulevard turning lane.

Jeff stated that he received a report that the street lights on Route 119 are going bad. The borough had to take these lights over from PennDOT when PennDOT completed the 119 ramp project. Jeff said that he is trying to contact the contractor. The lights are under warranty.

### **3. Discussion and/or Deliberation and/or Official Action Regarding Limiting the Use of Jake Brakes on Arona Road**

Steve said that he spoke to PennDOT. They require that a study be done to determine the grade of the road where the ban is being proposed. He said that even if the road does meet the slope requirement enforcement would be an issue. Steve seemed to think that most of the problem is being created by gravel and cement trucks going to the warehouse during construction.

Todd made a motion seconded by Edwina to table action regarding jake brakes. Motion passed unanimously.

**4. Discussion and/or Deliberation and/or Official Action Regarding the Stormwater System Along Broadview Road**

Steve said he is still trying to set up a meeting with the property owner.

Edwina made a motion seconded by Todd to table this item to give Steve time to meet with the property owner. Motion passed unanimously.

*(Steve left the meeting so as to attend another meeting.)*

**5. Discussion Regarding Splashpad with Guest, Chuck DeCaro, Emerald FX, LLC**

Mr. DeCaro said that their business is located in Ohio and that they have installed several splashpads in Pennsylvania including one Mill Run and one in Connellsville. He said they have also worked for Cedar Fair and Disney. He said that they are the only firm in the industry that offers what is known as a drench deck. The one he said that would work well for New Stanton Park is 35' x 35' and has 9 water features -- 5 standups and 4 fountains, a recirculation system, chemical feeders and control panel boxes. He said that they do design build, but their products have not been registered with PA Co-stars.

Alex thanked Mr. DeCaro for his presentation and said at this point the committee should meet to discuss the features that it wants keeping in mind the budget for the project.

**6. Discussion and/or Deliberation and/or Official Action to Accept the Resignation of George Miller**

Alex said that Council would need to accept George's resignation in order to add a replacement. He said that unfortunately George has moved out of the borough and council will miss his contributions.

Edwina made a motion seconded by Todd to accept the resignation of George Miller. Motion passed unanimously.

**7. Discussion and/or Deliberation and/or Official Action to Fill the Council Vacancy with the Resignation of George Miller**

Alex said that with the acceptance of George's resignation, council can determine how to fill his former seat. He said that according to the borough code, council has 45 days to act so council could move ahead right away or it could be opened up for further consideration. Todd made a motion seconded by Edwina to fill appoint Jeffrey Kerr to the council seat vacated by George Miller. Motion passed unanimously.

**8. Discussion and/or Deliberation and/or Official Action to Fill the Office of Vice President**

Alex said that George was Vice President so Council should appoint a new Vice President now or can wait until a future meeting.

Todd made a motion seconded by Linda to table appoint Edwina to the position of Vice President. Motion passed unanimously.

**9. Discussion and/or Deliberation and/or Official Action on the Zoning Hearing Board Decision Regarding New Stanton Investors, LLC (Taco Bell)**

Alex said that this item would involve the review of the Zoning Hearing Board's (ZHB's) decision on the proposed Taco Bell so this matter could involve potential litigation.

**Executive Session**

Todd made a motion seconded by Edwina to go into Executive Session at 6:58 PM. Motion passed unanimously.

Todd made a motion seconded by Edwina to come out of Executive Session at 7:12 PM. Todd stated that the Executive Session was for matters of litigation. Motion passed unanimously.

Todd made a motion seconded by Edwina to not appeal the ZHB's decision regarding New Stanton Investors, LLC (Taco Bell). Motion passed unanimously.

**10. Discussion and/or Deliberation and/or Official Action Regarding the Special Exception Application Submitted to the Zoning Hearing Board by Bair Real Estate, LLC**

Jeff reviewed the application that was included in the agenda packet. There was a discussion. Alex said that residents can attend the ZHB meeting to express their opinion.

Council decided not to take any action.

**11. Discussion and/or Deliberation and/or Official Action Regarding the Construction of a New Fire Station**

Alex said that the Mayor, Jeff, and he met with Rob Cammarata and Dave Hauger regarding the proposed fire station. He said that the fire department scaled back their original \$2.8 million proposal to \$1.8 - \$2.2 million after encouragement from council. The \$2.2 includes additional fees that would be incurred like engineering fees, demolition of the old building, etc.

He said that Dave said that hall rental, which currently brings in \$10,000 a year has been decreasing over the years and that Dave implied that it would be eliminated all together because the new design does not include a commercial kitchen or large community room. The elimination of the community room would limit the ability to have a community shelter or to hold larger community meetings.

He stated that Dave and Rob said that the fish fry would only last a few more years anyways because the workers are getting older. Alex stated that Dave and Rob feel that the gun bash could be continued in the garage bay of the new building and could generate \$40,000 -

\$50,000 a year. Tom S. questioned how the entire gun bash could be housed in the bays. Alex relayed that the annual utility cost on the old building is approximately \$20,000.

The new building would be built where the old building is. There would be no changes to the parking lot. Under the plan, Alex said that the fire department would want the borough to own the building and pay for all of the utilities. Jeff stated that he did ask the Dave and Rob if the fire department would be open to paying rent and they said yes.

Alex reported that the Rob and Dave indicated that the fire department currently has \$160,000 and could immediately put \$100,000 toward the project. They would want to combine that money with the \$250,000 grant that the borough received to cover soft costs associated with the project including engineering and design so that the project could get started immediately, allowing construction to begin next April so that the trucks would not be parked outside during inclement weather.

Alex said that Dave and Rob reported that most of their calls occur outside of the borough, and the manpower response is small but they stated there would be a large turnout for an emergency like a fire in the borough.

He reported that Dave and Rob said that the fire department is not going to exist in five years with the current building.

Tom S. said that the information presented by the fire department referred to the \$1.8 - \$2.2 million build as phase 1. Phase 2 is listed as costing \$876,000.

Tom T. said the borough needs to look at this project like a bank would.

Todd expressed concerns about a building that would not have the capability of serving as a shelter.

Alex stated that the grant that the fire department applied for through Congressman Guy Reschenthaler's office to the Department of Agriculture would cover 75% of the building costs and then 25% of the costs would be the borough's responsibility.

Edwina made a motion seconded by Todd to table any decision on the construction of a new fire station. Motion passed unanimously.

## **Reports**

### **Administrative**

#### **Planning Commission**

Jeff said that aside from the decision on the CWCTC land development plan, there was no other business to report.

#### **Borough Manager**

Jeff reported that:

- The Tribune Review published an article stating that the borough would be receiving a grant from the county in the amount of \$20,000 for improvements to the impaired stream by Wentsler Avenue and approximately \$145,000 to install new catch basins and piping at Sewickley, E. Pennsylvania and E. Post.
- He is waiting for a hearing date from the magistrate for a property on School Street that is operating a garage without a Special Exception from the Zoning Hearing Board. He also reported that he revisited the property last week, after receiving a complaint about the garage owner burning cardboard, plastic etc.
- He has been attempting to contact someone at UPS to get the grass cut. He was able to track down the new facilities director who said he would have the grass cut.
- He received a complaint about the high grass at the rear of the hotel along Broadview Road. He notified a hotel representative who said that they would take care of it.
- Borough officials are invited to attend the reception for LSA grant recipients at Live! Casino on Monday, July 17<sup>th</sup> at 11 AM.
- Glenn Fox Road should be paved by the end of the month.
- The paving of Arona Road and Northeast Drive is scheduled to take place on July 12, 2023.
- He received a call about a catch basin in the Chanticleer subdivision and the Public Works crew repaired it the next day.

Tom T. said that there is a double axle mobile home parked down near the Pennsylvania Avenue roundabout.

### **Code Enforcement Report**

Alex referred council to Mark Cypher's report.

Jeff stated that the owner of 119 W. Pennsylvania Avenue is having the home torn down through the Westmoreland County Land Bank. The contractor has applied for a demolition permit. The borough is waiting for a letter that states that all of the utilities have been shut off.

Tom T. asked about 120 Painter Street. Jeff stated that the county is currently preparing the house for judicial sale. The date of the sale has not been set.

### **Solicitor's Report**

No report.

### **Engineer's Report**

No report.

### **Fire Department Liaison**

Alex referred everyone to the President's and Chief's reports in the agenda packet.

### **Council President**

No report.

### **Mayor**

Referring back to an earlier item, mentioned in the agenda about burning, the mayor said that if someone calls with a complaint about burning, they should be directed to call 911. Todd said no burning is allowed in New Stanton as per the ordinances.

### **Personnel**

No report.

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

Tom T. expressed concern about keeping a splash pad safe from vandalism.

### **Community Betterment**

Alex said that the next event would be Veteran's Day.

### **Workplace Safety Committee**

Jeff said that a meeting for June needs to be scheduled.

### **Finance Report**

Todd reviewed the financial report: as of June 30, 2023, there was a checking balance of \$979,880.26; the total of all savings accounts was \$909,931.05 and the taxes remitted from June 1, 2023 through June 30, 2023 were \$20,638.66.

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

No public comment.

### **Announcements**

Alex stated that if necessary, the second meeting of the month will be on July 25<sup>th</sup> and the first meeting in July will be on August 1<sup>st</sup>. The Zoning Hearing Board is scheduled for July 17<sup>th</sup>. There is no business before the Planning Commission so the meeting has been canceled.

### **Adjournment**

Todd made a motion seconded by Edwina Todd to adjourn the meeting at 7:53 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary