

**Borough of New Stanton**  
**Borough Council**  
**New Stanton Council Chambers**  
**September 5, 2023, 6 PM**  
**Minutes of Council Meeting**

**Attendance**

Councilmembers: Todd Bartlow, Alex Brown, Jeffrey Kerr and Ray Strosko. Also present Mayor Tom Smith. Absent: Linda Echard, Tom Theis and Edwina Zack.

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

**Call to Order**

President Alex Brown called the regular September 5, 2023 council meeting to order at 6:15 PM.

**Pledge of Allegiance**

The Pledge was recited.

**Prayer**

Jeff M. recited a prayer.

**Approval of Bills as of August 22, 2023 in the Amount of \$31,374.66**

Jeff K. questioned the cost of the filter replacement for the 2016 Ford 550. Jeff M. stated that it is part of the vehicle's emission system. He stated that he made council aware of the high cost at an earlier meeting. He said that the borough petitioned Ford and received a large discount on the work because the vehicle only had 32,000 miles on the odometer at the time.

Jeff K. also questioned the Hideaway Kennels fee of \$70. Jeff M. stated that the Hideaway Kennels is the designated animal control officer for the borough.

Ray made a motion seconded by Jeff K. to approve the bills in the amount of \$31,374.66. Motion passed unanimously.

**Approval of Minutes of the August 15, 2023 Meeting**

Jeff K. made a motion seconded by Ray to approve the minutes of the August 15, 2023 meeting. Motion passed unanimously.

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

*Dave Hauger, President New Stanton Volunteer Fire Department*

Dave encouraged the borough council to consider having more street lights installed particularly on W. Pennsylvania Avenue coming off the roundabout. He also mentioned a street light near the post office that could be relocated. Dave also mentioned that he gave a list of street lights that were out to Jeff M. Jeff M. thanked Dave and stated that in the winter the PW crew is occasionally working in the evening and are able see lights that are out, but in the summer the crew is typically not working evenings so he had Anthony come in one evening last week and drove around the borough checking for any more street lights that were out. Anthony found several and the list was turned into West Penn Power for replacement.

*James Miller, 205 Oak Street*

Mr. Miller expressed concern about visibility at the intersection of N. Center and Oak St. He said that in the past the utility pole did not obstruct visibility, but now combined with the number of cars parked at that garage operating there it is an issue. He said that he reached out to legal counsel, the state police and a state senator regarding the situation.

He said that he has not complained about the business being there, but is concerned about the number of vehicles on the property. He stated that his son stopped at the garage and informed the owner about the lack of visibility for drivers pulling out from Oak Street onto Center Avenue. Mr. Miller stated that he has also seen an auto parts truck parked at the top of the parking lot several times due to no spaces being available in the front of the building. He approached the truck driver and told him about the limited visibility.

He asked that something be done about both the utility pole and the number of vehicles.

Jeff stated that he reached out to the company delivering parts. They were aware of the situation and they stated that they would park elsewhere when dropping off parts.

*Barry Smith, New Stanton Volunteer Fire Department*

Barry Smith stated that he is a Ford mechanic and that he may be able to investigate the warranty on the borough's 2016 Ford F550.

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

There were no public comments.

## **Agenda**

### **1. Discussion and or Deliberation and or Official Action on Res. 2023-1030 to Hire a Full Time 1<sup>st</sup> Class Laborer.**

Alex stated that Jeff M., as per council's direction, advertised for the position of full-time Laborer. Alex asked if council wanted to make the hiring decision at this meeting. He pointed out that Trevor Grace had approached the borough with interest in resuming employment.

Ray made a motion seconded by Jeff K. to approve Resolution 2023-1030 rehiring Trevor Grace at the same rate and seniority as when he previously resigned. Motion passed unanimously.

**2. Discussion and or Deliberation and or Official Action on Resolution 2023-\_\_\_\_\_ Designating Barry Smith as a Member of the New Stanton Volunteer Fire Department Special Fire Police**

There was discussion on the merits of designating a special fire police officer.

After discussion Ray made a motion to adopt a resolution but it was not seconded.

**3. Discussion and/or Deliberation and/or Official Action to Advertise Ordinance 2023-?? Adopting the 2018 Uniform Construction Code**

Jeff K. made a motion seconded by Todd to advertise and take the necessary steps so that the UCC Construction Code ordinance could be voted on at a later meeting by council. Motion passed with all voting in favor with the exception of Ray who voted *no*.

**4. Discussion and/or Deliberation and/or Official Action Regarding NOI Stormwater Discharge from the Glenn Fox Warehouse**

Alex referred to the letter in the agenda packet notifying the borough that Amazon.com Services, LLC has submitted a Notice of Intent to the PA Department of Environmental Protection regarding the discharging of industrial stormwater.

Steve said at this point the borough does not need to take any action. He said that he spoke to the Amazon representative whose signature is on the letter and he has no record of this letter being submitted to the DEP, so there is nothing to officially comment on yet.

Todd made a motion seconded by Jeff K. to table action on the NOI letter. Motion passed unanimously.

**5. Discussion and/or Deliberation and/or Official Action Regarding the Arona Road Traffic Signal and Amendment of the SunCap Developer's Agreement as it Pertains to the Traffic Study and Sidewalk Requirements**

Steve stated that he would like to be able to negotiate with SunCap to see if they would be willing to install a radar system, in all directions, on the Arona Road and N. Center Avenue traffic signal in exchange for eliminating the requirement that the developer install a sidewalk along Glenn Fox Road. Steve said the cost of the traffic signal work is approximately \$60,000. Alex pointed out that the sidewalk was required under the previous sidewalk ordinance, which has since been amended limiting the sidewalk requirement to the B-1 and B-2 business districts.

There was also discussion on whether the borough should offer to waive the post-development traffic study and release the escrow that was set aside if the results of the traffic study called for road improvements in exchange for work on the light. Steve said that according to the agreement, the traffic study is supposed to be done when the building is

fully operational in December, with school in session, but it does not appear that the building will be done by this December.

Jeff K. made a motion seconded by Todd to continue trade the sidewalk for the traffic signal radar but to keep the requirement of the post-development traffic study. Motion passed with all voting in favor with the exception of Alex who voted *no*.

**6. Discussion and/or Deliberation and/or Official Action to Award a Contract for the Line Painting of Various Borough Streets**

Jeff stated that several borough streets are in need of line painting. The price is expected to be between \$12,200 and \$22,500, which is the range requiring 3 quotes.

Steve reviewed the list of streets: Center Avenue north of Arona Road, Pine Dr., W. Byers Avenue, Broadview Rd., Park & Pool Dr. Shrader Hollow Rd, Wentsler Avenue and Paintersville Rd.

Todd made a motion seconded by Jeff K. to have Steve solicit 3 quotes in keeping with borough procurement procedures, keeping a record of all quotes received and to award the line painting of various borough streets to the lowest responsible bidder. Motion passed unanimously.

**7. Discussion and/or Deliberation and/or Official Action on the Purchase of a Park Splash Pad**

Steve passed out and reviewed the splash pad designs that were provided by a couple of vendors. Council preferred the design from Emerald FX. Steve said that this company's design has not been bid through Co-Stars so he will have to put together a bid specification packet seeking bids for the project.

Ray made a motion seconded by Todd to approve the design of the splash pad submitted by Emerald FX. Motion passed unanimously.

**8. Discussion and/or Deliberation and/or Official Action to Apply for a PA LSA Grant**

Ray made a motion seconded by Jeff K. to submit three LSA grants, one for ADA bathrooms and the lengthening of the walking trail, a second for new playground equipment and a third for funding to modify the pavilions. Motion passed unanimously.

**9. Discussion and/or Deliberation and/or Official Action to Hire a Conflict Engineer**

Alex stated that there is a possibility that Steve may be involved in a project where he would be assisting a developer working in the borough. This would require him to recuse himself from representing the borough on this matter. Alex asked if council would like to hire an engineer who would represent the borough on this project.

Steve said that the developer initially asked him to simply design a sewer line that would connect to a main line in Youngwood, however after this he was asked to take on additional design duties. Steve said that he would send the developer a letter stating that he would be unable to perform the work.

## **Executive Session**

Alex stated that the Zoning Hearing Board has issued its decision on agenda item 10, the Bair Real Estate LLC ZHB decision and agenda item 11, the Robert Stipkovic ZHB Decision and council needs to decide whether it wants to appeal.

Todd made a motion seconded by Jeff K. to go into executive session at 7:31 PM. Motion passed unanimously.

Todd made a motion seconded by Jeff K. to come out of executive session at 7:55 PM. Motion passed unanimously.

## **10. Discussion and/or Deliberation and/or Official Action on the Bair Real Estate LLC ZHB Decision**

Todd made a motion to not appeal the ZHB's decisions on Bair Real Estate LL and Robert Stipkovic. Todd rescinded the motion for lack of a second.

Todd made a motion seconded by Ray not to appeal the ZHB's decision on Bair Real Estate LLC. Motion passed with all voting in favor with the exception of Jeff K. who voted **no**.

## **11. Discussion and/or Deliberation and/or Official Action on the Robert Stipkovic ZHB Decision**

Jeff K. made a motion seconded by Todd not to appeal the ZHB's decision on Robert Stipkovic. Motion passed unanimously.

## **Reports**

### **Administrative**

#### **Planning Commission**

Jeff M. said that the Planning Commission is scheduled to meet on September 13, 2023.

### **Borough Manager**

Jeff M. reviewed his report which was in the agenda packet.

### **Code Enforcement Report**

Alex referred council to Mark Cypher's report. He mentioned the condition of the vacant building at the corner of Pennsylvania and Center Avenues and wondered if there was something that could be done to address it.

### **Solicitor's Report**

John thanked council for their patience as he had missed a couple of meetings due to some health issues.

### **Engineer's Report**

No report.

### **Fire Department Liaison**

Ray reported that for the fire department checking balance was \$14,927.34.

### **Council President**

Alex said that he will be attending the Westmoreland Central Planning District meeting on September 7, 2023 to continue discussions with several other municipalities regarding the forming a council of governments and a regional UCC Appeals Board.

### **Mayor**

Tom asked about a payroll expense of \$57.57 on the fire department financial report. Jeff said that the fire department could be paying someone to clean the fire hall after events. Ray said that they do have someone that cleans the building.

### **Personnel**

No report.

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

Steve mentioned that UPS corporate is reviewing the borough's request for access to the stream to remove sediment as per the DEP. Alex pointed out that the borough has a grant to cover this expense.

### **Community Betterment**

There was discussion about the upcoming events including Veterans Day and Halloween. Alex said that the hours for trick-or-treat could be set at the next meeting.

### **Workplace Safety Committee**

Jeff mentioned that the committee met in August and will be scheduling a meeting for September.

### **Finance Report**

Jeff apologized for not having the financial report available. Alex suggested e-mailing it to the council members.

Todd asked about the traffic signal at Center and Bair Boulevard. He stated at the last meeting he mentioned that the turning lane sensor doesn't seem to be working because the light takes a long time to change.

Todd also asked about the possibility of getting a tour of the new Amazon warehouse.

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

No public comment.

### **Announcements**

Alex stated that if necessary, the second meeting of the month will be on September 19, 2023 the first meeting in October will be on October 5<sup>th</sup>. The Zoning Hearing Board is canceled but the Planning Commission will meet as scheduled.

**Adjournment**

Todd made a motion seconded by Jeff to adjourn the meeting at 8:17 PM. Motion passed unanimously.

Respectfully submitted,

Jeffrey McLaughlin  
Secretary