

Meeting January 20, 2009

The meeting of Mount Pleasant Borough Council was called to order by President Tabita at 7:03pm in Council Chambers at 1 Etze Avenue, Mount Pleasant, PA 15666. The Pledge of Allegiance was said and there was a moment of silence for our deployed troops. President Tabita directed Borough Manager Jeff Landy to take roll. Councilmen Beranek, Bauer, Crivella, Tate, and Councilwomen Stevenson and Ruszkowski were present. Mayor Lucia and Solicitor Toohey were present. President Tabita stated we have a quorum.

Reading of Previous Minutes:

A motion was made by Councilman Bauer to dispense with the reading of the minutes of January 5, 2009. Motion seconded by Councilman Beranek. Motion carried 7-0.

Speakers:

Margery Williams of Mullin & Lonergan Associates spoke to Council about the downtown area of Mount Pleasant and preservation of important structural elements. She spoke about preservation through the Borough's Zoning Ordinance or through the creation of a Historical Architectural Review Board. President Tabita said that Council is in need of someone knowledgeable to help them decide what direction to take to preserve the look of downtown in regards to structural design etc. Council's major concern is that a national chain with a trademark design would buy property on Main Street and put up a building inconsistent with the present buildings. Councilwoman Stevenson said that she would like downtown to be "business friendly" but agrees with President Tabita and thinks Main Street looks better in the old photos she has seen. Mayor Lucia pointed out that Mount Pleasant has two business districts, one uptown and a smaller one downtown that should blend together. Councilman Crivella said that adequate parking is a problem that needs addressed.

Ms. Williams said that one choice would be to use the Borough's Zoning Ordinance and clearly define the business district so that a new set of regulations applies strictly to those properties. There could be certain requirements such as a prevailing setback, how many stories the structure can be, roof design, windows and that the primary entrance be on Main Street. The property owners would have to build to these construction standards. The Borough would not be able to regulate construction material or paint color. Signage, lighting and parking can be regulated. Construction material, paint color and the finer exterior architectural elements can only be regulated within a designated historical district.

The second choice of creating a Historical Architectural Review Board is more complicated. The Borough already has National Historical District Designation but would have to have an ordinance creating a Local Historical District. Part of that ordinance would be to establish a Historic Architectural Review Board that must include 5 members. An architect, a licensed real estate broker, a building inspector and two people familiar with historic preservation. Every time a proposal came in for some type of activity in that district there would have to be a public meeting. There is a great deal of administration involved in this choice. Communities can share a Review Board. The Review Board could not make current structures change to comply with new regulations unless they are rehabilitating their building.

Mark Stanton, BUI the Borough's Code Inspector spoke to Council about landlord registration and rental inspections. The Borough currently requires rental inspections and charges \$15 per inspection but there is very little enforcement. Very few of the landlords comply with the ordinance. They must keep their rents low to be competitive. Yearly inspections are important in order to keep rental properties up to code and to protect the neighborhoods. It is important for Mount Pleasant to preserve its reputation and the safety of its citizens. Mr. Stanton feels that the inspection fee should be raised to \$50 for an annual permit. Mayor Lucia asked if Mr. Stanton feels another inspection should be done when a tenant moves out before the year is up. Mr. Stanton said that decision is up to Council. Mark Reiss, who works for Mr. Stanton said that other municipalities are requiring an inspection whenever a new tenant will be moving in. Councilman Bauer remarked that in other municipalities the tenant must register with the Borough before moving into a rental unit. This puts the burden on the tenant rather than the landlord. And if the tenant has a criminal record or is arrested while renting in the Borough and is evicted, this person cannot rent in the Borough for one year. Councilman Bauer said that in some other towns it is the Landlord Association that governs this, not the Borough. Mr. Stanton said that with tenant registration, in case of an emergency evacuation we would know who lives in the Borough. It also helps with the census.

Public Comment:

Gwen Deakins, 118 Jefferson Drive, Mount Pleasant addressed Council regarding the 911 address changes in the Borough. 911 wants to change her address to N Geary Street Extension. She is unhappy with this address and would like Council to choose another that is not an "extension". Councilman Bauer explained that 911 did an aerial view and the new addresses are based on GPS information. The changes are important so that emergency personnel can find the residence quickly. Mayor Lucia asked Ms. Deakins to draft a letter to Borough Council outlining her request.

Irene Moore, Mount Pleasant said that now that she has a named street when can the Borough pave it. President Tabita said Council will turn the matter over to Street Chairman Ron Slater. Solicitor Toohey said it must be determined

whether it is a public street or a private road. It becomes a public street when the Borough passes an ordinance making it one. After that, Liquid Fuels money can be used to pave the street. Council will have to look into maintenance records or ordinances. Mr. Landy said that in some instances the developer of the plan of homes must pave the road first before the Borough will agree to accept it. Ms. Moore said that she pays the same amount of taxes as other Borough residents and should get the same services. Mr. Tabita said that Council should have an answer for Ms. Moore within 3 months. Council agreed that Ms. Moore provide Solicitor Toohey a copy of her plans to aid in the decision.

Wade Miller, a Mount Pleasant landlord objected to the proposed Landlord Ordinance. Mr. Miller asked if landlords had any input into the proposed ordinance. Councilman Bauer said that have been numerous meetings with landlords. Council initially looked for direction from landlords and received none. President Tabita said that there were only about 20 rental inspections done in the Borough last year. Councilman Crivella said that there should be no fee for landlords registering the properties. Mr. Miller said that if the inspection fee goes to \$50 the cost would have to be absorbed by the tenant and rents will go up. Councilman Bauer said there would be a public meeting before the ordinance is passed.

Mayor's Report:

Mayor Lucia said Council will work on the 911 address changes. All of the residents have received letters from the county.

Mayor Lucia said there will be a Steeler Pep Rally on January 31, 2009. There will be prizes for best fight song and best dressed. Anyone who has a black and gold vehicle is invited to bring the vehicle to the rally.

A motion was made by Councilman Crivella to hold a Steeler Pep Rally at the Gazebo on January 31, 2009 from 2:00pm to 3:00pm. Motion seconded by Councilman Beranek. Motion carried 7-0.

A motion was made by Councilman Crivella to close Route 819, Diamond Street from Route 31, Main Street to Washington Street from 1:00pm to 3:30pm on January 31, 2009 for a Steeler Pep Rally. Motion seconded by Councilman Beranek. Motion carried 7-0.

Mayor Lucia said that because of the frigid weather there have been broken water lines in homes in the Borough. Mayor Lucia feels the problem may be that people are turning down their thermostats when they leave the house.

Mayor Lucia reminded residents to clean the snow from their sidewalks.

Solicitor's Report:

Solicitor Toohey said that his office has circulated and prepared an amendment to the Zoning Ordinance regarding R1A reclassification. The county has been notified and has approved the amendment. The local Planning Commission has also approved. The 45 days required will expire on January 26, 2009. The Borough must advertise for a public hearing for two consecutive weeks.

A motion was made by Councilman Bauer to suspend the rules for a motion to advertise a public hearing on February 16, 2009 for the purpose of amending the Zoning Ordinance. Motion seconded by Councilman Crivella. Motion carried 7-0.

Solicitor Toohey said that the Statute requires posting of the notice of the public hearing at key locations affected by the ordinance amendment at least one week prior to the hearing. President Tabita asked that Atty. Klimchok give us a list of addresses and the amended zoning map.

A motion was made by Councilman Bauer to advertise a public hearing on February 16, 2009 for the purpose of amending the Zoning Ordinance. Motion seconded by Councilman Crivella. Motion carried 7-0.

Solicitor Toohey said that he, Mr. Landy and Glenn Wolfe have spoken to the county regarding the expansion of Phase II of the Main Street Street-Scape Project. The county has been provided with the expenses to date and will determine if the expansion is over 25% of the total project and whether the expansion must go out for bid. After the county makes its determination the Borough would have to write a letter stating that in our legal opinion we believe the same to be true. The county said that they should be able to reach a conclusion near the end of the week that the information is given to them.

A motion was made by Councilman Crivella to suspend the rules for a motion to authorize Widmer Engineering to prepare a bid in the event the county requires it. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

A motion was made by Councilman Crivella to authorize Widmer Engineering to prepare a bid for the expansion of Phase II of the Main Street Street-Scape Project in the event that the county requires that it go out to bid. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

A motion was made by Councilman Bauer for an Executive Session. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

Executive Session 8:56pm to 9:30pm.

President Tabita stated that the Executive Session was to discuss real estate.

Treasurers Report:

Borough Manager Landy read the following Treasurers Report for the month of December 2008:

Mt. Pleasant Borough Treasurer's Report:		Dec-08			
		Previous Balance	Deposits	Disbursements	Balance Dec08
General Fund Checking	PNC 001223513	51,669.00	129,299.91	103,708.91	77,260.00
General Fund Sweep	PNC 11493394	532,550.43	23,419.18	61,753.49	494,216.12
General Fund Budgetary Reserve	PNC 102-457-4388	102,112.26	138.30	0.00	102,250.56
Fire	\$ 30,000.00				
Police	\$ 10,000.00				
Street	\$ 10,000.00				
Contingency Fund	\$ 52,250.56				
Total General Fund Balance					673,726.68
WWT Operational Acct	Standard Bank 0320012280	173,651.86	159,030.36	60,760.28	271,921.94
WWT Savings	Standard Bank 50021008	0.00		0.00	0.00
WWT Budgetary Reserve	Standard Bank 287245	50,948.85	85.75	0.00	51,034.60
Total WWT Balance					322,956.54
Liquid Fuels PLGIT	PLGIT 56980126	109,839.42	145.96	4,678.78	105,306.60
Monument CD	Standard Bank 242781	5,626.71	0.00	0.00	5626.71
Holiday Lighting Fund	Standard Bank 050004849	2,037.09	0.42	42.77	1,994.74
Payroll Fund	PNC 01226415	1,151.38	46,737.54	46,737.54	1,151.38
Veterans Park Fund	National City 981293700	4,656.23	1,050.00	1,448.19	4,258.04
Veterans Park PLGIT	PLGIT 5698025	11,174.27	15.51	0.00	11,189.78
Police Drug Enforce.	PNC 1012912642	850.50	0.00	0.00	850.50
Town Clock Fund	Standard Bank 0010038847	610.79	0.13	0.00	610.92
					1,127,671.89

A motion was made by Councilwoman Stevenson to approve the Treasurers Report as read. Motion seconded by Councilwoman Ruszkowski. Motion carried 7-0.

Mr. Landy said that it may be possible to add to the Budgetary Reserve Accounts in 2009 but cautions that if the Borough is going to do a storm water project in 2009 it may be better to leave the money in the General Fund.

President Tabita said he would like to see the Treasurers Report changed to show all of the General Fund accounts together and WWT accounts at the end of the report.

Presidents Report:

President Tabita said that there are some appointments to the boards and authorities to be made at the next meeting. Just in case there is a Zoning Board meeting before then they would like Council to reappoint Margene Wilczynski.

A motion was made by Councilman Crivella to reappoint Margene Wilczynski to a 5-year term on the Mount Pleasant Zoning Board. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

President Tabita said that Councilman Crivella and Borough Manager Landy attended the Frick Communities meeting on Saturday. President Tabita said that the BDA will pay one-half of the cost of the manager and the Borough will pay the other half. There was discussion at the meeting about soliciting money from the local banks and businesses and President Tabita would like Council to agree with him to oppose this idea.

Borough Manager's Report:

Borough Manager Landy made the following report:

- The Street Dept is having a hard time plowing the streets because of parked cars. Mr. Landy requested that the newspapers mention it so that people can be aware of the problem.
- There were vehicles damaged on Oak Street because of frozen storm water. Mr. Landy filed the claim with the Borough's insurance carrier and the claim was denied because they found that the Borough was not negligent. The owner of one of the vehicles wants the Borough to resubmit the claim. Council agreed that the claim should not be resubmitted.
- Letters were sent to the Mount Pleasant Municipal Authority and Congressman Murtha's office requesting monies for a storm-water project to help some of the Borough's flooding problems.
- Palumbo Contracting will fix the hole on Church Street between Standard Bank and Gradlers Studio.
- There is a problem with residents sending one check for both the water and sewage bills with only one payment stub. The check is being credited to only one of the accounts. There is a meeting scheduled with M.A.W.C. on January 28 to try to resolve this issue and some others.
- M.A.W.C. is setting up for Standard Bank to take sewage payments. They have not given a date when this will begin.
- Zoning Board procedures have been forwarded to the Mount Pleasant Zoning Board.
- Council members have information about who needs to register for the next election.
- Career Link approached the Borough about doing three projects in the Borough. Making the pavilion at Frick Park into a concession stand and moving the bathrooms at Willows Park to closer to the pavilions. Career Link will provide the labor if the Borough will provide the materials. If anyone has an idea for another project please contact Mr. Landy.
- Joe's Pools is taking all utility payments except water and sewage.

President Tabita said that he would like Council to make a motion to have Mr. Landy contact the Elections Bureau to have a referendum on the ballot for curbside recycling in the Borough.

A motion was made by Councilman Bauer to suspend the rules to have Borough Manager Landy contact the Elections Bureau about a referendum on the ballot for curbside recycling in the Borough. Motion seconded by Councilman Beranek. Motion carried 7-0.

A motion was made by Councilman Bauer to have Borough Manager Landy contact the Westmoreland County Elections Bureau regarding adding a referendum to the ballot for curb-side recycling in the Borough. Motion seconded by Councilman Beranek. Motion carried 7-0.

The amount of recycling will affect the next garbage contract by lowering the tonnage in the Borough.

Waste Water Treatment Report:

WWT Supervisor Norm Stout addressed Council regarding flooding on 145 S. Quarry Street. Mr. Stout presented Council with a map showing the pipe and the residents affected by the flooding on 12/19/08. Mr. Stout also showed Council a video of the cameraing done. The flooding was caused by 1.78 inches of rain in 6 hours and there were several other areas in town that were flooded. There was also 1.54 inches of rain in 2 hours on 12/26/08 that pushed water into the home at 143 S Quarry St. At that time the owner of 145 S Quarry St was not at home. Mr. Stout spoke to the owners of 143 S Quarry St and scheduled a meeting to determine if the Borough could help them with this problem. On 12/29/08 WWT personnel were told the residents did not need any help at this time. Another .86 inches of rain fell on 1/7/09. WWT personnel cameraed Quarry St to try and determine why the homes were getting water in their basements. They found several homes with high flows coming from their laterals. All of this information was recorded. On 1/8/09 WWT personnel went to 145 S. Quarry St to camera the lateral to find any possible problems. Some areas of infiltration were found but it was not raining at the time. On 1/13/09 a dye test was performed on 143 and 145 S. Quarry St and it was determined that the homes connect to the same lateral. When there is this much rainwater the pipe is not able to accommodate it. Mr. Topley of 145 S Quarry St was present at the meeting and was very impressed by the video. Mr. Stout said he would look into running a new line if it is Council's wish. Mr. Stout said he would like to meet with every homeowner on the street so that everyone would understand the goal.

Public Safety, Zoning and Ordinance Report:

Councilman Bauer said he should have a Landlord Ordinance by the next meeting.

Street, Parks & Recreation Report:

A motion was made by Councilman Bauer to add street lights at the following locations: Pole # 18898 – 827 Washington Street, Pole # 18900 – 909 Washington Street and Pole # 24395 – 1017 Washington Street. Motion seconded by Councilman Ruszkowski. Motion carried 7-0.

Council discussed streets to be paved in 2009 from a list of streets from Councilman Slater. President Tabita said we could bid a list of streets and an alternate list of streets if the bids come in low. The list should be ready for the next council meeting.

Councilman Bauer said that Councilman Slater would like to meet with the Recreation Committee to discuss meeting with Mullin & Lonergan for a plan to renovate the parks. If the bids for renovation come in under \$150,000 maybe the Borough can apply for a low interest loan to do all of the parks at the same time. Councilman Crivella suggested waiting to renovate the parks until next year so that we know how much income we will get from the gas wells as well as the population surrounding each park.

Finance Report:

Councilwoman Ruszkowski presented Council with a report showing VFD income from the fund drive and the sale of the Snorkel truck and the disbursement of the monies. The Snorkel truck was sold to Everson VFD and financed by the Borough for 4 years.

Council discussed the report on the income from the gas wells. The income from the gas wells is based on the production from the previous period. Therefore the check the Borough receives on March 31st will be for production months of November, December and January.

Mr. Landy said that the gas lines to the Municipal Building and Central VFD are in and we are waiting for better weather to have the meters installed so that these buildings can begin receiving free gas from the Frick Park gas well.

Councilman Crivella said he is concerned about gas well income compared to the planned money to be spent on parks. President Tabita said that is a good point and should be discussed when we have a plan for the parks.

Property Report: None

Council discussed where to store the Premoshis Christmas displays.

Community Eco-Green: None**Human Resource/Employee Contracts Report:**

Councilwoman Stevenson reported that the 2009 employee letters should be ready tomorrow.

Councilwoman Stevenson said that she does not have a significant progress report from Paychex regarding the Employee Handbook.

Councilwoman Stevenson said that there have been 7 cats spayed and neutered since the Cat Program began which will prevent as many as 100 kittens. At this point the legal aspect of the program has not been finalized and the current expenses are being paid for by volunteers. President Tabita said that the committee will have to get with Solicitor Toohey about what the Borough needs to do. Councilwoman Stevenson said that in order for the program to do any fund raising the program will have to become a 501-C3.

Community and Economic Development/Grants Report:

Councilman Crivella said he met with Glenn Wolfe, Widmer Engineering and Borough Manager Landy regarding storm water problems. Mr. Wolf will do a cost estimate for Oak St. so that the Borough can apply for a \$25,000 DCED Grant.

Councilman Crivella said he and Mr. Landy attended a Frick Communities meeting on Saturday and there will be a public meeting on Thursday January 29, 2009 at 7pm in the Distillery Room at West Overton Museum for input from the public on filing for a 501-C3 and the position for the Regional Main Street Coordinator they're trying to get grant money for.

Councilman Crivella suggested that Council rethink the mission of the Business District Authority since there are so many appointments to be made this year.

Councilman Crivella said that the state has a Parks and Recreation Adviser who could point us in the right direction on what to do with our parks in the Borough.

New Business: None

Reading of Communications:

Borough Manager Landy read the following communications:

- A schedule of Central Westmoreland Council of Governments meetings. Councilman Tate is the Borough representative for C.O.G.
- Jacobs Creek Faith in Action has asked for a donation.

Mr. Landy said he has the motions from 2008 and will discuss some of the motions at the next meeting.

- Medic 10 annual banquet will be January 31, 2009.

President Tabita asked Council to think about Citizens of the Month for 2009.

Discussion and Payment of Bills:

A motion was made by Councilman Bauer to pay all authorized and approved bills. Motion seconded by Councilman Beranek. Motion carried 7-0.

Miscellaneous and Adjournment:

A motion was made by Councilman Bauer to adjourn the meeting. Motion seconded by Councilwoman Stevenson. Motion carried 7-0.

Meeting adjourned 11:03pm.

Motions from January 20, 2009 Meeting

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