

*Borough of New Stanton Council Meeting
March 1, 2007*

Council President Scott Sitek called to order the March 1, 2007 Council meeting at 7:00 p.m. The meeting was held at the Municipal Building, 451 North Center Avenue, New Stanton, Pennsylvania. A Prayer and the Pledge of Allegiance were recited.

Council members present were Scott Sitek, Robert Quinn, Jerry Ilgenfritz, Todd Bartlow, Wilbur Bussard, Thomas Theis, and James Mack. Also present Mayor Joseph Kazan who arrived late, Borough Solicitor John Campfield and appointed Engineer Emil Bove of Bove Engineering.

Council President welcomed the members of the New Stanton Planning Commission. Planning Commission members present were James Evans, Mary Quinn, Graydon Long, Todd Bartlow, and Frank Balistreri.

General Business

Wilbur Bussard made a motion second by Thomas Theis to approve the bills in the amount of \$13,407.37. The motion passed unanimously.

James Mack made a motion second by Thomas Theis to table the minutes from the February 15, 2007 until the next meeting. The motion passed with Scott Sitek and Todd Bartlow voting no and Wilbur Bussard abstaining.

Council additions to the agenda

Councilman Mack said it has been going around town rumors among people and even one report back to me that an employee of the town said I got the UCC to turn Tee Pee Tim down on his construction. That is totally false. The UCC is State run and no matter who in town wants, whether elected official, employee, or resident, a local official cannot protect you from a State or Federal situation. I have no control over the UCC, I have no power with them or influence. I am flattered by the rumor but it is not true. Thank you.

Agenda

Discussion on Zoning Ordinance changes with the Planning Commission

Mr. Campfield said it is my understanding that everyone has received copies of the memo that I had sent down in response to Dr. Mack's questions and proposed changes. Mr. James Evans, Chairman of the Planning Commission said he just received it a couple a minutes ago and have not had time to digest it. After some discussion, Councilman Bartlow said I think it would only be fair if Planning Commission did have the time to sit and debate it.

Wilbur Bussard made a motion second by Todd Bartlow to send it back to the Planning Commission and the Planning Commission brings it forward to us after them reading and digesting it. The motion passed with Jerry Ilgenfritz and James Mack voting no.

Council President said I want to thank you for your time and interest. Glad you could be here and you are welcomed to stay for the rest of the meeting.

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Recreation Board

Mr. Wagner said on the backstop we don't want to move it we want to extend it three (3) feet back. We are going to take the fence off of the back, extend it three (3) feet put in three (3) more poles and put the fence back on. Mr. Steele said moving it three (3) feet, everything should be alright.

Mr. Wagner said last year Todd had poles put in for the net. We need an extra pole by the gate and I spoke to a friend of mine and he is going to submit it to his boss and they might donate the pole and put the net up for us. It should be totally covered then other than the port a john. Councilman Bussard said while you are talking about the port a john do we need approval or should we get an approval to make sure that we have one down there for the beginning of the season.

Mr. Wagner said we would it be at all possible to have a culvert put in behind the jersey barriers on the big field? Mr. Steele said you would have to put a catch basin there and grade the dirt to that catch basin. We have to put some more perforated pipe in. Mr. Wagner and then maybe two more jersey barriers one on each side. There was some discussion on where to get jersey barriers.

Mr. Wagner said we need to get one (1) tri-axle load of infield mix for March 24th. Council President asked the Borough Secretary to get some quotes on the infield mix. Mr. Wagner said since it is going to be a Park cleanup I don't know if you could get your employees down there to help work with their equipment or not. I would rather be there while we are doing it instead of having Mel or whomever to dump it and it is not where we want it.

Wilbur Bussard made a motion second by Thomas Theis to go with the lowest quote on the infield mix for the ball field. The motion passed unanimously.

Council President said they are going to need someone down there that day to help; is there something you want to work out with our personnel? There was some discussion about the cleanup.

Thomas Theis made a motion second by James Mack to have an operator there on the day of cleanup. The motion passed unanimously.

Mr. Wagner said we need a new drag and I heard the option was bed springs that's not going to work. A homemade drag with fence is not going to work. We need a drag bar in front that has like dimples down through and it will drag with a fence behind it. Councilman Bussard said where do you propose to get such a thing. Does someone make them? Mr. Wagner said I have a magazine at home and the one I was looking at is \$789.00. I have a nephew who is a machinist and I was going to see if the company could make one for half that depending on what the material will cost. Councilman Bussard said could you please draw a diagram or give us a picture of what you are talking about because I know someone who might be able to make one.

Mr. Wagner said the other thing is the bathroom doors. Is that going to be brought around to the back side? Councilman Quinn said there is no practical way of doing it. Aren't the

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stalls in the back? There was more discussion about installing doors on the back of the restroom and have to talk to Mr. Hafer about the Scouts putting in a sidewalk as an Eagle Scout Project.

Councilman Quinn said we want to make a parking area down at the end and fill it in with recycled asphalt or millings so there is parking instead of deep ruts. Councilman Bussard said I think we should have a community meeting on this to discuss what needs done.

Mr. Wagner said the other thing that was brought to my attention was about personal checks. After some discussion the Borough and the Recreation Board agreed to use invoices and purchase order numbers for purchases.

Jerry Ilgenfritz made a motion second by Todd Bartlow to move the \$6,600 allotted to the Recreation Board to their account. The motion passed unanimously.

Wilbur Bussard made a motion second by Todd Bartlow that the Recreation Board use purchase orders that indicates who is being paid and for what purpose or they provide receipts if they are getting money in advance. The motion passed unanimously.

Mr. Wagner said the other issue is that I know we have had at least one application turned in, in December. Why wasn't he appointed? Council President said it was tabled in December.

Thomas Theis made a motion second by Todd Bartlow to appoint Ron Spoonhoward to the Recreation Board in the non residency position. The motion passed with Scott Sistik voting no.

Discussion on New Stanton Borough Policy Book

Councilman Theis asked if everyone looked at the policy book. Council President said I looked at it but I think we still need to make some changes. Councilman Theis said what is the time element that you would like to give on that? Council President said two (2) meetings. Councilman Theis said I don't know if it is in effect yet but we talked about the physicals. Council President said it is in effect we just have to come up with a list of requirements. Councilman Mack said we voted on whatever the CDL license requires is good enough for us and Bob Liberty was very enthusiastic about it. Council President said we did not give anybody direction to go do it. There was more discussion about the physicals.

Thomas Theis made a motion second by Wilbur Bussard to suspend the physicals for the first quarter. The motion passed unanimously.

Mayor Kazan said that he had some calls from some residents about the road conditions. There was a brief discussion about snow removal and salting the roads.

Discussion on Bucket Truck Grant

Council President said we need to make a decision before the end of this month as to what we are going to do with the \$10,000 grant. We can do a change of use but we have to apply before the end of March. I can handle that if it is Council's decision to do so.

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Councilman Mack said I am not against a bucket truck if it is paid for and not to expand the budget or raise taxes. Councilman Bussard said let's find a \$10,000 bucket truck. There was more discussion about a bucket truck.

Reports

Mayor Joseph Kazan

Mayor Kazan said the overpass closing that came up fast, weren't we involved in that? Council President said that was a long time ago. Mayor Kazan said I thought we were going to finish the new Center Avenue before they closed the overpass. Council President said that was scheduled to happen but Penn DOT had to re-bid the project and that threw the whole process into the next paving season. There was some discussion about the widening of the Turnpike and the Center Avenue Project.

Mayor Kazan said what is the status of property for our Public Works building? Councilman Bussard said I can't answer that the man has not sent a letter back yet. Mayor Kazan said the reason I am asking the question is there is other land coming available in the Borough with some of these buildings being torn down so we either have to fish or cut bait. Councilman Bussard said there is no promise that we are going to get that so go ahead and fish and cut. There was some discussion about the properties that might be coming available.

Mayor Kazan said when I went down to see the progress I noticed that North Center Avenue looks like it was bomb out. Council President said I conveyed that to Penn DOT yesterday and they said they would take a look at it.

Mayor Kazan said in reviewing the rules of conduct in preparation for this meeting on Progressive Discipline for the Borough of New Stanton rules of conduct, number 14 says unauthorized use of Borough equipment, time, supplies, or services to perform outside or personal work. There was some discussion about the Progressive Discipline for the Borough of New Stanton rules of conduct.

Mayor Kazan said I did check with Youngwood about their road crew and they do, do shift work. If they have snow coming up they will start two people at five and two people at seven and work them a shift. They have four employees. Mr. Steele said they have six. Mr. Bove said they have four that is part of the road crew and there are two more that is part of the sewage authority and they do intermix.

Mayor Kazan said I also looked into the Federal Fair Labor Standards Act since overtime was a big topic of last meeting and two things that I discovered one is for hourly workers there is no comp-time. You can't work two hours one week and take it off the next week. Any work beyond forty hours a week has to be paid at time and a half overtime you cannot take comp time.

Mayor Kazan read three thank you notes one from Tom and Sandy Tangretti for flowers sent when his mother passed, one from the Ruth Trout family for sending a monetary memorial for Ruth Trout's passing and one from Wilbur for the fruit basket while he was in the hospital.

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The Borough Secretary asked about the traffic light and what Council wanted to do about the controller. Mr. Campfield asked Mr. Bove what is needed to have a traffic signal taken down and Mr. Bove said you would have to have a traffic study done. I have never seen a traffic signal come down.

Solicitor John Campfield

Mr. Campfield said has any thing happened with the Quizno's petition to vacate the alley. The Borough secretary said she sent everything out to them and they have not gotten back to me.

Councilman Theis said what happened to the property over by Hepler's. Mr. Campfield said I had several conversations with the attorney for Penn DOT and we had to change the letter again and send him sections of the law. The last word I got was that Harrisburg accepted the letter.

Mr. Campfield said this afternoon I received a call from Mike Stack about tires. There was a complaint about tires on the Day property and I told him about the nuisance ordinance. Mr. Steele said Jerry Tripoli of the DEP is handling it.

Engineer Emil Bove

Mr. Bove said he did not have anything to report.

Code Enforcement Officer

Councilman Mack said notice was sent to Light it up Electric on January 27, 2007. The time is up on February 24, 2007. Attorney is requesting a variance.

Councilman Mack said on Stacy Wilson with the barking dogs, notice was sent February 8, 2007 and the time up is February 15, 2007 will comply and according to Joe the noise has subsided quite a bit.

Councilman Mack said Richard Kline, illegal billboard, notice sent February 12, 2007 and the time up is February 19, 2007 co-owns with Judy Detar; notice sent February 19, 2007 time up is February 26, 2007 co-owns with Rich Kline.

Councilman Mack said John Dudinsky, dangerous building, notice sent February 26, 2007 and the time is up March 26, 2007. The motel is being demolished.

Councilman Mack said on February 16, \$2,000 remodel permit fee \$69.00 Borough fee \$25.00. February 20, new house valued at \$191,000, permit fee \$1,263.64 Borough fee 489.20. Permit cost was \$1,332.64, Borough fees \$514.20.

Council President said for twenty-nine days now we have had a Code Enforcement Officer and that chair has been empty for three meetings now. We haven't seen a Code Enforcement Officer. After some discussion, Council President said he should be at the first meeting of the month and another thing that I haven't seen and that is I have not seen him punch the time clock. That is policy for all employees.

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Councilman Mack said the banners are down. Also the joint meeting between the Planning Commission and Council cost us possibly a \$2,000 grant. If I had been there for the attendance of that meeting, we were pretty close to contending for one of the \$2,000 grants.

Finance Todd Bartlow

Councilman Bartlow said we have a Certificate of Deposit coming due and the finance committee discussed about renewing it for six months and that way we don't have it tied up for very long.

Wilbur Bussard made a motion second by Thomas Theis to renew the Certificate of Deposit for six (6) months when it matures. The motion passed unanimously.

Councilman Bartlow read the financial report. It reads as follows.

Checkbook	\$199,981.73
Savings	\$151,521.90
Taxes	\$ 14,459.00

Executive Session

*Personnel-Engineering
Real Estate-Arona Road*

Wilbur Bussard made a motion to go into executive session at 10:03 p.m.

Wilbur Bussard made a motion to come out of executive session at 10:40 p.m.

Wilbur Bussard made a motion second by Todd Bartlow on the engineering contract a \$100 retainer fee for one meeting a month, unlimited calls, all other time work and materials. The motion passed unanimously.

Robert Quinn made a motion second by Jerry Ilgenfritz to have Scott and Wilbur approach Graydon on the rear Arona Road property cul de sac issue. The motion passed unanimously.

Wilbur Bussard made a motion to adjourn at 10:42 p.m.

Respectfully submitted,

Mary Ann Roll
Mary Ann Roll
Secretary