

*Borough of New Stanton Council Meeting  
June 7, 2007*

Council President Scott Sistek called to order the June 7, 2007 Council meeting of the Borough of New Stanton 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.

Members present were Scott Sistek, Wilbur Bussard, Todd Bartlow, Jerry Ilgenfritz, Thomas Theis and James Mack. Also present Mayor Joseph Kazan, Borough Solicitor John Campfield, Borough Engineer Emil Bove of Bove Engineering and Code Enforcement Officer Michael Stack. Robert Quinn was absent.

**Wilbur Bussard made a motion second by Thomas Theis to pay bills in the amount of \$13,744.80.** The motion carried.

Council President said I would like to acknowledge that Council held an Executive Session meeting on May 19, 2007.

**Todd Bartlow made a motion second by Thomas Theis to approve the minutes from the Emergency Council meeting on May 22, 2007.** The motion carried with Wilbur Bussard abstaining.

Mr. Mark Leonard addressed Council, Mr. Campfield and the Emil Bove about his development plan. He said I would like to get my plan signed, sealed and delivered so that I can proceed with my work on Virginia Drive. I don't believe I am here for approval since I do have in writing approval from the Planning Commission and Council so I would like to get my plans signed so that I can proceed. There was a lot of discussion about the sewage and water runoff on Mark Leonard's development plans.

**James Mack made a motion second by Jerry Ilgenfritz to approve the plans for his development of lots 2, 3, and 4 contingent upon the sanitary sewer line being extended to the end of the Borough street in accord with the requirements of the Hempfield Township Municipal Authority and contingent upon the storm water management facilities being revised as recommended by the Borough's Engineer all of which is going to be incorporated into a Developer's Agreement between the Borough and Mr. & Mrs. Leonard.** The motion carried.

*Administrative Reports*

**Code Enforcement**

**Michael Stack**

Mr. Stack said on May 14, 2007 I received a complaint regarding an illegal billboard on the property owned by Mr. Topper I believe. I sent a notice and now the issue has come up as to whether or not the billboard is in New Stanton Borough. Currently the property owner is having the property surveyed and his position is that it is not. Once we receive the survey I will proceed accordingly.

***Borough of New Stanton Council Meeting  
June 7, 2007***

Mr. Stack said that he met with Mr. Ken Kellner on May 16, 2007 regarding high weeds and junk on his property and Mr. Kellner came up with a proposal. He is proposing that we grant him an extension on his building permit and he will put in writing that he will bring his property into compliance within sixty (60) days. Mayor Kazan asked Mr. Stack what his recommendation was and Mr. Stack said I think we should extend that permit for Mr. Kellner and put in writing that he agreed to bring his property into compliance within sixty (60) days. Mr. Campfield said the building inspector needs to be contacted about this. There was some discussion on the subject.

Mr. Stack said on the May 17, 2007 I had a hearing at the Magistrate's office regarding a business that was being run from a residence and the Magistrate filed against this gentlemen and gave him sixty (60) days to remove that business from his residence and if he does not do that he will be fined on a daily basis.

Mr. Stack said I met with Mr. Milie, solicitor for the Zoning Hearing Board and we discussed some issues and I also attended the Zoning Hearing Board and the variance was granted.

Mr. Stack said I spent some time patrolling active permits and some complaints that I have had to look into. My invoice for the month is \$294.50 and some postage for \$22.42.

**Solicitor**

**John Campfield**

Mr. Campfield said what I have you want to discuss in executive session.

**Engineer**

**Emil Bove**

Mr. Bove said Mel and I looked at a pipe on Woodmere Drive. The pipe is discharging water which is coming from the Borough roadway system. It discharges in the middle of a lot and I do not believe that we have any right of way for that pipe that dish to be there. Councilman Mack said Mr. Naglich's point was that he doesn't believe that it is correct. He believes the pipe is right on the property line. Mr. Bove said either way if it is on a property line or in the middle of a lot, I don't believe that there is any record right of way. Mr. Campfield said excuse me for interrupting you but if you go back in the file that has been there for more than twenty-one (21) years. Mr. Bove said so the Borough would not need any right of way and Mr. Campfield said they own by prescription. Mr. Bove said then the second point is that it is a very bad erosion problem and if you want me to pursue I would like to have the Conservation District take a look at it and get their recommendation on the best way to handle it. There was more discussion on the pipe.

Mr. Bove said Mel and I took a look at a water problem on Hill Street and what Mel was recommending and I actually added a little more recommendation to it was putting in a couple of catch basins.

***Borough of New Stanton Council Meeting  
June 7, 2007***

Mr. Bove said I got a price for the roof for the salt bin. They said that they do not carry a warranty for anything that God could do. They did say that they don't have a problem them. The total cost of the structure is \$3,200.00.

Mr. Bove said that the MS4 report is done for 2006 and 2007 and the Borough is lacking in the public portion of the report; as far as having a designated discussion about the MS4 every meeting. I suggest that Council form an MS4 committee for public involvement.

Mr. Bove said I am still waiting on as built plans for the Stanmont Development.

Mr. Bove said Wilbur and I went out and looked at the curb situation on Woodmere Drive. Mayor Kazan said it seems like if anything that the road is now narrower than it should be which in a sense gives the property owner more property per say. Mr. Bove said we measured that and we determined that in one spot that the roadway was a half foot smaller. Mayor Kazan said if the Borough is satisfied with the road width and the curb is there a problem? There was some discussion about the situation.

**Thomas Theis made a motion second by Todd Bartlow to send Mr. Hathaway a letter concerning the curb in front of his house.** The motion carried with Jerry Ilgenfritz voting no.

Council President opened the road bids for 2007.

<u><i>Contractor</i></u>	<u><i>Bid Amount</i></u>
Victor Paving	\$58,817.25
Derry Construction	\$63,745.50
Donegal Construction	\$59,142.25
A. Folino Construction	\$62,337.00
Nagy Construction	\$53,463.50
Pompei & Sons/Morgan Excavating	\$54,232.50

**Thomas Theis made a motion second by James Mack to award the road bid project to Nagy Construction pending review by Mr. Campfield and Bove Engineering.** The motion carried.

*Borough of New Stanton Council Meeting  
June 7, 2007*

*Agenda*

**Thomas Theis made a motion second by James Mack to acknowledge the vacation request for Gary Ryan, June 25, 2007 through June 29, 2007. The motion carried.**

Council had some discussion on the Zoning Ordinance and Zoning Map.

**James Mack made a motion second by Thomas Theis to check with the Fire Hall to see if July 17, 2007, 7:00 p.m., alternate date July 18, 2007, 7:00 p.m. is available for the public hearing, have the posting complete, letters sent out to the property owners and Law Library, notice advertised and act on the zoning ordinance at our regularly scheduled meeting July 19, 2007 at 7:00 p.m. The motion carried.**

Mr. Campfield said that notice that I sent down has to be modified because it anticipated that you were going to act on it the same day as the hearing.

*Mayor*

*Joseph Kazan*

Mayor Kazan said I had two complaints about the park, one was a big depression at the end of the metal sliding board and I recommend that the tree root be cut out and the depression filled. The other was goose dung on the park. I did check but could not find any down there.

Mayor Kazan said the dump on Thermo Village Road; I have had complaints from the people living along there. The dump has become a nuisance and I am declaring it a nuisance. I think it is the Borough's responsibility to clean it up and rope it off and signs should be posted. There was some discussion about the Thermo Village Road site.

**Thomas Theis made a motion second by Wilbur Bussard to order signs for no dumping on Thermo Village Road. The motion carried.**

Mayor Kazan said there is a fine of not less than \$100 or more than \$1,000, imprisonment for a period of not more than thirty (30) days or both.

Council President said we received an extension on the Bucket Truck grant and we have now received notification that we have a change of scope. We have until June of 2008 to comply with the grant.

Council President said everyone should have received a copy of L-Tap courses and since we do have a new employee, there is going to be a course on Winter Maintenance at the Community College.

**James Mack made a motion second by Wilbur Bussard to send Richard Ramsay to a Winter Maintenance Seminar September 20, 2007 at the Community College. The motion carried.**

*Borough of New Stanton Council Meeting  
June 7, 2007*

Councilman Bussard said on Center Avenue starting a Kauffman's going to the corner, the grass is so high people cannot see if there is on coming traffic. Council President said he would have someone take care of it.

Councilman Ilgenfritz said I never received one call when I asked about an honor roll for our founding fathers. I would still like to do what I originally said and go ahead and do it anyway with our original Council and see if I could get Council to approve it up to \$2,000.00 to put it up and still ask for contributions from the community. Councilman Bussard said I agree it should be done but to just put down the first elected officials would not be fair. Mr. Smith said it is a good idea but I do not think taxpayer's dollars should be used. There was more discussion on the matter.

**James Mack made a motion to go into executive session at 10:09 p.m.**

**Thomas Theis made a motion to come out of executive session at 10:44 p.m.**

**Jerry Ilgenfritz made a motion second by Todd Bartlow effective July 1, 2007 we will modify the pay resolutions for both Mary Ann and Anita to be listed at thirty-four (34) working hours from 7:30 a.m. to 4:30 p.m. daily overtime will be paid over forty (40) hours. Lunch is not paid except when there is only one person in the office, meeting time is additional. The motion carried.**

**James Mack made a motion second by Jerry Ilgenfritz to approve the agreement as the final amendments are done by Mr. Campfield. The motion carried.**

**James Mack made a motion to adjourn the meeting at 10:47 p.m.**

Respectfully submitted,

Mary Ann Roll  
Secretary