

*Borough of New Stanton Council meeting
September 4, 2008*

The September 4, 2008 Council meeting of the Borough of New Stanton was called to order by Council President Scott Sistek 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, Todd Bartlow, Thomas Smith, and James Mack. Also present was Mayor Joseph Kazan, Code Enforcement Officer Melvin Steele, Borough Engineer Emil Bove and Bill Ferraro for John Campfield. Wilbur Bussard and Robert Quinn were absent.

General Business

A motion was made by Todd Bartlow second by Thomas Smith to approve paying the bills in the amount of \$4,379.44. The motion carried.

A motion was made by Todd Bartlow second by Thomas Smith to approve the minutes from the August 21, 2008 Council meeting. The motion carried.

Council Vacancy

Applicants for Council present were William Bitar, Sara Kintigh, Denise Smyda, Linda Echard, and Raymond Strosko. Thomas Theis and Shirley Minnick were not present.

The applicants present addressed Council and told them a little bit about themselves and why they would like to serve on Council followed by some questions from Council.

Councilman Mack said Councilman Quinn is available by phone to vote. Mr. Ferraro said he has to be present on the phone to hear the conversation taking place in order to vote. Councilman Quinn was contacted by phone at approximately 7:30 p. m. to participate in any conversations and votes.

A motion was made by James Mack second by Robert Quinn to nominate William Bitar to fill the vacancy on Council. The motion failed by a vote count of 3 to 2. Scott Sistek, Todd Bartlow, and Thomas Smith voted no with James Mack and Robert Quinn voting yes.

A motion was made by Todd Bartlow second by Thomas Smith to nominate Sara (Sally) Kintigh to fill the vacancy on Council with Resolution number 2008-656. The motion carried with three yes votes. Scott Sistek, Todd Bartlow, and Thomas Smith voted yes with James Mack and Robert Quinn voting no.

Mayor Kazan administered the Oath of Office to Sally Kintigh.

Councilman Quinn exited by phone after the Ms. Kintigh took the Oath of Office.

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A motion was made by Todd Bartlow second by Thomas Smith to appoint Wilbur Bussard as Vice President. The motion carried with James Mack voting no.

A motion was made to nominate Thomas Smith as Pro Tem. Councilman Thomas Smith declined the nomination.

A motion was made by Todd Bartlow and second by James Mack to appoint Robert Quinn as Councilman Pro Tem. The motion carried.

Council Additions to Agenda

Councilman Mack added Personnel - Rules to the Executive Session.

Public Comment

Mr. Kellner addressed Council about his question from the last meeting about his permit that was revoked back in 1992. Council President said Mr. Campfield is out of town. After a heated discussion Mr. Kellner said I will see you in court and left.

Mr. Ilgenfritz addressed Council and said that he attended the Planning Commission meeting for an advisory at his request because he was interested in purchasing a local motel here for the purpose of a Personal Care Home. I found out that a Personal Care Home is not listed as a use in B-1, conditional or otherwise. I believe there is a mistake in the zoning package and I would like Council to check into it. There was some discussion and Council said they would check into it to see if there was a mistake made.

Mr. Keilbach asked about the utilities on Broadview Road. The Borough Secretary said she is working on the application that has to be submitted to the County by the end of September.

Councilman Mack asked if the people were contacted about the coal rights that are on their property. The Borough Secretary said a letter was sent and that she also spoke to her by phone.

Mr. Kellner asked Council President to give him a time frame on his situation. Council President said Mr. Campfield will be back in his office on Monday. Mr. Kellner said I have been waiting sixteen years for an answer. Mr. Ferraro told Mr. Kellner to call Mr. Campfield's office on Monday. Mr. Kellner said he is not on Council, and I don't need to talk to that idiot. Mr. Ferraro and Council President said we are done talking to you.

A motion was made by James Mack second by Thomas Smith to assign somebody on the secretarial staff to periodically check to make sure these coal rights and other property rights don't fall through the cracks, that we are aware of the sales going on. The motion carried.

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Mrs. Echard said I would like to congratulate Ms. Kintigh. I think there were a lot of people here this evening with varying backgrounds and I know that all of us have the interest of the Borough at heart. I honestly feel that all of you on Council decided to be in these seats because you had an interest in the Borough or you would not come here month after month and sit here and listen to all this and try to sort it out. One of the things that I have observed is that on almost every issue with exception of proving the minutes and paying of the bills there has been a real division on this Council. This is just a plea on behalf of the citizens of New Stanton to please vote with your conscience, to really listen to the people and not make it a popularity contest and please try to consider focusing on the issue and not the person who is bringing up the issue.

Mrs. Morgan addressed Council and asked if there was anything new on a Borough building. Councilman Bartlow said he will be giving a report at the meeting. Mrs. Morgan said as everybody here knows we don't have a proper Fire Department or a Borough building. I talked to some people from Jeannette and I was amazed to find out that with all the big taxpayers we have in this community, all the new homes that were built over the past ten years in this community that we don't have a Fire Department, and we don't have a decent Borough building. We don't have a police department. Jeannette that has defunct buildings down there and nine out of ten of their buildings are HUD, their tax structure is low, they have a paid Fire Department, they have a paid police department and I would like to know why they can do it and we can't. Is there a mismanagement of funds here or do you need somebody to come in and show you how to manage money. Mr. Ferraro said I am not sure but I think Jeannette's mileage is between 25 and 30 mills. Council President said there is a difference there.

Councilman Mack said that Youngwood is well staffed because a lot of them own their homes. We are about 60, 40 on apartment dwellers and property owners. If we had more houses in town we would have a totally staffed Recreation Board instead of all the controversy. Last year we spent 25 to 30% of every meeting talking about either the Park or the Recreation Board. A lot of it was about out of town people on the Recreation Board and the Fire Hall has a lot of out of town members because we don't have enough residents in town that own their own property take an interest. People in apartments are here for a few years and then they are gone. You people want a real town. New Stanton is a truck stop and we are trying to evolve out of being a truck stop and you want it to evolve into a community of substance. That is the issue here and that is the problem. We are stuck being a truck stop right now. You are trying to change that and I applaud that. There was more discussion about the Fire Department, and the Borough.

Mr. Bitar addressed Council about the Pine Drive, Fry Hollow Road intersection. There was some discussion about the intersection.

Mr. Bitar also wanted to know if a speed hump could be put on Thermo Village Road approaching the bridge over the Turnpike. There was some discussion about how to slow the traffic down on Thermo Village Road.

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A motion was made by James Mack second by Thomas Smith to put hidden driveway signs on both sides of the bridge over the Turnpike on Thermo Village Road. The motion carried.

A motion was made by James Mack second by Thomas Smith to investigate when the last traffic study was done on Pine Drive, Fry Hollow Road intersection. The motion carried.

Announcements

Community Picnic – September 6th – Noon to 6:00 p.m. (Food Service 1:00)

Administrative Reports

Code Enforcement Officer

Melvin F. Steele, Jr.

Mr. Steele said everyone has a copy of my report items completed.

Engineer

Bove Engineering

Mr. Bove addressed Council about the letter that was sent to Edge Family Limited Partnership on August 8th with additional comments that were derived from the camering of all the storm sewers. Mel, Scott and I had met with Mr. Edge, their engineer, and the superintendent that works at the site. We went over all the comments from both letters that were sent to him. The impression that we got when we left that meeting was that they basically agreed to all the deficiencies that we had found within the roadway and the storm sewer system. In my August 8th letter we gave them 14 days to respond and I am assuming that the meeting that we had is their response and 60 days to make the necessary repairs and corrections. Mayor Kazan asked if they responded in writing and Mr. Bove said that he did not receive anything. After some discussion Council made a decision.

A motion was made by James Mack and Thomas Smith second by Sally Kintigh to reissue a letter per our meeting request in writing from Edge Family Partnership a letter stating that he agrees to the terms that he agreed to at the meeting and remind him that he has 30 days left to comply with the terms. The motion carried.

Mr. Bove said the next issue is the street improvement project. We received an invoice from Derry Construction for the increase in the cost of the asphalt as per the price adjustment of bituminous material. There was some discussion about the adjustment in the price of bituminous material.

A motion was made by James Mack second by Thomas Smith to pay the additional \$2,548.97 to Derry Construction for the price adjustment of bituminous material and hold back the 5% and make the correction on Fry Hollow Road. The motion carried.

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Mr. Bove said for Council's knowledge regarding our MS4 permits which is the permit that the Borough has from the State to allow us to discharge storm water from our roadway system into streams, creeks, ditches and so forth. That permit was to expire last year. This was to be the year that we renew and reapply for a new five year general permit. They have now extended the same permit for one more year. They are to provide us with renewal applications. You can pretty much guarantee that when we get the application for the next permit cycle it is definitely going to include a lot more than it has in the past. I recommend to the Borough that you should appoint a storm water management committee so you can have it on your agendas so that it is brought up. We need to show that we are doing more to inform the public. There was some further discussion about the MS4 program.

Finance

Scott Sistik

Council President read the following financial report.

Checkbook	\$575,583.06
Savings	\$218,484.46
Taxes	\$ 50,634.92

Building & Real Estate Committee

Todd Bartlow

Mr. Bartlow said we had a meeting and we want to come up with some basic plans for what we really need for Public Works and we want to look at a stand alone and also plans that could be an addition onto an existing building. Once we get some basic ideas of what we need then we can get some estimates. I spoke to a builder over the weekend and he said in order to get estimates we need blueprints. We are looking at different properties such as the Anthony property, LEFF Electronics, and just received this today that Topper is willing to donate two acres of land on Broadview Road and will talk to you or all of Council if interested. There was more discussion about property and a Public Works building.

Agenda

New Business

A motion was made by James Mack second by Todd Bartlow to acknowledge the vacation request for Gary Ryan for September 22-26, 2008. The motion carried.

There was some discussion about changing the hours at the Park.

A motion was made by Thomas Smith second by James Mack to change the hours that the Park is open from dawn to dusk. The motion carried.

Old Business

There was some discussion about the locks on the front door.

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A motion was made by James Mack second by Thomas Smith to rescind the previous motion on changing the locks on the front door. The motion carried.

A motion was made by Thomas Smith second by Todd Bartlow to rescind the previous motion of October 6, 2008 for the Public Hearing and reschedule the Public Hearing for November 6, 2008 at 6:00 p.m. The motion carried.

President

Scott Sistik

Council President said three years ago we signed on with COSTARS to purchase salt. As it stands now the COG's throughout the State are not able to purchase salt. There are some municipalities that are going to be without salt unless the State comes through and tries to alleviate the problem statewide.

Council President said we had the Concerts in the Park on Sunday. There was a situation that was brought to my attention. We have major problem with an electrical box. Mr. Gomolak gave us a breakdown of two different plans and what it would cost. There was some discussion about the plans.

A motion was made by Thomas Smith second by Todd Bartlow to go with plan number 1 for \$1,625.00 to get the electrical updated at the Park. The motion carried.

Mayor

Joseph Kazan

Mayor Kazan said I would like to report on Concert Blast 2008. It was the first Concert in the Park and it was sponsored by the New Stanton Business Association, the Borough contributed as did Sony, Westinghouse and others. There had over 550 people there. There were five performers. The Assembly of God Church provided a kid zone with entertainment for the kids and it was a nice family affair. I think it was a success and I think they are going to look at doing other things come next summer. Councilwoman Sally Kintigh said I think it needs to be published more as to who was going to be performing there.

Councilman Mack said I am canceling the executive session.

Councilman Smith said asked about the possibility of having movies in the Park for the kids in the summertime. Council President said there is a restriction they want royalties.

A motion was made by Todd Bartlow second by Thomas Smith to adjourn the meeting at 10:16 p.m.

Respectfully submitted,

Mary Ann Roll

Mary Ann Roll
Secretary