

***Borough of New Stanton Council meeting
November 6, 2008***

The November 6, 2008 Council meeting of the Borough of New Stanton was called to order by Council President Scott Sitek at 7:00 p.m. The meeting was held at the New Stanton Fire Hall, 108 South Main Street, New Stanton, Pennsylvania. A Prayer and the Pledge of Allegiance were recited.

Members present were Scott Sitek, Todd Bartlow, Thomas Smith, Wilbur Bussard, Sally Kintigh, Robert Quinn and James Mack. Also present was Mayor Joseph Kazan, Code Enforcement Officer Melvin Steele, Borough Engineer Emil Bove and Borough Solicitor John Campfield.

A motion was made by Todd Bartlow second by Wilbur Bussard to go into executive session at 7:02 p.m.

A motion was made by Sally Kintigh second by Wilbur Bussard to come out of executive session at 7:40 p.m.

General Business

There was a brief discussion on the invoice for the Tax Collectors seminar.

A motion was made by Todd Bartlow second by Wilbur Bussard to pay bills in the amount of \$23,242.15. The motion carried.

A motion was made by Wilbur Bussard second by Todd Bartlow to approve the minutes from the October 16, 2008 Council meeting. The motion carried.

AWK Consulting Engineers (Sports Complex)

Mr. Errol Abdulla addressed Council and told them that he is President of AWK Consulting Engineers and also will be an owner in the proposed development of a Sports Complex and told Council they would be willing to assist the Borough in constructing Rachel Drive. We would bring it to sub-grade level and then asking the Borough to pave it. They also asked Council for a 60 day extension of time concerning the Site Plan review.

A motion was made by Wilbur Bussard second by James Mack to grant AWK Consulting Engineers a 60 day extension of time concerning the Site Plan review. The motion carried.

Public Comment

Councilman Smith said that the Fire Department could use some help in the kitchen on Monday nights when the Auction is going on. They would appreciate any help you can give between 5:00 p.m. and 8:00 p.m.

***Borough of New Stanton Council meeting
November 6, 2008***

Mrs. Echard said I would like to offer to Council a model that is used by many other municipalities and other organizations and that would be, that if you want to entertain the idea of sending employees or elected officials to conferences things of that nature for their own professional growth, usually what is done is that those requests are submitted a month in advance and there is pre-approval. I think Council should consider putting a policy in place for things like that.

The Assistant Secretary said I just want to remind Council that there are going to be six openings on the different boards that we have. There will be two positions on Planning Commission, one resident position on Recreation Board, one position on Zoning Hearing Board and two positions on the Appeals Board.

A motion was made by Wilbur Bussard second by Thomas Smith to advertise the openings on the different Boards in the Tribune Review. The motion carried.

The Assistant Secretary said when we changed Westinghouse Drive nothing was ever done to let the residents know that it was being done. Nothing was sent to County or anywhere else. As far as the residents are concerned they still have the old address. Council President said we should have notified the Post Office. The County 911 knew about that because they had given us the address change. Could you check with them and make sure that it was submitted to the Post Office.

The Assistant Secretary said I know we are getting the lights repaired on 119 and we were looking at the lighting agreement that we have and we can bill the State for half of the repair cost.

Mr. James Fox asked where things stand on the utilities on Broadview Road. Council President said it is in the hands of the County. Mr. Fox asked what the backup plan is if we are not accepted. Council President said we will have to see what the total cost would be and see where the most economical way would be to provide it to the residents.

Mr. Findley asked Council if they have given any thought to getting a machine to gather up the leaves. Council President said we did discuss the possibility of using Youngwood's leaf machine. After some discussion Councilman Bussard said he would talk to Youngwood and see if something could be worked out.

Announcements

Public Hearing, November 20, 2008, New Stanton Fire Hall, 6:00 p.m.
Borough Christmas Party, December 12, 2008-RSVP deadline November 7, 2008

*Borough of New Stanton Council meeting
November 6, 2008*

Administrative Reports

Code Enforcement Officer

Melvin F. Steele, Jr.

Mr. Steele said everyone has a copy of my report. These are the permits that were completed in the month of October resulting in fees of \$1,570.

Solicitor

John Campfield

Mr. Campfield said we had a meeting with Mr. Kellner and his attorney as we indicated we would do as directed at the last meeting. The way it was left was that Mr. Kellner would get with Mr. Stack and Mel to go over his plans and those things that he needed to do to both come into compliance with the Zoning Ordinance and the approval that he had been given previously by the Zoning Hearing Board and to come into compliance with the Uniform Construction Code. I understand to date he has not come to the Borough office and made application for anything. The ball is in his court to do something.

Mr. Campfield asked if we received the signed agreement from Kriebel Gas. The Assistant Secretary said that they have not signed the agreement but did send the check for the bond. Mr. Campfield said we provided them in the agreement that we were not granting them any easement or right of way in addition to obviously posting the security for the bore and being responsible for the repairs. I also put in there that they needed to provide specific information concerning the location of the line depth and things of that nature. Some of the others in here now are not a bore they simply go along the Borough road and there is added caution there. As I stated before I do not believe that the Borough has the ability to grant easements to private companies in Borough streets. The only thing the Borough granted under the boring was under the street opening ordinance that you have. There was more discussion on gas lines.

Mr. Campfield said the other two matters that I would like to address with Council one involves Kudrick and that should be discussed in executive session and the is the SuperValu tax appeal that the Borough, School District and County filed a few years ago, and I would like to update Council in executive session on the status on the case.

Council President said an executive session will be added at end of the meeting for litigation for two items, Kudrick property and SuperValu.

Engineer

Bove Engineering

Mr. Bove said the first thing that I have is the status of the Stanmont Plan. The roadway has been repaired and repaved. The work was checked by Mel Steele, myself and Christine Wilson of our company. The catch basins and storm sewer system adjacent to the roadway has been repaired. This work was checked by Mel Steele and me. The

*Borough of New Stanton Council meeting
November 6, 2008*

storm sewer system has been flushed by the New Stanton Fire Department on Sunday, November 2, 2008 but I do not believe any Borough representatives were there. It is recommended that the areas of debris buildup in the storm sewer be re-videoed. The various problems that were identified on the storm sewer line behind lots 303 to 310 have been repaired. There is also one drain between lots 306 and 307 and one house on lot 304 that was not verified that they are connected into this system. It is recommended that the remaining portion of this line be videoed and checked. There are three homes that have been built which were supposed to have drywell installed. We do not believe that drywells were installed on lots 207, 208, and 302. We recommend that either the drywells are installed or the roof water is redirected to the roadway. We are still waiting for final as-built drawings and centerline road descriptions. The Developer must provide an operation and maintenance plan and long-term inspection security to cover the estimated costs of inspection of the private storm water management control and facilities. That is the current storm water pond. There was some discussion about the plan and the recommendations.

A motion was made by James Mack second by Wilbur Bussard to get the camera back in here and video the lines. The motion carried.

A motion was made by Wilbur Bussard second by Todd Bartlow to change the agreement and have the roof drains of the houses and vacant lots that were to have drywells taken to the street. The motion carried.

Council President said I recommend that all of Council at your leisure take a walk through the development see what has been down so far, take a look at the pavement so we can make some more decisions as some of the other things get finished.

Mrs. Linda Echard said that she is very pleased with the road and the finishing of it. Mrs. Smyda also said that they did a very good job on the road.

Mr. Bove said the next item that I wanted to bring up is Arona Road Bridge. At some point we are going to have to go to Mr. Farlow to get permission to put a temporary road on his property while the bridge is being constructed. There was some discussion about the bridge and Council President told Mr. Bove to get in touch with Rick Skovensky at Penn DOT.

Mr. Bove said I just wanted to bring something up about the Ultimate Fitness Complex on the Rachel Drive improvements. I am not aware that Bair Boulevard is a Borough street. Mr. Campfield said it is not. Mr. Bove said I don't know how that would impact the opening of Rachael Drive onto a street that is not a Borough street. Mr. Campfield said it is a dedicated street, it has never been accepted for whatever reason. They have never provided the as-built and the bond. I don't see that as a difficult item.

Mr. Bove said I don't know if the Borough received a letter from the County about a County wide storm water management plan that they are trying to implement.

*Borough of New Stanton Council meeting
November 6, 2008*

There will be a meeting Tuesday, November 18, 2008. There was some discussion about the letter.

A motion was made by Wilbur Bussard second by Thomas Smith to have Emil represent the Borough at the meeting. The motion carried.

Borough Committee Reports

Finance

Scott C Sistik

Council President read the following financial report.

Checkbook	\$599,182.73
Savings	\$205,663.74
Taxes	\$ 10,697.73

Council President said I have one item from the Finance Committee which is on the agenda and that would be a motion and vote to move \$21,100 to a separate building fund account per 2008 budget.

A motion was made by Thomas Smith second by Todd Bartlow to move \$21,100 to a separate building fund account per 2008. The motion carried with Councilman Mack voting no.

Public Works

Wilbur Bussard

Councilman Bussard said we started to get our holiday banners up. I would like to apologize to the Recreation Board. I had all intentions to go down and help them but I got called out and did not make it. Our stop signs that we have throughout the Borough have a red reflective tape on them. We can dress them up with red aluminum reflective material that would go on the post and would cost us \$125.50 for 25 strips.

A motion was made by Wilbur Bussard second by Todd Bartlow to purchase 25 strips for \$125. 50. The motion carried.

Councilman Bussard said we talked about building a shed at the Park for the Recreation Board. We have looked at something that looks like a pod. Mr. Steele said they were \$2,100 unpainted and \$2,400 painted. There was some discussion about the building and it will be looked into it a little further.

Building & Real Estate

Todd Bartlow

Councilman Bartlow said the Firemen are coming up with their needs and wants from the Fire Department as far as the lease goes. They want to meet with the Real Estate Committee possibly Monday or Tuesday. As soon as they give me a time I will let you know.

***Borough of New Stanton Council meeting
November 6, 2008***

There was some discussion about the signage at the red light at the intersection of North Center Avenue and Arona Road.

Agenda

Council President said everyone should have had a copy of the preliminary proposed budget. We had an executive session here before this meeting this evening. Part of this budget is contingent upon some changes recommended by the Personnel Committee and these changes will be a savings to the budget of approximately \$15,000.00 for the year 2009. Richard Ramsay, Second Class Laborer's hourly rate will be increased by .75 per hour effective the first pay of 2009. Gary Ryan, First Class Laborer's hourly rate will be increased by .37 per hour effective the first pay of 2009. Melvin Steele, Code Enforcement Officer/Public Works Supervisor, to increase the hourly rate by \$1.38 per hour effective the first pay of 2009. In addition to that there will be additional responsibilities with this position. These will be effective November 30, 2008 and will be in addition to his current pay resolution. He will be responsible to research for the lowest and best place to buy products working in conjunction with Personnel & Finance Committee Chairs, answer all resident/taxpayer questions about permits or zoning, order items when needed with appropriate approvals, work with the U. C. C. Inspector, send out and compile all Fire Permits annually as a backup to the Assistant Secretary, and delegate permit and zoning assignments to the Assistant Secretary. The next one is Mary Ann Roll, Secretary Treasurer increasing the hourly rate by .38 per hour effective the first pay of 2009. Additional responsibilities include and will be effective November 30, 2008; to prepare a year end budget and a monthly budget, she will become the recording secretary for the Planning Commission, handle complaints that come into the office and provide copies to appropriate committees or employees, order items when needed with appropriate approvals, send updated information to PSAB web site, send tax assessment sheets to their office, delegate additional assignments to the Assistant Secretary, she will be a backup to tracking 119 light invoices and send out to the State and Hempfield Township bi-annually, and also she will be backup to keeping track of employee's deductible and pay providers of their health insurance.

A motion was made by Sally Kintigh second by Todd Bartlow to have the changes reflected in the current pay resolution for Mel Steele and Mary Ann Roll. The motion carried with Councilman Mack and Councilman Quinn voting no.

Council President said next Anita Hoffman, Assistant Secretary there will be no increase in the hourly rate for 2009. We will be decreasing the number of hours worked per week from thirty-six (36) hours to sixteen (16) hours defined as every Friday and two four hour days as determined by the Secretary Treasurer based on office requirements. This will become effective November 30, 2008. The change from full-time status with benefits to part-time status without benefits will also be effective November 30, 2008. The job responsibilities defined and effective November 30, 2008, do we have a comment? Mr. Thomas Theis said assholes. Council President said thank you for the comment. Primary responsibilities will include preparing a bill list for all Council

*Borough of New Stanton Council meeting
November 6, 2008*

meetings with the Secretary Treasurer as a backup, enter and pay bills for Council meetings as needed with the Secretary Treasurer as a backup, ordering items when needed with appropriate approvals, handle complaints that come into the office and provide copies to appropriate committees or employees. Responsibilities included that are not time sensitive are keeping track of employee's deductible and pay providers of their health insurance, keep a spreadsheet of Borough and U. C. C. permits in the Borough, keep track of money owed-make U. C. C. packets for all types of permits, manage purchase orders and update vendor's information, send out and compile all Fire Permits annually, track Route 119 light invoices and send out to the State and Hempfield Township bi-annually, prepare business cards and photo ID's for Borough employees, prepare and update welcome packets and record dog control chart monthly. The Assistant Secretary will be the backup support for the Secretary Treasurer for the recording of minutes for the Planning Commission.

The Assistant Secretary addressed Council and asked why her hours were cut. I provided a list of items. Council President said you provided that list to the Personnel Committee and after reviewing the items and discussing them it was determined that many of these duties are not time consuming or time sensitive. Most of these items could be done in a shorter amount of time. Over the years we have increased the hours but looking at the list of items on there. The Assistant Secretary asked if there were complaints about her work. Council President said no we are looking strictly at what you gave us. The Assistant Secretary said why doesn't someone from Personnel sit in there for a day or two and see what is done. Councilman Mack said none of them have full-time employees that's why; they don't know how to run a business. Mrs. Morgan said you got that right. Mr. Theis said they just know how to be an asshole. The Assistant Secretary said I don't understand why I no longer have insurance, or the thirty-six (36) hours. Councilman Bartlow said we just don't feel that there is enough work to justify two (2) full-time positions.

Council President said your comment is and Mr. Thomas Theis said do you want to go outside. Council President said is that a threat and Mr. Theis said yes. Council President said I have had enough. Mr. Theis said call the police go ahead that shows you what an asshole he is, he called the police on Joe the Mayor. Council President said sir you are disrupting a meeting.

The Assistant Secretary said I don't understand how you can justify with the piece of paper that I gave you and that wasn't really everything. I was asked to do that. I didn't see anyone else give you any papers. I do not understand the justification for this.

Councilman Mack said Joe had a word for this in executive session. Council President said that was in executive session. Mayor Kazan said I will make a statement now in public meeting. I think this is very vindictive, we have always had two secretaries in the Borough and all of a sudden we are going down to basically one and half. The Assistant Secretary said why are you giving somebody insurance that has social security disability that can get their own insurance and the Borough residents have to pay for that insurance. Councilman Quinn and Councilman Mack said they like her.

*Borough of New Stanton Council meeting
November 6, 2008*

Mrs. Smyda said when we are in these meetings; most of you turn to Anita for all your answers you don't ask Mary Ann except for the minutes. You turn to Anita for every answer for every subject on that agenda. What you have done in one night is take the woman's lively hood and took it away from her; that is very wrong.

The Assistant Secretary said I am asking if you could reconsider please, I am a single parent, single person living by myself, how am I going to make ends meet on sixteen (16) hours a week. Councilman Mack said they are trying to get you to quit; that is the whole concept. Mrs. Morgan said you people will go down in history for the worst Council this Borough has ever had and I have been here thirty-four (34) years.

The Assistant Secretary said may I please ask this; since the budget is already done for this year may I please finish out the year at my thirty-six (36) hours and my insurance please. The new budget is starting in January. That will give me ample time to find something to supplement my income. Councilman Smith said I think that is reasonable. Councilman Mack said Wilbur the scumbag and the sock puppets. Councilman Bussard said why are you involving me in saying that for; you have been picking on me for a long time. Councilman Mack said I don't like men who beat up on women. Mayor Kazan said this should have been done in private. This is totally beyond reasonable civilized activity. You don't tell someone is a public meeting like this. Mrs. Echard said there should have been a meeting with this young lady in private. This was not the correct procedure to follow.

A motion was made by Sally Kintigh second by Todd Bartlow to change the previous motion on Mel Steele and Mary Ann Roll from the current resolution to be effective January 4, 2009. The motion carried with Councilman Quinn and Councilman Mack voting no.

Council President said the pay resolution for the Assistant Secretary will be prepared for January so we will not need to make any changes at this point.

The Assistant Secretary said I hope you guys can sleep well tonight. Congratulations you won welcome to Wilburville.

A motion was made by Todd Bartlow second by Sally Kintigh to prepare the pay resolution with the changes for the Assistant Secretary for January 2009. The motion carried with Councilman Quinn and Councilman Mack voting no.

A motion was made by Thomas Smith second by Todd Bartlow to adopt and advertise the preliminary 2009 budget. The motion carried with Rob Quinn voting no. Councilman Mack left the room and was not available to vote.

A motion was made by Todd Bartlow second by Thomas Smith to adopt and advertise the preliminary 2009 liquid fuels budget in the amount of \$58, 445. 57. The motion carried. Councilman Mack left the room and was not available to vote.

*Borough of New Stanton Council meeting
November 6, 2008*

A motion was made by Todd Bartlow second by Sally Kintigh to adopt and advertise Ordinance number 2008-227 establishing the tax rate for 2009. The motion carried with Robert Quinn and James Mack voting no.

A motion was made by Wilbur Bussard second by Thomas Smith to pay Solvency Fee in the amount of \$168.60. The motion carried.

A motion was made by Wilbur Bussard second by Todd Bartlow to donate \$250 to Youngwood Library. The motion carried.

A motion was made by Thomas Smith second by Todd Bartlow to have leaf pickup on November 14, 2008 and November 21, 2008. The motion carried.

A motion was made by Todd Bartlow second by Wilbur Bussard to send Thomas Smith and Sally Kintigh to Newly Elected Officials Training January 31, 2009 for \$125.00 each. The motion carried with three yes votes. Councilman Smith and Councilwoman Kintigh abstained. Councilman Mack and Councilman Quinn voted no.

A motion was made by Wilbur Bussard second by Todd Bartlow to acknowledge a vacation day and personal day request for Anita Hoffman, November 25, 2008 and November 26, 2008. The motion carried.

A motion was made by Todd Bartlow second by Wilbur Bussard to acknowledge a vacation day and personal day request for Mary Ann Roll, November 12, 2008 and November 13, 2008. The motion carried.

Reports

Mayor

Joseph Kazan

Mayor Kazan said let me begin by saying how disappointed I am the way a business was conducted this evening and how insensitive Council treated an employee when other employees are coddled by Council. I am embarrassed the way this Council has been performing over the last year. I want to make it known that there are six (6) seats up for re-election on council next year and I think it is up to the citizens to think about it themselves if they want to see this Council to continue along the same lines that they have been going along or do they think they need some new people on Council to change the direction of this Borough and start looking at the requirement of the citizens of the Borough, the businesses of the Borough, the employees of the Borough rather than their own personal agendas. That is my statement.

Mayor Kazan said the election last Tuesday; I think we had 1,025 people that came to vote. I think we should keep the interest up for the Council elections next year. I also received a thank you card from the Senior Citizens.

*Borough of New Stanton Council meeting
November 6, 2008*

A motion was made by Todd Bartlow to go into executive session for litigation for the Kudrick property and SuperValu at 10:41 p. m.

A motion was made by Thomas Smith to come out of executive session at 11:06 p.m.

Council President said the decision on the Dorso Gas Line. I believe the consensus was to allow them to cross the road and that is it. No other permits except to cross under the road.

A motion was made by Thomas Smith second by James Mack to allow Dorso Gas Line to cross the road and that is it. The motion carried with Todd Bartlow abstaining.

A motion was made by Thomas Smith second by Wilbur Bussard on the appeal of SuperValu a decision to enter into with the solicitors from the School District and the County giving authorization to attempt to settle at 12.5 million dollars. The motion carried.

A motion was made by James Mack second by Thomas Smith to send an enforcement notice from our Code Enforcement Officer and from our UCC official to Kudrick that he is in violation with his building extending over the property line of the Church and under the U. C. C. he does not have the required inspections and occupancy certificate. The motion carried.

A motion was made by Thomas Smith to adjourn the meeting at 11:08 p.m.

Respectfully submitted,

Mary Ann Roll

Mary Ann Roll
Secretary