

**Borough of New Stanton Council meeting
March 5, 2009**

The March 5, 2009 Council meeting of the Borough of New Stanton was called to order by Council President Scott Sistik 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 C. Sistik, Todd Bartlow, Wilbur Bussard, Sally Kintigh, Thomas Smith, Robert Quinn and James Mack. Also present Borough Solicitor John Campfield, Borough Engineer Emil Bove and Code Enforcement Officer Melvin F. Steele, Jr. Mayor Kazan arrived at 8:10 p.m.

General Business

A motion was made by Robert Quinn second by Wilbur Bussard to pay bills in the amount of \$21,381.02. The motion carried.

A motion was made by Todd Bartlow second by Thomas Smith to approve the minutes from the February 19, 2009 Council meeting. The motion carried with Wilbur Bussard and James Mack abstaining.

Councilman Mack asked about the job description for the night watchman that the Insurance Company needs. The borough secretary said that she did the letter today and faxed it to the Insurance Company.

Mrs. Morgan addressed Council about Proscape. Code Enforcement Officer Mel Steele told her that his proposed plans are going before the Planning Commission on Wednesday, March 11, 2009 to be discussed.

Announcements

**WCBA Annual Banquet-April 24, 2009 at Youngwood Fire Hall
WCBA monthly meeting-March 26, 2009 at Westmoreland
Conservation Donohoe Center Education Building (the Barn)**

Administrative Reports

Code Enforcement Officer

Melvin F. Steele, Jr.

Mr. Steele said everyone has a copy of my report. The total fees for permits for February are \$227.59. Mr. Steele said the snow removal for Stanmont has expired. What does Council want to do?

A motion was made by Wilbur Bussard second by James Mack to continue with the winter maintenance for Stanmont. The motion carried.

Mr. Steele said the old copier is still sitting at the shop. What are we doing with it? There was some discussion to give it to the Fire Department.

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A motion was made by James Mack second by Wilbur Bussard to give the old copier to the Fire Department. The motion carried.

Mr. Steele said that Scott and I went to a seminar with Penn DOT and we were told that if we keep after them to help us with our traffic problem then we may get something done. There was some discussion.

Councilman Bussard asked about the crosswalk. We put signs up but it was not painted on the road. Mr. Steele said the Borough is to send an official letter requesting permission to paint the crosswalks in and get their blessing. Council President said I will work on that but give me the points where you want crosswalks.

Council President said I spoke to Tim Cook when we were at the seminar and they are going to replace the delineators at Pete Hawley's place and they are going to look and see if the concrete idea would work.

The assistant secretary addressed Council about the Zoning Class that a number of people would like to attend. There was a brief discussion.

A motion was made by Wilbur Bussard second by Todd Bartlow to send Mel Steele, Anita Hoffman, James Evans, Henry (Bud) Moore, Philip Svesnik, Philip Keilbach, Mary Quinn and Rob Quinn to the zoning class March 16, 23, & 30, 2009 at a cost of \$95.00 per person. The motion carried with Robert Quinn abstaining.

Solicitor

John Campfield

Mr. Campfield said I gave everyone this evening a couple of items that relate to the Ultimate Fitness Center. I understand that Council made a motion to start the process to amend the Zoning Ordinance to remove the Commercial Recreation use from Special Exception in both business districts and both light industrial districts and to change them to permitted uses. As you know you have to hold a Public Hearing to adopt the amendment to the Zoning Ordinance. The hearing would be set for the second meeting in April. There was some discussion about the hearing and what time to hold the hearing.

A motion was made by Robert Quinn second by Thomas Smith to have the Public Hearing held April 16, 2009 at 6:00 p.m. with the Council meeting starting immediately follow the Public Hearing. The motion carried.

Mr. Campfield said some months ago Council had approved authorization to resolve the Super Valu Tax Assessment. Super Valu applied their tax assessment and got a reduction in their fair market value and assessment. The Borough along with the Township and the School District appealed that reduction and collectively hired Gary Hayden who did an appraisal. I spoke to the Solicitor for the County who has been handling the direct communications for Super Valu and have agreed to the 12.5 million dollars. You do not need to take any action on this.

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Mr. Campfield said Mr. Bove asked me to prepare a right of entry document for the Borough to perform certain work that needs to be done Westinghouse Drive in relation to the Long Property. I have prepared it and delivered it to Emil.

Mr. Campfield said you may recall periodically I have advised you about the litigation that was going on with the regulation of Oil and Gas Wells. I have sent down two cases that have been decided and you all have a copy of those.

Mr. Campfield said information came down on Open Records Act or the Right to Know Law the new one, a lot of the primary jurisdiction for making decisions rests with the State office. There was a brief discussion.

Engineer

Emil Bove

Mr. Bove said on Westinghouse Drive the one wing wall had fallen into the stream and what we would like to do is temporary stabilization. We would have someone come in and remove the wing wall and realign the stream. There was some discussion about the wing wall.

Mr. Bove said I met with Judy Self of the DEP last week. She wanted some additional information on the Broadview Road Sewage projects. Also on that letter Hempfield Township Municipal Authority is requesting twenty (20) taps for this year for that project when the total number of EDU was thirty (30). They are under a tap restriction. We are waiting to hear from Judy on the direction we need to go on that. I also talked to Larry Gasparato today from Penn Vest and once we get some feed back from Judy he said at that point we could meet with Penn Vest.

Mr. Bove said I talked with S A M C O which is the aerial firm regarding the flying of the Borough. They said hopefully they will do the flyover in a couple of weeks.

Mr. Bove said we will need to submit your MS4 permit for 2008-2009 calendar year. One thing that we are always lacking in that is education activities or have education items posted on the website. The Borough has never done a true mapping of the Storm Sewer System that I am aware of. There was some discussion about the MS4 permit.

Mr. Bove said I met with Scott and Mel and went over the preliminary list of all roadways to come up with some cost estimates for the road program for this year. I was hoping to have those estimates for tonight's meeting but I was not able to do that.

Mr. Evans said I was hoping that Emil could give us a briefing of what happened at the meeting with the people from the Ultimate Fitness Complex.

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Mr. Bove read the comments and summary that Mr. Campfield gave everyone from the meeting with the people from the Ultimate Fitness Complex. There was a lot of discussion about the meeting and that the people from the Ultimate Fitness Complex need to sit down with Penn DOT on some of the issues.

Reports

President

Scott C. Sistik

Council President said next week we are scheduled to interview a number of applicants for the 2nd Class Laborer's position. There were some questions about the interviews and how the candidates were chosen.

Council President said we received some information from Keystone Photo Imaging on Photo ID cards. This is something we have been looking for. There was a brief discussion about the Photo ID cards and who all needed them.

A motion was made by Wilbur Bussard second by Robert Quinn to get Photo ID badges made for Council and Employees. The motion carried.

Finance

Scott C. Sistik

Council President read the following financial report for the month of February.

Checkbook	\$554,795.91
Savings	199,276.15
Taxes	24,027.96

Public Works

Wilbur Bussard

Councilman Bussard said we have \$520 to spend that is left on a grant that we received by June. We need chips for under the swings.

A motion was made by Thomas Smith second by Wilbur Bussard to use the \$520 left from a grant to purchase chips for under the playground equipment. The motion carried.

Councilman Bussard said we have to get the Park ready to be opened, we have some basins that need replaced, and we have some pot holes that need repaired. Also I need approval for Mel to do a nighttime inspection of signage that is required by the State and Federal Government. Mr. Steele said you have to do a nighttime inventory of signs which is required by the State and Federal Government for reflectivity. There was some discussion about the signs.

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A motion was made by Thomas Smith second by Todd Bartlow to give Mel approval to do a nighttime inspection of signs for reflectivity which will be done as regular time. The motion carried.

Councilman Bussard said we need to look into purchasing a tree trimmer and hedge clippers. Mr. Steele said the tree trimmer is \$539.96 and the hedge trimmer is \$287.96 at Hepler's. There was some discussion about checking out other prices.

Councilman Bussard said we are going to need a bagging system for the mower. Mr. Steele said the total with shipping is \$2,035.00. There was some discussion about the bagging system for the mower.

Mayor

Joseph Kazan

Mayor Kazan said I have a question about the millings and what are our plans for those. Mr. Steele said we are going to be doing shoulders when we get the opportunity. Mayor Kazan said it seems like we have had those millings on the Jamieson property for about a year and we are going to go through another grass cycle. Why don't we pick them up and move them to our property? There was some discussion about the millings and mowing them off the Jamieson property.

Mayor Kazan said this is an election cycle coming up this year and I hope that everyone behaves themselves so we don't get into any problems.

Mr. Thomas Theis said would you like to go back and review whether or not you want to keep paying for the sewage bill on the old Borough site. If you stop paying it and you reuse it all you do is pay for a tap. It is foolish to spend money every month when you are not using the sewer line there. There was some discussion about whether to continue paying for the sewage debt service on the old Borough site.

A motion was made by Thomas Smith second by Robert Quinn to cancel the sewage tap on the old Public Works site. The motion carried.

Agenda

Drug Policy

Mr. Campfield said there is two aspects to this policy and that is where you get down to the particulars by identifying who is going to be the medical review officer if a test proves to be positive. That is where you need a contract with a drug testing provider. There was a lot of discussion about the drug policy.

A motion was made by James Mack second by Wilbur Bussard to add to the personnel policy a requirement to do pre employment drug testing and investigate a comprehensive drug policy for future meeting. The motion carried.

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A motion was made by Wilbur Bussard to go into executive session at 9:21 p.m.

A motion was made by Thomas Smith to come out executive session at 9:40 p.m.

A motion was made by Thomas Smith second by Sally Kintigh to send a letter to Alan Wagner asking him to turn his cell phone in by March 31, 2009 for reasons we are hiring another person and we need the phone. The motion carried.

A motion was made by Thomas Smith to adjourn the meeting at 9:41 p.m. The meeting adjourned.

Respectfully submitted,

[Mary Ann Roll](#)

Mary Ann Roll

Secretary