

**MINUTES OF REGULAR SESSION OF COUNCIL
WEDNESDAY, AUGUST 9, 2017**

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Regular session of Borough Council convened at 7:38 pm. Present were Councilors Chris Gretz, Jennifer Riley-McClelland, Melissa Morgan, Tim Sloss, Janice Matyasovsky, and Larry Sikorski; Solicitor Matt Racunas; and Joe Dursa, representing Glenn Engineering.

**PUBLIC COMMENTS.**

**Dan McClelland, 3300 Oakland Drive**, asked for follow-up and to see if there is any plan of action to fix the plumbing down at the Manor. Mr. Gretz said he is Chairman of the Streets and Sewers now, and they will get together with Mr. Glenn's office to see what they can do. They have to go over the information. Mr. McClelland asked if they will keep in touch; Mr. Gretz said yes.

Mr. Sikorski said three councilors will be meeting on the 22<sup>nd</sup> of this month with three Port Vue councilors to discuss splitting the bills from the flooding on Glenn Avenue. They also have to discuss repairing the road and other work that needs done there. Port Vue did not have a meeting in July. **David Leitzell, 807 Glenn Avenue**, said he just finally got his hot water tank back in two weeks ago, since the flood on June 13. The drains in his basement were backed up until then; the creek needs to be dredged. Mr. Leitzell had talked with someone from the state several years ago, and was told that the state has a blanket permit, and can dredge any creek at any time. Mr. Dursa said if the borough does it, a permit from the DEP is required. Mr. Leitzell said his drain is still backing up. Mr. Sikorski said he talked to Mr. Dursa tonight to try and solve Mr. Leitzell's problem. The creek is higher than his basement. Mr. Leitzell said the water from Liberty Borough is calcifying; there is not a natural base in the creek. Mr. Dursa agreed; the creek bottom has to come up. He is not sure the state will come out and do it. Mr. Sikorski said Mr. Glenn told him that a permit would be \$2,000 and the cost to dredge the creek would be about \$200,000. Mr. Leitzell said it has to be fixed. Mr. Dursa said his house is in the floodplains; it is up to council how to pursue a fix. The pipe is below the creek level. Mrs. McClelland asked if they can proceed; what are the next steps? Mr. Dursa said he never heard of a state blanket permit; there are a lot of rules and regulations. Mr. Gretz asked that they please look into a solution. At Mrs. McClelland's request, Mr. Leitzell explained the location of the creek to his house. Mr. Leitzell said the water comes down from Elizabeth Street. Mr. Sikorski asked Mr. Dursa if we could install a 4" line adjacent to the creek, so that Mr. Leitzell can drain his house. Mr. Dursa said they can look at it. Mrs. McClelland said they should do it. Mr. Leitzell said with all the garbage from Tortorice's dump, he spent all summer cleaning his yard. Mr. Sikorski asked Mr. Leitzell if he addressed Port Vue about it; Mr. Leitzell said no.

Mr. Leitzell said he has a problem with cats; they are everywhere. **Ann Marie Sowa, 2900 Valley Street**, said she was flooded out, since water from Elizabeth Street runs across her property, and goes down through to Mr. Leitzells. She had a clog that has to be taken care of. Mrs. Sowa said she went from one neighbor cat to six in one month,

and wanted to do some research, since she did not attend last month's meeting. She had eighteen pages from Facebook and referred to the program that Donna Priselac, who is not a borough resident, presented at the last meeting - a Trap/Neuter/Release (TNR) program for cats. Mrs. Sowa said she has six cats that are defecating and urinating all over her patio furniture. She doesn't pay over \$4,000 in taxes for cats to be dropped off onto her property, and that is exactly what they do. Mrs. Sowa said the site is Cat Management something and they don't have a place to keep the cats; they bring them back into our community. Our ordinance doesn't permit feeding of stray cats, so the cats end up becoming sick, and meowing at doors. There was a cat in her car. Mrs. Sowa said she doesn't hate cats; her kids have them, but they keep them in the house; they are loved and adored and taken care of. This lady is a friend of the Mayor's and was asked to come to the meeting; she lives in Tarentum. Mrs. Morgan said Ms. Priselac grew up here and loves the borough; we are not using her service. We have a \$900 bill this month from our animal control provider, Gaydos-Behanna Kennels; there were 10 cats trapped at \$45 per cat. Mrs. Sowa read some from the Facebook page where Ms. Priselac posted information about last month's borough meeting. Mrs. McClelland said those statements were not true; you have to disregard Facebook comments, since that is just someone's opinion of what happened at the meeting, and not the facts. Mrs. Sowa said her Facebook page said she trapped cats on Valley Street. Is that true? Mrs. Morgan said no, the borough doesn't use her services. Mr. Sloss also emphasized that she was not hired by the borough. Mrs. Morgan explained what happened; Ms. Priselac asked if she could attend last month's meeting, and Mrs. Weigand told her yes, the meetings are open to the public. Mr. Sikorski said we need to wrap this up. Mr. Sikorski read the section from last month's minutes regarding Ms. Priselac's comments. The Mayor is not here to continue the discussion. Mr. Racunas said, in regards to last month's meeting, the discussion was going on too long, and they had to move on with borough business. He suggested that Ms. Priselac get together with the Mayor and they could set up a Q & A session with the residents of the borough. There was no decision by council. Mr. Sloss said the Q & A session was not set up. Mrs. Sowa said a meeting could have happened behind closed doors. Mr. Sikorski said he promised at the last meeting that council will work on a solution; we have to eliminate the cat problem. Mrs. Sowa said her neighbor has an artificial leg and laid outside for an hour and 15 minutes because a cat wrapped around his leg and tripped him. Mrs. McLaughlin had a visitor who was trying to cross the street, and couldn't get away from a cat. Mr. Sikorski said we know we have a problem; Mrs. Sowa asked how long is it going to take to correct it. Mrs. Matyasovsky said the majority of the problems are caused by feral cats. Mr. Racunas said it can be taken care of quickly but it will cost \$45 per cat. The borough spent \$900 last month on cats; they are taking steps. Mr. Leitzell said he heard about the borough resident that got bit by a cat with rabies. Mr. Sikorski said they have to move on with the meeting. Mrs. McClelland said the stray cat issue has been brought up to council about five times in the last two years.

**James Frumm, 811 Lauck Street**, said he had some questions. He has a neighbor that is not very nice and won't leave him alone. Mr. Frumm asked what time does the noise ordinance start. Mike Bodgan, Code Enforcement Officer, was in the audience, and said it is 10:00 pm. Mr. Frumm asked that if he is listening to music outside, would he have to stop it at 10:00 pm. Mrs. McClelland said yes, or turn the music down. Mr.

Frumm said the cops have been at his house every single day. Mr. Frumm said his Mom died a year ago. He had two pugs and had to give them away to his aunt, since the neighbor would fight with him over the noise. He will be taking care of one of the dogs for a while, and asked what the ordinance is on barking dogs. Mr. Bogdan said there is only an issue with continuous barking; if it continues for 20-30 minutes. If the dog is not barking they can't call the police on you; that is harassment. Mr. Frumm asked if the dog can be in his yard. Mrs. McClelland said he would have to be leashed or in a fenced in area. Mr. Frumm said he chains the dog in the yard, and the chain has been cut in the past. Mr. Frumm said he will come to the borough building. He had some questions about a fire pit, and the distance from his house and the neighbor's house. Mrs. McClelland said we go by the county's rule. Corey Derr, Fire Chief, was in the audience, and said the distance is fifteen feet each way, by the county ordinance. Mrs. Sowa asked about the dog in quarantine that bit a neighbor. What will happen to it? Mr. Sikorski said Animal Control handles it. Mr. Racunas said it would be an issue between the property owners. If the dog is in quarantine with our Animal Control Officer, they would know what the status is.

### **COMMITTEE REPORTS.**

**PROPERTY.** Mr. Gretz, Chairman, reporting.

The items were covered at the Work Session.

### **POLICE.**

There was no reporting, in absence of Mr. Ponchak.

### **LEGISLATION.**

There was no reporting, in absence of Mr. Ponchak.

**PARKS & RECREATION.** Mrs. Morgan, Chairman, reporting.

The Firemen's Fall Festival will be held on September 15 and 16. Please come out and support them. They do a lot for us.

The Community Yard Sale will be held on September 16.

**HEALTH & ORDINANCE.** Mrs. Matyasovsky, Chairman, reporting.

There was nothing to report.

**LIGHTS.** Mr. Sikorski, Chairman, reporting.

There was nothing to report.

**FINANCE.** Mrs. McClelland reporting.

Mrs. McClelland presented the Bills for Ratification, as follows:

|                                                                                         |                     |
|-----------------------------------------------------------------------------------------|---------------------|
| A W Rhome Tires – Kubota tires                                                          | \$ 315.00           |
| American Legal Services – police insurance [August]                                     | 43.44               |
| Am Trust North America – Worker’s Comp insurance                                        | 3,916.60            |
| Artman Equipment Inc – supplies for Kubota tractor                                      | 94.91               |
| Center Independent Oil (Double Car Wash) – police vehicles [June]                       | 75.00               |
| Dearborn National – life insurance [8/1/17 – 10/31/17]                                  | 223.80              |
| Dept of the Treasury – quarterly Federal Excise Tax Return                              | 6.78                |
| First Commonwealth Bank – loan payment [PW truck]                                       | 1,301.99            |
| First Commonwealth Bank – loan payment [2015 street paving]                             | 3,686.14            |
| Gilmore, Edward – tree removal from creek on Glenn Avenue [storm]                       | 3,480.00            |
| Liberty Borough Auto Sales – oil change/replace sway bar link [police]                  | 93.09               |
| MCI – long distance                                                                     | 29.42               |
| Municipal Authority of West Newton – unclog basin/clean pipe on<br>Glenn Avenue [storm] | 625.00              |
| Orkin – sewers                                                                          | 207.92              |
| PA American Water –consumption data                                                     | 64.92               |
| PA American Water – EMS                                                                 | 16.11               |
| PA American Water – garage                                                              | 89.27               |
| PA American Water – Municipal Building                                                  | 34.10               |
| Pittsburgh Post-Gazette – ad [Public Hearing]                                           | 135.30              |
| Racunas Law Group, LLC – Solicitor fees [June]                                          | 3,741.00            |
| Ricoh – copier maintenance                                                              | 38.22               |
| Sprint – mobile laptop                                                                  | 40.24               |
| TEC Benefits – deductible reimbursement [Helderlein / Takaht]                           | 249.06              |
| UPMC Health Plan – health insurance [August]                                            | 2,261.39            |
| Verizon – garage                                                                        | 102.24              |
| Verizon – pump station                                                                  | 34.09               |
| WestComm Wireless – police radios                                                       | 55.00               |
| Zrenchak Environmental Services – pump station inspection [June]                        | 700.00              |
| <b>TOTAL RATIFIED BILLS</b>                                                             | <b>\$ 21,660.03</b> |

Mrs. McClelland presented the list of bills, as follows:

|                                                      |          |
|------------------------------------------------------|----------|
| Aqua Filter Fresh – bottled water                    | \$ 34.33 |
| Collura, Dave – wildlife control [July]              | 140.00   |
| Comcast – Internet [police office]                   | 123.81   |
| Dickman Directories – Criss-Cross Directory [police] | 201.60   |
| Direct Energy – EMS                                  | 85.50    |
| Direct Energy – garage                               | 90.93    |
| Direct Energy – Municipal Building                   | 505.72   |
| Direct Energy – pump station                         | 121.31   |
| Duquesne Light – street lights                       | 3,177.36 |

|                                                                   |          |
|-------------------------------------------------------------------|----------|
| Glenn Engineering – engineering                                   | 395.00   |
| Glenn Engineering – Act 537                                       | 70.00    |
| Glenn Engineering – MS4s                                          | 115.00   |
| Glenn Engineering – PennVest                                      | 4,787.50 |
| Glenn Engineering – 2017 flooding                                 | 230.00   |
| Glenn Engineering – sewage                                        | 195.00   |
| Home Depot – parts for Memorial flag pole                         | 124.97   |
| Lico – Knockout and sprayer                                       | 389.65   |
| McGauley, Patti – reimburse 1/2 appraisal cost [borough property] | 150.00   |
| Mr John – Latrobe Park [7/21/17 – 8/17/17]                        | 118.00   |
| Mr John – (2) Manor Park [7/21/17- 8/17/17]                       | 236.00   |
| O’Reilly Auto Parts – seat cover / cleaners [PW vehicles]         | 112.85   |
| Office Depot – supplies for office and police                     | 161.99   |
| PA American Water – fire hydrants                                 | 1,173.57 |
| PA Municipal Service Co – 2 <sup>nd</sup> quarter sewage billing  | 905.01   |
| PA One Call – notices                                             | 12.70    |
| Peoples Gas – EMS                                                 | 21.14    |
| Peoples Gas – garage                                              | 19.70    |
| Peoples Gas – Municipal Building                                  | 21.14    |
| RA Foster – janitor supplies                                      | 223.00   |
| RC Walter – hardware                                              | 50.57    |
| Ricoh – copier lease                                              | 114.95   |
| Sprint – cell phones                                              | 125.67   |
| TEC Benefits – benefits admin [September]                         | 30.00    |
| Zrenchak Environmental Services – pump station inspection [July]  | 560.00   |

**TOTAL BILLS** **\$14,823.97**

Mrs. McClelland made a motion to accept the ratified bills and the list of bills. The motion was seconded by Mr. Gretz and passed unanimously.

The receipts for the month of July are as follows:

**GENERAL FUND**

|                                       |           |
|---------------------------------------|-----------|
| Real Estate Tax – Aquilante           | 34,241.34 |
| Fire Tax – Aquilante                  | 6,042.59  |
| Delinquent Real Estate Tax – Keystone | 3,958.46  |
| Act 77 Tax Refund                     | 6,054.02  |
| Real Estate Transfer Tax              | 1,146.11  |
| Earned Income Tax – Keystone          | 15,557.38 |
| Local Services Tax                    | 140.00    |
| Zoning/Building Permits               | 34.60     |
| Zoning/Occupancy Permits              | 150.00    |
| Dye Test Permits                      | 250.00    |

|                                |        |
|--------------------------------|--------|
| Police Fines                   | 422.69 |
| No Lien Letters                | 75.00  |
| Reimburse Electric – ETA EMS   | 47.06  |
| Right-To-Know Copies           | 1.50   |
| Police Reports                 | 15.00  |
| Right-of-Way – Duquesne Light  | 35.00  |
| Reimburse Grass Cutting [lien] | 314.00 |
| Reimburse Return Check Fee     | 12.00  |

**TOTAL RECEIPTS FOR THE MONTH** **\$ 68,496.75**

**GENERAL FUND**

**REGISTER BALANCE** **\$ 60,394.43**

**GENERAL FUND SAVINGS**

|                         |                   |
|-------------------------|-------------------|
| Interest                | 36.58             |
| <b>REGISTER BALANCE</b> | <b>430,760.41</b> |

**SEWER FUND**

|                            |                    |
|----------------------------|--------------------|
| Customer Payments          | 9,615.85           |
| Surcharge                  | 749.36             |
| Transfer from General Fund | 2,500.00           |
| <b>REGISTER BALANCE</b>    | <b>\$ 1,023.40</b> |

**HIGHWAY AID FUND**

|                         |                     |
|-------------------------|---------------------|
| Interest                | .82                 |
| <b>REGISTER BALANCE</b> | <b>\$ 46,482.77</b> |

Mrs. McClelland made a motion to accept the proposal from Allied World National Assurance Company for the borough’s liability insurance package in the amount of \$59,694.00. The motion was seconded by Mrs. Matyasovsky and passed unanimously.

**PERSONNEL.** Mrs. McClelland, Chairman, reporting.

There was nothing to report.

**STREETS & SEWERS.** Mr. Gretz, Chairman, reporting.

Mr. Gretz provided the approximate mileage for the vehicles, as follows:

|               |              |
|---------------|--------------|
| Silverado     | 1,100 miles  |
| Ford          | 36,000 miles |
| Colorado      | 30,000 miles |
|               |              |
| Backhoe usage | 6,000 hours  |

**MAYOR WEIGAND'S REPORT.**

There was no reporting, in absence of Mrs. Weigand.

**SOLICITOR RACUNAS'S REPORT.**

Mr. Racunas called for a motion to advertise the Ordinance for adoption of the Codification of Ordinances. Mrs. McClelland made the motion, seconded by Mrs. Matyasovsky, and passed unanimously.

**ENGINEER GLENN'S REPORT.** Mr. Dursa reporting, in absence of Mr. Glenn.

The first MS4 Storm Water Audit with DEP took place on Monday, August 7. Personnel from the Street Department and Office were both involved.

There was no Old Business, New Business, or Correspondence to discuss.

Mrs. Matyasovsky made a motion to accept the typed minutes from the Public Hearing on June 26, 2017, and the Regular Session on July 12, 2017. The motion was seconded by Mrs. McClelland and passed unanimously.

Mr. Sikorski announced the next meeting date and times: Wednesday, September 13, 2017, with the Work Session at 6:00 pm, and the Regular Session at 7:30 pm.

A motion to adjourn was made by Mrs. Matyasovsky and seconded by Mrs. Morgan. All were in favor and the meeting adjourned at 8:20 pm.

Respectfully submitted,

Debra L. Helderlein  
Borough Secretary