MINUTES OF REGULAR SESSION OF COUNCIL

July 24, 2024

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Regular session of Borough Council convened at 6:00 pm with the Pledge of Allegiance. Present were Councilors Michael Matlos, Elizabeth Lape, Tim Sloss, David Sowa, Janice Matyasovsky, Chris Ponchak, Michael Zrenchak, Mayor Larry Sikorski, Solicitor Matt Racunas, and Borough Engineer Lou Corrales.

**PUBLIC COMMENT:**

**GLORIA DUVALL 3334 ORCHARD DRIVE:** Ms. Duvall was inquiring about a public notice from Perks Oil & Gas about drilling on Liberty Way. Mr. Zrenchak advised Liberty Way goes all the way down into Lincoln Borough so it could have been Lincoln Borough also, it could also be on Rich Perkowski’s farm or even further out from there. Mr. Zrenchak said Liberty Way starts at the Carriage Inn and winds all the way down into Liberty Borough. Mr. Zrenchak and Mr. Matlos said they are not aware of any drilling. Ms. Duvall said she had the bid notice with her and took it out. Mr. Zrenchak said Perks Oil & Gas at 3716 Liberty Way - (Rich Perkowski) owns and operates a natural gas pipeline service in the area. He said they could be doing updates to the main transit that goes through Liberty Borough. Mr. Zrenchak advised this is just the company’s address, not where they are doing the work.

**BLIGHT COMMITTEE**: Amanda Rausch

Mrs. Rausch said instead of the Blight Committee having their regular monthly meeting they just had a couple work sessions instead. They are working on having a brochure to keep up with whose contacts are for different companies that residents may need. Ms. Underwood has an example of Lincoln Borough’s brochure which was just updated. Mrs. Rausch said she would like to do a trifold brochure.

Mrs. Rausch said the work on the little free library has started. They are working on a plan to revamp the boxes and get some brand-new free books for the library.

**PROPERTY:** Chris Ponchak

The tax window has been replaced by Singer Glass.

**POLICE, FIRE and EMS:** Michael Zrenchak

No Fire Report.

Mr. Ponchak read the Fire Department Report for June 2024 submitted by Fire Chief Corey Derr:

Fires 2

Rescue & Emergency Medical Services 4

Service Call 1

False Alarm & False Call 3

Special Incident Type 1

Total Incidents 11

Mr. Ponchak read the EMS Report for June 2024. There were 20 EMS Calls, and the average response time was 9.8 minutes.

**LEGISLATION:** David Sowa

No Report.

**PARKS & RECREATION:** Janice Matyasovsky

Mrs. Matyasovsky said movie night July 19, 2024, was very nice and the weather was great.

Mrs. Matyasovsky also said there may be another movie night in October.

Also, a reminder: Fun to be A kid Day, August 11, 2024. Kids will need to sign up in advance to receive their gift.

National Night Out August 6th nothing will be done officially in the borough but if encourages to partner with your neighbors to show support.

Saints Joachim and Anne Parish Community Festival August 1st, 2nd and 3rd 2024; Halloween, October 31, 2024; Light Up Night, December 6, 2024.

**HEALTH & ORDINANCE**: Chris Ponchak

No Report.

**LIGHTS:** Michael Matlos

No Report.

**FINANCE:** Elizabeth Lape

**Motion to Pay:**  Bills for Ratification of **$ 87,866.07** and List of Bills to Pay **$ 29,428.92**

**Motion: Mr. Ponchak Second: Mr. Sloss**

**All in favor. Motion carries.**

**Mrs. Lape abstains from the Ackenheil Engineers Inc invoice.**

**Bills for Ratification:**

**Payroll**

06/28/2024 EFT ADP[INVOICE] - 115.11

06/28/2024 EFT ADP[CHECKS] - 16,492.41

06/28/2024 EFT ADP[TAXES] - 5,496.53

07/19/2024 EFT ADP[INVOICE] - 97.33

07/12/2024 EFT ADP[CHECKS] - 17,534.85

07/12/2024 EFT ADP[TAXES] - 5,182.85

**TOTAL - 44,919.08**

**Sewer Fund**

07/10/2024 12540 PA MUNICIPAL SERVICE CO - 1,026.40

07/10/2024 12541 AMERICAN WATER - 82.62

**TOTAL - 1,109.02**

**Highway Fund**

07/10/2024 4599 DUQUESNE LIGHT - 3,096.66

**TOTAL - 3,096.66**

**General Fund**

06/28/2024 EFT PA SCDU - 82.52

07/12/2024 EFT PA SCDU - 82.52

07/10/2024 24074 AFLAC - 125.84

07/10/2024 24073 DERKAS AUTO SERVICE - 270.50

07/10/2024 24081 DUQUESNE LIGHT CO - 55.22

07/10/2024 24077 DUQUESNE LIGHT CO - 935.90

07/10/2024 24076 FIRST COMMONWEALTH BANK - 2,126.46

06/12/2024 24072 FIRST NATIONAL BANK OF PA -18,496.79

07/10/2024 24069 FLYNN’S TIRE & AUTO SERVICE - 569.92

07/10/2024 24078 GLENN ENGINEERING & ASSOC - 6,251.88

07/10/2024 24068 HTM DESIGNS - 255.00

07/10/2024 24075 ONE DIGITAL - 100.00

07/10/2024 24070 PA ONE CALL SYSTEM - 9.84

07/10/2024 24080 PEST b GONE - 300.00

07/10/2024 24082 POSTMASTER - 408.00

07/10/2024 24079 RC WALTER & SONS INC - 228.96

07/10/2024 24071 SAFSECUR LLC - 862.32

07/10/2024 24067 SHERWIN WILLIAMS - 1,061.12

07/10/2024 24066 TMOBILE - 176.73

07/11/2024 EFT UPMC HEALTH PLAN - 6,341.79

**TOTAL - 38,741.31**

**List of Bills to Pay:**

**Sewer Fund**

07/22/2024 12542 PA AMERICAN WATER - 1,195.78

07/22/2024 12543 PA AMERICAN WATER - 150.00

**TOTAL - 1,345.78**

**Highway Fund**

**TOTAL - 0.00**

**General Fund**

07/22/2024 24083 ANDREWS & PRICE - 27.00

07/22/2024 24084 HTM DESIGNS - 145.00

07/22/2024 24085 CITY OF MCKEESPORT - 100.00

07/22/2024 24086 VERIZON GARAGE - 54.33

07/22/2024 24087 ORKIN EXTERMINATING - 207.92

07/22/2024 24088 AUQA FILTER FRESH INC - 33.50

07/22/2024 24089 PA AMERICAN WATER - 111.94

07/22/2024 24090 PEOPLES NATURAL GAS - 75.29

07/22/2024 24091 DERKAS AUTO SERVICE - 121.20

07/22/2024 24092 WESTCOMM WIRELESS - 55.00

07/22/2024 24093 COMCAST - 257.50

07/22/2024 24094 MCI - 32.61

07/22/2024 24095 PA MUNICIPAL RETIREMENT SYSTEM - 115.34

07/22/2024 24096 TEAMSTERS LOCAL UNION (JULY) - 268.00

07/22/2024 24097 SAFSECUR LLC - 2,171.14

07/22/2024 24098 AMERICAN LEGAL SERVICES - 108.60

07/22/2024 24099 AMTRUST NORTH AMERICA - 3,829.00

07/22/2024 24100 DEARBORN LIFE INSURANCE - 126.80

07/22/2024 24101 LEAF - 196.96

07/22/2024 24102 R A FOSTER & SON - 103.00

07/22/2024 24103 JUST-KLEAN - 384.00

07/22/2024 24104 SHERWIN WILLIAMS - 524.55

07/23/2024 24105 OREILLY AUTO PARTS - 51.45

07/23/2024 24106 SHERWIN WILLIAMS - 643.05

07/23/2024 24107 H B SOUTH PRINTERS - 206.00

07/23/2024 24108 CREATIVE ENTERPRISES - 7,600.00

07/23/2024 24109 ACKENHEIL ENGINEERS INC - 10,401.44

06/28/2024 EFT PA SCDU - 82.52

07/23/2024 SHELLEY AQUILANTE - 50.00

**TOTAL - 28,083.14**

**PERSONNEL:** Tim Sloss

**Motion to ratify** hiring Part-time police officer Jonathan Miles II 07/17/2024.

**Motion: Mr. Matlos Second: Mr. Ponchak**

**All in favor. Motion carries.**

**STREETS AND SEWERS:** Tim Sloss

No Report other than we ordered a new Backhoe for the Public Works Department.

**MAYOR’S REPORT:** Larry Sikorski, Mayor

Mayor Sikorski read the Police Report.

**SOLICITOR’S REPORT:** Mr. Racunas

No Report.

**ENGINEER’S REPORT:** Lou Corrales

Liberty Way Slide bids will be opened Monday July 29, 2024, to repair the lower slide.

**Motion to approve** the inlet on Fritchie Street in the amount of $7,600.00 to Creative Enterprises.

**Motion: Mr. Matlos Second: Mr. Sloss**

**All in favor. Motion carries.**

**OLD BUSINESS:**

Mr. Zrenchak asked Mr. Racunas if he had done any research into the paper street that Ms. Lupinacci had been asking about. Mr. Racunas stated he did and because the paper street had never been opened by the borough, they could not locate any records. It has not been opened within the statutory time frame of 21 years. Mr. Racunas stated by operation of law the paper street is no longer in legal existence. The paper street gets divided by the property owners. Mr. Racunas stated the borough no longer has any legal ability to do anything to the property such as enter onto the property or to maintain the property. Ms. Lupinacci stated when she searched for the documents you had to go back to the old deed which was named Thompson Street, and it was opened at one time and then closed. Ms. Lupinacci stated when she went downtown, they told her if it were ever a street or opened at one time the borough can’t just abandon the property. Ms. Lupinacci told Mr. Racunas if he wanted the property owners to maintain the property, the borough would have to clean it first. Ms. Lupinacci said to Mr. Zrenchak they all came down to look at the property but never called her back to let her know what was decided. Mr. Zrenchak said he had never called Ms. Lupinacci back yet because he was waiting to hear back from Mr. Racunas. Ms. Lupinacci said half of the property is a mess and half of the property is clean, how do you explain that. Mr. Zrenchak asked Mr. Matlos if Public Works was back there cleaning up and Mr. Matlos said no, they have not been. Ms. Lupinacci said, “so your answer to me is you will not clean the property”? Mr. Racunas said the answer to Ms. Lupinacci is the borough cannot clean the property. Mr. Racunas again stated that he only has to go back 21 years. If the paper street has not been opened since, the borough is not responsible. By operation of law after 21 years goes to the property owners and is no longer the borough’s property. If the borough goes on the property and starts cleaning it, they can be charged for trespassing. Ms. Lupinacci said the borough purposely extended up to the 21 years so they would not have to clean or do anything to the property. Mr. Racunas said he cannot speak to that. Mr. Zrenchak asked Ms. Lupinacci what the benefit would be for the borough to open the paper street up. Ms. Lupinacci said she isn’t asking to open the paper street up she is telling the borough they can’t just leave the property a mess. Mr. Zrenchak said the borough guys had gone on the property and pushed the knotweed back 15 - 20 feet so Ms. Lupinacci could see backing out of the driveway. Mr. Zrenchak stated the borough is not taking care of someone’s private property, they are taking care of blind spots to prevent accidents. Mr. Racunas told Ms. Lupinacci the property was never the boroughs. Mr. Zrenchak asked Mayor Sikorski if anyone ever drove cars through the paper street that he had remembered. Mr. Sikorski said no it was never opened as a street. Mr. Zrenchak said when Ms. Lupinacci spoke with someone in the county, they said at one point in time it was opened as a road, and they closed it. The county is saying that since it was opened at one point in time it can’t revert. Mr. Racunas said that is not true. Municipalities have the right to vacate a street at any time. Mr. Racunas said he has not seen any evidence from the county or borough the street was ever opened and used. Ms. Lupinacci said she will get an attorney that specializes in this, and Mr. Racunas said that would be great, he can explain to him the evidence. Ms. Lupinacci said she does not want to take care of the property the older she gets and if it is her property then it should be on her deed as her property. Mr. Racunas said from a legal standpoint we cannot clear the property. Ms. Lupinacci said she will get an attorney.

**NEW BUSINESS:**

No Report.

**CORRESPONDENCE:**

**Motion to accept** the typed minutes from the June 26, 2024, regular meeting.

**Motion: Mrs. Lape Second: Mr. Sowa**

**All in favor. Motion carries.**

Next meeting dates/times: Work Session Meeting – Wednesday, August 14th, 2024, and the Regular Session Meeting -- Wednesday, August 28th, 2024, at 6:00 pm.

**Motion** to adjourn at 6:33 p.m.

**Motion: Mr. Matlos Second: Mr. Sloss**

**All in favor. Motion carries.**

**Meeting adjourned at 6:33 p.m.**

Respectfully submitted by:

Rachael Waltonbaugh

Secretary/Treasurer