

**MINUTES OF REGULAR SESSION OF COUNCIL
WEDNESDAY, JULY 11, 2018**

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Regular session of Borough Council convened at 7:30 pm. Present were Councilors Janice Matyasovsky, Tim Sloss, Mike Zrenchak, Jane Weigand, Mike Matlos, Chris Ponchak, and Melissa Morgan; Mayor Larry Sikorski; Solicitor Matt Racunas; and Engineer Don Glenn.

Mr. Racunas said there are a lot of people here; everyone will have an opportunity to speak for public comment, however they are going to try and limit everyone to three minutes. If someone is stating what you had planned to say, please don't duplicate it. Also, if you could, have one person be a spokesman for a group of people. Mrs. Morgan asked that if anyone is going to video the meeting, please stay for the whole meeting.

**PUBLIC COMMENTS.**

**Robert Black, 2801 Liberty Way**, asked what progress has been made since last month on the sewage issues. We are under mandate, and they are six months behind as of last month's meeting. Also, every time we lose power in a rainstorm, he gets sewage in his basement. Where is the pump station that sends the sewage to the treatment plant? When the power goes off, the station goes down. Mr. Zrenchak said he maintains the pump station and it does not go down. Mr. Black is not on the line that goes to the pump station. Mr. Zrenchak said that line may go down to Port Vue's pump station. As far as the mandate, Mr. Zrenchak said there was an agreement with McKeesport years ago, that listed ten items they wanted the municipality to complete by the end of ten years; if it wasn't done, the only provision was that they could surcharge the borough 350% of the flow. There is no corrective action plan; we are moving forward on our own. Mr. Black said he thought there was an EPA mandate to meet; Mr. Zrenchak said no. There are deficiencies that need to be addressed; he is new to council, so he met with Mr. Glenn and he is reviewing the video. Mr. Zrenchak asked if Mr. Black's house has been dye tested yet; are the downspouts connected to the sewer line? Mr. Black said no, they are sitting on the ground. Mr. Zrenchak said there are multiple issues to look at. Mr. Black said he lived there for nine years; he didn't have a problem until last year and this year, so something changed. The back water valve is going to cost him a ton of money. Mr. Zrenchak said it shouldn't be more than \$2,400 for labor and the preventer; be aware of who you have do it.

**Sam Holloway, 426 Scene Ridge Road**, said he hopes that council has come up with a final decision about selling the sewage system. There was an article in the Post Gazette on July 2, with Mayor Peduto's input. Mr. Holloway put together the information to save council time, and distributed the papers to council. Mr. Holloway also stated that Comcast submits a franchise fee of about \$50,000 to the borough, which actually is paid by the residents, since it is added to their bills, so indirectly that is another tax we are paying to the borough.

**Tim Lujetic, 2416 Latrobe Street**, had questions about the power outages; it seems to happen every time it rains, the wind blows, or there is lightning 10 miles away. With the new substation that was put in, has there been an investigation or is there going to be one? We have some elderly folks here; his parents live on C Street, and his mother is on oxygen. They are going without power for six to seven hours, just because it rains. Mrs. Morgan said they had a meeting with Duquesne Light. The substation is not a power plant; it acts as a transformer on a pole, and takes higher voltage and makes it lower. The center of the borough is on the Wilson/Clairton grid. The Manor and Latrobe areas are on Christy Park's. So if something goes down in Clairton, the center of the borough goes down also. The representative drove the whole line; it goes down to the Carriage Inn; part of Versailles has it. Last week when the power was out, a tree went down on a line in Lincoln Borough. They are working on it; it is a work in progress. Council cannot do anything; they are not Duquesne Light. Residents can call Duquesne Light or the Public Utility Commission and file a complaint with them. It is terrible to be without power. Mr. Lujetic asked if there was an ordinance on limitations or curfew for fireworks. Mr. Zrenchak said that since they are now legal, there has been lots of extra activity at 2:00 am, landing on people's vehicles and pools. Mr. Lujetic said that with July 4<sup>th</sup> falling in the middle of the week, it has been active for two weekends. During the week, many people have to get up for work. Mr. Racunas said there is probably one for public nuisance or disturbing the peace, which the police could act on. Mr. Racunas said it becomes an issue of enforcement, so he would suggest they call the police for a complaint of noise disturbance. Mr. Lujetic asked if there are any plans to put an extra car on the shift during those times. Mr. Racunas said he doesn't know that it is a response issue. You have to look at the cost/benefit issue, and determine if they can afford to put another officer on. Mr. Lujetic said one of his neighbors was shooting them off from behind his house; the police rode down the alley where he was, and didn't do anything. Mr. Racunas said to call the police if there is a problem.

**Alice Pastirik, 3122 Woodrow Street**, said she lives at the corner of Woodrow and River Ridge. Whenever there is a heavy downpour, that corner is extremely flooded. Several of her neighbors have a sump pump, and they did the right thing by not draining them into the sewer system, but it gets extremely flooded. When they did the road, they put two drains on the opposite side, and they are not getting any water. She gets the bulk of the water on her side, and is concerned that the drain won't be able to take that much water, like what happens on Oakland, and she will be flooded. Ms. Pastirik said she asked the Street Department about it, and they told her that when the street was done, it wasn't leveled right. If the residents get flooded, they have to put the money out to be remodeled. She is at the point that she is afraid to leave her house when it rains. She put a generator in, which cost thousands of dollars, because she doesn't have any faith with what is going on. In the winter, it is icy. She has called to ask for more salt, but they don't come. She maintains that corner, and feels that she should be on the borough payroll, for being out there with her pick and shovel to take care of it. Mr. Zrenchak said he will take a look at the inlets. Ms. Pastirik thanked him, and said she appreciated it.

**Lynanne Whiteman, 2601 B Street**, asked where she can get a copy of the substation or grid we are on. Mrs. Morgan said to call Duquesne Light. Mr. Zrenchak said they

can tell by your address. Ms. Whiteman said she thought there was a noise ordinance after 11:00 pm. Mr. Racunas said there probably is; most communities have a nuisance ordinance. The Code Enforcement Officer is not on duty at that time, so if there is a problem, the police are your best bet if it is late at night.

**Elizabeth Lape, 1027 Glenn Avenue,** asked if there were any updates on the storm water issue. Mrs. Morgan said that was already addressed; they are going through with the PennVest Loan and repairs.

**Jennifer McClelland, 3300 Oakland Drive,** asked if they have been able to gain any ground with the water company in regards to them draining on the neighborhood side, instead of the wooded area. Mr. Zrenchak said he has been in contact with the water company, trying to get a meeting set up with them. He wants to address more than the draining of the water tower. He is more concerned if they open up the overflow valve, which is an 18" valve, which would put a lot of water out of the tank. They are using a 1½" fire hose, so they are bottle-necking down what they are draining. They need to consider what is going on in the flat area. They have drafted a letter, and want to get a meeting scheduled with the right person, above the local rep. Mrs. McClelland thanked them for looking into it; she appreciates it. Mrs. McClelland asked if the report regarding drainage that she had emailed some of them was helpful. Mr. Zrenchak said yes; but there was one concern that he wanted to put out there (and asked Mr. Racunas to answer if he is incorrect on this): We cannot have the general public opening storm water manholes or sanitary manholes. If someone opens a sanitary manhole, thinking it is a storm sewer, there is gas in there and they could be overcome; if it is tight and they start to bang on it, there could be an explosion. If someone wants to see something, you must come through the proper channels. It's a public safety hazard. Mrs. McClelland said the person that prepared the report didn't open it. Mr. Zrenchak said he doesn't care who did it. He understands that everyone is frustrated, but it cannot be done. The report shows the topographical, but he wants to take other things into consideration with Mr. Glenn. There is a bigger picture going on; when he walked it the day of the flood, he saw some things he wasn't aware of: the retention pond; further up Oakland, there is a paper street, and both back yards there are all asphalt, and the water is going up over the catch basin. They need to look at the overall picture to do a correct fix. Mrs. McClelland said she would rather see it done that way.

**Bill Sovick, 3004 H Street,** asked if something can be done with the weeds and poison ivy along the fence line at the old school, going out onto the sidewalk. Mrs. Morgan asked Mr. Matlos if the Street Dept. can spray it; he said yes.

**Cathy Beadling, 2805 A Street,** asked a couple of months ago if there was an ordinance regarding signage or hanging of murals on building, or graffiti, and council said no. She wanted to ask if they would possibly come up with an ordinance that the board would have to review anything before it is painted, and that it be limited to commercial buildings, and not be allowed on private property. Mr. Racunas said that brings up a couple of issues. Graffiti is not legal. Whether commercial or private property, there are a lot of first amendment issues. So if you want to restrict how a person expresses himself through art or verbal, what they put on their houses, or how

they paint their houses, there are some concerns with that; it's not our decision, it's the constitution. Mrs. Beading asked what if there was something inappropriate on it. Mr. Ranucas said you may not agree with it, but putting it in an ordinance takes it to a different level. You could be challenged by ACLU or other organizations. Mrs. Beading said she just wants people to be required to get permission from the borough. Mrs. Morgan said the man owns the building, and there is nothing inappropriate on it. Mrs. Beadling said she just doesn't like it; it is not a mural. She wants to keep borough nice.

**Cheryl Andre, 501 Hays Street**, has lived here almost 60 years. As other people have mentioned, we have never lost our power as much as we did this year. It was mentioned that they are working on it; what does that mean? Mr. Racunas and Mrs. Morgan said you would have to ask Duquesne Light. Ms. Andre said winter isn't that far away; if we lose our power for seven hours then. She lives with her 82 year-old mother and there are plenty of seniors here. Mr. Racunas said you have to ask Duquesne Light. Mrs. Morgan said that if you have a serious complaint, you have to call Duquesne Light; it is their line. There is nothing that council can do about it. **Rick Gobel, 185 Wunderley Drive**, said he differs with them. Council is representing Liberty Borough. To say that they can't do anything, that it is a Duquesne Light issue, that is totally unacceptable. There is a lot you can do. Mrs. Morgan said they had a meeting with Duquesne Light. Mr. Gobel said you have to push; make it a major issue. There is something going on with the substation; we never lost power as much as we do now. He will not accept that they are looking into it, or you cannot do anything about it. Mr. Racunas said Duquesne Light is governed by the PUC, not this council. So if you have a complaint, you have to file it with the PUC. Mr. Gobel said they have a voice; they represent Liberty Borough. Mr. Racunas said that council does not have standing to do it. Mrs. Weigand said for Mr. Gobel to call them; Mr. Gobel said it is council's job. Mr. Gobel said it's like tar and chipping the road without patching the potholes first. Mr. Racunas said roads are council's issue; electricity is not. Council has no legal standing. The residents have to contact the PUC; they will get action.

**Ryan Holgerson, 606 Owens**, has a four-year-old daughter and a seven-month-old son. They play in the yard and know not to go out into the street, but people fly up Owens. He assumes it is 25 mph there. There is a "Slow, Children at Play" sign, but asked if they could also get a speed limit sign. People go as fast as 50 mph. Mr. Sikorski asked if it happen regularly; Mr. Holgerson said yes. Mr. Sikorski said we have one officer per shift. When he first got on as Mayor, there were only two citations a month; now there are 27. People are flying everywhere. Mr. Sikorski said the entire borough is 25 mph; he will have the police concentrate there. Mr. Holgerson said it is some of the same vehicles, over and over. Mrs. Morgan said they can definitely get a sign. Mr. Holgerson said he doesn't have a driveway, so he has to park on the road.

## **COMMITTEE REPORTS.**

**PROPERTY.** Mrs. Weigand, Chairman, reporting.

Mrs. Weigand is looking into getting prices for insulation for one bay at the Maintenance Garage.

The sale of the borough-owned property at 3214 Jeffrey Drive is pending and should be completed soon.

**POLICE.** Mr. Ponchak, Chairman, reporting.

Mr. Ponchak read Lieutenant Johnson's report on police equipment for the month of June as follows:

Vehicle mileage:

|               | BEGIN | END   | MILEAGE |
|---------------|-------|-------|---------|
| Unit #130     | 80697 | 82131 | 1434    |
| Unit #131     | 25000 | 26323 | 1323    |
| Unit #132     | 55612 | 55839 | 227     |
| Total mileage |       |       | 2984    |

Vehicle Maintenance:

Unit 130

- Brakes; rotors; struts; repair electric wire

Unit 131

- Replace two tires from storm damage

Unit 132

- None

Mr. Ponchak read Fire Chief Derr's report for the month of June, as follows:

Total calls: 32

|                 |    |
|-----------------|----|
| Structure       | 9  |
| Transformer     | 2  |
| Stand By        | 4  |
| MVA             | 1  |
| EMS Assist      | 1  |
| Water Condition | 11 |
| Traffic Control | 1  |
| Good Intent     | 3  |

Mr. Ponchak made a motion to purchase a replacement laptop for the police vehicle, at a cost not to exceed \$850. The motion was seconded by Mrs. Matyasovsky and passed unanimously.

**LEGISLATION.** Mr. Ponchak, Chairman, reporting.

There was nothing to report.

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

Fun-To-Be-A-Kid Day will be held on Saturday, August 18, behind the Fire Hall. They have received quite a bit of donations, so they are hoping to make it a fantastic day for the kids. They will hold a Chinese Auction, if anyone wants to donate a basket.

**HEALTH & ORDINANCE.** Mr. Sloss, Chairman, reporting.

There was nothing to report.

**LIGHTS.** Mr. Matlos, Chairman, reporting.

There was nothing to report.

**FINANCE.** Mrs. Matyasovsky, Chairman, reporting.

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

|                                                                  |          |
|------------------------------------------------------------------|----------|
| American Legal Services – police insurance [July]                | \$ 43.44 |
| Artman Equipment, Inc. – mower parts                             | 203.00   |
| Building Inspection Underwriters – building inspection [May]     | 55.00    |
| Center Independent Oil (Double Car Wash) – police vehicles [May] | 30.00    |
| Duval, Edward – refund park permit [cancelled]                   | 25.00    |
| EconoSigns – posts and speed limit signs                         | 459.77   |
| First Commonwealth Bank – loan payment [PW truck]                | 1,301.99 |
| First Commonwealth Bank – loan payment [2015 street paving]      | 3,686.14 |
| Intuit – 2018 QuickBooks                                         | 296.75   |
| Marshall, Dennehey – legal costs through 5/31 [lawsuit]          | 496.00   |
| MCI – long distance                                              | 29.34    |
| Orkin – sewers                                                   | 207.92   |
| PA American Water – consumption data                             | 66.35    |
| PA American Water – EMS                                          | 16.53    |
| PA American Water – garage                                       | 173.03   |
| PA American Water – Municipal Building                           | 44.59    |
| Postmaster – (4) rolls \$.50 stamps                              | 200.00   |
| Ricoh – copier maintenance                                       | 38.22    |
| Russell Standard – cold patch                                    | 275.44   |
| Sprint – mobile laptop                                           | 40.24    |
| Steel Rivers COG – 6/7 meeting dinner                            | 23.98    |
| UPMC Health Plan – health insurance [July]                       | 2,485.26 |
| Verizon – garage                                                 | 54.08    |
| Ziebart [RRJ Inc] – annual inspection [unmarked police car]      | 155.90   |
| Zrenchak Environmental Services – pump station inspection [May]  | 455.00   |

**TOTAL RATIFIED BILLS**

**\$10,862.97**

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

|                                                                    |                    |
|--------------------------------------------------------------------|--------------------|
| Am Trust North America – Worker’s Comp installment                 | \$ 4,099.00        |
| Aqua Filter Fresh – bottled water                                  | 80.47              |
| Artman Equipment – blade for Kubota mower                          | 52.69              |
| Blue Ridge Supply – dirt [Manor fields]                            | 60.00              |
| Center Independent Oil (Double Car Wash) – police vehicles [June]  | 25.00              |
| Collura, Dave – wildlife control [June]                            | 140.00             |
| Comcast – phones/Internet                                          | 286.31             |
| Comcast – Internet [police office]                                 | 163.81             |
| Conney Safety – supplies for PW Dept.                              | 81.33              |
| Duquesne Light – street lights                                     | 3,183.73           |
| Embroidery People – payment towards LBAA invoice                   | 500.00             |
| Forrest, Deborah Wiech – 2018 real estate tax refund               | 11.84              |
| Glenn Engineering – general engineering                            | 3,700.00           |
| Home Depot – weed killer                                           | 87.88              |
| Jefferson Hills Lawn Equipment – weedwacker supplies               | 60.90              |
| Keystone Collections Group – delinquent real estate tax commission | 897.43             |
| Mr. John – 1 @ Latrobe Park [6/22/18 – 7/19/18]                    | 118.00             |
| Mr. John – 2 @ Manor Park [6/22/18 – 7/19/18]                      | 236.00             |
| O’Reilly Auto Parts – garage supplies                              | 47.97              |
| Office Depot – copy paper                                          | 46.14              |
| PA American Water – fire hydrants                                  | 1,177.11           |
| Paul’s Auto Service – Invoice # 8278 [police vehicles]             | 288.00             |
| Peoples Gas – EMS                                                  | 26.21              |
| Peoples Gas – Municipal Building                                   | 21.47              |
| Peoples Gas – garage                                               | 20.67              |
| PSAB – 2 <sup>nd</sup> quarter unemployment tax                    | 889.85             |
| RA Foster & Son – janitor supplies                                 | 52.50              |
| Ricoh – copier lease                                               | 114.95             |
| RR Donelley – citations                                            | 39.80              |
| Sprint – cell phones                                               | 89.20              |
| TEC Benefits – benefits admin                                      | 30.00              |
| TEC Benefits – deductible reimbursement [Takaht]                   | 1,280.35           |
| TEC Benefits – deductible reimbursement [Takaht]                   | 367.00             |
| US Treasury – quarterly Federal Excise Tax Return                  | 7.17               |
| WestComm Wireless – police radios maintenance [July]               | 55.00              |
| <b>TOTAL BILLS</b>                                                 | <b>\$18,337.78</b> |

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

The receipts for the month of June are as follows:

**GENERAL FUND**

|                                       |                      |
|---------------------------------------|----------------------|
| Real Estate Tax – Aquilante           | 354,477.09           |
| Fire Tax – Aquilante                  | 50,639.57            |
| Delinquent Real Estate Tax – Keystone | 0.00                 |
| Act 77 Tax Refund                     | 5,963.66             |
| Real Estate Transfer Tax              | 1,106.99             |
| Earned Income Tax – Keystone          | 29,662.88            |
| Local Services Tax                    | 109.00               |
| Zoning/Building Permits               | 130.00               |
| Zoning/Occupancy Permits              | 60.00                |
| Dye Test Permits                      | 100.00               |
| Police Fines                          | 1,190.70             |
| No Lien Letters                       | 60.00                |
| Police Reports                        | 30.00                |
| Fun-To-Be-A-Kid Day Donations         | 850.00               |
| <b>TOTAL RECEIPTS FOR THE MONTH</b>   | <b>\$ 444,379.89</b> |

**GENERAL FUND**

**REGISTER BALANCE** **\$ 77,043.55**

**GENERAL FUND SAVINGS**

Interest 59.48  
**REGISTER BALANCE** **584,410.22**

**SEWER FUND**

Customer Payments 37,191.97  
Surcharge 4,500.99  
**REGISTER BALANCE** **\$ 61,835.93**

**HIGHWAY AID FUND**

Interest 12.34  
**REGISTER BALANCE** **\$ 49,800.30**

**PERSONNEL.** Mrs. Matyasovsky, Chairman, reporting.

There was nothing to report.



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

They have already discussed contacting the water company. Mr. Zrenchak met with Mr. Glenn on July 5 to discuss some of the storm water issues. The biggest decision will be what type of storm event to design for. These events are becoming more and more commonplace. We want to fix the issues, but do not want to choose the wrong option. There is a flood mitigation grant program through the state, which requires a 15% match. The application time frame is Jan 1 – May 31, so we can keep that in mind for the beginning of year. USDA currently does rural water funding, and we do qualify for it. Liberty Borough's average median income is \$47,891; the cut-off is \$53,000. We also qualify for a 45% grant; the rest would be a low interest loan of 3.125% for 40 years. For an example, a million dollar project breaks down into \$44,560/year; which is about \$3,700/month; by household, it equates to \$37, or \$3/month. It is hard to get all grant funds. It would pay for the engineering costs and it doesn't have to be designed and permitted. There are a lot of issues to look into. It is not going to happen overnight; we could be 12-18 months on permitting alone. Mr. Zrenchak did reach out to a couple of the representatives to see what we could do. They suggest applying for CDBG grants, but no one completes the salary surveys so we do not qualify. We can also try for CITF money, but sometimes the storm water and sewer projects are not attractive. If you are under a consent order, you may have a better chance. **Officer Leitzell** was in attendance and asked about the issue behind her house; Mr. Zrenchak said it is on the list of storm water areas. We put a preliminary estimate together on what it would cost to dredge and clean it up. Just an environment study would take about 10-12 months.

Mr. Zrenchak made a motion to authorize the engineer to upgrade the Manor hydraulic study for a 100-year storm event. Mrs. Morgan said the original study was done as a 25-year storm event. Mr. Ponchak said the entire study does not have to be done, just upgrade the figures for a 100-year event. The motion was seconded by Mrs. Matyasovsky and passed unanimously.

Mr. Zrenchak said they had received bids for the PennVest project (sewer system upgrade) before the last meeting, but they did not take action, since he had a question regarding the pipe bursting, which he found out had to be done for areas under the trail. Mr. Zrenchak made a motion to accept the bid by State Pipe, in the amount of \$973,054. The motion was seconded by Mr. Matlos and passed unanimously. Mr. Zrenchak said that the \$15/quarter surcharge on the sewage billing will cover the PennVest loan payments.

Mr. Zrenchak made a motion to purchase a flow meter for the pump station at a cost of \$6,450.50. The motion was seconded by Mrs. Weigand and passed unanimously.

Mr. Zrenchak made a motion to ratify the action taken in accepting the proposal from Satira Construction in the amount of \$12,050 for the Liberty Way slide repair. The motion was seconded by Mrs. Matyasovsky and passed unanimously.

Mrs. Matyasovsky said Mr. Zrenchak did a hell of a job; the audience applauded. Mrs. Morgan said she is not sorry that she put him on as Chairman of Streets and Sewers.

**MAYOR SIKORSKI'S REPORT.**

Mr. Sikorski highlighted the following police activity from the June report:

|                              |    |
|------------------------------|----|
| Traffic Related Incidents    | 13 |
| Adult Arrests                | 6  |
| Juvenile Arrests             | 1  |
| Traffic Citations Issued     | 5  |
| Non-Traffic Citations Issued | 7  |
| Assist Fire Department       | 14 |
| Assist Other Departments     | 21 |
| Assist By Other Departments  | 12 |

Mr. Sikorski said last month the issue was taxes; this month the issue is flooding. The resident from Memory Lane was complaining about transparency; he didn't understand why his taxes were going up. Council has decided to retain our sewer system. Because of Act 537, we are spending \$973,054 to repair it. This is important because it will take a lot of drain water out of the sewer system. But that puts more water into the streets; they are becoming a gutter. Some of the residents have put in generators, which cost about \$7,000. Mr. Sikorski listed the following costs for projects that are being done or future projects that need to be done:

| <i>Project</i>                  | <i>Cost</i> |
|---------------------------------|-------------|
| A Street slide                  | \$ 38,850   |
| debris removal                  | \$ 30,000   |
| Glenn Avenue road repair        | \$ 30,000   |
| Liberty Way slide               | \$ 12,050   |
| Flow meter for the pump station | \$ 6,500    |

Mr. Sikorski said just those items total almost \$120,000 and we only have a million dollar budget. That amount is 1/10 of our budget, and we have to stay within our budget.

**SOLICITOR RACUNAS'S REPORT.**

All items were discussed at Executive Session.

**ENGINEER GLENN'S REPORT.**

All items were covered by Mr. Zrenchak.

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

Mrs. Weigand made a motion to accept the typed minutes from the Regular Session on June 13, 2018. The motion was seconded by Mr. Ponchak and passed unanimously.

The next meeting date is August 8, 2018, with the Work Session at 6:00 pm and the Regular Session at 7:30 pm.

A motion to adjourn was made by Mrs. Morgan, seconded by Mr. Ponchak. All were in favor and the meeting adjourned at 8:35 pm.

Respectfully submitted,

Debra L. Helderlein  
Borough Secretary