

**MINUTES OF REGULAR SESSION OF COUNCIL
WEDNESDAY, APRIL 10, 2019**

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Regular session of Borough Council convened at 7:45 pm. Present were Councilors Janice Matyasovsky, Tim Sloss, Mike Zrenchak, Mike Matlos, and Melissa Morgan; Mayor Larry Sikorski; Solicitor Matt Racunas; and Adam Prince, representing Glenn Engineering.

Mrs. Morgan noted that Mrs. Weigand was attending an unexpected funeral and Mr. Ponchak was at work.

**PUBLIC COMMENTS.**

**James Stolarek, 509 Harmony Lane**, had asked last month about the parking issue there. Mr. Zrenchak said he did talk to the Chief, but there is nothing in the ordinance for “No Parking Allowed” there. There are other spots in the borough, also. We would need to enact an ordinance after all of the problem areas are addressed. Mr. Zrenchak said it looks like the resident is parking in the yard now, instead of the street. Mr. Stolarek said the biggest danger is when a car goes down E Street, they have to swerve around, then drop over the blind hill. Mr. Stolarek said one of the vehicles is a commercial vehicle, a Comcast truck.

**Kathleen Stanoszek, 221 Roberts Street**, read a letter she had prepared. She has lived here for fifteen years and loves it here, and enjoys meeting people when she walks her dog. She has a serious problem with her neighbor’s red maple tree, dropping seeding berries in the spring. She also has to deal with the leaves all year, as it doesn’t lose it leaves at one time. One of the Trick-or-Treaters said to her, “you are the lady that cuts her grass all year” and she replied “oh no, I am the lady that mulches the neighbor’s leaves all year in her yard”. The seeding berries are in the alley between B and C Streets. They are in the neighbor’s yards and gutters also. They drop into her fence and patio so bad that she cannot open her sliding glass door until she sweeps them clear. That is in the fenced-in area she has for her dog. Last year was unbearable. She had to rush her puppy to the vet, as he couldn’t stop throwing up. The vet advised her that red maples are deadly to horses, and that is why her dog was throwing up. This year she is advising all the dog walkers to be careful of the seeded berries, as she doesn’t want them to go through what she did. She just had a new roof put on her house last year, and the roofing company told her that if the seeded berries lie in the shingles, it will cause mold. She had a new sliding glass door put in, and the seeded berries are also going into the track. The next rainfall will be hell for her and her dog, as she will be ankle deep in the seeded berries on her patio. She will not be able to leave the dog out, and will have to walk him up and down the street at all hours of the day and night. Ms. Stanoszek asked that they please consider all she has told them about this health hazard and help her out. Mrs. Morgan asked if she has spoken to her neighbor about it. Ms. Stanoszek said yes; all he said is, what does she want him to do about it? Mr. Racunas said that unfortunately, the borough cannot do anything about it; it is a neighbor dispute. She can seek outside counsel. If a tree is encroaching on your

property, you are allowed to cut those limbs. There is no ordinance regarding leaves on private property. Otherwise, the issues she is experiencing are between the two private property owners; there is nothing the borough can do. Ms. Stanoszek said that is not the answer she expected.

**Paul Potersnak, 600 Roberts Street**, said that thirteen years ago, one of the neighbors was trying to buy the paper alley between F Street and Liberty Way. He was told that since it was a paper alley, all the neighbors had to be in agreement, but one neighbor was giving them a hard time. Mr. Racunas said that you cannot buy a paper alley. If it is laid out but never been opened, and not opened within a period of 21 years, by operation of law, that property is vacated and would be divided among the neighbors. Mr. Potersnak said his mother's house at 600 Roberts Street was torn down, since it was in poor shape. A new house cannot be built on the property, since the parcel is too small. The neighbor wanted to buy it to extend his property, but the paper alley is between. Mr. Racunas said there is a procedure under the borough code, to petition council to vacate a paper street or an alley. He could retain legal counsel to petition the court to clarify that the paper alley is vacated, then amend the deed to include that property. Mr. Potersnak wants to get rid of the property. He said the property was grandfathered in and the parcel was too small. There was a lawn business that wanted to buy it. Mr. Racunas said if the property is non-conforming, you can go to the Zoning Board and request a variance. Mr. Racunas recommended that Mr. Potersnak get a lawyer involved to review his options.

**Linda Lupinacci, 212 Nevada Street**, said she has been up here many times about a situation, and her neighbor has given her new information that he was told it is a paper alley, but actually it is Thompson Street Extension. It is located between her home and Jon Grunsky's home. She has checked into it, and whether it is now open or closed, it is the borough's responsibility to take care of that property. The weeds are horrendous. The last time Mike or Bruce have touched it was in 2014. When a tree came down in 2015, she called them to have it taken care of, and they said it is a paper alley and they are not responsible. Her utility lines are on there. It is causing health issues; she had a huge snake in the basement coming from that property. There are snakes in there, and skunks and raccoons and other wild animals with rabies. It would take five minutes with your equipment; what's the big deal? These weeds are bamboo-type shoots that are 8-9' tall, and they hide her property. It is dangerous and a fire hazard. For five years now it has not been taken care of, so it is built up. If it is not borough property, why did Bruce come down in 2015 and fill it with stones so the neighbor could park there. Mr. Grunsky said he has been up here recently complaining about it. They didn't deny it was borough property to him. The zoning guy was sent down, and said they will take care of it in the spring, and it still has not been taken care of. Mr. Zrenchak said they were told it is a paper alley; that needs to be clarified. He gave Mr. Grunsky the information on what the requirements of a paper street are. Ms. Lupinacci said Ron Pope and Stew Owens had it taken care of when they were in charge of the Street Department. She's been here for 27 years and it's been taken care of. They refuse to take care of fallen trees. She called downtown Pittsburgh; regardless if it is open or closed, it was a street and the borough must take care of it. Mr. Zrenchak said they will look into it. If it does show as a borough street, it will only be cleared for the width of the

street. Mr. Sikorski said that Jane (Weigand) lives on Short Street, which comes out at Thompson. When he was campaigning, a man down there told him that Thompson comes from there, goes down the hill, then right, below Ms. Lupinacci's house. Ms. Lupinacci said that is not correct; the area below her is a paper alley. Mr. Sikorski said the area she is talking about is not even drivable. Ms. Lupinacci wanted to know if the borough sold that street to Mr. Crevar, as he was interested in it at one time. She said Mr. Crevar pushed all the branches and leaves in a pile with his farm tractor, and it is blocking the path. Mr. Zrenchak said Mr. Grunsky had complained in October or November, and it was put on the list to be reviewed. Mrs. Morgan said that since the weather is breaking, they can look over the items on the list and see where they can go from there.

**COMMITTEE REPORTS.**

**PROPERTY.**

There was nothing to report, in absence of Mrs. Weigand.

**POLICE.** Mr. Zrenchak reporting, in absence of Chairman Ponchak.

Mr. Zrenchak read Lieutenant Johnson's report on police equipment for the month of March, as follows:

Vehicle mileage:

|               | BEGIN  | END    | MILEAGE |
|---------------|--------|--------|---------|
| Unit #130     | Parked | Parked | 0       |
| Unit #131     | 34000  | 34980  | 980     |
| Unit #132     | 61926  | 63477  | 1551    |
| Total mileage |        |        | 2531    |

Vehicle Maintenance:

Unit 130

- None

Unit 131

- Inspection and Emission

Unit 132

- Inspection, front brake rotors, 4 tires, repair wiring issue

Unit 130 was taken out of service as the primary patrol vehicle, and the Tahoe was placed in service as the primary patrol vehicle per Councilman Ponchak.

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

Total calls: 19

|                  |   |
|------------------|---|
| MVC              | 4 |
| Stand By         | 4 |
| Good Intent Call | 4 |
| Structure        | 7 |
| Carbon Monoxide  | 1 |
| Illegal Burn     | 1 |
| Lock Out         | 1 |
| EMS Assist       | 1 |

On March 16, there were 69 smoke detectors installed in the borough; average of one per every three houses. All streets were not covered due to limited supply and time. If any resident needs one installed, there is a limited supply at the station. See their Website or Facebook for information.

The Fire Department is holding a Fish Fry this Friday from 11:00 am to 7:00 pm.

We were able to get a free vest for one of the officers through the Lupinacci Memorial Fund, which was handled by Tammy at Lincoln Borough.

Mr. Zrenchak made a motion to hire Daine J. Lower as a part-time police officer. The motion was seconded by Mr. Matlos and passed unanimously.

**LEGISLATION.**

There was nothing to report, in absence of Mr. Ponchak.

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

We will have the Easter Event at the Fire Hall on Saturday, April 20, starting at 11:00 am. There will be a magician, balloons, tattoos, and refreshments. It is a good time for the little ones.

Mrs. Morgan made a motion to hire Noah Spyra and Noah Allan for temporary part-time summer help for the Street Department at a rate of \$9.25 per hour, beginning May 1. The motion was seconded by Mr. Matlos and passed unanimously.

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

There was nothing to report.

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

Duquesne Light has Davey Tree Service in town trimming branches.

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

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

|                                                                      |                    |
|----------------------------------------------------------------------|--------------------|
| Aflac – short-term disability [March]                                | \$ 60.90           |
| American Legal Services – police insurance [April]                   | 50.68              |
| AmTrust – Worker’s Comp installment                                  | 3,802.00           |
| Comm of PA – PennVest loan payment [interest only]                   | 81.61              |
| Finneran, Shaun – annual backflow valve testing [3 @ \$75]           | 225.00             |
| First Commonwealth Bank – loan payment [PW truck]                    | 1,301.99           |
| First Commonwealth Bank – loan payment [2015 street paving]          | 3,686.14           |
| First Commonwealth Bank – wire transfer fee [PennVest proceeds]      | 20.00              |
| Glenn Engineering – general engineering                              | 1,148.75           |
| Glenn Engineering – sewage                                           | 580.00             |
| Orkin – sewers                                                       | 207.92             |
| PA American Water – EMS                                              | 15.38              |
| PA American Water – garage                                           | 48.37              |
| PA American Water – Municipal Building                               | 169.28             |
| Quill – 3 cases of copy paper                                        | 89.97              |
| Racunas Law Group, LLC – Solicitor fees [February]                   | 3,008.00           |
| Ricoh – copier maintenance                                           | 38.22              |
| Seven Springs – ALOM Conference room balance [Matyasovsky]           | 556.00             |
| Seven Springs – ALOM Conference room balance [Sikorski]              | 556.00             |
| Seven Springs – ALOM Conference room balance [Weigand]               | 556.00             |
| Seven Springs – ALOM Conference room balance [Morgan]                | 512.00             |
| Seven Springs – ALOM Conference room balance [Ponchak]               | 349.00             |
| Seven Springs – ALOM Conference room balance [Matlos]                | 349.00             |
| Sprint – mobile laptop                                               | 40.24              |
| Steel Rivers COG – annual dinner meeting [5 @ \$50]                  | 250.00             |
| Traffic Signs.com – freight for emergency signs / barricades         | 475.00             |
| UPMC Health Plan – health insurance [April]                          | 2,733.60           |
| Verizon – garage                                                     | 53.21              |
| WestComm Wireless – radio maintenance [4/1/19 – 5/1/19]              | 55.00              |
| Witmer Public Safety Group – ammunition                              | 1,398.48           |
| Zrenchak Environmental Services – pump station inspection [February] | 595.00             |
| <b>TOTAL RATIFIED BILLS</b>                                          | <b>\$23,012.74</b> |

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

|                                                                      |             |
|----------------------------------------------------------------------|-------------|
| AmTrust – Worker’s Comp installment                                  | \$ 3,822.00 |
| Aqua Filter Fresh – bottled water                                    | 35.62       |
| Blue Ridge Supply – topsoil [Manor Field]                            | 102.00      |
| Building Inspection Underwriters (BIU) – building inspection         | 220.00      |
| Center Independent Oil (Double Car Wash) – police vehicles [Dec-Feb] | 168.95      |
| Collura, Dave – wildlife control [March]                             | 175.00      |
| Comcast – Internet [police office]                                   | 163.81      |
| Direct Energy – EMS                                                  | 55.49       |
| Direct Energy – garage                                               | 86.26       |
| Direct Energy – Municipal Building                                   | 285.45      |

|                                                                   |          |
|-------------------------------------------------------------------|----------|
| Direct Energy – pump station                                      | 149.74   |
| Duquesne Light – street lights                                    | 3,159.31 |
| Gaydos-Behanna Kennel – animal control [January]                  | 75.00    |
| Gaydos-Behanna Kennel – animal control [February]                 | 75.00    |
| Gaydos-Behanna Kennel – animal control [March]                    | 75.00    |
| Glenn Engineering – general engineering                           | 873.75   |
| Glenn Engineering – sewage                                        | 1,553.75 |
| Home Depot – misc supplies / concrete / grass seed                | 241.51   |
| MCI – long distance                                               | 29.43    |
| O’Reilly’s – supplies for PW vehicles                             | 65.66    |
| PA American Water – consumption data                              | 67.11    |
| PA American Water – fire hydrants                                 | 1,097.18 |
| PA One Call – notices                                             | 16.66    |
| Paul’s Auto Sales & Service – police vehicles                     | 973.17   |
| Peoples Gas – EMS                                                 | 148.89   |
| Peoples Gas – garage                                              | 161.85   |
| Peoples Gas – Municipal Building                                  | 295.61   |
| PSAB – 1 <sup>st</sup> quarter unemployment tax                   | 2,221.08 |
| Quill – toner for police office copier / office supplies          | 85.93    |
| RA Foster & Son – janitor supplies                                | 109.50   |
| RC Walter – misc supplies                                         | 53.44    |
| Ricoh – copier lease                                              | 114.95   |
| Sprint – cell phones                                              | 53.12    |
| Steel Rivers COG – 3/7/19 Board Meeting [dinner cost]             | 16.84    |
| Stone & Co – storm sewer riser                                    | 120.00   |
| TEC Benefits – benefits admin                                     | 30.00    |
| Zrenchak Environmental Services – pump station inspection [March] | 280.00   |

**TOTAL BILLS** **\$17,258.06**

Mr. Matlos made a motion to accept the ratified bills and to pay the list of bills. The motion was seconded by Mrs. Morgan, and passed, with Mr. Zrenchak abstaining on the bills for Zrenchak Environmental Services.

The receipts for the month of March are as follows:

**GENERAL FUND**

|                                       |           |
|---------------------------------------|-----------|
| Real Estate Tax – Aquilante           | 0.00      |
| Fire Tax – Aquilante                  | 0.00      |
| Delinquent Real Estate Tax – Keystone | 3,550.71  |
| Act 77 Tax Refund                     | 6,952.73  |
| Real Estate Transfer Tax              | 428.75    |
| Earned Income Tax – Keystone          | 28,577.54 |
| Local Services Tax                    | 5,881.00  |

|                                          |        |
|------------------------------------------|--------|
| Zoning/Building Permits                  | 200.50 |
| Zoning/Occupancy Permits                 | 60.00  |
| Solicitor's Permits                      | 240.00 |
| Dye Test Permits                         | 100.00 |
| Police Fines                             | 172.72 |
| No Lien Letters                          | 40.00  |
| Employee Contribution – Health Insurance | 20.00  |
| Police Reports                           | 0.00   |
| Right of Way – Duquesne Light            | 35.00  |

**TOTAL RECEIPTS FOR THE MONTH** **\$ 46,258.95**

**GENERAL FUND**

**REGISTER BALANCE** **\$ 12,430.94**

**GENERAL FUND SAVINGS**

Interest 126.19

**REGISTER BALANCE** **424,652.86**

**SEWER FUND**

Customer Payments 29,785.43

**REGISTER BALANCE** **22,536.72**

**HIGHWAY AID FUND**

Liquid Fuels – Comm of PA 87,430.14

Interest 25.05

**REGISTER BALANCE** **\$ 75,546.38**

**SINKING FUND [2018 NOTE]**

Surcharge 3,649.56

PennVest Loan Proceeds 288,777.16

**REGISTER BALANCE** **\$ 86,346.44**

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

Mrs. Matyasovsky made a motion to accept the resignation of Officer Marla Matis, effective March 23, 2019. The motion was seconded by Mr. Matlos and passed unanimously.

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

They had talked last October about getting the vactor in to clean the inlets on Liberty Way to get some of the gravel out of there from the tar and chip program. He would like to get it scheduled now, before the spring rains. Now that the grass is beginning to grow, Mr. Zrenchak wanted to remind residents that Storm Water Ordinance #505 states that it is illegal to discharge grass clippings into the street. We do see a lot of it, and it gets washed into the inlets and will block them up.

The PennVest Project is about 70% complete and under budget. They should wrap up this month.

**MAYOR SIKORSKI'S REPORT.**

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

|                              |    |     |
|------------------------------|----|-----|
| Total Call Activity          |    | 130 |
| Calls for Service            | 17 |     |
| Domestic Complaints          | 1  |     |
| Suspicious Persons/Vehicles  | 9  |     |
| Traffic Incidents            | 19 |     |
| Driving Under the Influence  | 1  |     |
| Traffic Stops                | 18 |     |
| Adult Arrests                |    | 2   |
| Traffic Citations Issued     |    | 7   |
| Non-Traffic Citations Issued |    | 8   |

The fines for the month were \$172.72.

We've have many animals reported sick and/or disoriented. It was reported that animals come out in the daytime because they are afraid to leave their young. They look confused because their eyes are taking in too much sunlight. Mr. Sikorski does not agree with that. We had a cat last year cause us a multitude of problems; six people were treated for rabies. You can't take any chances, so if you see any animal that looks suspicious or out of place, assume the worst; don't assume it doesn't have rabies; stay away from it. The first step would be to call Dave Collura, Wildlife Control. If Mr. Collura is not available, call 9-1-1 to dispatch one of our officers. Once the animal is incapacitated, the officer will decide if needs to be tested. Mr. Sikorski said he was at one corner for about three hours with Lt. Johnson; a skunk was chased Mr. Stonkey and Mrs. Crevar was nearby in her wheelchair with her puppy. The issue did get resolved. Lt. Johnson was in the audience, and said he talked with the Health Department, and was informed not to shoot an animal in the head. If they want to have it tested, they must decapitate the head and take it down. Mr. Sikorski provided Mr. Collura's

number: 412.384.0823. Dog & cat problems are handled by another service, but you must call the police through 9-1-1.

**SOLICITOR RACUNAS’S REPORT.**

Mr. Racunas read the title of Resolution 2019-02, increasing the part-time Office Assistant’s rate to \$12.00 per hour, effective 4/10/19, with no minimum number of hours guaranteed. Mrs. Morgan made a motion to adopt the resolution. The motion was seconded by Mrs. Matyasovsky and passed unanimously.

**ENGINEER GLENN’S REPORT.**

The 2019 Paving Project was awarded to McKee Asphalt in the amount of \$122,950. They need direction from council on what streets to cut or if they want to keep them all. Mr. Zrenchak said the water company did some line replacement and will do curb-to-curb paving there. Any streets that overlap can be removed. They will advise the Engineer after they look at the streets.

Mr. Prince provided the following invoices for the PennVest Project for approval:

| <i>From</i>         | <i>For</i>            | <i>Amount</i> | <i>Month</i> |
|---------------------|-----------------------|---------------|--------------|
| State Pipe Services | Trenchless Technology | 205,261.40    | February     |
| State Pipe Services | Trenchless Technology | 124,506.00    | March        |
| Glenn Engineering   |                       | 3,722.50      | February     |
| Glenn Engineering   |                       | 4,900.00      | March        |

Mr. Zrenchak made the motion to approve the invoices. The motion was seconded by Mr. Matlos and passed unanimously.

Mr. Prince distributed a sheet to council. There were 24 change order forms submitted for approval. Mrs. Morgan said we are under budget; that is great. Mr. Prince said they will keep an eye on any future change orders to keep it in budget. Mr. Zrenchak made a motion to approve the pending change orders. The motion was seconded by Mr. Matlos and passed unanimously.

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

Mrs. Morgan made a motion to accept the typed minutes from the Public Hearing on March 13, 2019 and the typed minutes from the Regular Session on March 13, 2019. The motion was seconded by Mr. Zrenchak and passed unanimously.

The next meeting date is Wednesday, May 8, 2019; Work Session at 6:00 pm and Regular Session at 7:30 pm.

A motion to adjourn was made by Mrs. Matyasovsky, seconded by Mrs. Morgan. All were in favor and the meeting adjourned at 8:30 pm.

Respectfully submitted,

Debra L. Helderlein  
Borough Secretary