**BOROUGH OF ELIZABETH**

February 27, 2018

Regular Meeting of Council

**Members Present:** Devie Rollison, Robin Payne-Main, Chad Rager, Julius Brown, Gregory Huschak, Cynthia Morris

**Absent:** Paul Shaner

**Also Attending:** Solicitor Krisha DiMascio, Police Chief Tim Butler, Sergeant Garrett Kimmell, and Mayor Barry Boucher

R**ecorded by:** Pamela Sharp, Secretary

**Order/Pledge of Allegiance**

The regular meeting of Council was called to order at 7:00-PM by Council President Devie Rollison. The Pledge of Allegiance was recited. President Rollison stated that, prior to the Council meeting, Council members met in an executive session to discuss personnel matters. In addition, the meeting is being recorded for the purpose of minute-taking.

**VISITORS**

**Robin Schmidt**, the Tax Collector, said that the 2018 tax bills will be printed soon, and she wants to know if Council wants the 0.5% Fire Tax to appear on the real estate tax bill as a separate line item, or whether Council wants the real estate millage rate to appear as 8.5% on the tax bill. Council agreed that the 0.5% Fire Tax should appear as a separate line item.

Robin Schmidt asked Council if she could perform her tax collection duties in her home. The lobby in the Borough Building, which is where she currently performs her tax collection duties, does not have an electrical outlet or running water. Police Chief Butler said that the Mother Goose Learning Center has agreed to let her use the council chambers for the purpose of collecting taxes. The school has all of the amenities that she will need and, in addition, the school is handicapped accessible.

Robin Schmidt asked Council to consider increasing her tax commission rate from 4% to 5%, since the typical rate in most of the local municipalities is 5%. Solicitor DiMascio responded that Council cannot change the tax commission rate mid-term. Governing bodies must set the rates for incoming tax collectors by February 15th in the year of the municipal election, and the rates cannot be changed for four years.

**Gabriel Nowak** said that he has been working with Attorney Joseph Gramc on the Legeza properties, and they have agreed to split the parcels rather than to sell them all as a block. He was grateful for this because he is not interested in the properties in the back. Mr. Nowak added that he was able to get the Federal lien lifted. The hearing on these properties in on Monday of next week, so he will know something soon.

Mr. Nowak said that he is in the process of purchasing the parking lot at the corner of 3rd Avenue and Market Street. This property, which is adjacent to one of the Legeza properties that he hopes to purchase, is scheduled to close on March 9th. His vision for these properties is to be the new home of his body shop, which is currently located in Clairton, as well as his used car lot, which is currently located on Highway 51. He said that he realizes that he will have to deal with some zoning issues to make this happen. Solicitor DiMascio said that she spoke with the Zoning Hearing Board’s solicitor, Amy Schrempf, who told her that she would rather not deny the zoning variance outright. However, if the variance is to be considered, Council will need to fix some of the more restrictive items from the current Zoning Ordinance. Council has been talking with Amy Schrempf about possibly changing a couple of small parcels on the zoning map that are on the outer edges of the Central Business District. These parcels are a little more restrictive than Council would like them to be. Solicitor DiMascio added that the parking lot at the corner of 3rd Avenue and Market Street is zoned as Central Business District. The warehouse property that is adjacent to the lot is zoned as Industrial. She added that Council Member Cynthia Morris will be attending a Zoning Hearing Board meeting sometime in the next couple of weeks to get a better idea of where this this going. Mr. Nowak said that, next month, he will have some preliminary drawings of his development plans for these lots to show to Council.

Mr. Nowak said that he is also interested in the former Moose Lodge which is situated across the street from the parking lot that he is purchasing. This property will be going up for sheriff sale in mid-April.

**Andy Miklos** said that he needs assistance from the Borough with some water diversion on his property so that a heavy rainfall does not wash out the streets below his property. C. Rager said that he will stop by Mr. Miklos’ house to take a look at the situation.

Andy Miklos said that, now that he is retired, he is available to volunteer his time to help the Borough with special projects that may arise. Members of Council thanked Mr. Miklos for his thoughtfulness.

**Charles Smith** introduced himself as the Emergency Management Coordinator. He stated that between February 15th and February 18th, the Mon Valley received approximately 4.25” of rainfall. This caused minor street flooding and some basement flooding. The flooded basements ranged from a few inches of water to 6-feet of water. The affected streets were Pea Avenue, McKeesport Road, Cemetery Street, Irwin Street, Polk Street and Church Street. The Elizabeth Volunteer Fire Department assisted residents with pumping out flooded basements. Mr. Smith said that the fire fighters spent multiple man-hours assisting residents, and the Police Department assisted with traffic control. He wanted to publically thank them for all that they did.

**Julius Brown** said that the heavy rains caused significant damage to his property, and he is going to need some help with dredging the creek behind his house, and removing the debris. The rains washed away a great deal of the soil from his yard and took out a large number of trees. C. Rager said that he will make some calls to see if he can get some help to take care of this and to solve this problem.

**APPROVAL OF MINUTES**

A motion was made by R. Payne-Main and seconded by G. Huschak to approve the Minutes of the January 23, 2018, regular meeting of Council. **All in favor, motion was carried.**

**PAYMENT OF BILLS**

A motion was made by J. Brown and seconded by R. Payne-Main to authorize the payment of the invoices on the Payables Report dated February 23, 2018, with the exception of the uniform allowances, the EMS donation in the amount of $1,500, and the training complex and annual dues invoices from Steel Rivers COG. **All in favor, motion was carried.**

**REPORTS**

**Mayor Report**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Monthly Complaint Report - January 2018** | | | | | | | | | | |
| Alarm | 7 |  | Animal complaint | 2 |  | Assault | 4 |  | Assist citizen | 2 |
| Assist EMS | 18 |  | Assist fire | 8 |  | Assist police | 23 |  | Burglary | 2 |
| Criminal mischief | 2 |  | Detail | 5 |  | Disabled vehicle | 2 |  | Domestic | 2 |
| DUI | 5 |  | Harassment | 2 |  | Hazardous conditions | 3 |  | Local ordinance | 6 |
| Missing Person +18 | 1 |  | Motor vehicle crash | 14 |  | Other | 1 |  | Patrol related | 1 |
| PFA | 1 |  | Property | 2 |  | Public drunkenness | 1 |  | Pursuit | 1 |
| Theft | 1 |  | Traffic complaint | 3 |  | Utility complaint | 9 |  | Weapons | 3 |
| Welfare check | 5 |  | Suspicious vehicle | 4 |  | K-9 | 3 |  | **Total:** | **143** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Citations** | | | | |
| Traffic | 75 |  | **West Elizabeth** | |
| Non-traffic | 2 |  | Traffic | 29 |
| **Criminal** | |  | Non-traffic | 3 |
| DUI | 4 |  | Criminal arrests | 5 |
| Possession | 1 |  |  |  |

Mayor Boucher said that he is pleased with all of the new business activity that is going on in the Borough, and he has noticed that more people are taking advantage of the park. He added that the Police Department is doing an outstanding job.

President Rollison read the following Treasurer’s Report:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **01/20/18 - 02/23/18** | | | | |
| **Bank Account** | **Bank Balance** | **Income** | **Expense** | **Ending Balance** |
| General Fund | 57,955.32 | 43,127.23 | 63,564.97 | 37,517.58 |
| Payroll | 20.90 | 41,405.00 | 41,282.30 | 143.60 |
| Special Projects | 704.22 | - | 5.00 | 699.22 |
| K-9 Fund | 25,914.74 | - | 14,303.23 | 11,611.51 |
| Liquid Fuels | 3,092.66 | 1.02 | - | 3,093.68 |
| Money Market | 5,007.50 | 0.23 | - | 5,007.73 |
| Totals | 92,695.34 | 84,533.48 | 119,155.50 | 58,073.32 |
|  |  |  |  |  |
| **Loans** | **Maturity Date** | **Loan Amount** | **Principal Paid** | **Balance Owed** |
| FCB - TAN | 12/31/2018 | 75,000.00 | 597.00 | 74,403.00 |
| FCB - Car Loan | 9/6/2018 | 38,000.00 | 33,218.79 | 4,781.21 |
| PNC - Car Loan | 5/1/2019 | 39,500.00 | 28,956.56 | 10,543.44 |
| PNC - Mortgage | 3/31/2023 | 115,000.00 | 18,303.75 | 96,696.25 |
| PNC - K-9 Car Loan | 2/4/2021 | 55,431.52 | 21,196.22 | 34,235.30 |
| Totals | - | 322,931.52 | 102,272.32 | 220,659.20 |

A motion was made by C. Rager and seconded by C. Morris to accept the Treasurer’s Report dated February 23, 2018. **All in favor, motion was carried.**

**Solicitor**

Solicitor DiMascio said that the Borough will shortly be receiving a signed copy of the West Elizabeth police contract from West Elizabeth Borough.

Solicitor DiMascio said that she has been working with Gabriel Nowak and the Zoning Hearing Board solicitor, Amy Schrempf, on the zoning issue that was discussed earlier in the meeting.

**Building Inspector Report**

No report.

**Animal Control**

No report.

**COMMITTEES**

**Finance and Budget**

The Borough Secretary stated that, according to *Act 93 of 1994 for Fire Losses*, State Farm issued a check in the amount of $9,627.60 payable to the Borough of Elizabeth for the total loss of a residence located at 701 Williamsport Road.  This is equal to $2,000 for each $15,000 of the claim amount. This money is to be used by the Borough only if the property owner does not remove the debris caused by this house fire.  Once the contractor has completed the project and the Building Inspector has inspected the site, the Borough will release the funds to the property owner. The property owner is currently in the process of shutting off all utilities, getting a demolition permit, and obtaining a signed debris removal estimate. Both the property owner and the contractor have been in touch with the Borough, and they are aware of these procedures. According to Ordinance #633, the check from State Farm cannot be deposited into the Borough’s General Fund. Solicitor DiMascio said that the Borough needs to open a fire escrow account in which to deposit the check. A motion was made by C. Rager and seconded by G. Huschak to authorize the Borough Secretary to open a fire escrow account in which to deposit the $9,627.60 check from State Farm for the total fire loss to the property located at 701 Williamsport Road. **All in favor, motion was carried.**

**Public Safety**

Solicitor DiMascio said that she has created a resolution for the purchase of two vehicles by the Police Department:

*Resolution authorizing small borrowing for capital purchases under Section 8109 of the Local Government Unit Debt Act, whereas the Borough of Elizabeth, County of Allegheny, Commonwealth of Pennsylvania, hereinafter referred to as the Local Government Unit, proposes to incur non-electoral debt by the issuance of a General Obligation Note to finance the cost of the purchase of two (2) police vehicles for an amount not to exceed $92,207.*

A motion was made by G. Huschak and seconded by R. Payne-Main to accept the Resolution authorizing small borrowing for capital purchases under Section 8109 of the Local Government Unit Debt Act, whereas the Borough of Elizabeth, County of Allegheny, Commonwealth of Pennsylvania, hereinafter referred to as the Local Government Unit, proposes to incur non-electoral debt by the issuance of a General Obligation Note to finance the cost of the purchase of two (2) police vehicles for an amount not to exceed $92,207. Those in favor: G. Huschak, R. Payne-Main, J. Brown, C. Morris, and President Rollison. Those opposed: C. Rager. **Motion passes 5:1.**

C. Rager said that he is opposed to this purchase because it is not in the 2018 budget.

Solicitor DiMascio stated that the funds that will be used to purchase the police vehicles are coming from Federal funds that the Police Department will be receiving from the Federal Government for services rendered. They will not be purchased from funds in the Borough’s General Fund.

Police Chief Butler said that the 2013 Taurus has been out of service now for about a month. Pep Boys apparently installed a new fuel pump incorrectly, and this caused thousands of dollars in damage to the vehicle. Currently, Pep Boys is fixing all of this, and they are doing so at their own expense. Police Chief Butler said that if Pep Boys does not pay for these repairs, he will take them to court. The car should be ready tomorrow.

**Public Works**

C. Rager said that he is meeting with the Elizabeth Borough Municipal Authority and Joe Dursa from Glenn Engineering on Thursday at 9:00-AM, about the Lookout at the Riverfront. He invited all members of Council to attend. The Borough was recently awarded a $50,000 grant for the Riverfront project, and they will be discussing the best way to use this money. Last year, the Borough was awarded a $20,000 grant for this same project, and that money is being used to update all of the lighting in that area, as well as a few other things.

C. Rager said that spoke with Kathy Frankel about fixing up Duke Park. She is going to see what kind of funding she can get for the Borough.

**Parks and Recreation**

R. Payne-Main stated that Kid’s Day is going to be held on Saturday, June 23, 2018. She also wants to have a Move Night on the Riverfront sometime in May. She was hoping to show Star Wars. She will need to get the movie and a movie screen, so she will need some help in making this event happen.

**Ordinance**

No report.

**Personnel**

No report.

**Economic Development**

C. Rager said that he attended the “Rebuilding Together” meeting at Rockwell’s. President Rollison said that there are income restrictions for this program, and applications are being taken for the next couple of days only, so time is running out. She urged everybody to let their neighbors know about this program, and to reach out to Lynn Rockwell, if they are interested. C. Rager said that eligible residents need to own their own homes and be current on their real estate taxes.

**Planning**

No report.

**OLD BUSINESS**

None

**NEW BUSINESS**

President Rollison asked for a motion to approve the 2018 Sounds of Summer on Plum Street special event application. A motion was made by R. Payne-Main and seconded by C. Morris to approve the 2018 Sounds of Summer on Plum Street special event application. **All in favor, motion was carried.**

President Rollison said that Council needs to vote on the exoneration of the Tax Collector for the collection of the 2017 real estate taxes. A motion was made by R. Payne-Main and seconded by G. Huschak to exonerate the tax collector from the collection of 2017 real estate taxes. **All in favor, motion was carried.**

The Borough Secretary said that she will notify the Tax Collector to turn over the 2017 taxes to Patricia McGrail, the Borough’s delinquent tax collector, effective March 15, 2018.

**PUBLIC COMMENTS**

Solicitor DiMascio said that the Sip & Shop event was a great success. It displayed the community very well, and everybody in attendance seemed to have a really good time.

C. Rager said that video footage of the Fire Department responding to a river rescue event was aired on the Weather Channel.

**GOOD OF THE ORDER**

None.

**ADJOURNMENT**

With no other business before this Council, a motion was made by R. Payne-Main and seconded by C. Morris that the meeting be adjourned at 8:00-PM. **All in favor, motion was carried.**

**I enter these Minutes into the public record having been duly recorded and accepted at a public meeting.**

**Respectfully submitted,**

**Pamela J. Sharp, Secretary**