**BOROUGH OF ELIZABETH**

May 22, 2018

Regular Meeting of Council

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

**Absent:** Cynthia Morris

**Also Attending:** Solicitor Krisha DiMascio, Police Chief Timothy Butler, 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**

**Jonathan Nowak** asked for the status of the zoning change for the property that was recently purchased by Gabriel Nowak at 100 Tanner. Vice President Shaner said that he recently spoke with the zoning solicitor, Amy Schrempf, who told him that Council needs to amend its zoning map. Solicitor DiMascio said that she recommends that the Planning Commission meet to review and to make suggestions for amending the zoning map. Their suggestions should then be given to Council for review. The map changes will need to be submitted to the County for a 30-day comment period. After the comment period, Council will need to hold a public hearing and then vote to amend the zoning map.

Solicitor DiMascio added that the Borough will have to contact Mackin Engineering to get a cost for updating the zoning map. Mackin Engineering will also have to notify adjacent property owners about the proposed zoning change. She added that Council does not need to involve Mackin Engineering until they are certain that the Planning Commission will be suggesting changes to the zoning map.

Since there is currently nobody on the Planning Commission, Council needs to advertise that it is looking for residents who would like to serve on the Planning Commission. There should be at least five members. A motion was made by Vice President Shaner and seconded by C. Rager to advertise for Borough residents who are interested in serving on the Planning Committee. Residents should respond in writing and be present at the scheduled workshop meeting on Thursday, 6/21/18, at 6:00-PM. **All in favor, motion was carried.**

**Andy Miklos** asked whether the Borough participates in the Allegheny County Vacant Property Recovery Program and Side Yard Program. Solicitor DiMascio responded affirmatively. Mr. Miklos said that he is sustaining property damage from water runoff that is occurring on a vacant lot adjacent to his property. He has been in contact with the County and has been on the County web site to see if he could obtain ownership of this vacant lot so that he could possibly alter its terrain so that the water runoff does not reach his residence and cause further property damage. He wanted to advise Council that he will be applying to the County to acquire this lot.

**APPROVAL OF MINUTES**

A motion was made by Vice President Shaner and seconded by R. Payne-Main to approve the Minutes of the March 27, 2018, regular meeting of Council. **All in favor, motion was carried.**

**PAYMENT OF BILLS**

The Borough Secretary asked Council to authorize payment of a Lowe’s invoice for the purchase of Public Works tools and supplies in the amount of $636.31. The purchase was made on Friday afternoon and does not appear on the 5/18/18 payables list. Regarding the Payables Report dated May 18, 2018, a motion was made by Vice President Shaner and seconded by G. Huschak to authorize the payment of the invoices on the Payables Report, including the invoice from Lowe’s in the amount of $636.31. **All in favor, motion was carried.**

**REPORTS**

**Mayor Report**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Monthly Complaint Report - April 2018** | | | | | | | | | | |
| Alarm | 6 |  | Animal complaint | 5 |  | Assault | 5 |  | Assist citizen | 2 |
| Assist EMS | 21 |  | Assist fire | 5 |  | Assist police | 18 |  | Burglary | 2 |
| Criminal mischief | 3 |  | Detail | 1 |  | Disabled vehicle | 5 |  | Disorderly conduct | 2 |
| Dispute | 1 |  | Disturbance | 1 |  | Domestic | 4 |  | DUI | 5 |
| Harassment | 1 |  | Hazardous conditions | 5 |  | K-9 | 3 |  | Local ordinance | 9 |
| Motor vehicle crash | 7 |  | Narcotics | 2 |  | Offense - family | 1 |  | Other | 7 |
| PFA | 7 |  | Property | 1 |  | Public drunkenness | 2 |  | Robbery | 1 |
| Suspicious person | 8 |  | Subject stop | 1 |  | Theft | 3 |  | Traffic complaint | 8 |
| Traffic stop | 1 |  | Warrant | 1 |  | Weapons | 1 |  | Welfare check | 6 |
|  |  |  |  |  |  |  |  |  | **Total:** | **161** |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Citations - Non traffic** | |  | **Citations - Traffic** | |
| Trespassing | 8 |  | Speed violation | 11 |
|  | |  | Traffic control devices | 12 |
| **Criminal Complaints** | |  | Insurance suspension | 3 |
| Theft | 2 |  | License violations | 2 |
| Possession | 2 |  | STOP sign | 2 |
| Retail theft | 2 |  | Registration violation | 5 |
| Aggravated assault | 2 |  | Suspended driver | 5 |
|  |  |  | Too fast for condition | 1 |
| **West Elizabeth** | |  | Seat belts | 1 |
| Traffic citations | 29 |  | Permitting violation | 1 |
| Non-traffic citations | 4 |  |  |  |
| Criminal arrests | 4 |  |  |  |

Mayor Boucher asked Police Chief Butler if he had followed up with the Public Works Department to post a “No Parking” sign up at the cemetery. He has noticed that a truck frequently parks on the grass at the cemetery, and the cemetery is not a parking lot. Police Chief Butler said that he’ll make sure that this gets posted.

Vice President Shaner read the following Treasurer’s Report:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **TREASURER’S REPORT FOR 04/21/18 - 05/18/18** | | | | |
| **Bank Account** | **Bank Balance** | **Income** | **Expense** | **Ending Balance** |
| General Fund | 26,737.69 | 83,156.85 | 72,127.54 | 37,767.00 |
| Payroll | 149.70 | 27,655.00 | 27,641.24 | 163.46 |
| Special Projects | 621.74 | - | - | 621.74 |
| K-9 Fund | 9,298.02 | 10,136.00 | 998.99 | 18,435.03 |
| Liquid Fuels | 48,186.50 | 6.96 | - | 48,193.46 |
| Money Market | 5,008.13 | 0.21 | - | 5,008.34 |
| Totals | 90,001.78 | 120,955.02 | 100,767.77 | 110,189.03 |
|  |  |  |  |  |
| Fennimore Escrow | 9,627.60 | 0.07 | - | 9,627.67 |
|  |  |  |  |  |
| **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 | 34,582.71 | 3,417.29 |
| PNC - Car Loan | 5/1/2019 | 39,500.00 | 31,030.06 | 8,469.94 |
| PNC - Mortgage | 3/31/2023 | 115,000.00 | 20,910.82 | 94,089.18 |
| PNC - K-9 Car Loan | 2/4/2021 | 55,431.52 | 21,196.22 | 34,235.30 |
| Totals | - | 322,931.52 | 108,316.81 | 214,614.71 |

A motion was made by R. Payne-Main and seconded by G. Huschak to accept the Treasurer’s Report dated May 18, 2018. **All in favor, motion was carried.**

**Solicitor**

Solicitor DiMascio said that she wanted to explain the process for handling the new fire tax. Each month, the tax collector submits a monthly tax collections report showing how much tax she collected. The tax collector is entitled to receive a tax commission of 4% of the total amount of real estate tax and fire tax that she has collected. The Borough Secretary should make a copy of this monthly report for members of Council to review so that they can vote to approve payment of the tax commission to the tax collector at a Council meeting. After Council has approved the payment of the tax commission, the Borough Secretary will issue a tax commission check to the tax collector, as well as a check to the Fire Department for the amount of the fire tax that was collected minus the 4% commission. Solicitor DiMascio told the Borough Secretary to send a letter to the tax collector outlining this procedure.

Solicitor DiMascio said that the Borough Secretary should also provide a copy of the delinquent tax collector’s monthly report for members of Council.

Solicitor DiMascio said that Boenning & Scattergood submitted an Underwriting/Placement Agent Engagement Letter dated May 22, 2018, for Council’s consideration. Council will need to approve the engagement of Boenning & Scattergood to serve as its Underwriter/Placement Agent. A motion was made by Vice President Shaner and seconded by President Rollison to engage Boenning & Scattergood to serve as the Borough’s Underwriter/Placement Agent. **All in favor, motion was carried.**

**Building Inspector Report**

No report.

**Animal Control**

No report.

**COMMITTEES**

**Finance and Budget**

Vice President Shaner said that the water company is working in the Cemetery Hill area to replace some of its underground infrastructure. When they are done with the project, much of the roadway will have to be repaved, so the Municipal Authority is holding off on the repaving project. Since the water company will be doing much of the work, the cost for the Borough to repave portions of the roads in this area should be greatly reduced.

Solicitor DiMascio said that she spoke with Ken Hillman on Monday about the Municipal Authority’s sewer project. Ken reminded her that the Borough will have to approve this project through the Borough’s Planning Commission. She told Ken Hillman to forward all necessary paperwork to the Borough Secretary for processing.

**Public Safety**

Police Chief Butler said that the PennDOT project on the Elizabeth Bridge is proving to be a nightmare for the Borough and for travelers. Since this project began, there have been 29 vehicle accidents, 12-13 disabled vehicles, and approximately 14-15 stuck tractor trailers. Unfortunately, PennDOT is not sympathetic to the Borough’s dilemma. He said that he and Sergeant Kimmell have been talking with the Union about reworking the police schedule so that portions of the shifts overlap since the on-duty police officer is spending most of the shift sorting out problems on the bridge. Police Chief Butler added that he arranged a meeting with PennDOT to discuss this issue, but PennDOT did not show up.

C. Rager said that West Elizabeth is holding a meeting tonight concerning an operational merger between the Elizabeth Borough Volunteer Fire Company and West Elizabeth.

Police Chief Butler stated that, on April 25th, he, Sergeant Kimmell and Detective Ricci were involved in a drug case which resulted in the arrest of 39 persons. K-9 Ryker uncovered $125,000 in cash and 3 kilos of cocaine.

**Public Works**

C. Rager said that the Public Works Department has been busy patching potholes, cutting grass, putting up the Veteran banners, and getting the Borough ready for the Memorial Day parade.

C. Rager said that he wants to order personalized work shirts for Matt Styche and Devon Brown. The shirts will be safety yellow and will have “Elizabeth Borough Street Dept.” on them, along with their names. There were no objections.

C. Rager said that he will instruct Matt Styche to put up a “no parking” sign at the cemetery.

**Parks and Recreation**

R. Payne-Main said that she is getting everything ready for Kids’ Day which is on Saturday, June 23rd from Noon ‘til 4-PM.

R. Payne-Main said that she is working on having a “Movie Night” sometime in September. Glassport Borough is lending her their projector. President Rollison ordered the inflatable movie screen, and

C. Rager has offered to let her use his popcorn machine. The plan is to show one of the Star Wars movies.

**Ordinance**

No report.

**Personnel**

No report.

**Economic Development**

No report.

**Planning**

No report.

**OLD BUSINESS**

None.

**NEW BUSINESS**

**Street Paving Project**

A motion was made by Vice President Shaner and seconded by C. Rager to piggy-back onto the Municipal Authority’s Sewer Separation Street Paving Project for the milling and overlay of portions of Church, Cemetery, Clay, Harrison, Patterson, Ellsworth and Stewart streets, at an amount not-to-exceed $41,000. The Borough of Elizabeth intends to fully pay for its portion of the project with funds from its Liquid Fuels account exclusively. **All in favor, motion was carried.**

**Memorial Day Parade**

A motion was made by Vice President Shaner and seconded by C. Rager to approve the VFW Post 7632 Memorial Day Parade special event application to be held on Monday, 5/28/18. **All in favor, motion was carried.**

**Fishing Tournament**

Members of Council reviewed a special event application for a fishing tournament called “Catch Them for a Cause” with proposed event dates of August 21st and 22nd. President Rollison noted that the applicant’s *Games of Chance* license will expire prior to the event. R. Payne-Main replied that she spoke with the applicant, T.E.A.C.H Fayette County, who told her that they were in the process of renewing it. President Rollison said that, according to the application, the applicant does not have event insurance. R. Payne-Main said that she will contact the applicant to let them know that event insurance is required. C. Rager said that the event dates conflict with Forward Township’s *Community Days* event, which also includes a fishing tournament. R. Payne-Main responded that she advised the applicant of this conflict; however, the applicant told her that they already had people lined up for this event. C. Rager said that he does not want to interfere with Forward Township’s community event. R. Payne-Main said that the applicant is from Connellsville, and the people who will be attending this event are from Connellsville. It is not likely that the Connellsville participants would otherwise be attending the Forward Township event. The Bait Shop in the Borough is connected with this T.E.A.C.H. Fayette County organization, and will be sponsoring the tournament. Vice President Shaner said that, before voting on this, he would like to see if the applicant will consider changing the event dates. R. Payne-Main said that she will contact the applicant to explain Council Members’ concerns.

**Resignation of Devie Rollison**

President Rollison announced that she will be moving to Elizabeth Township, so she is resigning from Council effective June 1, 2018. A motion was made by R. Payne-Main and seconded by G. Huschak to accept the resignation of President Devie Rollison effective June 1, 2018. **All in favor, motion was carried.**

Solicitor DiMascio stated that Council has 30 days in which to fill this vacancy. Council can choose to either advertise for this open seat, or to appoint a replacement at the June meeting. The Borough Secretary was instructed to post the open seat at the Borough Building and to request that interested parties submit a letter of interest by the close of business on June 21, 2018.

**Purchase of new Police Vehicle**

A motion was made by G. Huschak and seconded by Vice President Shaner to authorize the purchase of a new police vehicle with all of the necessary equipment at an amount not-to-exceed $50,000. This vehicle will be paid for from the proceeds of the FBI funds that will be received later this year. **All in favor, motion was carried**

Police Chief Butler wanted to clarify that the new police vehicle is actually a replacement vehicle for the Borough’s 2013 Ford. The 2013 Ford has been in and out of the shop for the better part of 3 months, and much work is still needed to fix all of the mechanical problems. At this point, the cost to repair the 2013 Ford exceeds its value. He added that the Fire Department is interested in obtaining this vehicle. Solicitor DiMascio suggested that the Police Department could sell the vehicle to the Fire Department for the sum of $1.00.

**PUBLIC COMMENTS**

None.

**GOOD OF THE ORDER**

None.

**ADJOURNMENT**

With no other business before this Council, a motion was made by R. Payne-Main and seconded by G. Huschak that the meeting be adjourned at 7:55-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**

**Pamela J. Sharp, Secretary**