

BOROUGH OF ELIZABETH

MEETING OF COUNCIL

APRIL 26, 2022

MINUTES

CALL TO ORDER

President Guffey called the meeting to order at 7 p.m.

PLEDGE OF ALLEGIANCE

President Guffey led all in the Pledge of Allegiance.

ROLL CALL

Present – President Guffey, Mr. Rager, Mrs. Gephart, Mrs. Turner, Mr. Smith, Mr. Buchina and Mrs. Cress

Also Present – Mayor Boucher, Solicitor Krisha DiMascio, Chief William Sombo (late), and Secretary Jean Warren

Absent – None

ANNOUNCEMENTS

Executive sessions were held on April 20, 2022 and April 26, 2022 to discuss personnel issues.

VISITORS

Andrew Miklos, 140 Patterson Street, addressed Council regarding short-term rentals and asked them to consider an ordinance to regulate. Mrs. DiMascio stated the current zoning ordinance does not permit short-term rentals and later reported that a boarding house is only permitted by special exception.

Larry Ross, EADC, presented a spreadsheet of grants the EADC has applied for regarding the Moose lot and stated he has a handshake agreement to start filling the hole with clean fill. He requested a meeting with the Mayor and Chief of Police. The Mayor stated the work on filling and seeding the hole is expected to start May 1. Mr. Ross requested the report by Glenn Engineering regarding water run-off and was informed by Mrs. DiMascio that Council can't discuss runoff issues. Mr. Ross stated he requested a certificate of insurance from the contractor filling to hole naming the EADC and Borough of Elizabeth as additional insureds. The fence on the property was discussed and Mrs. DiMascio stated it is private property. The Allegheny County grant funding was discussed and Mrs. DiMascio reiterated that they will not give the funds to the Borough. She then requested that she be included on all emails between the Borough and the EADC. Mr. Ross apologized that he missed including her.

COMMENTS ON AGENDA

None

APPROVAL OF MINUTES

Motion to accept the minutes of the March 16, 2022 Workshop Meeting and March 22, 2022 Council Meeting:

- Motion – Mr. Smith
- Second – Mr. Rager
- Voice Vote - All in Favor

PAYMENT OF BILLS

Motion to pay the bills as presented with Mr. Buchina abstaining from all payroll payments:

- Motion – Mrs. Gephart
- Second – Mr. Smith
- Roll Call Vote – All in Favor

REPORTS

Mayor

Mayor Boucher stated his items were covered in Executive Session and the Borough is working on police manpower issues.

Treasurer

No report.

Solicitor

Mrs. DiMascio reported she covered items in Executive Session. She also stated she is working with Becky, the Clerk of Sessions, regarding Lion's Park. Regarding animal control she reported that a 30-day termination letter was sent to the current provider regarding licensing and insurance issues. She stated the mutual aid agreement with Elizabeth Township is a 2-way agreement and being a good neighbor. The two ordinances on the agenda were reviewed by Mrs. DiMascio. She also addressed an issue from Bill Peterson at the agenda meeting and stated that he does not need to obtain a side lot to participate in the ACVPRP. Two of the properties scheduled for demolition were then discussed by Mrs. DiMascio, stating that the new owner of 124 Clay Street did not attend the hearing earlier today and that it is believed that the interested buyer of 5-7 Maple Avenue will do what is needed to bring it up to code.

Building Inspector

No report.

Chief of Police

Chief Sombo's report was distributed to Council at the April 20, 2022 meeting. He was late to the meeting as he had to serve a protection from abuse order in Pittsburgh.

When he arrived at the meeting the Chief discussed the resignation of Officer Andrew Amendola; and provided an update on training, etc. for officers Brand and Trunzo. Mrs. DiMascio told the Chief that the ordinances on the agenda for stop signs and a new mechanical device tax were discussed; and the termination of Sam Vargo Animal Control effective May 27. She requested the Chief search for a replacement that can provide a certificate of insurance and has a kennel license. Chief Sombo stated that the dog situation at 233 Center Street is being handled by the Humane Society. Dumpsters in the Borough were discussed and it was agreed to notify local dumpster companies that the Borough has an ordinance in place.

Animal Control

Sam Vargo's report was in the packets.

REPORT OF COMMITTEES

Budget & Finance

It was reported that a profit and loss report is in the packets.

Public Safety

No report.

Public Works

Mr. Rager reported the crew is cutting grass; getting ready to start flower beds and that Eastman Chemical has volunteered to assist; and stated the new street signs should be ordered as soon as possible.

Parks & Recreation

Mrs. Gephart provided the schedule for movies in the park and stated it will be placed on Facebook. Mrs. Turner reported the new equipment is on the agenda to be ordered.

Ordinance

No report.

Personnel

Mrs. DiMascio reported 10 applicants for the Borough Manager position have been received to date and she will forward the applications to Michael Foreman at PA DCED. Mr. Guffey explained that a portion of the salary will be paid with a grant from PA DCED.

Economic Development

No report.

Planning

No report.

OLD BUSINESS

1. Motion to ratify the vote to authorize the Secretary to advertise for a Borough Manager using the list provided by PA DCED:
 - Motion – Mrs. Turner
 - Second – Mr. Rager
 - Voice Vote – All in Favor

NEW BUSINESS

1. Motion to approve two agreements with Ehrlich for vegetation management services for a total of \$1,238.00:
 - Motion – Mr. Buchina
 - Second – Mrs. Turner
 - Roll Call Vote – All in Favor
2. Motion to accept termination of agreement effective May 31, 2022 with Resource Development & Management, Inc. for borough secretary services:
 - Motion – Mr. Rager
 - Second – Mr. Smith
 - Voice Vote – All in Favor
3. Motion to approve the purchase of an outdoor movie projector, sound system, and DVD player with warranties at a cost not to exceed \$1,500:
 - Motion – Mrs. Turner
 - Second – Mr. Smith
 - Roll Call Vote – All in Favor
4. Motion to approve payment to Traffic Systems and Services of \$17,502.76 with \$12,502.76 paid from an insurance claim:
 - Motion – Mr. Smith
 - Second – Mr. Buchina
 - Roll Call Vote – All in Favor
5. Motion to adopt Ordinance 2022-02 creating the office of Borough Manager, as advertised March 24, 2022 in the *Mon Valley Independent*:
 - Motion – Mr. Smith
 - Second – Mr. Rager
 - Voice Vote – All in Favor
6. Motion to authorize the Borough Secretary to submit a Single Application to the PA DCED for Borough Manager and Codification services:
 - Motion – Mr. Buchina
 - Second – Mr. Rager
 - Voice Vote – All in Favor

7. Motion to approve Resolution No. 2022-03 authorizing the disposition of specific records:
 - Motion – Mr. Rager
 - Second – Mr. Smith
 - Voice Vote – All in Favor

 8. Motion to approve Resolution No. 2022-04 supporting applications for a change in liquor licenses to provide for serving alcoholic beverages in outdoor settings:
 - Motion – Mr. Buchina
 - Second – Mrs. Gephart
 - Voice Vote – All in Favor

 9. Motion to approve transfer of \$400 from the General Fund to the American Rescue Plan Fund for IT services:
 - Motion – Mr. Smith
 - Second – Mr. Buchina
 - Roll Call Vote – All in Favor

 10. Motion to approve the engagement of Mark Turnley to perform the 2021 audit at a fee of \$5,500:
 - Motion – Mrs. Gephart
 - Second – Mrs. Turner
 - Roll Call Vote – All in Favor

 11. Motion to approve the Special Event Application of the EADC for Plum Street markets on 5/14, 6/11, 7/9, 8/13, 9/10, and 10/8:
 - Motion – Mr. Smith
 - Second – Mrs. Turner
 - Voice Vote – All in Favor

 12. Motion to approve the Special Event application from Erica Morris to close Walnut Street between 7th & 8th streets on 6/26/22 for a graduation party:
 - Motion – Mr. Buchina
 - Second – Mrs. Turner
 - Voice Vote – All in Favor

 13. Motion to authorize the Borough Secretary to advertise an ordinance to place two stop signs at 4th & Walker:
 - Motion – Mr. Smith
 - Second – Mr. Rager
 - Voice Vote – All in Favor

 14. Motion to authorize the Borough Secretary to advertise an ordinance to amend mechanical device ordinance:
 - Motion – Mr. Buchina
 - Second – Mr. Rager
 - Voice Vote – All in Favor
- Mrs. DiMascio stated she would provide a fee resolution sample to Mrs. Turner.

15. Motion to enter into an agreement with Keystone Municipal Collections for the collection of delinquent per capita tax:
 - Motion – Mr. Rager
 - Second – Mr. Smith
 - Voice Vote – All in Favor

16. Motion to host the Memorial Day parade and ceremony with assistance from the VFW:
 - Motion – Mr. Smith
 - Second – Mr. Buchina
 - Voice Vote – All in Favor

17. Motion to demolish the property at 124 Clay Ave., Lot & Block 1132-E-042, owned by Deshaun Mutchison:
 - Motion – Mrs. Smith
 - Second – Mrs. Turner
 - Voice Vote – All in Favor

18. Motion to execute the release agreement of specific items mentioned in the agreement for case number AR-21-002348:
 - Motion – Mrs. Turner
 - Second – Mrs. Cress
 - Roll Call Vote – All in Favor

19. Motion to terminate the agreement with Sam Vargo Animal Control effective May 27, 2022:
 - Motion – Mr. Rager
 - Second – Mr. Smith
 - Roll Call Vote – All in Favor

20. Motion to enter into a mutual aid agreement with Elizabeth Township, upon approval of the Solicitor:
 - Motion – Mrs. Cress
 - Second – Mr. Rager
 - Roll Call Vote – All in Favor

21. Motion to accept the resignation of Andrew Amendola with the police department effective May 4, 2022:
 - Motion – Mrs. Cress
 - Second – Mrs. Turner
 - Voice Vote – All in Favor

PUBLIC COMMENTS

Andrew Miklos asked if he could be told what case the release agreement was for. Mrs. DiMascio stated it was the Borough of Elizabeth vs. Garrett Kimmell.

Stephanie Ziacan from the EADC asked about placing banners at the entrances to the Borough to promote the Plum Street market. Mrs. DiMascio stated she would prefer they be attached to buildings. Mr. Smith stated to not place on Market Street.

GOOD OF THE ORDER

- Elizabeth Borough Memorial Day Parade and Ceremony will be held Monday, May 30, 2022.
- Movies in the Park are scheduled as follows:
 - May 13 Hook
 - June 10 Angels in the Outfield
 - July 8 Shrek
 - August 12 Transformers
 - September Little Giants

ADJOURNMENT

- Motion – Mr. Rager
- Second – Mr. Smith
- Voice Vote – All in Favor