**BOROUGH OF ELIZABETH**

July 24, 2018

Regular Meeting of Council

**Members Present:** Paul Shaner, Robin Payne-Main, Chad Rager, Cynthia Morris, and Andrew Miklos

**Absent:** Gregory Huschak and Julius Brown

**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 Paul Shaner. The Pledge of Allegiance was recited. President Shaner 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**

**Bill Boucher**, the Planning Commission Chair, said that the Planning Commission met on July 12, 2018, to review the Borough’s zoning ordinance. He would like to look at a zoning ordinance from another municipality to get a better idea of the types of things that should be a part of the Borough’s zoning ordinance. Solicitor DiMascio said that she has a copy of the Millvale Borough zoning ordinance which she will be happy to share with him.

**Jonathan Nowak** said that he wanted to know the status of the zoning change for the vacant lot at 3rd and Market Street. Solicitor DiMascio responded that the Planning Commission had its first meeting on July 12th. They are reviewing the zoning map to see if some changes could be made to expand the uses of some of the properties on the fringe of the downtown area that were zoned as Central Business District, which is extremely restrictive. Solicitor DiMascio said that one of the properties that was purchased by Mr. Nowak is clearly a warehouse but, because of the zoning, the property cannot be used as a warehouse. These types of situations are not conducive to attracting new businesses to the area. The downtown shopping area is thriving, but the business properties on the fringe of the Central Business District, which are clearly not going to be shops, need to be reviewed to see how the Borough might benefit from making some changes to the zoning map. C. Morris stated that this is definitely the Planning Commission’s goal.

Solicitor DiMascio asked the Borough Secretary whether Gabriel Nowak submitted a zoning application. The Borough Secretary responded that Mr. Nowak completed a variance application which she sent to the Zoning Committee’s solicitor, Amy Schrempf. Solicitor Schrempf responded that the variance application is outside of their purview. Solicitor DiMascio asked the Borough Secretary to send her the variance application. After she receives it, she will contact Solicitor Schrempf.

Solicitor DiMascio said that if Council wants to make changes to the Zoning Committee, they can run a legal advertisement to request letters of interest for the Zoning Committee, and appoint new members to the committee with varying term lengths.

**APPROVAL OF MINUTES**

A motion was made by A. Miklos and seconded by Vice President Rager to approve the Minutes of the June 26, 2018, regular meeting of Council. **All in favor, motion was carried.**

**PAYMENT OF BILLS**

Police Chief Butler said that he just received the first quarterly invoice in the amount of $500 from Plate Capture Solutions for the license plate reading system that Council approved last year. He asked Council to approve payment of this invoice. A motion was made by C. Morris and seconded by A. Miklos to authorize the payment of the invoices on the Payables Report dated July 20, 2018, as well as the $500 invoice from Plate Capture Solutions, for a total of $29,771.54. **All in favor, motion was carried.**

A motion was made by C. Morris and seconded by R. Payne-Main to authorize the payment of $25,000 against the Tax Anticipation Note. **All in favor, motion was carried.**

**REPORTS**

**Mayor Report**

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| **Monthly Complaint Report - June 2018** |
| Alarm | 7 |   | Animal complaint | 5 |   | Assault | 8 |   | Assist citizen | 5 |
| Assist EMS | 23 |   | Assist fire | 10 |   | Assist police | 7 |   | Burglary | 2 |
| Criminal mischief | 8 |   | Disabled vehicle | 8 |   | Disorderly conduct | 5 |   | Dispute | 5 |
| Disturbance | 3 |   | Domestic | 2 |   | DUI | 7 |   | Fraud | 1 |
| Harassment | 8 |   | Hazardous conditions | 4 |   | Local ordinance | 4 |   | Missing person  | 2 |
| Motor vehicle crash | 18 |   | Other | 6 |   | PFA | 1 |   | Pursuit | 1 |
| Suspicious person | 3 |   | Theft | 3 |   | Traffic complaint | 8 |   | Warrant | 3 |
| Welfare check | 9 |   | Subject stop | 2 |   | Weapons | 2 |   | **Total:** | **180** |

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| --- | --- | --- |
| **Citations - Non traffic** |   | **Citations - Traffic** |
| Disorderly conduct | 1 |   |  Speed violation | 8 |
|   |   |   |  Traffic control devices | 16 |
| **Criminal Complaints** |   |  Illegal passing | 1 |
| DUI arrests | 1 |   |  Impeding traffic | 1 |
| Burglary | 1 |   |  STOP sign | 3 |
| Fleeing/Eluding/Narcotics | 1 |   |  Expired license plate | 1 |
|   |   |   |  Expired license | 6 |
| **West Elizabeth** |   |  Suspended driver | 4 |
| Traffic citations | 30 |   |  Inspection | 2 |
| Non-traffic citations | 2 |   |  Insurance suspension | 1 |
| Criminal arrests | 6 |   |  Permitting violation | 1 |
|   |   |   |  Plate violation | 1 |

Mayor Boucher said that the Police Department has been very busy, and they have been doing a great job.

**Treasurer’s Report**

President Shaner read the following Treasurer’s Report:

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| **Treasurer's Report** |
| **6/23/18 - 07/20/18** |
| **Bank Account** | **Bank Balance** | **Income** | **Expense** | **Ending Balance** |
| General Fund |  183,999.23  |  78,887.50  |  86,643.52  |  176,243.21  |
| Payroll |  204.05  |  27,590.00  |  27,718.69  |  75.36  |
| Special Projects  |  621.74  |  -  |  -  |  621.74  |
| K-9 Fund |  8,185.04  |  400.00  |  182.34  |  8,402.70  |
| Liquid Fuels |  48,200.62  |  8.52  |  -  |  48,209.14  |
| Money Market |  5,008.55  |  0.20  |  -  |  5,008.75  |
| Totals |  246,219.23  |  106,886.22  |  114,544.55  |  238,560.90  |
|  |  |  |  |  |
| Fennimore Escrow  |  9,627.75  |  0.07  |  -  |  9,627.82  |
|  |  |  |  |  |
| **Loans** | **Maturity Date** | **Loan Amount** | **Principal Paid** | **Balance Owed** |
| FCB - TAN | 12/31/2018 |  75,000.00  |  25,597.00  |  49,403.00  |
| FCB - Car Loan | 9/6/2018 |  38,000.00  |  36,624.56  |  1,375.44  |
| PNC - Car Loan | 5/1/2019 |  39,500.00  |  32,419.56  |  7,080.44  |
| PNC - Mortgage | 3/31/2023 |  115,000.00  |  22,629.34  |  92,370.66  |
| PNC - K-9 Car Loan | 2/4/2021 |  55,431.52  |  21,196.22  |  34,235.30  |
| Totals |  -  |  322,931.52  |  138,466.68  |  184,464.84  |

A motion was made by A. Miklos and seconded by R. Payne-Main to accept the Treasurer’s Report dated July 20, 2018. **All in favor, motion was carried.**

**Solicitor**

**Stormwater Management Ordinance**

Solicitor DiMascio said that Council needs to vote to approve Ordinance #2018-003, *an Ordinance of the Borough of Elizabeth providing for the adoption and implementation of the provisions of the Allegheny County Stormwater Management Plan.* A motion was made by Vice President Rager and seconded by C. Morris to approve Ordinance #2018-003, *an Ordinance of the Borough of Elizabeth providing for the adoption and implementation of the provisions of the Allegheny County Stormwater Management Plan.*  **All in favor, motion was carried.**

The Borough Secretary confirmed that the Stormwater Management Plan ordinance has been properly advertised**.**

Solicitor DiMascio said that she is looking into funding for the codification of the Borough’s ordinances. She is also getting cost estimates so that funding for this project may be budgeted for next year.

Solicitor DiMascio said that Council has been discussing the need to get a loan for some paving projects, including piggy-backing onto some of the Municipal Authority’s paving projects. She said that, at some point, Council will need to have a public hearing to deliberate on how the loan funding should best be spent. Solicitor DiMascio added that this is basically a debt consolidation loan of the Borough’s current debt which would result in some net savings for the Borough. The savings will provide the funding for the proposed projects.

Solicitor DiMascio said that the Borough’s loan broker will be attending the next workshop meeting on August 16th. No action will be taken on the loan during the meeting. He will be there to discuss different loan options that are available, and to answer any questions.

Vice President Rager said that the Riverfront project includes a boat dock for the Fire Company’s river rescue boat. The dock will be insured under the Fire Company’s insurance policy. The Borough will still retain ownership of the land on which the dock will be situated. Vice President Rager added that he will be working with the Army Corps of Engineers to get their authorization for the dock.

**Building Inspector Report**

No report.

**Animal Control**

No report.

**COMMITTEES**

**Finance and Budget**

The Borough Secretary said that the 60-month copier lease expires in December 2018.  She recently received two estimates from Ford Business Machines to replace the copier with another Lanier copier. The low estimate is for a Lanier MP 2555AD regular black-and-white copier with no frills, with a monthly lease payment that is $4 less than the Borough’s current monthly payment. The monthly maintenance agreement, which is currently $51/month, was bid at $35/month. This is for a 60-month lease. Also, the Borough currently gets the first 2,000 copies/month for free; with the new lease, it will get the first 3,500 copies for free.  This is a cost-efficient lease which will have no negative impact on the budget. She added that Ford Business Machines is a well-known and highly reputable company, and she has nothing but praise for them. Prior to contracting with Ford Business Machines in 2014, the Borough’s copier vendor was the other major copier company in the area. She described her relationship with that vendor as “hostile,” and she recommends staying with Ford. She stated that the current copier is now five-years old and is showing its age, so she does not recommend the purchase of this five-year old Lanier. A motion was made by A. Miklos and seconded by C. Morris to approve the 60‑month Lanier MP 2555AD copier lease with Ford Business Machines with a monthly lease payment of $102.92, and a monthly maintenance contract payment of $35. **All in favor, motion was carried.**

Police Chief Butler said that he contacted Comcast to ask them about their new, faster internet system. During his discussion, it was discovered that Comcast has been charging the Borough approximately $40/month in fees and taxes from which the Borough should be exempt. Comcast agreed to drop those charges and to bill the Borough an additional $30/month for the faster internet service, which is a net savings of $10/month for the Borough.

Police Chief Butler said that Verizon has been installing *FiOS* within the Borough. To date, Verizon has not contacted the Borough about a franchise agreement. Solicitor DiMascio responded that the Borough should keep an eye on this. Police Chief Butler said that he has left several messages with Verizon. Mayor Boucher said that he will check with Carla Baron from Steel Rivers COG.

**Public Safety**

Police Chief Butler said that a part-time police officer resigned effective July 7, 2018. He is still waiting to receive an official letter of resignation from this officer, but the officer is already working with another police department. He needs to replace this officer, and he asked Council to authorize the hiring of Seth Mitnik as a part-time police officer. He is trained and ready to go. A motion was made by A. Miklos and seconded by Vice President Rager to hire Seth Mitnik under the police contract terms for a part-time police officer. **All in favor, motion was carried.**

Police Chief Butler said that, because of the traffic issues with the bridge construction, the police department is doing 12-hour shifts at straight time. This is eliminating overtime and providing enough officers to handle the high volume of traffic incidents on the bridge. Since the 12-hour shifts began, the only police overtime has been for the DUI Task Force or the Drug Task Force.

Vice President Rager said that the Elizabeth Borough Volunteer Fire Company was awarded a $10,000 grant for an SOV. This is basically a small, all-terrain vehicle that will allow them to navigate through wooded areas. EQT donated $3,000 to assist the Fire Company with this purchase as well.

Vice President Rager said that they will not be needing the old police vehicle after it has been removed from service. Police Chief Butler said that the vehicle just came back from the shop after getting all of the recall work done, so it is currently in running condition.

**Public Works**

Vice President Rager said that they will be doing some road patching over the next few days. Devon Brown will be working Wednesdays, Thursdays, and Fridays. They have been doing some cleanup down by the boat launch area. Vice President Rager added that he spoke with Matt Styche about doing some general cleanup all over town, such as cleaning up vacant properties, and Matt is on board with this.

Police Chief Butler said that all of the workers’ compensation loss control items have been addressed, including the installation of a handrail for the stairs leading down to the basement of the Police/Borough building.

President Shaner said that Mike Zrenchak advised him that they are on schedule to begin the Cemetery Hill area paving project in September. The gas company is currently installing new gas lines in this area.

President Shaner said that the funding did go through for the Municipal Authority sewer separation project on Bayard Street, from 3rd Avenue to 9th Street, for next year.

A. Miklos said that there is an issue with the curbs at 133 Clay Street and 129 Clay Street. The curbs are too low, and this has caused rain water to flow down a resident’s driveway and flood her garage. Vice President Rager said that he will take a look at it. President Shaner asked him to notify Mike Zrenchak about his findings because this issue may have been caused by the former contractor for the Elizabeth Borough Municipal Authority.

A. Miklos said that he needed access to a pole that is situated on the grounds of the Municipal Authority. This pole had been struck by a vehicle, and now it is leaning to one direction. This is causing a great deal of tension on the electric lines, and he needs the pole number so that he can notify West Penn Power. President Shaner said that Matt Styche has access to the Authority lot, and he asked Vice President Rager to tell Matt to get the pole number for Mr. Miklos. Police Chief Butler asked whether the police department could have access to the Municipal Authority lot, and President Shaner said “no.”

A. Miklos said that the bump-outs in the Central Business District are not highly visible when you are in a vehicle. He said that, if they cannot be removed, then they should be filled with something to make them more noticeable.

A. Miklos stated that there are many missing parking meters throughout the Central Business District. In addition, there are many parking meters that are bent. These missing and bent meters have been ignored for too long, and they need to be fixed. President Shaner said that there are also many damaged or missing STOP signs that need to be replaced.

Police Chief Butler stated that residents have been calling to complain that a One-Way street sign is missing from in front of the parking lot at the apartment building, near the wall. President Shaner confirmed that there used to be a One-Way street sign there.

Mayor Boucher stated that people have stopped parking on the cemetery grass since the Borough installed the No-Parking sign at the cemetery.

Solicitor DiMascio said that she noticed a possible zoning violation on the property adjacent to the Boucher Insurance Agency property. The property is a parking lot that is currently being used as a temporary mini-storage facility. This lot is an eyesore and she asked the Borough Secretary to get the Building Inspector to take a look at it.

Vice President Rager said that, concerning the Riverfront Project, the engineer has proposed removing the old wood decking and replacing it with a 10-foot concrete sidewalk with a galvanized steel handrail all along the riverfront, installing a new 14-foot wide roadway, erecting new lighting along the walkway, moving the gazebo to Plum Street, and making Water Street a one-way street.

Mayor Boucher said that this plan won’t work if the local business owner in that area refuses to clean up his properties. The Code Enforcement Officer has already cited this business owner for alleged property maintenance violations, but the Magistrate threw out the citation because she said that it gives the appearance that the Borough is singling out this particular business owner. Vice President Rager said that he will meet with this business owner, show him the engineering plans, and try to work out a solution. He said that if the Borough takes the time to make this business owner aware of what the Borough is trying to accomplish, he will certainly be happy to cooperate. President Shaner said that all of the plans that were put forth by Joe Dursa of Glenn Engineering will be a huge benefit to the waterfront.

**Parks and Recreation**

R. Payne-Main said that “Movie Night” will be on Saturday, September 15th, starting at dusk on the river.

**Ordinance**

No report.

**Personnel**

No report.

**Economic Development**

No report.

**Planning**

C. Morris stated that the Planning Commission met on July 12, 2018. The meeting was largely organizational. William Boucher was named as Chair, Jeremy Rager was named as Vice Chair, and she was named as Secretary. They will meet again on August 9, 2018, which is the second Thursday of the month.

**OLD BUSINESS**

None.

**NEW BUSINESS**

Vice President Rager asked the Borough Secretary if she had received a copy of the Fire Department’s event insurance for its annual Riverfest event. She responded affirmatively. A motion was made by A. Miklos and seconded by R. Payne-Main to approve the Riverfest Special Event Application, to be held on July 27th and July 28th. **All in favor, motion was carried.**

**PUBLIC COMMENTS**

Mr. LaFrankie said that he contacted the Dept. of Health regarding an abandoned property on 5th Street. He said that that the building is crawling with rodents. The Dept. of Health told Mr. LaFrankie to take up this matter with Council. Mr. LaFrankie told the Borough Secretary that she should be getting a letter from the Department of Health concerning this property. The Borough Secretary said that she has not yet received a letter from the Dept. of Health. Solicitor DiMascio told Mr. LaFrankie that he can always file a complaint with the Borough Secretary if he has any further issues with local ordinance violations. She assigns the complaints to the Code Enforcement Officer for handling. Mr. LaFrankie spoke at length about how differently local ordinance enforcement was handled when he was the mayor.

**GOOD OF THE ORDER**

None.

**ADJOURNMENT**

With no other business before this Council, a motion was made by President Shaner and seconded by C. Morris that the meeting be adjourned at 8:20-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**