**BOROUGH OF ELIZABETH**

November 19, 2019

Regular Meeting of Council

**Members Present:** Paul Shaner, Chad Rager, Cynthia Morris and Andrew Miklos

**Absent:** Julius Brown, Robin Payne-Main, Gregory Huschak, Mayor Barry Boucher

**Also Attending:** Police Chief William Sombo and Solicitor Krisha DiMascio

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. Also, the meeting is being recorded for the purpose of minute-taking.

**VISITORS**

**Linda Rayman,** a long-time Borough resident, said that she volunteers for an organization called Scarf Bombardiers. She came to the meeting to ask for Council’s permission to do an annual event called a ‘Scarf Bomb.’ The Scarf Bombardiers make scarves for the needy as a way of helping our neighbors stay warm during the winter, and they distribute them by tying the scarves around fences, trees, benches and street lights around town. Each scarf bears a note saying, “If you are cold and need a scarf to keep warm, please take one. If you know of someone who needs a scarf to keep warm, please take one for them – compliments of the Scarf Bombardiers.” She noticed that the school building on 3rd Avenue has a nice fence in front of the building that is perfect for this. President Shaner said that the Borough does not own the school, so the fence is not the Borough’s property. Solicitor DiMascio cautioned her to not place any of the scarves on private property. A. Miklos said that he will contact Mayor Boucher to see if he will contact the school district to get their approval for using their fence for the Scarf Bomb event. President Shaner asked if there were any objections to this event. There were none.

**Stephanie Ziacan** reminded everybody that Light-up Night is this Thursday, from 6:00-PM to 8:30-PM. There will be road closures of Lower Plum and Middle Plum, as well as 2nd Avenue to Market and 2nd Avenue to Strawberry. The event will open with the Elizabeth Community Choir performing Christmas carols. There will be two craft booths for kids, including cookie decorating. The cookies are being donated by Barton’s. The Anglican Church of the Transfiguration is donating Christmas ornaments for the kids to decorate. They will also be serving free hot cocoa and snacks inside of their church so that people can come in to warm up and enjoy some treats. Santa and Mrs. Claus will arrive on Fire Truck #7 and will officially light the tree, and Disney characters Elsa and Olaf will also be there. In addition to food vendors, the Police Department is providing hot sausage and coleslaw, and horse and carriage rides will also be available.

**APPROVAL OF MINUTES**

A motion was made by C. Morris and seconded by A. Miklos to approve the Minutes of the October 22, 2019, regular meeting of Council. **All in favor, motion was carried.**

**PAYMENT OF BILLS**

A motion was made by A. Miklos and seconded by Vice President Rager to approve the invoices on the Payables Report Dated 11/15/2019, for a total of $14,333.46. **Those in favor: A. Miklos, Vice President Rager, and President Shaner. Those abstaining: C. Morris abstained from voting because her two expense reimbursement requests for holiday decorations totaling $939.26 were listed on the Payables Report. Motion passes 3:1.**

**REPORTS**

**Mayor Report**

None.

**Treasurer’s Report**

President Shaner read the Treasurer’s Report:

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| --- | --- | --- | --- | --- |
| **10/19/2019 to 11/15/2019** | | | | |
| **Bank Account** | **Bank Balance** | **Income** | **Expense** | **Ending Balance** |
| General Fund | 54,409.91 | 33,717.46 | 49,811.96 | 38,315.41 |
| Payroll | 313.04 | 25,220.00 | 25,192.92 | 340.12 |
| Special Projects | 13,916.68 | - | - | 13,916.68 |
| K-9 Fund | 1,048.05 | - | 20.10 | 1,027.95 |
| Liquid Fuels | 15,775.37 | 2.78 | - | 15,778.15 |
| Totals | 85,463.05 | 58,940.24 | 75,024.98 | 69,378.31 |
|  |  |  |  |  |
| **Loans** | **Maturity Date** | **Loan Amount** | **Principal Paid** | **Balance Owed** |
| FCB - TAN | 12/31/2019 | 75,000.00 | 75,000.00 | - |
| Farmer's Bank | 4/15/2030 | 350,000.00 | - | 350,000.00 |
| PNC - Mortgage | 3/31/2023 | 115,000.00 | 36,882.16 | 78,117.84 |
| PNC - K-9 Car Loan | 2/4/2021 | 55,431.52 | 32,281.28 | 23,150.24 |
| First Gov't Lease | 12/19/2024 | 170,000.00 | 170,000.00 | - |
| Totals | - | 765,431.52 | 314,163.44 | 451,268.08 |

Solicitor DiMascio said that the First Government Lease loan has been paid in full. She added that, after tomorrow, a check made payable to Farmer’s Bank in the amount of $100,000 from the sale of the three 2018 Dodge police vehicles will be used to pay off a portion of the Farmer’s Bank loan, making the principal balance on the Farmer’s Bank loan just $250,000.

A motion was made by C. Morris and seconded by A. Miklos to accept the Treasurer’s Report dated November 15, 2019. **All in favor, motion was carried.**

**Solicitor**

Solicitor DiMascio said that Council met in late October to work on the 2020 budget. Now that the budget has been prepared and Council has had an opportunity to review it, Council needs to vote to advertise the budget. She added that it is a balanced budget with no tax increase. A motion was made by C. Morris and seconded by Vice President Rager to authorize the advertisement of the 2020 budget. **All in favor, motion was carried.**

Solicitor DiMascio said that the Borough received an indemnity agreement from Pennsylvania One Call System, Inc. She has reviewed the agreement which basically states that if the Borough marks its underground facilities inaccurately, then PA One Call is not responsible for any damage to those underground facilities should they be damaged during an excavation project. Solicitor DiMascio said that Council will need to sign the indemnity agreement if it wants to continue to do business with PA One Call. PA One Call also provided the Borough with an updated rate structure. A motion was made by C. Morris and seconded by Vice President Rager to adopt the Pennsylvania One Call System indemnity agreement. **All in favor, motion was carried.**

A. Miklos said that he searched the Plum Street project records and was unable to locate maps of the Borough’s underground facilities. The only way for the Borough to accurately map its underground facilities is to contact Mackin Engineering. There were no objections.

Solicitor DiMascio told the Borough Secretary that she will send her a draft of the Quality of Life Program Resolution so that it can be advertised prior to the December regular meeting.

A. Miklos thanked Solicitor DiMascio for all of her assistance in helping the Borough to navigate through the complex issues surrounding the purchase and the sale of the three Dodge police vehicles. She helped to save the Borough over $40,000 of debt, and he is grateful for all that she did. The other members of Council agreed.

**Building Inspector Report**

President Shaner said that everybody should have received the October 2019, Building Inspector report. Any questions about the report should be directed to the Building Inspector through the Borough Secretary.

**Animal Control**

Police Chief Sombo said that he has a sample animal control agreement from Sam Vargo who provides animal control services for West Elizabeth. Vargo charges $200 per month for these services which, after speaking with other animal control people, is the least expensive animal control service provider that he was able to find. Police Chief Sombo said that he will have the Borough Secretary scan the sample agreement and send it to everybody to review. He added that the Vargo contract covers animals of all kinds, including deer, raccoons and dogs.

**COMMITTEES**

**Finance and Budget**

None.

**Public Safety**

Police Chief Sombo presented the October/November 2019 Chief’s Report from October 23, 2019, through November 19, 2019. There were a total of 194 calls for service, including 51 calls for West Elizabeth. There were 4 criminal arrests, 55 traffic stops, 8 traffic citations, 47 traffic warnings, and 2 drug arrests.

Police Chief Sombo said that he is requiring police officers to give out patrol notices for the areas that they are patrolling to minimize the amount of complaints from people who say that they never see the police. The officers are giving their locations to Police Dispatch, and they are also required to patrol with the cruise lights on so that people can see that the police are patrolling their neighborhoods.

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| **Monthly Complaint Report 10/23/19 thru 11/19/19** | | | | | | | | | | |
| Alarms | 5 |  | Animal Complaint | 0 |  | Assault | 5 |  | Assist EMS | 13 |
| Assist police | 6 |  | Assist fire | 1 |  | Assist citizen | 0 |  | Burglary | 1 |
| Civil Complaint | 1 |  | Criminal mischief | 1 |  | Dispute | 0 |  | Disorderly Conduct | 0 |
| Disabled vehicle | 5 |  | Details | 7 |  | Disturbances | 3 |  | Domestic | 3 |
| DUI | 3 |  | Harassment | 0 |  | Hazardous conditions | 6 |  | Local ordinance | 0 |
| Meetings | 0 |  | Missing person | 1 |  | Motor vehicle crash | 3 |  | Ordinances | 4 |
| Other | 9 |  | Narcotics | 2 |  | Patrol | 32 |  | PFAs | 5 |
| Public drunkenness | 1 |  | Suspicious person | 4 |  | Thefts | 4 |  | Traffic complaints | 7 |
| Traffic stops | 55 |  | Pursuits | 1 |  | Warrants | 0 |  | Vehicle theft | 1 |
| Welfare check | 3 |  | Suspicious vehicle | 1 |  | Suicide | 1 |  | **TOTAL:** | 194 |

Police Chief Sombo stated that, concerning the updating of the office computers, he discovered that the Borough Secretary’s computer needs to be updated as well since she uses both State and County programs for reporting purposes.

Police Chief Sombo said that the Police Department is currently performing a complete inventory of all of their equipment. This includes engraving certain equipment as well as applying security labels on all of the police equipment.

Police Chief Sombo said that he recently made four new 2’ x 6’ horse barricades to be used for street closures. He added that he also purchased a key box and a key organizer for all of the keys in the police station. He will be turning in his receipts for reimbursement for the purchase of these items.

Police Chief Sombo asked if he is authorized to make purchases for the Police Department up to a certain limit. A. Miklos said that he thought that Council discussed this at the February meeting. Solicitor DiMascio stated that money is generally tight at the end of the year, so any new purchases through the end of the year should be approved by Council. She added that Council sets the purchase amount limit, but nobody was able to recall the approved amount. A. Miklos asked the Borough Secretary to see if she can find this information in the Minutes from previous meetings.

**Public Works**

A. Miklos said that he is going to take the first ten parking meters to be refurbished and to be converted to accept quarters only. The meters will be set for $0.25 for 30-minutes.

A. Miklos said that there is no electricity at the Borough’s Waterworks pump building. He got an estimate from Mark Moses Electrical Services in the amount of $1,250 to restore the electric. He would like to keep the front loader in this building, but there needs to be some type of heat source in the building to keep the motor warm so that it starts. He was thinking about possibly purchasing a heat lamp for this purpose. Since the electric to this building hasn’t been used in over two years, West Penn Power said that we need to bring in an electrical inspector, and later we will need to call the power company to evaluate the electrician’s work. If there is a problem with the electrical service box, the cost to restore electric to this building will exceed the estimate. Vice President Rager said that, before anything is decided, he is going to ask another electrician to take a look at it.

Vice President Rager said that he got a quote from a Costars dealership for a new truck for the Public Works Department. A. Miklos said that the sticker price for the truck is $41,635. By purchasing the truck through the Costars program, the Borough will save approximately $8,000 on the price of the truck, and the dealer will reduce the price of the truck by an additional $4,000. The price for a new plow and a new salt spreader, after the Costars pricing, is $12,148. The total cost for the truck, the plow and the salt spreader is $40,757.52. The second bid from a different Costars dealership for the same package was only $212 higher. A. Miklos said that if the truck order is placed by November 30, 2019, Ford will send a rebate check to the Borough in the amount of $1,000. He reminded everybody that the price may come down slightly with the trade-in value of the Borough’s 2003 Ford F350 truck. A motion was made by Vice President Rager and seconded by C. Morris to accept the lowest truck bid for a 2020 Ford F350 truck at an amount not to exceed $40,757.52, to be paid from the Capital Improvement loan, and to authorize the trade-in of the Borough’s 2003 Ford F350 truck, and to authorize the proper Borough officers to transfer the title. **All in favor, motion was carried.**

**Parks and Recreation**

Vice President Rager said that the bids were opened for the Riverfront Phase 5 project, and the low bidder was Pugliano Construction with a base bid of $130,751.98. A motion was made by Vice President Rager and seconded by A. Miklos to award the Riverfront Park Project Phase 5 to Pugliano Construction with a base bid of $130,751.98. Council will choose from Bid Options 1 through 6, at a total amount not to exceed $167,000. The engineering fee will be 10% of the project cost. **All in favor, motion was carried.**

**Ordinance**

Vice President Rager asked Police Chief Sombo if the Police had started tagging vehicles. Police Chief Sombo responded affirmatively.

Solicitor DiMascio told the Borough Secretary that she will send her the proposed Quality of Life ordinance so that she can get the ordinance advertised.

A. Miklos asked Solicitor DiMascio whether the Borough had ever passed an ordinance regarding winter time parking restrictions to require residents with off-street parking to park off of the street. Solicitor DiMascio said that she will look into it.

**Personnel**

None.

**Economic Development**

None.

**Planning Commission**

None.

**OLD BUSINESS**

Solicitor DiMascio reminded Council that, at the re-organization meeting in January, they are going to have to appoint three people to the Zoning Hearing Board. One will be for a 1-year term expiring on 12/31/2020, one will be for a 2-year term expiring on 12/31/2021, and one will be for a 3-year term expiring on 12/31/2022. President Shaner said that, regarding the Zoning Hearing Board, he believes that the current members should be asked if they are interested in keeping their appointments before Council appoints any new members.

Solicitor DiMascio said that Council has not been keeping current with the Board of Directors at the Municipal Authority because there are two people with terms that expire in the same year. There are five board members that are appointed by the Borough, and it looks like these positions have 5-year terms. She recommends that Council appoint one Board Member for a 5-year term, and another Board Member for a 4-year term to get the rotation back in order. Council will have to make adjustments when the next term expires in a year. A. Miklos said that he has a list that is a little different from the one that the Borough Secretary submitted. The Borough Secretary said that she got her information from the Municipal Secretary at the sewage authority. A. Miklos said that there will have to be some adjustments made to the list.

Solicitor DiMascio said that she wanted to go over the appointments to the Planning Commission, which are 4-year terms. She said that the term for Cindy Morris expired on December 31, 2018, so she is recommending that Council reappoint her for a 3-year term to keep the rotation in order. Mr. Boucher’s term will be up at the end of this year, but he should be reappointed for a 4-year term. Mr. Smith’s term is up on December 31, 2020, Mr. Rager’s term is up on December 31, 2021, and Mr. Kimmell, who was replaced by Mr. LaFrankie for the remainder of his term, had a 4-year term which is also up on December 31, 2021.

**NEW BUSINESS**

**Pension Plan Resolution**

Solicitor DiMascio said that Council needs to vote on Resolution 2019-04:

*A resolution of the Council of the Borough of Elizabeth, Allegheny County, Pennsylvania, adopting written procedures in how professional services are chosen for its pension plans in order to comply with Act 44 of 2009, and the Auditor General’s recommendation.*

A motion was made by Vice President Rager and seconded by C. Morris to authorize Resolution 2019‑04, a resolution of the Council of the Borough of Elizabeth, Allegheny County, Pennsylvania, adopting written procedures in how professional services are chosen for its pension plans in order to comply with Act 44 of 2009, and the Auditor General’s recommendation. **All in favor, motion was carried.**

**Reorganization Meeting**

Solicitor DiMascio stated that the Borough Code requires municipalities to have a reorganization meeting on the first Monday in January, which will be January 6, 2020. She told the Borough Secretary to advertise this meeting. Justice Mills said that she will be available to come to the Borough at 6:00‑PM. The Borough Secretary said that she will call Justice Mills to verify the time prior to placing the advertisement.

**Removal of Bump-outs**

President Shaner said that he and Andy Miklos met with Representative Puskaric’s assistant, Harry Faulk, and representatives from PennDOT concerning the removal of the bump-outs on State roads in the Central Business District. PennDOT made an offer to remove all of the bump-outs in exchange for revising its Agility Program contract with the Borough. PennDOT will do all of the work, and the Borough will pay PennDOT by forgoing its winter maintenance stipend that is provided for in the Agility Program contract – until the debt has been paid in full. The other option is for the Borough to hire a contractor to perform the work and to pay the contractor directly. President Shaner said that PennDOT will notify the Borough sometime in January regarding the cost of removing the bump-outs. If the Borough wants to have PennDOT complete this project, PennDOT will provide the Borough with a revised Agility Program contract.

A. Miklos said that the original contract with PennDOT was actually incorrect, and PennDOT will be sending the Borough a revised contract. He told the Borough Secretary to notify him as soon as she receives the revised Agility Program contract from PennDOT.

**Moose Lodge Demolition**

President Shaner said that Moose Lodge will be torn down next year, probably during the month of June. Police Chief Sombo said that he and the Fire Department are going to have to work closely with the Building Inspector and the demolition contractor because of the proximity of the building to the busy intersection of 2nd Avenue & Market.

**PUBLIC COMMENTS**

Gabe Nowak said that he has been spending a lot of money renovating the buildings in the alley behind his place of business, and he is concerned about the unusually high number of cars that speed down this alley to avoid the traffic light. The alley is extremely narrow, and he fears that it is only a matter of time before his building, or even a pedestrian, is struck by a speeding vehicle. He asked Council if it were possible to make that alley a “non through-way” for the public. Solicitor DiMascio suggested that the installation of a STOP sign in the alley at Plum Street may help to slow down vehicular traffic. [*At this point, there were five or more people speaking at the same time, and no one distinct conversation was audible*]. President Shaner said that members of Council and the Police Chief need to visit the site and observe what is taking place in order to make an informed decision about how to solve this problem. A. Miklos agreed and stated that visiting the site to explore all of the options should be Council’s first step.

Police Chief Sombo said that, beginning on December 2nd, PennDOT will begin the installation of the cables on the bridge. The bridge will be shut down once per day in both directions for up to 45-minutes while this is taking place.

Gabe Nowak said that the alley behind his place of business, Tanner Alley, is in horrible condition. He obtained two estimates to repair this road. One is from Caruso for resurfacing the alley where his property meets the road in the amount of $6,950, and it has a lifespan of 5 to 7 years. The other estimate from Caruso is for repaving the entire alley in the amount of $23,125 with a lifespan of 20+ years. Solicitor DiMascio said that the bid for $6,950 could be voted on today but, although it is not required, she would recommend getting at least three estimates. The estimate for $23,125 cannot be voted on tonight because it exceeds the threshold for requiring three bids. Solicitor DiMascio said that if the alley is paved, people will drive faster on it. One of the slow-down recommendations often made by Police Departments is to not pave the road.

President Shaner said that Forward Township recently paved Walker Road, including the portion that is located in the Borough. He asked the Borough Secretary whether she has received an invoice from the Township. She said that she has not yet received anything from Forward Township. President Shaner said that when this project was originally discussed, Council said that the Walker Road paving project could be paid out of the Liquid Fuels fund. Vice President Rager said that, two years ago, the Borough estimated that their portion of the Walker Road paving project would be close to $7,000. He added that the Public Works Department is going to need to purchase road salt before the year is over, and there may not be enough money in the Liquid Fuels account to pay for the Tanner Alley resurfacing, the Walker Road paving, and the purchasing of road salt. Solicitor DiMascio said that the paving estimate for the partial paving of Tanner Alley does not qualify as a capital improvement, so funds from the Farmers Bank loan cannot be used for this. However, the Walker Road paving does qualify as a capital improvement because of its 20+ years’ lifespan. A motion was made by C. Morris and seconded by Vice President Rager to authorize the resurfacing of a portion of Tanner Alley, from Plum Street to Market Street, per the bid from Caruso, Inc. in the amount of $6,950, to be paid from the Liquid Fuels account. **All in favor, motion was carried.**

A motion was made by C. Morris and seconded by Vice President Rager to authorize that the payment to Forward Township for the Borough’s portion of the Walker Road paving project be made from the capital improvement loan, once the Borough has been invoiced. **All in favor, motion was carried.**

Vice President Rager asked A. Miklos whether he was looking into getting an estimate to fix the hole on Plum Street. A. Miklos said that they are going to “camera” the hole to ascertain what is actually going on below the street, so the hole is not going to be fixed until its origin is determined.

Gabe Nowak said that he has an LED billboard sign on his auto shop property which Council is welcome to use if they want to get a message out to the public or promote a Borough event. He said that it is very easy to change the message on the sign.

**GOOD OF THE ORDER**

None.

**ADJOURNMENT**

With no other business before this Council, a motion was made by C. Morris and seconded by Vice‑President Rager that the meeting be adjourned at 8:45-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**