

April 13, 2017

The regular meeting of the Ligonier Borough Council was held Thursday, April 13, 2017 at 7:00 PM in the Town Hall with James McDonnell presiding.

Members Present: James McDonnell, Gus Breegle, Chick Cicconi, Judy Hoffer, Matt Smith, Pat Scanlon, and Terry Murphy.

Others Present: Secretary-Treasurer Paul Fry, Mayor Ormond "Butch" Bellas, Engineer Gregg Elliott, Solicitor George Welty, Fire Chief Steve Barron, Zoning Officer Rick Schwab and Officer Shawn Knepper. Absent was Rick Bell Code Enforcement Officer and Police Chief John Berger.

APPROVAL OF MINUTES

Councilman Chick Cicconi questioned the motion made by Matt Smith at Council's March 2017 meeting for Fort Ligonier Days pertaining to "Business as Usual". Cicconi was under the impression that the motion meant to waive the restriction or qualification the Borough had for September 1st for them to have an agreement by then in order to go forward for 2018.

President McDonnell added that last October there was a meeting with the Presidents of the 3 organizations including the Borough, at which time they asked for a year because they got paid in advance by vendors/crafters with the understanding that by September 1, 2017 that there would either be an option or a financial resolution to the continued use of the Borough property (Mellon Park). McDonnell stated that all of Council was in agreeance to this via a phone call.

Matt Smith stated that the motion he made was to continue as was done the previous year and the year before that without charging them any new money other than our bills. Smith said Mellon Park was not mentioned at all. Mellon Park was a separate issue.

Solicitor Welty suggested that Mellon Park should be another separate motion. Welty explained that there was never a formal motion regarding September 1, 2017 negotiations.

A motion was made by Matt Smith and seconded by Gus Breegle to **not** charge Fort Ligonier Days any new monies for 2017; just business as usual. FLD is to pay the Borough for labor of police department / public works with no new lease fees for 2017 and to go back to the drawing board to negotiate for 2018. The motion carried 4-3 with Chick Cicconi, James McDonnell and Pat Scanlon opposing.

A motion was made by Gus Breegle and seconded by Pat Scanlon to approve the minutes of March 9, 2017 with the clarification of the motion. All of Council was in favor.

President McDonnell asked all committees of council or individually to come up with a proposal to be submitted through Solicitor Welty to Solicitor Sorice in regards to Fort Ligonier Days and Borough Property.

BILLS PAYABLE

A motion was made by Pat Scanlon and seconded by Terry Murphy to approve the Bills Payable. All of Council was in favor.

CONSENT CALENDAR

A motion was made by Matt Smith and seconded by Gus Breegle to approve the Consent Calendar as presented. The motion carried with all in favor.

UNFINISHED BUSINESS

President McDonnell called for a brief executive session for litigation with Special Counsel Dan Hewitt @ 7:26 PM.

Council returned from executive session at 7:37 PM.

Attorney Dan Hewitt spoke on the litigation filed in 2013 of two pending law suits which involved property owners adjacent to the YMCA development site the Borough was involved with. Attorney Hewitt advised Council to approve the settlement agreement which involves no cost outlay from the Borough. The settlement agreement waives application fees to the ZHB and supports the request to the zoning hearing board for a variance.

A motion was made by Terry Murphy and seconded by Pat Scanlon to approve the settlement agreement as explained by Special Counsel Dan Hewitt. All of Council was in favor.

Ligonier Valley Ambulance Service:

President McDonnell reported that by the first of July 2017 Ligonier Valley Ambulance Service most likely will no longer be in effect with Excelsa. Ligonier will not be without ambulance service however as arrangements are in the works with another ambulance provider.

Country Market: Buggy rides from Country Market from June 3rd through August 26, 2017. The route needs to be clarified per James McDonnell.

CORRESPONDENCE

Letter received from LV Chamber of Commerce requesting permission to bag the meters on the Diamond and the first two blocks of East and West Main Streets for the Chamber's Antiques on the Diamond events on June 3rd and August 26th, 2017.

A motion was made by Chick Cicconi and seconded by Judy Hoffer to approve the request for Antiques on the Diamond. All of Council was in favor.

Letter received from LV Chamber requesting permission to block off the Northeast quadrant of the Diamond to traffic for Sunday Evening Band Concerts May 28th through August 27, 2017. Also requested is that the first four meters on the North side of East Main Street be bagged for Laurel Highlands Antique Auto Club members to display their classic cars during the concerts.

A motion was made by Pat Scanlon and seconded by Matt Smith to approve. All were in favor.

Letter received from Barbara Glista of Heritage United Methodist Church requesting permission to host Ligonier Dinner in White on Saturday, July 15, 2017 from 7:00-10:00 PM with the full event including set up and clean up lasting from 5:00PM – 10:30 PM.

A motion was made by Judy Hoffer and seconded by Matt Smith to approve the request by Heritage United Methodist Church. The motion carried unanimously.

COMMITTEE REPORTS

PARKS & RECREATION / SHADE TREE

Chairman Matt Smith reported that Friendship Park is almost complete with opening ceremonies to be this Saturday @ 10:00 AM.

TOWN HALL

Town Hall chair Judy Hoffer reported that 4 new windows will be replaced soon at the same price as those replaced last year.

PUBLIC WORKS

Chairman Gus Breegle reported that Public Works has put away all winter equipment. Playground, parks and ballfields have been mowed and ready for opening day on Saturday. Gus thanked all volunteers who worked on Friendship Park. Breegle reminded everyone to please use the biodegradable bags for pick up at curb side Friday mornings. The bags can be purchased at Agway. Breegle finished his report by also reminding all to clean up after their dogs. Dog waste bags are provided at St. Clair Grove, Walking Trail and Mellon Park.

PUBLIC SAFETY

Chairman of Public Safety Pat Scanlon wished to authorize the hire of two new part-time officers for the Borough; Ligonier Township Police Chief Mike Matrunic and K-9 Officer James Friscarella.

A motion was made by Pat Scanlon and seconded by Matt Smith to approve the hire of the two above named part-time officers. All of Council was in favor.

A motion was made by Pat Scanlon and seconded by Matt Smith to proceed the negotiations with Ligonier Township who has hired attorney Richard Miller of Campbell, Durrant, Beatty, and Palombo & Miller of Pittsburgh to negotiate a new joint contract with the FOP to explore a regional police department covering Ligonier Valley. The motion carried unanimously.

It was noted that the motion does not commit the Borough into regionalization but authorizes contract negotiations which are one step of the process.

A motion was made by Pat Scanlon and seconded by Chick Cicconi to authorize allocation of \$150,000 accrued interest from the sale of the water/sewer plant in 2006 to cover costs of inflation and expense to put the Diamond Park Renaissance project out for public rather than private bid this fall. The motion carried 7-0.

A motion was made by Pat Scanlon and seconded by Matt Smith to authorize Paul Fry to contact PNC for inquiry of our Police Pension Plan process and funding regarding possible merger. All of Council was in favor.

FINANCE

Chairman Terry Murphy reported that Town Hall fund had a return of .4%. Under advisement of Neil VanHorn of Guyasuta Investments, it was stated that now would be a good time for some Town Hall improvements. Murphy noted that after a tour of Town Hall, he along with Secretary-Treasurer Paul Fry and Town Hall Chair Judy Hoffer have decided to look into replacing the Town Hall's air conditioning system as much of the infrastructure of Town Hall building dates back to its inception. The Town Hall Committee has allocated \$30,000 to replace the air conditioning system. The committee will then continue with other improvements needed.

It was reported the Borough has received a \$7,717 rebate from property and liability insurance.

Secretary-Treasurer Paul Fry reported that the Borough received a \$20,588 refund from its workers' compensation carrier, MRM Trust, equaling 98% of its premium for this year.

PLANNING / PERSONNEL

Solicitor George Welty read proposed **Ordinance 567** for which Secretary-Treasurer Paul Fry had proof of publication on hand. The ordinance will take effect May 11 with the first commission meeting May 23, 2017.

Ordinance 567:

A motion was made by Chick Cicconi and seconded by Terry Murphy to adopt **Ordinance 567** recreating a five-member Planning Commission for the Borough replacing the current 3-member Planning Committee. The motion carried with all in favor.

A motion was made by Chick Cicconi and seconded by Pat Scanlon to approve resident Jack Fry and Peggy Shepler to four-year terms, Dave Wasemann and Jeff Markle to two-year terms and councilman Chick Cicconi to one-year term as Council representative with voting rights. The motion carried unanimously.

A motion was made by Chick Cicconi and seconded by Terry Murphy to appoint Solicitor George Welty as interim Solicitor and EADS Engineer Benn Faas to also serve on the new planning commission. The motion carried 7-0.

Solicitor Welty will serve as interim solicitor for the newly formed Planning Commission until another solicitor is appointed as Cicconi feels the solicitor for the Planning Commission should be someone other than the solicitor for the Borough.

Councilman Cicconi stated that he and President James McDonnell will be attending a meeting along with the township regarding the Joint Comprehensive Plan next Tuesday by the EADS group for the purpose of obtaining a consensus.

Cicconi alerted Council that the employee / union 3-year contract expires at the end of this year. The Personnel committee will begin planning for negotiations. Cicconi noted that as expenses increase we must find sources for revenue to offset expenses with income.

NEW BUSINESS

N/A

PUBLIC COMMENT

Mr. Ed Yeager of North Avenue with concerns of water leaking from the storm drain. Mr. Yeager is asking for a new pipe to help dry things up. It was decided to contract engineer for a cost or solution.

COMMENDATIONS AND COMMENTS from OFFICERS & DEPARTMENTS

Zoning Officer Rick Schwab reported that March was a busy month for Zoning.

EADS Engineer Greg Elliot reported working on a new cost estimate for the Diamond Project since going from a private bid to public bid. Planning to put the project out to bid in October and begin work in January of next year. Cost will increase due to inflation. Elliot wished everyone a Happy Easter.

Mayor Bellas spoke on behalf of Chief Berger who was on call and not present at meeting. Bellas thanked Council for the new part-time police hires. Bellas spoke on an Active Shooter Seminar at to be held at Heritage Methodist Church June 10, 2017. The church is proposing to donate \$150 to the Borough towards parking to allow the participants to park by placing a tag provided on dashboards to cover the time frame of the seminar as they will not be able to leave seminar to put more money in the meters. Mayor Bellas is to work on the wording for the tags to be displayed.

President McDonnell thanked everyone for all they do and wished all a Happy Easter.

MOTION TO ADJOURN

A motion was made by Pat Scanlon and seconded by Matt Smith to adjourn. The motion carried unanimously. The meeting was adjourned at 8:58 PM.

Respectfully submitted,

Paul A Fry
Secretary-Treasurer
Office Manager