

Trafford Borough
Monthly Business Meeting Minutes- May 7, 2019

The Trafford Borough Council held its monthly business meeting on Tuesday, May 7, 2019, at 7:01 p.m., in the Council Chambers.

Council President, Kris Cardiff, called the meeting to order and led the Pledge of Allegiance and Moment of Silence.

Roll Call of Attendance by Borough Secretary, Nina Solivan:

(Present)	Kris Cardiff, Council President	Ed Llewellyn, Mayor
	Casey Shoub, Council Vice-President	Craig Alexander, Solicitor
	Zachary Cole, Councilmember	Don Glenn, Engineer
	Steve Perovich, Councilmember	Louis Corrales, Public Works Foreman
	Joshua Sanders, Councilmember	Ashley Stack, Borough Manager
	Leslie Peters, Councilmember	Adam Hlad, Code Enforcement Officer
	Cheryl Petersen, Councilmember	Brian Lindbloom, Fire Chief

(Absent) Emergency Management Coordinator John Eliyas

Notice of Executive Session held May 7, 2019, for legal matters.

Minutes: A motion “to accept the minutes of the April 2, 2019, regular meeting” was made by Councilman Sanders and seconded by Councilman Cole. The motion carried unanimously 7-0.

Payment of Bills: A motion “to approve the expense voucher list dated May 7, 2019” was made by Councilman Cole and seconded by Councilman Shoub. The motion carried unanimously 7-0.

Public Comment:

David Lersch 806 5th Street: Mr. Lersch informed council he is the President of The Well Corporation, a community outreach program. Mr. Lersch is trying to obtain funds to purchase a building in town to help facilitate programs for those in need of rehab, the homeless, etc. We apologize for stepping on anyone’s toes by setting up outside.

Borough response: Solicitor Alexander stated the borough has allowed other groups in the past to use borough property on weekends but not during a work day or a night when meetings are held. We do want to accommodate the Well’s needs, please contact the borough manager to get a plan together on the best location, time, and day of the week.

Ken Meyer 229 First Street: Mr. Meyer came before council to express a need for an ordinance that prohibits feeding deer. Mr. Meyer stated there is a neighbor feeding deer and this has caused significant damage to the neighbor’s shrubs, flowers, and plants. He alone has spent over \$500.00 on deterrents and nothing helps.

Borough response: Solicitor Alexander stated there is not a current ordinance prohibiting feeding wild animals for the Borough of Trafford. Solicitor Alexander stated he has prepared an ordinance similar in another community he represents. Solicitor Alexander stated drafting an ordinance to prohibit the feeding of the deer is permissible.

Councilwoman Peters questioned if Mr. Meyer has tried fencing as a deterrent. Mr. Meyer’s stated the way his property is set up a fence is not practical.

Councilman Perovich questioned what direction the deer come from. Mr. Meyer stated down Murrysville Road and up through his back yard up to the Terrace.

A motion “to have Solicitor Alexander draft an ordinance to prohibit the feeding of deer” was made by Councilwoman Petersen and seconded by Councilman Sanders. The motion carried unanimously 7-0.

Fred Widhalm 307 First Street: Mr. Widhalm came before council and stated there are too many deer and it should not be permissible to feed them.

Delores Sutton 601 Brinton Avenue: Ms. Sutton came before council and inquired about the status of the landslide at Seventh Street and Brinton Avenue. Ms. Sutton questioned if Sixth Street will be paved this year due to the large potholes. Ms. Sutton also questioned who will be running for council. Ms. Sutton also questioned the status of the prostitution ring that was mentioned in the TRIB.

Borough response: Councilman Cardiff stated the slide will be covered under the engineers' report. Councilman Cardiff stated you can find out who is running with the election bureau, but others may be written in. As for the prostitution ring, we cannot comment on police investigations. Mayor Llewellyn stated the prostitution issue has been handled by the police department.

William Sonnik 641 Sixth Street: Mr. Sonnik came before council to inquire about a vendor permit for events to sell light up toys and blow up animals. Mr. Sonnik questioned if he would be allowed to sell these items at the Memorial Day parade.

Borough response: Borough Manager Stack stated Mr. Sonnik would need to fill out a solicitation permit application. Councilwoman Peters questioned if Mr. Sonnik was inquiring about the trail festival or all festivals in general. Mr. Larry George asks that Mr. Sonnik does not sell anything during the Memorial Day celebration out of respect for our fallen soldiers.

Larry N. George Jr. 320 Cavitt Avenue: Mr. George a member of the Trafford Business Association came before council to request the support of council for a grant opportunity. Mr. George informed council the grant has been submitted to the County but needs the support of council to administer the grant as a 501c3.

Borough response: Councilman Cardiff stated in his opinion this is a wonderful opportunity, but council should not take risks with taxpayer dollars the grant would not be tax payer dollars but the individuals who would be administering the grant are paid by taxpayer dollars. Councilman Cardiff stated there is not one person on council who does not want to see great things for this town. Councilman Cardiff questioned which 501c3 was listed on the submitted grant application. Mr. George stated we were given permission to submit the grant application contingent upon councils vote this evening. Councilman Perovich asked Mr. George if he has reached out to other 501c3s' in town. Mr. George stated the Business Association will not be working with the TECDC for various reasons but will reach out to the other entities if council does not wish to work with the Business Association. Borough Manager Stack stated she has written grants before and she feels supporting documentation from the property owners giving permission to the Business Association would have helped. The concern without having a letter of support is the property owner may come back and say you are not permitted on my property, I will not provide a dollar match. Mr. George stated he has never written a grant before but feels this would still be a great opportunity.

Lynwood Leeman 334 Fourth Street: Mr. Leeman came before council to address various maintenance issues at Memorial Park. Mr. Leeman also questioned why no member of council ever has a committee report. Mr. Leeman also questioned why the police do not ticket the individuals parked along a yellow curb.

Borough response: Councilman Cardiff stated Memorial Park was cleaned up during clean-up days. Carol Richardson a member of the audience stated the storm inlets are packed with leaves and debris and has already spoken to the public works director. Borough Manager Stack stated she will have public works assess the dead trees throughout Memorial Park. Councilman Cardiff asked Mayor Llewellyn to pass along the concerns regarding the yellow line parking to the police department.

Patricia Paola 74 First Street: Mrs. Paola questioned council on the status of the Mellon Bank Building. Mrs. Paola stated the Trafford Business Association is trying to do the right thing for this town. Council needs to put their neck out and support this grant opportunity. Mrs. Paola thanked public works for a great job during clean-up days. Mrs. Paola questioned where the revenue from the ball fields go. Mrs. Paola also questioned how items get on the agenda. Mrs. Paola stated it seems as though there are secret meetings and we as the taxpayers want and need to know what is going on.

Borough response: Councilman Cardiff stated the Mellon Bank Building will be addressed under the solicitors' report. Councilman Cardiff concurred with Mrs. Paola on the need to get the town cleaned up. Borough Manager Stack stated the only revenue received for the ball fields this year was \$100.00 from the senior league which goes back into the general fund. Borough Manager Stack stated a lot of the items on the agenda are from the discussion meeting or previous meetings. Solicitor Alexander added it is up to the council president and the borough manager to set the agenda so there is some talk between the two.

Mark Petrovich 123 Bradford Square Drive: Mr. Petrovich questioned on what legal ground did the borough have to condemn a 1/5 interest of the right-of-way pertaining to Bradford Square phase II. Mr. Petrovich also questioned whom he could keep in touch with for status updates pertaining to the project.

Borough response: Solicitor Alexander stated the condemnation action has been filed there is a five-party interest for the roadway. After reviewing the recorded plan, I don't think any reasonable person could differ the interpretation that those five people are subservient to the borough's interest in the roadway. It's written right on the plan that the borough has an interest in that dedicated roadway. The title company with regard to the development is taking the position that the 1/5 interest needs to be settled in order to develop the public roadway. The 1/5 interest lives in Spokane Washington which is part of the problem and does not care what is happening here. We have filed the action with no preliminary objections filed from the 1/5 interest. We are moving forward and have

been put the department of revenue on notice because we are dealing with an estate. We do not have a status update on the project at this time until the court approves the action filed to develop the roadway into a public roadway. I assume the project is at a standstill at this time. Borough Manager Stack stated she called Maronda and has not heard back, as Solicitor Alexander stated it is a waiting game until the condemnation has been granted. Councilwoman Peters questioned if Maronda will need to go back before the Planning Commission. Solicitor Alexander stated they will need to go before the planning commission to approve the sub-division of the lots. Borough Manager Stack informed Mr. Petrovich to call the office with any questions or concerns.

Don Glenn, Engineer:

Don reported he met with Wilkesburg Penn Joint Water Authority and they will be milling and placing a new wearing surface on Seventh and Brinton Avenue this week.

Don reported the BY Park renovation project is complete and will need a signature from the secretary for the closeout of the grant.

Borough Manager: Borough Manager Stack reported physical and written exams have been completed for the individuals who submitted an application for the police department, next will be the oral exams. The results will then be submitted to the Civil Service Commission for their approval and eligibility list. This is extremely important many of our part-time officers are scheduling less and less time. We are now paying our current full-time officers' overtime to cover the gaps in the schedule. Sewage bills for the period of November 14, 2018, to February 7, 2019, have gone out and are due May 22, 2019. Everyone who reported not receiving a sewage bill for the last round was contacted to make sure they all received a bill this round. Public works will be working four ten-hour work days during the period of June 3, 2019, to August 30, 2019. This has been done in the past and proven effective but is not considered a past practice. This will be done as a probationary program. With the mobilization and materials on site during longer daylight hours will allow public works to complete projects in one to two days versus longer periods of time. At any point in time if I or council feels this is not effective the schedule will revert back to eight hours a day five days a week. The Westmoreland County Trail Town Festival will be held on June 1, 2019, at BY Park between 10:00 a.m. and 3:00 p.m. This is a community event if anyone would like to become a vendor please call the office for details.

Councilwoman Peters questioned if there is a task list to rationalize the ten-hour work days. Borough Manager Stack stated she does have the list. Councilwoman Peters stated she had asked for the list at the work session but never received it.

Councilman Cardiff expressed concerns for the safety of the public works department regarding longer warmer days. All precautions must be taken to avoid heat exhaustion and or any heat-related injury.

Code Enforcement: Code Enforcement Officer Adam Hlad reported there were ten new occupancy inspections, four follow-up occupancy inspections needed, six follow-up occupancy inspection were completed, twelve occupancy permits were issued. There was one zoning permit in process, and four zoning permits were issued. There was one building permit in process and one building permit issued. There was one street opening/ grading permit in process and one permit issued. There were three grass/weeds complaints in process, two garbage/trash complaints in progress, six property maintenance violations in progress, and one animal complaint abated.

Grass/Weeds complaints include:

Cavitt Avenue- Filing complaint with magistrate on 5/10 if not in compliance.

1st Street- Per Magistrate Kistler, property owner has until 5/15 to have grass cut and a season long service contract signed to ensure continued maintenance.

8th Street- Spoke with property management company, work order issued.

Garbage/Trash abated include:

Brinton Avenue- Waste Management bagster has been sitting for extended period in rear of property. Abated.

Garbage/Trash in progress include:

8th Street- Garbage scattered around property. Spoke with property management company, work order issued.

8th Street- Trash bags accumulated and abandoned in front of garage. Final notice being mailed, waiting for a week or so to see if the grass gets cut.

Property Maintenance in progress include:

Shady Lane- Property neglected, weeds overgrown. Violation notice mailed to homeowner. No response. Violation notice stapled to front door. Left message for listing agent, waiting to hear back.

Stewart Street- Homeowner submitted storm water management plan.

1st Street- Per Magistrate Kistler, property owner has until 5/15 to remove all construction debris. Will file additional complaint if not in compliance. Hearing scheduled for 5/20 for follow-up.

Cavitt Avenue- Abandoned building. Filing complaint with magistrate on 5/10 if not in compliance.

8th Street-Property is abandoned. In serious disrepair, holes in roof, possible structural issues. Referred to CEA for condemnation.

Duquesne Avenue- Storm water runoff impacting neighbor, causing damage. Potential for Borough to assist through installing small curb to assist water in making it to the storm drain, having Public Works give opinion.

Dog, abated:

E Gilmore Avenue- Dog not being cleaned up after. Spoke with dog owner.

Occupancy in progress include:

Fairmont Avenue- Waiting on owner to schedule inspection.

8th Street- Owner is in process of making repairs.

Solicitor: Solicitor Alexander stated the Mellon Bank Building is still in litigation, we have been in court two or three times. Every time we have gone to court there has been some sort of agreement to allow the owner to submit a plan to CEA and take a break to allow the owner a chance to make the necessary repairs according to the plan that was submitted. We recently went back to court a few months ago, Mr. Alexander filed a motion to resume the hearing and obtained a hearing date on April 3, 2019, the lawyer for the property owner objected to the motion because he did not have an opportunity to file a response to the motion. The lawyer then filed a lengthy response stating the owner did everything he was supposed to do in order to be issued the proper permits to demolish the property. Solicitor Alexander stated this is a very dangerous situation and someone could be seriously injured. Our in-house Code Enforcement Officer Adam Hlad has visited the site and has drawn up multiple code violations and will be submitting them this Friday.

EMS: Borough Manager Stack reports there were twenty-nine calls for the month of March with four calls referred to North Huntingdon EMS and thirty-six calls for the month of April with two calls referred to North Huntingdon EMS. Anytime a call is referred to someone else it is because resources are committed to other incidents.

Trafford VFD: Fire Chief Lindbloom reported the fire department sold three hundred sixty hoagies and thanked all who purchased. Councilwoman Peters questioned if there will be any more hoagie sales this year. Chief Lindbloom stated it takes about ten-man hours per person which equates to one hundred-man hours total to order, prep and prepare the hoagies. The fire department is a 501c3 and would love to partner with anyone who is trying to fix up dilapidated buildings. The fire department would just like to incorporate fire and life safety improvements.

EMC: No report.

Rec Board: Rose Frolinni reported the Easter Egg Hunt went well there were sixty-three children in attendance. Rose thanked the fire department and the police department. The Rec Board purchased two picnic tables for the new pavilion at the Terrace Playground. The playground program will be starting June 10th and will be offered at Fairmont and the Terrace.

TECDC: Carol Richardson thanked all of those who participated during clean-up days and was very nice to see children participate with their parents. The TECDC cleaned up Brinton Avenue, Cavitt Avenue, and the Memorial Park. Cleaned up branches in the park and raked the leaves. Public works agreed to picking up the piles of debris and look at the gully alongside the ramp.

WHT: No report.

Mayor's Report: Mayor Llewellyn reported for the month of April there were a total of one hundred and thirty-seven documented calls, eleven criminal cases filed with additional pending investigation, and twenty-eight citations were issued. Mayor Llewellyn raised a safety concern regarding staples in the picnic tables at BY Park. Mayor Llewellyn stated there is an anonymous tip line for the police department the phone number is (412) 375-3013.

General Government: Councilman Perovich stated he and Councilman Cardiff attended the Borough's Association banquet on April 26th. Councilman Perovich stated he has talked with Ted Kopas and Gina Cerelli to put some pressure on North Folk Southern to push giving the Westmoreland Heritage Trail the last section of rail that ends in town.

Finance: No report.

Community Development: Councilwoman Peters stated there are seven hundred and sixty-one subscribers to Savvy Citizen and that she is still working with the Emergency Management Coordinator to get our EOP and NARM updated.

Public Safety: No report.

Public Works: Councilwoman Petersen stated any complaint that is received she sends to the borough manager.

Sanitation: Councilman Shoub stated clean-up days was a success we were able to fill up all the dumpsters. Councilman Shoub thanked the public works and all the volunteers who came out to help.

Presidents Report- Councilman Cardiff stated the polling places have changed and every registered voter should have received a letter in the mail stating the new location for both districts is St. Regis Parish. The primary election is on May 21, 2019.

Change Order to Swede Construction

A motion" to authorize a \$4,379.54 change order for the concrete pad installation in front of the BY Park restrooms, this includes a borough payment of \$729.54 to Swede Construction with the Westmoreland County Department of Planning and Development paying the remaining \$3,650.00" was made by Councilwoman Peters and seconded by Councilman Shoub. The motion carried unanimously 7-0.

Advertise for 2019 Street Paving Project

A motion "to authorize the Borough Engineer to advertise for the 2019 street paving project" was made by Councilman Shoub and seconded by Councilman Cole.

Borough Manager Stack stated we have about \$80,000.00 - \$90,000.00 to work with. The engineer along with public works will be reviewing all the streets and will compile a list.

The motion carried unanimously 7-0.

Final Payment to GeoBuild

A motion "to authorize a payment of \$55,000.00, to GeoBuild for the emergency road stabilization at the Seventh Street and Brinton Avenue Slide" was made by Councilman Shoub and seconded by Councilman Sanders. The motion carried unanimously 7-0.

Authorize Special Exception for Trail Towns Festival

A motion "to authorize a special exception for fundraising, amplified sound and permission of licensed animals at BY Park on Saturday, June 1, 2019, for the Westmoreland Heritage Trail Towns Festival" was made by Councilman Cole and seconded by Councilman Shoub.

Councilwoman Peters questioned what a licensed animal is considered. Borough Manager Stack replied a dog.

The motion carried unanimously 7-0.

Payment to ARM Moonwalk

A motion "to authorize a payment of \$280.00 to ARM Moonwalk for the operation and rental of a bounce house on Saturday, June 1, 2019, for the Westmoreland Heritage Trail Towns Festival" was made by Councilman Sanders and seconded by Councilman Perovich.

Councilwoman Peters questioned if the company is licensed and insured. Borough Manager Stack replied and stated yes, and this is why we have a member of the company coming as an operator and not one of our borough employees.

Councilman Cardiff questioned if this is the borough's contribution. Borough Manager Stack stated the funds will be taken out of the military celebration line item 457.000, this is where the public works, police and admin staff's wages will be taken out from as well.

The motion carried unanimously 7-0.

Authorize Sale of 2012 F150

A motion "to authorize the sale of the 2012 F150 for \$14,301.00 to Robert Greenland" was made by Councilman Shoub and seconded by Councilman Cole.

This item was listed on Municibid for a few weeks, the borough was only offered \$5,000.00 as a trade-in. The final bid of \$14,301.00 will cover the first payment for the new truck.

The motion carried unanimously 7-0.

Authorize Sale of 2000 F550

A motion "to authorize the sale of the 2000 F550 for \$13,100.00 to Ryan Joyce" was made by Councilman Sanders and seconded by Councilman Shoub. The motion carried unanimously 7-0.

Park Cleaning Services

A motion “to authorize cleaning services for BY and Westmoreland Parks for \$120.00 a weekend for the summer rental season” was made by Councilwoman Peters and seconded by Councilman Perovich”.

Borough Manager Stack stated William Holby will be between both parks for four hours and Saturdays & Sundays during the entire rental season making sure the pavilions and bathrooms are clean and picking up any debris throughout the park. If Mr. Holby is unavailable for a weekend one of our public works will cover.

Councilwoman Peters questioned if he will be provided a task list, Borough Manager Stack stated they’re down there daily and they pretty much know all that needs to be done.

The motion carried unanimously 7-0.

Termination of Services Agreement

A motion “to authorize a written notice of termination of service to CEA, effective July 15, 2019, and to continue with litigation at an hourly rate” was made by Councilman Shoub and seconded by Councilman Perovich.

Borough Manager Stack stated in recent months we have had several different properties in town in which they were asked for information and received little or no response. Borough Manager Stack stated she does not feel the borough is getting what the original intent was. CEA is very knowledgeable. CEA is currently receiving all of the money for permits the borough only keeps a 15% administrative fee. As for the July 15th effective date, the agreement we have with CEA it specifically states a 60-day written notice.

The motion carried unanimously 7-0.

Adam Hlad Rate Change

A motion “to authorize an hourly rate of \$25.00/hr. to Adam Hlad for code enforcement and building inspections beginning July 15, 2019”. Was made by Councilman Shoub and seconded by Councilman Sanders.

Borough Manager Stack stated since Adam has come into the role as Code Enforcement Officer residents are seemingly happy. The residents often expect Adam to be in the office and have office hours. With the approval of the motion, Adam will have set office hours with some flexibility. Borough Manager Stack stated in the past when Mark Lazzaro did both in house there was a lot of positive feedback and is constantly being referenced. Adam has obtained some certifications and will be able to go under the direction of the other code enforcement officers for any certs he has not obtained yet and will cover the borough for U.C.C. related permits and all of the monies will be coming back to the borough. Borough Manager Stack stated to start Adam will be at a minimum of 24/hrs. per week. Solicitor Alexander along with the borough manager will work together on a written agreement to cover the costs of study materials and testing, it is an investment on the borough’s part. Currently, eighty percent of our occupancy fees are being paid to the code enforcement officers and if this motion is approved one hundred percent of the fee’s will be brought back into the general fund budget. Borough Manager Stack stated any permitting under U.C.C will be paid out to one of the other BCO’s we currently have on staff at the rate of \$300.00 per month.

The motion carried unanimously 7-0.

Partner with Trafford Business Association

A motion “to partner with the Trafford Business Association for a 2019 Revitalizing Westmorland grant through the Community Foundation of Westmoreland County” was made by Councilman Cole but failed for a lack of a second.

Adjournment

Councilman Cardiff announced the next regular meeting for Tuesday, June 4, 2019, at 7:00 p.m. in the Council Chambers.

A motion “to adjourn” was made by Councilwoman Peters and seconded by Councilman Sanders. The motion carried unanimously 7-0.