

August 9, 2012

The regular meeting of the Ligonier Borough Council was held Thursday August 9, 2012 @ 7:00 PM in the Ligonier Town Hall with President Robert Helterbran presiding.

Members present: Robert Helterbran, Kim Shaffer, James McDonnell, Judy Hoffer, Robert Bell, Tom Freeman, and Sam St. Clair.

Others present: Secretary-Treasurer Paul Fry, Solicitor George Welty, Police Chief John Berger, Ligonier Hose Co. #1 representative Phil Fleming. Absent were Mayor Ormond "Butch" Bellas and Engineer Ben Faas. Ben Faas came late.

APPROVAL OF MINUTES

A motion was made by James McDonnell and seconded by Sam St. Clair to approve the minutes of July 12, 2012 as presented. All were in favor.

BILLS PAYABLE

A motion was made by Tom Freeman and seconded by Robert Bell to approve the Bills Payable as presented. The motion carried unanimously.

CONSENT CALENDAR

A motion was made by Kim Shaffer and seconded by James McDonnell to approve the Consent Calendar as presented. All were in favor.

UNFINISHED BUSINESS

N/A

CORRESPONDENCE

Letter received from Ligonier Hose Co. #1 requesting Council to approve the closing of N. Fairfield Street from Bank Alley North to W. Church Street from 4:30-10 PM Saturday, September 8, 2012 for their "Wines of the Valley" event taking place from 6-9 PM.

A motion was made by James McDonnell and seconded by Kim Shaffer to approve the Fire Department's request to close N. Fairfield Street from Bank Alley North to w. Church Street Saturday, September 8, 2012 from 4:30 – 10 PM. All were in favor.

A Request from the YMCA to host the first annual Riders Cup on September 28-29, 2012 was received. The event is planned as a 24-hr spinning (stationary bike) race. Requested is use of the sidewalk around the diamond to set up 8-12 stationary bicycles, a portable business sign & water station. Request to use the bandstand as central station with computer equipment & postings that track each team's progress. Permission is also requested to use the sound system until 10pm on the 28th and resuming at 9am on the 29th.

A motion was made by Tom Freeman and seconded by Kim Shaffer to approve the request per stipulations;

- Stationery bikes must be set up on inner Diamond brick walkway
- Ad signs are to be similar to those of ice fest at each station
- No large signs or banners permitted on bandstand

The motion carried unanimously.

Request was received from Planet Aid to place a 4 'x 4' square and 6.5 ft tall clothing recycling bin in the Borough. Bin would be emptied once a week by Planet Aid.

A motion was made by James McDonnell and seconded by Kim Shaffer to deny the request. The motion carried unanimously.

COMMITTEE REPORTS

PARKS & RECREATION

Judy Hoffer reported receiving numerous complaints of high grass in the Borough. Letters have been sent out and Chief John Berger stated that several of those complaints have been taken care of.

Hoffer added that there have been a lot of people not picking up waste after their dogs. Hoffer stated that if violators are turned in, citations will be issued.

TOWN HALL

N/A

PUBLIC WORKS

Chairman Tom Freeman thanked Paul Fry and the public works crew as well as Ligonier Twp. for the good job on the seal coating project.

PUBLIC SAFETY / SHADE TREE

N/A

FINANCE

Robert Bell reported that the Audit has been on display for a month in the Borough office.

A motion was made by Robert Bell and seconded by Kim Shaffer to accept the audit for 2011. All of Council was in favor.

A motion was made by Robert Bell and seconded by Kim Shaffer to pay the invoice for the Audit for \$5,115. The motion carried unanimously.

PERSONNEL / PLANNING COMMISSION

An executive session was called for personnel and litigation @ 7:25 PM. Secretary-Treasurer Paul Fry was asked to join the executive session for personnel and Chick Cicconi was asked to join for litigation.

Council returned from executive session at 8:06 PM.

A motion was made by James McDonnell and seconded by Kim Shaffer to hire Glenn T. Gibson as first shift Custodian at Town Hall. The motion carried unanimously. Secretary-Treasurer Paul Fry will notify Mr. Gibson.

A motion was made by Kim Shaffer and seconded by Robert Bell to appeal to the Westmoreland County Court of Common Pleas the Zoning Hearing Board decision to grant the variance to the property of Ruth Conrad at 318 East Main Street. The motion also authorizes the proper officers to sign all documents. The motion carried 6-1 with Tom Freeman opposing.

A motion was made by Kim Shaffer and seconded by James McDonnell to appoint attorney Daniel Hewitt as special counsel to represent the Borough Council in the appeal of the Conrad variance granted by the Ligonier Borough Zoning Hearing Board. The motion carried 6-1 with Tom Freeman opposing.

NEW BUSINESS

n/a

Tom Freeman spoke of flooding conditions on Walnut Street since the recent storms.

PUBLIC COMMENT

N/A

Secretary-Treasurer Paul Fry informed Council of Change of Provider for Fire Department Worker's Compensation. All trust agencies are dropping the worker's compensation code 994 from their coverage.

SOLICITOR

Solicitor Welty reviewed the motion by Kim Shaffer and seconded by Robert Bell and suggested changes to wordage.

A motion was made by Kim Shaffer and seconded by Robert Bell to appeal to the Westmoreland County Court of Common pleas in order to oppose the Zoning Hearing Board's decision to grant a variance to the property of Ruth Conrad at 318 E. Main Street, Ligonier and to authorize the proper officer's to sign all documents. The motion carried 6-1 with Tom Freeman opposing.

FIRE CHIEF / REP.

Phil Fleming, representative of Ligonier Hose Co. #1 was present and reported that the United Fire Dept's campaign is doing well.

ENGINEER

Ben Faas answered flooding questions at Walnut St. from recent heavy rain fall. Faas reported that the Armory has adequate storm water for its development. It may have encroached on paths or storage areas present for surcharges of the storm sewer that were existing prior to the development. The surcharges of the storm sewer though are not due to the Armory itself. That is the line that comes down Church Street and was redirected as part of the Holy Trinity Church project and comes to a catch basin that was in front of the old Armory where it goes from 12 to 8. The storm sewer in that area actually decreases in size which causes the catch basin to surcharge out the top. When that water hits the surface it needs to use the storage area that is available to it. The storage area capacity was added by decreasing the slope of the storm sewer from the Armory. When the pipe is surcharged it has the ability to backflow to the infiltration area of the Armory.

Faas further reported that the recent storm Ligonier Borough received approximately 2.5 inches within 15 minutes. Faas finished by stating that he does have some ideas that could help but may not solve the problem.

POLICE CHIEF

Kim Shaffer reported that Police Chief John Berger had to assist on a call.

Chief Berger attended training for searching vehicles for drugs Murrysville. During the training Chief Berger was awarded a special commendation. During the search of a vehicle, as part of their training, the police trainees were to locate 6 "drugs". The trainees were successful in

locating all 6. Before the officers left the vehicle Chief Berger pointed out that there was also drug paraphernalia in the console of the vehicle. It turned out that this was an actual drug container used for marijuana and those individuals in charge of the training had missed it.

MOTION TO ADJOURN

A motion was made by James McDonnell and seconded by Tom Freeman to adjourn the meeting. All were in favor. The meeting adjourned at 8:30 PM.

Respectfully submitted,

Paul A Fry
Secretary-Treasurer
Office Manager