October 6, 2014

The regularly scheduled meeting of the Ligonier Borough Council was held Monday, October 6, 2014 @ 7:00 PM in the Town Hall with Robert Helterbran presiding.

Members present: Robert Helterbran, James McDonnell, Margaret Garland, Judy Hoffer, Matt Smith, Pat Scanlon, and Mike Bieterman.

Others present: Secretary-Treasurer Paul Fry, Mayor Ormond "Butch" Bellas, Engineer Ben Faas, Solicitor George Welty and Fire Chief Paul Church. Absent was Police Chief John Berger.

APPROVAL OF MINUTES

A motion was made by Pat Scanlon and seconded by Matt Smith to approve the minutes of September 11, 2014 as presented. The motion carried unanimously.

BILLS PAYABLE

A motion was made by Pat Scanlon and seconded by Matt Smith to approve the Bills Payable as also presented. All of Council was in favor.

CONSENT CALENDAR

A motion was made by Judy Hoffer and seconded by Pat Scanlon to approve the Consent Calendar as presented to Council. All were in favor.

UNFINISHED BUSINESS

Hunter Subdivision Amendment:

An amendment was presented to Council on the Hunter Subdivision to show accurate locations of existing and relocated gas lines.

A motion was made by Judy Hoffer and seconded by Pat Scanlon to approve. The motion carried unanimously.

CORRESPONDENCE

Letter was received from Benjamin Emminger of the Tau Phi Delta fraternity at Penn State requesting permission to solicit donations on the Diamond (corners of West Main Street and North Market Street) for THON Saturday, October 18, 2014 from 8 AM to noon Sunday, October 19, 2014 from 12 PM to 4 PM.

A motion was made by James McDonnell and seconded by Judy Hoffer to approve the request from Ben Emminger to solicit funds for THON October 18 and 19th, 2014. All were in favor.

Letter received from Rick Schwab wishing to apply for position of Ligonier Borough Zoning Officer.

A motion was made by Judy Hoffer and seconded by Matt Smith to accept the application from Rick Schwab for the appointment of Ligonier Borough Zoning Officer. The motion carried 7-0.

Letter received from Mike Matrunics, Chief of Ligonier Township Police requesting assistance for Fire Police to help with traffic control during the Annual Fort Ligonier Days 5-K Race held Sunday, October 12, 2014.

A motion was made by James McDonnell and seconded by Pat Scanlon to activate the Fire Police for Fort Ligonier Days 5-K Race Sunday, October 12, 2014. All were in favor.

Application received from Lauren Dupree of Warrior King Pastries to hang a vinyl banner for 4-6 weeks on the railing @ 114 S. Market Street to announce arrival of upcoming bakery business.

A discussion ensued. Upon recommendation of Solicitor Welty, Council decided to hold approval of banner until applicant has been issued an occupancy permit and has passed all inspections. It was noted that all zoning requirements were not met for the banner.

Letter received from LVMS teacher Tammie Saxton asking approval for annual 5K Race to be held Friday, October 17, 2014 from 11 AM to noon.

A motion was made by Judy Hoffer and seconded by Matt Smith to approve the LVMS 5K Race and to activate the Fire Police October 17, 2014. All were in favor.

Application received from Judy Hoffer for handicapped parking & sign @ 314 East Church Street.
A motion was made by Pat Scanlon and seconded by Matt Smith to approve the request by Judy Hoffer. The motion carried 6-0 with one abstention from Judy Hoffer.

COMMITTEE REPORTS

PARKS & RECREATION

Parks & Recreation chairman James McDonnell reported that the Diamond and Parks around town look great in preparation for Fort Ligonier Days. Rick Schandel of Hillsview Landscaping was also credited for the flowers and care of the Diamond area.

McDonnell added that no dogs are permitted in the festival area during Fort Ligonier Days.

TOWN HALL

Judy Hoffer commended Paul Fry and Public Works for their clean up after Fort Ligonier Days. Hoffer stated that you can never tell that a major event occurred in Ligonier the day after Fort Ligonier Days.

PUBLIC WORKS

Chairman Pat Scanlon reported that work has been completed with the catch basins for this year. Crew continues to mow the parks in preparation for Fort Ligonier Days. Leaf collection will commence following Fort Ligonier Days.

PUBLIC SAFETY / SHADE TREE

Matt Smith, Chairman of Public Safety / Shade Tree had nothing to report. Smith wished everyone a safe and fun Fort Ligonier Days.

FINANCE

Nothing to report

PERSONNEL / PLANNNING COMMISSION

Pat Scanlon reported that the committee will be having a meeting with negotiations to be held soon for police and Borough employees.

NEW BUSINESS

Resolution #2014-5 Police Pension Plan:

Paul Fry explained that the ordinance states that the Borough is satisfied that the conditions have been met in order to reduce the contribution rate to 2.75% of compensation for 2015. Effective January 1, 2015 and continuing through and including December 31, 2015, the amount of Participant Contributions due shall be 2.75% of compensation.

A motion was made by James McDonnell and seconded by Judy Hoffer to adopt Resolution #2014-5 Police Pension Plan. All of Council was in favor.

Resolution to prohibit Drones from flying over during Fort Ligonier Days in Ligonier Borough: Jack McDowell, co-chair of Fort Ligonier Days, Inc. was present to request and explain the necessity to prohibit the flying of Drones during Fort Ligonier Days for safety reasons.

A motion was made by James McDonnell and seconded by Mike Bieterman to prohibit Drones from flying over Ligonier during Fort Ligonier Days for public safety reasons. All of Council was in favor.

President Helterbran called for a brief executive session @ 7:30 PM for legal matters.

A motion was made by Mike Bieterman and seconded by Matt Smith to authorize Council President Robert Helterbran to contact Ligonier Valley School District Board to determine if they are going to appear at the tax appeal assessment hearing of the Valley School property also known as Old Mellon Bank. If the school district is going to appear at the hearing, the Borough would like their counsel to represent the Borough as well. The motion carried unanimously.

PUBLIC COMMENT

Tom Wyncoop, owner of Fox's Pizza thanked Council for keeping Drones from flying in Ligonier Borough during Fort Ligonier Days.

Wyncoop also asked Council if he could sell his products during Fort Days from the Parking Lot at Fox's.

Solicitor Welty and Jack McDowell, Fort Ligonier Days Co-Chair stated that the deadline has expired for outdoor sales August 16, 2014. McDowell explained the process and that the festival area has already been approved by Council. Fort Ligonier Days Inc. will be glad to look at this next year.

Wyncoop apologized and stepped down and will apply next year.

COMMENDATONS & COMMENTS FROM OFFICERS & DEPARTMENTS

Secretary-Treasurer Paul Fry reported being contacted by Ligonier Township Manager, Terry Carcella regarding Hoffman Kennels. The Township asked if the Borough would be interested in hiring an individual together with the Township to serve as Animal Control Officer / Code Enforcement Officer. Ligonier Township will offer a vehicle for animal control. Code Enforcement Officer Position would be part-time with no benefits.

Solicitor Welty recommended that this topic should be sent to a committee to further look into. Council decided that Pat Scanlon, Margaret Garland and Paul Fry will talk to the Township.

LETTER OF INTENT:

Another item brought up by Ligonier Township Manager Terry Carcella was a Letter of Intent from DCED Website for consideration to ask DCED for recommendation, funding information, help, and guidance to look into a possible regional police consolidation between Ligonier Borough and Ligonier Township. The Letter of Intent will not commit the Borough but permit a study to determine if there will be a savings to taxpayers. Matt Smith added that there will be no cost to the Borough to have the study done.

Judy Hoffer stated that she would be opposed to paying the same amount of taxes for a 90 mile radius from a now 1 mile radius police protection.

James McDonnell felt that the residents of the Borough and Township need to have an opinion voiced as well.

Mayor Bellas said he would be leery of signing on to something without a guarantee that we would have the same coverage as we have now.

Paul Fry reiterated that the Letter of Intent is not to commit but to look into what type of assistance the Department of Community and Economic Development can provide to entities.

President Helterbran reported that he also had talked to Township Manager Terry Carcella and the Borough would not lose any coverage. This is just an idea to save the taxpayers some money. Helterbran added that both police chiefs; the township and the Borough are in favor.

A motion was made by Matt Smith and seconded by Pat Scanlon to proceed with Letter of Intent. The motion carried unanimously.

Fire Chief Paul Church reported that they are in preparation for Fort Days. Church has been contacted by Dept. of Public Safety in terms of the command post. Food Booth inspections will be conducted Friday morning; for fire extinguishers, gas and propane connections. Fire departments will be coming in on Saturday to help out in shifts; Latrobe, Bradenville, White Valley, Rostravier, Central and South Greensburg.

Church stated that the fire department and Borough was re-evaluated by the ISO (Insurance Service Office) this past spring. The ISO rating has been upgraded to 3.0. This is top 7% in US.

Mayor Bellas reported that he is opposed to Council not allowing Fox's Pizza to put up a 10' x 10' for Fort Ligonier Days.
Mayor Bellas asked James McDonnell and Judy Hoffer to drop their lawsuit.

Councilman Matt Smith stated that Fox's Pizza does already have permanent tables set up outside where patrons can sit and eat their pizza as does Kitchen on Main. Smith noted that Fox's was asking for an additional stand to sell from the parking lot.

President Helterbran thanked all for coming and to enjoy Fort Days.

MOTION TO ADJOURN

A motion was made by Pat Scanlon and seconded by Judy Hoffer to adjourn the meeting. All were in favor. The meeting was adjourned @ 8:19 PM.

Respectfully submitted

Paul A Fry
Secretary-Treasurer
Office Manager