

May 9, 2019

The regular meeting of the Ligonier Borough Council was held Thursday, May 9, 2019 @ 7:00 PM in the Town Hall with James St. Clair presiding.

Members Present: James St. Clair, Matt Smith, James McDonnell, Mariah Fisher, Judy Hoffer, Jeff Craig and Terry Murphy.

Others Present: Secretary-Treasurer Jan Shaw, Streets Supervisor Ron Ross, Mayor Ormond "Butch" Bellas, Engineer Greg Elliott, Solicitor George Welty, Police Chief John Berger, & Zoning Officer Rick Schwab.

APPROVAL OF MINUTES

A motion was made by James McDonnell and seconded by Terry Murphy to approve the Minutes of April 11, 2019 as presented. All of Council was in favor.

BILLS PAYABLE

A motion was made by Judy Hoffer and seconded by Jeff Craig to approve the Bills Payable. The motion carried with all in favor.

CONSENT CALENDAR

A motion was made by Matt Smith and seconded by Mariah Fisher to approve the Consent Calendar presented. The motion carried 7-0 with all in favor.

UNFINISHED BUSINESS

Draft Ordinance – Ligonier Hose Co. #1:

Solicitor Welty read over the ordinance and noted that it has been properly advertised. The ordinance authorizes Ligonier Volunteer Hos Co. #1 and those fire departments with which it has a mutual aid agreement to provide for the billing of emergency and non-emergency services.

A motion was made by Jeff Craig and seconded by Mariah Fisher to adopt the proposed draft ordinance #573. All of Council was in favor.

"Wings Across Westmoreland":

Council Mariah Fisher suggested having the "Wings" installed on the courtyard wall near the entrance to the Chamber office if Westmoreland Cultural Trust has not come up with another place in the Borough.

Matt Smith suggested to check with Westmoreland Cultural Trust to see where their thoughts were of placement.

James McDonnell voiced his concern of liability.

Jeff Craig again suggested to contact Westmoreland Cultural Trust and to then perhaps adopt a Resolution pertaining to all aspects of the art work and its program.

McDonnell commented that he would like Jan Show to be the contact person in regards to the "Wings" project.

CORRESPONDENCE

A sign permit application was received from Pioneer PCA to display a vinyl banner on the front porch of the Church to advertise Bible School May 20 through June 21, 2019.

A motion was made by Judy Hoffer and seconded by Terry Murphy to approve the banner request from Pioneer PCA. All of Council was in favor.

A letter was received from the LV Chamber of Commerce for permission to use the Bandstand & Diamond Park, close the Diamond and the 100 blocks of East and West Main Streets & North and South Market Streets for The Stroll on August 9, 2019 from 5-9 PM.

It is also requested to have the parking meters on the Diamond and the first block of East and West Main Streets & North and South Market Streets bagged for the classic cars (1-9 PM).

LV Chamber requests permission to also have the first block of the Diamond closed to traffic from 4:30-9:30 PM and have the Borough implement a short detour around the Diamond. It is asked to park the antique cars on a slant up and down East and West Main Street and North and South Market Streets as well as the Diamond.

A motion was made by Matt Smith and seconded by Jeff Craig to approve the request pending Penn Dot permit approval. The motion carried with all in favor.

COMMITTEE REPORTS

PARKS & RECREATION

Chairman James McDonnell reported that a tree on the Diamond has been confirmed dead by an arborist. The tree also has an issue known as ambrosia beetles. Parks and Recreation Committee & EADS Engineer Greg Elliot discussed the options for the tree. It is advised that the best times for replacing the tree would be in the fall or early spring. As summer is approaching, it would be pretty risky to replace now. A red maple has been tagged for the Borough at the nursery in NJ where the other trees came from. To do it at this time of year would require a 20% preparation charge and transport. As it would be risky to plant now, the committee has suggested that the dead tree be cut down as soon as possible and as close to the ground as possible and cover with mulch and replace after Fort Ligonier Days in October. There will be no 20% fee charge at this time and it would be a better chance for the tree to flourish. The new tree would be the same height as the other but will be a red maple.

A motion was made by James McDonnell and seconded by Mariah Fisher to cut the dead tree down as soon as possible, as close & level to the ground as possible and cover with mulch to then replace with another in October after Fort Ligonier Days. The motion carried with all of Council in favor.

James McDonnell also reported being approached by Jim Facenda, President of the LV Chamber to have Council consider and permit the LV Chamber / Country Market to hold a Farmers Market (fruits & vegetables) with 25-30 vendors around the Diamond one night a month during the months of June, July & August, preferably a Thursday evening. The event would be on the walkways only and clean up & preparation would be the responsibility of LV Chamber / Country Market.

A motion was made by James McDonnell and seconded by Jeff Craig to authorize LV Chamber / Country Market to try it out and see how it goes. The motion carried unanimously.

Council Mariah Fisher asked if there was any update on the Tennis Court project because she has been getting feedback and wondering when there will be a public comment regarding such. Fisher added that there has not been a lot of enthusiasm for how it is at the moment.

James McDonnell reported that the GEO Technical investigation has yet to be done and the funds are not there yet.

The plans are to have a public meeting for input on the design after the testing is complete.

TOWN HALL

Town Hall Chair Judy Hoffer reported that TMR has repaired the Town Hall roof.

PUBLIC WORKS

Chairman Terry Murphy reported that Public Works has been line painting. Murphy reported that Public Works has been discussing selling the Back Hoe and old mechanical parking meters on line. The Streets Committee came up with a price to list with minimum bid of \$5,000.

A motion was made by Terry Murphy and seconded by Jeff Craig to place the Back Hoe and mechanical parking meters on Municipal Bid. The motion carried with all in favor.

Streets Supervisor Ron Ross reported obtaining quotes for a retaining wall and ramp for the Church St. side of the Municipal Lot A. Ross was in contact with 4 different contractors and received 2 quotes for the retaining wall and 3 for the concrete ramp. Approval is requested from Council to take the lowest quote for the project.

A motion was made by James McDonnell and seconded by Terry Murphy to approve the bid from Redinger Landscaping at a quote of \$15,500 for the Retaining Wall and the bid from Andy Queer Concrete at \$2,500 for a concrete Walk Way in the Municipal Lot A. The motion carried unanimously.

PUBLIC SAFETY

Ron Ross reported that TMR replaced all new metal flashing on the fire department roof.

Jeff Craig reported that the police department is getting their reporting in place. In the future the police report will be delayed one month due to the LVPD Commission meeting taking place a week after the Borough Council.

For the month of April with 30 days, 24 hours a day (3 shifts) there were 2160 hours in the month. The Police Department had active patrols take place for 2040 of those hours. For 95% of the hours of the month LVPD had 3 officers on duty.

Foot Patrol: Jeff Craig did some research on foot patrol and found that it really has very little impact on crime prevention and we do not have high crime areas here or a condensed population. It is of course great for public relations and when the officers are writing tickets they are on foot. The Commission will come up a view around foot patrols.

FINANCE

N/A

PLANNING / PERSONNEL

N/A

NEW BUSINESS

Resolution: Abuse of Right to Know

The proposed Resolution through State Legislature is to amend the right to know law and provide relief from vexatious requesters.

A motion was made by James McDonnell and seconded by Judy Hoffer to adopt Resolution 2019-1. The motion carried with all in favor.

PUBLIC COMMENT

Richard Flickinger clarified his question of last month which he stated does not pertain to himself but is a question that others are asking him. The question is; does the person driving a car have the right to park on the road right of way even if it is someone's lawn or does the homeowner who maintains it have the right.

Police Chief John Berger answered Richland Flickinger that it falls under imminent domain, you have the right of way and as part of your property you have to maintain it however the utility company can put lines there, or mailboxes. If a car is parked there on your private property you have the right to call a tow truck yourself or call the police to assist with the call. The Police cannot tow if on private property, the homeowner has to request that tow and the police will help the homeowner through it. The cost would fall on whomever owns the vehicle.

COMMENDATIONS & COMMENTS from OFFICERS AND DEPARTMENT

Secretary-Treasurer Jan Shaw stated that several borough employees recently went to Ligonier Township and took part in CPR / AED / Training and are now certified.

Street Supervisor Ron Ross reported that the Public Works Crew is going to try to get some of the black marks off of the curb going around the Diamond.

Engineer Greg Elliott reported that Bartlett Tree Experts submitted a one year proposal for \$3304 for inspection, test management and a monitoring program for the large trees on the Diamond.

James McDonnell, chairman of Parks & Recreation said that the committee would look into the proposal.

Elliott also brought up the request from Heritage United Methodist Church to install 6" bollards up against building to keep cars or their mirrors from running into the building. Elliott is uncertain if this would be in the Borough Right of Way.

A motion was made by Jeff Craig and seconded by Matt Smith to approve the request for the bollards on Cherry Alley. All of Council was in favor.

Police Chief John Berger reported that he would have more detailed information on the National Night Out.

Mayor Ormond "Butch" Bellas asked Council to consider placing a Compact Car Only sign on the North and South sides of the Diamond by the Heritage Church and Mill Creek Furniture end spots.

A motion was made by Jeff Craig and seconded by Mariah Fisher to place Compact Car Only signs on the meters of the above noted spots. All of Council was in favor.

President Sam St. Clair thanked everyone for coming.

MOTION TO ADJOURN

A motion was made by Matt Smith and seconded by Jeff Craig to adjourn the meeting. All of Council was in favor. The meeting was adjourned at 8:10 PM.

Respectfully submitted,

Jan Shaw
Secretary-Treasurer