

**January 12, 2023**

The regular meeting of the Ligonier Borough Council was held Thursday, January 12, 2023 at 7pm in the Town Hall with President Matt Smith presiding.

**Members Present:** Matt Smith, Mariah Fisher, Robert Barron, Judy Hoffer, Nate Sylvester, Jordan Frei, & Brad Chartier.

**Others Present:** Secretary-Treasurer Jan Shaw, Street Supervisor Ron Ross, Mayor Ormond “Butch” Bellas, Engineer Ben Faas, Solicitor George Welty, Assistant Police Chief Mike Matrunics, Fire Chief Corey Blystone, & Zoning / Code Enforcement Officer Karl Horman.

#### **APPROVAL OF MINUTES**

**A motion** was made by Nate Sylvester and seconded by Brad Chartier to approve the minutes of the Special Meeting December 1, 2022 and Regular Meeting of December 8, 2022 as presented.

The motion carried with all in favor.

#### **BILLS PAYABLE**

**A motion** was made by Judy Hoffer and seconded by Mariah Fisher to approve the Bills Payable as also presented. The motion was unanimously approved.

#### **CONSENT CALENDAR**

**A motion** was made by Jordan Frei and seconded by Mariah Fisher to approve the Consent Calendar. All of Council was in favor.

#### **PUBLIC COMMENT**

N/A

#### **UNFINISHED BUSINESS**

##### **Ordinance #581: Sidewalk Cafés**

Ordinance #581 amends Section 8 of the ordinance permitting sidewalk cafés, Ordinance #544 of the Code of the Borough of Ligonier.

Amended to read as follows; Section I

2) on the sidewalk in front of the principal place of business of each entity; and, on the sidewalk in front of an adjoining property only with the joinder of the adjoining property owner and adjoining business owner in the Application for Sidewalk Café Permit.

Section II: all other provisions of Ordinance #544 shall remain in effect and unchanged.

**A motion** was made by Jordan Frei and seconded by Judy Hoffer to adopt **Ordinance #581**. The motion carried with all in favor.

#### **CORRESPONDENCE**

Letter received from the LV Chamber of Commerce requesting permission to use Town Hall Auditorium from 10:30-12:30pm for registration for **Soup’s On!** Event Saturday, March 18, 2023. The event will run from 11am-2pm. Also requested is to have additional trash cans placed on East Main Street and to have the restrooms unlocked.

**A motion** was made by Robert Barron and seconded by Mariah Fisher to approve the request. All of Council was in favor.

Letter received from LV Chamber requesting permission to hold **Wine, Whiskey & Sweets Walk** Saturday, May 13, 2023 from 1pm-5pm. The Chamber requests use of the sidewalks and parking areas around the Diamond plus two blocks East and West Main Streets and ask that

meters be bagged by 10am. Set up would be same format as the Night Market by having the vendors set up on the street area (parking spots) of the Diamond plus 2 blocks on East and West Main Streets. LV Chamber would like to use the courtyard for registration and begin at 12:30pm selling up to 400 tickets with each participant receiving a wrist band. The Chamber requests Council to **suspend the enforcement of its Open Container Ordinance** during this event as well as for the merchants to have sidewalk sales the day of the event.

**A motion** was made by Nate Sylvester and seconded by Brad Chartier to approve the request and lift the open container ordinance to those participants wearing a wrist band and in the designated festival area. The motion carried with all in favor.

Letter received from LV Chamber requesting permission to block off the Northeast quadrant of the Diamond to traffic for its **Sunday Evening Band Concerts** (each Sunday from June 4 through August 27) and that the first four meters on the North side of East Main Street be bagged for Laurel Highlands Antique Auto Club to display their classic cars during the concerts.

**A motion** was made by Judy Hoffer and seconded by Jordan Frei to approve the request for the Sunday Evening Band Concerts from LV Chamber of Commerce. The motion carried unanimously.

Letter received from the LV Chamber requesting permission to bag the meters around Diamond Park & the first two blocks of East and West Main Streets for **Antiques on the Diamond** Saturday, June 3 and August 26 from 9am-3pm. Also requested was to bag the meters the night before the event as this allows the antique vendors time to set up without interference along the designated streets.

**A motion** was made by Nate Sylvester and seconded by Judy Hoffer to approve the request for Antiques on the Diamond. The motion carried with all in favor.

Secretary-Treasurer Jan Shaw asked Amy Beitel, Executive Director of LV Chamber what time the meters would be bagged the previous day and was told they would be bagged in the evening between 7-9pm.

Letter received from the LV Chamber requesting permission to hold **Ligonier Night Market** on the third Thursday of each month from June through September. The event will run from 5pm-8pm to 8pm. LV Chamber asks that the enforcement of the Open Container Ordinance be suspended for the Night Markets as some vendors supply samples. LV Chamber asks permission to bag the meters around the Diamond and the first two blocks of East and West Main Streets from 3pm-9pm to allow the vendors time to set up. The Chamber would like to use the area in front of the Town Hall steps for an information booth. In closing, LV Chamber wishes to have live music on the bandstand for the Night Market evenings.

**A motion** was made by Brad Chartier and seconded by Nate Sylvester to approve the request for the Ligonier Night Market but to **NOT** suspend the Open Container Ordinance. Vendors serving alcoholic samples are to keep it contained to their particular booth and provide a sign stating that samples cannot leave the booth area.

The motion carried with all in favor with the exception of Jordan Frei who abstained due to his wife's connection to the Country Market.

Letter received from **Tim Green in regards to a parking proposal near Calvary Methodist Church**. The proposal changes existing spaces between the corner of Church Street and St. Clair Street from parallel parking spaces to diagonal parking spaces to increase parking for users of the church & dance studio.

**A motion** was made by Jordan Frei and seconded by Mariah Fisher to table the parking proposal until month's meeting after the Public Safety and Public Works committees confer. All of Council was in favor.

## **COMMITTEE REPORTS**

### **PARKS & RECREATION**

Chair, Mariah Fisher reported still waiting to hear back from Mr. Rauso on the plans for the redesign of Friendship Park Phase II.

### **TOWN HALL**

Chair Judy Hoffer reported having some problems with the Town Hall gutter on the side of Town Hall that was not functioning. The issued has been fixed.

### **PUBLIC WORKS**

Nothing

### **PUBLIC SAFETY**

Councilman Jordan Frei commented that while we do live in a safe area; Frei urged everyone to be aware of their surroundings and encourage family members to do the same after a recent issue in Ligonier.

### **FINANCE**

Nothing

### **PLANNING / PERSONNEL**

Nothing

### **NEW BUSINESS**

#### **A. Kellen Detar Subdivision of 319 Elm & 320 N Fairfield St.:**

It was noted that the subdivision has approval from the Zoning Hearing Board as well as received recommendation for approval from the Planning Commission.

**A motion** was made by Nate Sylvester and seconded by Brad Chartier to approve the subdivision. The motion carried unanimously.

#### **B. 5k Fundraiser by LVHS JROTC April 1, 2023:**

Cadet Lieutenant Colonel Elizabeth Crissman was present at the meeting and stated that if approved she wishes to use the same route through town as used for the Fort Ligonier Days 5k. The event would be open to the general public.

Councilman Nate Sylvester stated that the same route used for the Fort Ligonier Days 5k would be a challenge as the Diamond is already closed due to Fort Ligonier Days. Sylvester further stated that in order to do this 5k safely it would require the Diamond be shut down completely which gets complicated.

Sylvester suggested to use the route the LV Middle School uses for their 5k using the sidewalks. Crissman agreed to the suggested route and confirmed that she would talk to the organizers at LVMS.

**A motion** was made by Jordan Frei and seconded by Nate Sylvester to approve conditionally with continued cooperation and work with LVPD. The motion carried with all in favor.

#### **C. ANNUAL APPOINTMENTS**

##### **Re-Enact Ordinances:**

#262 Real Estate Transfer Tax 1%

#328 Wage Tax .5%

#329 Per Capita Tax \$5.00  
#361 Amusement Tax 5%  
#569 LST Tax \$52.00

**A motion** was made by Mariah Fisher and seconded by Robert Barron to re-enact the above ordinances as listed. All were in favor.

**D. Depositories for Borough:**

BNY Mellon Bank  
Commercial Bank  
First National Bank  
Dollar Bank (also known as Standard Bank)  
Somerset Trust Co.

**A motion** was made by Judy Hoffer and seconded by Nate Sylvester to approve the Depositories for the Borough with a name change noted above from Standard Bank to Dollar Bank. The motion carried with all favor.

**E. Financial Services:**

Berkheimer Tax Administrator – Act 511 Taxes (LST), EIT Tax  
PAMS – Per Capita  
Guyasuta Investment Advisors – Town Hall & P&R Fund

**A motion** was made by Brad Chartier and seconded by Jordan Frei to approve the Financial Services for the Borough. The motion carried unanimously.

**F. Appointments for 2023:**

Auditor – The Keenan Group  
Solicitor – Welty & Welty LLP (George Welty)  
Engineer – EADS Group (Ben Faas)  
Fire Chief – (Corey Blystone)  
Secretary – Treasurer (Jan Shaw)  
Zoning Board Counsel – (David DeRose)  
Vacancy Board Chairman – (TBD)  
UCC Appeals Board Counsel (Mark Sorice)  
Delegate for State Borough’s Convention – (Jan Shaw)  
Right to Know Officer – (Jan Shaw)  
Chief Financial Officer (Pension Plan) – (Jan Shaw)  
Delegate for Act 32 Tax Collection Committee for 2023 (Jan Shaw)  
Emergency Management Coordinator (Steve Barron & Alt. Greg Sullenberger)  
Building Code Inspectors (Merle Musick- American Building Inspection Services, Inc. & TKL Code)  
Zoning Officer – (Karl Horman)  
Code Enforcement Officer – (Karl Horman)  
Planning Commission Member – (TBD) looking for a member & accepting applications until 1/31/23  
Alternate to LVPD Commission – (Brad Chartier)

**A motion** was made by Nate Sylvester and seconded by Jordan Frei to accept all appointments listed above. The motion carried with all in favor.

**Bidding Threshold for 2023:**

The Pennsylvania Department of Labor & Industry published the new municipal bidding thresholds for 2023. Under Act 90 of 2011, the municipal bidding thresholds are updated based

on the annual inflation adjustment (Consumer Price Index for all Urban Consumers). Beginning on January 1, 2023, the bidding thresholds for the Borough will be as follows:

- Purchases and contracts below \$12,200 require no formal bidding or written / telephonic quotations.
- Purchases and contracts between \$12,200 and \$22,500 require three written / telephonic quotations.
- Purchases and contracts over \$22,500 require formal bidding.

#### **ADDITIONAL PUBLIC COMMENT**

None

#### **COMMNDATIONS & COMMENTS from OFFICERS and DEPARTMENTS**

Secretary-Treasurer Jan Shaw thanked Council for her re-appointment.

Shaw also reported that there will be a Public Hearing for the Kitchen of Ligonier LLC Thursday, February 9<sup>th</sup> @ 6:30pm for an Intermunicipal Transfer of PA Liquor License from JAK Jr Inc. of 190 Broadway Ave Lower Burrell PA.

Solicitor Welty stated that he would proceed with the legal notice for the PLCB hearing for 6:30pm on the 9<sup>th</sup>. Welty also thanked council for his re-appointment.

Street Supervisor Ron Ross reported that we have an 18 year old walker mower at the Borough garage. Ross found a zero turn mower for \$11,000 in which he has the funds to purchase through items recently sold and will in no way affect the budget. He plans to keep the older mower and use it at the playground.

**A motion** was made by Judy Hoffer and seconded by Jordan Frei permit the purchase of the zero turn mower for \$11,000 using the funds from items sold. The motion carried with all in favor.

Ron Ross finished his report by adding that Christmas Tree recycling is available @ the Loyalhanna Watershed field. The Borough will not pick up Christmas Trees.

EADS Engineer Ben Faas reported that the Grant Application for the West Main Street Storm Sewer was submitted in December. Faas added that some additional information was provided to Council relative to a formation of a Storm Water Authority whenever the Borough is ready to have another meeting.

Zoning Officer Karl Horman reported that Ordinance #414 for Temporary Merchandise Display relates to the C1 Commercial District with a fee for \$15. This permit has not been enforced in the past. Horman noted that there are a lot more merchants putting their merchandise out which would fall under this ordinance. Horman feels it is in the Borough's best interest to be used as permit and application especially in the Diamond area. It is Horman's intention to address this and send letters out as warning to purchase a permit. Horman closed by thanking Council for his re-appointment.

Assistant Police Chief Mike Matrunic also re-affirmed Councilman Frei's advice to everyone to be aware of your surroundings and to be rest assured that LVPD is working on the incident and are involved with the county detectives and DA's office. Matrunic cautioned what you read on social media.

Mayor Bellas advised everyone to shovel their sidewalks in a timely manner after any snowfall events.

**REGULAR MONTHLY MEETINGS:**

**A motion** was made by Mariah Fisher and seconded by Jordan Frei to hold Borough Council's regular monthly meetings in the Town Hall at 7pm on the second Thursday of each month; January 12, February 9, March 9, April 13, May 11, June 8, July 13, August 10, September 14, October 10 (Tuesday), November 9, and December 14, 2023. The motion carried unanimously.

**A motion** was made by Nate Sylvester and seconded by Mariah Fisher for Ligonier Borough Planning Commission to conduct business on the fourth Tuesday of the month except November and December when they will meet on the Third Tuesday at Town Hall @7pm. The motion carried with all in favor.

**MOTION TO ADJOURN**

**A motion** was made by Judy Hoffer and seconded by Jordan Frei to adjourn the meeting. All of Council was in favor. The meeting was adjourned at 7:40pm.

Respectfully submitted

Janette Shaw  
Secretary-Treasurer