

**October 4, 2021**

The regular meeting of the Ligonier Borough Council was held Monday, October 4, 2021 at 7pm in the Town Hall. President James St. Clair presided over the meeting.

**Members Present:** James St. Clair, Matt Smith, Robert Barron, Mariah Fisher, Judy Hoffer, Jeff Craig and Nate Sylvester.

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

**APPROVAL OF MINUTES**

**A motion** was made by Jeff Craig and seconded by Mariah Fisher to approve the minutes of September 9<sup>th</sup> & 20<sup>th</sup>, 2021 as presented. The motion carried unanimously.

**BILLS PAYABLE**

**A motion** was made by Matt Smith and seconded by Nate Sylvester to approve the Bills Payable as also presented. The motion carried with all in favor.

**CONSENT CALENDAR**

**A motion** was made by Jeff Craig and seconded by Robert Barron to approve the Consent Calendar. All of Council was in favor.

**PUBLIC COMMENT**

None

**UNFINISHED BUSINESS**

**Proposed Ordinance: Accepting Armory Way as Public Street in the Borough:**

The proposed ordinance has been properly advertised.

Solicitor Welty read the proposed ordinance and noted that the ordinance is ready for action at this time.

**A motion** was made by Jeff Craig and seconded by Nate Sylvester to approve the ordinance. All of Council was in favor.

**Proposed Ordinance: Amends section 145-64 of the code of the Borough of Ligonier to add Armory Way as a street upon which parking is prohibited at all times.**

Solicitor Welty advised Council that this proposed ordinance has also been properly advertised and ready for action as well.

**A motion** was made by Jeff Craig and seconded by Mariah Fisher to approve the ordinance making Armory Way a no parking street. The motion carried with all in favor.

**Clarify VFW request of last month:**

September 9, 2021 Council gave permission to Ligonier VFW to erect a 10'x10' tent in front of the VFW building on East Main Street Saturday, October 9<sup>th</sup> after the Fort Ligonier Day parade for a membership and buddy poppy drive.

**It was questioned whether this would impede any public safety.** Chief Berger felt that it would not.

Solicitor Welty stated that Council has already approved this request as Council does have the authority to do so.

VFW also stated that the tent will have sand bags to weigh it down and it will be attended the entire time. They also stated that the Fort Days Committee advised them to come before Council for permission as they were not selling food or wares.

### **CORRESPONDENCE**

**Carol Wolford of American Legion Auxiliary asks to have a green light put on a Diamond lamppost during the week of Veteran's Day as done two years ago. November 7-13, 2021.**

**A motion** was made by Mariah Fisher and seconded by Jeff Craig to approve. All were in favor.

**Letter received from the Adelphoi Village of Latrobe asking permission to have a Community table at Fort Ligonier Days representing Adelphoi Villages Foster Care and Adoption Programs.**

Council decided to deny the request.

**Email received from Christy Boyd of Brandon J Boyd Foundation asking permission to do a family/pet photo fundraiser on the Diamond again this year Saturday, December 11, 2021.**

**A motion** was made by Matt Smith and seconded by Robert Barron to approve. The motion carried unanimously.

**Letter received from LVMS asking approval of their annual 5k Race Friday, October 15, 2021 from 10-11am.**

**A motion** was made by Nate Sylvester and seconded by Robert Barron to approve the 5k Race from the LVMS. All were in favor.

**Application for Use of Diamond and Bandstand received from Abigail Lambert of Derry Pa representing Lydia Hull & Friends (Violinist and backup musicians) wanting to play on the Diamond on three Sundays in October (17<sup>th</sup>, 24<sup>th</sup>, & 31<sup>st</sup>) from 2-4pm. Also asking access to electrical outlet for amplifier, mics, and electric instruments as well as permission to have a tip basket available.**

**A motion** was made by Matt Smith and seconded by Jeff Craig to approve for one Sunday; October 17, 2021. All of Council was in favor.

**A letter was received from Michelle Knupp of Energy Leadership @ 125 W Main Street asking to set up an information table outside of her business during Fort Ligonier Days.**

Council decided as Knupp is the business owner @ 125 W Main Street she already has permission as other merchants do during Fort Ligonier Days to set up their wares on the sidewalk.

### **COMMITTEE REPORTS**

#### **PARKS & RECREATION**

Chair, Mariah Fisher reported Saturday, November 6, 2021 is slated for the Borough to receive an award from Scenic Pittsburgh beginning at 12:30pm on the Diamond with an invite only reception afterwards. If rain, it will be held in the Town Hall. Invitations will be going out along with a press release.

Mariah added that the ceremony itself is open to the public.

## **TOWN HALL**

Town Hall Chair, Judy Hoffer reported that the snow guards have been shipped for the Town Hall roof. A date will be set up after Fort Days to have them installed. Hoffer wished everyone a Happy Fort Days.

## **PUBLIC WORKS**

N/A

## **PUBLIC SAFETY**

N/A

## **FINANCE**

Chairman Nate Sylvester reported the committee is working on the budget for next year.

## **PLANNING / PERSONNEL**

Matt Smith, Chairman of the Planning / Personnel Committee reported that Tom Burns was recently hired for the Public Works Department.

Smith asked for a brief executive session after tonight's meeting with no action to be taken after.

## **NEW BUSINESS**

### **Ligonier Borough property in Laughlintown PA:**

The Borough owns 26.6 acres of land off Nature Run Road (Formerly Waterford-Laughlintown Rd). This property was purchased in 1954 to supplement water (McMullen Run) to the reservoir.

Ligonier Borough sold the water/sewer plant in 2007 and therefore the property is no longer necessary and can be sold. Welty stated the Borough can take bids or hold a public auction. First an appraisal is needed and a professional auctioneer as well. After speaking with President Sam St. Clair, Solicitor Welty was authorized to contact Professional Auctioneer Mark Ferry. The auction could be held in the Community Room of the Town Hall according to Solicitor Welty.

Sam St. Clair brought up an appraisal of the timber may be looked into as well.

**A motion** was made by Robert Barron and seconded by Mariah Fisher to authorize Solicitor Welty to proceed with estimates needed to present the property for public auction at a later date. All of Council was in favor.

### **Westmoreland County Transit Authority share:**

Ligonier Borough's local share payment in the amount of \$924.00 for the fiscal year 2021 is due.

**A motion** was made by Matt Smith and seconded by Jeff Craig to approve the \$924.00 payment for Ligonier Borough's share for Westmoreland County Transit service. Councilman Nate Sylvester questioned data on usage.

### **Extend Suspension of Ligonier Borough Code under Section 65-8E Sidewalk Cafes (No Alcohol):**

Ligonier Tavern has requested to sell 4 packs of wine, and individual cans of beer. They were told by Fort Ligonier Days Inc. that they were not permitted to do so. The Tavern stated that they have all the proper licenses from the Liquor Control Board and came to the Borough office to be provided something in writing as to why they are not permitted.

Under the Sidewalk Café ordinance The Tavern may serve alcohol provided the customers are sitting at the establishment's sidewalk Café. Customers cannot walk around with an open container.

**A motion** was made by Nate Sylvester and seconded by Matt Smith to temporarily suspend Section 8-E of Ordinance 544 which prohibits the sale of alcohol in Sidewalk Café's through 2022. All of Council was in favor. This motion is separate of Fort Ligonier Days.

#### **ADDITIONAL PUBLIC COMMENT**

Terry Barr of 232 West Church Street stated that he has some volunteers that are interested in helping with the Skate Park. Barr is to get in touch with Secretary-Treasurer Jan Shaw.

Joe Kruithoff of 235 Indian Street spoke of an RV that has been parked on the street since summer. It is hard to see traffic with this RV parked on the street. It is also plugged in.

Nate Sylvester stated that this RV was his and that it will be moving this weekend.

#### **COMMENDATIONS & COMMENTS from OFFICERS & DEPARTMENTS**

Secretary-Treasurer Jan Shaw reported that the Borough is now set up to accept credit card payments in the office. The Borough is also currently getting set up to provide this service as well from our Website.

Shaw announced that the next meeting of the Ligonier Borough Council will be Monday, November 8, 2021 as the 11<sup>th</sup> is on Veteran's Day.

Street Supervisor Ron Ross thanked Council for the quick hire for the Street Department. Ross announced that Leaf Pick Up will begin after Fort Ligonier Days. Everyone is asked to please place the leaves on the curb and not the street. Brush pick up will be suspended briefly until the new truck is in.

Engineer Ben Faas reported that the Environmental Phase #1 for the old police station has been completed. It will take a week or two to receive the report.

Police Chief John Berger reminded everyone that no dogs are permitted into the festival area. Most dogs you will see are "service dogs".

Mayor Bellas stated that Trick or Treat in the Borough will be Saturday, October 30, 2021 from 6-8pm.

Mayor Bellas added that he has been in contact with State Rep. Leslie Rossi's office concerning help for blighted properties in the Borough. Bellas recommends council form a committee and look into grants for such properties in the Borough.

Bellas also questioned the recent termination of Chicken Hill Distillery located inside the MillCreek Furniture store on the Diamond.

Karl Horman, Borough Zoning Officer answered that the primary source of income was through the sales of alcohol which falls under the definition of beverage distributor. The furniture store was a separate entity. Chicken Hill Distillery cannot exist by itself as a beverage distributor was the determination of the Zoning Officer.

Solicitor Welty stated that it was not permitted in the C1 District.

**MOTION TO ADJOURN**

**A motion** was made by Matt Smith and seconded by Jeff Craig to adjourn into executive session with no action to be taken. The motion carried unanimously.

This motion concluded the meeting at 8:12pm.

Respectfully submitted,

Janette Shaw  
Secretary-Treasurer