

New Eagle Borough Council met in regular session on Tuesday, April 4, 2017 at 7:00 PM at the regular meeting place.

The meeting was called to order by President Fine with the following members of Council being present and answering to the call of the roll by the Secretary: Ms. S. Bobnar, Messrs. J. Fine, O. Pucel and J. Schmid. Absent was W. Sherry. Also present were Mr. C. Fine, Mayor and Mr. T. Berggren, Solicitor. There being a quorum present, the meeting was declared in order.

Mr. Mark Alberta of 133 Fourth Avenue appeared before Council to discuss Brooke Street/Brooke Alley. He questioned whether there was any record that showed his neighbor Mr. Slimick ever vacating any portion of Brooke in the past as did he and Mr. Barkby. Solicitor Berggren advised that there was nothing of record at the Borough and the only other place of record would be The Recorder of Deeds. He further advised that if it is not vacated, it remains an easement of the Borough. Mr. Alberta stated that he and Mr. Barkby both paid to vacate their portions. Solicitor Berggren reminded them that their property line was at the middle as Mr. Barkby's survey had showed since the property was split right down the middle and they could put a fence up right on the property line if they wished.

Mr. Keith Feld from the Ringgold Youth Athletic Association appeared before Council to discuss the ballfield on Maple Avenue. He advised that RYAA spent approximately \$5,000 on dirt, rock and drainage on the field last year to get the field ready for the season. President Fine advised that the Borough spent approximately the same amount. Then, at the start of the season, they were not allowed access to the field. He stated that the Public Works Department cut ruts in the field which cannot happen in order to keep the baseline's true. He is requesting permission to have access to the field so that RYAA can do the work themselves. PW advised RYAA that they would do the work on the field as their schedule allowed. RYAA understands this but needs the grass cut to a proper height for competitive baseball to be played. They would like to install a building to store the proper equipment to drag and maintain the field. Mr. Feld indicated that PW used a storm grate to drag the field last year which was not the proper equipment needed. He was told that was all that was available to PW for dragging the field. Mr. Pucel asked if PW was ever given instructions to drag the field another way. President Fine advised that Council thought RYAA wanted PW to perform the work that they had done. Mr. Feld agreed that the initial work done by PW was agreed upon and was done very well. Mr. Feld indicated that the other fields that RYAA will be using are ready for the season. He said they would be respectful of the Borough residents while maintaining the field. RYAA has the means to do the job properly, to fill in the ditches and fix the field, but needs access now since their season starts in two weeks. He indicated that they had some reserve monies derived from the gas wells. Mr. Feld advised that if they were not allowed access to the field for this year, they would not be back next year. Mr. Pucel brought up Jeffrey Westfall's list that was discussed at the March meeting. Mr. Pucel stated that the list was extensive. Mr. Feld agreed, and again stated that is why RYAA would rather do the work themselves. Ms. Bobnar asked for information about the storage shed. Mr. Feld advised it would be a single unit that would be properly maintained and secured by RYAA and put in a place that was approved by the Borough. He also stated that he did not care if the shed becomes the property of the Borough. President Fine asked who pays the utilities at the other fields RYAA uses. Mr. Feld advised that they rent The Victory Hill field for \$1,400 per year plus pay the utilities and that when the lease is over for this field, they would not be re-leasing. The field at the Mounds in Monongahela is given to them yearly and they share the field with another coach. They do the maintenance on the field and also pay one-half of the water bill. Mr. Feld stated that last year a PW employee was confrontational with

him and another person, threatening them at the 7-11 on Borough time. Mr. Feld said he advised Mr. Sherry of this situation. Ms. Bobnar apologized on PW's behalf and asked that all communication be directed to the Council in the future. Mr. Feld stated he wants baseball to stay in New Eagle. Ms. Bobnar advised Mr. Feld that RYAA would be responsible for their own equipment. Mr. Feld agreed. Solicitor Berggren advised that he would want a release of liability prepared to protect the Borough. Mr. Feld agreed stating that RYAA is fully insured for all of their equipment and buildings and could provide a Certificate of Insurance to the Borough. Mr. Feld reminded everyone that most of the children that play baseball are from Monongahela, New Eagle, Carroll Township and Donora. He would like to have a much better relationship with the Borough. Ms. Bobnar reminded everyone that the Borough workers take directives from Council. President Fine stated that the utility cost for 2014 for the ballfield was \$400. Mr. Feld suggested that if the Borough waives the \$150 fee, RYAA would pay the utilities from March, 2017 through July, 2017. Mr. Pucel requested specs for the shed. Mr. Feld will provide a copy of the brochure or pamphlet for the shed. Mr. Feld again stated that the community will have access to the field when they are not playing and any damage caused would be RYAA's responsibility to repair. Ms. Bobnar expressed appreciation to the RYAA for their contribution to the youth of the area. Mr. Feld was asked if batting cages will be used. He advised they will and that eventually they would like to purchase wire batting cages that would be durable for their use. Solicitor Berggren stated that a Motion to allow the Ringgold Youth Athletic Association use of the Jimmy Rice Memorial Field at Maple Avenue for 2017 subject to and conditional upon an agreement to be prepared by the Solicitor and in conjunction with Council. It was moved by Pucel and seconded by Schmid to make this motion. Motion was approved by the unanimous call of the roll by the Secretary. Mr. Schmid will check with the PW employees about the keys to the field. Ms. Bobnar told Mr. Feld that the Secretary will call him when the keys are available. Solicitor Berggren clarified that RYAA will only be using a portion of the actual park and he wondered if there was a blueprint so he could prepare the paperwork properly. Mr. Feld advised that Mr. Caseber had a blueprint last year. Council will contact Mr. Caseber to get the blueprint. The Secretary asked Mr. Feld if RYAA recites the Pledge of Allegiance before the games. He advised that they do for playoff games and tournaments but not every game due to time restraints. The PW employees will get the flags hung and the poles fixed.

The Secretary presented Resolution No. 3-2017 to Council appointing William Sherry of Council as Delegate and Jason Schmid of Council as Alternate to represent the Borough of New Eagle with the Washington County Tax Collection Committee. The Motion was made by Bobnar and seconded by Pucel to approve the Resolution. Motion was carried by the unanimous call of the roll by the Secretary.

The Secretary presented Resolution No. 4-2017 to Council which states that the Borough will provide the amount of \$1,216.00 to the Mid Mon Valley Transit Authority in order to match the state funds provided to them. It was moved by Schmid and seconded by Bobnar to approve the Resolution. Motion was carried by the unanimous call of the roll by the Secretary.

The Minutes of the previous meeting were presented to Council for approval. There being no additions or corrections, it was moved by Pucel and seconded by Schmid to approve the Minutes as presented. Motion was carried by the unanimous call of the roll by the Secretary.

Bills in the amount of \$81,465.30 were presented to Council for payment. It was moved by Bobnar and seconded by Pucel to pay all bills. Motion was carried by the unanimous call of the roll by the Secretary.

Mr. Schmid read the Committee Report for the Department of Public Works for the month of March, 2017. That report is attached to these minutes. President Fine asked if the minimum salt purchase was reached for the 2016-2017 season. Mr. Schmid advised that it was. The Secretary will call American Rock Salt to verify.

Ms. Bobnar reviewed the Revised Directives that were prepared for signature by the employees of the PW Department. There being no questions or changes, it was moved by Bobnar and seconded by Schmid to adopt and approve the Revised Directives for the employees of the New Eagle Public Works Department. Motion was approved by the unanimous call of the roll by the Secretary.

President Fine advised that the meeting of the Ambulance Board went well and everything is fine with that organization.

Mayor Fine advised that grass cutting time is once again upon us and he will be enforcing this Ordinance as well as keeping up with the junk vehicle Ordinance.

President Fine asked the Mayor about the Car Show that the Fire Department will have. Mayor Fine advised it will be held on June 10th. It was moved by Pucel and seconded by Schmid to close down the portion of Chess Street from the Social Hall to DiPaola's from 10:00 AM until 4:00 PM on Saturday, June 10, 2017. Motion was carried by the unanimous call of the roll by the Secretary.

Unfinished business was then reviewed. The first item was the Halloween Block Party that had been suggested by Mr. Pucel. He said the idea was to close off Seventh Avenue for this event because of the many residents present in that area during Trick or Treat. Chief Tempest advised that the Borough could close any road that was not a State road. This event would be in addition to Trick or Treat, not to replace it. Mayor Fine advised that it would be safer to have the event on Chess Street and that the Fire Department would have no objection to the Borough using the Social Hall for parts of the event. Mr. Pucel said that would be fine. After discussion by Council, it was decided to re-visit this idea next year so that there would be enough time to plan the event properly.

The next item was the paper recycling bin at the Social Hall. President Fine advised that the Borough Secretary has called and left messages but no one has returned her calls nor have any payments been received. Chief Tempest advised that the same situation applies to Monongahela. Solicitor Berggren will write a letter to Royal Oaks Recycling (formerly Albiti Recycling) to determine why they having not been making the payments.

New business was then reviewed. The first item was consent of account holders; signature cards need updated at CFS Bank to reflect the current Council members. It was moved by Pucel and seconded by Schmid to update the signature cards as follows: Diane Anthony, Secretary, Jack Fine, President, William Sherry, Vice-President and Sandra Bobnar, President Pro-Tem, and removing Archie Caseber as former Vice President. Motion was approved by the unanimous call of the roll by the Secretary.

The next item was the athletic fields. Maple Avenue field was discussed with Mr. Feld. Memorial Field was discussed by Council. Mr. Pucel stated he wanted the Borough to keep the field. President Fine inquired who would pay the electric at the field which averages \$616.00 for the two seasons that the Borough is currently paying. Solicitor Berggren advised that Ringgold would take back the field if the Borough relinquishes their lease which does not expire until 2030. Ms. Bobnar advised

that RAYSA is in the middle of their season so it would not be fair to just not let them use the field this year and that if the Borough does decide not to let them use the field in the future, they should be given at least a season's notice. Mr. Pucel stated he would like soccer to remain in the Borough. He will contact RAYSA and advise that if they cut the grass and pay the utilities, then the \$300.00 fee would be waived. He will ask for someone from their organization come to next month's Council meeting to discuss the matter.

Other business was then discussed. Ms. Bobnar wanted to remind everyone about the NECAG Easter Egg Hunt that will be on Saturday, April 8th at noon for children ages 1 through 8. The rain date will be April 15th.

The proposal for services by KLH Engineers, Inc. was discussed by Borough Council. After discussion, a Motion to terminate the services of HMT & Associates was made by Mr. Pucel and seconded by Mr. Schmid. Motion was carried by the unanimous call of the roll by the Secretary. It was then moved by Bobnar and seconded by Pucel to accept the proposal of KLH Engineers, Inc. Motion was carried by the unanimous call of the roll by the Secretary. The Secretary will prepare letters to both companies.

There being no further business, it was moved by Pucel and seconded by Schmid to adjourn at 8:08 PM. Motion was carried.

Diane L. Anthony, Borough Administrator