

**BURGETTSTOWN BOROUGH COUNCIL  
WORK SESSION MINUTES**

**February 27, 2023**

Call to Order

Pledge of Allegiance

Public comments and questions not pertaining to the agenda items will be held to the end of the meeting.

Attending: Council Members:

Ronald Allison (Absent)  
Ken McKinney  
James Smith II  
Gary Manges

Mayor:

Luke Snatchko

Solicitor:

Lane Turturice

Secretary:

Debbie Resnik (Absent)

Treasurer:

Debbie Resnik (Absent)

Visitors:

Kobe Sarracino      Mary Oddi  
John Cherok

**Roll Call Absent:**

Ronald Allison  
Debbie Resnik

1. Financials: Debbie Resnik (Absent)  
Ken McKinney addressed yearly audits.

**Questions/Comments:**

None

2. Council Reports:

Street Department – Ronald Allison (Absent)

Ken McKinney gave updates on Street Department projects and machinery.

Progress of Leaf Truck Grant was addressed.

Questions/Comments-

Gary Manges, “Who is the grant writer.”

Ken McKinney, “Stephenson Equipment is managing this process with an outside contractor.”

Park and Recreation-James Smith II

James Smith is working on the beautification sign, “Welcome to Burgettstown.”

Ken McKinney is starting to work on the DCED Grant for the park equipment.

- Max is \$250,000
- Split is 15%

- Additional information and plans will be given to council for review.

### 3. Mayor Report-Police/Fire Department-

Chief LaRue and Mayor met discussed off road vehicles on how to address.

July 14 and 15<sup>th</sup> -Community Day

- Looking for vendors

Veterans Park

- Questioned if monies were budgeted for 2023.
  - a. Phase I would place Status of Liberty back up and place 7 flag poles within the park area and would like to open it up for VFW and other organizations to sponsor flags and place a placard.
  - b. Mulch and clean up area.

Council all in agreement of Phase I project.

Questions/Comments-

Gary Manges, "Is there any drawing of where we are going to set the flag poles?"

James Smith, "We have an idea from just being there."

Luke, "Phase II will be drawing to scale."

Mayor met with Bob Ballentyne Penn Dot, to address draining issues on the by-pass. Borough will have to address these areas.

Mayor questioned Penn Dot on placing a sign for businesses located on Main Street.

Ken asked what the outcome of that was.

Mayor, "They will work on it, and it is doable and possible."

Ken, "I understand that it is a state road, but will we have the rights to mill that area?"

Mayor, "Yes that is what the plan would be."

Gary, "Before we ever start paving Main Street the borough must look at what is under the base layer."

Ken, "We also need to update the storm boxes."

Ken noticed the contractor was back to clean out and back fill the Main Street Ext.

Property. We are not going to clean up until he is completely down with back filling.

Ken, "I have been in contact with the Street Department and a plan is in place for clean and dumping of materials."

### 4. New Business- Lane Turturice

Short Street Right-A-Way needs to be voted with the corrections added.

Lane will have ready for upcoming meeting for council's vote.

Keith Straight made a recommendation to have title work done on portions of properties located on Short Street.

Council will have to approve or disapprove this upcoming expenditure approximately will cost \$450.00 or less per property.

- Go back 60 to 75 years for findings.

Lane spoke with prior solicitor for borough documents and are working together.

March 6<sup>th</sup> Regular Meeting -Council to accept:

Ken McKinney addressed Annie Hull resignation letter effective 2/2/2023.

Joe Wilson resignation letter effective 2/8/2023.

Questions/Comments:

Ken McKinney, "We do have Glen Latshaw working with Greg on a as needed basis.

Gary, "Could we have Glen and Greg clean up the alley behind Main Street Ext. property if the borough needs to clean that up?"

Ken, "Yes and I am around throughout the day, and I can help out."

Vacancy Seats – 4 candidates' letter of interest, briefly addressed council members on why they would like to hold a vacancy seat.

- James Babyak
- Beth Hoppe
- John Cherok II \*
- Jason Shuler (absent)

\* John Cherok II read his letter for the vacant Burgettstown Borough Council seat John Cherok expressed his concerns regarding the council members not attending scheduled meetings.

John Cherok expressed his concerns that the people who ran for office or got appointed and got accepted cannot make meetings.

John Cherok expressed his concerns on the last council meeting that was held council went into Executive Session came back and has never this has never happened before and then took a vote when everyone attending left. The council just adjourned the meeting.

Ken, "John if you listen to council whenever we enter into an Executive Session will state a vote will be taken, will not be action or not sure.

John, "Then I stand to be corrected."

Mayor questioned John Cherok what he would like to see borough council do for the sidewalk disrepairs and buildings.

John, "Enforce the Ordinances."

Mayor, "We do progress is being made."

John spoke on his neighboring business owner building is beyond disrepair.

Mayor, "John these are all problems we do not see the problems, and these are complex problems so if you could just be patience with us."

Ken McKinney addressed the old signage is beginning to be replaced and we implemented every Friday is trash clean up.

Ken McKinney funding is limited.

John Cherok agrees and feels that is why the borough needs to obtain a grant writer.

## 5. Old Business-Ken McKinney

Council discussed the borough's option to extend WM contract for another year with no contract changes.

Questions/Comments:

Gary Manges questioned if costs would occur in bidding out again. Feels we need to put out for bid.

Mayor, "Maybe if we do not extend this contract for another year then WM then maybe they can reopen the bid and borough would be having to pay a higher rate.

Borough would just be taking a chance that bidding would come in higher than the current rate.”

Mary Oddi, “Do you think that it would be ethical to contact other competitors and find out where they might be in monthly rates if they would bid.”

Ken McKinney, “R & K is an interested competitor, but we do not know the bid.”

Ken McKinney, “We must clarify in the bid that the borough will not be obligated to help with calls or be contacted with problems as the past the secretary was contacted by residence for trash issues.”

#### Scout Hut-Ken McKinney

Scout Hut is renovated council now needs to decide what they want to do with the building.

- a. Rental
- b. Rental Fee
- c. Purchase table and chairs
- d. Needs Occupancy Permit
- e. Complete survey including utilities will be performed by Keith Straight engineer for no cost.
- f. Downspouts and gutters are purchased and need to be put up.
- g. Driveway is part of the Scout Hut and was graded.

#### Questions/Comments-

Mary Oddi, “Once again, did you question Frank Roberts regarding the parking.”

Ken McKinney, “No not until the survey is completed.”

Mary Oddi asked if council would like to have the existing cabinets and blinds.

Ken McKinney possible the blinds but they will not fit due to the new casings.

Gary Manges questioned is the Scout Hut large enough to rent.

Ken McKinney, “Yes”

Mayor, “First thing council needs to do is complete and take action on the Special Events Ordinance to cover the Special Events Permits.”

Gary Manges, “What is this Ordinance going to cover the Scout Hut property.”

Ken McKinney, “Any rentals throughout the borough.”

Ken McKinney addressed with council pending bill from Maiello, Brungo & Maiello LLP amount due is \$6,539.00.

Mayor, “What does that cover.”

McKinney gave the breakdown of Matter Status for current charges.

#### 6. Correspondence-Ethic Forms need to be completed

#### 7. Public Comments/Questions-

Mary Oddi asked if council would consider a space on the park property for the Scouts to place a storage shed on.

- a. liability would not be held on the borough.

Mayor, “Mary why do you think the borough should supply the scouts the space.”

Mary, “I am not saying you have to supply a space.”

Mayor, “We are not a sponsor of the boy scouts.”

Mary, "I am not letting you go bully me."

Mary, "I am not asking for the space I am just asking for the possibility."

Kobe Sarracino, "Kaufmann's might be willing to donate a shed."

Mary, "James McGee already has stated he would donate \$500.00."

Mary, "I just do not have the space on my property and the park is convenient for loading and unloading for events."

Ken McKinney, "The park equipment will not be able to be utilized this year."

Mary, "We do not use the park equipment only the pavilion."

Ken McKinney stated council needs to review the options.

John Cherok benefit will take place for James Reedy II March 12<sup>th</sup> @ Rough Cut

- a. tickets are \$25.00.

John Cherok spoke on the activities held at the Senior Center and upcoming events.

John Cherok addressed park cars on sidewalk.

Ken McKinney that is a police issue

Debbie Guidy questioned the council members who attended the January Meeting.

- a. James Smith II
- b. Gary Manges
- c. Ken McKinney
- d. Ronald Allison (absent)

Questioned the two council members if they voted to retain the former solicitor.

Council, "Yes"

Debbie asked who recommended to eliminate the borough solicitor and hiring a new solicitor.

Gary Manges, "I known Lane for several years and he has done work for me in the past for my business and that is how I knew him. I did not know he was the borough's solicitor. Bob Green mentioned that Lane was the solicitor, so I contacted Lane and asked if he would be interested in coming back as the borough's solicitor. He said "Yes", so I told him to send me a resume. I received the resume and gave it to Debbie. The next meeting council met and reviewed his resume and council was all in agreement. After the last meet was adjourned council sat around and was disappointed in the previous solicitor. Ken heard about Lane interest also and I told him I was all for bring Lane on board. So, council was in closed session that night and had an interview via phone that night and as a whole they decided on Lane.

Debbie Guidy, "Who was in that meeting?"

Ken McKinney, "The whole council."

Debbie Guidy, "Was Annie present"

Ken McKinney, "No she was ill that night."

Debbie Guidy, "So four of the five council members was present and vote to \_\_\_\_\_ the prior attorney and hire a new solicitor?"

Gary Manges, "Right"

Debbie Guidy, "Where any of you aware of the Ethics Violation of your current solicitor?"

James Smith II, "At that time I was not."

Debbie Guidy, "So you were not told by the solicitor that he had an Ethics Violation."

Gary Manges, "I did not know that either."

Debbie Giddy, "So when you found out do you do not think that is something you should have been told?"

Debbie Giddy, "So how did you find out?"

Ken McKinney, "I found out from Pam."

Gary Manges, "Actually Lane told me."

Debbie Giddy, "Is this before or after you hired him."

Gary Manges, "Before he spoke to me regarding it and stated it was all cleared up."

Debbie Giddy, "So now you are aware he had to pay \$8,600.00 plus dollars."

Gary Manges, "I was not aware of that."

Debbie Giddy, "So, you did not research after you found out he had an Ethics violation what the violation was?"

Debbie Giddy, "Don't you find that somewhat unethical for you not to research the attorney and the violation he has been found of."

Gary Manges, "When Lane explained it to me, he stated that he had an ethic violation was taken care of and it was not true."

Debbie Giddy, "He had to repay."

Gary Manges, "I do not know that I am not an attorney."

Debbie Giddy, "Neither is the Ethics Committee but the same Ethics Committee found our prior president need to repay \$10,000.00 found your current solicitor need to repay \$8,600 plus dollars. This was for taking money that he did not earn when he did not work and stated he did. Witnesses stated in the report he fell asleep at his desk. If you would like to read it everything is all there."

Ken McKinney, "I did read the entire report."

Debbie Giddy, "So do you feel as council you all should have been told of this in advance and not telling you is unethical."

Ken McKinney, "No I do not believe this is unethical this matter was brought to my attention and we all had the opportunity to interview him on it, and we all felt that..."

Debbie Giddy, "Before or after you hired him."

Ken McKinney, "After we each individually spoke with him."

Debbie Giddy, "And..."

Ken McKinney, "We all felt we made the right decision."

Debbie Giddy, "Even though he had to repay \$8,600 plus dollars that he did not earn and took and was then fined by the Ethics Commission."

Ken McKinney, "His take on this matter was a disgruntle employee wanted Lane position."

Debbie Giddy, "So you feel that the Ethics Committee is not ethical of doing their job."

Ken McKinney, "No I am not saying that good people go down for stuff. Tim Green was one of them. He was secretary and had to sign checks for his business and had to pay money back."

Ken McKinney, "But as a whole when it was brought to us, we all felt the same way."

Debbie Giddy, "So how are you going to differentiate legitimate charges as opposed to non-legitimate charges."

Ken McKinney, "We get itemized billing."

Debbie Giddy, "So you have a discrepancy with them and upset about their billing."

Ken McKinney, "No, I do not have a discrepancy I just feel \$8,000 is an over budget for the year."

Debbie Guidy, "Right, so did you or did you not request as the board they are not allowed to bill work that is not requested and if you requested the work then they are allowed to bill it."

Ken McKinney, "Right"

Debbie Guidy, "So it is something that was requested."

Mayor, "We are not upset we have a lot of stuff going on right now and the solicitor was really busy, and we are not saying those charges are not warranted or anything he is just stating the fact it used up a lot of our budget."

Ken McKinney, "The fee was a lot of the reason why and the representation we were not getting."

Debbie Guidy, "So, you were not getting the representation you thought you should get."

Ken McKinney, "Right they were sending a different attorney each meeting and council expressed they did not want the guy back. I spoke to Falco group regarding that and the next meeting you was scheduled for our meeting the gentleman."

Debbie Guidy, "Would you guys please have the common courtesy to represent us by reading the ethics report and coming up with your own opinion based on what the ethics said."

Gary Manges, "I will read it."

Ken McKinney, "I read it and Luke read it. I am not sure about the others."

Lane Turturice, "I will say this if everyone even in this room I am not going to seat here in a council meeting and discuss it. Any council members any of you in the public have a question stop me and ask me. I am happy to talk to anyone about it. I have over ten municipalities that knew about it the whole time every step of the way and not one stepped away."

Debbie Guidy, "Then way didn't you tell them."

Lane Turturice, "I did not feel I had a duty to tell them."

Debbie Guidy, "I beg to differ."

Lane Turturice, "That is okay."

Debbie Guidy, "We will let the Ethics Committee figure it out."

Lane Turturice, "Yes absolutely."

Ken McKinney, "When we did request the information, he was forth coming about it."

Debbie Guidy, "Had you not been told you still would not have known. If someone else not brought it to your attention."

Lane Turturice, "That does not disqualify someone."

Debbie Guidy, "You cannot make an inform choose if you do not know."

Kobe Sarracino expressed a concern with a curb by the Senior Center entrance.

- a. curb is when you would be turning out of the center.
- b. needs to be painted.
- c. when dark you cannot see
- d. spoke to Bob Ballentyne and said this would be on the borough.

Ken McKinney will set up with road department to meet with you.

Kobe Sarracino, "With the Scout Hut with you renting this out what changed your mind you wanting to rent this out?"

Ken, "It just came to a point on whether to sale it or remodel and I did not want to sale it."

Kobe Sarracino, "This is clean and green."

Ken McKinney, "His property"

Kobe Sarracino, "So that can be an issue."

Ken McKinney, "We own more property behind the building."

Kobe Sarracino, "Do you own the parking lot."

Ken McKinney, "We own the black top area and then the alley. We will know within three weeks. That is when the survey is getting done."

Kobe Sarracino, "Do you have liability insurance on this building."

Ken McKinney, "Yes and umbrella policy and the Events Ordinance."

Kobe Sarracino expressed her concerns that waste removal needs to be bid out.

The charges are astronomical however it effects the seniors in this town.

Ken McKinney, "There is a discount, but I am not sure of how much."

James Smith, "I agree it needs to be bid."

Kobe Sarracino expressed that she received her tax bill and times of operation or dates are located on the bills.

Kobe Sarracino questioned council if you must be a resident of the borough.

Ken McKinney explained for one year.

Kobe Sarracino was questioning Jason Shuler letter of interest was brought up for not being a resident of the borough.

Ken McKinney and James Smith both corrected and stated he lives on 15 Tope Street In the borough.

Kobe Sarracino, "Lane and Ken have you Lane ever represented Ken McKinney personally?"

Lane, "Ken McKinney responded that is fine a rumor is going around that Lane represented my comp case and that is not true. My workman comp attorney was Jim Jeffries out of Washington."

Lane Turturice, "Even if I did it would not be a conflict of interest."

Kobe Sarracino, "When Maiello, Brungo & Maiello attorneys were not here for two meetings can I ask where they were, and you stated we are trying to save money was that really the issue."

Ken McKinney, "We were the one meeting I was here when they were I requested them not be come because they were going to send another attorney that is why there is no representation on that."

Ken McKinney, "I have nothing to hide this job is thankless. My phone never stops ringing and something else needs to be brought up. A rumor was about council getting raises this current council does not get the raises the new elected ones will. I have three years to go, and I will not get the raise.

Kobe Sarracino, "Can I get a copy of the Maiello, Brungo & Maiello bill."

Lane, "Yes but it will have to be readapted."

Mayor, Kobe I spoke to Gary even about reclaiming that curb."

Ken McKinney addressed to Kobe Sarracino that her alley for gravel was on the schedule.

Pam spoke to Lane and stated she was the one who sent out the Ethic report.



Lane expressed that was okay.

Pam explained she heard you were reappointed and then someone contacted her and ask if she knew of this report and she stated, "I have not.", but I was concerned. So, I forwarded to the council members so they would see it because I was concerned for the borough. You were dismissed twice from the borough, and I have done all lot of work in this borough, and I tried to improve the borough. I am straight forward, and I did voice my concerns in private and that is all I am going to say about it. I am surprised Lane; you did not tell them anything about it.

Pam Church explained the procedures of the vacancy seat must run on the election.

Kobe Sarracino I am shocked too that you have brought Lane back with everything that has been reviewed and this meeting. I just do not understand. The biggest thing that bothers me as a taxpayer is last meeting when council went in executive session and did not disclosure what had happened when they were in executive session bringing him back. Was a lie and all cards were not on the table. If feel council needs to rethink this in an Executive Session with out Lane.

Lane I always tried to do the right thing in my career. Have I made a mistake yes, have we all made mistakes yes. I will not sit here I will speak to anyone outside the meeting, but it is not what you read. Those facts were never contested and I made the decision to just pay and move on. Someone thought enough of me someone you all trust. All my clients have felt the same way because who I am as a person and the work that I perform. I do my best to go thru life. Rumors can make you dislike innocent people. I always try not to judge people on what other people say about them but get to know them. Generally, in the end, what I have always found is the person spreading the rumor is actually the person you should say away from.

Pam, I have no disrespect for you. I despite what you said I respect everyone's right to the first amendment, but I can tell you most of what you said tonight I have multiple pieces of correspondence that are not even confidential that completely contradict everything you said tonight, and I will just leave if at that.

John Cherok expressed his concerns on the potholes going into the library and the crosswalk to be placed on Main Street.

8. Executive Session-Real Estate and Personnel @ 7:30 PM

No action will be taken.

Council intervned back into session @ 8:45 PM

9. Motion to Adjourn-

James Smith made the Motion to adjourn.

Second by-Gary Manges

Motion carried-None Opposed

