

**BURGETTSTOWN BOROUGH COUNCIL
REGULAR SCHEDULED MEETING MINUTES**

March 6, 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
Ken McKinney
James Smith II
Gary Manges

Mayor:

Luke Snatchko

Solicitor:

Lane Turturice

Secretary:

Debbie Resnik

Treasurer:

Debbie Resnik

Visitors:

Kobe Sarracino
Sheila Golonka
Colleen Roberts
Pam Church
David Selesy
Beth Hoppe

Mary Oddi
Frank Roberts
Debbie Cowden
Deborah Guidy
Peter and Leah Blue
Jackie Miller

Ron Allison made the Motion to Pass the March 6, 2023, Meeting Agenda
Second By-James Smith II
Motion Carried-None Opposed
Roll Call: All Present

Person to be Heard-John Gallucci

- a. Project is complete in Stottlemeyer Park
- b. Reimbursement costs \$1,256.65 check made payable to Troop 1396
- c. The council agreed to pay up to \$1,500.00 to cover cost.
- d. Ken McKinney, President signed off on signature sheet.

Ron Allison made the Motion to pay \$1,256.65 to Troop 1396
Second by-James Smith II

Questions/Comments:

On record this motion reflects 1. Financial on the March agenda.
Motion carried-None Opposed

Ron Allison made the Motion to approve the Regular Business Meeting Minutes held February 6, 2023

Second by-James Smith II

Questions/Comments:

None

Motion carried-None Opposed

Ron Allison made the Motion to accept the Workshop Meeting Minutes held February 27, 2023

Second by-James Smith II

Question/Comments:

None

Motion carried-None Opposed

1. Financials: Debbie Resnik

Ron Allison made the Motion to approve the unpaid bills in the amount of \$12,622.59

Second by-James Smith

Questions/Comments:

None

Motion carried-None Opposed

141 Center Avenue lien \$1,721.60 was satisfied.

DCED Audit report complete will be filed in the Clerk of Courts, Washington Court House.

Ken McKinney made the Motion to advertise the DCED Audit findings in the Observer Reporter

Second by-Gary Manges

Questions/Comments:

None

Motion carried-None Opposed

2. Council Reports:

Street Department – Ronald Allison

No Report

Ken McKinney addressed to Ron Allison new signage was ordered and two loads of gravel.

Park and Recreation-James Smith II

- Park Plan are in the secretary's office for public review.

3. Mayor Report-Police/Fire Department-

Police Report -Sergeant Carlton

- Report filed as read.

Fire Report-Chief McClain

- New water hydrant located on the corner of Raymond and Vance Street
- In contact with PA American Water

Question/Comments:

Resnik questioned Jerry if the PA American Water application got put into the proper hands since the turnover on the borough's street department.

Jerry McClain, "Yes"

Fire Department joined Hanover Beaver Fireman's Associations

- Free schooling
- Pumper training was held.
- Training was given on Pumper I
- Pumper II will be later – June 4th and 5th.
- License on QRS still waiting.
- LZ Pad is in effect.
- Location behind Napa and BIC

Mayor questioned if council could investigate removal of a pine tree on the bypass.

Ken McKinney, "James is getting bids on several other trees, and he can get a quote on this one."

Veterans Park

- Questioned if monies were budgeted for 2023.
 - a. Phase I would place Status of Liberty back up.
 - b. 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 of the sponsorship.

Ken McKinney made the Motion for Council to agree on the solicitation for the flag sponsorships for the flag poles.

- 7 flags
- 1 American and 6 service branches

Second by-James Smith II

Questions/Comments-

Debbie Guidy, "Luke can you tell me again the service branches and did you put the POW flag on the solicitation?"

Luke, "I did not include that. We did the Army, Air Force, Coast guard, Marines, Navy and the USA American Flag or POW flag.

Luke, "Next step will be the cost for the sponsorship for the flags."

Discussed the Route 18 By-Pass clean up and grading.

- Grading plan for water run-off.
- Fencing removal
- Revenue funding

4. Solicitor- Lane Turturice

Confidential report was submitted to the council.

Public Items:

Short Street Drainage Project-

- Gary Manges, Engineer, Solicitor and Blues met to talk over recommendations.
- Redcon Engineering suggests council to have title searches done on properties to confirm whether there are any easements, agreements, or other instruments in the chain of titles or uses to Short Street.
- Three properties in questions for searches:
 - a. William Burke (Rite Aid Store)
 - b. Pete Blue
 - c. Blue St. LLC
 - d. Estimated costs are about \$450.00.
 - e. Solicitor can search for around \$180.00 each.
 - f. Blue's Right -Away Agreement drafted for entrance onto property.

Ronald Allison made the Motion to accept the Blue's Right Away Agreement

Second by-Gary Manges

Questions/Comments:

None

Motion carried-None Opposed

Special Event Ordinance- Will be accepted April 3rd.

Lane reviewed the Special Event Ordinance revisions that the mayor would like and insurance verbiage eliminated from ordinance.

Gary Manges made the Motion to revise the Special Event Ordinance and readvertise.

Second by-Ronald Allison

Comments/Questions:

None

Motion carried-None Opposed

Reduction in size of Borough Council from 5 to 3-

Ken McKinney addressed this item:

- Recommendation for reduction was being discussed with prior solicitor.
- The council was having trouble filling vacancy seats.
- Would be put on upcoming ballot for consideration as council does not have a vote on this matter. Taxpayers have the vote to pass or not pass this vacancy seat change.

Motion to authorize the solicitor and secretary to take all necessary action to begin the process of reducing the size of Borough Council from 5 to 3 members.

Comments/Questions:

Debbie Guidy "Questioned shouldn't council accurately address why we have so many people leaving. There is a major underlining issue why people come in and left?"

Mayor, "That is a workshop question."

Mayor, "We need to stay on the reduction item five to three question on the agenda."

Ron Allison made the Motion to authorize the solicitor and secretary to take all necessary action to begin the process of reducing the size of Borough Council from 5 to 3 members.

Second by-Gary Manges

Questions/Comments:

Lane gave the explanation on the procedure on how this reduction works.

Mayor expressed his feelings earlier to the council reducing this reduction by email.

- He read aloud his concerns with the reduction.
- Feels it should stay a 5-person board council.

Pam expressed if council would go forward with this process and spend all this money on legal feels the taxpayers still could vote it down.

Pam, "I agree with the mayor."

James Smith, "I agree with Luke."

Ken McKinney, "It already passed."

Motion carried-Poll Vote:

Ken McKinney-No

James Smith- No

Gary Manges-No

Ronald Allison-No

Motion -Declined

Ken McKinney, "Did we pass a motion for the title searches?"

Lane Turturice, "I seen it in the past minutes that council already passed process."

James Smith made the Motion to accept Annie Hull resignation letter of 02/07/23.

Second by-Ronald Allison

Motion carried-None Opposed

Ron Allison made the Motion to accept Joe Wilson resignation letter of 02/08/23.

Second by-Gary Manges

Motion carried-None Opposed

Vacancy Seat-

James Smith II made the Motion to appoint Beth Hoppe to hold the vacancy seat.

Second by-Gary Manges

Motion carried-None Opposed

Sworn In-

Mayor, Luke Snatchko swore in Council Member Beth Hoppe to Hold Oath of Office

Question/Comments:

Debbie Cowden questioned Ken McKinney on the number of resignations. I feel something is going on with this council and needs to change.

Ken McKinney this was happening with the previous councils.

Debbie Cowden, "Not as fast as it is now."

Ken McKinney, "I cannot answer that."

Kobe Sarracino, "Who all were you considering for this position."

Ken McKinney, "We had four applicants."

5. Old Business-Ken McKinney

Ron Allison made the Motion to pass Borough Code of Ordinances, Sections 241-1, 241-3 and 241-4 of Chapter 241 Amending the designation of McDonald Borough to the provider police services.

Questions/Comments:

None

Second by-Gary Manges

Motion carried-None Opposed

James Smith II would like to get proposals for placing cameras around the borough building.

Resnik expressed her concerns that the borough should not be spending monies at this time on cameras. Main Street and other streets need paved along with needs of new copiers in the secretary's office.

Resnik also expressed that the Fire Department has cameras located on their building that picks up the borough areas.

James Smith II questioned the American Rescue Fund to cover these costs.

Resnik, "This revenue was going to be used towards our new park."

Resnik stated that the council has the vote, but she does not feel this is necessary.

Debbie Guiddy, "The costs could go up within 6 months to a year from now so why get bids now."

James Smith is looking out for borough assets.

Debbie Guiddy, "Have we ever had anything like that happen?"

Debbie Guiddy, "No and how long has the borough been here."

Ken McKinney, "It is a different era now."

Kobe Sarracino, "This place does not need to spend \$3,000 for a camera. She has security and she lets in who she wants and doesn't. Jerry has cameras and these new ideas are not going to work. It is time to stop the borough does not have the money. What you need is to put the resources into the streets, the fire department for safety for the people. Mr. Esno fell in front of the Enterprise building on the street and got hurt. That is what I think you need to address your attention to. Not cameras inside the borough.

This discussion was tabled until a later date.

6. Correspondence-None

7. Council Comments-

Gary Manges, "I do not think we need cameras as bad as we need the streets and catch basins. We need a lot of work in this town. The Fire Department has cameras for now.

James Smith, "I think we could investigate better pricing. The backhoe window was broken out and if we did not have a camera pointing at it, we would not have known it was the weather."

Gary Manges, "Have we ever had any break ins."

James Smith, "No but you never know."

8. Public Comments-

Pam asked what grant the borough is submitting for the playground equipment.

Ken replied, "The Greenway Grant (DCED)"

Pam questioned when it was going to start.

Ken replied, "starting to work on it now. The company we got the bid suggested the DCED Grant."

Ken, "The leaf truck grant is (DCNR) that deadline is September 2023.

Ken stated that he was incorrect with the park proposal which is \$211,000.00 not \$249,000.00.

Debbie Guiddy, "Did you all read the report?"

James Smith II, "I started."

Debbie Guiddy, "Gary did you read the report?"

Gary Manges, "What report?"

Debbie Guiddy, "The Ethics Report."

Gary Manges, "I did"

Debbie Guiddy, "And..."

Gary Manges, "It is only my opinion and I think if it were legal and true that he would have lost his licenses. "

Debbie Guiddy, "That is not true."

Gary Manges, "I do not believe a word that I have read in that paperwork."

Debbie Guiddy, "Okay was the job for the solicitor posted?"

Ken McKinney and Gary Manges, "No"

Debbie Guiddy, "Why not?"

Ken McKinney, "We are not required to. It is a service."

Debbie Guiddy, "Correct, but it has been in the past, and you advertised for the other positions."

Ken McKinney, "We also looked at the past applicants."

Debbie Guiddy, "Did you speak with them?"

Ken McKinney, "No we did not."

Debbie Guiddy, "So there were no other interviews, no other conversations with anyone else?"

Debbie Guiddy, "What is the salary for the solicitor?"

Ken McKinney, "125.00 hr."

Debbie Guiddy, "What was the salary for the other solicitor?"

Ken McKinney, "165.00 hr."

Debbie Guiddy requested a copy of the bills.

Lane Turturice requested she fill out a Right to Know Form

Debbie Guiddy, "What date was the solicitor hired?"

Ken McKinney, "I do not know that off the top of my head."

Kobe Sarracino, "What date was Maiello Bruno & Maiello let go?"

Debbie Guiddy, "Do you have anything in writing stating that you did not want that gentleman back?"

Ken McKinney, "No it was verbal."

Debbie Resnik, "February 6th Regular Scheduled Meeting council entered into executive session and when they came back into session, they terminated Maiello Bruno & Maiello and hired Lane Turturice."

Pam Church, "So you interviewed Lane Turturice in the executive session."

Ken McKinney, "Yes"

Debbie Guiddy, "You are not supposed to do that."

Pam Church, "One meeting when I was on the board and the solicitor was here and Ken, you asked her if we could interview separately, and she absolutely said no you have to interview publicly."

Ken McKinney, "Sorry I must have made a mistake."

Debbie Guiddy, "That is not Ethical, so we want it ligate."

Debbie Guiddy, "So contact the Association of Boroughs and the Ethics Committee and see how to fix it."

Ken McKinney, "It is just not on me it is everyone."

Debbie Guiddy, "You're the president."

Ken McKinney, "I understand that."

Debbie Guiddy, "The solicitor in the meeting should have known you should not have been in an executive session. Do you really want that kind of work ethic. That kind of knowledge?"

Lane Turturice, "They took a public vote to hire me."

Debbie Guiddy, "You interviewed in an executive session."

Lane Turturice, "That is separate from there vote."

Debbie Guiddy, "The vote happened after how many hours in the executive session?"

Ken McKinney, "That was not the only matter of discussion."

Debbie Guiddy, "Did you make it clear to the people that you would be hiring a solicitor or making a decision?"

Ken McKinney, "No because we did not know we were. If you listen to the tape, I said, "I do not know if any action will be taken."

Debbie Guiddy, "That is a nice thing to say, and everyone can go home, and we will make our decision."

Debbie Guiddy, "Did you say you were going to discuss this in the executive session?"

Mayor, "It was a personnel matter so in regard in the course of the personnel discussion it ended up where it did."

Mayor, "Please understand it was a personnel discussion."

Kobe Sarracino, "No, it couldn't be a personnel matter because he was not employed by the borough, so it is not considered a personnel matter."

Mayor, "But we did have someone who was employed and does this job."

Kobe Sarracino, "Maiello, Brungo & Maiello?"

Mayor, "Correct, so it was a personnel issue that needed to be discussed with council their performance with the service you were provided."

Kobe Sarracino, "I do not like how it was brought behind closed doors."

Mayor, "I get it I am just defending council on how we got to that point."

Kobe Sarracino, "I am not crazy on all the information that was out there, and you guys were aware of it and looked the other way."

Debbie Guiddy, "You need to figure out how to fix it publicly and document it. No going behind closed doors publicly documenting and soon."

Jacki Miller, "Why was the solicitor let go?"

Ken McKinney, "Performance and a lot of things were not getting completed in a timely manner."

Jackie, "Do you think that might be because you might have had so much turnover in the previous council?"

Ken McKinney, "No because the previous council had the same issue and the lack of representation from the one solicitor they sent."

Debbie Guiddy, "I can see solicitors come and go but we need a little more upfront."

Ken McKinney, "I understand."

Frank Roberts expressed his concerns on I am hearing a discussion regarding the Scout Hut being rented.

Frank voiced the property behind the Scout Hut is owned by him and only allowed the Scouts to use that property as a place to park.

Frank expressed that he would not allow that to become a public parking lot for rentals.

Ken McKinney, after speaking with Frank regarding this issue, spoke with the other council members on this concern.

Ken explained that previous council members removed the Scouts from the building for mold issues and the building was being remodeled.

Collen Roberts asked if the Scouts will be using the building again. She heard they are now in Bavington.

David Selesy clarified that Troop 1396 is the troop in Bavington and Burgettstown does not have one any longer.

Mary Oddi, "Excuse me there are Cub Scouts."

David Selesy, "That is not a troop that is a pack."

Frank Roberts would like to add if the Burgettstown Borough would ever decide to sale the Scout Hut that he would be interested in purchasing.

Kobe Sarracino feels that the Borough would be hurting the Fire Department if they started renting the Scout Hut as the Fire Department has a hall for rentals.

Ken McKinney explained the rental discussion was brought up to recoup utilities and renovation cost.

Mary Oddi spoke on how the agenda needs to be posted prior to the meeting.

Kobe Sarracino spoke to Ken McKinney regarding the alley beside her mother's home has two big potholes.

Ken McKinney explained that this will be done as soon as the gravel arrives.

Frank Roberts and Ken McKinney discussed whether the alley is an active alley/paper alley/private alley.

Chief McClain would like clarification on his paid firefighter explained:

- a. What can he do and what can't he do?
- b. Heard insurance might be a problem and explained when he is toned out he rolls over to the fire department's insurance.
- c. Where do his boundaries end?
- d. The Fire Department needs him for public safety during the day.
- e. Expressed the time limit of answering the tones quickly when call come in.

Ken McKinney stated that he does not feel these issues are appropriate to discuss in public as he is a borough employee, and this is pertaining to a borough matter.

Chief McClain would like to know why it was approved and now it is not approved. Ken McKinney would not discuss it in public.

Ken McKinney was not sure if it was approved or not approved.

Chief McClain feels that it was approved to answer calls.

Chief McClain would like to understand why he would have to punch out if a call is out of the borough limits. It is all about public safety and the fire department needs support.

Chief McClain, "I feel that every month this is an issue, and we have to get it straight."

Ken McKinney, "Once again, I will not discuss this matter in the public."

Debbie Giddy, "Can the policy be discussed?"

Ken McKinney, "We do not have a policy in place."

Mayor, "My understanding that we did pass a resolution by previous council that a borough employee who is a fire fighter can answer calls."

Chief McClain recalls it was brought up at a meeting by the road supervisor and he explained the importance of safety.

Chief McClain understands if a project needs to be complete that the street department must stay to finish but when there is down time, they should be able to run calls for public safety. That is all he is asking for.

Kobe Sarracino feels that safety is one of the most important things in the borough. Pam Church took a survey and 70% of the calls are medical. This is a survey for the community.

The council will have to investigate this matter.

Chief McClain would like this matter to be resolved ASAP.

Gary Manges questioned how many active members are in the fire department.

Chief, "30 is on the list to answer fire calls 10 to 15."

Gary Manges can the 30 members all take training sessions.

Chief, "Yes but some do not want to fight fires, and some just want to be fire support."

Kobe Sarracino questioned why the borough can't at least pay for one full time fireman.

The chief feels the borough cannot afford to do that, so this is why he is proposing using the street department as the firefighter.

Kobe Sarracino questioned if Greg Javens was the EMC Coordinator for borough.

Chief McClain, "Yes"

Kobe, "Then there you go it needs no explanation he should be able to help Jerry."
Chief McClain, "I am glad you brought that up. If the borough does have a disaster and I must pull him into safety issues here again the borough just lost their road guy."

Kobe, "That title holds a lot of weight."

9. Executive Session-Real Estate @ 7:32 PM

No action will be taken.

Council intervened back into session @ 8:00 PM

10. Motion to Adjourn-

James Smith made the Motion to adjourn.

Second by-Gary Manges

Motion carried-None Opposed