West Newton Borough  
Regular Meeting  
March 14, 2022

The regular monthly voting meeting of West Newton Borough Council was held on Monday, March 14th, 2022 in Council Chambers, 112 South Water Street. Council President Brenda Maleski call the meeting to order at 6:30 p.m. Council members Tony Berarducci, Gary Johnson, Dan Roebuck, Dan Palfey, Brenda Maleski, Terri Eckels, and Jason Cooper called present during roll call. Mayor Mary Popovich, Solicitor Sam Dalfonso, Engineers Donald Hixson and Dalton Mack, and Secretary/Treasurer Ashley Pergola were present.

The meeting began with the Pledge of Allegiance.

**Delegates:  
#1 Eric Letterio** – Mr. Letterio reported to Council a Thank you for fixing the Main Street, Blight. Mr. Letterio also thanked the Council for reaching out to Mr. Davanzo’s office. Mr. Letterio asked Council to write a letter to Mr. Davanzo inviting him to come to this meeting and see what he could do for us from a state level. Mr. Letterio presented to Council regarding the ordinance officer, a large portion of the population doesn’t agree with ever laying off this position, should be full time and be a known presence in the community. Mr. Letterio also reported to Council regards to the curfew referring to ordinance 1964-4. Mr. Letterio was informed about the Zoning enforcement officer, Council always felt as a board that we are a small borough and we try to do things within our budget, so he’s laid off during the winter months and then bring him back in April is a responsible decision this council makes. Mr. Letterio would like this to be revisited as a full-time position.

Mr. Letterio reported questions about Robbin’s drive which is off of Vernon drive, seems to be two landlocked properties that are only accessible through Robbins. Mr. Letterio also reported to the Council the zoning map that’s on the website is from 2002 and would like the map on website by next meeting, or thorough explanation to why and how long it’s going to take to get it there. Mr. Letterio was informed that Robbins’s drive is a private drive and the borough does not make a practice of paving or maintaining a private drive. That is the property owner’s responsibility of egress and regress of that particular road. It was also informed to Mr. Letterio it depends on the circumstances of the property ownership, there is usually some kind of script of easement, depending on how they have used it and there is not a place it might not exists and might have to go through court to force some kind of easement therefore it would be property owner vs. property owner. Per the zoning map, it is going to take a little bit of work. You can’t amend, if we are changing the zoning map like the districts and where the lines are going to go, it would have to be done here first, has to get approved by the County and then adopted as an ordinance and that can take some time. Since there is an existing one from 2002 no changes are possible to have happened but it would be a good idea to look at the zoning with changes that have come through town. It is a long process, requires some public meetings.

Mr. Letterio reported to ask council to make a requirement for any organization that requests tax payer money for their own needs be at each and every council meeting by face or written report. Need to talk about what they did with that money that month, what they plan to do in the future. Mr. Letterio was informed the swimming pool has always been represented here at the meetings.

Mr. Letterio reported to the Council regarding sign ordinances regarding the Collinsburg sign, going out of town on west side, Mr. Letterio suggested the way we should handle that is we should ask what Rostraver charges for signage on their property. We should charge that and match it plus 5%. Mr. Letterio was informed our planning board is people who are supposed to approve that. They would bring it to council, for signage, dimension, if it was grandfathered in. Council will be revisiting this. Mr. Letterio was informed the Solicitor and Councilmen had the sign information and this sign would be used to post community announcements, emergency messages, this would be for the community’s benefit as well as the Fire Departments. Information regarding the sign is waiting to be received from Zoning Officer.

Mr. Letterio reported to the Council speaking of the budget, why are we paying training fees to our secretary that are higher wages then the road crew and police department are paid. Mr. Letterio was informed the training money comes from the new Secretary’s salary as she started out at a lower rate then what we paid Ms. Humenik. That training money would be the difference of what Ms. Humenik’s salary was at the present time. This wage you are speaking of, $35/hour is for Ms. Humenik to train the new Secretary as Ms. Humenik is acting as a consultant, to get her up to speed since we did not have a training period because the last person was not here for her to learn from. And had the most experience in that position.

Mr. Letterio reported to the Council the public wants an explanation for each year of votes concerning the vacant seat to the appointment last month and wants an answer for every single person that voted. Councilmen Berarducci voted for Patrick. Councilmen Palfey voted for Patrick. Councilmen Roebuck was not here but he voted for Patrick. Councilmen Maleski, did not recall seeing democrat or republican on any of the letters or resumes that were received Ms. Maleski does not make her vote by party usually; Ms. Maleski voted by whom someone can do the job. Mr. Letterio questioned as to why him over Pat. Ms. Maleski had already assigned Councilman to Public Safety, she felt the letter Jason presented to council was much better than from Pat. Councilmen Eckels nominated Jason due to his letter of intent, that was clearly her decision making on that. Councilmen Johnson voted for him because that’s who he wanted in. All letters of intent are public knowledge.

**#2 Melinda Feltes** – Ms. Feltes reported to Council about a sewage issue on North 4th street, 220 is a vacant house it has been vacant since 2005, the sewage cleanout, somebody is messing with it. Ms. Feltes reported she had called the DEP and DEP stated it is the boroughs responsibility. Ms. Feltes also reported she had talked to Lou, he said he has been keeping an eye on it and checking it too. Ms. Feltes was informed that Lou and our Solicitor are heavily, actively trying to get this resolved of which they have reached out to DEP their selves regarding this issue. As per timeline, it was noted to Ms. Feltes there is no hard date but will not be months on end, should be a relatively quick fix.

**#3 Nancy Molovich** – Ms. Molovich reported to Council from the West Newton Community swimming pool. This year is the 50th anniversary of the swimming pool. Ms. Molovich presented to the council to ask some questions about the American Rescue plan moneys that are available. Ms. Molovich stated the US Treasury had granted counties and municipalities significant discretion over how and to whom they allocate the funds as long as they help address specific community needs. Also state that municipalities that invest in parks, trails, open space and recreation create platforms for economic involvement. A lot of municipalities had discussed the allocations that some had expressed doubt in recreation but it says in July of 2021 US Treasury provided updated set of frequently asked questions on the website and it specifically says that recreations, open spaces, parks, conservations are eligible uses that counties and municipalities have discretion on how to award those moneys. Ms. Molovich questioned in January when she spoke with the previous secretary and she said that the pool would have to pay for an audit of the borough, she quoted $1800 to audit the borough, if that is true, Ms. Molovich would like to know if the council and the borough has allocated any of the ARP moneys that you have received or are allocated to get, are they all dispersed or are you still in planning stages as to what you will do with that money? Ms. Molovich was informed the Council is still in planning stage and none of that money from the ARP funds have been allocated. Ms. Molovich was also reassured by our Solicitor the previous Secretary was partially mistaken about the audit, before January of this year, under the revenue loss portion, we would have to undergo what revenue we lost and we could replace those funds with the ARP money. After January this year the Federal Government is going to have to look at hundreds of thousands of municipalities uses for this. They decided to put in place a $10 million maximum check off that we get up to $10 million dollars in lost revenue. Anything under that we would check the box. Therefore, whatever funds we received could almost be used for anything, that’s a municipal service. As long as the borough could justify it could be used for that, no audits are required anymore because of that. Ms. Molovich presented to Council the reason that the pool is requesting any money the actual pool itself needs resurfaced. Ms. Molovich informed the Council she did apply for the greenways trails and recreations grant and unfortunately, it was not awarded. Ms. Molovich did apply for another grant that was $80,000 that would the amount needed to do a PVC liner to resurface the pool. Ms. Molovich reassured the Council that of the money’s received from ARP plan would put towards a project like that.

**#4 Bryan Backstrom** – Mr. Backstrom reported to the Council about getting the Paper alleys closed, what would need to be done to get them closed. Mr. Backstrom informed Council about a nuisance neighbor who took it upon himself to drive into his back yard because he was unloading stuff into his basement, it was raining and got stuck in Mr. Backstrom’s back yard. Mr. Backstrom informed the Council he had been taking care of this property for the last 3 and ½ years. Mr. Backstrom would like to know there be find a way that this man cannot drive through his yard anymore. Mr. Backstrom was informed that the property in question would need to be seen as well as a brief title search. Without actually looking at the property, and if it comes back that the borough never opened it and it’s just a paper street nobody’s touched it in 21 years Mr. Backstrom would have to file something in court to have his property line be amended on the county map to show he actually owned that. This was also informed to Mr. Backstrom it may be a personal action, only stance the borough would have would be stating they have no intentions of opening this road. Something official would need to be stated.

**#5 Paul Williams** – Mr. Williams reported to Council the new hydrant had been replaced. Mr. Williams stated last year we did update the borough EMR plan and Hazard mitigation plan. He would like to work on getting verbal Municipal Aid Agreements in place, as these should be in writing.

Mr. Williams reported to Lou that every two years Resource Manual Updates and contact information. This would include any resources (heavy equipment) EMA can request to start within the borough and work their way out.

Mr. Williams would like to work with Councilmen Eckels on the bridge project as there was a Comprehensive Plan, Hazard Mitigation Plan, EMA would like to get a new river gage on the bridge. Mr. Williams was told that was allowed but they would have to design something and EMA would put a project together with USGS. Mr. Williams informed Council USGS maintain this the EMA would just pay a maintenance fee every year. Between rescue money or any grant money coming through the bridge that could be incorporated. There would be a manual version and then an electronic version. We could add features to that that the engineers could use and the sewage plant involving flows and temperatures, etc. Mr. Williams stated it is a project in our Hazard Mitigation grant but we have to tie the bridge project to it, so if we would get awarded that grant, we would like to coincide with the bridge.

Mr. Williams reported to Council EMA had asked for permission to get some equipment. We have a large trailer generator, that is a state asset, but easily accessible to us at any time if something happens. Some items to go with it, electrical cords, portable lighting, and a hitch to move the trailer. Mr. Williams presented that the borough had put in a total of $500 in your budget for this year, plus through the generosity of the community fund, Mr. Lowanse, and C.R.O.W.N. they made donations of about $400. Council was informed by Mr. Williams this hitch would stay with the trailer for whoever would need to deploy it, it would be easily accessible. Mr. Williams would be working with the borough Secretary to purchase these items in the amount of around $700. Council would approve everything and pay for it, Mr. Williams assured. Council informed Mr. Williams payments would be made by check for paper trails.

Mr. Williams and Mayor Popovich presented to council since there has been a change in council per NIMS, training is a requirement for members to have this training in the event of a catastrophe, Mayor Popovich informed Council if some of the council members aren’t trained, we won’t get reimbursed. There is training tailored to your job, road crew, elected officials specific training and public works training. It is usually a one and done of the basic course online. Once this is done, Mr. Williams and Mayor Popovich have to certify that we have that. This is so we are compliant. Councilman Roebuck will be given this pertinent information at the next EMA meeting.

**Motion 02-01** was made my Councilman Palfey to accept the minutes as submitted. Second made by Eckels. Motion adopted by unanimous vote.

**Engineers report**   
Engineer Mack reviewed the Engineers Report.  
**Motion 02- 02** was made by Councilman Berarducci to authorize Lou and LSSE Engineers to search for camera prices to have 220 North 4th street camera, up to $2000.00. Second made by Johnson. Motion adopted by unanimous vote.  
**Motion 02-03** was made by Berarducci for Resolution No. 2022-3 in the amount of $586,000.00 for the Phase II Long term Control Plan Improvements of the Forecemain Project. Second made by Palfey. Motion adopted by unanimous vote.   
**Motion 02-04** was made by Councilman Palfey for Resolution No. 2022-4 in the amount of $50,000.00 to be used for the Sewage Treatment Plant Aeration System Replacement Project. Second made by Roebuck. Motion adopted by unanimous vote.

Engineer Mack reported to Council referring to the Chapter 94 report to see if the Borough would still want the Secretary to still be the borough representative. The borough responded to Mr. Mack yes.

**Supervisors Report**Supervisor reported a speeding issue on Vernon drive, per Council’s approval a speed limit sign will be taken off of Collinsburg road and placed on Vernon drive. Safety Beacon for street sweeper will be purchased for approx. $400. Chipping starts April 4th, 11th, 18th and 25th – call in advance to be put on chipping list.

**Zoning Report**Nothing to report

**Solicitors Report**Nothing to report

**Mayors Report/Police Report**Mayor Popovich read the February report. Mayor Popovich received a phone call from Bob Tarr from a church inquiring about the alley they paved; if there are any funds in the ARPA fund to reimburse them. Sam is checking into this to see if ARPA funds can be used to reimburse for paving.   
The Collinsburg sign was never presented to Council, Mayor Popovich will gather the information to present to Council.

**Bills  
Motion 02-05** made by Councilman Palfey to pay all unpaid bills. Second made by Johnson. Motion adopted by unanimous vote.

**Treasurers Report   
Motion 02-06** made by Councilman Johnson to accept the Treasurers Report as submitted. Second made by Eckels. Motion adopted by unanimous vote.

**Tax Collectors Report** Nothing to report

**Committee Reports:**

* **Finance & Budget:** Nothing to report
* **Streets:** Councilman Palfey reported the installation agreement will drafted by Sam Dalfonso for the borough to sign for the Hometown hero Banner Flags through C.R.O.W.N.  
  **Motion 02-13** made by Councilman Palfey to approve borough of west newton to enter into this third-party installation agreement with CROWN subject to the appointment of the installer and completion of an indemnification agreement. Second made by Berarducci. Motion adopted by unanimous vote.
* **Sewage: Motion 02-07** made by Councilman Berarducci to pay the outstanding invoice amount for Sewage blower motor. Second made by Palfey. Motion adopted by unanimous vote.
* **Recreation:** Councilman Berarducci reported all of the ball fields are being used. Councilman Berarducci also reported there is a Softball Tournament May 20, 21,22 for Grady Hoffman Memorial Scholarship Fund called Just Send It.
* **Insurance: Motion 02-08** made by Councilman Palfey to maintain the flood insurance at our current coverage. Second made by Roebuck. Motion adopted by unanimous vote.
* **Personnel: Motion 02-09** made by Councilman Johnson to authorize payment to Cypher & Cypher for training new Secretary on QuickBooks. Second made by Eckels. Motion adopted by unanimous vote. **Motion 02- 10** made by Councilman Palfey to hire Pam Humenik as a temporary consultant to train new Secretary at a rate of $35 per hour. Second made by Johnson. Motion adopted by unanimous vote. **Motion 02-11** made by Councilman Johnson to ratify authorization and engagement of ADP to perform payroll services for the next few month’s payroll periods (90 days). Second made by Eckels. Motion adopted by unanimous vote.
* **Public Safety:**  Councilman Roebuck commended that the streets were kept maintained during the winter months.
* **Properties & Code Enforcement:** Councilman Johnson reported Mike Kelley will return April 1st.
* **Sanitation:** Nothing to report
* **Bridge, River & Trail:** Councilman Eckels reported with updates about the Bridge Rehab Project. Information will be placed on the West Newton Borough website.

**Motion 02-12** made by Councilman Palfey to accept all above committee reports. Second made by Roebuck. Motion adopted by unanimous vote.

**Communications:**Secretary/Treasurer Pergola received a final count of 5 Councilmen attending the Westmoreland Borough Association dinner April 29th.

**Councilman Requests:**No requests at this time

**Adjournment  
Motion 02-14** made by Councilman Berarducci to adjourn the meeting at 8:53PM. Second made by Eckels. Motion adopted by unanimous vote.

Ashley Pergola  
Secretary/Treasurer