

The Regular Meeting of the Donora Borough Council was held on August 8, 2024 at 6:00 P.M. in the Council Chambers of the Donora Municipal Complex. The meeting was called to order by Council President Cynthia Brice and following the Pledge of Allegiance, the following members were present: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson. Also present were: Mayor Donald Pavelko, Street Department Dean Fronzaglio, Fire Chief Patsy Vince, Code Enforcement Officer Joseph Volpe, Chief Neal Rands, Borough Solicitor Steven Toprani. And Borough Administrator Michael Thornton.

### **Opening of Bids**

### **Public Address of Agenda Items**

### **Minutes**

Mr. Perrotta requested a motion to approve the July 11, 2024 meeting minutes. Second by Mr. Brice. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6): Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

### **Finance**

Mrs. Pavelko read aloud the Payroll Report for the month of July 2024 - \$76,956.18.

Mrs. Pavelko read aloud the Treasurers Report for the month of July 2024 - \$2,012,760.82.

Mrs. Pavelko made a motion to accept the Payroll Report and Treasurer's Report for the month of July 2024 as read. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko read aloud the Bill Report for the month of July 2024 - \$430,759.01

Mrs. Pavelko made a motion to accept the Bill Report for the month of July 2024 as read. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko made a motion to accept the Tax Collection Report for the month of July 2024 as read. Second by Mr. Brice. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko made a motion to approve purchasing additional email addresses and Microsoft Windows licenses through Out of the Box IT for an amount not to exceed \$12.95 each for the Borough Solicitor, Tax Collector, 2<sup>nd</sup> Code Officer, and all Police Officers. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko made a motion to approve purchasing four properties that are on the Washington County Repository listing \$150.00 each plus closing costs for future demolition projects. The properties are as follows:

- 218 Third Street (240-015-00-02-0015-00)
- 854 Heslep Avenue (240-012-00-05-0013-00)
- 948 Heslep Avenue (240-012-00-03-0002-00)
- 940 McKean Avenue (240-011-00-04-0007-00)

Second by Mr. Perrotta.

Question from Mr. Berestecky: Mr. Fronzaglio, have you had a chance to look at these properties?

Mr. Fronzaglio: Believes they will be manageable, but the one on Heslep may have to be bid out.

A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko made a motion to approve a Project Manager contract proposal by Kulak George Associates for the borough building exterior cleaning and rehabilitation project with a cost not to exceed \$9,500.00. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mrs. Pavelko made a motion to approve purchasing a new 2024 Dodge Durango police vehicle (\$61,000.00), new stainless steel dump truck bed (\$25,500.00) and new 2023 (leftover) F450 street department dump/plow truck to replace the departed International tri-axle dump truck. Second by Mr. Brice.

Motion by Mr. Perrotta to table this motion for further discussion because Mrs. Pavelko was on vacation when this was brought up at the work session, and Mrs. Pavelko is the chair of the Finance Committee. Second by Mrs. Pavelko.

Mrs. Brice denied the motion to table and Solicitor Toprani agreed and stated that the original motion needs to be voted on.

Lengthy discussion followed.

Mr. Perrotta asked both Mr. Fronzaglio and Chief Rands if they had any knowledge or input regarding this decision prior to the council work session and they both relayed that they did not. Why is council making a decision on something that effects the police and street department when neither the Police Chief nor the Street Foreman had any input in this decision?

Chief Rands would prefer a Ford, but he understands that the Dodge is multiple thousands of dollars cheaper.

A vote was taken to the call of roll: Ayes: Mrs. Brice, Mr. Brice, Mrs. Pavelko and Mr. Thompson (4) Nays: Mr. Berestecky and Mr. Perrotta (2) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

### **Health, Sanitation and Code Enforcement**

Mr. Perrotta read aloud the following reports for the month of July 2024:

Building Permit Report – 7 permits/\$13,261.00 (July)  
 Construction cost \$1,326,100.00 (July)  
 Two permit applicants (Cooper Electric & Cody Zimmerman) still owes permit fees to the borough  
 YTD: 21 permits/\$153,507.00 – construction cost \$15,334,455.00

Registration Fee Report - \$542.50 (July) / \$23,057.50.00 (YTD)

Rental Inspection Report - \$150.00 (July) / \$4,640.00 (YTD)

Occupancy Report - \$700.00 (July) / \$3,000.00 (YTD)

Sanitation Report - \$19,375.67 (July) / \$386,594.22 (YTD)

Delinquent Sanitation Fees - \$177.70 (July) / \$1,953.68 (YTD)

Fines Collected - \$903.17 (YTD)

Street Opening – 0 (July) / 40 (YTD)  
 Total Street Opening fees: \$0.00 (July) / \$10,000.00 (YTD).

Mr. Perrotta made a motion to create a second Code Enforcement Officer position for the Borough of Donora, to assist with property maintenance and zoning violations at an initial pay rate of \$23.00 per hour with no fringe benefits, not to exceed twenty-four hours per week. Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Perrotta made a motion to amend this evening's agenda to reflect a motion to advertise the PODS ordinance at the Solicitor's request from the July 11, 2024 council meeting. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (5) Nays: Mrs. Brice (1) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

**BOROUGH OF DONORA  
 WASHINGTON COUNTY  
 COMMONWEALTH OF PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE BOROUGH OF DONORA, WASHINGTON COUNTY, PENNSYLVANIA TO REGULATE PORTABLE STORAGE CONTAINERS IN RESIDENTIAL AREAS.

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 Pa. Stat. 10201 (et seq) authorizes Municipalities to adopt regulations to protect the public health, safety and welfare; and

WHEREAS, the use of Portable Storage Containers has proliferated such that it is impacting the health, safety and welfare; and

WHEREAS, the Borough Council desires to establish regulations such controlling the use, size and location of Portable Storage Containers in the residential areas.

NOW, THEREFORE, BE IS ENACTED AND ORDAINED by the Borough Council of the Borough of Donora, Washington County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by its authority that:

1. The Borough Codified Ordinances shall be amended by inserting the following new Section:

Section: Portable Storage Containers

Portable storage containers. Portable storage containers may only be used in compliance with this subsection.

(1). Definitions. As used in this subsection, the following terms shall have the meanings indicated:

**PORTABLE STORAGE CONTAINERS, PSC UNIT OR PSCs**

Any container, storage unit, shed-like container or other portable structure used for the storage of personal property of any kind and which is located for such purpose on residential property for the purpose of storing and/or moving household materials.

(2). Registration.

(a) Before placing a PSC unit on any residential property, a person shall register the date of the proposed placement and the intended location of the PSC unit with the Borough Code Office.

## (3). Duration.

- (a) PSC units may remain in place a maximum of 30 days from the date of placement. In the event the PSC unit is not going to be removed at the expiration of the 30-day period, the property owner shall submit a written extension request to Borough Council. Council, may at its discretion, grant extension requests for good cause shown and demonstrated.

## (4). Contents.

- (a) PSCS shall be used for storage of household items relating to the premises on which the unit is located only. No storage of any commercial or business-related items is permitted.
- (b) Hazardous materials including flammable and biohazard substances shall not be stored in the containers.

## (5) Location.

- (a) PSC units must be placed on paved off-street surfaces, or on another location expressly approved by Donora Borough's Code Office.
- (b) PSC units shall not be located in any setback areas, required open space, landscaped area, on any sidewalk or trail, or in any location that blocks or interferes with any vehicular and/or pedestrian circulation, and shall be located in accordance with all applicable building and fire code regulations for the purpose of ensuring safe ingress and egress to dwellings, access to utility shut-off valves, and for fire protection. Such containers shall also be subject to any applicable sight distance provisions.

## (6) Number, size and condition.

- (a) No more than one PSC unit may be placed on any residential property at one time.
- (b) No PSC shall exceed a maximum size of eight feet by eight feet by 16 feet (124 square feet).
- (c) All portable storage containers shall be in a condition free from rust, peeling paint and other forms of deterioration. The PSC unit shall be maintained so that it is rodent, vermin and insect- free.

(7) Advertising. The PSC unit may not contain advertising beyond the identification of the company name and phone number of the company which placed the container on the property

(8) Violations and penalties. Any person who shall place or maintain a PSC unit in violation of this subsection shall be cited by the Borough Code Enforcement Officer and, upon conviction by a District Justice, be sentenced to pay a fine not in excess of \$500. Each day that a violation continues shall constitute an additional violation.

2. All ordinances or parts thereof inconsistent herewith are repealed, rescinded, canceled and annulled.

3. This Ordinance shall take effect immediately upon adoption.

DULY ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ (MONTH), \_\_\_\_ (YEAR) BY THE COUNCIL OF THE BOROUGH OF DONORA.

Mr. Perrotta made a motion to accept this as the first reading of the Portable Storage Container Ordinance. Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (5) Nays: Mrs. Brice (1) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

**Recreation**

Mr. Berestecky read aloud the Palmer Park Report for the month of July 2024.  
\$1,375.00 (July) / \$12,475.00 (YTD)

**Community Affairs and Municipal Building**

Mr. McDowell read aloud the Banquet Hall Report for the month of July 2024.  
\$750.00 (July) / \$2,799.15 (YTD)

**Highways and Streets**

Mr. Thompson made a motion to approve a handicap parking spot in front of 446 McKean Avenue (Nehila). Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Thompson made a motion to approve painting a white line for JED Heating & Cooling located at 840 McKean Avenue for customer parking and deliveries during the hours of 7:00am to 5:00pm. Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Thompson made a motion to approve the Rusin Club's request to close 5<sup>th</sup> Street between McKean Avenue and Meldon Avenue for a benefit event for Donora resident Renee Manges on September 21, 2024 between 12:00 noon – 11:00pm. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

**Public Safety**

Mr. Brice read aloud the police report for the month of July 2024.

Complaints Answered:	298 (July)	2,194 (YTD)
Ambulance Assists:	9	68
Accident Investigations:	8	56
Burglar Alarms:	12	77
Lock Outs:	2	17
Total Complaints:	329	2,366
Total Offenses Reported:	29	274
Total Arrests:	9	91
Mileage Report:	1,983	15,881
Financial Report:		
Overtime:	\$9,605.95 (July)	\$45,652.17 (YTD)
Court Time:	\$411.43 (July)	\$2,589.40 (YTD)
Total Revenue Received:	\$10,017.38 (July)	\$48,241.57 (YTD)

Mr. Brice made a motion to approve granting a one-year DROP pension for Chief Neal Rands effective January 1, 2025 and ending December 31, 2025. Second by Mr. Berestecky. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and (5) Nays: Mr. Thompson (1) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Brice made a motion to hire part-time police officer Alan Anderson at an initial pay rate of \$29.18 per hour with no fringe benefits as per the collective bargaining agreement, with a retroactive start date of July 12, 2024. Second by Mr. Perrotta. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Brice made a motion to hire part-time police officer Robert Cunningham at an initial pay rate of \$29.18 per hour with no fringe benefits as per the collective bargaining agreement. Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

Mr. Brice made a motion to approve the purchase of three tasers, taser cartridges, and taser holsters for the Police Department with a cost not to exceed \$5,275.00. Second by Mrs. Pavelko. A vote was taken to the call of roll: Ayes: Mr. Berestecky, Mrs. Brice, Mr. Brice, Mrs. Pavelko, Mr. Perrotta and Mr. Thompson (6) Nays: (0) Absent: Mr. McDowell (1) Abstain: (0) Motion carried.

**\*\*The Borough is still accepting applications for Full Time Police Applicants to take the Civil Service Test. The Borough has extended the deadline “until filled” for Full Time Applications.\*\***

**\*\*Part Time Police Officer Applications will remain open as needed.\*\***

**President of Council:** No report.

**Mayor:** What a difference a month makes. As of today, we have numerous applicants to the Donora Police Department and would like to thank Chief Rands for saving the borough and saving the police department.

Like to also thank Fire Chief Patsy Vince because without him, we would not have animal control.

We have talked about a vehicle for Chief Vince for months and there seems to be no movement forward on this. Council spoke back in February regarding a vehicle for him.

Next Wednesday is Kennywood Day.

Like to thank Mr. Roderick Wilson for donating tickets to Kennywood.

**Public Officials**

**Mr. Toprani:** 618 McKean Avenue update. Demolition Project that a court hearing is scheduled for August 20, 2024 in front of the Honorable Judge Newman for an Order to Show Cause.

Mr. Toprani believes that the petition is complete and Mrs. Pavelko contacted Mr. Price from Washington County, along with the County Commissioner’s Office to acquire the appropriate funding for the demolition.

**Mr. Rands:** No report.

**Mr. Fronzaglio:** No report.

**Mr. Vince:** No report.

**Mr. Joe Volpe:** 23 Notices of Violation, 7 were cleared, 7 were cited, 9 asked for extra time. 4 zoning certificates, 13 lien letters were issued and 12 occupancy inspections completed.

**Old Business****Mr. Toprani:**

Property Maintenance Ordinance update?

Land Bank? We will need to add this to the agenda for September and also Mr. Thornton will have to send a letter to Ringgold School District regarding the tax abatement.

**Mr. Berestecky:**

Mr. Toprani, have you looked at any of our ordinances regarding paving our streets and damaging the streets?

**New Business****Non-Agenda Items****Janet Bulko:**

Donora Smog Commemorative Committee, Saturday 24, 2024. Would they be able to use half the parking lot for the End of Summer Bash?

Mayor Pavelko doesn't feel comfortable with permitting the use of the parking lot.

Bus for Kennywood is \$5.00 a seat.

**Roderick Wilson:**

Six more tickets being donated for Kennywood. Tickets are given to Mrs. Pavelko and her committee decides who will receive the tickets.

He asked to be left alone. Because he likes the Code Enforcement Officer, but he feels that an unnamed council member is harassing him.

Mr. Perrotta relayed that Mr. Volpe was conducting an occupancy inspection on Mr. Wilson's street and took photographs of multiple properties on Mr. Wilson's street. All of the properties that Mr. Volpe took photos of and sent Notices of Violations to; everyone was treated equally and fair.

**Stacey Pelissero:**

Owner of 501 McKean Avenue – contemplating a laundromat in the bottom floor of the building. Questioned about the yellow line on Fifth Street. It is a fire lane regarding the old bank building.

Mrs. Pavelko also heard a gentleman is attempting to bring in another laundromat at the old Pete Daley Building in the 600 block of McKean Avenue.

**Judy Gray:**

Zoning Board of Appeals Hearing

**Mrs. Heather Gwaley:**

1200 block McKean Avenue – dogs getting loose in the area. The Humane Society was there on 08/07/24 with Patsy Vince and stated that there were no violations.

**ANNOUNCEMENT:**

**ADJOURNMENT: 7:28 PM**