

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

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August 21, 2006

**CALL TO ORDER**

The regular monthly Council meeting of the City of St. Marys was called to order by Mayor Sally Geyer on Monday, August 21, 2006 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of the meeting was sent to Council Members on August 17, 2006, posted at City Hall, and published in the Daily Press.

**ROLL CALL**

Present: Mayor Sally Geyer, Dennis Nero, Steven Skok, Mark Kopp, Thomas Farley, Richard Dornisch, Sean Gabler, Manager David Greene, and Solicitor Stephen French

**VISITORS**

Visitors included: Jesse Szymanski, Mark Ansell, Doug Moorhead, John O'Hara, Warren Stewart, Tina Gnan, Katie Weidenboerner, Richard Sadley, Diane Krise, Ben Bennett, and Bernard Heiberger

**APPROVAL OF MINUTES  
August 7, 2006**

Mark Kopp made a motion to approve the minutes of August 7, 2006, seconded by Thomas Farley, and all were in favor.

**REPORT ON EXECUTIVE  
SESSIONS  
August 14 and 21,  
2006**

Mayor Sally Geyer stated an Executive Session was held August 14, 2006 at 6:30 p.m. for personnel matters and one before tonight's meeting at 6:00 p.m. on legal issues. No action was taken at either meeting.

**CITIZEN COMMENTS  
ON AGENDA TOPICS**

There were no citizen comments on agenda topics.

**MANAGER'S REPORT**

Manager Greene presented the following report:

- Attended a Rails-to-Trails meeting at City Hall on July 13th to discuss plans for the St. Marys to Emporium trail.
- Attended a meeting at CEC on July 13th to discuss additional educational opportunities.
- Was on vacation July 17-21, 2006.
- On July 24th, Governor Rendell presented a \$4 million dollar check for the City's "Impact St. Marys" project.
- Attended a NCRPDC Board meeting on July 26th.
- July 26th, attended a Board of Health meeting.
- Attended a meeting on July 31st at the North Central Offices to hear plans for a new Building PA Grant Program.
- On August 1st, attended the ground breaking ceremony for the Marienstadt Place Senior Housing Project in the Depot St. Parking Lot.
- Met with Greg Patryna, Bob Yoder, Tom Harley and Howard & Dale Lepovetsky about the Carbon Center Realty Project.

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- Met with Bob Yoder, Greg Patryna, Tom Harley and representatives from ATA to discuss plans for the inter-modal Transportation Center for St. Marys.
- Met with members of the St. Marys Senior Center, Greg Patryna, Bob Yoder, and Mark Jacob to discuss plans for the new center and to review the agreement with Bob Yoder.
- Attended the Planning Commission meeting on August 1st.
- Met with Marilyn Thomas, from Home Properties of New York, to discuss the Townview Road conditions and try to determine who owns the road. Marilyn Thomas manages the Townview apartments.
- On August 8th, attended a meeting at North Central with Don Masisak to follow-up on the new grant program offered by DCED.
- Attended a meeting at CEC on August 9th, to meet with Congressman John Peterson to discuss future plans for CEC and also talk about a Community College.
- On August 10th, attended a Recycling Task Force meeting to discuss plans for the "Compost Site".
- Attended the Centennial Celebration for OSRAM Sylvania on August 11th, at which time OSRAM presented the City with a plaque.

**APPROVAL OF EXPENDITURES**

Dennis Nero made a motion to approve the Expenditures for the period July 22, 2006 thru August 16, 2006, seconded by Steven Skok, and all were in favor.

**TREASURER'S REPORT**

Mayor Geyer presented the Treasurer's Report as of July 31, 2006. The total revenue collected for the General Fund was \$3.35 million up from last year of \$2.9 million and in 2004 revenue collected was at \$2.6 million. Total expenditures for the General Fund is at \$2.4 million up from last year of \$2.2 million and in 2004 total expenditures for the General Fund was at \$2. million. Revenues collected for the General Fund is 71% of budget and expenditures are at 49%. Last year revenues were 63% of budget and expenditures were 47% of budget. All other funds are well within their budget. The pension funds are continuing to increase in market value.

**LEGISLATIVE ACTION**  
Resolution No. 06-11  
Access Grant Program

Manager Greene presented Resolution No. 06-11 which hereby requests the filing of a grant application in the amount of \$360,000. to the Pennsylvania Department of Community and Economic Development

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Access Grant Program. These funds are being requested to assist low and moderate-income persons with disabilities (families and individuals) living in St. Marys to help modify their residences. The City's Community and Economic Development Department will administer the funds and the projects would be carried out by LIFT (Life and Independence for Today) a local non-profit organization.

The applicant does hereby designate the Community and Economic Development Department of the City of St. Marys, as the official office to execute all documents and agreements between the City of St. Marys and the PA Department of Community and Economic Development to facilitate and assist in obtaining the requested grant.

Thomas Farley made a motion to adopt Resolution No. 06-11, seconded by Mark Kopp, and all were in favor.

Appointment to St.  
Marys Municipal  
Authority

Mayor Geyer noted the St. Marys Municipal Authority advertised the vacant position on the authority. They did not receive any responses. The City received a letter from Victor Straub, Chairman of the St. Marys Municipal Authority, recommending the appointment of Robert Bauer as a member of the authority.

Thomas Farley made a motion to appoint Mr. Bauer for the vacant position on the St. Marys Municipal Authority. Motion was seconded by Steven Skok.

Dennis Nero questioned where and when was the article published by the authority. Richard Dornisch requested a copy of the article and felt that the vote be held off until Council sees the article.

On a roll call vote to appoint Mr. Bauer to the St. Marys Municipal Authority, Messrs Farley, Skok, Dornisch, Kopp, Nero, Gabler, and Mayor Geyer voted in the negative. The motion did not pass to appoint Mr. Bauer.

Dennis Nero made a motion that we would like evidence from the Municipal Authority that the article was advertised, seconded by Thomas Farley, and all were in favor.

Dennis Nero made a motion that a policy be made that all letters of applications for authorities, boards, and commissions be sent to the attention

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of David Greene, City Manager. He in-turn will send them off to Council and to the authorities that they pertain to. That authority may send us a recommendation, however, again as Mr. French so stated a couple of meetings back, that does not mean Council has to take their recommendation.

Solicitor French recommended that since this is a policy change it should be by Resolution.

Dennis Nero then amended his motion to add that his motion be made into Resolution No. 06-12. The amended motion was seconded by Thomas Farley.

At this time, Richard Dornisch suggested that Council receive all hard copies of articles published in the Daily Press (i.e. meeting notices, etc.)

It was noted that City staff should do all of the advertising.

Mayor Geyer asked for a vote on the above motion. Council felt they should see the written Resolution before adopting it.

At this time, Dennis Nero rescinded his motion regarding the Resolution until it is drawn-up.

Resolution No. 06-12 will be presented at the next Council meeting.

**TOPICS FOR DISCUSSION**

Non-Use Aquifer Ordinance

Resolution re:  
Allegheny  
National Forest

Compost Site

Solicitor French stated the City is continuing to study the Aquifer Ordinance and at this time, he does not have a draft for Council.

A Resolution authorizing comments on the proposed Land and Resource Management Plan for the Allegheny National Forest was presented for discussion. Manager Greene stated that a hearing on the plan will be held and that if the City would like to be heard they have to adopt the Resolution. No action was taken.

Steven Skok noted the Recycling Task Force Committee, David Greene and himself put together the following information regarding the Compost Site:

**PROS**

- cost is locked-in come budget time
- service to our citizens
- meets/exceeds DEP's mandates
- little effect on overall taxes
- easy accessible site/location

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CONS

- high cost
- will need to bid it out
- create a greater problem with trash being thrown over the bank
- no income to the City
- lack of competition

OPTIONS

- present site which is DeLullos
- do it in-house, but where and at what cost?
- sell bags/tags at City Hall and have designated hours at DeLullos
- grass and leaves at Onyx, grind trees at our site and spread around the City
- County has compost bins, you watch a 45 min. video and get a free bin. Set-up times and dates in St. Marys to watch the video
- eliminate grass, collect leaves during the year and take to Onyx and collect trimmings when citizens call, then call in a grinder

DEFINITION OF LEAF WASTE - ACT 101

- As a mandated community under Act 101 of 1988, the City is required to recycle leaf waste. Leaf waste, as defined in Act 101, consists of "leaves, garden residues, shrubbery and tree trimmings and similar materials" and should be composted on an individual or community basis.
- We do not have to collect grass.
- Leaf waste is leaves, garden residue (small plants), shrubbery and tree trimming (not shrubbery and trees but their trimmings) Trimmings is the key word.
- We do not have to collect tree branches and brush.
- Therefore, if we announce that we will be providing leaf waste collection in the fall, we might not be in violation.
- We just need to find out the following:
  1. How many times a year do we have to collect it?
  2. Who will accept it as is and at what price?

Manager Greene gathered information from surrounding cities as follows:

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Ridgway

- \$2.00 per month per resident which is included in their garbage bill
- recycles leaves, grass, tree branches
- leaves and grass composted at WWTP and turned twice a year
- compost material given away to residents
- branches are ground-up and given to school district for their recycling program
- Ridgway spends less than \$10,000. per year on program and is DEP approved

DuBois

- private contractor collects garbage, leaves, grass and tree branches
- also holds one (1) clean-up per year
- the City awards the contract with Onyx
- when bid out, usually gets 3 to 4 bidders
- DEP approved

Bradford

- runs and operates City compost yard
- leaves, grass, and tree branches
- they also operate their own Garbage Collection System. The fee is part of their collection system.
- site approved by DEP

Meadville

- operates their own compost site
- gives materials away to residents
- they used to work with a local guy who composted material into mulch, but decided they did not want to pay anymore.
- site approved by DEP

Manager Greene will meet with Bob DeLullo to try and keep the compost site open until the end of this year as long as it does not go over the \$10,000. budgeted for 2006. This will allow the City more time to negotiate.

Mr. Greene also informed Council that Onyx will take the City's leaves and grass for a cost of \$24.50/ton. They use the leaves to cover their site. Onyx is also DEP approved.

Dennis Nero asked if there is a total of the number of residents using the compost site. The Manager stated the press had a poll with 308 residents voting.

- 29.5% said yes they would spend \$5.00 per year to use the site to keep it open.
- 37% would use the site, if free
- 34.5% do not use the site

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Diane Krise

Diane Krise questioned how much would it cost to use the Onyx landfill?

**CITIZEN COMMENTS ON  
NON AGENDA TOPICS**

Jesse Szymanski

Jesse Szymanski commented on the Aquifer Ordinance. He was concerned about the liability and felt the City should not take over the liability.

Solicitor French informed Mr. Szymanski that the City is not taking over any of the liabilities for the sites. The City is only considering an ordinance which will restrict people in the City from drinking the ground water in certain areas. The ordinance is for the protection of the City's citizens.

Bernard Heiberger

Bernard Heiberger of South Paul Road complained about the poor condition of South Paul Road and demanded that it be fixed.

Manager Greene said bids have been let out for the reclamation of some roads. The City has 25 miles of dirt roads and he was unsure when South Paul Road is scheduled.

**COUNCIL COMMENTS**

Thomas Farley noted that he received a phone call from Mike Lecker, Chairman of the St. Marys Planning Commission, asking him to announce that the Commission will be holding a public hearing regarding the new proposed Zoning Ordinance on Tuesday, September 12, 2006 at 5:00 p.m. at City Hall. Copies of the new ordinance will be available at City Hall and the library.

**ANNOUNCEMENTS**

Mayor Geyer made the following announcements:

- Next rescheduled Council worksession will be held on September 11, 2006 at 7:00 p.m.
- City's Fall Clean-up day will be held on Saturday, September 23, 2006 from 8:00 a.m. to 1:00 p.m.

Dennis Nero asked to be excused from the September 25th meeting because he will be out-of-town on business.

**ADJOURNMENT**

Richard Dornisch made a motion to adjourn the meeting.

*Shirley Dicklas*  
Recording Secretary

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Mayor