

**March 9, 2017**

The regular meeting of the Ligonier Borough Council was held Thursday, March 9, 2017 at 7:00 PM in the Ligonier Town Hall with James McDonnell presiding.

**Members Present:** James McDonnell, Gus Breegle, Judy Hoffer, Matt Smith, Terry Murphy and Chick Cicconi via phone. Absent was Pat Scanlon.

**Others Present:** Secretary-Treasurer Paul Fry, Mayor Ormond "Butch" Bellas, Engineers Ben Faas & Greg Elliott, Solicitor George Welty, Police Chief John Berger, Fire Chief Steve Barron and Zoning Officer Rick Schwab. Not present was Code Enforcement officer Rick Bell.

President James McDonnell began the meeting by explaining the need to call for an executive session for personnel and litigation directly following approval of the Consent Calendar.

#### **APPROVAL OF MINUTES**

**A motion** was made by Judy Hoffer and seconded by Terry Murphy to approve the minutes of February 9, 2017 as presented. All of Council was in favor.

#### **BILLS PAYABLE**

**A motion** was made by Matt Smith and seconded by Gus Breegle to approve the Bills Payable as presented to Council. The motion carried with all in favor.

#### **CONSENT CALENDAR**

**A motion** was made by Judy Hoffer and seconded by Gus Breegle to approve the Consent Calendar. The motion carried 6-0 with all in favor.

Council went into executive session for personnel and litigation at 7:02 PM and returned @ 8:15PM with no action taken.

#### **UNFINISHED BUSINESS**

**Proposed Planning Commission update:**

**A motion** was made by Judy Hoffer and seconded by Chick Cicconi to advertise the proposed Planning Commission Ordinance. All of Council was in favor.

President McDonnell stated that he has heard of 4 residents interested in serving.

#### **CORRESPONDENCE**

A temporary sign permit application has been received from the LV Library requesting a vinyl banner be placed over the entry to the Library as notification of Books & Brew Fundraiser. The Library requests that the banner remain from April 17- May 7, 2017.

**A motion** was made by Terry Murphy and seconded by Matt Smith to approve the Banner request from LV Library. The motion carried 6-0.

#### **COMMITTEE REPORTS**

##### **PARKS & RECREATION / SHADE TREE**

Matt Smith reported that a few more things are needed to be completed at Friendship Park. Smith projects that Friendship Park will be complete and open mid-April.

#### **TOWN HALL**

Judy Hoffer reported that Town Hall Committee walked through Town Hall to determine anything that needs to be done in the future. More new windows will be replaced in Town Hall when weather improves.

## **PUBLIC WORKS**

Chairman Gus Breegle reported that the parks have been cleaned. The street sweeper has been run. Equipment has been serviced. Breegle reminded all to pick up dog waste.

## **PUBLIC SAFETY**

Matt Smith read a letter from Sergeant Ken Burke resigning from Ligonier Borough Police as of March 11, 2017. Burke is leaving to accept a full time position with the City of Greensburg Police Department.

**A motion** was made by Terry Murphy and seconded by Gus Breegle to accept Ken Burke's resignation. All of Council was in favor.

**A motion** was made by Matt Smith and seconded by Chick Cicconi to recommend patrol man Shawn Knepper as full time officer replacing Ken Burke effective 4/1/17. The motion carried unanimously.

## **FINANCE**

Chairman Terry Murphy reported that the audit for 2016 is in its final stages of completion. Guyasuta reported that Town Hall fund is up 2.1%.

## **PLANNING / PERSONNEL**

James McDonnell reported ongoing preparations for the Planning Commission. Discussions were brought up about AIR B&B as to individuals who rent their homes for weekends. This information was passed along to the consultants who are working on the Joint Comprehensive Plan to see what regulations if any are required. No word is expected to be heard about this matter until the Planning Committee meeting in April.

Chairman Chick Cicconi congratulated and welcomed Shawn Knepper as new full-time officer for the Borough. Cicconi expressed appreciation for Ken Burke's kind words towards Chief Berger in his resignation letter.

Cicconi added that he is excited to get started on preparations for the Planning Commission. Four individuals; John (Jack) Fry, Jeff Markle, Peggy Shepler and Dave Waseman will serve on the Planning Commission.

Cicconi noted that on February 13, 2017 Gene Stouffer was appointed as new Emergency Management Coordinator for Ligonier Borough by Governor Wolf and by FEMA on March 6, 2017.

## **NEW BUSINESS**

N/A

## **PUBLIC COMMENT**

President James McDonnell stated that the Borough has been threatened with a litigation issue from Fort Ligonier Days Inc., and therefore cannot discuss a litigation issue in public. McDonnell added that this is why council goes into an executive session. For this reason Council will table any discussion relative to Fort Ligonier Days and the Borough until April. A discussion will be set up with Fort Ligonier Days Inc. president. These discussions have been ongoing for 7 months. There has been nothing set in stone and nothing agreed to. It was made aware that no responses will be made to any comments due to possible litigation.

**Annie Urban**, Executive Director of Fort Ligonier, is a member of Fort Ligonier Days Inc. Board of Directors and volunteer for Fort Ligonier Days Committee as well as a merchant and resident of the Borough. Urban wished to clarify that Fort Ligonier is a separate entity from Fort

Ligonier Days Inc., from Ligonier Borough, from the LV Chamber of Commerce. However, Fort Ligonier does participate, partner and collaborate with all entities above to make a positive economic impact on Ligonier Valley. Urban stated that Fort Ligonier Days festival is vital to the Fort's long term success. Urban urged the Borough Council to also collaborate and be a true partner in the long standing tradition of Fort Ligonier Days.

**Erica Knuckles**, employee of Fort Ligonier/owner of East Wood Inn and volunteer on Fort Ligonier Days Committee expressed her concern about bad coverage for Fort Ligonier on press releases. Knuckles hopes Borough Council and Fort Ligonier Days Inc. works together rather than in opposition.

**Jim Faccenda**, owner of Ligonier Giant Eagle and President of LV Chamber of Commerce Board as well as a member of the Fort Ligonier Day Board shared his recollection. Faccenda stated that in a world of declining tax base, rising costs and lost revenue, tough decisions need to be made. The Chambers is committed to continue to help in any way they can. The Chamber is grateful for the opportunity to serve such a unique community and their dedicated merchants. Faccenda hopes that both council and FLD continue to take in account that our business owner's livelihood are waiting for the decision. In closing, the people that read newspaper articles and social media will not resolve this impasse. However, the people in this room can.

**Vic Smith Jr.** on behalf of FLD Inc. and Fort Ligonier Days Committee stated that a proposal has been submitted and asked Council why it is not being discussed and voted on at this time.

James McDonnell stated that it is pending litigation.

Vic Smith replied that the litigation was warned to Council if they did not act on this matter tonight.

McDonnell again stated that it will not happen tonight. McDonnell added that at the last meeting with FLD president, it was asked if Council and FLD will have continuing discussions. He replied yes, and come April discussions will ensue with the FLD president. President McDonnell stated that all efforts will be continued with FLD.

McDonnell added that there is a September 1<sup>st</sup>, 2017 deadline to have all put together with FLD. After questions arose, McDonnell further explained that at an October 1, 2016 meeting with Dustin Barr, McDonnell, and another member, it was verbally agreed for a reprieve until September 1, 2017 to come up with a conclusion affecting the festival for 2018. Therefore, McDonnell stated that it is business as usual for 2017.

Vic Smith questioned if this meant that it is business as usual for Fort Ligonier Days until September of 2018 and that Council is not going to insist on retroactive payments from Fort Ligonier Days 2016, 2017.

McDonnell responded that he is not going to give him anything at this time. Chick Cicconi reinforced that the issue is pending litigation. McDonnell agreed and stated that talk will continue.

Chick Cicconi complemented the first 3 speakers. To Erica Knuckles, Chick Cicconi commented that Council did not go to social media.

**A motion** was made by Matt Smith and seconded by Gus Breegle for business as usual for 2017 and go back to the drawing board for 2018. All were in favor.

**COMMENDATIONS & COMMENTS from OFFICERS and DEPARTMENTS**

Steve Barron reported that Gene Stouffer has received accommodations from Harrisburg and is now the Borough's new Emergency Management Coordinator.

Engineer Greg Elliott gave an update on the Diamond Project. Due to recent delays in receiving required permits and approvals from public entities and insurance companies that the current project timeline will require the Borough to reschedule the project until 2018.

Zoning Office Rick Schwab stated that March will be a busy month for the Zoning Department.

Police Chief John Berger publically thanked Ken Burke for his service and wished him good luck. Chief Berger spoke of a recent accident on the Diamond where the driver ran up over the steps of the Diamond and crashed into the Bandstand.

Mayor Bellas thanked Sergeant Ken Burke and welcomed Officer Shawn Knepper to full-time status with Ligonier Borough Police.

President James McDonnell noted that the next meeting of the Ligonier Borough Council will be held Thursday, April 13<sup>th</sup>, 2017. McDonnell thanked all for their work on the Diamond project.

**MOTION TO ADJOURN**

**A motion** was made by Terry Murphy and seconded by Matt Smith to adjourn the meeting. All of Council was in favor. The meeting adjourned at 9:11 PM.

Respectfully submitted,

Paul A Fry  
Secretary-Treasurer  
Office Manager