


TAYLOR BOROUGH COUNCIL MEETING

October 9, 2024, at 7:00 PM


Held At:

Taylor Borough Municipal Building
122 Union Street
Taylor, PA 18517

- Call to Order
 - Pledge of Allegiance
 - Roll Call
 - Public Input
 - Approval of the following minutes: September 11, 2024
 - Old Business
 - New Business
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- A. Consider a motion to approve The Feral Cat Ordinance #2 of 2024, regulation & enforcement of feeding of Feral cats.
 - B. Consider a motion for Solicitor to advertise on Solar Ordinance #3 of 2024.
 - C. Consider a motion to approve a remit \$157,288.88 in State Aid to Nationwide the Police Pension Plan Provider.
 - D. Consider a motion to approve a payment of \$37,009.41 to Taylor Fire Rescue Volunteer Fire Relief Association payment from State Aide to the Borough.
 - E. Consider a motion to ratify payment of \$880.00 for the intake of 8 animals in 2024 and to approve an increase per animal from the amount of \$110.00 up to \$120.00 to Griffin Pond Animal Shelter.
 - F. Consider a motion to ratify an MOU with TPOA amending the current bargaining agreement providing for light duty.
 - G. Consider a motion to authorize the Solicitor to research and prepare any necessary documentation to establish "No Trespassing After Dark" for the Taylor Memorial Cemetery.
 - H. Consider a motion to accept a Municipal Grant donation of \$30,000.00 from LLVSA to be designated to the Center St./Clair Drive Stormwater Project.
 - I. Consider a motion to accept the lowest bid for the Center St./Clair Drive Stormwater Project.
 - J. Consider a motion to accept the lowest bid for HVAC System Project for the Borough Building.
 - K. Consider a motion to pay \$24,195.88 to Multiscape Inc. for final payment for Derenick Park Phase I Project.

 ***NOTE*** Any person with a disability requiring a special accommodation to attend a Council Meeting should notify the Borough Secretary at (570) 562-1400 as early as possible, but not later than 3 business days prior to the meeting. Taylor Borough will make every effort to provide a reasonable accommodation.

- L. Consider a motion to appoint George P. Aulisio to the Planning Commission for a vacancy left by Louis Stefanelli with a term expiring 12/31/2025.
- M. Consider a motion to update Street Signs between Oak Street and Prince Street to clarify block numbers.
- N. Consider a motion to approve the payment of \$1,237,699.70 to H & K Group Inc. for the 2024 paving project.
- O. Consider adopting Resolution #12 of 2024 amending Resolution #11 of 2024 for the Taylor Memorial Cemetery Improvement Grant from \$100,000.00 up to \$130,000.00 for replacing sections and painting of the fence.
- Approval of Bills for payment (attached sheet)
 - Treasurer's Report
 - Financial Report
 - Recycling Report
 - Committee Reports
 - Mayor's Report
 - Public Input
 - Adjournment

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BOROUGH OF TAYLOR
ORDINANCE NO. #2 - 2024
AN ORDINANCE REGARDING
FEEDING OF FERAL AND/OR STRAY CATS

WHEREAS, the feeding of feral or stray cats within the Borough creates a threat to the health and safety of the residents of the community.

Now therefore be it Ordained by the Borough of Taylor this 9th day of October, 2024 as follows:

SECTION 1. It shall be unlawful for any person to feed feral and/or stray cats, where such feeding causes a nuisance to neighbors or creates a condition contrary to the health, safety, and welfare of the Borough of Taylor and its residents, unless such person participates in or has completed Trap-Neuter-Return (TNR). The Borough will reimburse each resident for the costs of participation in the TNR program, upon presentation of a payment receipt. This cost of \$50 should include neutering/spaying, ear tipping, rabies, and distemper shots. Any person feeding cats must provide appropriate shelter for each cat they are feeding. In addition, if they participate in the Trap-Neuter-Return program, they must provide the appropriate shelter and post-surgery recovery time before releasing the cat. Any person feeding cats must provide appropriate shelter for each cat.

SECTION 2. The following actions shall be permitted in Taylor Borough as part of a Trap-Neuter-Return program:

- A. Trapping, for the sole purpose of sterilizing, vaccinating for rabies, and ear tipping feral and/or stray cats, in accordance with any applicable federal or state law, and under the supervision of a licensed veterinarian, where applicable.
- B. A person who returns a feral and/or stray cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.
- C. Trap-Neuter-Return (TNR) shall be the preferred disposition for feral and/or stray cats. The local shelter and other animal welfare organizations are authorized and encouraged to conduct Trap- Neuter-Return or to direct feral and/or stray cat caregivers to a Trap-Neuter-Return program.
- D. Feral and/or Stray Cat Caregivers may continue to provide basic food, shelter, and

medical care to feral and/or stray cats who have completed the Trap-Neuter-Return program throughout the natural lifespan of the feral and/or stray cat.

E. Feral and/or Stray Cat Caregivers are responsible for the long-term maintenance of their feral and/or stray cats. Any new unaltered/unvaccinated feral and/or stray cats must be trapped, neutered, and remain in compliance with the ordinance.

F. Any person found trapping cats and releasing them into the wild will be in violation of this ordinance

G. Any person who violates this ordinance shall be subject to a fine set forth below; further to the extent permitted by law, the Borough officials may enter their property and trap the cat or cats.

SECTION 3. Authority for Issuance of Violation Ticket.

Upon finding a violation, any Public Official for the purposes of this Ordinance, being any police officer, or public official designated by the municipality to enforce the Borough ordinances, may issue violation ticket(s) to the owner and/or occupant of the property at issue or to the individual(s) known to have violated this Ordinance.

SECTION 4. Enforcement.

1. The provisions of this Ordinance shall be enforced by the any public official, as previously defined herein.

2. Any violation of the provisions of this ordinance may be cause for a citation, a violation ticket, and/or a notice of violation to be issued to the violator.

SECTION 5. Service.

A violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record.

SECTION 6. Separate Offense.

Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

SECTION 7. Abatement of Violation.

1. Any person or business violating this Ordinance is hereby directed to satisfy the Borough of Taylor and its citizens, upon issuance of a ticket, by correcting the violation in question. A public officer is authorized and empowered to cause a violation to be corrected. The cost shall be determined by the Code Enforcement Officer or designee of the Borough in order that the Borough shall be compensated for both direct and indirect costs and expenses incurred.

2. The Borough of Taylor and/or its contractor, per the direction of the Borough, reserves the right to abate the violation in question at the expense of the owner. If the Borough has affected the abatement of the violation, the total cost thereof to include hourly wages and all items and materials used may be charged to the owner of the property, tenant, or offending party. A bill/invoice will be generated to the violator for payment separate from the ticket, which will also be paid separately.

3. In all instances where the Borough abates the violation, in addition to the fine set forth in the ticket, the Borough is authorized to recover from the offending party, the owner of the property, or tenant the abatement charges and such other charges established by the Borough or the Public Official or designated Code Enforcement Officer and the rules and regulations, if any.

4. Borough of Taylor Cleanup. The Borough reserves the right to perform any necessary work to abate any violation once forty-eight (48) hours passes from the date of issuance of the ticket. Should the violation at the discretion of the Public Official or Code Enforcement Officer present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to perform the abatement immediately. The Borough will perform this work at a rate of seventy-five (\$75.00) dollars per hour, per man, and forward the cost of any material necessary for the abatement. The Borough reserves the right to charge an additional twenty (20%) percent on all material purchases to cover all miscellaneous expenses, such as wear and tear on equipment.

5. Contractor Cleanup. The Borough reserves the right to direct a contractor to perform the abatement of the violation in question once forty-eight (48) hours passes from the date of issuance of the ticket. Should the violation present imminent danger and/or pose a health hazard and/or risk, the Borough reserves the right to direct the contractor to perform the abatement immediately. The

contractor will submit a bill for their work to the Borough of Taylor and the Borough will forward these costs to the violator. The Borough reserves the right to add a thirty (30%) percent processing fee in addition to the cost of the contractor.

SECTION 8. Fines and Penalties.

A. Any person who violates this Part shall pay a fine as set forth herein for each offense, plus all direct and indirect costs incurred by the Borough for the cleanup and abatement of the violation.

Violation	Description	Fine	Payment Due
FCO-001	Violation Ordinance	\$100.00	48 HOURS

B. Failure to remit payment within the time frame listed above, shall result in a late fee being imposed in the amount of ten (10%) percent of the ticket amount per day up to ten (10) days

C. Failure of the person to make payment within ten (10) days of the date of a violation ticket shall result in the filing of a citation, for failure to pay, with the Magisterial District Judge the cost assessed against the violator.

D. If violations are continuous or egregious, Public Officer and/or Code Officials have the right to issue citations without first issuing tickets, provided notice has been given.

E. In addition to all of the remedies, the Borough is authorized to exercise and reserves all rights of enforcement and remedies for Municipal Claims and Tax Liens as permitted by law.

F. In addition to assessment penalties and liens, under subsection A to E or otherwise in this Ordinance, any person who violates or permits a violation of this Ordinance, upon being found liable therefore in a civil enforcement proceeding before a district justice or magisterial district judge, shall pay a fine and/or penalty of not less than three hundred (\$100.00) dollars nor more than five hundred (\$500.00) per violation, plus all court costs, including reasonable attorney's fees incurred by the Borough in the enforcement of this Ordinance. Each day the violation exists shall constitute a separate offense. In any case where a penalty for a violation has not been timely paid, and the person against whom the penalty was imposed is found to have been liable therefore in civil proceedings, the violator shall be

liable for the penalty imposed, including additional daily penalties for attorney's fees incurred by the Borough in the enforcement proceedings. If the violator neither pays nor timely appeals the judgment, the Borough may enforce the judgment pursuant to the applicable rules of civil procedure.

G. In addition to or in lieu of a civil action before a district justice or magisterial district judge, or Court, the Borough may enforce this Ordinance in equity. The appropriate officers or agents, including Borough Council, Borough Manager, or Code Officer of the Borough are hereby authorized to seek equitable relief, including injunctions, to enforce compliance herewith.

H. The Borough shall be exempt from the payment of costs in any civil case brought to enforce this ordinance.

SECTION 9. Citation Fines.

Any person, firm, or corporation who shall fail, neglect, or refuse to comply with any of the terms or provisions of this Part, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction before the Magisterial District Judge, be ordered to pay a fine of not less than three hundred (\$100.00) dollars, and not more than one thousand (\$500.00) dollars on each offense, or imprisoned no more than ninety (90) days, or both subject to Pa R Crim P. 456 (c) and 42 Pa C.S. 9730 (b). A separate offense under this Ordinance shall be deemed to occur for each day for which a violation occurs. Nothing herein is intended to impede or restrict the prosecution of any criminal offense for any person continuing to violate the terms of this ordinance or any order to stop or desist from any illegal conduct or from being charged with any separate offense under the criminal codes or otherwise.

SECTION 10. Restitution, Costs and Attorneys' Fees

The Magisterial District Judge may order the violator to make restitution where appropriate, to pay the Borough's costs of collection/citation proceedings, and to pay the Borough's reasonable Attorneys' Fees associated with the prosecution of the same. The reasonable attorney's fees shall be at the rate of one hundred and twenty-five (\$150.00) dollars per hour. Said sum may be amended by Resolution of the Borough, from time to time.

SECTION 11. Severability If any section, clause, provision, or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this ordinance so long as it remains legally enforceable

minus the invalid portion. The Borough reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance, and the effective administration thereof.

SECTION 12. Conflicting Ordinances. Any Ordinance or part of an Ordinance conflicting with the provisions of this Ordinance shall be subordinate to this Ordinance to the extent of such conflict, and the language contained in the Ordinance shall control. Nothing herein is intended to repeal the Taylor Borough Zoning Ordinance.

SECTION 14. This Ordinance shall be effective at the earliest time permitted by law after adoption. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 15. This Ordinance is enacted by the Council of the Borough of Taylor under the Borough Code and any other applicable law arising under the laws of the State of Pennsylvania.

DULY ENACTED AND ORDAINED into law this 9th day of October 2024

ATTEST:

BOROUGH OF TAYLOR

BY:



LuAnn Krenitsky , Secretary

Kenneth F. Mickavicz, PRESIDENT

Approved by the Mayor of the Borough of Taylor, this 9th day of October 2024.

Loni Kavulich Loiselle, Mayor