Borough of Beaver, PA

Council Meeting

February 9, 2016

Minutes

* A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on February 9, 2016 at 7:00PM by President Michael Deelo.
* Pledge of Allegiance
* Council Representatives in attendance: Alexander Andres, Dan Deceder, Michael Deelo, Ron Embaugh, Walter McDermott (via phone conference), James Perini, Alex Sebastian, Pat Sims, Sean Snowden. Borough officials in attendance: Director of Operations – Chuck Copeland, Mayor Tom Hamilton, Chief Dan Madgar and Solicitor - John Petrush.
* Visitors in attendance (signed in): George Kauffman, Rick Sprecker, Ray Grosskopf, Midge Sefton, Jim Woolley, Randy Morrow, Brianna D’Itri, Cheryl Hansen, Marilyn Vogel, Dave Linkimer, Judy Roberts, Cynthia Greco, Charles Roberts, Roberts Greco, Michael Malichky, Tommi Wagner, John Suter, Elaine Savoldi, Dawna & Dennis Bott

Approval of minutes

***Motion by Mr. McDermott to accept the January 12, 2016 Council meeting minutes as submitted. Seconded by Mr. Embaugh. Voice vote passed unanimously.***

**Treasurer’s Report**

* Mr. Sims explained the Treasurer’s Report and the Overview Report may not match due to timing issues of when checks clear the bank.
* Mr. Deelo requests each Committee Chair be cautious about expenditures and to stay within budget.
* January 2016 end of month reports and balances reviewed. Reports will be filed for annual audit.

**Review invoice and authorization to pay bills**

***Motion by Mr. Snowden to authorize and pay submitted invoices for the Borough. Seconded by Mr. Sebastian. Voice vote passed unanimously.***

**Public Participation –**

* Julie Finikiotis, 369 East End Avenue and other residents representing the homes of East End Avenue and Otter Lane by Saints Peter and Paul School – brought in a copy of the event calendar for the church and school for the month of February, showing 22 scheduled evening events. The residents are requesting parking by Permit Only by the school.
  + Mr. Deelo stated he will refer the topic to the Highway Committee for their review
  + Mr. Sebastian stated the Trinity Building is still awaiting the Indemnity Agreement from the Diocese of Pittsburgh that releases liability. Once that is received, their parking lot will be available after hours and on the weekends for people attending religious services at Saints Peter & Paul Church.
* George Kauffman, 100 Oak Street – The two-way traffic on the one-way road to the yard waste area is unsafe. Suggests council continue the talks with Bridgewater Council to open up the access road.
  + Chief Madgar stated Mr. Martone has several different options, including plans sketched out for a Gabion Basket system to fix the hillside. The borough is still awaiting a response from the railroad.
* Brianna D’Itri, Representation of the Student Government Association of Penn State Beaver – Requests permission to have a cardboard house simulation in April for 48 hours in one of the parks in Beaver to bring awareness to homeless issues.
  + Passed out Penn State Beaver Homelessness Simulation Proposal to council
  + Council does not have any objection since they have all the insurance required
  + Ms. D’Itri is to forward several dates to Chief Madgar
* Charles Roberts, 1094 Turnpike Street – Distributed photos of the homes adjacent to 1058 Turnpike Street which needs to be demolished.
  + The Historical Architectural Review Board denied the request for demolition.
  + The home is bringing the property value down of the well maintained homes on the block.
  + Neighbors cut down sumac trees that are growing out of the foundation due to structural damage.
  + The property is considered abandoned, at times up to eight people are staying in the home.
  + Constitutes a danger of being a fire hazard and a risk to the public’s health and safety.
* Ray Grosskopf, 1036 Turnpike Street - The home of 1058 Turnpike Street had a new roof put on in 1981, again 12 years later and is currently in need of another roof due to no insulation in the home.
* Jim Woolley, 343 Park Street – Promoting the Third Thursday on 3rd in the business district.

Mr. Deelo announced there will be an Executive Session at the end of the regular meeting to discuss a full time Borough Manager’s duties and compensation.

**Reports – Commissions**

**Council of Governments (COG) –** Reported by Mr. Deceder

December 10, 2015 meeting minutes enclosed in council packet

**Business District Authority –** No meeting in January

**Civil Service Commission –** Reported by Mrs. Sefton

Memo from the Civil Service Commission dated January 16, 2016 enclosed in council packet

**Zoning Hearing Board –** No report

**Planning Commission –**

December 14, 2015 meeting minutes and January 18, 2016 draft meeting minutes enclosed in council packet

**Tree Commission –**

January 21, 2016 Flowering Tree and Garden Program minutes enclosed in council packet

**Code Enforcement Officer Report –** Reported by Mr. Sprecker

January 2016 report and letter dated February 3, 2016 regarding property at 1058 Turnpike Street enclosed in council packet

**Historic Architectural Review Board (HARB) –**

* January 28, 2016 meeting minutes enclosed in council packet
* Elaine Savoldi, 414 Fair Avenue – Speaking on behalf of HARB regarding the property of 1058 Turnpike Street.
  + Denied the approval of the Certificate of Appropriateness (COA), demolition by neglect is not sufficient reason to remove the property and is not in the best interest of the borough.
  + HARB is concerned of what may come in its replacement
  + The home can be rehabbed if purchased at the right price

**Council Committee Reports**

**Public Safety –** Reported by Mr. Snowden

January 27, 2016 meeting minutes enclosed in council packet

**Finance –** No January meeting

**Highway –** Reported by Mr. McDermott

* January 28, 2016 meeting minutes enclosed in council packet
* February 15, 2016 will be advertising for bid for the 2016 Paving Program
* Paving Program is aggressive to repave and refresh our streets. Hope to come in under budget in order to use the monies towards the hill by the riverfront property
* Mr. Sims – Water leak equipment has been purchased and borough employees have been trained how to operate the equipment. This will insure there are no water leaks prior to paving. If so, the leaks will be repaired.
  + Mr. Copeland has contacted Columbia Gas to make sure they inspect the street

**General Government –** Reported by Mr. Andres

* January 26, 2016 meeting minutes enclosed in council packet
* Thanked Bob Rice & Dave O’Leary for the incredible amount of work put into the Comprehensive Plan. Their dedication and time saved the borough a considerable amount of money.

**Code Enforcement –** Reported by Mr. Sebastian

Reviewed the January 25, 2016 meeting minutes enclosed in council packet

**Recreation –** Reported by Mr. Embaugh

February 2, 2016 meeting minutes enclosed in council packet

**Water & Sewer –** Reported by Mr. Sims

January 20, 2016 meeting minutes enclosed in council packet

**Reports**

**Manager’s Report –** Reported by Chief Madgar

Reviewed the January 2016 report distributed to council

**Director of Operations Report –** Reported by Mr. Copeland

Reviewed the February 9, 2016 report enclosed in council packet

**President’s Report –** Reported by Mr. Deelo

* Beaver Planning Commission Comprehensive Plan Review 2015 enclosed in council packet
  + Last review was in 2001
  + Approval process need to be carefully handled
  + Asked Mr. Petrush to submit the document to the Beaver County Planning Commission for their review.
  + Mr. Petrush will advise when council is to vote.
  + Priority position for grants
* Shell update:
  + Community Outreach Program
  + Telephone conference call every other Thursday to receive updates of construction projects
  + Impact of retaining wall

**Mayor Hamilton –** No report

**Police Chief Madgar –** No report

**Fire Department –** Reported by Mr. Perini

January 2016 report enclosed in council packet

**Emergency Management Coordinator –** No report

**Borough Engineer and Water/Sewer Engineer -**

January 2016 monthly reports enclosed in council packet

**Solicitor Petrush –**

Worked on the following:

* Litigation – Code Enforcement of 418 Fair Avenue
* Claims and Liens
* Possible real estate purchase
* Proposed Ticketing Ordinance
* Police Pension Plan
* Zoning Ordinance
* Right-To-Know Law
* Appointment of Independent Auditor
* Position of Borough Manager
* Trinity Office Building
* Business Privilege Tax

**Old Business**

**Motion – Ordinance amending Chapter 1, Part 5.C. of the Code of Ordinances, relating to a Police Pension Plan**

***Motion by Mr. Sebastian that the attached Ordinance amending Chapter 1, Part 5.C. of the Beaver Code of Ordinances relating to a Police Pension Plan is hereby approved, adopted and enacted, and that the President of Council is hereby directed to obtain the full execution thereof. Summary: Section1: Amends Section 1-534.2 to specify the amounts of monthly increments to pension benefits for plan participants who complete from 26 to 30 full years of service. Section 2: Repeals any inconsistent ordinance. Section 3: Specifies an effective date of January 1, 2016. Seconded by Mr. Snowden. Roll call vote: Mr. Embaugh – Yes, Mr. Perini – Yes, Mr. Sims – Yes, Mr. Deceder – Yes, Mr. Sebastian – Yes, Mr. Andres – Yes, Mr. McDermott – Yes, Mr. Snowden – Yes, Mr. Deelo – Yes. Motion passed on the indicated roll call vote, 9-0.***

**Motion – Ordinance amending Chapter 5 of the Code of Ordinances, relating to Code Enforcement**

***Motion by Mr. Snowden that the attached Ordinance amending Chapter 5 by adding a new Part 2 entitled “Ticketing Process” of the Beaver Code of Ordinances relating to Code Enforcement is hereby approved, adopted and enacted, and that the President of Council is hereby directed to obtain the full execution thereof. Seconded by Mr. Sebastian. Roll call vote: Mr. Perini – Yes, Mr. Sims – Yes, Mr. Deceder – Yes, Mr. Sebastian – Yes, Mr. Andres – Yes, Mr. McDermott – Yes, Mr. Snowden – Yes, Mr. Deelo – Yes, Mr. Embaugh – Yes. Motion passed on the indicated roll call vote, 9-0.***

**Motion – Ordinance amending Chapter 27 of the Code of Ordinances, relating to Zoning**

***Motion by Mr. Sebastian that the attached Ordinance amending Chapter 27, Part 2, Section 27-202 (entitled Meaning of Words) of the Beaver Code or Ordinances relating to Zoning is hereby approved, adopted and enacted, and that the President of Council is hereby directed to obtain the full execution thereof. Summary: Section 1: Amends Section 27-202 of Chapter 27 by revising the definition of the term “Family”. Section 2: Repeals any inconsistent ordinance. Section 3: Identifies the legal basis for the ordinance. Section 4: Specifies an immediate effective date. Seconded by Mr. McDermott. Roll call vote: Mr. Deelo – Yes, Mr. Snowden – Yes, Mr. McDermott – Yes, Mr. Andres – Yes, Mr. Sebastian – Yes, Mr. Deceder – Yes, Mr. Sims – Yes, Mr. Perini – Yes, Mr. Embaugh – Yes. Motion passed on the indicated roll call vote, 9-0.***

**New Business**

**Motion – Partial release of Performance Bond for the Trinity Office Building**

***Motion by Mr. Embaugh that The Ingros Family, LLC performance bond for Trinity Office Building land development on Third Street and Wilson Avenue be reduced from $465,985.78 to $1,265.00. Seconded by Mr. Perini. Voice vote passed unanimously.***

**Motion – Revision to Ordinance #772**

***Motion by Mr. Perini to authorize the Solicitor to revise the language of Ordinance # 772, Section 1 per the state pension audit on September 10, 2015. Seconded by Mr. McDermott. Voice vote passed unanimously.***

**Motion – Revision to Zoning Ordinance**

***Motion by Mr. Perini to authorize the Solicitor to prepare an ordinance embodying the proposed changes to the Zoning Ordinance recommended by the Planning Commission (reference attached letter dated February 1, 2016 from Dan Martone) and presenting back to council for their review at the March 2016 meeting. Seconded by Mr. Snowden. Voice vote passed unanimously.***

**Motion – Atcheson Plan of Consolidation**

***Motion by Mr. Deceder that Beaver Borough Council approve the attached proposed Atcheson Plan of Consolidation for I. David Atcheson and DeLana Atcheson, 247 & 255 Third Street, GCE zoning district. Reference letter from Dan Martone dated February 3, 2016. Seconded by Mr. Sebastian. Voice vote passed 8-1, Mr. Andres voted No.***

**Motion – Application for Demolition Certificate of Appropriateness Beaver Historical Architectural Review Board (HARB)**

***Motion by Mr. Snowden that Beaver Borough Council approve the attached Certificate of Appropriateness to demolish on 1058 Turnpike Street, Beaver, PA. Seconded by Mr. Sebastian. Voice vote passed unanimously.***

Public Session ended at 9:10PM to enter into Executive Session to discuss a full time Borough Manager’s duties and compensation.

Executive Session ended at 10:15PM

***Motion to adjourn by Mr. Perini, Seconded by Mr. Sims. Voice vote passed unanimously.***

Submitted by Debbie Hindman