

Borough of Beaver, PA
Council Meeting
July 14, 2015
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on July 14, 2015 at 7:00PM by President Michael Deelo.
- Pledge of Allegiance
- Council Representatives in attendance: Lauson Cashdollar, Dan Deceder, Michael Deelo, Ron Embaugh, Walter McDermott, James Perini, Alex Sebastian, Pat Sims. Borough officials in attendance: Borough Manager – Adam Rathbun, Director of Operations – Chuck Copeland, Mayor Tom Hamilton, Chief Dan Madgar and Solicitor - John Petrush. Absent: Alexander Andres
- Visitors in attendance (signed in): Midge Sefton, David Hartzell, George Kauffman, Sean Snowden, Jack Manning, Vicki Shane, Jeff Hamilton, Marilyn Vogel, Kim & Nolan Grimes, Mark O’Leary, Rick Sprecker, Gisela Reichel, Judy Reina, Billie Riley, Marilyn Stanko, Chad Whelpey, Cheryl Duplaga, Rick Nicol, Charles Casbourne

Approval of minutes

Motion by Mr. Deceder to accept the June 9, 2015 Council Meeting minutes as submitted. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Treasurer’s Report

- June 2015 end of month reports and balances reviewed. Reports will be filed for annual audit.
- Mr. Perini questioned the electric rates
 - Mr. Rathbun stated the Duquesne Electric distribution rate increased, however, there is a savings on the usage rates.

Review invoice and authorization to pay bills

- Mr. McDermott questioned the Lindy Paving invoice
 - The Borough Manager and Director of Operations will research what the service was for prior to approving payment.
- ***Motion by Mr. McDermott to authorize and pay submitted invoices for the Borough. Seconded by Mr. Cashdollar. Voice vote passed unanimously.***

Public Participation –

- George Kauffman, 100 Oak Street –
 - Suggests council to move forward on the demolition of the two steel homes on the corner of Oak Street and Third Street
 - Suggests council request Norfolk Southern Railroad stop the trains before the Beaver crossing section

- Suggests council award a contract for the tree removal of trees on River Road blocking views in front of benches.
- Gisela Reichel, 767 5th Street – Questioned the status of correcting the problem of the storm drain problem in the garage behind Jefferson Trace Apartments.
 - Mr. Copeland stated sometime in the past a private individual placed a dry well in the borough maintained part of Bradshaw Alley for a solution to a drainage problem. A private garage had been constructed on the northern part of the alley which connects to Fifth Street. Originally the garage had a trench drain in the center of the floor which was later filled with concrete. The problem could be corrected by removing the concrete and replacing it with a drain pipe which would connect the dry well with an existing storm sewer on Fifth Street. Also, the property is being sold and a condominium association is being formed on July 20, 2015. At this point, the garage built over the alley will become common property to the condominium association. He would like an agreement resolving the water problem between the condominium association and the borough prior to the formation of the condominium association.
 - Mr. Deelo stated Mr. Copeland needs to coordinate all plans with the Borough Engineer and Solicitor.
- David Hartzell, 106 cottonwood Drive, Brighton Township – Explained the purpose of the non-profit Christian organization “Through His Hands” to council.
- Rick Granati, 391 Laura Street – Distributed a preliminary sketch of a mural that he would like to paint on the side of the Bistro and Health Mart Drug store.
 - Mr. Rathbun explained that the property owner would need to complete a permit application to Dan Martone.
 - Jack Manning suggested they also inform the Business District Authority and the Street Scape Committee of their plans.
- Billie Riley, 1095 Seventh Street – Thanked Mayor Hamilton and Chief Madgar for their prompt response regarding her statements at last month’s council meeting regarding soliciting after hours and the non-emergency line. She was unaware that a similar call was made prior to hers in which police were already in the area.
 - Chief Madgar explained the message on the non-emergency line has been updated and an article will also be placed in the next newsletter informing residence of the proper phone numbers to contact.
 - Mr. Rathbun stated eight “No Soliciting” signs will be placed at all entrances into town
- Judy Reina, 143 Taylor Avenue – A resident near her home is feeding stray feral cats which is causing a problem in the neighborhood.
 - Rick Sprecker stated an animal control ordinance is being reviewed
 - Sgt. McCoy stated he will investigate and make a report
 - Chad Whelpey, 1091 5th Street suggested contacting the Humane Society, they may catch and neuter the cats for free.
- Jarrod Thomas, 186 Taylor Avenue – Thanked everyone involved in making the Community Day a success.
 - Mr. Deelo thanked Mr. Thomas for all the work he and the many volunteers dedicated to the event.

Reports – Commissions

Council of Governments (COG) – No report

Business District Authority – Reported by Mark O’Leary

- May 2015 meeting minutes enclosed in council packet
- Explained the parking study of the business district wanting to create more free parking
- Mr. Petrush stated the ordinance is drafted and will be ready for voting during the August council meeting.
- **Motion – Authorizing and directing the Borough Manager and Borough Solicitor to arrange the removal of all parking meters from College Avenue and Insurance Street and impose 2 hour parking limits on those College Avenue and Insurance Street and impose 2 hour parking limits on those College Avenue an Insurance Street parking spaces and further directing the Solicitor to make any and all revisions to existing ordinances to fully implement and legitimize these changes.**

Motion by Mr. Cashdollar that the Borough Manager and Solicitor be and are directed and authorized to finalize any and all arrangements including changes in ordinances necessary to remove all parking meters from College Avenue and Insurance Street and to impose a two-hour parking limit on those College Avenue and Insurance Street parking spaces. When such ordinances are passed, they are to direct the removal of those parking meters. Seconded by Mr. McDermott. Voice vote passed unanimously.

Civil Service Commission – No report

Zoning Hearing Board – Reported by Mr. Sprecker

- A Zoning Hearing was held on June 25, 2015 regarding 1069 Third Street and 295 Third Street, both seeking sign related variances.
 - Decision:
 - Denied the application for 1069 Third Street
 - Approved the application for 295 Third Street

Planning Commission – No meeting in June

Tree Commission –

June 22, 2015 meeting minutes enclosed in council packet

Code Enforcement Officer Report – Reported by Richard Sprecker
June 2015 report enclosed in council packet

Historic Architectural Review Board (HARB) – No meeting in June

Council Committee Reports

Public Safety – Reported by Mr. Perini

Reviewed the June 22, 2015 meeting minutes enclosed in council packet

Finance – Reported by Mr. Perini

Reviewed the June 17, 2015 meeting minutes enclosed in council packet

Highway – Reported by Mr. McDermott

- July 2, 2015 meeting minutes enclosed in council packet
- Rick Nicol, 334 5th Street – Regarding the Fifth Street Curb and Sidewalk Paving Project
 - Stated he did not sign the contract, however, his curb and sidewalk were removed and replaced. Part of his sidewalk was removed by Columbia Gas in the past and if it was not meet specification then he should not be responsible for the replacement. He also asked for confirmation of a “not to exceed amount” which he never received.
 - Mr. Cashdollar explained the borough could not confirm any “not to exceed amounts” with any resident, only an estimated amount. He also stated he will meet with Mr. Nicol to arrive at a decision which will work for both the borough and him.

General Government – No scheduled meeting in June

Code Enforcement – Reported by Mr. Cashdollar

- Reviewed the June 30, 2015 meeting minutes enclosed in council packet
- Regarding the demolition requests of the two properties owned by Dr. Zambelli on Third Street
 - Owner was not informed that the application was not completed correctly when it was turned into the office. Due to borough error, we should approve the demolition permit tonight for the non-conforming property and convey to Dr. Zambelli that more information is required for the second property.
 - ***Motion by Mr. Cashdollar for the Beaver Borough Council approve the regular Demolition Permit for 1585 Third Street owned by Dr. Zambelli. Rick Sprecker to deliver the permit and advise Dr. Zambelli that we are working with HARB regarding the additional information required for 1599 Third Street. Seconded by Mr. Embaugh. Voice vote passed unanimously.***
 - ***Motion by Mr. Cashdollar the Beaver Borough Council formally request Mr. Bob Rice and HARB to waive the time limits for submitting to HARB a Certificate of Appropriateness for 1599 Third Street and act upon it as soon as possible. Seconded by Mr. McDermott. Voice vote passed unanimously.***

Recreation – July meeting cancelled

Water & Sewer – Reported by Mr. Sims

Reviewed the June 17, 2015 meeting minutes enclosed in council packet

Reports

Manager’s Report – Reported by Mr. Rathbun

- Reviewed the June 10 – July 10, 2015 report enclosed in council packet
- Distributed “Building Study for Borough of Beaver” by Franus Architectural Associates, Inc. to each council member.

Director of Operations Report – Reported by Mr. Copeland

- Reviewed the July 14, 2015 report enclosed in council packet
- Access Road update – dealing with the Norfolk Southern Railway to try and determine the property line and who owns the road.
 - Detour is in place until the landslide can be fixed.

President’s Report – Reported by Mr. Deelo

- Letter from Beaver Area Heritage Foundation, dated July 7, 2015, thanking Council for their support for the “Concert in the Park” on July 5, 2015.
- Read letter of resignation from Adam Rathbun dated July 14, 2014
 - **Motion to accept the resignation of Manager Adam Rathbun with regret**
Motion by Mr. Cashdollar that the Borough accept with regret the resignation of Adam Rathbun as Borough Manager and from all other offices and positions held in and through the Borough effective at 4:30PM prevailing local time on August 7, 2015. I move further that this action be taken with regret. Seconded by Mr. Sebastian. Voice vote passed unanimously.
 - **Motion approving and adopting the attached resolution appointing Deborah Hindman Assistant Borough Secretary**
Motion by Mr. Cashdollar that the attached Resolution appointing Deborah Hindman as Assistant Beaver Borough Secretary be and is hereby approved and adopted and that the appropriate Borough Officers and Officials promptly execute the said attached Resolution in full. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Mayor Hamilton – No report

Police Chief Madgar –

- Copies of several obituaries of young adults losing their lives due to drugs and news article “Pace of Westmoreland drug deaths historic” –enclosed in council packet
- There are several old nickel and dime parking meters taking up storage. Researched the internet and found they can be sold for \$40 to \$50 each. He suggests trying to sell them at the August 1st car show.
 - **Motion by Mr. Cashdollar that the Police Chief be authorized to have employees sell the nickel and dime parking meters if possible for \$40 to \$50 each. Depending on sales, has permission to lower the price to \$30. Seconded by Mr. Sebastian. Voice vote passed unanimously.**
- Informed the Director of Operations that some of the white crossing lines are slippery, some residents are slipping and falling.
- With the Access Road being closed for repair, he suggests the Director of Operations meet with Eaton Corporation to discuss a temporary winter storage area on their property for our winter salt shed and equipment.

Fire Department – Reported by Mr. Perini

June 2015 report enclosed in council packet

Emergency Management Coordinator – No report

Engineer –

June 2015 monthly report enclosed in council packet

Solicitor Petrush –

Stated he is still working on the case file of 418 Fair Avenue

Old Business

Motion – Approving and directing the Manager to execute and distribute the attached Memorandum of Understanding between Beaver Borough and the Beaver County Transit Authority (BCTA) providing that the BCTA will upgrade and replace two bus passenger shelters and a bus passenger bench located on Third Street in Beaver Borough

Motion by Mr. Cashdollar that the attached Memorandum of Understanding between Beaver Borough and the BCTA providing that the BCTA will replace and upgrade two bus passenger shelters and one bus passenger bench on Third Street in the Borough at its expense and further that the Borough Manager is directed to execute that Memorandum of Understanding and to provide a copy to the BCTA. Seconded by Mr. Deceder. Voice vote passed unanimously.

Motion – Authorizing and directing the Borough Solicitor to develop and draft a Ticketing Ordinance to supplement Beaver Borough’s Code Enforcement program.

Motion by Mr. Cashdollar that the Borough Solicitor be and authorized and directed to develop and draft a Quality of Life Ticketing Ordinance for submission to the Council for consideration using materials provided by his own research and materials provided by the Code Enforcement Committee. Seconded by Mr. McDermott. Voice vote passed unanimously.

New Business

Motion – Approving and enacting an amendment to Chapter 24 of Beaver’s Code of Ordinances in order to empower the Borough to change the person or entity collecting its per capita tax

Motion by Mr. Cashdollar that the attached Draft Ordinance amending Chapter 24 of Beaver Borough’s Code of Ordinances, which will permit Beaver Borough to change the person or entity collecting its per capita tax, be and is hereby approved and enacted and further that the President of Council and the Borough Secretary promptly execute the same and submit it to the Mayor for his action thereon. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion by Mr. Cashdollar that Beaver Borough Council adopt and obtain the full execution of the two attached resolutions and agreements relating to the retaining of Berkheimer to collect Per Capita Taxes of Beaver Borough. Seconded by Mr. McDermott. Voice vote passed unanimously.

Motion – Approving the request of Beaver Borough’s tax collector to appoint a Deputy Tax Collector and authorizing and directing the Council President to execute the original of the attached “Appointment of Deputy Tax Collector Form” and provide it to Maureen Bostwick for further handling

Motion by Mr. Cashdollar that the request of Beaver Borough's tax collector, Maureen Bostwick, to appoint a Ellen Nixon as her Deputy be and is hereby approved and that the Council President is authorized and directed to sign the original of the attached "Appointment of Deputy Tax Collector Form" and provide it to Ms. Bostwick for further handling. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion – Authorizing and directing the Borough Solicitor to develop and draft a Flood Plain Hazard & Permitting Ordinance sufficient to satisfy F.E.M.A. requirements and further to advertise the same for council consideration and action at the regular August meeting of Beaver Borough Council
Motion by Mr. Cashdollar that the Borough Solicitor be and is authorized and directed to develop and draft a Flood Plain Hazard and Permitting Ordinance sufficient to satisfy the requirements of the Federal Emergency Management Agency and to advertise said draft ordinance for Council's consideration and action at the Council's regular August meeting. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Motion to adjourn by Mr. Embaugh, Seconded by Mr. McDermott. Voice vote passed unanimously.

Adjourned at 9:20PM

Submitted by Debbie Hindman