

Borough of Beaver, PA
Council Meeting
August 12, 2014
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on August 12, 2014 at 7:04PM by President Michael Deelo.
- Pledge of Allegiance
- Council Representatives in attendance: Alexander Andres, Lauson Cashdollar, Michael Deelo, Ron Embaugh, Walter McDermott, James Perini, Pat Sims. Borough officials in attendance: Borough Manager – Adam Rathbun, Director of Operations – Chuck Copeland, Mayor - Tom Hamilton and Solicitor - John Petrush (arrival 7:10). Absent: Dan Deceder, Jarrod Thomas, Police Chief Dan Madgar
 - Quorum is present, authorized to conduct the meeting.
- Visitors in attendance (signed in): Midge Sefton, Carl Baker, Dwayne Mihalow, George Kauffman, Judy Cashdollar, Jeff Hamilton, Rick Sprecker, Elaine Savoldi, Theresa Taylor, Lara Cottrill, Charles Casbourne, Aidan McKean, Jeff & Anne Ingros, Dave Summers, Gavan Pamer, Brian Giffin, Jodie Tavernaris, Joanne Bradshaw, Sue Winters, John and Lyn Nace, Jeffrey McCandless, Eric Laughlin, Tommi Wagner, Ruthie Russell

Approval of minutes

Motion by Mr. McDermott to accept the July 8, 2014 Council Meeting minutes as submitted. Seconded by Mr. Sims. Voice vote passed unanimously.

Treasure's Report

July 2014 end of month reports and balances reviewed.

Motion by Mr. Perini to accept the July 2014 end of month reports. Seconded by Mr. Embaugh. Voice vote passed unanimously.

- Will be filed for annual audit

Review invoice and authorization to pay bills

Motion by Mr. McDermott to authorize and pay submitted invoices for the Borough. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Public Participation –

- Lara Cottrill, 735 Ohio River Blvd., Pittsburgh – Requests to have another Arts Festival next year on Saturday, June 27, 2015 if available.
 - Mr. Rathbun stated the office will check availability.
- Elaine Savoldi, 414 Fair Avenue and Theresa Taylor, 408 Fair Avenue –

- Questioning status of 418 Fair Avenue – July 30, 2013 structure was condemned. During the September 10, 2013 council meeting the Solicitor was directed to pursue enforcement action against the property. No improvements have been made.
 - Mrs. Savoldi distributed two handouts to council members regarding “Procedure to Condemn” and “Blight”.
 - Wants to make sure the property remains zoned as R1.
- Mr. Petrush stated he had provided all the information to Mrs. Savoldi’s Right to Know Request. Per Randy Morrow, Code Enforcement Officer, he is in contact with the owner and progress is being made.
- Mr. Deelo stated the Code Enforcement Committee is concerned with the level of enforcement and will be providing recommendations.
- Mr. Cashdollar (acting as Chair of the Code Enforcement Committee in Mr. Deceder’s absence) stated the committee is discussing hiring additional code enforcement officers since the borough only has one code enforcement officer.
 - Need to develop internal workings regarding the enforcement administration.
 - The Committee also wants the 418 Fair Avenue property matter resolved.
 - Code Enforcement meetings are held the fourth Monday of each month at 1:00PM.
- Jodie Tavernaris, 478 4th Street and Sue Winters, 427 Wayne Street, Apt. D
 - Regarding parking issues on Wayne Street
 - Requests “Parking by permit only” on Wayne Street between Third and Fourth Streets. The majority of the business employees park on Wayne Street using residents parking spaces.
 - Mr. Deelo requests the Highway Committee put this issue on their agenda to discuss.
 - Trees in Bouquet Park are being vandalized. One of which Ms. Tavernaris purchased in memory of her father. Ms. Winters approached the children and turned the names into the police.
 - Sgt. McCoy will look into the matter and discuss with Ms. Winters.

Reports – Commissions

Council of Governments (COG) – No Report

Business District Authority – No Report

Civil Service Commission – No Report

Zoning Hearing Board – No Report

Planning Commission – Letter dated July 20, 2014 from Dan Martone, Borough Engineer, to the Planning Commission regarding the 2nd review of the proposed Trinity Office Building Land Development Plan enclosed in Council packet.

- Dwayne Mihalow, representative from Baker Worldwide Consulting LLC, gave a presentation of the final drawings of the proposed Trinity Office Building.

- Mr. Deelo – Meets all requirements of the Zoning Ordinance
- Jeff Ingros, 170 Beaver Street – Thanked Council
- Mr. Petrush – Drafted the required Development Agreement for review
 - Mr. Baker stated Mr. Martone will review the agreement and contact Mr. Petrush

Tree Commission – June 23, 2014 meeting minutes enclosed in Council packet

- Mr. Perini – Questions if there is an outcome regarding item 3 of the meeting minutes (“Discussion of response to Councilman Cashdollar’s inquiry regarding funds used by Tree Commission; discussion regarding description regarding independent and distinct fund created by interested parties for Dave Williams.”)
 - Mr. Kauffman stated that Mr. Colavincenzo would need to respond to his question.
 - Mr. Cashdollar stated the Finance Committee in turning this over to the auditors. However, side accounts are not permitted; all funds must be run through the borough accounts.
- Mr. McDermott questions who has the final decision of where a tree will be planted on borough property.
 - Mr. Kauffman stated Mr. Rathbun sent an email to the Tree Commission requesting them to discuss the placement with the home owners that it may impact prior to the planting.
 - Mr. Rathbun stated the reason for the email was due to a letter he had received from a law firm regarding a particular situation.
 - Mr. Cashdollar stated the landowner has no inherent right to control what or where trees are planted on the borough strip. However, there can always be justification.
 - Mr. Deelo stated that the Council has empowered the Tree Commission to look out for the best interest of certain areas, including River Road Park.

Code Enforcement Officer Report – Monthly report enclosed in Council packet

Historic Architectural Review Board (HARB) – No Report

Council Committee Reports

Public Safety – July 28, 2014 meeting minutes enclosed in Council packet

Finance – No July meeting

Highway – Reported by Mr. McDermott

- August 7, 2014 meeting minutes and calendar enclosed in Council packet
- Created a Regular Annual Calendar which will be helpful in keeping paving and road projects on schedule.
- Beaver Borough 2014 Road Paving Project – Bids are due August 20, 2014 and will be opened August 21, 2014 at 3:45PM.

General Government – Reported by Mr. Andres

- No July meeting
- July 17, 2014 - Shell Corporation held a community meeting at the Borough Community Room

- Codification update – All ordinances have been scanned and should be available on line within 30-45 days.

Code Enforcement – Reported by Mr. Cashdollar

- Reviewed the July 28, 2014 meeting minutes enclosed in Council packet

Recreation – Reported by Mr. Embaugh

- No August meeting
- There will be an Aqua Zumba class held at the Beaver Pool on Friday, August 15, 2014, from 9:30AM to 10:30AM; cost is \$8.00 per person.

Water & Sewer – Reported by Mr. Sims

- Reviewed the July 16, 2014 meeting minutes enclosed in Council packet
- ***Motion by Mr. Sims for Beaver Borough to pay 50% of the \$11,700.00 invoice for the work completed at 499 Lincoln Avenue; payment of \$5,850.00. Seconded by Mr. Perini.***
 - Mr. Cashdollar stated this is a fair resolution for the waterline replacement, gas line repair and new sidewalks.
 - Mr. Sims stated the Borough Manager, Water & Sewer Engineer and the Solicitor will be reviewing the Rules and Regulations and possibly reinstating the Rules and Regulations that were active when the Water Authority existed.
 - After council discussion; ***Voice vote passed unanimously.***
- Sewer Line Repair Project – Robinson Pipe televised Third Street and Galey Blvd area and found cracks in 13 sewer lines under Third Street. Some, if not all, could collapse during the paving project on Third Street due to the vibration of the machinery. If attention is not taken soon, the pipe may not be able to lined and Third Street will need to dug up to replace the lines.
 - Mr. Rathbun - Received a \$167,000.00 quote – through Costars, therefore, no bid is required.
 - Mr. Deelo – Procedural comment: For imminent danger, the Borough Manager has the authority to move immediately and does not need the approval of Council. If not imminent danger, then it should be discussed with the Water & Sewer Committee then brought to Council.
- ***Motion by Mr. Sims for Beaver Borough to authorize the \$167,000.00 expenditure to fix sewer lines on Third Street pending a meeting with the Borough Manager, Borough Water & Sewer Engineer and three members of council, Mr. McDermott, Mr. Perini and Mr. Sims on Friday, August 15, 2014. Seconded by Mr. Perini. Voice vote passed unanimously.***

Reports

Manager's Report – Reported by Borough Manager, Mr. Rathbun

- Reviewed the July 2014 report and Budget Request form enclosed in Council packet
- Mr. Cashdollar requested the template for the budget be forwarded to each committee.

Director of Operations Report – Reported by Mr. Copeland

- Reviewed the August 12, 2014 report enclosed in Council packet

President's Report – Reported by Mr. Deelo

- Announced there will be an Executive Session to review the collective bargaining agreement and to discuss personnel matter relating to a specific individual.
- Announced the Pennsylvania State Association of Boroughs (PSAB) 2014 Fall Leadership Conference will be held in Gettysburg on October 17th – 19th. All council members, Borough Manager and the Mayor are invited to attend. If interested in attending, please let Vicki know.

Mayor Hamilton – No report

Police Chief Madgar – Sgt. Ken McCoy reporting in Chief Madgar's absence

- Construction on Third Street has started – try to avoid Third Street between the hours of 9:00PM and 7:00AM since it will be restricted to one lane.
- Approximately 40 vehicles have been broken into over the last several weeks. Please keep vehicles locked and contact the police if you see anything suspicious.

Fire Department – July 2014 report enclosed in Council packet

Emergency Management Coordinator – August 6, 2014 report enclosed in Council packet

Engineer – August 6, 2014 report by Dan Martone in Council packet

Solicitor Petrush –

- Several internal memos have been written and distributed to council members for informational purpose.
- On Council's behalf, took the initiative to advertise the ordinance relating to the Motor Vehicles and Traffic Ordinance.

Old Business

New Business

Motion – Amending Chapter 15 of the Code of Ordinances, relating to motor vehicles and traffic
Motion by Mr. McDermott that the Borough of Beaver Council approve the proposed ordinance as prepared by the Borough Solicitor amending Chapter 15 of the Code of Ordinances, relating to motor vehicles and traffic. Summary: Section 1) Amends Sections 304 and 306.1 of Part 3, of Chapter 15 on Motor Vehicles and Traffic, to prohibit parking at all times on both sides of Third Street between Wilson Avenue and East End Avenue. Section 2) Repeals any inconsistent ordinance. Section 3) States the legal authority for the ordinance. Section 4) Specifies an immediate effective date. Seconded by Mr. Cashdollar. Voice vote passed unanimously.

Motion – Approving the Trinity Office Building Land Development Plan

Motion by Mr. McDermott that the Borough of Beaver accepts the Borough Engineer’s recommendation for approving the Trinity Office Building Land Development Plan on Third Street and Wilson Avenue. Approval is conditioned upon compliance with the attached restriction proposed by the Borough Engineer. 1) Satisfaction of the items appearing in the Borough engineer’s review letter dated July 20, 2014. 2) Execution of a development agreement with the appropriated posted bonds. 3) Satisfaction of the Beaver County Planning Commission recommendations. 4) Recordation of the land development plan in the Beaver County Recorder of Deeds office. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion – Permission to hang banner at the Holy Trinity Evangelical Lutheran Church

Motion by Mr. Cashdollar that the Borough of Beaver Council confirm the conditional approval to the Holy Trinity Evangelical Lutheran Church to display a banner from August 8th to August 24, 2014. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Motion – Construction of bathroom facility near the swimming pool on Borough property

Motion by Mr. McDermott that we ask the solicitor to prepare an agreement with the Beaver Area School District (BASD) to allow construction of an 800 sq. ft. bathroom facility on Borough property near the swimming pool concession stand. Site preparation, construction cost and cost of utility lines to be paid by BASD. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion – Beaver Area Heritage Foundation – Property Tax

Motion by Mr. Cashdollar that the Borough of Beaver exonerate the Beaver Area Heritage Foundation from Beaver Borough property tax for 2014 on the former P&LE train station, parcel number 14-001-1004.002. Seconded by Mr. Sims. Voice vote passed unanimously. Mr. McDermott abstained from vote (President of the Heritage Foundation).

Motion – 2014 Minimum Municipal Obligation (MMO) for Police and Municipal Employees

Motion by Mr. McDermott that the Borough of Beaver Council approve the attached Resolution as prepared by the Borough Solicitor relating to the 2014 Minimum Municipal Obligation (MMO) for Police and Municipal Employees. Seconded by Mr. Andres. Voice vote passed unanimously.

Motion – Winter Traffic Services for 2014-2019

Motion by Mr. McDermott that the Borough of Beaver Council approve the attached Agreement and corresponding resolutions to provide winter traffic services for PennDOT on State roads within the Borough for years 2014-2019. Seconded by Mr. Cashdollar. Voice vote passed unanimously.

Motion – Krehnovi Plan – Lot consolidation

Motion by Mr. Cashdollar to approve the Krehnovi Plan for lot consolidation subject to the conditions set forth in the Borough Engineer’s letter of July 19, 2014 (letter attached). Seconded by Mr. Perini. Voice vote passed unanimously.

Mr. Deelo requested a moment of silence in remembrance of Mr. Bill Cooper.

- Mr. Cooper was a prominent business leader in our community and owner of Pollock Office Supply. He was an active member of the Chamber of Commerce and Business District Authority who promoted the best interest of our borough and will be missed by all.

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

Meeting adjourned at 9:15PM to enter into Executive Session regarding the Collective Bargaining Agreement and to discuss personnel matter relating to a specific individual.

No motions will be taken after Executive Session.

Executive Session ended at 10:40PM.

Submitted by Debbie Hindman