

Borough of Beaver, PA
Council Meeting
October 14, 2014
Minutes

- A Public Hearing regarding the Cable Franchise Comcast renewal was held in the Community Room and called to order on October 14, 2014 at 6:30PM by President Michael Deelo.
- Council Representatives in attendance: Alexander Andres, Lauson Cashdollar, Dan Deceder, Michael Deelo, Ron Embaugh, Walter McDermott, James Perini, Pat Sims, Jarrod Thomas. Borough officials in attendance: Borough Manager – Adam Rathbun, Director of Operations – Chuck Copeland, Mayor - Tom Hamilton, and Solicitor - John Petrush
- No members of the public were present.
- The Chair of this hearing, Lauson Cashdollar read the attached opening remarks into the record and then opened the hearing for public comment from the public at large and members of Council, public officials, and Borough Officers and employees present. No one offered any direct comments; but, Council President Deelo related a citizen's complaint concerning Comcast's refusal offer the Turner Classic Movie channel to one subscriber. The hearing chair agreed to bring this complaint to Comcast's attention via the Cohen Law Firm. There were no further comments or questions.
- Meeting adjourned at 6:35PM.
- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on October 14, 2014 at 7:03PM by President Michael Deelo.
- Pledge of Allegiance
- Council Representatives in attendance: Alexander Andres, Lauson Cashdollar, Dan Deceder, Michael Deelo, Ron Embaugh, Walter McDermott, James Perini, Pat Sims, Jarrod Thomas. Borough officials in attendance: Borough Manager – Adam Rathbun, Director of Operations – Chuck Copeland, Mayor - Tom Hamilton, Police Chief Dan Madgar and Solicitor - John Petrush
- Visitors in attendance (signed in): Judy Cashdollar, Midge Sefton, John Grosskopf, Charles Casbourne, Sally Foster, Janet Shaddick, Rick Sprecker, Tommi Wagner, Francine Mantine
- Mr. Deelo stated as advertised, there was an Executive Session held upstairs in the Council Chambers to discuss the Police Collective Bargaining Agreement from 6:00PM to 6:25PM. Then, a Public Hearing was held in the Community Room from 6:30PM to 6:35PM to review the Comcast Agreement.

Approval of minutes

Motion by Mr. McDermott to accept the September 9, 2014 Council Meeting minutes as submitted. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Treasure's Report

September 2014 end of month reports and balances reviewed.

Motion by Mr. Andres to accept the September 2014 end of month reports. Seconded by Mr. Thomas. Voice vote passed unanimously.

Will be filed for annual audit

Review invoice and authorization to pay bills

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

Public Participation –

- Sally Foster, 529 Second Street – Requested to know why there was a motion to disband the Festival Committee. The Council did not form the Committee, therefore, cannot disband it.
 - Mr. Deelo stated the motion is to research and possibly restructure the Committee.
 - After discussion with Council and Solicitor Petrush, the motion was removed from the agenda. The Finance Committee will review to see how the funds are used at their next meeting which is being held October 15, 2014 at 5:45PM and will report back to Council.

Reports – Commissions

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

September 25, 2014, Mr. Deelo, Rick Sprecker and Mr. Deceder attended a conference at the Community College of Beaver County regarding blight properties, “From Blight to Bright”.

Business District Authority – September 2014 minutes enclosed in council packet

Civil Service Commission – No Report

Zoning Hearing Board – There will be a hearing on Wednesday, October 22, 2014 at 7:00 in the Borough Community Room regarding signs for Allstate and Strassburger, McKenna, Gutnick & Gefsky.

Planning Commission – Reported by Mr. Deceder

The subdivision map regarding the Ft. McIntosh site will be discussed at the next meeting on October 20th at 7:00PM

Tree Commission – August 25, 2014 meeting minutes enclosed in council packet

- At the last council meeting, Mr. Thomas stated the Recreation Committee requested a representative from the Shade Tree Committee to attend their next meeting, no representative showed up.

- Requested the Borough Manager send an email to Phil Colavincenzo requesting his presence at the next Recreation Committee meeting held on November 7, 2014.
- Mr. Rathbun stated the bank account has been switched to the Borough, however, we still need information regarding their budget request for 2015.

Code Enforcement Officer Report – Reported by Mr. Copeland

- Monthly report enclosed in council packet
- Announced Richard Sprecker will be working with the Code Enforcement Officer

Historic Architectural Review Board (HARB) – Reported by Mr. Copeland

Received two applications for Demolition Permits. Both applications were for garage demolition, in the Historic District; but, neither structure was listed as an historic resource in the Historic District Resource Inventory. Therefore, permits were issued.

- Mr. Deelo and Midge Sefton stated their understanding was the HARB still needed to go through the formality of a review for demolition of any structure in the Historic District.
- Borough Manager and the Solicitor will review the procedure and will report back to council.

Council Committee Reports

Public Safety – Reported by Mr. Thomas

- September 22, 2014 meeting minutes enclosed in council packet
- Four security cameras are being installed at the Water & Sewer department to monitor the dump site and the building.

Finance – Reported by Mr. Perini
September meeting was cancelled

Highway – Reported by Mr. McDermott
Reviewed the October 2, 2014 meeting minutes enclosed in council packet

General Government – Reported by Mr. Andres

- September meeting was cancelled
- Beaver Area Memorial Library, Fall Fundraiser will be held November 1, 2014 at 6:30PM.
- At the August meeting, George Kauffman, representing the Tree Commission, attended the General Government meeting. Mr. Andres forwarded the information to Mr. Embaugh of the Recreation Commission.

Code Enforcement – Reported by Mr. Cashdollar

Reviewed the September 22, 2014 meeting minutes enclosed in council packet

Recreation – Reported by Mr. Embaugh

- Reviewed the October 3, 2014 meeting minutes enclosed in council packet

- Mr. Dan Martone, Borough Engineer, is currently awaiting pricing regarding the construction of a new basketball court at Shaw Park.

Water & Sewer – Reported by Mr. Sims

- Reviewed the September 17, 2014 meeting minutes and Five Year Capital Improvement Plan enclosed in council packet
- New employee for the Water & Sewer department. He is currently learning the Policies and Procedures of our facilities and is working towards certification as a licensed operator.

Reports

Manager's Report – Reported by Mr. Rathbun

Reviewed the September 2014 report enclosed in council packet

Director of Operations Report – Reported by Mr. Copeland

Reviewed the October 14, 2014 report

President's Report – Reported by Mr. Deelo

Announced the budget schedule will be discussed at the next Finance meeting, October 15th at 5:45PM. A Special Public Meeting is scheduled for October 29th at 6:30PM to review the budget before it comes to a vote on November 11th. Final authorization will be held at the December meeting.

Mayor Hamilton –

- Governor Corbett will be conducting a rally on Sunday, October 26th a 1:00PM, Irvine Park.
- Beaver will be hosting the annual Veteran's Day Parade this year. The Midland VFW will be organizing the parade.

Police Chief Madgar – Reported by Chief Madgar

Two handouts enclosed in council packet

- What is Greatness
- Letter from student

Fire Department – Reported by Mr. Perini

Reviewed the September 2014 report enclosed in council packet

Emergency Management Coordinator – No report

Engineer – September 2014 monthly report enclosed in council packet

Solicitor Petrush –

Draft of a proposed ordinance regarding jake breaking was distributed to council. Asked council to review and prepare for authorization to advertise and action at the November meeting. We have approval from PennDot to post signs. Still investigating the proper wordage of the signs.

Old Business

None

New Business

Motion by Mr. Cashdollar that the Borough Solicitor be and is authorized to advertise for consideration an ordinance amending Chapter 15 of the Code of Ordinances relating to Motor Vehicles and Traffic regarding Compression Release Engine Brake (jake break) and that this be done for the November meeting. Seconded by Mr. McDermott. Voice vote passed unanimously.

Motion – Modifying Executive Sessions

Motion by Mr. Andres that when a general meeting is recessed for an executive session that the general meeting must reconvene within 45 minutes of the called recess if action is required. There shall be no time limit for executive sessions preceding a general meeting. Time limits shall also be dismissed for executive sessions held after the general meeting, if the general meeting is adjourned. Seconded by Mr. Thomas. Roll call vote: Mr. Embaugh – Yes, Mr. Perini – No, Mr. Sims – Yes, Mr. Cashdollar – No, Mr. Deceder – Yes, Mr. Thomas – Yes, Mr. Andres – Yes, Mr. McDermott – No, Mr. Deelo – No. Motion passed on the indicated roll call vote, 5-4.

Motion – Adopting ordinance approving Cable Franchise Agreement

Motion by Mr. Cashdollar that the attached ordinance approving and authorizing the execution of the Cable Franchise Agreement between Beaver Borough and Comcast of Colorado/Pennsylvania/West Virginia, LLC be and is approved and further that the Borough of Beaver by its officials execute that Ordinance and the aforesaid Cable Franchise Agreement and that the latter be executed in triplicate. Let the record show that his action occurred after a Public Hearing on the proposed Cable Franchise Agreement. Seconded by Mr. Deceder. Voice vote passed unanimously.

Motion – Purchase of Flygt Pump for Lift Station

Motion by Mr. Sims that the Borough Manager be authorized to enter into an agreement with RAM Industrial Services, LLC for the purchase and installation of a second Flygt Dry Pit Wastewater Pump (Model NP3171.185). Cost of the pump and installation to be incurred in 2015. Seconded by Mr. McDermott.

- Mr. Sims - Approximate cost of \$28,000 through a COSTARS supplier. No competitive bidding is required,

Voice vote passed unanimously.

Motion – Approving the attached License Grants for residents

Motion by Mr. Cashdollar that the attached 2 License Grants for (a) Angela Jean Akers and (b) Dennis Ward and Diane Ward be are hereby approved and the President of Council is authorized and directed to execute the same on behalf of the Borough. The Manager is directed to deliver fully executed correct copies of these License Grants to the respective license recipients. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Motion – Restructuring the current Beaver Festival Committee

Motion removed

Motion – Bathroom Facility in Shaw Park

Motion by Mr. Cashdollar that Council approve the attached agreement between the Borough of Beaver and the Beaver Area School District (BASD) for the construction of a bathroom facility near the concession stand in Shaw Park. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion – Collective Bargaining Agreement – Police

Motion by Mr. Thomas that Council approves the Collective Bargaining Agreement (CBA) between the Borough of Beaver and the Beaver Police Association. The CBA will be effective from December 1, 2014 through December 31, 2016 subject to typographical errors being corrected by the Labor Attorney. Seconded by Mr. Sims. Voice vote passed unanimously.

Motion – Approving the attached letter contracts for sidewalks and curbing on Corporation Street

Motion by Mr. McDermott, read by Mr. Cashdollar, that the attached 2 letter agreements concerning sidewalk and curb replacement in the 900 block of Corporation Street already executed by the Manager and the homeowners be and are hereby approved and ratified. The homeowners who entered into these agreements with the Borough having received fully executed copies of the same, the Solicitor is directed to notify the respective homeowners in writing when he has filed the liens provided for therein. Seconded by Mr. Cashdollar. Voice vote passed unanimously.

Motion – Action on condemned property located at 418 Fair Avenue, Beaver, PA.

Motion by Mr. Cashdollar that Borough Manager, Borough Solicitor, Code Enforcement Officer, Director of Operation and Borough Engineer be and are hereby directed to proceed with all deliberate speed to initiate litigation and litigate all issues relating to Code violations by the condemned real property located at 418 Fair Avenue. The Manager is directed to coordinate these efforts and ensure that the litigation is initiated and pursued forthwith. Seconded by Mr. Embaugh. Voice vote passed unanimously.

Motion – Contract with Thomas C. Sickle for a Roadway Evaluation Survey

Motion by Mr. McDermott that the Borough Manager be and is authorized to execute the attached Roadway Evaluation Survey Proposal and return the same to Thomas C. Sickle for performance. Seconded by Mr. Perini. Voice vote passed unanimously.

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

Adjourned at 9:12PM.

Submitted by Debbie Hindman