

Borough of Beaver, PA
Council Meeting
November 11, 2014
Minutes

- A public hearing regarding a Conditional Use Application was held in the Community Room and called to order on November 11, 2014 at 6:30PM by President Michael Deelo.
- Council Representatives in attendance: Michael Deelo, Walt McDermott. Borough officials in attendance: Borough Manager – Adam Rathbun, Director of Operations – Chuck Copeland, Solicitor – John Petrush. Absent: Alexander Andres, Lauson Cashdollar, Dan Deceder, Ron Embaugh, James Perini, Pat Sims, and Jarrod Thomas. Borough officials: Mayor - Tom Hamilton
- Visitors in attendance: Robert Rice, Midge Sefton
- Bob Rice reported on behalf of the Planning Commission regarding the Conditional Use Application submitted by the Beaver Area Heritage Foundation located at 250 East End Avenue, to use the Train Station as an event facility.
 - Mr. Rice reviewed the conditional use standards contained in Public District Amendment (Ordinance 788 – Adopted 4/9/13) allowing such development as a permitted conditional use as follows:
 - Meet parking standard pursuant to Section 1600 Parking and Loading Standards
 - 50 line paved on site with an additional 19 on the adjacent property
 - Prohibit changing the character of the structure
 - 1.13 million dollar renovations
 - Outdoor storage area
 - Screened collection and storage area in the southeast corner of the property.
 - Conforming to signage
 - Not applicable
 - Based on these evaluations, the Planning Commission recommends approval of the Conditional Use application.
- Due to lack of council members present, Mr. Deelo suggests to delay voting until the regular scheduled meeting at 7:00PM.
- Meeting adjourned at 6:43PM.
- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on November 11, 2014 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, 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. Absent: Alexander Andres

- Visitors in attendance (signed in): Robert Rice, Midge Sefton, George Kauffman, Carol Colalella, Charles Casbourne, Diane Wakefield, Richard Sprecker, Judy Cashdollar, Cheryl Hansen, Joel Shannon, Dan Weiland, Francine Mantine
- Mr. Deelo stated as advertised, there was a Public Hearing regarding a Conditional Use application held in the Community Room to discuss the Events Center at the Train Station. Meeting was from 6:30PM to 6:43PM. Therefore, there will be a slight change in the agenda in order for council members to make a motion regarding the Conditional Use.
 - ***Motion by Mr. Cashdollar to approve the Conditional Use of Beaver Station at 250 East End Avenue, as an Event Center. Seconded by Mr. Perini. Voice vote passed unanimously. Mr. McDermott abstained from vote since he is the President of the Heritage Foundation. The Train Station is owned by the Heritage Foundation.***

Approval of minutes

Motion by Mr. Embaugh to accept the October 14, 2014 Council Meeting minutes as submitted.

Seconded by Mr. McDermott. Voice vote passed unanimously.

Motion by Mr. Cashdollar to accept the October 29, 2014 Special Meeting minutes as submitted.

Seconded by Mr. Thomas. Voice vote passed unanimously.

Treasurer's Report

October 2014 end of month reports and balances reviewed.

Motion by Mr. McDermott to accept the October 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 –

- Dan Weiland, 505 4th Street – Supports the basketball court project being discussed by the Recreation Committee.
- Carol Colalella, 333 Lincoln Avenue and Diane Wakefield, 445 Wilson Avenue – Board of Trustees of the Beaver Area Memorial Library; busiest library in Beaver County. Appreciates the support received by Council and by the fund raising events. Requests Council to increase the funding, if possible, to the library when reviewing the budget this year.

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 – Reported by Midge Sefton

Civil Service Commission will be meeting on Friday, December 5, 2014, 3:00PM at Attorney Rackley’s office on Commerce Street.

- Eligibility List needs to be extended by January 5, 2015.

Zoning Hearing Board – Reported by Richard Sprecker

Two hearings were held on October 22, 2014 regarding sign variances for Allstate, 320 College Avenue and Strassburger, McKenna, Gutnick & Gefsky, 525 3rd Street.

- Solicitor Petrush stated the Allstate variance was approved based on the condition that the current neon sign be removed.
 - Mr. Sprecker will follow-up with Allstate.

Planning Commission – Reported by Mr. Deceder

- Reference to Mr. Martone’s report dated November 5, 2014 regarding the Bar Acquisitions, LLC Plan of Subdivision, 855 Second Street.
 - The Plan of Subdivision was revised from “proposed 5’ wide easement for road purposes and public use of walk” and “proposed 20’ wide easement” to having the word “proposed” deleted from the easement language and from the line and curb table.
 - ***Motion by Mr. Cashdollar that Council approve Blaine Roberts resubmitted plan, approved the Beaver Borough Planning Commission on October 20, 2014 and be approved finally expressly conditioned upon satisfaction of the items appearing in the Borough Engineers review letter dated November 5, 2014. Seconded by Mr. Deceder. Voice vote passed unanimously.***
- Reference to Mr. Martone’s report dated November 5, 2014 regarding the Plan of Lot Consolidation for the Kwik Fill gas station.
 - The gas station is located on two separate and contiguous parcels of land with the common boundary line between the parcels passing through the existing 1 story glass and brick building. This will combine the two tax parcels into 1 tax parcel.
 - ***Motion by Mr. Deceder to approve the Kwik Fill consolidated plan as presented. Seconded by Mr. McDermott. Voice vote passed unanimously.***

Tree Commission – September 22, 2014 meeting minutes enclosed in council packet

Code Enforcement Officer Report – Reported by Richard Sprecker

- Monthly report enclosed in council packet
- 85 non-compliant issues were recorded and 2 garages were removed last month

Historic Architectural Review Board (HARB) – September 25, 2014 meeting minutes enclosed in council packet

Council Committee Reports

Public Safety – Reported by Mr. Thomas
October meeting was cancelled

Finance – Reported by Mr. Perini
Reviewed the October 15, 2014 meeting minutes enclosed in council packet

Highway – Reported by Mr. McDermott and Mr. Cashdollar

- Reviewed the November 6, 2014 meeting minutes enclosed in council packet
- Distributed preliminary costs to mill and repave streets, remove and replace curb and sidewalks at the following locations:
 - Fifth Street from Beaver Street to Sharon Road (Fifth Street is the longest and widest street in the borough)
 - Sharon Road from Fifth Street to Park Street
 - Sharon Road from park Street to Fourth Street
- Preliminary cost is \$420,000 vs \$230,000 currently in the budget
- Two major problems:
 - Fifth Street - some sidewalks are lower than the road
 - Sharon Road - no storm drains
- Borough has 14.1 miles of roadway
- The Highway Committee requests council to review the preliminary costs for their feedback and budget commitment.

General Government – October 28, 2014 meeting minutes enclosed in council packet.

Code Enforcement – Reported by Mr. Cashdollar

- Reviewed the October 27, 2014 meeting minutes enclosed in council packet
- Richard Sprecker will be joining Randy Morrow as our Code Enforcement Officers.
- Will be meeting with Solicitor Petrush to review old ordinances to see what need revised in order to issue borough citations.
- Code Enforcement Citizen Complaint Form is now online. Will meet with the Borough Manager to see if this can be in the next newsletter as well.

Recreation – Reported by Mr. Embaugh

- Reviewed the November 7, 2014 meeting minutes distributed to council
- Mr. Deelo stated there are several state regulations that need to be considered prior to some of the riverfront projects being developed.

Water & Sewer – Reported by Mr. Rathbun

- Reviewed the October 15, 2014 meeting minutes enclosed in council packet

Reports

Manager's Report – Reported by Mr. Rathbun

- Reviewed the October 2014 report enclosed in council packet
- Four security cameras have been installed at the Sewage Treatment facility. Two facing the dump site and two on the facility.
- Received proposal regarding electric rates. Current proposal on only 5 accounts would save approximately \$27,000 per year; remainder of our accounts have a lower variable rate than the fixed rates.
 - ***Motion by Mr. Cashdollar to authorize the Borough Manager to make such deals as he deems appropriate relative to the five (5) electric supply accounts he received in the hopes he can lock in a savings over current rates. Seconded by Mr. Perini. Voice vote passed unanimously.***

Director of Operations Report – Reported by Mr. Copeland

- Reviewed the November 11, 2014 report enclosed in council packet
- Mr. Cashdollar stated he needed to discuss the oversight on the paving projects with Mr. Copeland. Also stated some of the sidewalks and curbs were replaced behind the Beaver Supermarket. However, there was discussion that College Square School would be contacted to notify them to replace their curbs on their side of the street. This was not done.
- Mr. Thomas stated not all borough employees are wearing their required reflective uniforms.
 - Mr. Rathbun stated their contract specifically states they need to wear their proper uniforms.
 - Mr. Copeland stated he will look into the matter and make sure the employees are doing what they are required to do.

President's Report – Reported by Mr. Deelo

Announced there will be an Executive Session at the end of the meeting to review a labor contract and personnel evaluations. No votes will be taken after the Executive Session.

Mayor Hamilton –

- Veterans Day Parade was a success. Thank you to all who participated and helped make it possible.

Police Chief Madgar – Reported by Chief Madgar

Mentioned to Mr. Embaugh that the basketball courts at Vanport and Saints Peter and Paul School are all enclosed by a fence. Combined basketball and tennis courts. Since we already have the tennis courts, maybe research the possibility of resurfacing the tennis courts and placing the backboards at one end.

Fire Department – Reported by Mr. Perini

- Reviewed the October 2014 report enclosed in council packet
- One fire truck failed, therefore, the new fire truck was put into service early.

Emergency Management Coordinator – No report

Engineer – October 2014 monthly report enclosed in council packet

Solicitor Petrush –

- Recent court hearing on the second sled riding lawsuit; the local court granted judgment in favor of the borough. An appeal was not entered.
- 418 Fair Avenue – Preparing a complaint to take to Common Pleas Court tomorrow
- Collective Bargaining Agreement – a resolution needs to be drafted regarding the employee contribution from 3% to 3.5% effective December 1, 2014.
 - ***Motion by Mr. Cashdollar that the attached resolution concerning the increase of the police officer collective bargaining member share of pension from 3% to 3.5% be and is hereby adopted and approved and the Borough Manager obtain the full execution thereof. Seconded by Mr. Thomas. Voice vote passed unanimously.***

Old Business

None

New Business

Motion – To appoint Richard Sprecker as part-time Code Enforcement Official

Motion by Mr. Cashdollar that Richard Sprecker be and is hereby appointed effective retroactive to October 10, 2014 to serve as a part-time Beaver Borough Code Enforcement Officer at a rate of \$15 per hour plus expenses. I move further that the Manager and Solicitor draft and execute an employment contract with Mr. Sprecker with this motion. Seconded by Mr. McDermott. Voice vote passed unanimously.

Motion – Increase Water & Sewage rate for 2015

Motion by Mr. Perini to direct our Solicitor to draft an ordinance effective January 1, 2015, increasing the Water Usage Rate from \$1.85 to \$2.05 per thousand gallons and the Sewage Usage Rate from \$3.05 to \$3.35 per thousand gallons and to advertise accordingly. Seconded by Mr. Sims. Voice vote passed unanimously.

Motion – Approve property tax rate of 24 mills for 2015

Motion by Mr. Perini to authorize the Solicitor to draft an ordinance and to advertise the adoption of the tax ordinance for the fiscal year 2015 levying taxes at the current rate of 24 mills. Seconded by Mr. Sims. Voice vote passed unanimously.

Motion – Approve preliminary General Fund budget for 2015

Motion by Mr. Perini to approve the proposed General Fund budget for 2015 and to authorize the Solicitor to advertise for adoption at the December 9, 2014 meeting and for the Borough Manager to display copies of the budget locally. Seconded by Mr. Sims.

- Mr. Thomas asked why the Shade Tree Commission budget was cut in half.

- Mr. Rathbun stated financial reports were not received after requesting numerous times. Also, by looking at some of the invoices, some improvements can be made.
- Mr. McDermott stated he does not think it's fair for taxpayers being responsible for 50% of the cost of a new tree on someone else's personal property while the borough pays the remaining 50%. Also, there is no verification that the homeowner has paid the 50% they were responsible for since we have not received any financial reports.

Voice vote passed unanimously.

Motion – Approve preliminary Water & Sewer budget for 2015

Motion by Mr. Perini to approve the proposed Water & Sewer budget for 2015 and to authorize the Solicitor to advertise for adoption at the December 9, 2014 meeting and for the Borough Manager to display copies of the budget locally. Seconded by Mr. Cashdollar. Voice vote passed unanimously.

Motion – Directing the Solicitor to advertise the attached draft ordinance amending Chapter 15 of Beaver's Code of Ordinances relating to Motor Vehicles and Traffic for consideration at the council's regular December meeting.

Motion by Mr. Cashdollar that the Borough Solicitor be and is authorized and directed to advertise the attached Ordinance amending Chapter 15, Part 3, Section 15-304 (entitled Parking Prohibited at all times in certain locations) for presentation and consideration at the regular December meeting of Beaver Borough Council. Seconded by Mr. Perini. Voice vote passed unanimously.

Motion – Approving and enacting the attached ordinance prohibiting the practice commonly known as Jake Braking

Motion by Mr. McDermott that the attached Anti Jake Braking Ordinance be and is approved and enacted and that the Borough Manager obtain the full execution thereof. Seconded by Mr. Thomas. Voice vote passed unanimously.

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

Adjourned at 9:02PM.

Submitted by Debbie Hindman