

Borough of Beaver, PA  
Council Meeting  
December 9, 2014  
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on December 9, 2014 at 7:00PM 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. Absent: Alex Andres (from 7:50 8:35PM) and James Perini (from 7:40 – 9:00PM)
- Visitors in attendance (signed in): George Kauffman, Midge Sefton, Rick Sprecker, Robert Rice, Cheryl Hansen, Ray Hoppa, Charles Casbourne, Tommi Wagner, Jeff Hamilton

**Approval of minutes**

***Motion by Mr. McDermott to accept the November 11, 2014 Council Meeting minutes as submitted. Seconded by Mr. Perini. Voice vote passed unanimously.***

**Treasure's Report**

November 2014 end of month reports and balances reviewed.

***Motion by Mr. McDermott to accept the November 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. McDermott to authorize and pay submitted invoices for the Borough. Seconded by Mr. Thomas. Voice vote passed unanimously.***

Mr. Deelo announced an Executive Session immediately after the regular scheduled meeting regarding legalities. No motions to be voted on.

**Public Participation –**

- Midge Sefton, 1360 River Road – Stated the November 11, 2014 Public minutes regarding the Conditional Use Application should be corrected to show herself and Robert Rice being present at the meeting.
  - Minutes will be corrected

Mr. Deelo announced the agenda will be revised for several motions to be voted on early since a council member needs to leave for part of the meeting.

Motion – To adopt 2015 Beaver Borough Budget General Fund – with post advertisement revisions  
*Motion by Mr. Perini that the 2015 Beaver Borough General Fund Budget as advertised, but with the list of revisions attached hereto be adopted. I move further that a copy of that budget, electronic or otherwise, be attached hereto and retained in the Borough records. Seconded by Mr. Sims.*

- After discussion, motion was withdrawn to have other motions voted on prior to this motion.

**Motion – Restoring the Shade Tree Commission Budget**

***Motion by Mr. Andres that the Shade Tree Commission’s budget be restored to the 2014 amount of \$27,000 for the 2015 fiscal year. Seconded by Mr. Thomas.***

- Mr. Andres stated the budget is a guideline, however is a plan and recommendations to the budget should be made now. The Shade Tree Commission (STC) submitted a plan for \$35,000 and has been in compliance with our requests; therefore council should grant the request of \$27,000. No other commission has been asked to cut their budget by 50%.
- Mr. Rathbun stated he and Mr. Deelo met with Mr. Colavincenzo and discussed requirements. Received positive feedback. Budget is a guideline. If progress is met, the budget amount can be restored. Some requests are still outstanding and procurement needs to be looked into.
- Mr. Embaugh stated the Borough Manager has a contingency built in the budget. The STC can bring their request to the Borough Manager, if approved, the Borough Manager can transfer the money required.
- Mr. Deelo stated the Borough Manager and the STC have agreed on communication and other requirements needed.
  - The STC requested \$35,000, budget is for \$13,000, and the motion is for \$27,000. We do not want to insult our volunteers who are doing great things for our community.
- Mayor Hamilton stated he agrees with Council President, Deelo. The STC has done an excellent job. We should show our appreciation and restore the funding.
- Mr. Sims stated he respects the STC, however we should rely on the recommendations of the Borough Manager and the Finance Committee. If additional expenditures are required the budget can be adjusted.

***Roll call vote: Mr. Embaugh – No, Mr. Perini – No, Mr. Sims – No, Mr. Cashdollar – No, Mr. Deceder – Yes, Mr. Thomas – Yes, Mr. Andres – Yes, Mr. McDermott – No, Mr. Deelo – Yes. Motion failed on the indicated roll call vote, 4-5.***

Motion – To adopt 2015 Beaver Borough Budget General Fund – with post advertisement revisions  
***Motion by Mr. Perini that the 2015 Beaver Borough General Fund Budget as advertised, but with the list of revisions attached hereto be adopted. I move further that a copy of that budget, electronic or otherwise, be attached hereto and retained in the Borough records. Seconded by Mr. Sims. Roll call vote: Mr. Embaugh – Yes, Mr. Perini – Yes, Mr. Sims – Yes, Mr. Cashdollar – Yes, Mr. Deceder – Yes, Mr. Thomas – Yes, Mr. Andres – No, Mr. McDermott – Yes, Mr. Deelo – Yes. Motion passed on the indicated roll call vote, 8-1.***

**Motion – Amending Chapter 24 of the Code of Ordinances, relating to Tax Levy and Rate of Tax for 2015**

***Motion by Mr. Perini that Beaver Borough Council approve and enact the attached ordinance amending Chapter 24 of the Code of Ordinances, to levy and fix the rate of a tax on real property for the fiscal year 2015. Seconded by Mr. Cashdollar. Roll call vote: Mr. Embaugh – Yes, Mr. Perini – Yes, Mr. Sims – Yes, Mr. Cashdollar – Yes, Mr. Deceder – Yes, Mr. Thomas – Yes, Mr. Andres – Yes, Mr. McDermott – Yes, Mr. Deelo – Yes. Motion passed on the indicated roll call vote, 9-0.***

**Motion – To adopt 2015 Beaver Borough Budget Water & Sewer Fund**

***Motion by Mr. Sims that the 2015 Beaver Borough Water and Sewer Fund Budget as advertised be adopted. I move further that budget, electronic or otherwise, be attached hereto and retained in the Borough records. Seconded by Mr. Perini. Roll call vote: Mr. Embaugh – Yes, Mr. Sims – Yes, Mr. Cashdollar – Yes, Mr. Deceder – Yes, Mr. Thomas – Yes, Mr. Andres – Yes, Mr. McDermott – Yes, Mr. Deelo – Yes. Motion passed on the indicated roll call vote, 9-0.***

## **Reports – Commissions**

**Council of Governments (COG) – No report**

**Business District Authority – No report**

**Motion – Business District Authority members**

***Motion by Mr. Andres that Beaver Council approve the appointments of Beaver residents Mark O’Leary and Chad Whelpley to serve as new members of the Beaver Business District Authority. Seconded by Mr. McDermott. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Civil Service Commission – Reported by Midge Sefton**

- Reviewed the December 5, 2014 meeting minutes distributed to council
- **Motion – Civil Service Commission member**  
***Motion by Mr. Thomas that Beaver Council re-appoint James Todd to the Civil Service Commission January 1, 2015 through December 31, 2020. Seconded by Mr. Andres. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Zoning Hearing Board – No report**

**Planning Commission – Reported by Mr. Deceder**

- Memo dated December 2, 2014 regarding Vacancy Beaver Planning Commission in council packet
- **Motion – Appointing Larry Renninger to the Beaver Borough Planning Commission for a four year term beginning January 1, 2014.**  
***Motion by Mr. Cashdollar that Larry Renninger be and is hereby appointed to a four year term on the Beaver Borough Planning Commission beginning on January 1, 2015 and that he occupy the position currently held by Daniel Deceder whose term expires on December 31, 2014. Seconded by Mr. Embaugh. Voice vote passed unanimously. (Mr. Perini absent from vote)***

- **Motion – Re-appointing Mark Peluso to the Beaver Borough Planning Commission for a four year term beginning January 1, 2015.**  
*Motion by Mr. Cashdollar that Mark Peluso be and is hererby re-appointed to a four year term on the Beaver Borough Planning Commission beginning January 1, 2015. Seconded by Mr. Thomas. Voice vote passed unanimously. (Mr. Perini absent from vote)*

**Tree Commission** – October 27, 2014 meeting minutes enclosed in council packet  
George Kauffman stated the STC volunteers have put in personal time and understands the system is in need of repair. However, he is upset with the unprofessionalism of discussing the problems in a public forum.

**Code Enforcement Officer Report** – Reported by Richard Sprecker  
Monthly report enclosed in council packet

**Historic Architectural Review Board (HARB)** – No report

### **Council Committee Reports**

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

- Reviewed the November 24, 2014 meeting minutes enclosed in council packet
- Mr. Thomas requested the status of the property deed for the Beaver Fire Department.
  - Mr. Petrush stated there are concerns with the Reversion Clause which favors the school district. This issue needs to be worked out prior to bringing it to Council.
- Chief Madgar stated Kelly Hogan will be off an additional four (4) weeks.

**Finance** – Reported by Mr. Perini

November 19, 2014 meeting minutes enclosed in council packet

**Highway** – No report

**General Government** – No report

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

Reviewed the November 24, 2014 meeting minutes enclosed in council packet

**Recreation** – Reported by Mr. Embaugh

- No meeting in December
- Mr. Embaugh stated the best option for the new basketball courts will be next to the volleyball courts.
  - Chief Madgar stated they had received numerous complaints from residents regarding the noise and vandalism from the past usage of the courts at the Fort McIntosh Building.
- Mr. Sims stated since Council did not have all the necessary information regarding the STC motion, he would like to introduce a motion to with a compromise amount.

- *Motion by Mr. Sims that a compromise figure of \$21,000 with a provision that the STC submit a report or have a meeting with the Borough Manager monthly to review expenses. Seconded by Mr. Cashdollar.*
- After discussion, the motion was withdrawn by Mr. Sims and Mr. Cashdollar.
- ***Motion by Mr. Cashdollar to have a motion added to the January 2015 agenda to increase the budget of the STC an additional \$8,000. Seconded by Mr. Deceder. Voice vote passed 6-1. Mr. Thomas – No. (Mr. Andres and Mr. Perini absent from vote)***

**Water & Sewer** – Reported by Mr. Sims  
November 2, 2014 meeting minutes enclosed in council packet

### **Reports**

**Manager’s Report** – Reported by Mr. Rathbun  
Reviewed the November 2014 report enclosed in council packet

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

- Reviewed the December 9, 2014 report enclosed in council packet
- Mr. Cashdollar stated he has received numerous complaints from residents regarding our lack of light on Third Street creating a safety issue. Requests the Director of Operations work with the Safety Committee for a resolution.

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

- All Committee Chairs will remain the same, however, membership on each committee will be announced at a later time. For now, membership is voluntary.
- Chairs need to set meetings for 2015 in order for proper advertisement.

**Mayor Hamilton** –

- Thank you to everyone that was involved in Light-up Night and making it another successful year. Tuba Christmas was a success and a nice addition to the night.
- Mr. Andres thanked the borough workers for setting up the chairs and thanked Mayor Hamilton for officially proclaiming November 28<sup>th</sup> Tuba Christmas.

**Police Chief Madgar** – No report

**Fire Department** – Reported by Mr. Perini  
November 2014 report enclosed in council packet

**Emergency Management Coordinator** – No report

**Engineer** – November 2014 monthly report enclosed in council packet

**Solicitor Petrush** –

- Working on a number of issues that pertain to water supply and sanitary issues.

- Requests an Executive Session to brief council on litigation of the pending lawsuit regarding 418 Fair Avenue.

## **Old Business**

None

## **New Business**

### **Motion – Salary increase for Police Chief**

***Motion by Mr. Thomas that Beaver Borough Council authorize a 4% salary increase for Police Chief Dan Madgar effective January 1, 2015. Seconded by Mr. McDermott. Roll call vote: : Mr. Embaugh – No, Mr. Sims – Yes, Mr. Cashdollar – No, Mr. Deceder – No, Mr. Thomas – Yes, Mr. Andres – Yes, Mr. McDermott – Yes, Mr. Deelo – Yes. Motion passed on the indicated roll call vote, 5-3. (Mr. Perini absent from vote)***

**Motion – Approving and adopting the attached Beaver Borough Fee Schedule for the 2015 calendar year.**

***Motion by Mr. Cashdollar that the Beaver Borough Fee Schedule be and is hereby approved and adopted for the 2015 calendar year. Seconded by Mr. Embaugh. Voice vote passed unanimously. (Mr. Perini absent from vote)***

### **Motion – Contracts for services**

***Motion by Mr. Sims that the Borough Manager be authorized to offer contracts for services to the following individuals for calendar year 2015. Charles Etta, Municipal Authority Engineer; Anna Lane, Custodian; Kevin Lane, Animal Control Specialist; Dan Martone, Borough Engineer and Zoning Officer; Randy Morrow, Code Enforcement Officer; Richard Sprecker, Code Enforcement Officer. Seconded by Mr. McDermott. Voice vote passed unanimously. (Mr. Perini absent from vote)***

### **Motion – Reimbursement for water line replacement**

***Motion by Mr. Sims that Beaver Borough Council approve the reimbursement of \$6,500.00 to John Carver for a water line replacement from the main to the curb box at 566 4<sup>th</sup> Street. Details attached. Seconded by Mr. Andres. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Motion – Approving and adopting the attached 2015 Schedule of Regular Beaver Borough Council Meetings and directing the Solicitor to properly advertise the same**

***Motion by Mr. Cashdollar that the attached 2015 Schedule of Regular Beaver Borough Council Meetings be and is hereby approved and adopted for the 2015 calendar year, and that the Solicitor be and is hereby directed to properly advertise the same. Seconded by Mr. Embaugh. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Motion – Selling the used fire truck**

***Motion by Mr. Thomas that we authorize the Borough Manager to sell the used fire truck in accordance with state regulations. Seconded by Mr. Cashdollar. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Motion – Amending Chapter 15 of the Code of Ordinances, relating to Motor Vehicles and Traffic**

***Motion by Mr. Cashdollar that Beaver Borough Council approve and enact the attached ordinance amending Chapter 15 of the Code of Ordinances, relating to Motor Vehicles and Traffic. Seconded by Mr. Embaugh. Voice vote passed unanimously. (Mr. Perini absent from vote)***

**Motion – Directing the Solicitor to advertise the attached draft ordinance amending Chapter 18 of Beaver’s Code of Ordinances relating to sewers and sewage disposal for consideration at the council’s regular January 2015 meeting**

***Motion by Mr. Cashdollar that the Borough Solicitor be and is authorized and directed to advertise the attached Ordinance amending Chapter 18 of Beaver Borough’s Code of Ordinances relating to sewers and sewage disposal for presentation and consideration at the regular January 2015 meeting of Beaver Borough Council. Seconded by Mr. Embaugh. Voice vote passed unanimously.***

**Motion – Directing the Solicitor to advertise the attached draft Ordinance amending Chapter 26 of Beaver’s Code of Ordinances relating to water for consideration at the council’s regular January 2015 meeting.**

***Motion by Mr. Cashdollar that the Borough Solicitor be and is authorized and directed to advertise the attached Ordinance Amending Chapter 26 of Beaver Borough’s Code of Ordinances relating to water supply rates for presentation and consideration at the regular January 2015 meeting of Beaver Borough Council. Seconded by Mr. Sims. Voice vote passed unanimously.***

**Motion – To approve and fund 2015 Beaver Borough Street Resurfacing Program**

***Motion by Mr. McDermott that the 2015 Beaver Borough Street Resurfacing Program with Related Sidewalk Replacement as attached hereto be and is hereby adopted as discussed in the attachment and providing the resurfacing of Fifth Street from Beaver Street to Sharon Road with the replacement of sidewalks and curbs abutting that portion of Fifth Street as required, and providing for the resurfacing of Sharon Road from Leopard Lane to Fourth Street with limited curb replacement as needed not to exceed 100’ on Sharon Road. Seconded by Mr. Andres. Voice vote passed unanimously.***

Mr. McDermott read a letter from Maureen Bostwick, Tax Collector, regarding the request of Beaver Borough to pay the rental cost of her office space of \$500 a month.

- Mr. Deelo stated he and the Borough Manager will take the letter under advisement and will report back to council.

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

Public session ended at 9:15PM to enter into Executive Session.

Executive Session ended at 9:40PM.

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

Submitted by Debbie Hindman