

Borough of Beaver, PA  
Council Meeting  
February 13, 2018  
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room on February 13, 2018 and called to order at 7:00PM by President, Sean Snowden.
- Pledge of Allegiance
- Council Representatives in attendance: Alexander Andres, Michael Deelo, Margaret McKean, Jim Perini, Alex Sebastian, Jarrod Thomas, Sean Snowden. Borough officials in attendance: Mayor Tom Hamilton, Chief Dan Madgar and Solicitor Garen Fedeles. Absent: Chris King and Adam Rathbun.
- Visitors in attendance (signed in): Jeff Hammoth, Betty Burk, Jeff Lloyd, Midge Sefton, Kim Ruslander, Frank Blaskowitz, Dan Martone, George Lindemann, Elliot Cramer, Rick Sprecker, Juliann Petersen, L. Benjamin Diaz, April Ruth Diaz, Caleb Issac Diaz, Robert Rice.

#### **Approval of minutes**

- **Motion by Mr. Perini to accept the January 9, 2018 Council meeting minutes with corrections requested by Mr. Deelo and Working Session minutes of January 23, 2018 with corrections requested by Ms. McKean. Seconded by Ms. McKean. Voice vote passed unanimously.**

#### **Treasurer's Report**

- Mr. Rathbun out sick, no report.
- January 2018 end of month reports and balances enclosed in council packet. Reports will be filed for annual audit.
- Mr. Deelo stated borough is close to breaking even on balancing.

#### **Review invoice and authorization to pay bills**

***Motion by Mr. Andres to authorize and pay submitted invoices for the Borough. Seconded by Mr. Perini. Voice Vote passed unanimously.***

**President Snowden advised that during regular council meetings public participation portion will be the only time during the meeting where they will be invited to participate. Work sessions will also allow for public participation.**

#### **Public Participation -**

- Betty Burk, 858 4<sup>th</sup> Street – What is the update with Quay Park?
  - President Snowden -
    - Presentation at work session 2/27/18 for suggestions of what can be done at Quay Park, encourage everyone to attend and spread the word. Detailed information regarding the presentation can be found on the borough website.

- Betty Burk – What is protocol after the work session meeting presentation?
  - President Snowden –
    - Unsure of what it will lead to, no funding set in place. Anything recommended has to be approved by council.
  - Betty Burk –
    - All is not well with the public on something that does not need repaired except the “bandstand”.
  - President Snowden –
    - Recommend looking that the link to show that some of the initial thoughts have been eliminated such as public restroom, etc.
- Frank Blaskowitz, 385 Navigation Street – Status of the community newsletter? Believes the winter issue did not come out.
  - Chief Madgar –
    - Target date is April. Working with a company to take the newsletter to a magazine for a more dynamic extensive approach. Suggested contacting Borough Secretary for additional information.
- Juliann Petersen, 340 Beaver Street – Concerned about Columbia Gas using the “trench” method on the trees and amount of damage to the trees. Have contacted borough and Tree Commission. Spoke to Dan Martone about doing a “bore” method but had limited success due to the river rock. Alarmed to see roots cut so low. Recommend working with an arborist, spoke to Ed Bird from Columbia Gas and in the past they have worked with an arborist. Resources show staying outside of the drip line (or tree canopy) for digging around the tree roots; there is a calculation called protected root zone.
  - President Snowden –
    - Trenching necessary due to river rock. Not much can be done, the gas lines need replaced. Columbia Gas has a restoration/repair for the damage but will not repair years down the road. Will have word back at next Work Session meeting about talk with Columbia Gas and tree concerns.
  - Dan Martone –
    - Attempted boring along Taylor and Beaver streets, but was too problematic with the river rock, options limited. One approach should be to consult with the Shad tree Commission Arborist, Tim Stancec.
  - Frank Blaskowitz –
    - Arborist on the Tree Commission but has not weighed in on the situation yet, he works out of town often. Has the borough met with Columbia Gas regarding the trees? Try Chief Madgar’s approach with contacting Columbia Gas about the tree concern.
  - Juliann Peterson –
    - Not just main trees of concern, but also resident’s trees on property. What are the effects of the trees down the road with damage?
  - Chief Madgar –
    - Asked Dan Martone to follow up with Columbia Gas and get an answer, they possibly have an arborist on their staff.

## **Reports – Commissions/Authorities**

### **Council of Governments (COG) – Reported by Mr. Andres**

- January 2018 meeting minutes enclosed in council packet
- Mike Deelo and Alex Andres attended the meeting; Mr. Deelo received a tour of the Columbia Gas facility. There was a discussion on how to work with communities and have people to collaborate with the communities.
- Mr. Andres had the opportunity to go to the State of the County Breakfast to hear the commissioner speak; the county is in good shape.

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

- January 2, 2018 meeting minutes enclosed in council packet; only order of business was reorganizing

### **Zoning Hearing Board (ZHB) – No report**

### **Planning Commission – Reported by Bob Rice**

- Draft meeting report from January 15, 2018 enclosed in council packet
- Planning Commission will hold a special meeting on February 27, 2018; no decisions will be made, just information. Asked if a Beaver Alert could be sent.
- Chief Madgar –
  - Questioned how much time needed for presentation.
- Bob Rice –
  - Around 30 minutes for the presentation (not including questions/comments).

### **Tree Commission – Reported by Frank Baskowitz**

- January 22, 2018 meeting minutes enclosed in council packet

### **Code Enforcement Officer Report - Reported by Mr. Sprecker**

- January 2018 reports enclosed in council packet.

### **Historic Architectural Review Board (HARB) – Reported by Bob Rice**

- 1/25/18 meeting was held and will have report of results and analysis of the survey monkey over the last 6 weeks, received about 200 responses.
- January was an additional survey of peripheral areas in town to evaluate structural integrity and will have a report on that.
- Would like to advertise on Beaver Alert as much as possible to make the meeting on 2/27/18.

### **Municipal Authority – Reported by Mr. Deelo.**

- January 17, 2018 Reorganization Meeting Minutes and Municipal Authority Regular Meeting Minutes enclosed in council packet
- Issue involving Planning Commission, Borough, and Municipal Authority of Air Monitors.
- In the minutes that the Planning Commission is recommending the Borough or Municipal Authority move forward/seriously consider installing the Air Monitors. Discussed at working meeting but best to give Municipal Authority first right of refusal.

- Recommendation for council to defer on this matter and will be brought up at Municipal Authority next week and will report back to council.
- Ms. McKean –
  - What kind of pollutants would be trapped by this?
- Mr. Deelo –
  - Spoke to professor at CMU who is coprincipal of this called RAMP. Monitors are a grant from the EPA. Monitors designed by a Pittsburgh company called Sensevere to look at pollutants such as coal and coke production.
  - Monitors will not monitor the pollutants such as VOC from the Shell plant but would be an easy add to monitor that.
  - How would the data be retrieved/stored, interpreted, and shown to the public?

### **Council Committee Reports**

#### **Public Safety/Code Enforcement – No report.**

- Mr. Sebastian –
  - Will informally meet with Solicitor Steele before the Work Session.

#### **Finance – No report.**

#### **Highway – Reported by Mr. Thomas**

- Public meeting a few weeks ago 1/29/18 for all residents of Turnpike/Park Street with Columbia Gas.
- Organizing a 2<sup>nd</sup> public meeting for all residents affected on river side of town, will most likely be in Mid-March on a Monday evening, will notify council of date.
- Columbia Gas project going pretty well except for tree concerns.

#### **General Government – Reported by Mr. Deelo**

- Two motions enclosed in council packet under new business for further discussion.

#### **Recreation – February 13, 2018 report enclosed in council packet**

### **Reports**

#### **Manager's Report – Reported by Chief Madgar**

- Reviewed the January 2018 report enclosed in council packet on February 6, 2018 met with Department of Waste for a grant about the recycling to put in for dump trucks, new leaf machines; all things the borough should already have purchased but waiting for this grant. Grant ready to be submitted, will finalize this Thursday, may make some modifications to do shared equipment with Brighton Township to strengthen the grant approval.
- Last grant approved was 12 years ago.
- Two new police vehicles purchased and two were sold.
- House was demolished on Wayne Street, came down in 1 day by Sipe's Demolition, added topsoil.
- Dan Martone –

- Sipe's Demolition did a great job and were courteous/professional with nice cleanup job. Will let it settle and then put stone down for a parking area and will have new sidewalk in spring. Stump there will be taken out in the next few days.
- Chief Madgar –
  - Highway Department back up to full staff, Municipal Authority at full staff. Rob Turyan came back from work related injury, Jim DeGori still off pending surgery.

**President's Report** - Reported by Mr. Snowden

- Council will meet Tuesday, January 27, 2018 in the community room at 7:00pm for Work Session meeting that will include a presentation of Quay Park, will get mass communication out. Encourage all to attend.
- Mr. Deelo cannot continue to attend COG committee meetings, if anyone would be an assistant to Mr. Andres to contact Mr. Snowden. Meetings are every 4<sup>th</sup> Thursday at 7:00pm at the Monaca Borough Building.

**Mayor Hamilton** – Reported by Mayor Hamilton.

- Privilege of attending the Polar Plunge in the audience to see 2 council members participating; Alex Andres and Sean Snowden. Representing Beaver and nice to show support and thanked them.

**Police Chief Madgar** – No report.

**Fire Department** – No report.

**Emergency Management Coordinator** – Reported by Mr. Perini

- Emergency Management Coordinator Report dated February 4, 2018 enclosed in council packet.

**Borough Engineer** – Reported by Mr. Martone

- January 2018 monthly report enclosed in council packet
- Will meet with Juliann Peterson about trenching the trees and what can be done.
- DEP's reason for choosing Two Mile Run creek is smaller body of water carrying more sediment. Will have public meeting before the council meeting. Will do a stream improvement along Two Mile Run with vegetation, etc. Property is Borough property so it is easier to do what we have to do and don't need permission.
- Harlem Alley, preparing a letter to look into not allowing exiting from Harlem Alley onto Market Street for safety reasons such as limited sight distances especially to the left and higher speeds. Eliminate the exit would be safer. There is Beaver Alley that comes from 5<sup>th</sup> to Harlem Alley between College and Market Streets as a secondary access to get in/out of the alley.
- Mr. Deelo –
  - Notify the residents of the change with Harlem Alley

**Solicitor Report** – Solicitor Fedeles

- No report

## **Old Business**

### **Motion - Ordinance rescinding Ordinance #621**

***Motion by Mr. Deelo that Beaver Borough Council approve the attached Ordinance rescinding Ordinance 621 as codified in Chapter 1, Section 1-111 of the Code of Ordinances relating to the regular meeting times of Council. Seconded by Mr. Perini. Voice vote passed unanimously.***

## **New Business**

### **Motion – Appointment to the Planning Commission**

***Motion by Mr. Deelo that following recommendation by the Beaver Borough Planning Commission at its January 2018 meeting, I move that Beaver Borough Council appoint Carey McDougall to fill the unexpired term of Nancy Montgomery on the Planning Commission ending December 31, 2018. The appointment is effective immediately. Seconded by Mr. Perini. Voice vote passed unanimously.***

### **Motion – Contribution toward rent of the tax office**

***Motion by Mr. Deelo that Beaver Borough Council approve a contribution of \$250 per month towards a portion of the tax office rent effective January 1, 2018. Seconded by Mr. Perini.***

- ***Mr. Deelo stated our previous Solicitor advised the borough it was not appropriate for the borough to assist with rent for the tax office. He asked our new Solicitor, Mr. Fedeles, to review the motion. Mr. Fedeles stated nothing was stopping council to make a payment toward the tax office rent. Mr. Deelo suggested removing the word “contribution” from the motion. Motion was rescinded by Mr. Deelo and Mr. Perini.***

***Motion by Mr. Deelo that Beaver Borough Council approve \$250 per month towards a portion of the tax office rent effective January 1, 2018. Seconded again by Mr. Perini. Voice vote passed unanimously.***

In reference to the motion regarding rent of the tax office

- Mr. Perini
  - There is no budget for the rent of the tax office, will come from savings.
- Chief Madgar
  - Met with contractor to repurpose the garage behind the Borough building

**Motion – Right-of-way Agreement between Beaver Borough and Columbia Gas of Pennsylvania, Inc.**  
***Motion by Jarrod Thomas that Beaver Borough Council approve the attached Right-of-Way agreement between Beaver Borough and Columbia Gas of Pennsylvania, Inc. Conditioned upon satisfactory approval from the Borough Solicitor and Engineer. The gas pipelines laid pursuant to the terms of this Agreement are to be located within the limits of a twenty (20) foot wide permanent easement (Right-of-Way). The Right-of-Way is shown on Exhibit A attached hereto and made a part hereof. Seconded by Mr. Perini. Voice vote passed unanimously.***

### **Motion – Resolved Litigation**

***Motion by Mr. Sebastian that Beaver Borough Council settle District Court of Western Pennsylvania Case Number 2:17-cv-899, James Cicco vs Beaver Borough for \$255,000 with the claim to be paid by the Borough’s insurance carrier. Seconded by Mr. Perini. Voice vote passed unanimously.***

In reference to the motion regarding payment of the claim

- Mr. Perini and Chief Madgar
  - Mr. Perini questioned if the borough was paying that amount, but only the deductible. Deductible is \$15,000 that Borough will be paying.
  - Have meeting with insurance company next week about rates going up (if it does at all).

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

Meeting adjourned at 8:02pm.

Submitted by Kim Leslie