

Borough of Beaver, PA  
Council Meeting  
June 12, 2018  
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and called to order on June 12, 2018 at 7:00PM by Council President, Sean Snowden.
- Pledge of Allegiance
- Council Representatives in attendance: Alexander Andres (arrived at 7:27PM), Michael Deelo, Chris King, Margaret McKean, Jim Perini, Adam Rathbun, Alex Sebastian, Sean Snowden, Jarrod Thomas. Borough officials in attendance: Mayor Tom Hamilton, Chief Dan Madgar and Solicitor Garen Fedeles.
- Visitors in attendance (signed in): Midge Sefton, Charles Casbourne, Ryan Eichhorn, Chuck Copeland, Robert Rice, Tommi Wagner

#### **Approval of minutes**

***Motion by Ms. McKean to accept the May 8, 2018 Council meeting minutes and the May 22, 2018 Working Session meeting minutes. Seconded by Ms. King. Voice vote passed unanimously.***

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

- May 2018 end of month reports and balances reviewed.
- Reports will be filed for annual audit

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

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

- Mr. Deelo – Requested a pro-active statement on financial conditions; highlighting what to be prepared for and any concerns regarding the budget.

#### **Public Participation –**

- Ryan Eichhorn, 345 5<sup>th</sup> Street - Distributed two packets to council members
  - Regarding the condition of the sidewalks that were installed on the 300 block of 5<sup>th</sup> Street. Included in the packet were a copy of Borough sidewalk specifications, photographs, and a petition signed by residents requesting council to fix all the residents curbs to borough specification and to remove the fiberglass fence post that was installed in the sidewalk and replace with the proper material.
    - Mr. Deelo – The 6” curbs are put in prior to paving, it is logical that the curbs will not measure 6” after paving.
    - Mr. Snowden stated our Borough Engineer will look into the issues and report back to council.

- Copy of an email from the Department of Labor and Industry regarding the Uniform Construction Code (UCC) explaining the process of a Stop Work Order must be a written notice.

## **Reports – Commissions / Authorities**

### **Council of Governments (COG) –**

May 2018 meeting minutes enclosed in council packet

### **Business District Authority – Inactive**

### **Civil Service Commission – No report**

### **Zoning Hearing Board (ZHB) –**

Mr. Martone stated an application for a dimensional variance was received regarding 434 Dravo Avenue. The hearing will be scheduled for July. Will keep council updated.

### **Planning Commission –**

- May 21, 2018 meeting minutes enclosed in council packet

### **Tree Commission –**

- June 4, 2018 meeting minutes enclosed in council packet
- Ms. King – Tree Commission has several vacancies that need to be filled.

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

May 2018 report enclosed in council packet

### **Historic Architectural Review Board (HARB) –**

- Mr. Rice stated the Code Enforcement Officer and Borough Engineer asked HARB to conduct a review of 345 5<sup>th</sup> Street. Renovation was planned, but as it proceeded the owner stated the home was in bad condition. It's now essentially demolished down to the foundation. The meeting should be scheduled for next week due to Special Meeting requirements. Recommends a letter be mailed to the 300 block of 5<sup>th</sup> Street to make them aware of the situation. Will keep council informed.
- Mr. Martone stated this is an unusual situation:
  - The owner demolished without a permit
  - Protocol wasn't followed
  - HARB can provide comments if the new construction is architecturally appropriate
  - Council will then receive recommendation from the HARB
- Mr. Deelo asked for the Solicitor to review Act 167. Wants to make sure Council is following proper procedure. Would council's decision be enforceable?
  - Solicitor Fedeles – Will need to see what decisions are presented to council. The Borough Engineer, Code Enforcement Officer and Solicitors are all working together to get this resolved.
- Mr. Snowden – The Stop Work Order needs to be followed

- Mr. Eichhorn, owner of 345 5<sup>th</sup> Street –
  - Stated he followed procedures – took drawing to Mr. Sprecker
  - Did not intend to demolish – as he was removing the plaster then discovered safety issues
  - Mr. Snowden stated the property was demolished, he should have applied for a permit
    - Mr. Eichhorn agreed but stated he did notify the appropriate people. Also stated there is no state law – can renovate anything residentially as long as something isn't changed structurally
- Solicitor Fedeles stated he will be in contact with Mr. Eichhorn to set up a meeting

#### **Municipal Authority –**

- May 16, 2018 meeting minutes and Coordinator of Operations report enclosed in council packet
- Mr. Deelo stated the Air Monitor System should be installed the second half of the year

### **Council Committee Reports**

#### **Public Safety/Code Enforcement –**

- Mr. Sebastian – Any questions regarding Rental Registration Draft Ordinance should be forwarded to our Solicitors

#### **Finance – No report**

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

- Mr. Martone is working on the sidewalk bid
- Need to figure out what needs to be paved by mid-July in order to be included in the bid
- 2<sup>nd</sup> Street portion will not be completed as anticipated therefore the paving project for 2<sup>nd</sup> Street will not be completed this year
  - Mr. Martone – Columbia Gas pulled some crews off to work on projects elsewhere
    - 2<sup>nd</sup> Street gas line is on the south side of the street
    - Goal is to have all sidewalks completed
    - Columbia Gas plan for next year is Bank Street from Buffalo Street to Wayne Street (replace line in the street not under the sidewalks)
  - Mayor Hamilton stated Columbia Gas has not fulfilled their end of the project. Are there any options to put pressure on them to complete the project.
    - Mr. Martone stated Columbia Gas found more than expected actively corroded lines. Beaver Street to Wilson Avenue was not part of the plan but the leak was bad.
      - Team Fischel pulled some crews from Beaver to work on other projects which has put the project behind as well.

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

- Mr. Deelo - concerned with the discussion for the multi-purpose building at Shaw Park. Drawings were taken to the Planning Commission. Do we want the Planning Commission to review? If so, we would have Quay Park, Shaw Park and the Train Station competing against each other. Or, keep it as a council project.
  - Mr. Madgar – Different venue than the Train Station. The multi-purpose building will be family oriented and holds up to 150 people. Offering something to residents year round.

Can generate revenue if it is run properly. The pavilion is currently rented out less than 10 times during the year versus 2 Mile Run being rented over 200 times. This multi-purpose building would benefit the entire community while showcasing the park and swimming pool as well.

- Ms. McKean – Thought council agreed informally for the Planning Commission to evaluate for feasibility and for recommendation.
- Mr. Eichhorn stated he would like to submit drawings and offer ideas for fundraising.
- ***Motion by Ms. McKean that Beaver Borough Council task the Planning Commission to review the proposed renovations of the pavilion at Shaw Park for consideration as a revenue source for Beaver and for entertainment and meeting venue in the future. Seconded by Mr. Rathbun. Voice vote passed unanimously.***

#### **Code Enforcement – No report**

#### **Recreation –**

- Ms. King - Assisted the Dutch Ridge Elementary 6<sup>th</sup> grade plant flowers in Irvine Park
- Mr. Thomas – Garrison Days was a success, thanked the volunteers and the borough employees for their assistance.
  - Mr. Madgar – This year, Insurance Street was blocked off on both sides of Third Street. He was informed by Mrs. Icenhour that she had to turn away approximately 60 vendors since there wasn't enough space available.

#### **Reports**

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

- Reviewed the May 2018 Managers report
- Met with PennDOT on May 23, 2018 to view traffic safety concerns on Third Street between Dravo Avenue and Buffalo Street. Once the general safety review and traffic count are completed, PennDot will report back to the borough to review the possible solutions.
  - Mr. Rathbun and Ms. King asked about the Beaver County Transit Authority (BCTA) bus stops by McDonald's and Wendy's – crosswalks are too close to the bus stop which makes for a dangerous situation
    - Mr. Madgar stated BCTA just contacted PennDot about that situation
- Received an email from resident who is requesting Wayne Street be permit parking. This has been presented to council in the past and has been denied. Each home has multiple vehicles plus the rental apartments on the street do not allow a lot of parking options.
- Thanked Dutch Ridge Elementary School 6<sup>th</sup> graders for taking pride in our town by planting flowers and weeding in Irvine Park.

##### **President's Report – Reported by Sean Snowden**

- Mr. Snowden announced there will be an Executive Session regarding real estate, personnel issue and possible litigation issue. There may be a motion after the Executive Session.
- Quay Park – First meeting was an introductory meeting to discuss if founding could be found. Next meeting will be held at Quay Park on July 2, 2018 at 7:00PM.

**Mayor Hamilton –**

Thanked Mrs. Icenhour and all the volunteers that helped make Garrison Days a success

**Police Chief Madgar – No report**

**Fire Department – Reported by Mr. Perini**

- The 5K Race was a success with approximately 500 participants
- Mr. Andres and Mr. Snowden thanked the Fire Department and the volunteers for a well-organized and successful event

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

The Beaver Valley Power Station (BVPS) Federally Evaluated Exercise is being held tonight at the Beaver Fire Station

**Borough Engineer –**

May 2018 Borough Engineer and Borough Municipal Authority Engineer monthly reports and June 4, 2018 letter to PennDot regarding traffic safety concerns on State Route 68 enclosed in council packet

**Solicitor Report – Reported by Solicitor Fedeles**

- Reached out to the Municipal Authority Solicitor regarding the resident complaint of being charged for the new water meters.
  - The Municipal Authority believes it is their right to charge the residents. Only three residents have not had the new water meter installed.
  - Will coordinate a response with the Municipal Authority Solicitor and provide a letter to the resident
  - Mr. Deelo – Asked if Council, as a governing body, has any authority over the Municipal Authority.
    - Solicitor Fedeles – This is a Municipal Authority issue. The Borough only appoints the Municipal Authority members. He believes the resident came to the Borough Council asking for assistance since he either didn't like the answer he received or did not receive an answer from the Municipal Authority. The Municipal Authority believes they are in the right to charge for the meters. If taken to court and find otherwise, they will raise the water rates to cover the cost.
- Rental Registration Draft Ordinance – Received a couple questions from council members
  - Can Section B 1-5 be revised – Yes
  - Building Official and Code Official are used throughout the ordinance, what is the difference – Council can decide which title to use and the revision will be made
  - What code provisions will the ordinance follow – The adopted version of the IPMC. Currently the IPMC 2009 is adopted.
  - How an Appeals Board is formed – Can either come to Council or set up an Appeals Board. He recommends an Appeals Board set up with Code Enforcement Officers from different communities.
  - Suggests additional questions be emailed for review and response

- Mr. Snowden – The Solicitors will make a revision to the draft ordinance based on changes discussed. They will then attend the June 26<sup>th</sup> Work Session to review and finalize the ordinance. Council will then vote at the July 10<sup>th</sup> council meeting.

## **Old Business**

### **Motion – Grant writing for Quay Park**

***Motion by Mr. Rathbun that Beaver Borough Council authorize \$1,470 to EPD, LLC to engage in grant writing proposals for Quay Park. Seconded by Mr. Thomas.***

- Ms. McKean – Stated she didn't think council would be subcontracting out or devote any additional borough funds towards Quay Park.
  - Mr. Rathbun – The grant requires specific language in order to qualify for the funds
  - Mr. Snowden – The Borough stated they would not spend any money towards the renovation of Quay Park.
- Mr. Andres – Was this money planned from what was approved last year
  - Mr. Rathbun – Yes, the Planning Commission didn't realize they needed to request the remaining money left over from the approved amount to be used the following year.
- Mr. Snowden – Mr. O'Leary wants to use this grant as a template for additional grants that will be applied for regarding Quay Park.

***Roll call vote: Mr. Thomas – Yes, Mr. McKean – No, Mr. Andres – Yes, Ms. King – Yes, Mr. Sebastian – Yes, Mr. Perini – Yes, Mr. Rathbun – Yes, Mr. Deelo – Yes, Mr. Snowden – Yes. Motion passed on the indicated roll call vote, 8-1.***

## **New Business**

No New Business

***Motion by Mr. Sebastian to enter into Executive Session. Seconded by Mr. Thomas. Voice vote passed unanimously.***

9:00PM – 10:10PM Executive Session regarding real estate, personnel issue and possible litigation issue

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

Adjourned at 10:11PM

Submitted by Debbie Hindman