

Borough of Beaver, PA  
Council Meeting  
September 14, 2021  
Minutes

- A regular scheduled meeting of Beaver Borough Council was held in the Community Room and was called to order on Tuesday, September 14, 2021 at 7:00 PM by Council President, Sean Snowden.
- Council Representatives in attendance: Alexander Andres, Frank Bovalino, Michael Deelo, Chris King, Margaret McKean, Jim Perini, Alex Sebastian (7:01PM), and Sean Snowden. Borough officials in attendance: Mayor Thomas Hamilton, Solicitor Garen Fedeles, Borough Manager/Chief of Police Dan Madgar, and Borough Secretary Debbie Hindman. Absent: Adam Rathbun.
- Visitors in attendance (signed in): Liz Soriano-Clark, Rick Sprecker, Robert Rice, Chuck Copeland, Jim Woolley, Midge Sefton, Roberta Good, and Robert Snider.

#### **Approval of minutes**

***Motion by Ms. King to accept the August 10, 2021 Council Meeting minutes with corrections and the August 24, 2021 Work Session minutes. Seconded by Ms. McKean. Voice vote passed unanimously.***

- *Ms. McKean requested a correction to her statement made at the August 10, 2021 Council Meeting regarding the HARB Historic Preservation Plan.*

#### **Treasurer's Report –**

- Financial report included in Council packet.
- Mr. Madgar – Mr. Kennedy is reviewing the 2022 budget and working on a preliminary draft.
  - Mr. Perini – Asked that the draft be sent to him via email to review before the next Work Session.

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

***Motion by Ms. McKean to authorize and pay submitted invoices for the Borough. Seconded by Mr. Perini. Voice vote passed unanimously.***

- Ms. McKean – Asked that all of the clocks on the clocktower be synchronized.
  - Mr. Madgar – There is a part needed to fix this that is currently on backorder. This part has been ordered and will be fixed once it comes back in stock. Also discussed the limited access to control the clocktower, as the controls are located inside PNC Bank. Looking into how controls could be accessed at the Borough Building and adding speakers throughout town that would be synchronized to the clocktower. Would like to get an estimate to complete this so it can be put in the upcoming 2022 budget.

#### **Public Participation –**

- Liz Soriano-Clark, 1100 5<sup>th</sup> Street –
  - Read the article in the Beaver Life magazine regarding the pool and asked if there was any update on the amount donated towards the pool. Asked what residents could do to help with fundraising.

- Mr. Bovalino – Fundraising for the pool will be a long process and has only just begun. The Pool Committee has created a 4-year plan.
  - Mr. Madgar – Previous discussions were to not let the current pool stand idle for longer than 18 months. Concerned about letting the current pool deteriorate for 4 years.
  - Mr. Bovalino – If Borough Council is not satisfied with the Pool Committee’s progress after 18 months, they can decide if they want to stop fundraising efforts.
  - Mr. Andres – The fundraising will take at least three to four years and the pool will not open for at least another four years. The current goal is to have the full funding at that time. The Pool Committee is currently set up for 18 months and will have to be reevaluated after then.
- Asked what happens to the fundraised money if Borough Council decides not to go through with a new pool.
  - Mr. Snowden – Suggested that Ms. Soriano-Clark contact Mr. Bovalino or Mr. Andres outside of the meeting to have any questions answered and discuss any ideas.

**MS4 Storm Water Presentation – Dan Martone**

- The Beaver Borough has a MS4 permit that is required to discharge any water that comes from storm sewers and catch basins into the Ohio River. Pennsylvania Department of Environmental Protection (DEP) oversees the Borough while doing this.
- This permit is renewed every 5 years and a report is submitted annually.
- The purpose of this permit is to ensure that the water that is disposed into the Ohio River does not disturb or have any adverse effects on the aquatic life.
- Beaver Borough ensures that residents are disposing of certain items/chemicals properly such as paint, gasoline, oil, etc. properly.
- Beaver Borough also monitors downspouts on resident’s homes are not directly pointing towards a storm water drain and instead directed into their yard to go into the soil. It is encouraged to creative practices such as rain barrels or gardens to collect the storm water.
- Beaver Borough completes street sweeping to prevent soot and debris from entering the storm water sewer.
- If residents see anyone not properly disposing of chemicals, they should notify the Borough. This includes construction companies.
- If a resident sees any type of buildup on a road, they should notify the Borough.
- A brochure created by DEP that includes educational material will be posted to the Borough website.
- Any questions should be directed to Borough/Municipal Authority Engineer Dan Martone.

**Reports – Commissions / Authorities**

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

**Civil Service Commission – Reported by Ms. Sefton**

- Received seven applications, five were determined qualified.

- Completed the physical agility test
- Written portion will be completed in late October, costs approximately \$500 to administer

**Zoning Hearing Board (ZHB) – Reported by Mr. Martone**

- Application has been submitted for 1055 4<sup>th</sup> Street regarding a front porch addition.
- Currently looking for a fill in/new ZHB solicitor
  - Solicitor Fedeles – Can advertise position through the BAR Association but understands that ZHB is under a timeline requirement.
  - By general agreement, Council approved that Mr. Martone should reach out to the attorney that has filled in before to see if they are willing to take the position. Will advertise the open position if declined.

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

- June 21, 2021 minutes and August 16, 2021 draft minutes included in Council’s packet.
- Next meeting to be held September 20, 2021 to discuss a variety of topics and will report back to Council with progress/recommendations.
- Solicitor Fedeles – Previously, it has been discussed that the Planning Commission look into an overlay district. This overlay district would allow some parts of town to allow multifamily homes. Current zoning in the R-1 district does not allow this. If Council approves, the Planning Commission can look into the details of what the overlay district would look like in the Borough. Any final decisions regarding this would be made by Borough Council through a vote.
  - Ms. McKean – Suggested to create a community survey.

**Motion – Planning Commission – Overlay District**

***Motion by Mr. Sebastian, I move that Council authorize the Planning Commission to explore an overlay district for the Zoning Ordinance. Seconded by Mr. Bovalino. Voice vote passed unanimously.***

**Tree Commission – No report**

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

- August 2021 Code Enforcement report enclosed in packet.
- Mr. Snowden – Asked for an updated regarding a piece of equipment on 4<sup>th</sup> Street and Dravo Avenue, as there were complaints of weeds growing under/around it.
  - Mr. Sprecker – Spoke with the homeowner and the issue should be taken care of this week.

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

- Will have recommendation for the board vacancy at the October Council Meeting.
- Hosted a booth at Garrison Day to speak to and educate residents of the Historic Preservation Plan.

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

- August 18, 2021 Municipal Authority Meeting Minutes included in the Council Packet.
- Municipal Authority Engineer report for mid-July 2021 through mid-August 2021 included in the Council Packet.

- Mr. Madgar – Is the Municipal Authority able to submit anything to the County Commissioners regarding the water supply to the Courthouse?
  - Solicitor Fedeles – The County has received funds from the American Rescue Plan that can be used towards water/sewer projects. The County has set aside \$10 million to give to municipalities for various projects. The percentage of a required match from each municipality is currently still in discussion. The applications will be finalized once the match percentage is determined. Expecting the applications to go live within the next two weeks.
  - Mr. Madgar – Recommended that the Municipal Authority work with the Borough/Municipal Authority Engineer to determine a list of what projects should be submitted for. The Borough has already received half of their allotted funds from the American Rescue Plan. Funds have already been reserved for the project at River Road and Buffalo Street.
  - Mr. Deelo – The Borough has responsibility over the storm sewers and the Municipal Authority has responsibility over wastewater and water supply. The issue at River Road and Buffalo Street, as outlined in the Engineer’s report, is that the storm sewer pipe collapsed on Municipal Authority property. The Municipal Authority and Borough should work together to go after this funding to put towards this project.
  - Solicitor Fedeles – The U.S. Treasury has not given the final indication of what the funding can be used for but it should be expected within the next month. All preliminary indications have shown that all storm water/sewer projects will be authorized for the funds.
  - Mr. Martone – The River Road and Buffalo Street project is expected to cost at least \$100,000.
  - Mr. Madgar – The Borough has received their first portion, approximately half of the total amount already and will receive the second allotment next year. None of this funding has been spent yet.

## **Council Committee Reports**

### **Shaw Park/Pool – Reported by Mr. Bovalino**

- Report from Pool Committee included in the council packet.
- An updated feasibility study of the pool is needed to apply for grants to fund a new pool. The last feasibility study of the pool was done ten years ago. This typically costs around \$45,000 but since it is an updated feasibility study, Environmental Planning and Design is charging the Borough \$2,000.
- The Pool Committee is requesting a link on the Borough website that will direct residents to updates regarding the pool and to make donations.
- Mr. Andres – The Pool Committee had a booth at Garrison Day to speak with residents about a new pool and collect email addresses.

## **Reports**

### **Manager’s/Police Report – Reported by Mr. Madgar**

- Reviewed Borough Manager report provided in council packet.
- 2020 Liquid Fuels audit is completed.

- Copy of the Examination Engagement Letter dated August 23, 2021 included in report. There were no findings or errors.
- Clark Park update - Wilson Restoration is currently working on the monument and new light fixtures are on order. Working with Nancy Lonnett-Roman for landscaping design at Clark Park and Buffalo Street along the cemetery.
- The 2018 Ford Explorer was sold on Municibid for \$21,700.

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

- As COVID-19 cases are increasing, the Borough will continue to keep an eye on what the County is doing. The Borough Building is not allowing walk-in business. Residents can make an appointment, make payments and ask questions by phone, and drop off/pick up with drop box at the front door. Meetings will still be held in person until further notice.
- Acknowledged Beaver High School's JROTC program. Students in this program do consistent volunteer work for the community. JROTC members were responsible for garbage pickup after Garrison Day and thanked them for the work they did.
  - Would like to discuss at the next Work Session about providing a certificate of some type to recognize the work they have done for the community.

**Mayor Hamilton** –

- Acknowledged the JROTC program for the 9/11 Ceremony they held at the High School.
- Ms. King – Asked if Mr. Rathbun is still able to vote on items.
  - Mr. Madgar – Mr. Rathbun is out of town but is able to conference call in if his vote is needed on anything.
  - Solicitor Fedeles – Mr. Rathbun has not submitted a resignation letter resigning from his position on Council.
  - Mr. Snowden – Mr. Rathbun's term on Council will expire in November but if he resigns before then, the Borough would put out a notice notifying of the open seat. Candidates would then apply and be interviewed and voted on by Council.
  - Mr. Deelo – The requirements for filling a vacancy close to an election may need to be reviewed.

**Police Department** – Reported by Chief Madgar

- Trick-or-Treat is tentatively scheduled for Thursday, October 28, 2021.
  - Mr. Bovalino – Discussed concerns of construction vehicles and sidewalks under construction during trick-or-treat.
- Mayor Hamilton – Asked if Beaver would be having a Veteran's Day Parade
  - Chief Madgar – No one has contacted the Borough to host the Veteran's Day Parade.

**Fire Department** – No report

**Emergency Management Coordinator** – No report

**Borough Engineer and Borough Municipal Authority Engineer** – Reported by Mr. Martone

- Discussed the eroded/broken storm sewer pipe near the railroad tracks on River Road between Buffalo Street and Navigation Street and a plan to fix the problem.
- Working on the Recycling Grant application.
- Road Paving Project
  - Received three bids.
  - Streets to be paved are related to the gas line replacement project.
  - The lowest bidder is able to start in October.

**Solicitor Report** – Reported by Solicitor Fedeles

- Was notified today (September 14, 2021) that the Borough has been named in a lawsuit. An individual fell on a brick street in Beaver in February of 2020. This will be turned into the insurance carrier and will keep Council updated.

**Motions**

**Motion – 2022 Minimum Obligation (MMO) for Police and Municipal Employees**

*Motion by Mr. Perini, I move that Beaver Borough Council approve the attached Resolution (2021-02) relating to the 2022 Financial Requirement and Minimum Municipal Obligation (MMO) for Police and Municipal Employees. Seconded by Mr. Bovalino. Voice vote passed unanimously.*

**Motion – Appointment to the Municipal Authority**

*Motion by Mr. Deelo, Following the recommendation by the Beaver Borough Municipal Authority, I move that Beaver Borough Council appoint Richard Sprecker to the Beaver Borough Municipal Authority to fill the unexpired term vacated by Adam Rathbun. This term expires January 2023. Seconded by Mr. Bovalino. Voice vote passed unanimously.*

**Motion – Selling 2006 30' Trailer**

*Motion by Mr. Sebastian, I move that Beaver Borough Council approve the Borough Manager to sell the 2006 30' Trailer (Vin ending in 70863) on Municibid. Seconded by Mr. Perini. Voice vote passed unanimously.*

**Motion – Lot Consolidation Plan, R-1 Zoning District – 1004 Fourth Street**

*Motion by Mr. Bovalino, I move that Beaver Borough Council approve the Benjamin & Victoria Lang Lot Consolidation Plan, 1004 Fourth Street, conditional upon satisfaction of the comments appearing in the Borough Engineer attached letter dated September 9, 2021. Seconded by Mr. Deelo. Voice vote passed unanimously.*

**Motion – 2021 Road Paving Project**

*Motion by Mr. Bovalino, I move that Beaver Borough Council approve Protech Asphalt Maintenance as the low bidder for the 2021 Road Paving Project. Project includes the base bid of \$420,982.65 along with alternate bid #2 of \$24,045.55 and alternate bid #3 of \$41,475.00 for a total bid amount of \$486,503.20. This motion is*

*made in accordance with the Borough Engineer's recommendation letter to Council dated September 9, 2021 and with review of the agreement and support documentation by the Borough Solicitor prior to execution. Seconded by Ms. McKean. Voice vote passed unanimously.*

**Motion – School Resource Officer**

*Motion by Mr. Sebastian, I move that Beaver Borough Council continue to provide the School Resource Officer (SRO) to the Beaver Area School District (BASD) upon condition that BASD is able to fund a minimum of \$60,000. This agreement continues moving forward unless terminated by the Borough or BASD with a written 30 days' notice. Seconded by Ms. McKean. Voice vote passed unanimously.*

**Motion – Resolution 2021-03 Approving and Supporting the Efforts of the Pool Committee**

*Motion by Mr. Bovalino, I move that Beaver Borough Council approve the attached Resolution 2021-03 approving and supporting the efforts of the Pool Committee to continue soliciting financial support or the purpose of constructing a new swimming facility at Shaw Park. Seconded by Ms. King. Voice vote passed unanimously.*

**Motion – Pool Feasibility Study**

*Motion by Mr. Bovalino, I move that Beaver Borough Council request a Feasibility Study Update for the pool at Shaw Park conducted by Environmental Planning and Design with a cost not to exceed \$2,000. Seconded by Ms. McKean. Roll call vote; Mr. Sebastian – No, Mr. Bovalino – Yes, Ms. King – No, Mr. Andres – Yes, Ms. McKean – No, Mr. Deelo – Yes, Mr. Perini – No, Mr. Snowden – Yes, Mayor Hamilton – Yes. Motion passed 5-4.*

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

Adjourned at 8:46 PM

Submitted by Rebecca Phillips