

REGULAR MEETING – August 19, 2015

The Town Council of the Borough of Conway met in Regular Session on Wednesday, August 19, 2015 at 7:00 P.M., in the Fire Department Banquet Hall, South Gross Street, for the purpose of transacting General Business. Vice-President Skocich presided and opened the meeting at 7:00 pm with the pledge to the flag.

ROLL CALL:

PRESENT – J. Bohach, M.DeDominicis, R. Senock (arrived at 7:15 PM),
R. Skocich, D. Vidovich, Solicitor Ott, Engineer - R. Antonelli, Jr.,
Mayor Rose

ABSENT - J. Skocich, A. Sobolosky

REPORTS:

Upon motion of Vidovich seconded by Bohach and carried the reports read were accepted and ordered to be placed on file after proper action is taken.

COMMUNICATIONS:

A motion was made by DeDominicis seconded by Vidovich and carried the communications read were accepted and ordered to be placed on file after proper action is taken.

Mark C. Turnley, CPA
Re: Draft of 2014 Audit.

PennDot
Re: Borough of Conway Zoning Ordinance Amendment to Article I, Section 608

Norfolk Southern
Re: Conway Rail Yard Sample Analysis Report from June 5, 2015.

Beaver County Emergency Management
Re: Summer 2015 Newsletter

PSAB
Re: July 2015 PSAB Update.
Re: August 2015 PSAB Update.
Re: PSAB Borough Management Caucus Newsletter, Summer 2015

CogCare
Re: PA Municipal Health Insurance Cooperative Program.

NIRA Consulting Engineers, Inc.
Re: Copy of letter sent to Crows Run Self Storage, LLC regarding permit application.

HRG

Re: Two letters regarding Penn Energy's Resources, LLC permit application for unconventional gas wells in New Sewickley Township.

PADCNR

Re: Edward Gratty Park Rehabilitation Grant – Final Payment Request.

Commonwealth of Pennsylvania

Re: Winter Agreement – check.

Conway Borough Planning & Zoning Commission

Re: Concerns about Borough and questions on duties of Commission.

PA Community & Economic Development

Re: Beaver County Regional Police Study.

PUBLIC COMMENT:

None.

MAYOR'S REPORT: *Debbie Giska Rose, Mayor*

Mayor Rose stated that all of Council received a copy of the Beaver County Regional Police Study findings in their packet. She said that she needs to have a discussion on this but would Council to review it first. She said that she has questions on the validity of the numbers herself because it does not include some things such as pension. A meeting is to be scheduled sometime in the middle of September to discuss again. Baden has dropped out of the study, so it only includes Ambridge, Conway and Harmony now.

A copy of the Mayor's report was given to each member of Council by Mayor Rose. She read the report. No questions were asked by Council.

A grant was received by the Police Department two years ago for the purchase of bullet proof vests. This grant was a 50/50 matching grant. The Borough is responsible for 50% of the Full Time Police Officers vest. The part-timers would pay their own portion. She believes that only two or three part-timers would need to purchase these. In order to receive this grant the Department must have a must wear policy for the vests in place. The Borough does not have one. Mayor Rose presented Council with a policy for this. The Solicitor and Council reviewed. A few minor changes were made to it.

A motion was made by DeDominicis seconded by Vidovich and carried to adopt the amended version of the Police body armor policy as presented by Mayor Rose.

Discussion: Mayor Rose also commented that she will have to work with the Solicitor to add language to the police uniform policy which reflects this must wear body armor policy.

Mayor Rose informed Council that she is still in limbo with the Handicap Parking Space issue. She said that the issue is downtown and there are some issued for residents who really do not need. She said that she is in favor of revoking all of the spaces that were issued. The Solicitor stated that if she does this then the Ordinance would have to be revoked. Mr. Bob Skocich said that some people do legitimately need them. Mayor Rose said that she would support whatever Council decides but she is not sure what the fair way to do this is. Mr. Bob Skocich said that they would review all the Handicap Parking Spaces that are issued and report back to Council at the next meeting with their recommendation.

ENGINEER'S REPORT: *Ray Antonelli, Jr., NIRA Engineers*

The Engineer informed Council that the Baden Municipal Authority is still working on an agreement for the Borough to sign with regards to the Sanitary Sewage Interconnect. He stated that the main hold up is the Pre-Treatment program. They are in discussions with DEP now to see if this is really necessary.

NIRA has reviewed plans submitted by Crows Run Self Storage for the movement of dirt on his property along Crows Run Road. The Borough Ordinance calls for a building permit to be issued for this. A letter has been sent to Mr. Thompson with items that need to be addressed.

The Floodplain Ordinance was finalized with the Solicitor and with Mr. Frank Thompson. Mr. Antonelli made Council aware that they would see an increased bill because of the questions Mr. Thompson had regarding this Ordinance.

The Secretary was contacted by a company by the name of Land Acquisitions. They were inquiring about the Borough's requirements for road boring or open cuts. The Secretary sent the gentleman an email asking him for more specifics of his questions and cc'd me on the email. The Engineer received a call from this gentleman yesterday and he called him back but had to leave a message. These questions are being brought up because of a proposed major gas line construction through Crows Run Road. The Engineer stated that the Borough's Ordinance does not give specifics to items like this. He suggested that Council update the Street Opening Ordinance.

SOLICITOR'S REPORT: *Megan Ott, Esq.*

Solicitor Ott stated that she could send over examples of Street Opening Ordinances for Council to review.

With regards to the Miller Street Storm Sewer Easement issue, she stated that they had the easements prepared and sent to both home owners. As of today, neither resident has sent back a signed copy. She will contact both home owners again and report back to Council at the next meeting.

Solicitor Ott informed Council that she did have a discussion with a representative from Norfolk Southern with regards to the unpaid Pre-Treatment Program bill. She gave him a counter offer for him to take back to his people but has not heard back from him as of today.

She stated that they have received all the information from the Birchwood Falls lawyers which was needed in order to prepare the Street Acceptance Ordinance for the streets in this plan. These papers should be ready for the next meeting.

Solicitor Ott referred to a letter from PennDot regarding the Borough amending its zoning ordinance. They wanted the Council to consider including language that says any owner whose property is reduced in size by PennDot, that result would not make it a non-conforming lot. As a lawyer she felt the Borough did not need this change. Does it hurt the Borough, don't think it does. Mayor Rose stated that this is PennDot's way of covering its own butt. Council agreed. They decided that they would not amend the ordinance. They asked the Secretary to send PennDot letter with their decision.

Solicitor Ott also asked for an Executive Session at the end of the meeting to discuss a personnel issue.

COMMITTEE REPORTS:

FINANCE/ADMINISTRATION: Joe Bohach, Chairperson

A motion was made by Bohach seconded by Senock and carried to pay the following bills:

GENERAL FUND

Ambridge Do It Best	Supplies/Maint./Police/Parks	92.84	
Ambridge Lumber, Co.	Supplies/Police office	90.00	
Approved Toilet Rentals, Inc.	Toilet Rental/July		326.50#
BLS	Hauling/Asphalt	1,800.00	
Building Inspection Underwriters	Zoning/July	385.00*	
Cercone Gas & Oil	Propane/Maintenance	229.08	
Cranberry Supply Co., Inc.	Stormwater	132.60*	
Economy Plumbing & Heating, Co.	Supplies/Maint./Storm/Police/Parks	84.09*	
Goehring, Rutter & Boehm	Services/July	4,072.00*	
Hanson Aggregates BMC, Inc.	Asphalt	13,660.95	
Interstate Communications	Repairs/Police	86.25	
Mgsoft-net	Computer/Police	25.00*	
NIRA Consulting Engineers	Services/July	4,805.00*	
Personalized Computer Help	Reporting Systems/Police	215.00	
Phelps Outdoor Power Equipment	Supplies/ExMark	50.97	
Physio-Control, Inc.	Battery AED/Police	306.51	
Pipelines, Inc.	Supplies/Stormwater	517.52	
PNC Visa (Giant Eagle)	Supplies/Building	15.97*	
Quill	Supplies/Police & Office	142.67	
Staples	Supplies/Office	20.98	
Traffic Systems	Monthly Fee/August	70.00*	
Tri-State Waters	Water-rental/Municipal Bldg.		46.00#
Mark C. Turnley, CPA	2014 Audit	1,500.00	
US Bank	Office Copier	285.66*	
US Bank	Police Copier	144.22*	
Valley Waste Service, Inc.	Refuse Pickup/July	12,689.60*	
Verizon Wireless	Air Card/Police	80.02*	
Visa	Internet Services	44.58	

WATER & SEWER FUND

Ambridge Do It Best Home Ctr	Supplies/STP	260.39	
Cercone Gas & Oil	Propane/STP	186.00	
CWM Environmental	Water-Sewer Testing	1,390.75*	
Drnach Environmental, Inc.	Flow Monitoring/STP		1,040.00*
Economy Septic Service	Pumping /August	2,625.00*	
Gordon Brothers, Inc.	Water Softener/STP	36.00	
L/B Water Service, Inc.	Supplies/Water	1,921.86	
NIRA Consulting Engineers	Services/July	1,465.50*	
Pipelines, Inc.	Supplies/Water	80.16	
Pittsburgh Hardscapes	Topsoil/Water		168.00
Special Electric Motor Co., Inc.	Repairs/Lift Station	3,875.00*	
Mark C. Turnley, CPA	2014 Audit	2,000.00	

HIGHWAY AID FUND

AutoZone	Parts/Trucks	43.92*
Cercone Sales & Service	Propane/Paver	81.00#
Economy Plumbing & Heating, Co.	Parts/Backhoe	93.34*
Russell Standard Corp.	Polypave	218.24*

WAR MEMORIAL FUND

Pittsburgh Hardscapes	Mulch	155.00
Stones Trades	Brick Engraving	30.00

Mr. Bohach had nothing else to report.

PUBLIC SAFETY: Renee Senock, Chairperson

Ms. Senock had nothing to report.

Mr. Bob Skocich asked the Secretary about the LED Street Light Program and where it was at. She said that she put in for 11th Street all the way to the Economy border. This would be a total of 18 lights if able to get all of them. If so there would be more of a charge. She stated that she has not heard anything back on this as of today. She will check on this and report back at the next meeting. Mr. Skocich also asked the Secretary if she could get a listing of all the street lights in the Borough and their locations. She said she would inquire about this with the Duquesne Light representative.

PUBLIC WORKS: Robert Skocich, Chairperson

Mr. Skocich had nothing to report.

PLANNING/ZONING/ORDINANCE: Robert Skocich, Chairperson

The next Planning & Zoning Meeting will be held on Tuesday, August 25th at 7:00 pm here at the Banquet Hall.

PARKS/RECREATION: James Skocich, Chairperson

Mr. Skocich was absent from the meeting. Mrs. Metzger was present to report on the recreation happenings. She reported that Community Day was a huge success. She said everything went on well but had a few problems as expected. The major one was the shuttle service. She thanked the high school seniors who helped out this day. She said they did a great job. Mr. Dinello stated that the fireworks were again wonderful and they received many compliments on them. Mrs. Metzger informed Council that they had some problems with kids at the event. She informed the police who were present but they said that they would have to witness them doing something before they could ask them to leave. She wanted to know if she could ask these kids to leave the event. Council said that she could.

Mrs. Metzger said they had a new member request. Mr. Mike McKenna. She recommended that Council place him on the Board.

She stated that they had the most recent movie night at Gratty Park. Other than not having a key for the electric, the event was a huge success. There were 75 or more people there. They also had a box car competition. Tara Prest's daughters won the contest with their princess mobile. The next movie night will be on Friday, September 11th and Beetlejuice will be the movie.

Upcoming Events included a Night at the Races on October 17th and she would like to have a Halloween Parade downtown by the Conway Towers since the school is closed and the annual event with the school children will not be held. She will report on this at the next meeting.

COMMUNICATION/PUBLIC RELATIONS/GRANTS: *James Skocich, Chairperson*

Mr. Skocich was absent from the meeting. No other Council member had anything to report.

UNFINISHED BUSINESS:

Council decided to table the permit fee discussion to the Regular Meeting so new Councilmember Mr. Dean Vidovich had time to review.

NEW BUSINESS:

None.

PUBLIC COMMENT:

Mr. Dinello, East Ridge Avenue, stated that he heard that Northern Lights has been sold. Council said that they had no confirmation that this is true. The Secretary stated that she has recently been in contact with the owners. He also informed Council that the Citizens Police Academy is starting in March of next year. If anybody is interested to please let him know. He did drop off information to the Secretary in the office.

Mr. Joe Bohach, Councilperson, asked the rest of Council if they were interested in meeting with Freedom Area School District regarding purchasing of the Conway Elementary. Council said that they would be interested in sitting down with them to see what they had to say. Mr. Bohach will contact the school and set up a meeting.

Mrs. Patty Then, 1000 E. Ridge Avenue, asked the Solicitor what happens if the Borough denies a Handicap Parking Space application because that person has off street parking and someone else who also has off street parking is issued one. She asked if the Borough was held liable. The Solicitor said that this is hard to appeal and win. The process is that if denied they appeal to Council, if still denied then they appeal to Court. This usually doesn't go this far. Had an appeal to Council for this reason last year and Council still denied. That resident did not appeal to a higher court. Mrs. Then asked the Secretary what was going on with her dumpster issue. The Secretary stated that she had turned the complaint over to the Code Enforcement Officer. She has not heard anything from him as of today but will check on the matter tomorrow. She asked the Solicitor if the Borough is able to suggest to landlords that they do background checks on their tenants. Mayor Rose said that the police can no longer do background checks of this sort, only if have a reason to do them. Mrs. Then stated that she stumbled on this next matter by accident. She informed Council that there is someone in the Borough that hasn't paid taxes since 1981. The Secretary asked her who this is and where was the property. Council was not

aware of this. She said that it was a Ben Morrow. The Secretary said that this is vacant property which cannot be developed. Mr. Bohach said that this is the property behind Gratty Park, including the hillside. The Secretary stated that it is land locked. Mrs. Then thought Council should be looking into this. There may be other properties out there. They should be more concerned. The Solicitor stated that properties that do not sell at a Sheriff's Sale go into what is called the Repository. It may sit there for years until someone shows an interest in it. She said that it wouldn't hurt to look into this every few years though. Mrs. Then asked the Secretary about the minutes. She stated that she has not seen any on the agenda to be approved in awhile. The Secretary responded that she is behind on these about a year and a half. She asked Council if they were okay with this. Mr. Bob Skocich said that they were not okay with this and that they have addressed the issue with the Secretary. Mrs. Then presented Council with a Right-to-Know request for the last two years of minutes. This was turned over to the Secretary who is the Right-to-Know officer.

A motion was made by DeDominicis seconded by Bohach and carried to go into Executive Session at 9:10 pm to discuss a personnel issue.

The Regular Meeting was resumed at 9:51 pm.

No action taken.

A motion was made by Bohach seconded by Vidovich and carried to adjourn at 9:51 pm.

Respectfully submitted,

Diane R. McKay
Borough Secretary

DATE _____

PRESIDENT _____