

The regular meeting of Beaver Borough Council was held on Tuesday May 11, 2010, in the Community Room at 7:30 P.M.

PRESENT: President Joseph Zagorski; Vice-President Michael Lacey; John Wolbert; Shirley Sayers; Lauson Cashdollar; Daniel Deceder; Kathryn Nestor; Mike Deelo; Mayor Thomas Hamilton; Solicitor John Petrush; Police Chief Dan Madgar; and Borough Manager John Barrett

ABSENT: Alexander Andres

VISITORS: George Kauffman, Thelma Kauffman, Midge Sefton, Bob Rice, Chuck Casbourne, Matt Hogan, Jeff Lloyd, Walt McDermott, Dave Linkimer, Betty Burk, Biagio Pagani, Jane Elliott, Bob Gifford, Luke Berardelli, State Representative Jim Christiana

The meeting was called to order with the Pledge of Allegiance to the Flag and roll call.

Mr. Wolbert motioned to approve the April 13, 2010 meeting minutes as presented. Mr. Lacey seconded and the motion carried. Mr. Deceder stated he wanted to make a clarification to the May 4, 2010 meeting minutes. On page 2 where the CEC proposal was discussed, his intention regarding the cost was to say the \$3,200 proposed cost was based on the scope of work identified in the proposal. He was not trying to say there would be no additional cost. If something outside the scope would come up then there could be additional charges which CEC would get approved by Council prior to any work being done. Mrs. Sayers motioned to approve the May 4, 2010 special meeting minutes with the clarification discussed. Mr. Lacey seconded and the motion carried.

Persons in Attendance:

Jane Elliott presented some pictures showing high grass at 1004 Second Street which abuts her property. She asked Council to do something about this condition. Solicitor Petrush stated that there were 2 or 3 ordinances which could be referenced to cite the property owner. Manager Barrett stated that he had sent a notice last Thursday or Friday and would cite the property owner after the time to correct the problem had expired. He had heard this property was going up for Sheriff's sale. The property is vacant. The Solicitor stated the Borough had two options, either cite the owner or take on cutting the grass and billing the property owner. After some discussion, Mr. Lacey motioned to authorize the Manager to take care of the property and file a lien on the property when warranted. Mrs. Nestor seconded and the motion carried.

Betty Burk stated that there was a survey in the recent newsletter and asked who made it. She also asked what happened to the petition which was presented that stated they wanted nothing to do with this. It was also unclear as to whether the pool would be a separate item or if it was to be included with the new recreation center. Mrs. Sayers stated that EPD had put together the survey. There is a study committee meeting tomorrow in which the pool would be discussed. The intention is not to put a pool in the recreation center but to repair or replace the pool in the current location.

Walt McDermott asked about clearing the hillside in front of the bench at the corner of River Road and Wilson Avenue. He asked the Manager about this and the Manager stated he would discuss this with Mrs. Sayers who was the chairperson of the Recreation Committee. Mrs. Sayers stated that she wasn't the one who cuts down the trees and that is why we employ a Manager so that he can direct that. Mrs. Sayers motioned to have the Manager cut the trees in this area within the next ten days. Mr. Wolbert seconded the motion. Manager Barrett asked for clarification as to which trees should be removed. He stated that the Recreation Committee under Mr. Shallcross was handling clearing in front of the benches all along River Road with funds allocated to contract this work. Mr. Lloyd of the Shade Tree Commission stated that a 45° angle in front of the bench was being cleared. There is \$10,000 in the budget to continue this clearing program. Mr. Cashdollar asked who was taking the lead on this. After some discussion, Mrs. Sayers withdrew her motion. Mr. Cashdollar motioned to authorize the Manager to get with the contractor within the next ten days, the Manager make the appropriate clearing decision and get this cleared. Mrs. Sayers seconded and the motion carried. Mr. Kauffman also asked that the bench at Dravo Avenue and River Road be cleared and that there are several others that need to be looked at as well.

Unfinished Business:

1. Zoning Ordinance Revision – Mr. Deceder stated that he has had discussions with Mr. Pierce. He feels Mr. Pierce needs to get with Council and or the Planning Commission to better develop the full scope of work needed to complete this project so that he then can give a firm proposal and cost to complete the work. It was decided Mr. Deceder would get some dates from Mr. Pierce and coordinate a meeting with the Planning Commission.
2. Historic Preservation Study Group Recommendations – Mrs. Nestor stated that the work is ongoing and the Attorney hired to work with the Study Group will be submitting his recommendations for the Group to review.
3. 2009 GASB Audit Report – Mr. Wolbert stated that this report was to be done by the end of April. Mr. Cashdollar stated that the time could be extended if necessary. Mr. Wolbert asked when it would be completed. Manager Barrett stated that the auditor's part is 95% completed. They are waiting for the management discussion and analysis report. The Manager stated that he had pulled together the data to prepare the report and has been working with the

Finance Committee to improve the format. Mr. Cashdollar stated he would set up a meeting with the Manager to complete a final outline for the report.

4. Fraud Policy – Mr. Cashdollar presented a final draft to Council. After some discussion, Mr. Cashdollar motioned to adopt the policy as presented. Mr. Lacey seconded and the motion carried.
5. Interim Finance Policy – Mr. Cashdollar noted a draft which was being considered. He received some input from the Manager he is reviewing and will provide a final draft when some issues involving regular monthly expenditures have been worked out.
6. Mr. Wolbert asked about the organizational flow chart Mr. Deceder was working on. Mr. Lacey stated that Mr. Deceder and the Wage & Personnel Committee were working on that and they would be discussing it at his May committee meeting along with the employee evaluation form and a remaining job description in order to prepare a final draft. Mr. Wolbert also stated that at the May 4th Council meeting Mrs. Nestor asked for copies of the Rules of Order for each Council member, which were distributed tonight, but he also thought Council was getting a copy of the final employee handbook as well which he would like. Mr. Wolbert asked if anything was being done with the draft financial policies which were developed last year by the Finance Committee and the Manager. Mr. Cashdollar stated he had those but was not yet prepared to move on them at this time. Once we finish putting together some interim policies then a more comprehensive review would be completed.

Manager Barrett stated that some Council members have expressed an interest in getting hard copies of certain documents and others did not need to have them. He asked that once a document has been finalized those who would like a hard copy please let him know so that he wasn't making copies when someone didn't want one and then they got thrown away.

Voting Items:

1. Pool Information Sheet, pass prices and admission rates – Manager Barrett presented the draft 2010 Pool Information sheet which reflected the same pricing as 2009. Mrs. Sayers stated this was discussed at her committee meeting. Mrs. Sayers motioned with the recommendation of her Committee that the various pool pass rates be raised by \$5 for Beaver residents and \$10 for Bridgewater/Brighton Township/Vanport residents for 2010 with the daily admission remaining the same, \$3 for students and \$5 for adults. Mr. Cashdollar seconded and the motion carried 7 to 1 with Mr. Deceder voting no. There was discussion about a senior pass rate and the requirement for a bathing suit when taking a child to the baby pool. The Recreation Committee will review these items.

2. The Tax Collector is requesting a property tax refund for double payment at 1011 Fourth Street and 384 College Avenue – Mr. Cashdollar motioned to approve the refund as presented. Mr. Lacey seconded and the motion carried. There was discussion about commission being received on double payments. Mr. Cashdollar stated he had several items to discuss with the Tax Collector and would address this with her as well.
3. Beaver Library letter requesting 2010 annual donation – Mrs. Wakefield of the Beaver Library thanked Council for their ongoing support and for the increase in the annual donation for 2010. Mr. Wolbert motioned to approve the allocation of \$25,000 to the Beaver Library. Mr. Lacey seconded and the motion carried.
4. Proposed easement agreement between Beaver Borough and First Energy to relocate the existing emergency siren pole from behind the Municipal Building into the adjacent parking lot, both locations are owned by the Borough – Manager Barrett stated that he and the Police Chief met with representatives from First Energy to discuss this relocation and both agreed the proposed new location would be the best location for this new pole. Mr. Lacey motioned to approve the easement as presented. Mr. Wolbert seconded and the motion carried.
5. Letter from the First Christian Church requesting permission to close one block of Otter Lane situated behind their church, 6:30pm to 8:45pm, June 13 through June 17, and to display a temporary sign at Third Street and Iroquois Place announcing the event – Manager Barrett stated that the Church has done this in the past without incident. Mr. Lacey motioned to approve closing the road and placing the temporary sign as presented. Mrs. Sayers seconded and the motion carried.
6. Market Street and Fifth Street intersection realignment project – Manager Barrett presented the previous bids received at the March Council meeting. The lowest bidder was Youngblood Paving at \$39,355. Mr. Lacey motioned to accept the bid from Youngblood Paving and to proceed with the project. Mr. Cashdollar seconded and the motion carried. There was discussion regarding a 4-way stop and 3-way stop at this intersection once the realignment was complete. It was agreed to keep the intersection a 2-way stop and look into speed flashing signs and possibly no left turns off of Market Street. Chief Madgar stated that Penn DOT was recommending one change at a time to gauge the effectiveness of the change before making additional changes.

7. Final Draft of the 2008 GASB Audit Report - Mr. Cashdollar motioned to approve the final draft as presented and to make a copy available at the Borough office and the Beaver Library. Mr. Lacey seconded and the motion carried. Mrs. Sayers reiterated that she felt Council only approved the GASB audit report for one year.

New Business:

1. There was no new business.

Wage & Personnel Committee – Mr. Michael Lacey, Chairperson

1. Mr. Lacey stated that the Pool Manager, Assistant Manager and most of the summer help was hired at the May 4th special Council meeting. The few remaining pool positions would be filled by the manager's and reported back to Council for acceptance. Mr. Lacey stated that he would be having a Committee meeting on May 25th to continue discussion on the remaining job description and evaluation form.

Education & Special Services Committee – Mr. John Wolbert, Chairperson

1. Mr. Wolbert stated that there was no April Committee meeting and the next Committee meeting would be on May 25th.
2. Mr. Wolbert presented the minutes of the April 28, 2010 meeting of the Business District Authority for Council's review.
3. Mr. Wolbert presented a joint letter from Bill Cooper, Chairman of the Business District Authority and Lincoln Kretchmar, Chairman of the Chamber of Commerce. They announced that Beaver has 100% occupancy of the first floor store fronts in the central business district. This is a great achievement and they thanked Council for their support.
4. Mr. Wolbert presented some information from the PSAB conference and announced that the Borough was presented the 2010 First Place Award for its web site and thanked all those involved with bringing this honor to the Borough.
5. Mr. Wolbert requested an executive session for an update on several employee issues and pending lawsuit filed against the Borough.
6. Mrs. Sayers asked the Police Chief to increase enforcement of the two hour parking in the central business district because employees and owners were taking advantage of the free parking.

Emergency & Recreation Services Committee – Mrs. Shirley Sayers, Chairperson

1. Mrs. Sayers presented a letter from DCED informing the Borough that they had received a preliminary recommendation for a grant in the amount of \$13,131 for a K-9 project.
2. Mrs. Sayers presented the minutes of the May 5, 2010 Committee meeting for Council review.
3. Mrs. Sayers noted that her Committee was asked to review the merits of continuing the Borough picnic. Based on the Committee's review they were recommending the picnic be canceled this year. They believe only 200 or 300 residents and non-residents attend each year and the cost for the picnic outweighed the benefits only a few were enjoying. Mrs. Sayers motioned to cancel the picnic for 2010. Mrs. Nestor seconded and the motion carried.
4. Mrs. Sayers stated that the next Feasibility Study Committee meeting will be held tomorrow at 7:00 P.M.
5. Mrs. Sayers noted that she and the President of Council completed the police operations training seminar with Mr. Wolbert attending the last session in Mr. Zagorski's absence. They found it to be very informative.
6. Mrs. Sayers stated that her Committee was developing a pool operations and maintenance manual. She asked the Manager to provide his input on the draft she previously distributed.
7. Mayor Hamilton announced that the Borough would be hosting the annual countywide Veteran's Day Parade this year. The Monaca VFW will be organizing the parade and coordinating their efforts with the Police Chief. Mayor Hamilton noted that the water fountain in Quay Park was being painted and should be completed shortly. He also asked for an executive session to discuss police contract services.
8. Chief Madgar stated that the School District is still proceeding with developing information and a cost to possibly join them in the use of their phone system. He thanked Officer Degori for his work in putting together the grant application for the K-9 project. Chief Madgar noted that the Police Memorial will be held this Friday at 10:00am in the front yard at the Courthouse. He also noted that a movie company would be coming to Beaver in June to film part of an upcoming movie. The producer of the Wonder Boys which was partially filmed in Beaver recommended our town to this movie company.

9. Dave Linkimer stated that the Fire Department has received a grant to purchase a thermal imagery camera and various other items for the department. The Fire Department's 5K/10K race will be held on June 5th this year. Mr. Linkimer thanked those participating in this year's nuclear power plant drill for their efforts in making his first drill as the Emergency Management Coordinator a successful one. Mr. Wolbert commended Mr. Linkimer for his efforts in overseeing this drill for the Borough.

Finance Committee – Mr. J. Lauson Cashdollar, Chairperson

1. Mr. Cashdollar stated his Committee would be meeting and reviewing several items with the Manager including the capabilities of the Borough's accounting software to provide the necessary reports Council would like to see. The Committee will also continue its development of the remaining proposed policies for Council's consideration.
2. Mr. Cashdollar presented the March 2010 net asset reports of the pension funds for Council's review.
3. Mr. Cashdollar presented the April expense and revenue report of the general fund for Council's review.
4. Mr. Cashdollar presented a final copy of the 2009 DCED report for Council's information.

Policies, Procedures & Zoning Enforcement Committee – Mr. Daniel Deceder, Chairperson

1. Mr. Deceder presented the minutes of the April 28, 2010 Committee meeting for Council's review. Mr. Deceder noted that his Committee was reviewing the sexual harassment policy in the police manual and the harassment policy in the employee handbook and would be developing a singular policy to address the sexual harassment topic. He also noted his Committee was reviewing several policies already on the books and that they would be reviewing the Manager's comments on various policies and developing a table of content to summarize policies as they are adopted.

General Government Committee – Mr. Alexander Andres, Chairperson

1. Mr. Deceder stated that he had attended the April 22, 2010 Council of Governments meeting and presented a summary of the topics discussed.

2. Mr. Zagorski presented a letter from the Beaver Area Heritage Foundation supporting the Borough's effort to control demolition within the Borough.
3. Mr. Zagorski presented minutes of the March 24, 2010 Beaver County Tax Collection Committee meeting and their by-laws for Council's review.

Highway & Equipment Purchases Committee – Mrs. Kathryn Nestor, Chairperson

1. Mrs. Nestor presented the April report of the Public Works Department for Council's information.
2. Mrs. Nestor presented the minutes of the April 26, 2010 Committee meeting for Council's review. The next meeting is scheduled for May 25th at 7:00pm.

Water and Sewer Committee – Mr. Michael Deelo, Chairperson

1. Mr. Deelo presented the April expense and revenue report of the water and sewer fund for Council's review.
2. Mr. Deelo presented the minutes of the May 7, 2010 Committee meeting for Council's review. The Committee is further discussing an emergency water interconnect agreement between Beaver, Brighton Township and Vanport. The Committee is also reviewing the legal status of the Borough's Municipal Authority. Mr. Wolbert asked about a 2009 audit report for the Authority. Manager Barrett stated that the water and sewer fund was audited and is being included in the Borough's audit as a proprietary fund of the Borough. Mr. Deelo noted some inconsistencies since the Council assumed the duties of the Authority and that his Committee would be reviewing the matter.

Marketing Committee – Mrs. Nestor & Mrs. Sayers, Co-Chairpersons

1. There was no report.

Manager's Report:

1. Manager Barrett presented his April activity report for Council's review. Mr. Wolbert asked several questions regarding a certificate of deposit that was taken out at West-AirComm FCU which matured on April 25th and how that was presented. Mr. Cashdollar noted that he still had a few remaining questions of West-AirComm to satisfy him that the Borough's funds are being appropriately collateralized.

Treasurer's Report:

1. Manager Barrett presented the April Treasurer's report for Council's review. Mr. Wolbert asked several questions regarding the \$300,000 certificate of deposit which matured and it subsequently being moved to the money market fund. There was some discussion regarding how investments were made for the Borough.

Solicitor's Report:

1. Solicitor Petrush reported that his amended draft of the sales agreement between the Borough and the County for the old 911 Center property was delivered May 5th to the County's legal department.
2. Solicitor Petrush stated that he, the Manager, the Zoning Officer and Engineer attended a meeting put on by FEMA and DCED regarding upcoming changes to the flood plain maps and stated that an ordinance amendment would probably be necessary when the final maps are adopted by FEMA.
3. Solicitor Petrush noted that he and the Manager are working to resolve a property maintenance issue with the property at the corner of Dravo Avenue and Fourth Street and he and the Zoning Officer are working on a possible zoning enforcement issue at the corner of Fifth Street and Market Street.
4. Solicitor Petrush stated that recent law changes have affected the police pension ordinance and how an officer killed in service benefit is provided. He will advise Council of any necessary amendments.

Council went into executive session at 9:55 P.M.

Council reconvened at 10:36 P.M.

Mr. Wolbert had several questions regarding invoices for topsoil, West-AirComm and Nelson Engineering. Manager Barrett addressed his questions.

Mr. Deceder questioned the activities of the Zoning Officer and his compensable time. After some discussion, Mr. Cashdollar motioned to have the Zoning Officer provide a report of his activities for the month of April to Council. Mr. Deceder seconded and the motion carried.

Mr. Deceder brought up two items for discussion. The first was why the previous President of Council's name was stamped on two checks which were made out in May. The Manager was asked to look into this and report back to Council why and how this happened. The second item was why the Solicitor was billing for hours spent on the zoning revision and the demolition ordinance when Council was seeking a consultant to complete the zoning revision and the Historic Preservation Study Group was authorized to get outside legal assistance to complete the demolition ordinance. After some discussion, Mr. Deceder motioned to defer payment of these hours until the matter can be discussed with the Solicitor. Mr. Cashdollar seconded and the motion carried.

Mrs. Sayers noted that she brought up in executive session the question of free pool passes for the fire department. She was approached by Mr. Linkimer, a fireman, as Council was going into executive session. Based on discussion and consensus in executive session, Mrs. Sayers motioned that there are no longer any free pool passes given to anyone at all. Mr. Cashdollar asked if anyone on Council knew of the free pool passes and approved them being issued. Mrs. Sayers and Mr. Wolbert stated they had heard this was being done but no Council member acknowledged ever giving approval to do so. Mrs. Nestor seconded and the motion carried.

Mrs. Nestor presented the Manager with a State flag she received from PSAB when she was registering for the conference.

Mr. Lacey motioned to approve all bills excluding the previously discussed items in the Solicitor's invoice. Mr. Wolbert seconded and the motion carried.

Mr. Deceder noted that with the resignation of Mr. Robb there was no representative for the Beaver County Regional Council of Governments. He has been attending as the alternate and is willing to be the representative. Mr. Zagorski thanked Mr. Deceder for volunteering but will wait until the new Council member is appointed before assigning someone as the representative.

Meeting adjourned at 10:55 P.M.

Submitted by,

John M. Barrett
Borough Manager