

The regular meeting of Beaver Borough Council was held on Tuesday March 10, 2009, in the Community Room at 7:30 P.M.

PRESENT: President Joseph Budicak; Dave Shallcross; Art Robb; Joe Zagorski; John Wolbert; Tom Patterson; Kay Nestor; Shirley Sayers; Mayor Thomas T. Hamilton; Solicitor John Petrush; Police Chief Dan Madgar; Borough Manager John Barrett and Administrative Assistant Jan Mohrbacher

ABSENT: Dave Edelstein

VISITORS: Midge Sefton, Bob Rice, Dave Linkimer, Jeff Lloyd, Greg Powell, Wanda Good, Ralph Morton, Travis Bieda, Tommi Wagner, John Coban

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

Mrs. Sayers said the minutes should reflect that Ms. LaDonne's comments should include that she was also addressing the rude behavior of the meter person. Mr. Wolbert asked for an addition under his request for executive session that it reflects the executive session was to address the employee matter raised by Ms. LaDonne. Mr. Patterson motioned to approve the minutes of February 10, 2009 as amended. Mrs. Sayers seconded and the motion carried.

Persons in Attendance:

Jeff Lloyd asked if the Study Committee established to conduct the upcoming feasibility study was going to be reactivated and who was going to select the consultant to work on the feasibility study. Mr. Shallcross noted that the same Study Committee was going to be reactivated and that the selection of the consultant would be discussed in the future.

Travis Bieda, Chief of Staff for Representative Christiana noted an upcoming workshop for Open Records Officers and offered his and Representative Christiana's assistance with any problems or concerns the Council may have.

Unfinished Business:

1. DCED Audit Report – Work is still in progress.
2. Use of Equipment and Facilities – This item was referred to the General Government Committee for further review. Their meeting minutes were presented. Mr. Robb noted an email from PSAB which stated that the use of

equipment and facilities may be a technical violation under the State Ethics law. The Solicitor was asked to review the matter.

3. Employee Handbook – There was nothing new to report.
4. Job Descriptions and Evaluation Forms – Mr. Wolbert noted that the job descriptions and employee evaluation process were being reviewed.
5. Zoning Ordinance Revision – The Manager noted that the Planning Commission received the final draft of the revision and is making a final review before presentation to Council.
6. Rules of Order for Council Meetings – The Solicitor is still gathering input from the Council members for his review.

Voting/New Business Items:

1. Open Records Policy – After some discussion, Mr. Wolbert motioned to adopt the resolution establishing an Open Records Policy. Mr. Zagorski seconded and the motion carried.
2. Liquid Fuels on-line application and intergovernmental agreement – Manager Barrett noted that he has already attended training on this application and PennDOT is making it mandatory to complete the liquid fuels forms on-line starting in 2010. The Solicitor will review the proposed agreement and this item will be revisited at the next Council meeting.
3. Letter of Agreement to continue the Buckle Up PA “Click it or Ticket” Project – Chief Madgar noted that the department has participated in this program in the past and would like to continue. Mr. Patterson motioned to authorize execution of the agreement. Mr. Robb seconded and the motion carried.
4. Support letter for ORSANCO – Council was asked to send a letter of support to its US Senators requesting they support funding for ORSANCO to upgrade various monitoring equipment. After some discussion, Mr. Bieda was asked to provide additional information regarding ORSANCO and its request.
5. Sixth & Seventh Streets Project bid tabulation report – Manager Barrett presented the bid tabulation report from the Borough Engineer. After some discussion, Mrs. Sayers motioned to reject all bids due to the projected cost. Mrs. Nestor seconded and the motion carried. The Manager was authorized to have the Engineer revise and rebid the project.

New Business:

1. Mrs. Nestor noted that reference was made to Beaver participating in the YMCA summer program at the last School Board meeting. Manager Barrett stated that he was not sure what the reference was about but that he did notify the Brighton Township Manager that Beaver would not be participating in this year's YMCA summer program.
2. Manager Barrett presented the Borough Engineer's estimate for this year's Road Paving Program. After some discussion, Mrs. Nestor motioned to authorize the Engineer to solicit bids for this year's Road Paving Program. Mr. Wolbert seconded and the motion carried.
3. Mr. Budicak asked for an executive session to discuss a real estate matter and for a personnel matter regarding the meter person position.

Parks and Recreation Committee – Mr. David Shallcross, Chairperson

1. Mr. Shallcross presented the 2009 Pool Information sheet for Council's review. The season pass price was increased by \$5 and proportionately over the family passes and the daily admission was increased from \$4 to \$5 for adults. Mr. Shallcross asked the Manager to see if the pool could stay open through Labor Day even if only for limited hours. Mr. Shallcross motioned to approve the rate changes presented. Mr. Patterson seconded and the motion carried.
2. Mr. Shallcross presented information on this year's DCNR grant application cycle for Council's information.
3. Mr. Shallcross noted that the proposals for conducting the feasibility study are due by March 20th at the Community Development Program office.
4. Mr. Shallcross stated that the Beaver Area Boosters have requested help to dig a trench and for some field maintenance at the ball fields this coming Saturday. Mr. Shallcross also stated that several of the Public Works employees are willing to volunteer their time to do this work for the Boosters if Council would authorize the use of the equipment. Mr. Shallcross noted that this was a nice gesture from the employees and showed good will on their part. Solicitor Petrush was asked if it would be proper to allow the use of the equipment for this purpose. He stated that it would because it would benefit the general public and is considered a civic project. After some discussion, Mr. Patterson motioned to approve the use of the Borough equipment to complete the work for the Beaver Area Boosters. Mr. Shallcross seconded and the motion carried 6 to 2 with Mrs. Sayers and Mr. Wolbert voting no.

Wage & Personnel Committee – Mr. John Wolbert, Chairperson

1. Mr. Wolbert presented the Committee minutes of February 24, 2009 for Council's review. He noted that the next meeting was scheduled for March 24th but was being moved to March 31st due to scheduling conflicts. The Manager was asked to advertise the meeting change.
2. Mr. Wolbert asked for an executive session to discuss an employee issue which occurred at a public meeting on March 5th.
3. Mr. Budicak noted that in the Committee minutes of February 24th they reference changes to the letters of employment drafted by the Solicitor. When he had come in to sign these letters he noticed changes not discussed at a regular Council meeting. There was a statement regarding annual evaluations and that they would be done by the Police Chief for the Police Clerk and by Council for the Administrative Assistants. Mr. Wolbert stated that he did not make the change regarding the evaluations to be completed by Council for the Administrative Assistants. Mr. Budicak raised concerns about minor changes being made without Council approval.

Special Services Committee – Mrs. Shirley Sayers, Chairperson

1. Mrs. Sayers presented the minutes of the February 24, 2009 meeting of the Business District Authority for Council's review.
2. Mrs. Sayers presented the minutes of the January 24, 2009 and March 2, 2009 meetings of the Shade Tree Commission for Council's review.
3. Mrs. Sayers asked about the spring clean-up. Manager Barrett stated that it would be on April 18th and 25th. It has been placed on the web site and will be in the upcoming newsletter. Mrs. Sayers asked to try and get it in the news paper as well.
4. Mrs. Nestor noted that Greensweep will be conducting their annual highway clean up on April 18th.

Highway Committee – Mrs. Kathryn Nestor, Chairperson

1. Mrs. Nestor presented the Public Works Department February report for Council's review. Mrs. Nestor noted that she would like to see the part-time hours on the report.
2. Mrs. Nestor presented a letter from PennDOT inviting Council to attend an Informational Community Outreach Session on March 26th.

3. Mrs. Nestor noted that she was looking to set up a Committee meeting to discuss several items.
4. Mrs. Sayers asked about the salt being used on the sidewalks. Manager Barrett stated that they are using a salt mix. The price of the calcium chloride is over double the price of the mix. The Manager will continue to review the matter.

Water and Sewer Committee – Mr. Joseph Zagorski, Chairperson

1. Mr. Zagorski presented the February expense and revenue report and the January Treasurer's report of the water and sewer fund for Council's review.
2. Mr. Zagorski noted that he was having a Committee meeting on March 16th at 7:00 P.M.

General Government Committee – Mr. Art Robb, Chairperson

1. Solicitor Petrush presented a draft ordinance clarifying the parking restriction on College Avenue which was a part of the Streetscape Project which eliminated the parking meters on Third Street and to amend the fee established for residential permit parking violations. After some discussion, Mr. Zagorski motioned to authorize the Solicitor to advertise the ordinance for adoption at the next Council meeting. Mr. Shallcross seconded and the motion carried.
2. Mr. Robb presented a sample ordinance needed to participate in the Greenhouse Gas Pilot Grant Program. After some discussion, Council agreed they wanted to participate in this program and authorized the Solicitor and Manager to proceed with drafting the necessary ordinance.

Emergency Services Committee – Mr. Thomas Patterson, Chairperson

1. Mr. Patterson presented a draft of his February 2, 2009 Committee meeting minutes and noted that several minor correction needed to be made.
2. Mayor Hamilton had nothing to report.
3. Chief Madgar presented a request to send Officer Wijnen-Riems to a training class regarding the K-9 Unit for approximately \$1,000. Mrs. Nestor motioned to approve the request. Mr. Shallcross seconded and the motion carried. Chief Madgar noted the upcoming negotiations with Vanport regarding a new policing contract. Council asked the Mayor, Police Chief and Mr. Patterson to begin talks with Vanport.

4. Dave Linkimer noted that the Fire Department was planning to attend a grant workshop being sponsored by Congressman Altmire. They would be submitting an application for needed equipment.

Finance Committee – Mr. David R. Edelstein, Chairperson

1. Mr. Budicak presented the February expense and revenue report and January Treasurer's report of the general fund for Council's review.

Marketing Committee – TBD, Chairperson

1. Mrs. Nestor noted that a group attended a meet and greet session Westinghouse conducted. She thanked Sergeant Hogan, Mary Anne Peluso and the School District Representative for attending this session.

Solicitor's Report:

1. Solicitor Petrush had nothing to report.

Mr. Robb asked for an executive session to discuss the union contract negotiations.

Council went into executive session at 8:55 P.M.

Council reconvened at 10:32 P.M.

Mr. Robb motioned to approve the tentative offer as discussed contingent upon the union accepting the offer. Mr. Shallcross seconded and the motion carried 6 to 2 with Mrs. Sayers and Mr. Wolbert voting no.

Mr. Budicak noted that the three civilian employees, police clerk and 2 administrative assistants were given the same benefits as last year but were told the benefits would be revisited when the union contract was finalized to align them with the same benefit package. After some discussion, Mr. Wolbert motioned to approve the benefit changes as offered to the union contingent upon the union's acceptance. Mrs. Sayers seconded and the motion carried.

Mr. Budicak stated that a proposal was made to move the meter person to the street department and have the enforcement duties filled by a part-time police officer. After some discussion, Mr. Zagorski motioned to authorize the change. Mr. Patterson seconded and the motion carried.

Mr. Patterson motioned to pay all approved bills. Mr. Shallcross seconded and the motion carried.

Meeting adjourned at 10:43 P.M.

Submitted by,

John M. Barrett
Borough Manager