

The regular meeting of Beaver Borough Council was held on Tuesday October 13, 2009, in the Community Room at 7:30 P.M.

**PRESENT:** President Joseph Budicak; Vice President Dave Edelstein; John Wolbert; Kay Nestor; Art Robb; Joe Zagorski; Shirley Sayers; Mayor Thomas T. Hamilton; Solicitor John Petrush; Police Chief Dan Madgar; Borough Manager John Barrett and Administrative Assistant Vicki Vandebord

**ABSENT:** Dave Shallcross, Tom Patterson

**VISITORS:** Dan McKeel, Jeff Lloyd, Midge Sefton, Dave Hagen, Tommi Wagner, Bob Rice, George Kauffman, Thelma Kauffman, Matt Hogan, Jeff Hamilton, Marjorie Hird

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

Mrs. Nestor motioned to approve the September 8, 2009 regular Council meeting minutes as presented. Mr. Zagorski seconded and the motion carried. Mrs. Sayers motioned to approve the September 8, 2009 special Council meeting minutes as presented. Mr. Edelstein seconded and the motion carried.

Mr. Wolbert gave a power point presentation on his recent visit to Officer Wijnen-Riems's K-9 training.

**Persons in Attendance:**

Jeff Lloyd asked what the status was of the feasibility study. Manager Barrett stated that the contract between the Community Development Program and Environmental Planning & Design (EPD) has been fully executed. The next step will be a kick off meeting with EPD and the feasibility study committee. The date and time have not yet been determined.

George Kauffman asked if the date for leaf collection was going to change. Manager Barrett stated that the date would not be changed however residents are welcomed to take their leaves to the yard waste drop off site if they need to. If that was not possible residents could put them in the street now but the Manager did not recommend that. There was still two weeks until leaf collection started and leaves put out now would only be blown around. The collection date will remain the same because equipment needs to be converted for leaf collection and there are a few projects the equipment is needed for before the conversion can take place.

Officer Wijnen-Riems thanked Council for the opportunity to be the K-9 Officer and for allowing him to attend this training.

### **Unfinished Business:**

1. Zoning Ordinance Revision – Solicitor Petrush stated that his office is continuing the formatting of the revised zoning ordinance and he is also editing the ordinance by removing redundant language and restatements of State law to reduce the size of this voluminous document. His hopes are to have a draft by December for review and comment.
2. Historic Preservation Study Group Recommendations – Solicitor Petrush stated that he would be having a meeting with the study group and developing revisions for some of the language in the proposed demolition ordinance. He will keep Council apprised of the progress.
3. Rules of Order for Council Meetings – The Solicitor stated this needs to stay on unfinished business. He has not had time available to address this matter due to the other more pressing matters Council has asked him to review.
4. Liquid Fuels Resolution and Agreement – Solicitor Petrush distributed a resolution and proposed agreement from Penn DOT for Council's review and consideration. Both documents are needed to permit the Borough to participate in Penn DOT's online filing program for the annual liquid fuels report. The Solicitor recommended Council authorize the execution of these documents. The Mayor and Manager would be the authorized agents. Mrs. Nestor asked if this would affect the any of the comments from the Auditor General's office which were in the most recent liquid fuels audit report. Manager Barrett stated that this would not change the process at all. The purpose for the online submittal was to move in the direction of a paperless process with regards to submitting the annual liquid fuels report. This would not change the auditing process or review. After some discussion, Mrs. Nestor motioned to execute the resolution and agreement as submitted. Mr. Edelstein seconded and the motion carried.
5. After some discussion, Council agreed to put the 2007 and 2008 expanded audit reports back on unfinished business until the final report is submitted.
6. Mrs. Sayers asked what the status was of the appraisal Council authorized Ed Cline to conduct. Mr. Budicak stated that the appraisals were delivered to him just prior to the meeting. He was going to have the Manager make copies for the Council members. This item would be discussed in executive session.
7. Mr. Wolbert stated that he felt the employee handbook and job descriptions should stay under unfinished business. Council had received Attorney McCreary's review of these documents. Mr. Wolbert recommended that the handbook be put back on under voting items for the next Council meeting or

possibly the December meeting if more discussion is needed. Some of the Wage & Personnel Committee members had some further questions regarding the job descriptions which would be discussed with the Manager at his Committee meeting later this month. Mr. Budicak reviewed the comments of Attorney McCreary regarding possible sections which should be considered for removal. Council agreed to remove sections V, XX and XXXIII. Mr. Edelstein noted there were other comments as well. He would like to see a final draft of the handbook before action is taken. Mr. Edelstein stated that he had some further questions on several items in the handbook. Mr. Wolbert has the original document file. He stated he could get it to Solicitor Petrush but he felt the corrected pages could be reprinted and inserted in everyone's copy since he prepared the document in loose leaf fashion. Council agreed to put these items back on unfinished business and everyone was asked to review the handbook and be prepared to discuss this at the November meeting. Chief Madgar asked if he and the Manager would have any input regarding the handbook. Council agreed to have the Chief and Manager submit their comments to Council for their review and consideration.

#### **Voting/New Business Items:**

1. Request from the Beaver Area Chamber of Commerce for a \$1,250 donation toward the fireworks at light-up night – After some discussion, Mrs. Nestor motioned to approve the donation. Mr. Wolbert seconded and the motion carried.
2. Request for banner from Towne Square Restaurant – After some discussion, Mr. Edelstein motioned to approve the request as submitted. Mrs. Nestor seconded and the motion carried.
3. Manager Barrett distributed a list of items for approval that he would like to have recorded in the minutes to satisfy some of the comments made by the auditors in the last audit report. This would reflect Council's acknowledgement and approval of all existing funds. After some discussion, Mr. Edelstein motioned that First National Bank would be the depository for all Borough funds. Mrs. Nestor seconded and the motion carried. Mr. Edelstein motioned to approve the following accounts at First National Bank: Borough General Fund account, Borough Payroll account, Borough Liquid Fuels account, Water and Sewer Fund account, Beaver Borough Police Department Drug Seizure account and the Beaver Borough Festival account. Mrs. Nestor seconded and the motion carried. After some discussion, Mr. Edelstein motioned to authorize an account for a K-9 Fund and to have any outstanding balance from a previously opened account transferred to this new account at First National Bank. Mrs. Nestor seconded and the motion carried. After some discussion, Mrs. Sayers motioned to authorize the Chief and two Sergeants along with the designated Council members and Manager as signatures on the Drug Seizure account and K-9

account and further authorize the Chief and two Sergeants to have and use a debit card to access funds in the Drug Seizure account. Mrs. Nestor seconded and the motion carried.

**New Business:**

1. Mr. Edelstein noted that Project Greensweep would be holding a fall roadway clean-up this Saturday for anyone interested in participating. They will be meeting at Café Kolache at 8:45 A.M.

**Parks and Recreation Committee – Mr. David Shallcross, Chairperson**

1. There was nothing to report in Mr. Shallcross's absence.

**Wage & Personnel Committee – Mr. John Wolbert, Chairperson**

1. Mr. Wolbert presented the minutes of the September 28, 2009 Committee meeting for Council's review. The next meeting is scheduled for October 27<sup>th</sup> at 7:00 P.M.

**Special Services Committee – Mrs. Shirley Sayers, Chairperson**

1. Mrs. Sayers presented the minutes of the September 23, 2009 Business District Authority meeting for Council's review.

**Highway Committee – Mrs. Kathryn Nestor, Chairperson**

1. Mrs. Nestor presented the Public Works Department September report for Council's review.

**Water and Sewer Committee – Mr. Joseph Zagorski, Chairperson**

1. Mr. Zagorski presented the September expense and revenue report of the water and sewer fund for Council's review.
2. Mr. Zagorski presented the Water & Sewer Department September report for Council's review.
3. Mr. Zagorski noted that he would be having his next Committee meeting on November 12<sup>th</sup> at 7:00 P.M.

### **General Government Committee – Mr. Art Robb, Chairperson**

1. Mr. Robb noted that the Manager attended the first meeting of the Beaver County Tax Collection Committee. Manager Barrett stated that officers were elected and that he will keep Council informed as information becomes available. The next meeting was not scheduled at this time.

### **Emergency Services Committee – Mr. Thomas Patterson, Chairperson**

1. Mr. Budicak presented the minutes of the September 23, 2009 meeting of the Safety Committee for Council's review.
2. Mayor Hamilton had nothing to report.
3. Chief Madgar noted that he is working with the School District exploring the possibility of tying in to their phone system for better communications with the school and for possible savings on the Borough's monthly phone bill. There would be an initial capital investment but the hope is there would be a significant reduction in the monthly bill to offset those capital costs. He will keep Council apprised of any further progress. Chief Madgar asked Council to authorize him to dispose of the Isuzu. It needs a number of repairs and the Department no longer uses the vehicle. After some discussion, Mr. Edelstein motioned to authorize the Police Chief to scrap/salvage the Isuzu. Mr. Zagorski seconded and the motion carried.
4. There was no report from the Fire Department.
5. Mr. Wolbert noted under the Safety Committee meeting minutes a comment regarding a threat and security matter. He was asking why the door in the upstairs hallway wasn't locked and was there an incident report filed. Manager Barrett noted that early on the administrative office was asked not to lock this door to facilitate access. The Manager feels this practice needs to change at least during the day. A camera and microphone were discussed to monitor future behavior. This camera and microphone would be tied into the existing security system monitored in the Police Department. The Manager stated an incident report was not filed. A process for these and other related events is being developed for future reporting.

### **Finance Committee – Mr. David R. Edelstein, Chairperson**

1. Mr. Edelstein presented the September expense and revenue report of the general fund for Council's review.

2. Mr. Edelstein presented the August 31, 2009 net asset reports of the two pension funds for Council's review.
3. Mr. Edelstein presented the minutes of the September 16, 2009 Committee meeting for Council's review. Mr. Edelstein reviewed some of the discussions held at the meeting. Mr. Edelstein noted that a request for proposal (RFP) was let for year-end financial services and one for preparing a financial policy and procedures manual. There was an advertisement in the paper and RFP's were sent to various accounting firms as well. The Borough received no responses to either RFP. Mr. Edelstein believes his committee can put together a policy and procedures manual based off of some samples from a neighboring community. He also noted that with the change from cash basis accounting to accrual accounting there may not be a need for year-end financial services. Mr. Edelstein thought it would be best to wait and see what comes from this change and then services could be solicited if still necessary. Mr. Wolbert reminded Council that he had solicited a proposal from an accounting firm to develop a financial policy and procedures manual. Mr. Edelstein noted that RFP's were sent to that firm and they did not submit any proposals. The Finance Committee will continue work on these matters.
4. Mr. Edelstein presented the recent audit reports from the Auditor General on the two pension funds for Council's review. Mr. Wolbert was concerned with the comment under the Beaver Borough Police Pension Plan stating the responsibility of Borough Officials for establishing internal controls. The documents states the Officials failed to establish adequate internal control procedures. The Manager reviewed the matter noted in the audit. After some discussion, Council felt no action was necessary.
5. Mr. Edelstein presented the recent audit report from Penn DOT on the Liquid Fuels Fund for Council's review. Mr. Wolbert stated that the audit noted numerous errors made in the preparation and he felt they appeared to be mathematical. Mr. Wolbert asked if there were workshops available to help in the preparation. Mr. Wolbert stated that the report notes that officials had no formal response. Manager Barrett stated he was unaware of any mistakes or problem. He didn't remember anything being brought to his attention during the audit. After some discussion, Council felt no action was necessary.
6. Mr. Edelstein presented 2009 final estimates and a 2010 preliminary budget for the General Fund for Council's review. Mr. Edelstein stated a Finance Committee meeting is scheduled for October 22, 2009 at 7:00 P.M. to discuss these items and work on a final 2010 budget for Council's consideration. Manager Barrett will provide a narrative and some line item cost options for Council to review in preparation for this meeting.

7. Mr. Edelstein presented 2009 final estimates and a 2010 preliminary budget for the Water & Sewer Fund for Council's review. Mr. Edelstein stated a Finance Committee meeting is scheduled for October 22, 2009 at 7:00 P.M. to discuss these items and work on a final 2010 budget for Council's consideration. Manager Barrett will provide a narrative for Council to review in preparation for this meeting.
8. Mr. Edelstein noted that final asset reports have been prepared for years 2007 and 2008. The Manager is meeting with the auditor to review these reports. The final expanded audit for years 2007 and 2008 should be completed near the end of November. Mr. Edelstein asked if the software problem cataloging the assets was resolved. Manager Barrett stated that they were not completely resolved. Standard reports were generated to gather the information needed to complete the audits but the module for creating a custom report was still not functioning properly. He will continue to work with Industrial Appraisal to resolve this matter.

#### **Marketing Committee – TBD, Chairperson**

1. Mrs. Nestor noted that the Marketing Committee has renewed for another year participation in the Beaver County Visitors Guide. She also distributed an insert from the Pittsburgh Business Times. It highlights some attractions in Beaver as well as some in all of Beaver County.

#### **Solicitor's Report:**

1. Solicitor Petrush noted that the adjudication for the conditional use approved at last Council meeting was prepared and executed. The written memorandum of understanding regarding the K-9 unit was finalized and executed. The Vanport Police Service Contract renewal should be complete and ready for Council's consideration at the next Council meeting.
2. Solicitor Petrush noted he had some involvement with addressing leave for a female officer who was pregnant. He also noted some discussions regarding an assessment for curb and sidewalk work on Sixth Street and some questions raised by a property owner.
3. Solicitor Petrush updated Council on his progress regarding a property maintenance issue which Council instructed him to vigorously pursue for compliance. He will keep Council apprised of further details as they come forward.

Mr. Budicak stated Council would be having an executive session to discuss the evaluation tabulations for the two managers. There would also be discussion regarding the appraisals and the purchasing of property.

Council went into executive session at 9:35 P.M.

Council reconvened at 10:25 P.M.

Mr. Zagorski motioned to pay all approved bills. Mr. Robb seconded and the motion carried.

Meeting adjourned at 10:26 P.M.

Submitted by,

John M. Barrett  
Borough Manager