The reorganization meeting and regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, January 3, 2018 at 7:00 p.m. in the East Rochester Fire Hall, East Rochester, Pa.

PRESENT: Joyce Gordon, Kendra Hill, Jim Simon, Cathy Hutsky, Joe Seminick, and Mayor Robert Knox.

ABSENT: None

ALSO PRESENT: Solicitor Paul Steff, Chief Mercier, Engineer Jeff Frye, Code Enforcement Officer John Clay, Debra Ahern, Tax Collector, Sam Landis, Maintenance Worker

CITIZENS: Catie Hutsky, Marie Knox

REORGANIZATION MEETING: Mayor Knox swore in Councilman Jim Simon, Joseph Seminick and Catherine Hutsky. Nominations were opened for President of council. Joe Seminick nominated Joyce Gordon for President Kendra Hill nominated Jim Simon for President. Nominations closed. Joyce Gordon received votes from herself, Cathy Hutsky and Joe Seminick. Jim Simon received votes from himself and Kendra Hill. Joyce Gordon was elected President. Mayor Knox opened the nominations for Vice President. Joyce Gordon nominated Joe Seminick for Vice President, Joe Seminick declined the nomination. Joyce Gordon nominated Cathy Hutsky for Vice President. Kendra Hill nominated Jim Simon for Vice President. Nominations closed. Cathy Hutsky received votes from herself, Joyce Gordon and Joe Seminick. Jim Simon received votes from himself and Kendra Hill. Cathy Hutsky was elected Vice President. Joyce Gordon nominated Jim Simon for Chairman Pro Tempore, Jim Simon declined the nomination. Kendra Hill nominated Joe Seminick, by way of roll call vote, all in favor, Joe Seminick was elected Chairman Pro Tempore. Mayor Knox turned the meeting over to President Gordon. President Gordon asked for a motion to retain Jeff Frye as the engineer for East Rochester Borough for 2018. Kendra Hill made the motion to retain Jeff Frye, Jim Simon seconded the motion, by way of roll call vote, all in favor. Motion carried. President Gordon asked for a motion to retain John Clay as the zoning /code enforcement officer for East Rochester Borough for 2018. Joe Seminick made a motion to retain John Clay as the zoning/code enforcement officer, Kendra Hill seconded the motion, by way of roll call vote, all in favor. Motion carried. President Gordon asked for a motion to retain Paul Steff as the Solicitor for East Rochester Borough for 2018. Jim Simon made a motion to retain Paul Steff as the Solicitor for 2018, Kendra Hill Seconded. Roll Call Vote: Kendra Hill: Yes
Jim Simon: Yes
Cathy Hutsky: Abstain
Joe Seminick: Yes
Joyce Gordon: Abstain

Vote passed 3-2 in favor of retaining the solicitor for 2018.

President Gordon asked for a motion to adjourn the reorganizational meeting. Kendra Hill made a motion, Joe Seminick seconded the motion. By way of roll call vote, all in favor. Motion carried.

CITIZENS REPORT: None

MINUTES FROM PREVIOUS MEETING: Joyce Gordon asked for a motion to accept the minutes from December 3, 2017 meeting. Motion was made by Kendra Hill to accept the minutes and seconded by Jim Simon with the following correction to be made to the minutes. Under Executive Session for the Borough Secretary: Council will review giving 1 weeks' vacation and 6 paid holidays after one year of employment 8/28/2018. By way of roll call vote, all in favor. Motion carried.

COMMUNICATIONS: Borough Secretary read the Communications from the December minutes with no further additions.

The minutes for the RAJSA 11/9/2017 & 12/4/2017 regular meetings are in the office for council review.

MAYOR and POLICE: Mayor Knox presented that the police calls for the month with 37 total calls. President Gordon asked for a motion to approve the police report as given. Kendra Hill made a motion to approve the Mayor/Police report, Jim Simon seconded the motion. By way of roll call vote, all in favor. Motion carried

STREETS & SEWERS: Jim Simon asked for clarification about whether 8th Street was private or public. Mr. Landis was asked the question about plowing a certain section of 8th Street. Engineer Frye Said 8th Street is a private Street.

BUILDING PERMITS: John Clay reported he had 2 complaints, 5 zoning inquires and no permits in the month of December.

FINANCE & BUDGET: President reported the Schedule of Bills presented to each council person totaled $25,124.06 for the month. By way of roll call vote, all in favor. Motion carried.

TAX REPORT: There was $652.19 in taxes collected in December 2017 and the tax collector's commission is $31.70. Joe Seminick made a motion to approve the tax collector's report and commission. It was seconded by Jim Simon. By way of roll call vote, all in favor. Motion carried

FIRE DEPARTMENT: Jim Simon reported the department is operating at this time. Cathy Hutsky asked about the status of the department. Jim Simon said they are dissolving. Joyce Gordon asked Jim Simon if the fire trucks are inspected. Jim Simon said he didn't notice if the inspections were current. President Gordon asked Joe Seminick if the trucks are inspected and Mr. Seminick responded that they are not inspected.

SOLICITOR, ORDINANCE & LITIGATION: The Solicitor reported he had received an e-mail from the Borough Secretary from the Beaver County Tax Collection Committee. The BCTCC is made up of 14 School Districts and 54 municipalities. When this was originally set up years ago, each municipality and school district was to designate by resolution a primary voting delegate. Now they are updating their records. They submitted sample resolutions via email to use if needed. Solicitor Steff researched what other municipalies have done and reported that East Rochester's resolution was originally done 2/5/2014 with the primary voting delegate the Borough Secretary – not

a named person – it's the position of Borough Secretary. He explained to Borough Council that BCTCC sent these out specifically to those who had named persons – but since East Rochester had designated a position as their voting delegate there is really no need to amend the Resolution at this time. If Council wishes to make changes to resolution, the Solicitor will do so. The solicitor also informed Council that when the votes are taken – they are "weighted" and smaller municipalities often times are overridden.

The Solicitor mentioned he will be advertising for the 2018 meeting:

February 7, 2018	August 1, 2018
March 7, 2018	September 5, 2018
April 4, 2018	October 3, 2018
May 2, 2018	November 7, 2018
June 6, 2018	December 5, 2018
July 11, 2018	

With a work session to begin at 6:30 p.m.

President Gordon announced that at the December meeting it was said that Council would have to find a new meeting place beginning in February. President Gordon told Council that going forward all meeting would be held at Lacock Dwellings Community Center.

BOROUGH ENGINEERING: Jeff Frye reported the MS4 application was submitted December 6, 2017 and he will get a copy to the Borough office to be kept on file.
Engineer Frye told Borough council he received a fax from the Borough Secretary regarding upgrades to the control plant for the Rochester Area Joint Sewer Authority for his review
President Gordon asked Engineer Frye what is the status of the Gambian basket project on 5th Street, Engineer Frye said he talked to John Drumm and told him to get in contact with the Borough and find out what was needed, because Engineer Frye thought the Borough only had 2 baskets. President Gordon asked the Sam Landis how many the Borough has, and he said 5, and Engineer Frye said 5 baskets weren't enough and at this point the weather is not good to do the project. President Gordon then questioned how the bid process of the job originally, she asked how some contractors bid hourly and some by the total job? Engineer Frye said Council could re-bid the job because there was not bonding involved. President Gordon said she thought that might be a good idea. Engineer Frye said to get new quotes in spring. Cathy Hutsky asked what the project was about, Joe Seminick explained the road is eroding/collapsing.

RECREATION: Joyce Gordon stated she had nothing new to report.

UNFINISHED BUSINESS: Jim Simon asked Chief Mercier about the gate at the top of the hill at coming up from the plaza on 6th Street – he stated that someone must have changed the lock on it because the key that had been given to the fire department no longer works. The Chief said he would talk to the property owner – Ed Keller about it. President Gordon ask why the Fire Department would take a truck down that road. Jim Simon said because he was told to. Jim Simon explained traffic was backed up on 65 and that was the alternative route. The Chief explained that it's a private road and the owner put the gate to keep people off because the road's in poor condition. The owner didn't fix the road, he put the gate to keep people off to keep it from getting worse.

President Gordon asked for a motion to transfer $45,000.00 from Earned Income Tax account to General Fund to pay January, February and March bills. Joe Seminick made a motion to transfer the funds. Cathy Hutsky seconded the motion. By way of roll call vote, all in favor. Motion carried.

President Gordon asked for a motion to transfer $18,000.00 from Sewer Maintenance account to PENNVEST account to pay the monthly loan payment for 2018. Jim Simon made a motion to transfer the funds. Kendra Hill seconded the motion. By way of roll call vote, all in favor. Motion carried.

Joe Seminick asked about the property of a deceased resident on Oak Street and the status of how the Borough is proceeding with moving forward. Joe Seminick stated that the fire department had been down in the area of the home and he sees the electricity is still on. The building is not in good shape and there's a safety concern. John Clay said he's aware of the situation and knows that the Borough needs to take legal action. He was hoping that since the owner has been deceased for a while, that the power would have been turned off by the power company. Cathy Hutsky mentioned seeing a vehicle parked there occasionally. Mr. Clay explained that the ex-wife of the deceased brought the car back and left it there. President Gordon said this is a situation where its private property and the Borough can't do anything. John Clay said the Borough will have to take civil action

The Solicitor explained the process of condemnation is you either go to court and get an order for demolition or file a suit – but what's different is when you don't have anyone to sue – there's no heirs – no estate – everyone's dead and everyone walked away, so who does the solicitor file a case against?

When there are no heirs – you have no recourse

Alternatives – procedure to find heirs – force them to open estate – that means going to court, they then have to open the estate, and then the Borough has to sue it. He explained that when you don't have someone to sue you don't have someone to serve papers on to initiate the process. Another alternative would be to get a court order for publication. You file a petition and get a court approval to put a notice in the paper stating notice served to any and all heirs if "said person" and you see what that produces. The Solicitor explained some people don't open estates because there are no assets, there are only liabilities. The Solicitor said he will talk with the Zoning Officer to pursue the properties in East Rochester Borough in question.

Engineer Frye explained that Freedom Borough went through the Community Development program to demolish several properties. Solicitor Steff commented that they also had consent form the property owners. Chief Mercier said Rochester Borough took down 10 properties ½ paid for through Community Development the rest through the Borough. The Solicitor stated, you MUST know the property owner before proceeding with any demolition.

Cathy Hutsky asked if there is some sort of list the Borough can be put on. Solicitor Steff said there is a list of unpaid properties and those properties eventually go into a repository and shop up in the name of the last owner. An interested person could go through finding property on the list to buy them, but it's doubtful that anyone would buy these particular properties.

NEW BUSINESS: No new business

Executive Session: No Executive Session

Meeting adjourned. President Gordon adjourned the meeting at 8:00

Respectfully submitted,

Jan Mohrbacher, Borough Secretary/Treasurer