The regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, August 7, 2019 at 7:00 p.m. in the Lacock Dwellings Community Center, East Rochester, PA.

Meeting was called to order and Pledge of Allegiance was recited.

PRESENT: Joyce Gordon, Joe Seminick and Jim Simon

ALSO, PRESENT: Mayor Robert Knox, Solicitor Paul Steff, Engineer Jeff Frye, Chief Frank Mercier, Randy Morrow, Terry Mason, Ted Silosky, Tony Marchitelli and John Drumm

ABSENT: Cathy Hutsky and Kendra Hill

CITIZENS REPORT: Ted Silosky said it has come to his attention that the borough is paying the insurance on the fire department. He asked if the borough had any information about the fire hall. He was told the borough is using a sufficient amount of tax payer's money to pay the insurance on the fire department. Mr. Silosky asked if the building will be sold and why are we paying the insurance. Mr. Simon said the department is not dissolved and that it is being taken care of. Mr. Silosky asked if this is something that is being worked on right now. Mr. Silosky said it has been brought to his attention that nobody is communicating with others. Mr. Simon said the Attorney General's office completed the audit and the fire department is waiting for certification from the Attorney General's Office. Mr. Silosky asked if the fire department will be sold. Mr. Simon said he does not know.

John Drumm inquired as to whether any break-ins in the borough have been reported. He said he saw two guys coming out of the lower portion of Linton Avenue early this morning around 3:00 AM. They took off in a car. He noticed one guy was carrying something. About 2 weeks ago it happened again and he saw them on Lacock Avenue and they took off in the same type of car. He said today when he came home from work he saw the same car. It is a black car. Mr. Seminick said he saw the same car in his neighborhood. Chief Mercier reiterated that if anyone sees anything suspicious to please call the police. Chief Mercier said if residents don't call the police, it makes it hard for his department to catch anyone. Mr. Drumm said one is a white male. It is a black newer model car.

MINUTES FROM PREVIOUS MEETING: Mrs. Gordon called for a motion to accept the minutes of the previous meeting. Mr. Seminick made motion to accept minutes of the previous meeting. Mr. Simon seconded. By way of roll call vote, all in favor of accepting the prior month's meeting minutes.

BUILDING PERMITS: At this time, Mrs. Gordon introduced the Borough's new Code Enforcement Officer, Randy Morrow. Mr. Morrow said he would like to thank the borough for hiring him and that he has been reviewing the borough's code and issues with grass, weeds and vegetation. He said there are a lot of issues that need addressed, which haven't been addressed for a long time. He said that the majority of residents comply, but there are some that never comply. He will treat the residents of the borough with respect. He takes care of a lot of other townships and boroughs. He is familiar with getting grants through the county. He will work on getting the empty houses taken care of. In his review of the borough ordinances he noted that some are very old and the fines are out of touch with other boroughs. He follows the IMPC Code and the borough already adopted the IPMC 2009 version. Under the borough's current ordinance, grass height is allowed to be up to 12 inches. Under the IPMC code the grass height is 8 inches. Mr. Steff said under the borough's code, the grass height is 12 inches, but under the IMPC Code, the grass height is 8 inches, there are subsections and that grass

height is specifically 8 inches. Mr. Steff indicated that the borough adopted the 2009 version of the IPMC Code in 2013 and there were certain provisions insertions in the Code and this was done pursuant to the request of the previous Code Enforcement Officer that we put in the certain sections. As far as the borough modifying penalties or fees, this can be set by resolution of council. Mr. Steff said as far as the penalty being an amount less desirable, we can prepare a resolution to adopt the more modern fees under the IPMC Code which will be a more effective tool for Mr. Morrow. Mr. Morrow said that most of the townships and boroughs have adopted the IPMC Code for fines.

Mr. Morrow indicated that he has already received 4 permits and that the borough's permit fees are very low and should be revised. He will attend to worst issues first, such as grass height violations. Mrs. Gordon asked if the grass height in the borough should be 6 inches instead of the 8 inches. Mr. Morrow said that is up to council, but 8 inches is the standard. Mr. Steff said this is work in progress and with the initial sweep of high vegetation it is going to be in violation of either standard. In other communities, Mr. Steff said there has been a debate of grass height. The rule is designed mostly for abandoned properties. Mrs. Gordon asked about amending the IPMC code for the other years. Mr. Steff said you want to have something to use as a guide. Mr. Steff said we could do a resolution that would change the penalty provisions pursuant to that ordinance to update that to more current fees and he would bring that up for the next meeting. Mr. Steff also said that any fee resolutions that he had that are in use if Mr. Morrow sees are not enough, he should mention to council and the fees can be adjusted by resolution to council. Mr. Morrow can make recommendations to change a fee. Mr. Steff said he would update the fine provisions of the IPMC Code for the next meeting which will be used as a tool. Mrs. Gordon asked if there is a list of all fees. Mr. Steff said there was drafted previously a proposed fee update by a previous borough secretary which was never finalized. Mr. Steff said the council and code enforcement officer should review the list. The list was prepared but never circulated to council. Mrs. Gordon said this should be done. Mr. Morrow indicated that most borough's penalty for violation of grass height is 30 days in jail and $1,000 fine, but very few people will get to 30 days. Mr. Morrow said the standard IPMC Code are standard codes that everyone should abide by. Mr. Morrow said the borough ordinances are still good but that the IPMC Code puts everything together in a small package which makes it clear for a judge to review. Mr. Steff said in the borough code book the fine for high grass is $600 which has been in effect to a number of years. Mr. Steff said the permit fees should be updated. Mrs. Gordon said the borough's current grass height ordinance is Ordinance No. 225 from 1982. Mr. Steff showed the Code Book of the Borough book which has all the ordinances of the borough codified and which still exist, but you always have to read the amendments. These maintenance codes are in addition to the local resolutions. Mr. Steff said it is another tool in a code enforcement officer's tool box to handle certain situations, but it does not make our codes obsolete. Sometimes you will find something that it is more applicable to use the IPMC Code and our code book is still good. He said he is certain that the people enforcing a certain regulation will know which one is appropriate. Mr. Steff said penalties for ordinance violation depending on the type of offense is $600 is a limit on certain things or $1,000 on other items depending on the nature of the offense, health safety or welfare issues. Mr. Steff said when we discuss high grass, he sees that the penalty provisions is from 1992 went to $600. He does not want council to feel that the highest fines in the borough are $20.00. It is not that way across the board, but there are permit fees and certain particular fees that should be updated. Mr. Morrow said there are provisions in the IPMC Code that instead of being one violation there may be three violations. You always go against the property owner. If there is a renter, you go against the property owner.

Mr. Steff said that when you look at the code book, you will see at the end of certain paragraphs it references what Ordinance the language came from and so the high grass Ordinance came from Ordinance 225 dated 9-9-82 and the penalty provision in there is $50.00. However, under penalties, you see Ordinance 225 and it says Section 4 as amended by Ordinance 263, April 7, 1992. Ordinance

No. 263 brought up the more modern borough code penalties so that it is what takes it to the 1992 penalty which is $600.

Mrs. Gordon said she asked Mr. Morrow to attend the first couple council meetings and he will not be able to attend all the meetings because he has to work, but will provide a report. I went out of order from the Agenda so Mr. Morrow could leave to go to work.

COMMUNICATIONS: Secretary read email she received from PA Municipal Statistics that the 2018 Annual audit and Financial Report has been approved.

MAYOR and POLICE: Mayor Knox read the June and July police reports. In June there were 87 calls, 3 retail thefts and 2 citations. In July there were 111 calls, 1 DUI, 1 retail theft A motion was made by Jim Simon to accept the June and July police reports. Mr. Seminick seconded. By way of roll call vote, all in favor of accepting the June and July police reports.

STREETS & SEWERS: Mr. Simon said the belt on the tractor fell off and Sam took it to Town & Country to be fixed. He also had them put a new blade on the tractor. Work done for a cost of $145.00. The leaf blower was purchased. Mrs. Gordon asked about the list of tools that Sam provided. Mr. Simon said he talked to Sam and gave him the okay to purchase the tools. Mrs. Gordon indicated that there are many items missing from the Tool and Equipment Inventory. Mr. Simon said that the leaf blower and weed trimmer were missing when his son Dylan worked in the borough. They were stolen off the back of the truck.

BUILDING PERMITS: Report provided as noted above.

FINANCE & BUDGET TAX REPORT: The Secretary reported that there were no tax collections since the last council meeting. The total bills paid for the month were $25,597.55; payroll was $3,048.75; Pennvest loan payment was $1,604.54. The Sewer Maintenance collection for July was $4,454.33 (both residential and commercial). Mr. Simon made motion to accept finance report and pay bills. Mr. Seminick seconded. By way of roll call vote, all in favor. Motion carried.

FIRE DEPARTMENT: Tony Marchitelli gave the report. There were 48 calls in the month of July, 284 calls for the year to date. Five of the 48 calls were for this borough. Mr. Simon said he talked to Mr. Duffy and that Rochester Fire Department is willing to purchase some of the equipment from East Rochester Fire Department. Mr. Simon said that Mr. Duffy will contact Mr. Seminick. Mr. Marchitelli asked council if they had any questions about the chlorine incident on Railroad Street. Council replied "no". Mayor Knox asked why the borough has to pay insurance for the fire department when it is not borough property. Mr. Steff said that previously council met with the insurance agent and the agent indicated that out of the policies he writes for the borough, even though it is indicated that it is a massive amount, but it is actually a small portion of the overall policy in effect for the borough. Mr. Steff said the agent can break that out for us if necessary. Mr. Steff said that when we had that discussion, he said it is a small amount of premium. Mr. Steff said one of the reasons to pay it is because the fire department does not have any funding at least that was the case for dissolving. As far as no means of paying, it seems that it would be the prudent way to go as far as getting coverage for a vacant building. Mr. Steff said you would do that because what people do not realize is that if you have a vacant structure in your borough, it is not money wasted, an insured structure versus a non-insured structure instead covers if anyone gets injured on the property. Mrs. Gordon said a lot of the residents do not understand why the borough is paying for property that is not the borough's. Mr. Steff said the blanket premium for the fire department is a small amount. Question

was asked what is a small portion. Mr. Simon responded about $360 per year. Mr. Steff said the coverage is not just for the fire department, but for the general community at large. Mr. Seminick said he is always asked why the borough pays the insurance for the fire department. Mr. Steff said the borough's insurance agent previously recommended not cutting the insurance and Mr. Steff said he also does not recommend cutting the insurance for the fire department. Mr. Steff said the borough usually contributes something to the fire department operations, but it now is down to the bare minimum. Mayor Knox said he is only asking the question for the taxpayers.

SOLICITOR, ORDINANCE & LITIGATION: Mr. Steff said he will prepare a resolution updating the IPMC code. At this time action was taken to ratify the hiring retroactive to July 25, 2019 of Randy Morrow as Code Enforcement Officer for the Borough at a cost of $25.00 per hour. Mr. Seminick made motion to hire Randy Morrow as Code Enforcement Officer. Mr. Simon seconded. By way of roll call vote, all in favor. Motion carried.

BOROUGH ENGINEERING: Mr. Frye said he received a call about a storm sewer on Valvoline property. Mr. Frye said he checked and found no record of a storm sewer on Valvoline property and has no good records of the storm sewers. He talked to Sam and spoke to Valvoline. He presented the Chapter 302 Operator Certification Annual Service Fee Wastewater Service Invoice for $65.00. He said the Borough's certified operator is Scott Shoup. The Secretary was instructed to submit payment and provide the property form to the state.

Mr. Frye said he met with Karl from Lacock Dwellings. They checked out what is going on. Essentially there are 2 catch basins across from Units 60 and 61- they come across the street and there is a head-wall there and 2 channels discharge into the run where we have our catch basins. Over the years, it has filled in a little bit and cut another channel and runs over the hill onto 100 Landell Street. He said the Dwellings filled up and cut another channel. The Dwellings will put some sand bags along the edge. Apparently, the resident at 100 Landell said there is a verbal agreement with the Lacock Dwellings. Mr. Frye did not find anything and Karl knows of nothing. Mr. Frye said the Dwellings told the resident on Landell they would put some gravel/stone in that area to fix up the driveway. It is a verbal agreement.

Mr. Frye said he sent emails and made calls to 6 companies asking for proposals for the 5th street project. To date, only one proposal was received. The proposal was opened from Drumm & Sons. Mr. Frye opened the proposal and read. Mr. Frye said we were going to do 5 feet on each side because it is undercut and put new stone in and build up both sides. That proposal was for $18,250.00. The other proposal was to take the whole thing out and redo the whole 25 x 40 or 22 x 40 feet and that is for $34,900 which would definitely have to be bid. Mr. Frye said we can get other bids for that or strip off the asphalt and repair that instead of repairing the undercut. Mr. Frye said he can solicit the other companies again and see what happens. Mrs. Gordon said we need at least 2 more bids.

Mr. Frye asked about the 911 situation at the plaza. Mrs. Gordon thought it was already settled. Mr. Steff had indicated to drag our feet. Mr. Steff said that Mr. Frye is well aware of the process and he can help us out. Mrs. Gordon said right now she does not think it is a problem.

RECREATION: The Borough Secretary indicated that Gus Hill had completed the job of cutting down 20 trees at the East Washington Ballfield and had been paid.

UNFINISHED BUSINESS: Mr. Mason asked about the proposals that Mr. Frye previously presented to fix the pipes. Mrs. Gordon said there is no money. Mrs. Gordon said there may be

alternatives. Mr. Frye said that we could apply for grants. Mr. Frye said the work could be done in phases-part of bid that Mr. Frye read. Mr. Frye missed the other proposal from Drumm & Sons. There is a price for lineal feet to build up curb of $7.00 per lineal foot of 1 ½ inch milling. Mr. Frye said he is not sure how much is needed so price per lineal foot up to a certain amount. Mr. Frye said the main problem is that there are no catch basins. The water comes flying down through there and cutting into the road and hillsides. Mrs. Gordon said our roads are so bad that it does make sense to go ahead and pave them when we need catch basins. Mr. Frye said catch basins should be installed first.

Mr. Mason said he spoke to the President of Lacock Dwellings and he indicated that they are not allowed to tap in to our pipes. He told the people on Landell that the Dwellings would give them all the gravel they needed. The President of the Dwellings told Mr. Mason that he knows that it is their problem and that they cannot put pipe all the way down and tap in because the Borough won't allow it. Mr. Frye said the Borough has to give them permission to do that. Mr. Frye said that when he met with Karl, he did not say anything about running the pipe all the way down, only about putting pipe in one place. Mr. Frye said he thought the Dwellings only wanted to put the piece of pipe in and that is all and nothing was said about tying into the Borough lines. Mr. Mason said the President of the Dwellings told him that he always wanted to tie in but the Borough won't let them. Mrs. Gordon asked Mr. Mason why the President of the Dwellings it talking to him and not to Mr. Frye. Mr. Mason said "I do not know". Mr. Mason said the President of the Dwellings should talk to Mr. Frye. Mr. Frye said he met with Karl and Karl told him that he put in one piece of pipe, but it is not covered and Mr. Frye told Karl that he is worried about water getting underneath and lifting it up. Karl responded that he is worried about that happening also and will try to cover it up more.

Mr. Mason said Mr. Frye talked to the maintenance man and he talked to the President of the Dwellings and was told the Dwellings wants to run it all the way. Mr. Mason said this would solve a lot of the problems. Mr. Frye was asked to contact the President of the Dwellings and the borough secretary will provide him the contact information. Mrs. Gordon said the residents on Highland, 5th, 6th and 7th Street want to know when their streets will be paved. Mr. Frye said let him know and it will be done. Mrs. Gordon said we need to talk about it.

Mr. Seminick said water is coming from PennDot and that the storm sewer is plugged which causes traffic problems on Stewart Avenue. The heavy rains causes the water to run down Stewart Avenue and leaves a mess at the lower end of Stewart Avenue. Mr. Frye said he will contact PennDot.

Mr. Mason said that JR's Warehouse is upset about water coming from dwellings onto their property. Mr. Drumm said the water is coming from PennDot and into the inside of JR's Warehouse. The storm drains cannot handle all the heavy water. Mrs. Gordon asked Mr. Frye what can be done and Mr. Frye responded that he will look into it.

NEW BUSINESS:

There being no further business, Mr. Seminick made motion to adjourn. Mr. Simon seconded. All in favor. The meeting was adjourned at 8:20 PM

Respectfully submitted,

Janice Dunn, Borough Secretary/Treasurer