The regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, March 4, 2020 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: John Drumm, Joseph Seminick, Joyce Gordon, Cathy Hutsky and James Simon

ALSO, PRESENT: Mayor Knox, Solicitor Paul Steff, Chief Frank Mercier, Engineer Jeff Frye, Sam Landis and Kailyn Goldinger of Keystone Wellness Programs.

ABSENT: Code Enforcement Officer Randy Morrow

CITIZENS REPORT: Ms. Goldinger introduced herself as a representative of Keystone Wellness Program. The program does a lot of prevention education throughout Beaver County. She is promoting "Young Lungs at Play" which promotes tobacco and smoke free public parks and recreational areas within a borough to not allow smoking at public playgrounds and ballfields. She said the program is funded by the Departments of Health and that if the borough participates we would get free signs to post at the playground and ballfield. No cost to borough. She provided information to council which contained a resolution for council to sign which would then be submitted to the Department of Health. Mr. Drumm suggested that the borough solicitor review the resolution that was presented. Copy was provided to Mr. Steff for his review and comment. Mr. Drumm asked Mayor Knox his thoughts about the program and Mayor Knox said he thought it was a good program. Mr. Drumm indicated to Ms. Goldinger that after review of the resolution, the borough will contact her.

MINUTES FROM PREVIOUS MEETING: Mayor Knox indicated that a correction needs to be made to the February minutes. He was not at the last meeting and Officer Murphy gave the police report. Correction will be made. Mr. Seminick made motion to accept corrected minutes. Ms. Hutsky seconded. All in favor. Motion carried.

COMMUNICATIONS: None

MAYOR and POLICE: Mayor Knox said that for the month of February there were 77 calls for service; 7 arrests and 18 citations issued. He also indicated that he had a telephone call from Mrs. Restak regarding a tree that fell on property behind her residence. Not sure if the tree is on borough property. Mr. Drumm said that may be borough property. Mr. Drumm said if the tree is on borough property we have to clean it up. Mayor Knox was instructed to have Mrs. Restak call the borough building and if the tree is on borough property it will be cleaned up. Mr. Drumm asked Mr. Steff about this. Mr. Steff said this has been an ongoing matter within the borough. He said first of all the borough is not a tree cutting service. If a borough tree falls on property, we can clean it up. Mayor Knox said he will help her out. Mayor Knox said that Mrs. Restak asked him about her property line since the tree feel behind her house. Mrs. Gordon asked if the property behind Mrs. Restak's house is on township property. Mr. Drumm said he knows that back there is an area behind her house where Pitzer built a garage and there is a roadway back there, which could be on township property. Mr. Drumm said if a tree within the borough falls down he has no trouble with helping her out. Mr. Drumm said we are out to help people within the borough. Mr. Drumm said if in township we cannot clean it up. Mayor said he will look at the GIS map. Mr. Steff said if going on someone's property

please make sure you have permission to do. By law cannot enter property without permission.

STREETS & SEWERS: Mr. Drumm said he spoke with Mrs. Cable about the ditch. She said Mr. Pedaline found the property pin and measured over and it is part of the right-of-way that does go down over there so the ditch and is not on her property. It is part of the right-of-way. Mr. Drumm said the street which was named 10th street to support emergency vehicles has sunk a lot lower than it was before. Before it was almost to the top of the blacktop on Lacock. Even the curb is gone. Mr. Drumm said he was told the catch basin was blocked and New Brighton came in and cleaned it out. He asked if it is blocked again. He said he saw water going down when it rained hard and also noted it coming up and going across the street. Mr. Drumm asked Mr. Frye if he can get together with him and look at the situation. The road is lower than Lacock and needs to be built back up. Mr. Landis said that when New Brighton Borough came in and blew out the line for us, the iron pipe blew out and now 10th Street is lower than Lacock Avenue. Mr. Drumm said a property owner on 5th Street stopped in the borough office and spoke to the borough secretary about Linton. Secretary indicated that Mr. Kamenski who owns the residence at 853 5th Street (which he rents) stopped in the office and was questioning how Mr. Seybert who lives at 851 5th Street was able to get a permit for the driveway he put in. Mr. Kamenski had come to council meetings last year indicating that water from the back of Mr. Seybert's property was running onto his property next door. Mr. Kamenski said he is almost sure that the driveway is encroaching 12 to 15 feet of his property and has the paperwork to show that it does. Mr. Kamenski said he is going to have his property surveyed and then will know about the encroachment. Mr. Kamenski indicated that there is a paper street between he and Mr. Seybert's property. He said that when Mr. Seybert did the digging for his wall, he dug out and blocked the ditch. Mr. Kamenski has talked to an attorney and does not want to end up in court over this matter. Secretary said she asked Mr. Kamenski to notify the borough when the property is surveyed so council can see where the pins are. He will keep the borough advised. Mr. Drumm said there is a pipe on 4th Street that comes down and out and there was a ditch that went around. Mr. Kamenski is now saying that Mr. Seybert is 12 to 15 feet over the property which means that the cement for Mr. Seybert's new driveway was put over the borough's ditch. Mr. Drumm said the ditch is gone and he does not want the borough involved because this is a civil matter between property owners. It was asked if permits were issued. It was indicated that the permit was issued after the fact because Mr. Seybert already had part of the work started for the driveway before he obtained a permit. Mr. Drumm said he brought an excavator in to dig and had a company do the cement work. Mr. Drumm said the water is trapped up on top which is going to come down on the left side of the hill into Mr. Kamenski's property. Mr. Drumm is hoping that the survey will answer all the questions and take care of itself. Secretary mentioned and Mrs. Gordon agreed that when Mr. Seybert started the work initially that the borough called John Clay and he never went out and checked things over. When Mr. Morrow came on board he made Mr. Seybert get an excavation and construction permit because John Clay never responded. Mr. Morrow did stop the work at Mr. Seybert's until permits were issued. Mr. Seybert told Mr. Morrow that he was told that no permits were needed to do the work. Mrs. Gordon confirmed that Mr. Seybert said that. We never found out who told him that no permits were needed.

Mr. Drumm commended Mr. Landis for a great job he did cleaning up the ballfield. It was indicated that new locks with tubular keys (which cannot be duplicated) have been ordered and will be installed on the ballfield gates. The cost for the new locks is approximately $160.00 for three locks.

BUILDING PERMITS: A copy of Mr. Morrow's report is provided to council in their folders. Borough Secretary indicated that El Paso Mexican Restaurant is in the process of obtaining their final permits. Secretary indicated that Mr. Morrow issued a demolition and construction permit for one of the apartments on the first floor at 890 Ohio River Boulevard. The owner of the property is allowing his nephew to set up a barber shop on the first floor.

FINANCE & BUDGET TAX REPORT: The Secretary reported that the tax collections were $10,418.06 for the month of February and the tax collector's commission was $523.08. The total bills paid for the month were $27,037.58; payroll was $5,399.48; Pennvest loan payment was $1,604.54. The amount of $4,913.44 was collected by Rochester Area Sewer Authority for the month of February. Mr. Simon made motion to accept report. Mrs. Gordon seconded. All in favor. Motion carried.

FIRE DEPARTMENT: Secretary read report. There were no fire calls for the Borough for the month of February.

SOLICITOR, ORDINANCE & LITIGATION: Mr. Steff presented Ordinance No. 337 regarding Street Openings. The ordinance was advertised and is ready for council vote. It also contains an accompanying fee schedule. Mrs. Gordon made motion to adopt Ordinance No. 337 "providing specifications for street openings and repairs and requiring a permit for same". Mr. Seminick seconded. All in favor. Motion was carried. Mr. Steff read the schedule of fees as set forth in Resolution 3-4-2020. Mr. Simon made motion to adopt Resolution 3-4-20 which fixes the street opening permit schedule. Ms. Hutsky seconded. All in favor. Motion carried. Under the new ordinance, there will be no patchwork paving/repair of the street. Mrs. Gordon asked if this will help with the whole road being paved. Mr. Frye said there will be no patchwork effect. Mr. Steff said the specifications are provided in the Ordinance.

BOROUGH ENGINEER: Mr. Frye said that after discussion last month about doing streets under the County CDBG program and looking back through old paperwork the borough's resident income levels do not meet the requirements for the County CDBG grant program. Mrs. Gordon asked Mr. Drumm about the work that was done on Linton through the County. Mr. Frye said was part of the sewer grant with the County. The Borough secretary said the borough tried in 2009, 2010, 2011, 2015 and 2018 for streets under the county program and were not deemed eligible. Mr. Frye said he spoke with Youngblood and will set up a time to meet with Mr. Drumm and Mr. Youngblood to review the streets. Question was asked about the cost for tar and chip. Mr. Frye said single seal cost is $1.40 per square yard and double seal is about $2.50 per square yard. Mr. Drumm said maybe we can do an overlay for the time being.

Mr. Frye said he received update on the $100,000 grant the Borough applied for. He said the Borough needs to start the permitting process. Mr. Simon made motion to start permitting process for PA Small Water and Sewer Grant. Mr. Seminick seconded. All in favor. Motion carried. Question was asked about the engineering fees for the grant. Mr. Frye said we have a match of $15,000 and the engineering fees come out of the grant.

Mr. Frye said received email from Pennvest about other expenses on the project which needs paid so DEP can close out the project. He provided invoice for his services in the amount of $3,500 to the Borough Secretary who then submitted to Pennvest.

RECREATION: Ms. Hutsky asked about new agreement for rental of the ballfield. Discussion was held about the amount of the deposit and rules to use the field. Mr. Drumm had previously suggested $1,000 and after talking to Mr. Steff thinks $500 is better. Mayor Knox asked why is the borough willing to rent to Rochester Little Rams because they did not clean up the field and they never turned in the keys, even though they said they would. Mr. Drumm said Mr. Landis spent a lot of time cleaning up the mess that was left down there. Ms. Hutsky said she thinks $300 is a good amount to

charge and whoever uses the field is responsible to keeping the grass cut. Mr. Drumm said that money paid is only a deposit and will be returned if ballfield is cleaned up. Also, they are responsible for cleaning up the garbage. Mr. Seminick suggested that if the agreement is breached then they would be responsible for paying Sam's wages to cut the grass. Mr. Simon made motion to charge $500 as deposit for use of ballfield. Mrs. Gordon seconded. All in favor. Motion carried. Question was asked about using the concession stand and bathrooms and to keep the grass cut. Mr. Steff said this could be a condition of the agreement. It was discussed that if concession stand is used an additional $300 will be charged and if bathroom is used an additional $200 will be charged and the renter pays for the utilities. When renter is done using ballfield, they will be required to remove all equipment and an inspection will be performed by the borough before deposit is returned. Mr. Steff was asked to draft a new agreement for use of the ballfield together with a set of rules.

UNFINISHED BUSINESS: None

NEW BUSINESS: Mr. Simon said that construction has begun at the new sewage treatment plant.

Mr. Drumm said that John Barrett, Borough Manager of Rochester Borough contacted him about having a meeting to discuss combining services. Mrs. Gordon asked if Rochester Township is included in the discussions and Mr. Drumm indicated "yes". Mr. Drumm said he would like Mayor Knox to also participate in the meeting.

Mr. Drumm talked about getting prices for new borough truck. Mr. Landis asked about putting grass seed in parking lot of ballfield. Mr. Drumm said to use millings.

Chief Mercier asked if the Borough will be hiring part time summer help.

There being no further business, a motion was made by Mr. Seminick and seconded by Mr. Simon to adjourn the meeting. The meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Janice Dunn, Borough Secretary/Treasurer