The regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, June 3, 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, Vicki and John Hawthorne, Brooke Burtner and Katie Press.

ABSENT: Code Enforcement Officer Randy Morrow

CITIZENS REPORT: Vicki Hawthorne who is a resident of 117 Landell Street, indicated that she is purchasing the two lots next to her, namely, 119 Landell Street, from the Beaver County Tax Repository. She intends to get the property cleaned up and was asking council if they would waive the back taxes owed on the property. Mr. Steff reviewed the paperwork regarding the purchase from the repository and indicated that Mrs. Hawthorne is purchasing two parcels. He indicated that the school district and county had already signed the papers regarding the purchase and the borough needs to approve the purchase and sign as well. Mr. Steff said the borough approves the sale. Mr. Steff said typically what happens is that the borough approves the sale and signs the paperwork and then the paperwork is submitted to the county. He said the taxes are not due until July, 2021, but the process is municipalities do not exonerate the taxes before the buyer taxes ownership of the property. Come back to the borough after purchasing the property and ask for exoneration and the borough typically would do a resolution exonerating the back taxes. Then the buyer has a written resolution which can be presented to the county showing that the taxes are exonerated. Mr. Steff indicated that municipalities do not exonerate taxes before the purchase is complete and that Mrs. Hawthorne has until sometime in 20201 to pay the taxes. He asked Mrs. Hawthorne to come back to a council meeting after the purchase is completed and the will have the borough do a resolution exonerating the taxes. Mrs. Hawthorne indicated that she is having a title search done on the properties and would want that the properties be free and clear of all liens and registered that there are no heirs of the former owners of the properties that would come in try to take the property over. Mr. Steff said the borough does not warrant title of the properties and that she is not buying the properties from the borough but is buying them from the Beaver County Tax Repository. Mr. Steff said the borough does not take the position to certify title on the properties. Mrs. Hawthorne asked what are the next steps. Mr. Steff said the borough would sign the paperwork authorizing the sale of the properties to Mrs. Hawthorne from the Beaver County Tax Repository. Then she will take the papers back to the county and then follow through with the sale paying whatever monies are required by the county. Mrs. Hawthorne asked what is being required to be paid up front. Mr. Steff said that the county should provide the amount to her. A motion was made by Mrs. Gordon to approve sale of 119 Landell Street, Parcel Nos. 20-001-0257 and 20-001-0259 by Mr. and Mrs. Hawthorne from the Beaver County Tax Repository. Mr. Seminick seconded motion. By way of roll call vote, all in favor and motion was carried.

Brooke Burtner of 868 Spruce Avenue came to the meeting to inquire about the landslide on the back of her property down to the property on Oak Avenue. Mr. Frye said he looked at the situation and said there is a sink hole on the property on Oak Avenue. Mr. Frye said there is a drain in yard and pipe near wall which he said is a serious concern that the wall may collapse. He said the wall is not on

borough property, but the property owners. Ms. Burtner said the sewer drain is cracked alongside grate to sinkhole. Mr. Frye said he will look at it. She is concerned about what will happen. Mr. Drumm said the borough will check into the situation.

Borough secretary presented paperwork for another person who wishes to purchase property from the Beaver County Tax Repository. The property is at 1122 Pentland Avenue. The purchaser has until July 2021 to pay the taxes. Cathy Hutsky made motion to approve purchase by Jackie Miller of property at 1122 Pentland Avenue, Parcel No. 20-002-0602 from the Beaver County Tax Repository. Mrs. Gordon seconded. By way of roll call vote, all in favor and motion was carried.

MINUTES FROM PREVIOUS MEETING: Mr. Drumm asked if there were any corrections to the minutes of the previous meeting. There being none, Mr. Simon made motion to accept minutes of previous meeting. Mrs. Gordon seconded. By way of roll call vote, all in favor and motion carried.

COMMUNICATIONS: Secretary indicated that the 2019 audit had been completed by the accounting firm of Herman & Loll, P.C.

MAYOR and POLICE: Mayor Knox said that for the month of March there were 84 calls for service; 2 arrests and 8 citations issued; for the month of April there were 48 calls, 2 arrests and 5 citation and for the month of May there were 88 calls, 9 arrests and 9 citations. Mayor Knox thanked Rochester Police Department for their service. He asked council and others to join him in a moment of silence in memory of George Floyd. Mr. Simon thanked Chief Mercier for his post on Facebook.

STREETS & SEWERS: Mr. Drumm indicated that Rochester Area Joint Sewer Authority was selling their 2008 Ford F-350 pickup since they purchased a new one. He said the truck is in good shape, has 48,000 miles and has always been serviced by Cherry Automotive. He said he can bring the truck over to the borough building for council members and mayor to look at. The sewer authority is asking $10,000 for the truck and will take no less than that amount. Mr. Drumm asked Mrs. Gordon, who is chairman of the Finance Committee, if the money is available for the purchase. A suggestion was made to use liquid fuels funds, but state does not allow purchase of a vehicle using liquid fuels funds. Mr. Simon said it is a good idea to purchase the truck instead of using the dump truck for everything. Mr. Drumm said he would like to sell the dump truck; it has low mileage on it. The truck from the sewer authority has 48,000 miles on it. Mr. Drumm said everyone will be given a chance to look at the truck before it is purchased. Mr. Drumm said the sewer authority is taking off the truck the power converter. We may have to purchase a new power converter. Mrs. Gordon said the money is available by using EIT funds. She is allowing $12,000 total, which includes any tax or transfer fees. Ms. Hutsky said everyone on council should look at the truck and also the mayor. Mr. Simon made motion that if council agrees after looking at the truck to purchase truck from Rochester Area Joint Sewer Authority for the price of $10,000 contingent upon approval of majority of council members after inspection of vehicle. Ms. Hutsky seconded. By way of roll call vote, all in favor and motion was carried.

Mr. Drumm indicated that he, Jeff Frye and Sam Landis toured the streets of the Borough with Tim Youngblood of Youngblood Paving. Mr. Youngblood and Mr. Frye prepared a list of all the streets in the borough and the cost for paving. Mr. Drumm said that the borough has been informed that Columbia Gas will not be doing any work in 2020, but will start projects in 2021. Columbia Gas plans to work on Lacock Avenue, First and Second Streets in 2021 and Columbia Gas has suggested that the Borough does not pave Lacock Avenue and some of the side streets off Lacock. Mr. Drumm said if

we get the grant for $100,000 that will take care of Fifth Street. The borough is responsible for $15,000 of the grant.

A discussion was held about which streets to pave first, namely the worst streets in the borough. Mr. Drumm proposed paving Stewart to Elm and then go down Willow to stop sign and maybe down Curtland using FB modified coat and sealing. After calculating the costs for these streets, it would be a cost of approximately $12,000 to $17,000 for FB modified and sealing. Mr. Frye said the borough could put the FB modified on and seal it at a later time, which would save some money. Mrs. Gordon said why not seal it when putting FB modified on. Mr. Drumm said there is no use putting tar and chip on Pine Avenue because it would all wash down to bottom of hill. Mrs. Gordon said Pine and Atlas are low income residences and would be subject to a grant. Mrs. Gordon said the money is in liquid fuels for paving. Mr. Frye said amount is under threshold for bidding. Mr. Frye said if the paving is over 1 inch, than the project has to be advertised and we have to set up a project request with the state. Mr. Frye said if only put FB down will not have to get three quotes. Mr. Simon made motion to pave and seal Stewart to Elm and Willow to stop sign at Curtland. Ms. Hutsky seconded. By way of roll call vote, all in favor and motion was carried. Mrs. Gordon indicated that the $15,000 share of the grant can come from EIT funds. Mr. Frye said he received an email from the state regarding the grant process and due to the Covid-19 situation, the state will not be reviewing the grants until September.

Mr. Landis indicated that the bank is washing out at the East Washington Street ballfield and we lost a section of the fence. He mentioned about the catch basin on 4th Street and Linton that is blocked and needs cleaned out. Mr. Drumm indicated that he is afraid that if the catch basin on 4th is blown out there will be a water runoff which will affect the wall and driveway at 851 5th Street. A discussion was held regarding the actual property lines there and that is part of Linton which was never vacated by the borough. Mr. Drumm asked Mr. Frye is that property should be surveyed. Mr. Drumm said there is a possibility that the driveway installed at 851 5th Street is on borough property. Mr. Drumm said if the catch basin is blown out and there is a heavy rain the water will run down behind the wall and driveway on 5th Street. Mr. Frye said it is his understanding that if the borough did not accept the paper street within a 21-year period, the resident can get a deed to that property and take title to that property. Mr. Frye said he would have to research that more. Mr. Steff said it can be done by action of quiet title or have a court order evidencing possession. It was noted that if the borough did not vacate it and the resident did not take title to the street then the borough still has rights in that street. It was mentioned that the resident at 851 5th Street did alter the flow of water when he installed the wall. Mr. Seminick said the resident removed the drainage ditch when he installed the wall and driveway and now the neighbor next door is getting water in his yard and basement. Mr. Seminick said the borough cleaning out the catch basin does not hurt the borough. Mr. Seminick said Mr. Seybert changed the flow of water path when he installed the wall. Discussion was held about how Mr. Seybert obtained his permits. Secretary said originally John Clay was called, but never responded to the request to review the property to issue the permit. Numerous attempts were made to have Mr. Clay check the situation. When Randy Morrow came on board, Mr. Seybert had already begun the work and Mr. Morrow indicated that he needed a permit. Secretary said that when Mr. Seybert came to the office to pay for the permits, he was rather mad because he had been told he did not need a permit. Still not sure where he got his information. Mr. Landis indicated that at the end of the new driveway installed by Mr. Seybert, the borough has a catch basin there and the driveway touches the catch basin. Mr. Simon indicated that the catch basin needs cleaned out. Mr. Drumm said arrangements will be made to have the catch basin on 4th Street cleaned out.

Mr. Landis said he put the No. 4 limestone on the side of 5th Street and down Oak Avenue and he received a lot of comments about how good it looks. Mr. Drumm said was the best thing he could have done was to fill the ruts in. Mr. Drumm said that he and Mr. Landis checked out the top of 5th Street

near Lacock Dwellings and everything from the dwellings runs down 5th Street and that is the reason the borough is getting the water. Mr. Frye said he went into the woods at the dwellings with the dwellings maintenance man and he showed Mr. Frye me where the pipe is. Mr. Drumm said all the debris comes down and goes into the borough's catch basin. Mr. Drumm said it has to be fixed because 5th Street is getting worse. Mr. Drumm said someone put a pipe at the bottom near Terry Mason's property and there should have not been put there. Not sure if it is borough property or Mr. Mason's property, but it should not be there. Mrs. Gordon said Mr. Mason's calls that his property. Mr. Drumm said that pipe was put there and it is not big enough to handle all the water that flows down the hill. Mr. Drumm said there needs to be some kind of plan to get these matters fixed.

Mr. Landis mentioned that the three houses on Spruce where the back yards face the hillside toward Oak are tied into the Oak Street sewer system. Mr. Frye was asked to check into this.

BUILDING PERMITS: A copy of Mr. Morrow's report is provided to council in their folders.

FINANCE & BUDGET TAX REPORT: The Secretary reported that the tax collections were $52,764.71 for the month of April and $70,456.91 for the month of May. The tax collectors commission was $1,591.41 for the month of April and $2,220.05 for the month of May. The total bills paid for the month of April were $48,889.47 and $18,029.16 for the month of May. Payroll was $5,580.44 for the month of April and $7,564.33 for the month of May (includes council and mayor). Pennvest loan payment was $1,604.54, each for the months of April and May. The amounts of $4,576.98 and $4,146.87 was collected by Rochester Area Sewer Authority. Mrs. Gordon made motion to accept finance and budget report. Ms. Hutsky seconded. By way of roll call vote, all in favor and motion carried.

FIRE DEPARTMENT: Secretary read report. There were 3 calls for the Borough for the month of March; no call for the borough for the month of April and no calls for the borough for the month of May. It was indicated in reports that new drivers and firefighters are learning the streets in the borough. There was a fire recently at 125 Pine Avenue and Mr. Seminick thanked Mr. Landis for boarding up the windows and entrances after the fire to keep people out. Mr. Seminick asked what is the procedure if it is ever necessary to have a property boarded up after a fire. It was indicated that usually it is the code enforcement officer. Mr. Seminick said the fire department would like to sit down and write up what the procedure would be. Mr. Steff said in the past the code enforcement officer would have done this and there are times that the road department takes care of these situation. In the past the code enforcement officer would bill if he was needed to take care of boarding up a residence if needed after a fire. Chief Mercier indicated that in Rochester Borough they usually use the road crew. They are called out and they have plywood on hand and they would get paid for this as part of their salary. In the future, Mr. Drumm said the borough can keep plywood in the garage and Mr. Landis can take care of the situation when needed.

SOLICITOR, ORDINANCE & LITIGATION: Mr. Steff said he prepared the resolution regarding Young Lungs at Play. He indicated that the agreement for use of the ballfield will be prepared. Secretary indicated that she has not heard from the Little Rams organization. Ms. Hutsky indicated that the organization is now allowed to start football until after July. Ms. Hutsky said she is not sure how the organization will handle things. Secretary also indicated that the organization also did not return the keys. Mr. Drumm said that Mr. Landis has the ballfield and concession area all cleaned up. Mr. Drumm said the sled will be pulled out of there and dropped off at the location given by Little Rams.

BOROUGH ENGINEER: Mr. Frye said that he received an email regarding the storm water grant indicating that the grants will not be awarded until September due to the Covid-19 virus.

RECREATION: It was mentioned that the fence at the East Washington Street ballfield needs repaired. The electric will be installed at the flagpole. Ms. Hutsky asked about fixing the shelter roof of the pavilion at the playground. Mrs. Gordon suggested about getting a metal roof for the pavilion. Mr. Drumm indicated that when Mayor Knox proposed the program by Duquesne Light for replacing the street lights in the borough with LED lights it was a good idea because now the borough is well lighted. Mr. Drumm said it would be nice to have a LED light at the flagpole. Mayor Knox he thinks Duquesne Light will put one in for $120.00. Ms. Hutsky also inquired about getting mulch for the playground. Mr. Drumm said that the back part of the playground gets so wet when it rains that there is water laying there because there is no drainage. Mrs. Gordon said maybe to just put the mulch around the swing area and also suggested getting a metal roof for the pavilion.

A question was asked about summer help and Mr. Drumm indicated that there is a program through the Beaver County Jail but the borough would be required to supervise and stay with the workers at all times. He also mentioned that the County always has first priority for getting the workers.

UNFINISHED BUSINESS: Mr. Steff presented Resolution 6-3-20 regarding the use of tobacco products in playground, ballfield and other common areas of the borough in connection with "Young Lungs at Play". This resolution prohibits the use of tobacco products. Mr. Simon made motion to adopt Resolution 6-3-20. Ms. Hutsky seconded. By way of roll call vote, all in favor and motion was carried.

NEW BUSINESS: Mr. Landis indicated that there are two windows broken in the upstairs area of the borough building. They are double pane windows and the outside panes are broken. Ms. Hutsky indicated that there is a business in Monaca who she used to fix a broken window at her house and she will provide secretary with their contact information.

There being no further business, a motion was made by Mr. Simon and seconded by Mrs. Gordon to adjourn the meeting. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Janice Dunn, Borough Secretary/Treasurer