The regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, August 5, 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 and James Simon

**ALSO, PRESENT:** Mayor Robert Knox, Solicitor Paul Steff, Chief Frank Mercier, Engineer Jeff Frye, Sam Landis, Katie Prest and Brooke Burtner.

**ABSENT:** Cathy Hutsky and Code Enforcement Officer Randy Morrow

A moment of silence was held in honor of the passing of Harry Anderson, a former Chief of Police of the Borough.

**CITIZENS REPORT:** Katie Prest of 868 Spruce Avenue asked to speak regarding calls received from the Code Enforcement Officer concerning the condition of her property. She feels she is being attacked. Ms. Prest said a complaint was placed about her property by a council member and did not know who it is. Mr. Drumm indicated to Ms. Prest that a complaint was received and the Code Enforcement Officer was asked to address. Borough Secretary said the complaint that was called in was from an "unknown caller". Ms. Prest also mentioned the issue with the hillside behind her house and that no one has come and looked at it. Mr. Frye indicated that he checked over the situation. Ms. Prest said she was not aware that he had looked at it and that no one contacted her. Ms. Prest said she is more worried about the hillside collapsing than the messy yard. Mr. Frye said he looked at the hillside and also the crack in the street. Mr. Drumm said the borough has done everything possible through the engineer regarding the hillside. Not sure what else she wants the Borough to do. Ms. Prest said no one contacted her. Mr. Frye said he was unable to find the discharge point from the catch basin. Mr. Drumm asked Ms. Prest what she wants and she wants to make sure there is not a problem with any council person. Mr. Drumm said if a complaint is received by the Borough it needs to be addressed. Ms. Prest indicated that she has no problem with the Code Enforcement Officer. Mrs. Gordon said there is a disadvantage where Ms. Prest's house is located because the road past her house is travelled a lot and people notice things. Mr. Drumm indicated to Ms. Prest that no one is harassing her.

At this time the Mayor said he has an issue as a citizen of the borough. He said All Metals is dumping stuff on Valvoline property over the fence. Chief Mercier said no complaints have been called in to the police office other than by Mayor Knox. Chief said he spoke with one of the owners of All Metals. The owner indicated to the Chief that he sent out a sweeper to clean up the road. Chief Mercier said he waiting for a call back from the owner to see how often the street will be swept which probably should be everyday. Chief Mercier said if this does not work then he will send the Rochester police out to cite the trucks for untarping. Chief Mercier said the police have also experienced tire issues because of the road at All Metals. The police department had to purchase new tires because the tires were sliced from the metal on the road and could not be repaired. Mayor Knox said they are not actually using a street sweeper but

are using a Bobcat with a brush on it. Mayor Knox said that Valvoline plant manager will possibly attend the next council meeting to get this situation resolved. Mr. Simon indicated that this is a private property issue between Valvoline and All Metals. Mayor Knox said "doesn't the Borough have a code against littering. Mr. Steff said that one property onto another would actually be private property matter. Mayor Knox said then Valvoline needs to hire an attorney then to resolve this. Mr. Steff said over the fence issue would be a matter between two property owners because that is private property. Chief Mercier suggested that the plant manager of Valvoline call the police department. It was mentioned that at one time Cronimet used to pay Rochester Borough to run the sweeper in that area.

**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 read letter from Pennsylvania Department of Transportation regarding notice of payment of state police fines and penalties. Borough received amount of $161.74.

Letter from Pennsylvania Department of Environmental Protection regarding permit termination of the Borough's NPDES permit. This is in regard to letter sent by Borough Engineer to Pennsylvania Department of Environmental Protection regarding the termination of the permit.

**MAYOR and POLICE**: Mayor Knox said there for 83 calls for the month of July; 1 DWI arrest and 19 citations issued. Mr. Simon made motion to accept police report, Mr. Seminick seconded. By way of roll call vote, all in favor and motion carried.

Mr. Knox said he had asked for an announcement to be put on the borough's website regarding the passing of Harry Anderson, a former Chief of Police of the Borough and it was not done. Mrs. Gordon asked Mayor Knox if he knew how long Mr. Anderson served as Chief of Police. A heated discussion ensued between Mayor Knox, Mrs. Gordon and the Borough Secretary. At one time Mrs. Gordon asked Mr. Drumm to have Mayor Knox removed from the meeting. Mr. Drumm said disrespectful tone will not be used with each other at the meeting. If there is a conflict wait until after the meeting and go outside. Mayor Knox apologized for his outburst.

**STREETS & SEWERS:** Mr. Landis indicated that the police department contacted the Borough regarding a plugged sewer line on Maple Street along Route 65. Mr. Landis called the borough engineer to come out and check out the situation. Mr. Frye then called Tristate Mechanical to come out and unplug the sewer line. Mr. Landis said he also has taken food bits out of the lift station and still taking out wipes from the lift station. Mr. Simon indicated that Rochester Area Joint Sewer Authority it having the same problems with adult wipes.

Mr. Landis indicated that the split rail fence at the gazebo is in real bad shape and needs to be repaired. It was suggested that he obtain prices for a new fence, both wood and metal.

Mr. Landis asked council if he could purchase T-shirts which would have the Borough name on them that he would wear when working in the borough. They would be like the safety shirts that other boroughs use. A motion was made by Mr. Simon and seconded by Mr. Seminick for Mr. Landis to purchase 5 T-shirts and 2 sweatshirts. By way of roll call vote, all in favor and motion carried. Secretary will contact Victoria's Embroidery or Izzos.

Mr. Drumm said keys had been received from Kellar Properties for the gate at 6th St. Ext. Key was provided to police department and Mr. Landis said that Mike Mamone picked up a copy of the key for the fire department.

Mr. Simon asked Mr. Frye if would check 4th Street and Lyons Avenue as there is a storm sewer in front of Mrs. Braddock's home that has a hole on the outside of the grate.

Secretary read revised bid from Sharpless Tree Service for trimming on Oak and 5th Street. She indicated that she received no return calls from other tree service companies. Mr. Seminick suggested that the borough call Duquesne Light first to see if they would trim any of the trees.

Secretary indicated that she had received call from Randy Dawson at the County 911 center regarding an issue with 1 Willow Avenue. Mr. Dawson indicated that a recent 911 call cause some confusion as to where 1 Willow Avenue is located. He suggested changing the number to conform with the other numbers on Willow Avenue, i.e., changing from 1 Willow to 154 Willow and that the borough would be responsible for notifying the resident that they would be required to change the address on all their identification, etc. Mr. Drumm asked Mr. Steff about this and he said the borough could maybe change the number if the house is vacant or do nothing. Mr. Steff said under the borough code part of the corporate powers of the borough is that we can assign numbers on properties. He said Mr. Dawson of 911 center has been very active and there is has always been coordination with doing that because they want their system to match up with the county GIS system. In this situation, there are a couple alternatives. One if you do this when people are living at the residence, the resident gets upset because they have to change everything. The plus the borough has if the current resident is leaving the borough the new resident is coming to a new number. The other choice is do nothing then you have a conflict between the system and the borough. It is the borough's decision on how to handle. Mr. Drumm said he feels there is no need to get involved with changing the house number, but it is up to council. Mrs. Gordon said she agrees not to get involved.

It was mentioned that a call had been received by the Beaver County Transit Authority regarding bushes on Atlas going to Pine. There DART bus is getting scratched. It was mentioned that the cemetery used to take care of that area. The engineer was asked to look into this.

Secretary said Mrs. Cable came into the office and said the limbs across the street by her shed are ready to fall. Discussion held if this is a borough issue and what happened in the past regarding trees and limbs. Mrs. Gordon said that Mrs. Cable's insurance company told her to have the Code Enforcement Officer look at the tree to see if it is dead or have someone from a tree service look at it to see if it is dead and if it is she is then to notify council that it would be the borough's responsibility. Mr. Drumm said if the tree is on borough property it will be trimmed. Mr. Steff said we have had the issue on this property before and that the borough is not a tree service and this whole thing about trees or limbs that could potentially fall on a

resident's house and about the insurance company telling the resident what to do. If something happens you turn in a claim and it does not fall on the borough to take instruction from the resident's insurance company. Mrs. Gordon said the branches maybe hanging over Mrs. Cable's shed but the tree may be on borough property. Mr. Drumm said the borough just had a tree taken down on borough property on Willow Avenue. The tree was only cut and dropped and there was a complaint that it was not cut up. But that is the way it is. Mr. Drumm said if the tree Mrs. Cable is talking about is on borough property then the borough will trim the tree. But if it is not, we cannot have a company go on private property and trim trees. Mr. Steff said you never go on private property. Mrs. Gordon said the branches of the tree may be hanging over on Mrs. Cable's property – not sure – and the tree on borough property. Mr. Drumm said he will check it out.

**BUILDING PERMITS:** A copy of Mr. Morrow's report is provided to council in their folders. Secretary read summary as follows: 1 building permit issued to Todd Smith at 898 Oak Avenue for porch alteration; cleanup to be done at Shop 'N Save and "no Dumping" signs installed; miscellaneous complaints addressed re high grass and trash. Mrs. Gordon made motion to accept Code Enforcement Officer's report. Mr. Seminick seconded. By way of roll call vote, all in favor and motion carried.

**FINANCE & BUDGET TAX REPORT:** Taxes collected for July $2,486.90; Tax Collector Commission $74.59; Total Bills Paid $14,697.90; Payroll $6,413.83;
Pennvest August payment $1,604.54

Mrs. Gordon made motion to accept finance and budget report. Mr. Seminick seconded. By way of roll call vote, all in favor and motion carried.

**FIRE DEPARTMENT:** Secretary read June and July reports. Two calls in June – one for fire and one for emergency rescue service; Seven calls in July – 5 fire calls; 1 service call and 1 false alarm.

**SOLICITOR, ORDINANCE & LITIGATION:** Mr. Steff presented the new agreement for the rental of the East Washington Street ballfield. Mrs. Gordon made motion to accept new agreement. Mr. Seminick seconded. By way of roll call vote, all in favor and motion carried.

Discussion was held about request of Gary Slyman to borough property behind VFW to store his recreational vehicle. Mr. Steff said he had researched and found that the property was given to the borough from the school district in 1978 and one of the conditions of the donation was that that property was to be used by the general public for recreational uses by all three Rochester municipalizes, i.e., borough, township and East Rochester. Therefore, the property cannot be used for storage of any type. Secretary was asked to notify Mr. Slyman.

**BOROUGH ENGINEER:** Mr. Frye said he sent 6 bids packets out to small paving companies and has not received any inquiries or bids. Will resend more emails.

**RECREATION**: Mayor Knox indicated that he received the signs from 'Young Lungs at Play" and will get them installed at the playground and ballfield. Mayor also mentioned that he will contact Ms. Hutsky about the 2021 tree program. Mr. Seminick mentioned about residents purchasing trees in memory of someone or purchasing same by families in the borough.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:** Secretary indicated that borough office will be closed August 11 to August 14 for vacation.

There being no further business a motion was made by Mr. Simon and seconded by Mrs. Gordon to adjourn the meeting. By way of roll call vote, all in favor and meeting was adjourned at 8:10 PM.

Respectfully submitted,

Janice Dunn, Borough Secretary/Treasurer