

The regular monthly meeting of the Town Council of the Borough of East Rochester was held Wednesday, August 3, 2022 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 and roll call was taken.

**PRESENT:** John Drumm, Joyce Gordon, Joseph Seminick, David Wagner and James Simon

**ALSO PRESENT:** Solicitor Paul Steff, Chief Frank Mercier, Engineer Jeff Frye (arrived at 7:15), Mayor Robert Knox, Sam Landis and Terry Mason

**ABSENT:** Randy Morrow

**CITIZENS REPORT:** Terry Mason of Oak Avenue asked to speak about the water coming from Lacock Dwellings and into the catch basin at the end of Landell. He said the sediment runs down 5<sup>th</sup> Street and into the pipe on his property which then gets plugged. He said a wedge curb worked before. Mr. Drumm said the engineer needs to be consulted. Mr. Mason said it would be helpful if the catch basin could shoot down Stewart Avenue. Mr. Steff said that Mr. Frye looked at this situation before and the solution was costly. Mr. Mason said that the new catch basin installed along 5<sup>th</sup> Street across from JR's Warehouse has helped a lot. Will ask Mr. Frye about solution when he arrives.

**MINUTES FROM PREVIOUS MEETING:** Mr. Drumm asked if there were any corrections to the minutes of the previous meeting. There being none, Mr. Seminick made motion to accept minutes of the previous meeting, Mr. Simon seconded. By way of roll call vote, all in favor and motion carried. Mayor Knox asked about the payment of bills when no council meeting is held. Mr. Steff said the bills are automatically paid and action is taken at the next meeting. He said there is no phone voting regarding payment of bills.

**COMMUNICATIONS:** None

**MAYOR and POLICE:** Mayor Knox gave the report. In June, there were 113 calls for service, 1 arrest and 10 citations. In July, there are 90 calls for service and 1 arrest.

Chief Mercier and Mr. Landis said there was an issue with Mrs. DePace of Spruce Avenue regarding trees and brush which were cut and left along the side of the roadway. Some of the debris encroached onto Walnut Street causing traffic issues. Chief Mercier said he talked to her about this and she indicated to him that she owns the road. Chief said there is approximately 20 feet on each side of the road which is a right-of-way for the borough. Mr. Steff said she cannot block the right-of-way. Chief Mercier asked Mr. Landis to push the debris back onto her property, since she refused to move them. Chief Mercier said she has been cited. She took the debris that Mr. Landis moved and put it back onto the roadway. Chief Mercier videoed her and she in turn videoed Chief Mercier. He indicated to Mrs. DePace that she was going to be charged with a misdemeanor. It was mentioned that Mrs. DePace had been previously cited for throwing grass onto a neighbor's property and was found guilty at the magistrate's office.

Chief Mercier indicated that later that day he tried talking to her again and she indicated that she was having heart issues. He called 911 and the medics tried to help her and she chased them out of her house with a pair of scissors.

**STREETS & SEWERS:** Mr. Landis indicated that he and the summer help have put new shingles on the roof of the lift station and painted. He asked Mr. Drumm about the repair of the concrete around the lift station.

Mr. Frye indicated that he met with Nicely Contracting about the catch basin repair at the borough building and on Oak Avenue. Nicely indicated that they are planning to start the work this week.

Mr. Landis indicated to council that he is planning on retiring in September. Mr. Steff said that he should submit a written letter. Mr. Landis said he is willing to help out with snow plowing if needed.

Mr. Landis asked council if it would be permitted to pay someone to help with installation of the gazebo. He said that Mr. Magness said he would be willing to help. Mr. Landis asked if council would approve paying Mr. Magness \$150 to help with the installation of the gazebo. Mr. Wagner made motion to pay Wesley Magness the sum of \$150 to help with the installation of the gazebo at the playground. Mr. Seminick seconded. By way of roll call vote, all in favor and motion was carried.

Mr. Wagner asked about putting in the electric at the flagpole. Mr. Drumm said he is going to install a light on the corner of the borough building which will shine on the flagpole. Mr. Drumm said that the timbers can be installed around the flagpole.

Mr. Landis said there was a short in one of the pumps at the lift station. He said he pulled out a lot of rags and junk. He had Reno Bros. come out and check the pump over. They suggested to him that the pump may need to be rebuilt. Mr. Landis said that since all the junk has been pulled out of the pump, it is working okay. He will call Reno Bros. and ask them to hold off rebuilding the pump.

**BUILDING PERMITS:** Report in folders. Permit issued for fence at 174 Stewart Avenue and a permit was issued by Code.sys for modular home at 805 Walnut Street.

**FINANCE & BUDGET TAX REPORT:** Tax Collection for June \$2,915.21; Tax Collection Commission for June \$127.63; Tax Collection for July \$3,843.69; Tax Collection Commission for July \$151.65; Total bills paid in June \$29,259.91; Total bills for July \$14,746.94; Payroll for June \$7,290.80 (net pay - includes street, secretary, tax collector, zoning, council and mayor); Payroll for July \$4,513.94 (net pay – includes street, secretary, tax collector and zoning); Pennvest July payment \$1,024.95; Pennvest August payment \$1,024.95; Rochester Joint Sewer Authority for May \$4,487.50; Rochester Joint Sewer Authority for June \$4,316.21

Mrs. Gordon made motion to pay tax collector commission for June. Mr. Seminick seconded. By way of roll call vote, all in favor and motion was carried.

Mrs. Gordon made motion to pay tax collector commission for July. Mr. Seminick seconded. By way of roll call vote, all in favor and motion was carried.

Mrs. Gordon made motion to pay bills for June and July. Mr. Seminick seconded. By way of roll call vote, all in favor and motion was carried.

**FIRE DEPARTMENT:** 3 calls in June and 4 calls in July. Mayor Knox asked council; permission to be involved in the fire department contract meetings. Council said “yes”.

**SOLICITOR, ORDINANCE & LITIGATION:** Mr. Steff presented Resolution No. 8-3-22. This resolution is prepared in regard to the Beaver County ARP funding. The Resolution states that the borough approves the State and Local Recovery Funds Recipient Agreement and authorizes the filing of the application. This resolution is needed in order to have the invoices paid by the county for infrastructure work done by the borough. Mr. Wagner made motion to approve Resolution 8-3-22 which authorizes the borough to enter into the State and Local Fiscal Recovery Funds Recipient Agreement and authorizes the filing of the application. Mr. Simon seconded. By way of roll call vote, the motion was carried.

Mr. Steff indicated that he had received a copy of the Intermunicipal Agreement Creating the Rochester Area Regional Emergency Management Agreement which appoints an Emergency Management Coordinator. This agreement has already been signed by Rochester Township. He said this agreement is very lengthy and should be reviewed by each council member. Mr. Steff said he does not recommend acting on this at this meeting, but would prefer that copies be provided to each council member for their review. He said he will talk to Rochester Borough Manager regarding this agreement and will have more information in order to take action at the next borough meeting.

**BOROUGH ENGINEER:** Mr. Frye indicated that at the June council meeting he was authorized to obtain quotes for the catch basin repair. Bids were received from Nicely Contracting, CH&D Enterprises, Chaffee Excavating and Drumm and Sons. Drumm and Sons was the lowest bid.

Mr. Frye said he met with Columbia Gas and Youngblood in regard to the streets that they will be paving in connection with the project they just completed. Mr. Frye said on Lyons Avenue there are three holes dug and according to the borough ordinance, feels that the entire street should be paved. Lacock Avenue from Route 65 to borough building and then pave whole of Lacock from building to end of Lacock. Mr. Frye said that if the borough fights Columbia Gas on what is going to be paved, the litigation could be held up in court for years. Mr. Frye said when he met with Columbia Gas and Youngblood, he asked Youngblood about piggybacking on paving what Columbia Gas does not pave. Will need to get prices from Youngblood.

Mr. Drumm said Lacock and Lyons are a mess and that he is willing to give up repairing the catch basins in order to get the roads done properly. Mr. Frye was asked to talk to Youngblood and get prices for paving.

Mr. Wagner asked how to run water from hillside on 6<sup>th</sup> Street. Jeff said he needs to look at that. Mr. Frye said the borough needs more catch basins. Mr. Wagner said the water runs off the hillside and lays on 6<sup>th</sup> Street.

Mrs. Gordon said she has pictures of the ruts in front of her house from the work done by Team Fishel for Columbia Gas. Mr. Simon said he talked to Team Fishel about the damage to his yard and they were rude. Mr. Frye said there was no written agreement where Team Fishel said they would pave all the roads. Mr. Steff said that at some point the borough needs to defer to the engineer. The ordinance says one thing but they gave us more on some places than what is required by the ordinance. The borough needs to see what it is actually getting and what is the benefit.

Secretary was instructed to see if the county would cover the cost of paving under the ARP funding as the work performed by Team Fishel was infrastructure work and the roads needs to be paved. Mr. Drumm asked Mr. Frye to get cost for the paving. Decided to get figures for paving from Youngblood and then ratify at next meeting and table repair of the catch basins for now.

Mr. Frye indicated that Nicely Contracting will start the catch basin repair at the borough building in a few days and repair for the catch basin on Oak Avenue at the end of August.

Mr. Drumm reminded Mr. Frye that the catch basin issue regarding the water and sediment running into the pipe on Mr. Mason's property from above 5<sup>th</sup> Street was addressed previously and asked that Mr. Frye look into this again.

**RECREATION:** Mr. Wagner asked about installing French drains at the playground in order to alleviate that water issue. Mr. Drumm said that the borough should wait until the paving and catch basin issues are resolved.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:** Secretary instructed to place classified add in Beaver County Times for Sam's position.

Mayor Knox indicated that he would like to call an executive session to discuss non-action issues.

There being no further business a motion was made by Mr. Simon and seconded by Mr. Seminick to adjourn the meeting. The meeting was adjourned at 8:20 PM.

At this time, council went into Executive Session.

Respectfully submitted,

Janice Dunn, Borough Secretary/Treasurer