

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
June 21, 2023

MEETING was called to order at 7:00 p.m. with Mr. Tim Antoline presiding. The following members of Council and officials of the Borough were present: Mr. Tim Antoline, Mrs. Jocelyn Hertneky, Mr. Mark Hertneky, Mrs. Patty Then, Mayor Debbie Rose, Borough Secretary Margie Nelko, Borough Solicitor Kate Diersen and Borough Engineer Emile Ketterer.

ABSENT: Mr. John Antoline
Mr. Joe Bohach
Mr. Scott Levenson

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT (Agenda Items): None.

RECOGNITION OF VISITORS: None.

MINUTES of the Workshop Meeting held on April 5, 2023, were presented to Council. **After some review, the motion of Mr. Hertneky, seconded by Mrs. Hertneky to approve the Workshop Meeting Minutes of April 5, 2023, as presented was unanimously carried.**

MINUTES of the Regular Meeting held on April 19, 2023, were presented to Council. **After some review, the motion of Mr. Hertneky, seconded by Mrs. Hertneky to approve the Regular Meeting Minutes of April 19, 2023, as presented was unanimously carried.**

MAINTENANCE SUPERVISOR'S REPORT: The Public Works Supervisor was not in attendance. This report was ordered received and filed.

FIRE CHIEF'S REPORT: The Fire Chief was not in attendance. This report was ordered received and filed.

There was discussion regarding the number of turn-outs for the 2nd Avenue call. There was also discussion regarding the need for a set standard that should be followed so that the Borough is not paying for fireman who are not on the truck(s).

EMA COORDINATOR'S REPORT: The EMA Coordinator was not in attendance. No Report.

ADMINISTRATION & PUBLIC RELATIONS COMMITTEE REPORT: No Report.

The Community Yard Sale is on June 24, 2023.

FINANCE & GRANTS COMMITTEE REPORT: Mr. Levenson, Chairperson of the Finance and Grants Committee, presented Council with updates regarding the following issue(s).

1. **List of Bills** - A list of expenditures for the time period of May 18, 2023 through June 21, 2023, in the amount of \$164,924.09 from the General Fund, expenditures in the amount of \$10,275.84 from the Liquid Fuels Fund and expenditures in the amount of \$103,019.33 from the Water & Sewer Fund were presented to Council for review. **After some review, the motion of Mrs. Hertneky, seconded by Mr. Hertneky to approve the List of Bills as presented was unanimously carried.**
2. **Budget Reports** – These reports were ordered received and filed.

3. Treasurer Report – These reports were ordered received and filed.
4. Freedom Borough Credit Payable to BVRPD – A police service credit breakdown calculation was presented to Council for review. It was determined that Freedom Borough had paid Conway Borough for the entire month of June 2023 police services. **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve the Freedom Borough credit reimbursement of \$15,925.80 and to forward said monies to the BVRPD on behalf of Freedom Borough was unanimously carried.** The Borough Secretary expressed concerns regarding the approved distribution due to the agreement was between Conway and Freedom Boroughs. A clean paper trail would have been making the credit payable to Freedom Borough.

PARKS & RECREATION COMMITTEE REPORT: Mrs. Hertneky, Chairperson of the Parks & Recreation Committee, presented Council with updates regarding the following issue(s).

1. Park Conditions/Recommendations – After touring and taking pictures of all the parks within the Borough, the following list provides the work requested/recommended:
 - a. Borough Building Playground – Drainage needs done to avoid flooding of play area
 - b. Buttermore Park – New shelter roof, power washed, supports painted
 - c. Catherine Drive Park – Removal of playground gym, the swings should be saved
 - d. Gratty Park – Take off old paint and repaint the top of the swings and replace the baby swing

After some review and discussion, the motion of Mrs. Hertneky, seconded by Mrs. Then to approve the purchase of a new baby swing subject to not exceeding \$75.00 was unanimously carried.

The donated trees have been planted and they look very nice. The Parks & Recreation Committee, on behalf of Council, would like to thank D. Micija and S. McMillen for the tree donations.

Mr. T. Antoline inquired if the port-a-johns have been serviced. The Borough Secretary stated a call has been put in for service.

PLANNING, ZONING & ORDINANCE COMMITTEE: Mr. Hertneky, Chairperson of the Planning, Zoning & Ordinance Committee, presented Council with updates regarding the following issue(s).

1. Zoning Ordinance Amendment Meeting Review – Council was presented with an update regarding a meeting that was held to discuss and review the thoughts for the zoning amendments. Mrs. Hertneky, the Borough Secretary and Mr. McCray of Harshman CE Group LLC all participated.
2. Zoning Ordinance Amendment Update – No update at this time.

Mr. Hertneky presented Council with an update regarding the Rental Ordinance. After a meeting with Mr. Levenson to review the ordinance, a typed version will be forwarded to Council for review and comments.

PUBLIC SAFETY & HEALTH COMMITTEE REPORT: No Report.

Mrs. Then expressed concerns regarding poison hemlock, which is toxic to people and pets, on Roosevelt Street. There was discussion regarding who is responsible to remove it and whether the removal is enforceable.

PUBLIC WORKS COMMITTEE REPORT: No Report.

There was discussion regarding a sinkage issue along 13th Street after the last water line break.

MAYOR'S REPORT:

1. Police Reports – A final report from January – June 4, 2023 for both Conway Borough and Freedom Borough was presented to Council.

Mrs. Hertneky thanked Mayor Rose for all her hard work and everything she has done with the police department.

ENGINEER'S REPORT:

1. Columbia Gas Variance Submittal – A Zoning Variance application was applied for by Columbia Gas. There was discussion regarding the variance procedures moving forward and Zoning Hearing Board Member vacancies.

There was discussion regarding the proposed 11th Street Waterline work. The grant that was applied for will be awarded at their July 18, 2023 meeting. If grant is not given, then the proposed work will be reduced in order to meet the APRA Grant funding. There was discussion on the amount of work completed, that the bids/start time should be done in the fall of 2023 and that night time work hours may be required.

There was discussion regarding the Columbia Gas/Youngblood Paving meeting and another email being sent to request a paving schedule.

SOLICITOR'S REPORT: No Report.

The Borough Solicitor presented Council with a need to clarify a legal description of parcels owned by the Borough. This is needed in order to correct the deed between a parking lot and a wooded lot. The Borough Solicitor will forward the information to the Borough Engineer for help with the legal description.

CORRESPONDENCE:

1. Harshman CE Group, LLC – Monthly Report – This document was ordered received and filed. There was some discussion regarding a fence on 2nd Avenue.
2. Conway Borough Planning & Zoning Committee Minutes – 06/12/2023 – This document was ordered received and filed.
3. Norfolk Southern Railyard Co. Sample Analysis Reports – Dated 04/17/2023 & 06/07/2023 – These documents were ordered received and filed.
4. Norfolk Southern Railyard Co. Downstream Notification Ltr (Geosyntec Consultants) - This document was ordered received and filed.
5. Discussion on possible sale of old Borough Secretary Wood Desk (R. Capone) – There was discussion regarding Mr. Capone being interested in purchasing the old desk from the old Borough Building. **It was the consensus of Council to approve the sale of the old Borough Secretary wood desk for \$100.00.**

OLD BUSINESS:

1. BVRPD Gym – No update at this time.
2. Flags – There was discussion regarding the lack of flags on Sampson Street, the approval for main street, a bent flag pole and that some of the flags are falling off the poles. This may be caused by large trucks going by.
3. 11th Street Sidewalks – Mayor Rose expressed concerns regarding the sidewalk on 11th Street still not being temporarily fixed and that the trees are overgrown/berries are everywhere on the sidewalk going up 11th Street making it hard for pedestrians to walk from up town to down town without slipping or stooping. There was discussion in regard to sending a letter to the owners of the trees and asking them to trim them.

NEW BUSINESS:

1. Zoning Hearing Board Resignation Letter (M. Hertneky) – A resignation letter was received from Mr. Mark Hertneky due to he holds a seat on the Borough Council. **After some review, the motion of Mrs. Hertneky, seconded by Mrs. Then to accept Mr. Mark Hertneky's letter of resignation was unanimously carried.**
2. MRM Workers' Compensation Medical Panel – A medical panel list was provided to Council for review and approval. This panel is to provide the employees with a list of medical facilities covered by our Workers' Comp Insurance. **After some discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve the medical panel list as presented was unanimously carried.**
3. Conway Volunteer Firemen's Relief Association Audit for 2019-2022 – This report was ordered received and filed. There was a question from the audience if there is an audit for the general funding for the department. It was determined that there is not.
4. Electric and Natural Gas APPI Pricing – Constellation NewEnergy Ratification – APPI Energy Co. provided the bid tabulation results for Council's review. Constellation NewEnergy was the recommended bid. **After some review and discussion, the motion of Mrs. Hertneky, seconded Mr. Hertneky to accept and ratify the bid from Constellation NewEnergy for electric and natural gas service was unanimously carried.**
5. MRM Property and Liability Trust Renewal Policy – The renewal application was submitted for Council's review and approval. **After some discussion, the motion of Mr. Hertneky, seconded by Mrs. Hertneky to approve the MRM Property and Liability Trust Renewal Policy was unanimously carried.**

OTHER BUSINESS:

1. Comcast (Fax and Elevator Lines) – The Borough Secretary reviewed the issues and problems that are currently happening with the phone lines. Council requested the Borough Secretary to contact Comcast again and attempt to get the problem(s) resolved.

PUBLIC COMMENT:

Ms. Hammil (not signed in) asked for an update regarding the Beaver Falls Municipal Authority agreement. The Borough Secretary will email the document(s) that was found in the office files.

Ms. Hammil inquired if an entity is able to make a donation to the Borough anonymously. The Borough Solicitor stated that the Borough is able to accept donations and that the entity could do a certified check or cashier's check.

There being no further business, the motion of Mrs. Hertneky, seconded by Mr. Hertneky to adjourn the meeting at 8:33 p.m. was unanimously carried.

Margie L. Nelko
Borough Secretary

Timothy Antoline
President of Council

Motion(s) made and/or Council consensus decision(s):

1. Approval Minutes of April 5, 2023 and April 19, 2023
2. Approve the List of Bills
3. Approve Freedom Borough Credit Reimbursement of police services
4. Approve purchase of new baby swing
5. Consensus to sell the old Borough Secretary wooden desk
6. Accept Zoning Hearing Board Resignation Letter (M. Hertneky)
7. Approve Workers' Compensation Medical Panel
8. Accept and Ratify the electric and gas cost bids from Constellation NewEnergy
9. Approve MRM Property and Liability Trust Renewal Policy