

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
September 20, 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, Mr. John Antoline, Mr. Joe Bohach (late), Mrs. Jocelyn Hertneky, Mr. Mark Hertneky, Mr. Scott Levenson, Mrs. Patty Then, Borough Secretary Margie Nelko, representing the Borough Solicitor Mr. Jacob Leyland and Borough Engineer Emile Ketterer.

ABSENT: Mayor Debbie Rose

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS:

Karen Bozza of 1409 Miller Street

PUBLIC COMMENT (Agenda Items): Ms. Bozza was present to express concerns regarding the re-zoning of the 1208 3rd Avenue area. There was discussion regarding this matter being on the agenda for discussion and to review options for this Borough owned property. Ms. Bozza requested that Council consider the impact of its residents before making a decision. There was discussion regarding the property being a commercial building, along with the Post Office and other businesses located in this area that would not be able to be sold due to the current zoning district. The Borough Council has not made any decisions on this matter as of yet, not that it may not be a possibility but there are several steps that need to be taken before anything can be done.

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

The Borough Engineer requested a name for her point of contact.

Mrs. Then inquired if Columbia Gas will be paying for the expenses of overtime, materials, etc. for the 11th Street sink hole.

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

There was an inquiry regarding why the Borough is being charged for a flooded basement and traffic control on 11th Street and 2nd Avenue on August 18, 2023.

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

ADMINISTRATION & PUBLIC RELATIONS COMMITTEE REPORT: Mrs. Then, Chairperson of the Administration & Public Relations Committee, presented Council with updates regarding the following issue(s).

1. Full-time Public Works Vacancy – After some discussion, it was the consensus of Council for the Public Works Committee to narrow down the possible candidates and conduct interviews. Mr. J. Antoline will keep Council updated.

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 September 7, 2023, through September 20, 2023, in the amount of \$20,893.71 from the General Fund, expenditures in the amount of \$150.96 from the

Liquid Fuels Fund and expenditures in the amount of \$19,403.85 from the Water & Sewer Fund were presented to Council for review. There was some discussion regarding Check No. 27527 in the amount of \$7,679.32 not being the amount of \$5,400.06 that was approved at the Regular Council meeting of August 16, 2023. It was determined that the difference to be paid is \$310.20 less than the amount of Check No, 27527. **After some review, the motion of Mr. Levenson, seconded by Mr. J. Antoline to approve the List of Bills as presented with the exception of Check No. 27527 which is to be voided and replaced with another check in the amount of \$7,369.12 was unanimously carried.**

There was discussion regarding the remaining payment(s) for the fire service allowance should not go over the budgeted amount of \$2,000.00 for this year.

2. **Budget Reports** – These reports were ordered received and filed.
3. **Treasurer Report** – These reports were ordered received and filed. The Borough Secretary was asked to research the possibility of paying off the 2022 Tax Anticipation Note.
4. **A/C and Electrical Quotes** – There was some discussion regarding the quotes received, whether the units were needed before 2024 and that they will increase the value of the building. **After some review, the motion of Mr. Levenson, seconded by Mr. Hertneky to approve the installation of an A/C Unit in the Borough Office and in the Council Chambers was unanimously approved.**
5. **Grant Writing Date(s)** – There was some discussion on finding someone or a professional company who performs grant writing help and/or services. A meeting was scheduled for September 26, 2023, to work on the LSA Grant submittal(s).
6. **Budget Meeting Date** – A meeting was scheduled for October 3, 2023, to work on the 2024 Draft Budget.

PARKS & RECREATION COMMITTEE REPORT: No Report.

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

1. **Rental Ordinance** – A draft ordinance was presented to Council for review. There was some discussion regarding topics relevant to rentals. Council was asked to review the draft and have comments ready for the next scheduled meeting.

There was an inquiry regarding whether it is legal to plant a tree in a paper alley. The Borough Solicitor stated it was not illegal but with it being an easement there are no expectations should it need removed.

PUBLIC SAFETY & HEALTH COMMITTEE REPORT: Mr. T. Antoline reviewed the following issue(s).

1. **PA DEP Complaint No. 374997 - 1016 Dewey Street** – A complaint filed with the PA DEP was received regarding a septic issue at this location. There was some discussion regarding the steps to contact the owner for maintenance evidence for overflow to the septic system. The Borough Secretary was asked to send the owner a letter and to respond to DEP informing them of our intentions.

Mr. Bohach entered the meeting at this time. (8:21 p.m.)

PUBLIC WORKS COMMITTEE REPORT: Mr. J. Antoline, Chairperson of the Planning, Zoning & Ordinance Committee, presented Council with updates regarding the following issue(s).

1. Leaf Pickup Dates – There was discussion regarding dates of pickups, the days scheduled for downtown and uptown. It was determined that the dates for pickups would be October 10th through November 16th and the days would be downtown on Tuesdays and uptown on Thursdays.
2. Conway Water System Consolidation – An overview of the recent meeting with the Beaver Falls Municipal Authority (BFMA) Board regarding discussion on the BFMA taking over the water lines in Conway was presented to Council. There was discussion regarding the pros/cons and a list of questions requested by BFMA.

Ms. Hamill expressed concerns regarding why we would use them with the poor quality of water supplied and asked if there were other options. Council discussed the current agreement with BFMA which prevents other options.

Mr. J. Antoline stated that the chlorinator pump has broken and the old one is leaking. The Sewage Plant Operator will be getting quotes for a replacement(s).

MAYOR'S REPORT: No Report.

BVRPD REPORTS: Mr. Levenson, Chairperson of the Beaver Valley Regional Police Department (BVRPD) Board, presented Council with updates regarding the following issue(s).

1. Parking Lot Signs/Playground Access – An overview of issues with the number of vehicles and number of employees that are causing parking problems was presented to Council. The are children running out into the driveway which is causing a potential hazard. There was discussion regarding the options to correct these issues. The BVRPD was asked to come up with a plan,

ENGINEER'S REPORT: No Report.

There was an update regarding the lack of a schedule for the 2nd Avenue Columbia Gas/Youngblood Paving project. The Borough Office still has not received a building permit application from Columbia Gas for the building to enclose the existing medium pressure gas regulator station located at 933 2nd Avenue.

The work for the 11th Street water line replacement bids is progressing. At this time, there is no update for the granting of the PA Small Water Grant for the 11th Street water line replacement.

A new GIS Mapping System that is being worked on could provide similar service and help our employees with inputting data. There was discussion regarding whether it would help with maintenance information, more organized waterline items and hydrant flushing.

SOLICITOR'S REPORT:

1. Re-zoning Discussion – 1208 3rd Avenue – There was some discussion regarding the two (2) options available. The first option is to re-zone the area to a Residential/Low Commercial which is establishing a new district and would be costly because of amendments to the Zoning Map. The second option is to have the interested parties using the building apply for a Conditional Use and any other variances needed. **After some review and discussion, it was the consensus of Council to revisit this matter at a later date.**

The Borough Solicitor stated that the tree planted in the paper alley is a neighbor matter and not a Borough issue.

CORRESPONDENCE:

1. Harshman CE Group, LLC-Monthly Report - This document was ordered received and filed.

2. Norfolk Southern Railyard Co. Sample Analysis Report-Dated 09/06/2023 – This document was ordered received and filed.
3. PA DEP Cleveland to Pittsburgh Fiber Optic Line Project – This document was ordered received and filed.

OLD BUSINESS:

1. Auditor Proposals – The Borough Secretary presented Council with an overview and opinion of the proposals received. **After some discussion, the motion of Mr. Levenson, seconded by Mrs. Hertneky to appoint J. Martin Associates, LLC for the years of 2023, 2024 and 2025 was unanimously carried.** The Borough Secretary was asked to inquire whether the BFMA taking over the waterlines could affect the proposal.

NEW BUSINESS:

1. 2024 Minimum Municipal Obligation (MMO) – Non-Uniform Pension Plan – The MMO outlines the required funding amounts due to the pension plan to remain qualified for state aid. The obligation due for the Non-Uniform Pension Plan is in the amount of \$4,235.00. **After some review and discussion, the motion of Mr. J. Antoline, seconded by Mr. Levenson to accept the 2024 Non-Uniform Pension Plan Minimum Municipal Obligation was unanimously carried.**

There was some discussion regarding switching companies to handle the Non-Uniform Pension Plan.

2. 2024 Minimum Municipal Obligation (MMO) – Police Uniform Pension Plan – The MMO outlines the required funding amounts due to the pension plan to remain qualified for state aid. A letter from Mr. James P. Kennedy, of Thomas J. Anderson & Associates, LLC, outlining the two (2) options for the 2024 MMO. One option being the MMO rate, and the other option being based upon the market value of assets. There was some discussion regarding which obligation would be best for the Police Pension Plan. **After some review, the motion of Mr. Levenson, seconded by Mr. J. Antoline to accept the 2024 Police Pension Plan Minimum Municipal Obligation in the amount of \$270,860.00 was unanimously carried.**
3. 2024 Estimated Liquid Fuels Allocation - A notice regarding the 2024 Estimated Liquid Fuels Allocation, in the amount of \$65,835.77, was received. This notice was ordered received and filed.
4. 2024 Tax Anticipation Note (TAN) – **After some review and discussion, it was the consensus of Council to approve moving forward with the necessary paperwork to acquire the 2024 TAN.**
5. 2023-2024 MRM Workers' Compensation Rates and Trust Notes – A notice providing the calculated new rates effective October 1, 2023, was presented to Council for review. This document was ordered received and filed.

OTHER BUSINESS: None

PUBLIC COMMENT:

Ms. Hamill inquired if residents receive any correspondence after an alley is vacated by the Borough. The Solicitor stated that the residents should have received copies of the paperwork, but no subsequent letter would be mailed.

Mr. Bohach inquired if quotes were received for the trees along 11th Street because one fell.

EXECUTIVE SESSION: Mr. T. Antoline requested Council go into Executive Session regarding personnel a matter at 9:21 p.m., as per the motion of Mr. J. Antoline, seconded by Mr. Levenson.

On the motion of Mr. Bohach, seconded by Mr. J. Antoline to reconvene at 9:43 p.m. was unanimously carried.

There being no further business, the motion of Mrs. Hertneky, seconded by Mr. Levenson to adjourn the meeting at 9:46 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. Consensus to narrow down the public works position applicants for interviews
2. Approve the List of Bills with the exception of Check No. 27527 which will be reissued
3. Approve the installation of the A/C Unit(s)
4. Consensus to revisit the 1208 3rd Ave re-zoning matter at a later date
5. Appointment of Thomas Anderson & Assoc. Inc. as the auditor for 2023, 2024 and 2025
6. Accept the 2024 MMO for the Non-Uniform Pension Plan
7. Accept the 2024 MMO for the Police Pension Plan
8. Consensus to move forward with the 2024 TAN paperwork