

BOROUGH OF CONWAY COUNCIL  
REGULAR MEETING MINUTES  
Council Chambers, 801 First Avenue, Conway, Pennsylvania  
January 17, 2024

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**MEETING** was called to order at 7:00 p.m. with Mr. Scott Levenson presiding. The following members of Council and officials of the Borough were present: Mr. Scott Levenson, Mr. John Antoline, Mr. Joe Bohach, 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. Tim Antoline

**PLEDGE OF ALLEGIANCE**

**RECOGNITION OF VISITORS:** None

Michael Crispeno of 110 10<sup>th</sup> Street  
Dan Byrne of 1201 15<sup>th</sup> Street  
Robert Skocich of 1028 Dewey Street  
Linda Hawk of 1613 Porter  
Brent Rizzo of 1109 Sampson Street

**PUBLIC COMMENT (Agenda Items):**

Mr. Crispeno expressed concerns regarding the real estate tax increase of 3.96% being over the permissible 10% increase. Mr. Levenson reviewed the calculation procedure and explained that the calculation begins with the Certified Assessment amount, not the 2023 Real Estate Tax Income.

Mr. Byrne expressed concerns, as per the fire department auditor, regarding the annual Fire Relief Allocation being on the budget as an in/out. Mr. Levenson and the Borough Secretary both explained that the monies are a direct deposit into the General Fund from the state and then a check is written to the fire department (for the same amount as the deposit) within the allotted time period. It is general accounting practice to show income and expenses on a budget and this is a common transaction for all municipalities that receive these funds.

Mayor Rose expressed her concerns and displeasure regarding the CVFD Facebook reply document to the residents and taxpayers dated January 13, 2024. The letter mailed to residents along with their water/sewer bills was factual and intended to explain the differences between the yearly budgets mentioned. Mr. J. Antoline pointed out that the CVFD has not been active with budget involvement, there is no communication except for being able to point out our mistakes. There seems to be a constant divide between the Borough and the CVFD. Mrs. Then asked Mr. Byrne if the CVFD received the Fire Relief Allocation Funds and if they were received timely. Mr. Byrne stated yes to both questions. There was discussion regarding the CVFD's reply wording revolving around the allocation funds and the fact that the CVFD never stated in their reply that the taxpayers pay for all the utilities for the fire department buildings including the hall.

**FINANCE & ADMINISTRATION COMMITTEE REPORT:** Mrs. Then, Chairperson of the Finance & Administration Committee, presented Council with updates regarding the following issue(s).

1. List of Bills - A list of expenditures for the time period of January 2, 2024, through January 17, 2024, in the amount of \$75,161.91 from the General Fund, expenditures in the amount of \$2,448.85 from the Liquid Fuels Fund and expenditures in the amount of \$12,180.63 from the Water & Sewer Fund were presented to Council for review. **After some review, the motion of Mrs. Then, seconded by Mrs. 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 – This report was ordered received and filed.
4. Holiday Closures – A holiday closure schedule was submitted to Council for review. There were four (4) additional holidays presented for discussion that follow the Pennsylvania Recognition of Holidays. The Borough Solicitor stated that it varies with each municipality, some municipalities include some/all of the additional holidays. **After some discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve the recognized holidays as per the Public Works Agreement was unanimously carried.**

**COMMUNITY DEVELOPMENT COMMITTEE REPORT:** Mrs. Hertneky, Chairperson of the Community Development Committee, presented Council with updates regarding the following issue(s).

1. Newly Elected Officials and the Limits to Zoning Training – Mrs. Hertneky reviewed two training seminars that she has an interest in attending. She also inquired if one or both would be covered by the budget. There was discussion regarding the use of salary allowance for council members to cover these expenses. Mrs. Hertneky donates her time for the Borough and does not claim the salary, as does other members of Council.

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

1. Young Lungs at Play Program-PA Dept. of Health – The Borough Secretary was asked to reach out to the contact person to acquire the new signage for our parks.

**PUBLIC SAFETY & CODE ENFORCEMENT COMMITTEE REPORT:** Mr. J. Antoline, Chairperson of the Public Safety & Code Enforcement Committee, presented Council with updates regarding the following issue(s).

1. 2024 CVFD Driver – Active List – This report was ordered received and filed. The Fire Chief will submit an updated list for the Workers’ Comp policy and will also continue to provide monthly reports to Council.

**PUBLIC WORKS COMMITTEE REPORT:** Mr. Hertneky, Chairperson of the Public Works Committee, presented Council with updates regarding the following issue(s).

1. 2013 GMC Sierra Insurance Accident Claim – The insurance check has been received to repair the truck. **After some review and discussion, it was the consensus to acquire quotes and approve the repairs to the 2013 GMC Sierra.** There was some discussion regarding the Sewer Plant Operator choosing to use his own vehicle for work transportation.
2. Termination of Nathan Welton – A copy of the termination letter was presented to Council for review. **After some review, the motion of Mr. Hertneky, seconded by Mrs. Hertneky to terminate Nathan Welton effective January 5, 2024 was unanimously carried.**
3. Hiring of Douglas Hansen – There was some review regarding the hiring of a full-time public works laborer and the required probationary period. **After some discussion, the motion of Mr. Hertneky, seconded by Mr. Bohach to offer the position of Public Works Laborer, effective January 17, 2024, to Douglas Hansen was made.** A roll call vote was taken of the members of Council present. **The motion passed after receiving five (5) affirmative votes and one (1) negative vote of all members of Council present.** Mr. T. Antoline was not in attendance.

Mr. J. Antoline – No	Mr. Bohach – Yes	Mrs. Hertneky – Yes
Mr. Hertneky – Yes	Mr. Levenson – Yes	Mrs. Then – Yes

There was some discussion regarding the waterline break on Foote Street.

**SEWER PROJECT MANAGEMENT COMMITTEE REPORT** – No Report.

**MAYOR’S REPORT:**

1. BVRPD Police Report (06/04/2023 – 12/31/2023) – This report was ordered received and filed.

**BVRPD REPORTS:** Mr. Levenson, Chairperson of the BVRPD Board, presented Council with updates regarding the following issue(s).

1. Resolution No. 2024-01 – Warrantless Arrests – A Resolution adopting guidelines for Beaver Valley Regional Police Officers when making warrantless summary arrests was presented to Council for review. **After some discussion, the motion of Mr. J. Antoline, seconded by Mr. Bohach to adopt Resolution No. 2024-01 was unanimously carried.**

**ENGINEER’S REPORT:**

1. 11<sup>th</sup> Street Waterline Replacement Bid Award – The contract has been signed and PennDOT requires evening work hours. The engineer’s office will be communicating with the residents affected by this project.

The Borough Engineer presented Council with an update regarding the proposed work on 2<sup>nd</sup> Avenue and 11<sup>th</sup> Street by Columbia Gas.

The Borough Engineer reported that Conway-Baden Municipal Authority Sanitary Interconnect meeting dates are being worked on for the next meeting.

**SOLICITOR’S REPORT:** No Report.

**CORRESPONDENCE:**

1. Harshman CE Group, LLC – Monthly Report - This document was ordered received and filed.
2. Norfolk Southern Railyard Co. Sample Analysis Report-Dated 01/03/2024 – This document was ordered received and filed.
3. Beaver County Assessment Appeal - This document was ordered received and filed. The Borough Secretary was asked to reach out to the Assessment Office to verify if this appeal was included in the Certified Assessment.

**OLD BUSINESS:**

1. Selective Insurance (HDH Group)-Flood Insurance 100 River Rd (Option A or Option B) – After some review and discussion, the motion of Mr. J. Antoline, seconded by Mrs. Then to renew the Flood Insurance for 100 River Rd by choosing Option B was unanimously carried.
2. Selective Insurance (HDH Group)-Flood Insurance 100 River Rd Railroad (Option A or Option B) - After some review and discussion, the motion of Mr. J. Antoline, seconded by Mrs. Then to renew the Flood Insurance for 100 River Rd Railroad by choosing Option B was unanimously carried.
3. Teamster 250 Local Union Grievance – This matter will be discussed in Executive Session.
4. Conway Water System Consolidation – No update at this time.

**NEW BUSINESS:**

1. 1201 4<sup>th</sup> Meter Issue – It was brought to the Borough’s attention, during a dye test, that the meter was tampered with. The Borough Secretary reviewed the codes and policies regarding meter tampering. **After some discussion, it was the consensus to replace the meter, bill for the new meter, time, materials and impose the \$300.00 fine for meter tampering.**
2. Signatories for First National Bank – **After some review and discussion, a motion of Mr. J. Antoline, seconded by Mr. Hertneky to approve Mr. Scott Levenson and Mr. Joseph Bohach as signatories for the First National Bank Accounts was unanimously carried.**
3. Opening Community Day Checking Account – The Borough Secretary reviewed the reasons for requesting a separate checking account for the Community Day funds. **After some discussion, the motion of Mr. Hertneky, seconded by Mr. Bohach to approve the opening of a Community Day Checking Account with First National Bank was unanimously carried.**
4. 11<sup>th</sup> Street Waterline Replacement Loan Discussion – There was discussion regarding the approximate interest rate of 5.9% for three (3) years regardless of the amount borrowed. The Borough Engineer stated that the \$150,000.00 grant received for 3<sup>rd</sup> Avenue and 10<sup>th</sup> Street waterline cannot be transferred to the 11<sup>th</sup> Street waterline project which was the grant needed. The Borough Engineer will work on the amount needed for the 11<sup>th</sup> Street waterline project and will work on scaling down the 3<sup>rd</sup> Avenue and 10<sup>th</sup> Street waterline project.

**OTHER BUSINESS:** None

**PUBLIC COMMENT:**

Mr. Crispeno expressed concerns regarding the lack of use of the sewer machine and the hiring of a company to do this work. The Borough Council responded to these concerns and offered explanations of the quotes received for a new machine, repairs to the old machine and lack of approved grants that were applied for.

Ms. Hammill (not signed in) stated that the letter to the residents from the Borough included in the water/sewer bill(s) was beautifully written and greatly appreciated.

**EXECUTIVE SESSION:** Mr. Levenson requested Council go into Executive Session regarding a personnel and contractual matter at 8:25 p.m., as per the motion of Mr. Bohach, seconded by Mrs. Then.

On the motion of Mr. Bohach, seconded by Mr. J. Antoline to reconvene at 9:01 p.m. was unanimously carried.

There being no further business, the motion of Mrs. Then, seconded by Mr. Bohach to adjourn the meeting at 9:03 p.m. was unanimously carried.

Margie L. Nelko  
Borough Secretary

Scott Levenson  
President of Council

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

1. Approve the List of Bills
2. Approve 2024 Holiday Closures
3. Consensus to acquire Repair Quotes and approve Repairs to 2013 GMC Sierra
4. Authorize Termination of Nathan Welton
5. Approve Hiring of Douglas Hansen (included a roll call vote)
6. Adopt Resolution No. 2024-01
7. Adopt Option B Renewal for 100 River Road Flood Insurance
8. Adopt Option B Renewal for 100 River Road Railroad Flood Insurance
9. Consensus to follow Meter Tampering Penalty Procedures (1201 4<sup>th</sup> Ave)
10. Approve Signatories for First National Bank Accounts
11. Approve opening of Community Day Checking Account