

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
June 19, 2024

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. Joe Bohach, Mrs. Jocelyn Hertneky, Mr. Mark Hertneky, Mrs. Patty Then, Borough Secretary Margie Nelko, representing the Borough Solicitor Mr. Richard Monti and Borough Engineer Emile Ketterer

ABSENT: Mr. John Antoline, Mr. Tim Antoline, Mayor Debbie Rose

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS:

Michael Krall of 351 11th Street
Spenser Crow of 1509 2nd Street, New Brighton

PUBLIC COMMENT (Agenda Items-5 Minute Limit):

A woman (named April) representing Mr. Crow, of Handy Hands, presented an overview of the work that was done at 920 4th Avenue in Conway and explained that a meeting was held with the committee to discuss why the unpaid invoice was high. There was some discussion regarding the original invoice amount, the counter invoice amount made by the Borough, the different dig lengths billed, the original snake that was stuck but pulled out before the road and the use of a camera. **After some review, the motion of Mr. Bohach, seconded by Mrs. Hertneky to go into Executive Session at 7:19 p.m. was unanimously made. On the motion of Mr. Bohach, seconded by Mrs. Then to reconvene at 7:24 p.m. was unanimously carried.**

Upon re-entering the public meeting at 7:25 p.m., there was discussion regarding the Handy Hands Invoice for 920 4th Avenue. **A motion of Mr. Hertneky, seconded by Mrs. Then to authorize payment of the Handy Hands Invoice in the amount of \$3,624.30 was unanimously carried.**

Mr. Krall was present to discuss his concerns regarding damage to his sidewalk (between the pillars in the front yard) at 351 11th Street. Mr. Krall stated that a backhoe being driven over it cracked the slab lengthwise, that the tamping that was done caused shifting to everything and that the lift of the slab is now ½ in. to ¾ in. which needs fixed by the Borough or himself to avoid someone tripping or falling into the street. The Borough Engineer reviewed the process of videoing the project area and the steps to be taken to look into this matter. Mr. Krall asked if Council could look at the slab in person to see the difference(s). No motion was made to add this to the existing contract.

MINUTES of the Regular Meeting held on February 21, 2024, were presented to Council. **After some review, the motion of Mr. Hertneky, seconded by Mrs. Then to approve the Regular Meeting Minutes of February 21, 2024, as presented was unanimously carried.**

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

It was noted that the Public Works Department is doing an exceptional job, especially in this weather.

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

There was discussion regarding repairs to Engine 492, which will be invoiced next week, and Engine 491 is out for inspection on Friday, June 21, 2024.

There was discussion regarding the disposal of the fire hydrant from the 11th Street Waterline Project. It was determined that it may go to the fire department with the understanding that if/when it is needed it will be given back.

EMA COORDINATOR'S REPORT: No Report.

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 May 16, 2024, through June 19, 2024, in the amount of \$106,671.75 from the General Fund, expenditures in the amount of \$6,202.08 from the Liquid Fuels Fund and expenditures in the amount of \$86,708.45 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. 6 Month CD Certificate – This report was ordered received and filed.

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

1. Comcast Franchise Agreement Renewal – No update at this time.
2. Refuse Service Bid Preparations – No update at this time.
3. RCAP Solution, Inc. DW24 and WW24 Community Service Agreements – There was some discussion regarding the helpful items that this program can provide to the Borough at no cost. **After some review and discussion, the motion of Mrs. Hertneky, seconded by Mrs. Then to authorize the signing of the agreement(s) and to begin the analysis was unanimously carried.** A point of contact must be appointed as part of the agreement(s). **After some review, the motion of Mrs. Then, seconded by Mr. Hertneky to appoint Mrs. Hertneky as the RCAP Solution, Inc. point of contact was unanimously carried.**

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

1. Bare Root Tree Grant Program - Tree Replacement (Various Locations) – Mrs. Hertneky reviewed the information received from the seminar she attended. The Borough can apply for the grant yearly to receive 10-15 trees with no match, except for labor for pickup and installation. There is also a representative available to help with choosing the correct trees for each location.
2. Parking at Ballfields and Softball Use of Fields Discussion – An issue has come up regarding parking on the ballfields. There is parking only on one (1) side of the road and the people who were parked incorrectly were asked to move their vehicles. Valley Rage reached out to Mrs. Hertneky with pictures of the area they would like to use for additional parking. There was some discussion regarding the need for a written contract which would include parking updates.
3. Signage for Gratty Park, the Borough Building Playground, the Police – There was some discussion regarding posting parking signage for Gratty Park, the Borough Building Playground area and the additional Police vehicles. It was determined that approximately fifteen (15) signs would be needed depending on the cost.

PUBLIC SAFETY & CODE ENFORCEMENT COMMITTEE REPORT:

1. Disposal of Fire Hydrant from 11th Street Waterline Project – This matter was discussed during the Fire Chief Report of the meeting.

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

1. Handy Hands Invoice – 920 4th Avenue – This matter was discussed during the Public Comment (Agenda Items Only) of the meeting.
2. Sewer Jetter Repair – There was discussion regarding the purchase of a replacement pump for approximately \$6,500.00, which will reduce the costs of having to hire a 3rd party to do any necessary work. The current pump has been rebuilt three (3) times. **After some review and discussion, the motion of Mrs. Then, seconded by Mr. Bohach to approve purchasing a sewer jetter replacement pump, subject to not exceeding \$7,000.00 was unanimously carried.** The Borough Engineer stated that the Public Works Department should take a Confined Space class to meet safety standards.
3. Backhoe Repair(s) – There was some discussion regarding the necessary major repairs for the backhoe to make it safe, the results from looking at used backhoes and the possibility of renting a backhoe.

SEWER PROJECT MANAGEMENT COMMITTEE REPORT – Council was provided updates regarding the following issue(s).

1. Kappe Associates, Inc. (3) Chicago Pump Preventive Maintenance Report – This report was ordered received and filed.
2. Conway-Baden Municipal Authority Sanitary Interconnect – No update at this time.

MAYOR’S REPORT: No Report.

BVRPD REPORTS: Mr. Levenson, Chairperson of the BVRPD, presented Council with an update regarding the first months call out report, June 4th being the BVRPD 1st Year Anniversary, new vehicles being ordered, budgeting matters, staffing, working on acquiring a 501C, and funding being worked on for a K9 Program.

Mrs. Hertneky reviewed the information received from the Beaver County Humane Society regarding twenty (20) Feral Cat Vouchers being awarded to the BVRPD. These vouchers are meant to be split between the four (4) municipalities.

ENGINEER’S REPORT:

1. 2nd Avenue and 3rd Avenue Valve Installation Approvals – There was some discussion regarding approval to install two (2) valves at the cost of approximately \$4,600.00 and the approval to modify the contract with Jet Jack, Inc. to include these valves. **After some review, the motion of Mr. Hertneky, seconded by Mrs. Then to authorize the modification of the contract and to approve the inclusion of the two (2) valves for 2nd Avenue and 3rd Avenue.**
2. Sewer Cleaning and CCTV Lateral Inspections – 2nd Avenue and 11th Street Approval – The Borough Engineer reviewed and recommended approving an invoice in the amount of \$1,912.50 for the lateral inspections. **After some discussion, the motion of Mrs. Hertneky, seconded by Mr. Bohach to approve payment of the invoice as submitted was unanimously carried was unanimously carried.**
3. 2024 Roadway Improvement Program Update – The Borough Engineer reviewed the proposed roadways to be paved and stated that the project was publicly bid. The proposed roads are 3rd Avenue (9th St-11th St), 4th Avenue (9th St-11th St), Porter Street (Hiland Ave-Gross St) and Porter Street (13th St-Hiland Ave).

There was discussion regarding Jet Jack, Inc. agreeing to add this project, in the amount of \$144,279.00, to the current contract. **After some discussion, the motion of Mr. Bohach, seconded by Mr. Hertneky to approve adding the 2024 Roadway Improvement Project to the current contract with Jet Jack, Inc. was unanimously carried.**

4. Sidewalk Replacement Inquiry-351 11th Street (M. Krall) – This matter was discussed during the Public Comment (Agenda Items Only) of the meeting.
5. 11th Street Waterline Replacement Update – An update was presented to Council regarding all the lines being installed, one issue that has been completed and that pavement work will be next. There was some discussion regarding a resident not having water for approximately two (2) days and that Jet Jack, Inc. should have resolved the issue that evening.
6. 5th Avenue Drainage ARLE Grant Discussion – There was discussion regarding the pre-application that was already submitted, and the next step is to submit the scoping form.

The Borough Engineer presented Council with an update regarding the 10th Street and 3rd Avenue Waterline Replacement Project.

There was some discussion regarding the Public Works Department testing the valves, replacing the bad ones and the need to have the fire hydrants flushed.

SOLICITOR'S REPORT:

The Borough Solicitor presented Council with an overview of the meeting held regarding the Crows Run Traffic Light. It has been determined that the Borough is liable to pay the Duquesne Light past usage charges.

CORRESPONDENCE:

1. Harshman CE Group, LLC – Monthly Report - This document was ordered received and filed.
2. Norfolk Southern Railyard Co. Sample Analysis Report-Dated 06/04/2024 – This document was ordered received and filed.

OLD BUSINESS:

1. Crows Run Traffic Light billing matter with Duquesne Light – There was discussion regarding the recent reduced offer from Duquesne Light for the back usage charges which will be paid over a four (4) year term. All current usage charges will be payable by the due date(s). **After some review, the motion of Mr. Hertneky, seconded by Mrs. Then to approve the payment of the reduced Duquesne Light back usage charges over a four (4) year term was unanimously carried.**
2. Conway Water System Consolidation – The Beaver Falls Municipal Authority would like to meet after their regular meeting on June 27, 2024 at 6:30 p.m. in Beaver Falls. It was determined that three (3) Councilmembers would attend. There was some discussion regarding the RCAP
3. 11th Street Waterline Replacement Loan Discussion – No update at this time.
4. Fee Schedule – No update at this time.

NEW BUSINESS:

1. PennDOT Liquid Fuels Tax Fund Monitoring Report for January – December 2023 – **After some review, the motion of Mrs. Then, seconded by Mrs. Hertneky to accept the Liquid Fuels Tax Fund Monitoring Report for 2023 was unanimously carried.**

2. 2023 Municipal Annual Audit and Financial Report – This matter was postponed until the next regular scheduled meeting.
3. Appointment of EMA Coordinator – A letter of consideration, dated May 27, 2024, was received from Bobby Charlovich expressing his interest in being the EMA Coordinator for the Borough of Conway. **After some discussion, the motion of Mr. Bohach, seconded by Mrs. Hertneky to appoint Bob Charlovich as the EMA Coordinator was unanimously carried.**
4. SW PA Municipal Project Hub Meeting of June 5, 2024 Update – Mr. Levenson presented Council with an overview of the meeting that was held. This organization helps smaller municipalities with planning, projecting a course of action, comprehensive plan(s) and finding/writing grants.
5. MRM Worker' Compensation Loss Activity Report – October 01, 2023 through June 10, 2023 – This document was ordered received and filed.

OTHER BUSINESS:

The Borough Secretary reviewed issues regarding a waterline break/leak at 1001 5th Avenue (Keller Apartments). This included an unauthorized call made to the Borough Engineer's office which resulted in their secretaries being insulted and rudely spoken to. There was some discussion regarding a tampering issue of Borough owned property. After further research, it was determined that the leak was inside the apartment complex. The Borough Solicitor recommended the water be turned on with documentation made by the Public Works Department, to send a bill for shut-off/turn-on services during business hours and the fine amount outlined in the Ordinance for tampering with Borough property. **After some review, it was the consensus of Council to invoice the Keller Apartments as recommended and to include a statement that residents/business owners are not permitted to contact the Borough's 3rd party contractors directly.**

The Borough Secretary requested a meeting with the Finance Committee regarding the Liquid Fuels Fund.

Mrs. Then stated that a newsletter is currently being worked on in case anyone has anything to add, and that the 2024 Community Day Celebration has been cancelled.

PUBLIC COMMENT: None

EXECUTIVE SESSION: Mr. Levenson requested Council go into Executive Session regarding a personnel matter at 9:50 p.m., as per the motion of Mrs. Hertneky, seconded by Mrs. Then.

On the motion of Mr. Bohach, seconded by Mrs. Then to reconvene at 10:03 p.m. was unanimously carried.

There being no further business, the motion of Mr. Hertneky, seconded by Mr. Bohach to adjourn the meeting at 10:04 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. Motion into Executive
2. Motion to Reconvene
3. Authorize Handy Hands Invoice Payment
4. Approve Minutes of February 21, 2024
5. Approve the List of Bills
6. Authorize signing the RCAP Solutions Agreement
7. Approve RCAP Point of Contact
8. Approve purchasing Sewer Jetter Replacement Pump
9. Authorize modification of Jet Jack, Inc. contract to include two valve installations
10. Approve 2nd Ave & 11th St CCTV Lateral Inspection Payment
11. Approve adding 2024 Roadway Improvement Project to Jet Jack, Inc. Contract
12. Approved Payment for Crows Run Traffic Signal past Duquesne Light Usage
13. Accept 2023 Liquid Fuels Monitoring Report
14. Appointing EMA Coordinator
15. Consensus to invoice Keller Apartments for Water Leak Issues