

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
August 21, 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, Mrs. Jocelyn Hertneky, Mr. Mark Hertneky, Mrs. Patty Then, Mayor Debbie Rose, Borough Secretary Margie Nelko, Borough Solicitor Mr. Richard Monti and Borough Engineer Emile Ketterer.

ABSENT: Mr. John Antoline
Mr. Tim Antoline
Mr. Joe Bohach

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS:

Dan Byrne of 1201 15th Street
Shawn & Marissa Butter of 1013 Center Street
Laurie Wrona of 1103 Foote Street
Nikki Santiago of 1825 Porter Street

PUBLIC COMMENT (Agenda Items):

Mr. & Mrs. Butter was present to express concerns regarding past maintenance of their roadway, the lack of maintenance at present, the rounded gravel causing erosion of the property and that a drain was installed but it does not work properly. There was some discussion regarding the roadway being a paper street, adding more gravel could cause more issues and the drain is not part of the sanitation system. The Borough Solicitor will research the deed in order to make a recommendation.

Mr. Dave Fortunato (Not Signed In) was present to express concerns regarding 1413 Porter Street (No on the Agenda). The owner of this address is deceased, and the family released the home to the bank. The Borough Secretary reviewed her conversations with the neighbor, the neighbors son and the neighbors son-in-law regarding the complaints received by the office because the yard is severely overgrown.

Mrs. Nikki Santiago was present to express concerns regarding the flooding from the ballfield(s) and hillside and asked for the Borough's liability insurance to recoup the expense of fixing up the yard. There was some discussion regarding the collection site and who is responsible/owns it. The Borough Engineer reviewed the history of the yard drain, the ravine that was filled in and the S. Gross Street run-off drains down the hill to the collection site. This matter will be researched further.

MAINTENANCE SUPERVISOR'S REPORT: The Public Works Supervisor was in attendance and left at 7:54 p.m. This report was ordered received and filed.

FIRE CHIEF'S REPORT: The Fire Chief was in attendance. This report was ordered received and filed.

The Fire Chief presented Council with an update regarding the service trucks needing a lot of repair work. Glick had quoted a price of approximately \$2,500.00 to repair Engine 492. It has been determined that Engine 492 needs more repairs than originally planned at an additional cost of approximately \$2,500.00 to \$3,000.00. **It was the consensus of Council to amend the agenda to include Additional Repairs to Engine 492.** There was discussion regarding the type of work that is needed for the truck and the additional expense not being budgeted for. **After some review and discussion, it was the motion of Mrs. Hertneky, seconded by Mrs. Then to authorize paying the additional repairs from the Fire Truck Escrow Fund not to exceed \$3,000.00 was unanimously carried.**

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 July 18, 2024, through August 21, 2024, in the amount of \$90,822.45 from the General Fund, expenditures in the amount of \$3,843.09 from the Liquid Fuels Fund and expenditures in the amount of \$67,400.86 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. Raven Writing Company Quote – Mr. Levenson reviewed the proposal received for grant writing services and the terms of the quote, which included 2024 services to be paid by the hour and the 2025 option to become a retained client. There was some discussion regarding using the services for the upcoming LSA Grant(s) for 2024. **After some review, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve hiring Raven Writing Company on an hourly basis for the year 2024 and exercise the option for the year 2025 as a retained client was unanimously carried.**
5. Beaver County Reassessment Notifications – There was discussion regarding the four (4) assessment appeals currently scheduled for the September 2024 hearing.

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

1. Bare Tree Root Program Update – The Borough has been awarded ten (10) trees for the year 2024. Five (5) trees will be placed at Gratty Park, and five (5) trees will be placed at the ballfields. The Borough is able to reapply for the year 2025. There was some review of the program, the planting, landscapers time and volunteers to help planting.

PARKS & RECREATION COMMITTEE REPORT: Council was provided updates regarding the following issue(s).

1. Gratty Park Camera Installation – There was discussion regarding the need for security cameras for Gratty Park and Buttermore Park to help with the lack of clean up and to deter vandalism. It was noted that Wi-Fi would be needed and that the cameras should be linked to the police department. **After some discussion, it was the consensus of Council to acquire quotes for security cameras, internet and link capabilities to the police department for both parks.**

PUBLIC SAFETY & CODE ENFORCEMENT COMMITTEE REPORT: No Report.

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

1. Backhoe Repairs (New Cylinder) – There was discussion regarding a new cylinder costing \$1,300.00, the hydraulics are leaking and the kingpin on front is worn and needs rebuilt. The new cylinder will be installed by the Public Works Department. **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve replacing the cylinder and to research a grant for a newer backhoe was unanimously carried.** The Public Works Supervisor was asked to acquire quotes for the kingpin(s).

2. Unauthorized Dumping Issues (No Dumping Signs) – There was discussion regarding all the ravines and wooded areas throughout the Borough being used as illegal dumping areas for yard debris and the possibility of designating an area for public composting. **After some review it was the consensus of Council to post signs for No Dumping in these locations.**
3. Jetter Pump Repairs – There was discussion regarding the possibility of receiving LSA Grants for items that need replaced and repaired. The possibility of using monies set aside for a jetter pump could be transferred to help repair the backhoe was also discussed.

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

1. 2013 GMC Sierra 1500 Transmission Discussion and (3) Quotes for Repairs – Three (3) quotes were received for rebuilding the 2013 GMC Sierra transmission. The quotes received are Shutey’s Automotive & Transmission Service in the amount of \$3,000.00, Gilarno’s Auto Repair, Inc. in the amount of \$3,701.80 and Cercone Sales & Service in the amount of \$4,003.00. There was discussion regarding how the transmission failed after having repairs done in March 2024 at no cost to the Borough. There was also discussion regarding the 2006 Chevrolet ¾ Ton Pickup Truck being used for the Water & Sewer Operations. It was recommended that a routine service plan for all of the Borough owned vehicles is set up. **After some review and discussion, the motion of Mrs. Then, seconded by Mr. Hertneky to approve Shutey’s Automotive & Transmission Service to rebuild the 2013 GMC Sierra 1500 transmission as quoted was unanimously carried.**
2. Kappe Associates, Inc. – Chicago Pump No. 2 Repair Quote No. FM24081403 – Mr. Levenson reviewed the quote received in the amount of \$6,800.00 to repair the incoming pump number 02. Pump number 01 is currently being repaired and now pump number 02 is now failing. **After some review and discussion, the motion of Mrs. Hertneky, seconded by Mrs. Then to approve the quote received from Kappe Associates, Inc. for pump number 02 repairs and to schedule the work was unanimously carried.**

MAYOR’S REPORT: No Report.

BVRPD REPORTS: No Report.

ENGINEER’S REPORT:

1. Beaver County APRA Municipal Infrastructure Grant Update – A letter dated July 20, 2024, was received from the Beaver County Chief Clerk regarding the ARPA Municipal Infrastructure Grant that was awarded to the Borough. The deadline to submit invoices for reimbursement is October 31, 2024. The Borough Engineer recommended paying Jet Jack, Inc. for their Partial Payment No. 01 request. The Borough Secretary will then submit the required paperwork to the Beaver County Commissioners for the \$176,000.00 reimbursement grant awarded to the Borough.
2. 11th Street Roadway Line Painting Updates – An update regarding the remaining punch list items for Jet Jack, Inc. was presented to Council. The Borough Engineer is withholding five percent (5%) of the contract amount until the punch list is completed.
3. Catch Basin Issues from Street Paving Discussion – This is part of the remaining punch list for Jet Jack, Inc. The Borough Engineer has instructed the contractor to get the catch basins cleaned out.
4. Birchwood Falls Retention Pond (1825 Porter Street Flooding) – The matter was discussed during the Public Comment (Agenda Items Only) portion of the meeting. It was also noted that the collection site is not a retention pond.

5. Sampson Street and 15th Street Minor Flooding – There was discussion regarding a resident having flooding issues from the recent heavy storm, clogged storm drains, and that Sampson Street wasn't paved right and needs substantial repairs. The Public Works Department will look into the storm drains.

There was discussion regarding the Columbia Gas Pipe Station Plans being sent to the Code Enforcement Department.

There was some discussion regarding the RCAP Solutions (Funding) email for the Conway-Baden Municipal Authority Interconnect.

SOLICITOR'S REPORT:

1. DEP Reclaimed Asphalt Pavement (RAP) Industry-Wide Coproduct Determination Documentation – The Borough Solicitor presented Council with an overview of the RAP document that was emailed to the Borough Secretary by a DEP Representative. The Borough Secretary reviewed the conversation with the DEP Representative regarding the complaint that was filed against the Borough for road millings being stored near the salt shed.
2. Hope Learning Lease Amendment – Mr. Levenson presented Council with an overview of the reasoning behind the draft lease amendment. This matter was postponed until a draft amendment is reviewed by Council.

The Borough Solicitor presented Council with updates regarding the Right-to-Know request regarding the Columbia Gas Line Replacement Project on 11th Street and the municipal liens that have been filed on behalf of the Borough Office.

CORRESPONDENCE:

1. Planning and Zoning Committee Minutes of July 22, 2024 – This document was ordered received and filed.
2. PennDOT District 11 Community Outreach Webinar – Dated 08/22/2024 – The Borough Secretary has been asked to attend this seminar.
3. Unvacated Paper Alley Discussion (near 1013 Center Street-Butter, S.) – This matter was discussed during the Public Session (Agenda Items Only).
4. Harshman CE Group, LLC Monthly Report-Dated 08/12/2024 - This document was ordered received and filed.
5. BCR COG Sample Letter Supporting Senate Bill 525 – Right-to-Know (RTK) Vexatious Requesters – There was some discussion regarding Right-to-Know's being received from anonymous requestors and the extra work created for the RTK Officers. **After some review and discussion, it was the consensus of Council to approve a letter supporting the Senate Bill 525.**
6. Beaver County GIS Data Sharing Infrastructure Project (Phase III) – This document was ordered received and filed.
7. Norfolk Southern Railyard Co. Sample Analysis Report-Dated 08/06/2024 – This document was ordered received and filed.
8. Norfolk Southern Railway Downstream Notification Letter-Dated 06/17/2024 – This document was ordered received and filed.
9. PennEnergy Resources, LLC-Water Source Notice for PER B50 Wells 2H, 5H, 7H, 8H, 9H & 22H - This document was ordered received and filed.

OLD BUSINESS:

1. Refuse Service Bid Preparation – The Borough Secretary reviewed the current status of the bid proposals, the proposed amendments and requested approval to advertise the bids. **After some review, the motion of Mrs. Hertneky, seconded by Mrs. Then to approve advertising the Refuse Service Bids as amended was unanimously carried.**
2. SAMS.gov Update – The Borough Secretary presented an update regarding the yearly renewal of the Borough's SAMS account.
3. 2024 Liquid Manganese Quotes – The Borough Secretary reviewed the background on this matter and the state bidding guidelines to qualify for using Liquid Fuels monies for the salt. Two (2) quotes were received for one hundred (100) tons of Liquid Manganese. One quote was from Cargill, Inc. in the amount of \$103.00 per ton and the other quote was from Scobie Transit in the amount of \$118.00 per ton. **After some discussion, the motion of Mrs. Then, seconded by Mr. Hertneky to approve purchasing Liquid Manganese from Cargill, Inc. as quoted for the 2024-2025 Winter was unanimously carried.**
4. Conway-Baden Municipal Authority Sanitary Interconnect & RCAP Solutions (Funding) Email Discussion – This matter was discussed during the Engineer Report portion of the meeting.
5. Conway Water System Consolidation – No update at this time.
6. Fee Schedule – No Update at this time.

There was some discussion regarding the Rental Program being postponed until the Landlord Letters are sent.

NEW BUSINESS:

1. Resolution No. 2024-06 – A Resolution electing to secure a Tax-Free Loan for waterline replacements for the year 2024 was presented to Council for review. **After some discussion, the motion of Mrs. Hertneky, seconded by Mr. Hertneky to adopt Resolution No. 2024-06 was unanimously carried.**
2. 2025 Minimum Municipal Obligation (MMO) – Non-Uniform Pension Plan – The MMO outlines the required funding amount due to the pension plan to remain qualified for state aid. The Non-Uniform Pension Plan obligation is \$6,718.00. **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to accept the 2025 Non-Uniform Pension Plan Minimum Municipal Obligation as presented was unanimously carried.**
3. HUB International Professional Liability Renewal Proposal – 08/01/2024-08/01/2025 – There was some discussion regarding the slight rate increase from the 2023-2024 policy. **After some discussion, the motion of Mrs. Hertneky, seconded by Mrs. Then to accept the 2024-2025 HUB International Professional Liability Renewal Proposal as presented was unanimously carried.**
4. Course Vector ADA Website Compliance Proposal – There was some discussion regarding the proposal received from Course Vector for ADA Website services. This matter was postponed for further research.

OTHER BUSINESS: None

PUBLIC COMMENT:

Ms. Hamill inquired if Council would be going back to two (2) meetings a month instead of one (1). There was discussion regarding the pros/cons of doing so and it was determined that, at this time, Council will maintain one (1) meeting a month unless otherwise needed.

There being no further business, the motion of Mr. Hertneky, seconded by Mrs. Then to adjourn the meeting at 9:40 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. Consensus to amend the agenda
2. Authorize paying additional fire truck repairs from Fire Truck Escrow Fund
3. Approve the List of Bills
4. Approval to hiring Raven Writing Company
5. Approval to replacing backhoe cylinder
6. Consensus to post No Dumping Signs
7. Approve the Shutey's quote for GMC Truck Transmission
8. Approve the Kappe Associates, Inc. quote for Chicago Pump
9. Consensus to support Senate Bill 525
10. Approve the advertising the Refuse Service Bid
11. Approve the Cargill, Inc. quote for Liquid Manganese
12. Adopt Resolution 2024-06
13. Accept 2025 MMO for Non-Uniform Pension Plan