

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
January 15, 2025

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, Mayor Debbie Rose, Borough Secretary Margie Nelko, Borough Solicitor Mr. Richard Monti, and Borough Engineer Emile Ketterer.

ABSENT: Mr. John Antoline
Mr. Tim Antoline

PLEDGE OF ALLEGIANCE

RECOGNITION OF VISITORS:

Mr. & Mrs. Shawn Butter of 1000 3rd Avenue
Attorney Nichole Tesla (behalf of Mr. & Mrs. Butter)
Randy Curcio of 1421 3rd Avenue
Michael Crispeno of 110 10th Street
Julian Petrina of 704 S. Gross Street
Wilbert Falk III of 1512 Porter Street

Mr. Levenson announced that the postings on a non-Conway Facebook page regarding Council voting on a fire department matter was false. Council will not be discussing or voting on fire department matters at this meeting.

PUBLIC COMMENT (Agenda Items):

Mr. Crispeno inquired about the reasoning for item number XIII.6 (Fire Department Service Discussion) and briefly discussed recent matters within the fire department. Mr. Levenson stated that the Council wants to have open dialogue with the fire department and to make decisions that are in the best interest of the community. Mayor Rose expressed concerns with the lack of communication and her displeasure with the false Facebook post. The Borough wants to keep the fire department, but we cannot have people creating narratives that are not true and both sides need accountability moving forward. There was some discussion regarding the Borough not being faulted for doing what needs done to protect the community. The fire department matter(s) will be discussed in Executive Session. Mr. Charlovich requested to be a part of Executive Session to review procedures/concerns within the fire department.

Attorney Nichole Tesla, on behalf of Mr. & Mrs. Butter, reviewed the attempts to place tenants into their properties but was unable to do so due to zoning issues. The Butter's disagree with the determination for 1000 3rd Avenue which has been used as a commercial building in the past. The Borough Solicitor stated that a discussion before the meeting resulted in the need for further research on 1000 3rd Avenue. It was noted that the Borough is researching the steps to possibly change the zoning in this area, which is not a quick process.

MAINTENANCE SUPERVISOR'S REPORT: The Public Works Supervisor was in attendance. This report was ordered received and filed.

The Public Works Supervisor inquired about taking a vehicle home for call outs. There was some discussion regarding this not working in the past and the Sewer Plant Operator was an exception. The Borough Solicitor stated that research is needed on this matter.

FIRE CHIEF'S REPORT: The Fire Chief was in attendance. No Written Report.

The Fire Chief reviewed the increase in membership and that work is being done to supply Council with the updated information that was requested, which includes an external audit. The Fire Chief stated that he is open for the regionalization of fire department(s). He would like to work with the Shell Plant and Norfolk Southern to ask for help with two (2) new pumper trucks. There was discussion regarding an invoice that has not been approved for payment for repairs to Engine 492.

EMA COORDINATOR'S REPORT: No Report.

There was some discussion regarding the possibility of appointing an Assistant EMA Coordinator and that the EMA Manual was re-done by the previous EMA Coordinator.

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 December 19, 2024, through January 15, 2025, in the amount of \$67,318.38 from the General Fund, expenditures in the amount of \$6,954.47 from the Liquid Fuels Fund and expenditures in the amount of \$170,520.03 from the Water & Sewer Fund were presented to Council for review. **After some review, the motion of Mrs. Then, seconded by Mr. Hertneky to approve the List of Bills as presented was unanimously carried.**
2. Budget Reports – The Liquid Fuels Budget Report was ordered received and filed. The Borough Secretary stated that the General Fund and Water/Sewer Fund Budget Reports will be finalized and emailed to Council.
3. Treasurer Report – This report was ordered received and filed.

COMMUNITY DEVELOPMENT COMMITTEE REPORT:

Mrs. Hertneky informed Council that the Fee Schedule Resolution amending certain fees set forth by the Borough will be prepared for the next regular scheduled meeting of Council.

PARKS & RECREATION COMMITTEE REPORT: No Report.

PUBLIC SAFETY & CODE ENFORCEMENT COMMITTEE REPORT: No Report.

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

1. 13th Street Televising – The scheduled televising of 13th Street has been completed. It was found that an 8” terra-cotta line was collapsed. The Committee is working on getting quotes to repair the line which should be completed in the Spring.
2. Public Works Vacation Coverage Discussion – There was some discussion regarding vacation coverage for the sewer plant and the possibility of hiring CWM Environmental to fill in.

A text and letter, dated January 10, 2025, was received from Doug Hansen regarding his resignation with the Borough of Conway effective immediately. **After some discussion, the motion of Mrs. Then, seconded by Mr. Hertneky to accept Doug Hansen's resignation was unanimously carried.**

3. Public Works Laborer Position Discussion – The Borough Secretary stated that there are some applications on file can be reviewed for consideration. Submitted applications are kept on file for one (1) year. **After some review and discussion, it was the consensus of Council to authorize advertising the vacant public works laborer position on the Borough Facebook page, the website and PSAB.**

SEWER PROJECT MANAGEMENT COMMITTEE REPORT – Mr. Levenson presented Council with updates regarding the following issue(s).

1. Sewer Plant Comminutor vs Air Mixer Quote – There was some discussion regarding the differences in a comminutor and an air mixer. Quotes were received from John P. Place, Inc. in the amount of \$36,100.00 for a Grind Hog Comminutor and from Kappe Associates, Inc. in the amount of \$3,575.00 for an AP500 Pedestal Air Mixer.
2. Catherine Lift Station-Flow Meter Replacement Quote – It was noted that the flow meter has not worked since August/September 2024. A quote was received from KWM Controls, Inc. in the amount of \$3,750.00 for a 3” Badger Meter Model M200, an amount of \$2,250.00 for piping. The total amount of the quote is \$6,000.00 which includes labor.
3. Sewer Plant Filter Building Check Valve Quote – It was noted that the existing valve has been leaking for about three (3) to four (4) years. A quote was received from Kappe Associates, Inc. in the amount of \$5,575.00 for a 6” check valve, parts and labor.
4. Catherine Lift Station Generator Quote – It was noted that the water manifold is cracked. A quote was received from Penn Power Systems in the amount of \$1,564.96 for parts, labor and travel expenses.

It was determined that the above noted quotes (which include the air mixer and not the comminutor) total an expense of \$16,714.96 and the 2025 budgeted amount is \$23,000.00. **After some review, the motion of Mr. Bohach, seconded by Mr. Hertneky to approve the above quotes totaling \$16,714.96 was unanimously carried.**

MAYOR’S REPORT: No Report.

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

1. BVRPD Board Members – Mr. Levenson and Mayor Rose were nominated as BVRPD Board Members. Mr. Hertneky and Mrs. Then were nominated as BVRPD Alternate Board Members. **After some review, the motion of Mr. Bohach, seconded by Mrs. Hertneky to approve the BVRPD Board Members and Alternate Board Members was unanimously carried.**
2. Fuel System – There was discussion regarding a fuel system similar to Rochester Township’s system for the police department. Reed Oil is able to provide all of the equipment except for barriers and electricity. It was noted that this system could supply the public works department and possibly the fire department. **After some review it was the consensus of Council to move forward with looking into a fuel system and placing it on Borough owned property.**

Mr. Curcio (not signed in) inquired if a second (2nd) K9 vehicle is being considered. Currently the police department has one K9 vehicle and a second vehicle has been considered for the future.

ENGINEER’S REPORT:

The Conway-Baden Municipal Authority Sanitary Interconnect’s final equipment and plans were held up by the holidays.

The 10th Street and 3rd Avenue Waterline Replacement and the Columbia Gas Line Replacement Projects have been closed and will begin again as soon as the weather permits. There was discussion regarding the Wade Company still doing boring for NiSource with pink markings even though they should not be doing so because the lines are Borough owned.

The stormwater review for Porter Street is being worked on.

SOLICITOR'S REPORT:

1. Zoning Discussion – 1000 3rd Avenue (Butter Business LLC) – This matter was discussed during the Public Comment (Agenda Items) portion of the meeting.

CORRESPONDENCE: None

OLD BUSINESS:

1. Vacating Paper Alley Discussion (1337 Sampson St. / Hiland Ave. – **After some review and discussion, the motion of Mr. Hertneky, seconded by Mrs. Then to approve the payment of the costs agreement to vacate the paper alley was unanimously carried.**
2. Conway Water System Consolidation Update – The BFMA would like to set a meeting date for January 29th or 30th after 4 p.m. or in the evening.
3. Conway-Baden Municipal Authority Sanitary Interconnect Update – This matter was discussed during the Engineer Report portion of the meeting.

NEW BUSINESS:

1. 2023-2024 MRM WC Payroll Premium Audit Refund – This document was ordered received and filed.
2. Selective Ins (HDH Group)-Flood Insurance FLD1904429 100 River Road (Option A or Option B) – **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to renew the Flood Insurance for 100 River Rd by choosing Option B was unanimously carried.**
3. Selective Ins (HDH Group)-Flood Insurance FLD1904423 100 River Road Railroad (Option A or Option B) – **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to renew the Flood Insurance for 100 River Rd Railroad by choosing Option B was unanimously carried.**
4. Selective Ins (HDH Group)-Flood Insurance FLD1904426 100 River Road Railroad (Option A or Option B) – **After some review and discussion, the motion of Mrs. Then, seconded by Mrs. Hertneky to renew the Flood Insurance for 100 River Rd Railroad by choosing Option B was unanimously carried.**
5. Traffic System/Service Repair Services (Crows Run Rd/Rt 65) – There was some discussion regarding the radar traffic sensor that controls the southbound movements (southbound through and southbound left) which is not operating properly.
6. Fire Department Service Discussion – This matter was discussed during the Public Comments (Agenda Items) portion of the meeting.
7. Code Enforcement Service Discussion – There was discussion regarding the code enforcement services. Mrs. Hertneky will reach out to Freedom Borough to see who provides this service for them.

OTHER BUSINESS: None

PUBLIC COMMENT:

Mr. Petrina was present to express concerns regarding the lack of response to water issue with the sixty (60) year old terracotta pipe in the back area of his property and he stated something needs to be done. The Borough lines and

laterals were televised on December 31, 2024, which proved to be mostly clear except for some roots. Mr. Petrina disagreed. The Borough is not obligated to fix what is not the fault of the Borough.

Mr. Crispeno inquired whether residents are required to use Valley Waste for trash service and if the Borough receives a kickback. The Borough residents are required to use Valley Waste, and the Borough does not receive any funding. The refuse contract is put out for bid and awarded as done with other third-party contractors.

Mr. Crispeno expressed concerns regarding the vacant Council seats and if there was anything that could be done. The Borough cannot legally do anything about the vacant Council seats if the reasons are for lack of attendance.

EXECUTIVE SESSION: Mr. Levenson requested Council go into Executive Session regarding personnel matters at 8:38 p.m., as per the motion of Mrs. Then, seconded by Mrs. Hertneky. The Borough Secretary was requested to attend.

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

There being no further business, the motion of Mr. Hertneky, seconded by Mr. Bohach to adjourn the meeting at 9:44 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. Acceptance of D. Hansen's Resignation
3. Authorize Vacant Public Works Laborer Position
4. Approval of quotes for Sewer Plant and Catherine Lift Station Repairs
5. Approval of BVRPD Board Members and Alternates
6. Consensus to move forward with BVRPD Fuel System
7. Approval of Cost Payment Agreement for Vacating Paper Alley (Sampson/Hiland)
8. Approval of three (3) Select Insurance Renewal Policies for Flood Insurance