

BOROUGH OF CONWAY COUNCIL
REGULAR MEETING MINUTES
Council Chambers, 801 First Avenue, Conway, Pennsylvania
September 18, 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, 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:

Shawn & Marissa Butter of 1013 Center Street
Laurie Wrona of 1103 Foote Street
Nikki Santiago of 1825 Porter Street

PUBLIC COMMENT (Agenda Items):

Mrs. Nikki Santiago was present to request an update regarding the flooding from the ballfield(s). The Borough Solicitor is still researching the background of this matter.

Mr. & Mrs. Butter was present to request an update regarding the roadway in front of their residence. The Borough Solicitor is still researching the background of this matter. There was discussion regarding the catch basin being installed in the 1990's but may have been as a courtesy due to it not being part of the GIS Mapping for the Borough. There was discussion regarding the possibility of adding gravel or road millings to attempt to level the roadway and to have the catch basin looked at. **After some review, it was the consensus of Council to add gravel or road millings to attempt to level the roadway.**

MINUTES of the Regular Meeting held on March 20, 2024, were presented to Council. **After some review, the motion of Mrs. Then, seconded by Mrs. Hertneky to approve the Regular Meeting Minutes of March 20, 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.

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

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 August 22, 2024, through September 18, 2024, in the amount of \$137,512.26 from the General Fund, expenditures in the amount of \$3,680.87 from the Liquid Fuels Fund and expenditures in the amount of \$69,669.16 from the Water & Sewer Fund were presented to Council for review. The Borough Secretary noted that Check No. 14911 from the Water &

Sewer Fund will require separate approval during the Sewer Project Management portion of the meeting. **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. Amend 08/21/2024 Motion – Fire Engine 492 Repairs by Glick – The Borough Secretary reviewed the final invoice from Glick which is \$125.39 more than what was previously approved by Council. **After some review, the motion of Mrs. Then, seconded by Mr. Hertneky to approve paying the overage of \$125.39 to Glick from the Fire Truck Escrow Fund was unanimously carried.**
5. 2025 Budget Meeting Discussion – A meeting was scheduled for October 8, 2024 at 7:00 p.m., to work on the 2025 Draft Budget.
6. 1016 Dewey Street SEO Matter (DEP Complaint) – A background of the complaint received, and the steps taken to date were reviewed. The recommendation to send the Sewage Enforcement Officer (SEO) to manage this matter was made and accepted. Proof of the recent sewage tank pumping service will be requested from the resident.

COMMUNITY DEVELOPMENT COMMITTEE REPORT: No Report.

Mrs. Hertneky presented Council with an update regarding the Rental Registration letters.

PARKS & RECREATION COMMITTEE REPORT: No Report.

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 Repair Quote (King Pins) – Case Power Equipment – A quote was received in the amount of \$2,850.75 to repair/replace the worn-out front axle king pin on site. **After some review and discussion, the motion of Mr. Hertneky, seconded by Mr. Bohach to approve the quote as received for the repair(s) was unanimously carried.**
2. Property Maintenance Violation – 1413 Porter Street (F. Talerico) – An update regarding the work performed by Hall Landscaping to date was presented to Council.
3. Fall Leaf Pickup Discussion – There was discussion regarding what days would work best for each portion of the Borough to prevent weekend raked piles being left out for lengthy periods.

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

1. DEP Meeting – Conway-Baden Municipal Authority Sanitary Interconnect – The Borough Engineer provided Council with an update regarding the meeting that was held and the email received from Mr. T. Antoline. Mr. Levenson thanked Mr. T. Antoline and the Borough Engineer for attending the meeting on behalf of Council.
2. 2013 GMC Sierra 1500 Transmission Repair Update/Payment Approval – Mr. Levenson reviewed the invoice received from Shutey's Automotive & Transmission Service for repairs to the transmission. **After some review and discussion, the motion of Mrs. Then, seconded by Mr. Hertneky to approve payment of Invoice dated 09/16/2024 in the amount of \$3,306.39 was unanimously carried.**

3. Catch Basin Inlet Cleaning (36,540 Linear Ft.) Quote – Tri-State Maintenance – There was discussion regarding the quote received in the amount of \$45,120.00 for the entire Borough or \$11,280.00 per quarter of the Borough. There was discussion on acquiring other quotes for this service and quotes for cleaning the sanitary lines. The Borough Engineer will determine the linear feet of sanitary lines.

MAYOR’S REPORT: No Report.

BVRPD REPORTS: No Report.

Mr. Levenson presented Council with updates regarding the K9 Unit.

ENGINEER’S REPORT:

1. PennDOT Complaint – Failing Utility Patch (11th St. and 2nd Ave.) –An overview of the issues regarding the patch work (which Columbia Gas may be required to repair after the completion of their scheduled work in that area) was presented to Council.
2. Columbia Gas Line Replacement Update – An update regarding the Columbia Gas Line Replacement Project for 11th Street was presented to Council. Notifications will be provided to the resident by Columbia Gas regarding the work that is to be done.
3. 10th Street and 3rd Avenue Waterline Replacement Project Update – The Borough Engineer received the drawings and will be setting up the construction meeting(s).
4. Beaver County APRA Municipal Infrastructure Grant Update – The Borough Secretary will forward all the necessary background information to the Beaver County Commissioners Office for processing.
5. 11th Street Roadway Line Painting Updates – No update at this time. Jet Jack, Inc. will be required to submit an updated punch list.
6. Catch Basin Issues from Street Paving Discussion – No update at this time. Jet Jack, Inc. has been notified that this remains an issue.
7. Birchwood Falls Retention Pond (1825 Porter Street Flooding) – No update at this time.
8. Sampson Street and 15th Street Minor Flooding – This matter has been addressed.

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. Proposed Amendments to the Hope Learning Lease and the BVRPD Lease – Council was provided with further information regarding the proposed amendments for each of the leases. The Hope Learning Lease amendment proposes the release of the 1st floor reducing their square footage by 1,200 feet. The BVRPD Lease amendment proposes taking over the 1st floor square footage and an increase in rental fees. This matter will be discussed further at the next regular scheduled meeting.

CORRESPONDENCE:

1. Planning and Zoning Committee Minutes of 08/26/2024 – This document was ordered received and filed.

2. Harshman CE Group, LLC Monthly Report-Dated 09/09/2024 - This document was ordered received and filed.
3. Real Estate Tax Assessment Appeal Notification(s) / Result(s) – These documents were ordered received and filed.
4. Dept. of Environmental Protection Open Burning Complaints Received Letter – Dated 09/11/2024 – This document was ordered received and filed. The Borough Secretary was asked to review the Ordinance to verify that it is up to date with the DEP requirements.
5. Norfolk Southern Railyard Co. Sample Analysis Report-Dated 09/09/2024 – This document was ordered received and filed.
6. MRM Trust Notes (MRM Workers' Comp) – This document was ordered received and filed.

OLD BUSINESS:

1. Rental Letter(s) Update – This matter was discussed during the Community Development section of the meeting.
2. Service Line Inventory (SLI) Lead Waterline Update – No update at this time.
3. Unvacated Paper Alley Discussion (near 1013 Center Street – Butter, S.) – This matter was discussed during the first Public Comment section of the meeting.
4. Course Vector ADA Website Compliance Proposal – This matter is still being researched.
5. Conway-Baden Municipal Authority Sanitary Interconnect & RCAP Solutions (Funding) Email Discussion – No Update at this time.
6. Conway Water System Consolidation – No update at this time.
7. Fee Schedule – No Update at this time.

NEW BUSINESS:

1. 2025 Minimum Municipal Obligation (MMO) – BVRPD Pension Plan – There was some discussion regarding an informational email received from the state with different allocation totals. This matter will be discussed at the next BVRPD meeting. The State Aid will be sent to each municipality and then forwarded to the BVRPD for processing.
2. Refuse/Recycling Collection Service Bid(s) – The Borough Secretary reviewed the bid(s) received and recommended postponing this decision to permit further reviewing time.
4. Proposed House Bill-Aiding Municipalities with Tax Exempt Property Advances – Mr. Levenson reviewed the information received from PSAB regarding the proposed bill. **After some discussion, it was the consensus to send letters of support to Senator Vogel, State Representative Matzie and Governor Shapiro.**
5. PSAB 2025 UC Plan Rate Notice – This document was ordered received and filed.
6. 2024 Volunteer Fire Relief Allocation Notification - This document was ordered received and filed.
7. 2024-2025 Winter Maintenance Agreement Notice - This document was ordered received and filed.

8. Halloween Trick or Treat – 10/31/2024 from 6 p.m. to 8 p.m. – This date was selected by the Beaver County Police Association. **It was the consensus of Council to approve this date and time for the 2024 Trick or Treating.**
9. Signage Appeal Request-254 11th Street (L. Johnson, Sr.) – After some review and discussion, it was determined that Council does not have jurisdiction over this matter and that it needs to be appealed to the Zoning Hearing Board. In the meantime, the sign must be removed and then if approved it may be re-erected.

OTHER BUSINESS: None

PUBLIC COMMENT: None

EXECUTIVE SESSION: Mr. Levenson requested Council go into Executive Session regarding a potential litigation matter at 9:00 p.m., as per the motion of Mrs. Hertneky, seconded by Mr. Hertneky.

On the motion of Mr. Hertneky, seconded by Mrs. Hertneky to reconvene at 9:13 p.m. was unanimously carried.

There being no further business, the motion of Mrs. Hertneky, seconded by Mr. Hertneky to adjourn the meeting at 9:14 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 add gravel or road millings to 1013 Center Street
2. Approve Minutes of March 20, 2024
3. Approve the List of Bills
4. Approval payment of Glick Invoice overage amount from previous motion of quote approval
5. Approve the Case Power Equipment (King Pin) Quote
6. Approve payment of Shutey's Invoice for GMC Truck Transmission
7. Consensus to support House Bill – Aiding Municipalities w/Tax Exempt Property Advances
8. Approve designation of 2024 Trick or Treat night