

BOROUGH OF PATTERSON HEIGHTS
COUNCIL MINUTES
May 17, 2017

The meeting was called to order by President Bill Starn at 7:00 pm.

The meeting opened with the Pledge of Allegiance.

Council members present: President Bill Starn, Vice-President Jim Turnbull, Bryan Landman, Tim Weisenburger, Connie Klein, Fran Levinger, and Sue Pokego.

Also present were Mayor Phyllis Aluseo, Acting-solicitor Mollie Patterson, Police Chief John DeLuca, Assistant Fire Chief David Lee, and Secretary/Treasurer Jack Doyle.

It was announced that the meeting was being recorded by one of the visitors.

MINUTES: Bryan Landman pointed out that the minutes of the April Council meeting should have included that Carol Wagner was made aware that the sewer lines on her property belonged to her, and she would be responsible for any problems with them. A motion to approve the April 19, 2017 minutes, with this one addition, was made by Jim Turnbull and seconded by Bryan Landman. The motion was approved by voice vote.

POLICE REPORT: Chief DeLuca presented the April Police Report. He noted the extra patrols for parking detail. There followed an extended discussion about the surveillance cameras monitoring the park and areas around the Borough Building. In order to be of any use legally, the number of people with access to the video feeds should be as limited as possible, and it would be best to contact the Beaver Falls Police before reviewing any video, to get their guidance. Bryan told the Chief that he recently has found empty bags of heroin, and beer cans in the trash in the park.

FIRE REPORT: David Lee read Fire Chief Medlin's report. The Council discussed payments that are to be made to the Fire Department, and decided to include two payments of \$3000 each to be approved with the monthly bills, and payable in June.

VISITORS: 1) Joanne Signore, of 627 4th Street, asked if "One-Haul" was still being considered, as the heavy garbage trucks were causing cracks in the streets. She also complained about grass clippings being left in the street. 2) Xander Wilkinson, of 504 4th Avenue, provided an update on the Yard Sale and Block Party, both to be held on June 3, 2017. Final disposition of the Junior Council funds would be discussed with the Solicitor's report.

SOLICITOR'S REPORT: Please see the attached report, submitted by Mr. Paganie, plus the notes below regarding the report.

Item (1) Please see report.

Item (2) Mr. Landman corrected the statement to say that the Township does not provide salting services, but does sell the salt to the Borough at the price they pay through the Council of Governments.

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An ordinance regarding occasional sharing of labor and equipment between the Township and the Borough has not been found, although it was recalled that there may be an unsigned ordinance filed in the office, which was never enacted. The Borough Secretary will attempt to locate this ordinance.

Item (3) While the Borough Council does support the concept of borough celebrations and civic programs, it is concerned about setting a precedent in providing monetary support to a private event. It was therefore decided to make a direct payment to one of the vendors scheduled for the block party, in the amount of \$267.73, representing the balance of the Junior Council account. The check will be made payable to Bruster's. A motion to this effect was made by Tim Weisenburger, seconded by Jim Turnbull, and carried by voice vote.

Item (4) Bill Starn reported that the DCED (Pennsylvania Department of Community and Economic Development) requires us to have either one independent auditor (CPA firm), or three elected auditors. At this time we have one elected auditor, Lawrence Hurley, who was appointed by Council earlier this year. In order to fill the required three positions, we will need to submit resumes to Common Pleas Court for those individuals. The resumes consist of verification that an applicant is 18 years old, has lived in the Borough for one year, and is a registered voter. Mayor Aluseo administered the Oath of Office to Lawrence Hurley.

Item (5) The Borough Secretary will consolidate information from the various ordinances regarding the maintenance or removal of vegetation.

Item (6) The Borough Secretary will consolidate information from the various ordinances regarding the hauling away of debris or burning of the debris.

Item (7) The Borough Secretary was instructed to prepare an ad to appear in the Beaver County Times, and other publications as may be available, for the sale of the Caterpillar backhoe.

CODE ENFORCEMENT: Bill Starn presented the report submitted by Dawna Pella. There was additional discussion regarding the downed tree and collapsed garage at 604 5th Street. The Borough Secretary was instructed to send an invoice for the tree, consisting of three hours of labor and backhoe time to remove the tree from the roadway. The invoice is also to include labor and the cost of materials to place caution tape and barriers around the garage. The invoice should total \$500. Furthermore, the owners of the property are to be sent a registered letter stating that they must have a written plan by May 24 for the repair or demolition of the garage. Failure to comply with this request could result in additional charges imposed by the Borough. A motion to create the invoice and the letter was made by Jim Turnbull, and seconded by Bryan Landman. The motion carried by voice vote.

COMMUNICATIONS: 1) A letter from the Pennsylvania DEP regarding permitting requirements for the storm sewer system. 2) A schedule of free safety webinars to be held during the month of June. 3) A letter to Bill Starn complaining about bees being kept in the Borough, a copy of

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Borough Ordinance 210, regulating the keeping of domestic animals, and a copy of "The Bee Law." The letter was unsigned, so no discussion or action was taken.

TAX COLLECTOR: Combined with the Secretary/Treasurer's report.

SECRETARY/TREASURER: Council was updated on the effort to convert the Borough checking accounts to money market accounts, leaving only the General Account as checking, and having the ability to transfer funds as necessary. Required paperwork was completed prior to the meeting.

Three people have agreed to serve on the Zoning Board. Bryan Landman moved that the Council appoint Tony Sadaka, Ruthanne Bentley, and Joe Spratt to the Board. A second was provided by Jim Turnbull, and the motion carried by voice vote.

Notable deposits since April 1 included \$95,771.66 in real estate taxes, \$19,188.24 in sewer taxes, and \$10,852.09 in Earned Income Tax.

PUBLIC SAFETY COMMITTEE: Nothing new to report.

BUILDINGS AND GROUNDS: The bench behind the Borough Building has been repaired, and the committee will get a price for repairing the broken concrete in front of the Building.

STREETS AND SEWERS: Nothing new to report.

RECREATION: Nothing new to report.

RECYCLING AND REFUSE: Nothing new to report

BUDGET AND FINANCE: Nothing new to report.

RENTAL PROPERTY: Nothing new to report.

NEW BUSINESS: Jim Turnbull mentioned that his neighbor at 401 6th Street would like to make a cut in his curb in order to avoid having to park his car in the street. Council saw no problem with it, and did not require a motion. Jim also asked if there would be any objection to his talking informally with Patterson Township about the possibility of a merger. There were no objections.

OLD BUSINESS: All items on the agenda were already covered during the meeting.

OFFICER REPORTS:

Mayor - Nothing to report.

Zoning Board - Nothing new to report.

COG Representative- Nothing to report

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Emergency Management Coordinator - Nothing to report

ANNOUNCEMENTS: None

FISCAL AND CONTRACTUAL: Tim Weisenburger moved, and Bryan Landman seconded, that the bills be approved and ratified as presented, including those for Bruster's and the Patterson Heights VFD, as discussed earlier. The motion carried.

ADJOURNMENT: Jim Turnbull moved, and Fran Levinger seconded, that the meeting be adjourned. The motion carried.

The next meeting will be held June 21, 2017.

SOLICITOR'S REPORT ON GENERAL MATTERS

(1) **FIRE DEPARTMENT CLASSES**

At the March meeting, the issue was raised concerning what the Borough could do concerning fire classes, profits derived therefrom and what regulations would have to be followed. I am awaiting the particulars and will advise after being provided that information.

(2) **BOROUGH/TOWNSHIP AGREEMENT ON LABOR AND/OR EQUIPMENT SERVICES**

At the March meeting, discussion concerning the sharing of mutual labor and equipment between the Borough and Township was had. I have contacted Sherri Hurst and Ken Fawcett, Solicitors for the Township.

I was advised that an Ordinance was sent from the Borough to the Township, for the Township's review. I have not seen the Ordinance.

Further, per their Solicitors, the Ordinance references an Agreement, but the Township has never seen an Agreement to review.

Therefore, nothing was done by the Township.

The Township provides salting services in the winter. I have not seen an agreement detailing the terms of those services.

If there are other services Council would like to share, further discussion will be necessary as to exactly what is being requested by the Borough, so that an Agreement can be prepared for the Township's consideration.

(3) **JUNIOR COUNCIL BALANCE**

At the April meeting, Council approved the dissolution of Junior Council.

A question remained of the Borough's ability to donate the money in the now defunct Junior Council fund for the Borough's Community Days and/or other Borough functions.

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After review, the Borough Code permits the Borough to donate the funds to borough celebrations and/or other civic programs.

I recommend the following Motion:

“A motion to transfer the balance of the Junior Council of the Borough, dissolved on April 19, 2017, in the amount of \$267.73 to the General Fund of the Borough, which shall be donated by the Borough for use in the Borough’s Community Days on _____.”

(4) BOROUGH AUDITOR(S)

At the March and April meetings, discussion was had regarding the auditor(s) of the Borough.

After further review of Ordinances, I believe the Borough currently has three (3) elected auditors.

The three (3) auditors should prepare, review and submit the Borough audit.

Further discussion can be had, if necessary, at the June meeting.

(5) BOROUGH ORDINANCE – TREES, SHRUBS, ETC.

At the March meeting, concern was raised regarding trees overgrowing into roads and/or alley ways, which prevent Borough trucks from passing through. The Borough has two (2) ordinances that Mr. Doyle has located and I have reviewed: Ordinance No. 91 from 1938 and Ordinance No. 215 from 1996.

Ordinance No. 91, the 1938 Ordinance, seems to permit the Borough the ability to cut or maintain “weeds or vegetation.”

Ordinance No. 215, the 1996 Ordinance, created a Shade Tree Commission in the Borough.

More detail is required regarding what trees, shrubs, etc. is needed to be eliminated.

(6) BOROUGH ORDINANCE – BRUSH AND/OR BURNING ORDINANCE

At the March meeting, discussion was had regarding the hauling away of brush, burning of that brush and the Borough’s obligation to provide such service(s).

Jack is attempting to locate any such Ordinance(s).

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After further inquiry into what Ordinance(s) the Borough has, if any, further discussion will occur.

(7) CATERPILLAR BACKHOE SALE

At the March meeting, discussion regarding the sale of the Caterpillar Backhoe, with the thought of then purchasing a skid loader, was had.

Council must bid the purchase of the skid loader or purchase it through one of the joint purchasing programs. If Council bids the skid loader, the bid specifications can provide for a cash purchase price and an alternative that includes the trade in of the backhoe.

The Borough Engineer has the experience to guide Council through this process and should be consulted.

I will work with the Borough Engineer and Borough Secretary as needed.