

## **REGULAR MEETING – May 20, 2009**

The Town Council of the Borough of Conway met in Regular Session on Wednesday, May 20, 2009 at 7:00 P.M., in the Fire Department Banquet Hall, South Gross Street, for the purpose of transacting General Business. Vice-President Roman presided and opened the meeting with the pledge to the flag.

**ROLL CALL: PRESENT** – S. Levenson, K. Roman, D. Rose, R. Senock,  
Mayor Trombetto, Chief Blum, Solicitor Tinstman  
**ABSENT** - R. Pribulsky, G. Ritorto, A. Sobolosky

### **REPORTS:**

Upon motion of Senock seconded by Rose and carried the reports read were accepted and ordered to be placed on file after proper action is taken.

### **COMMUNICATIONS:**

A motion was made by Rose seconded by Levenson and carried the communications read were accepted and ordered to be placed on file after proper action is taken.

NIRA Consulting Engineers, Inc.

Re: Amendment #2 to Engineering Agreement for Water System Improvement Project.

Re: Copy of Bid Advertisement for 2009 Road Program.

Re: CDBG Project – 34<sup>th</sup> Year.

Beaver County Community Development Program

Re: CDBG Project – 34<sup>th</sup> Year – copy of Bid Advertisement.

Re: CDBG Project – 34<sup>th</sup> Year – copy of Bid Tabulation and Municipal Agreement.

Re: 35<sup>th</sup> Year CDBG Program.

Conway Civic Women’s Club – Re: Donation for flowers at “Welcome” sign on Rt.65.

Damian, Amato & Start

Re: Copy of letter sent to Attorney Budicak regarding Malone Day Care Center.

Re: Sex Offender Ordinance/Open Records Act.

Debbie Lancos DeCostro, Attorney at Law

Re: Application of John & Sandra Malone for Special Exception.

Crown Equipment & Distribution, Inc.  
Re: Bid for washing of Police Cars.

Pennsylvania DCNR Bureau of Forestry  
Re: Emerald Ash Borer.

Beaver County Conservation District  
Re: Erosion and Sediment Control Plan Review of Katekovich Driveway.

PSAB MRT  
Re: Schedule of Changes in net assets of the Conway Borough Police Pension,  
month ending April 30, 2009.  
Re: Schedule of Changes in net assets of the Conway Borough Police Pension,  
month ending March 31, 2009.

Federal Surplus Program  
Re: Surplus Sampler – March 2009.  
Re: Just Arrived List – May 4, 2009.  
Re: Federal Surplus Newsletter – March 2009.

Norfolk Southern Corporation  
Re: Conway Rail Yard Sample Analysis Report for April 2, 2009.

Comcast – Re: 1<sup>st</sup> Quarter franchise fee check in the amount of \$5087.12.

PSAB – Re: PSAB Update – May 2009.

Beaver County Planning Commission  
Re: Minutes from their Tuesday, March 17, 2009 meeting.

Beaver County Regional Council of Governments  
Re: minutes from their March 26, 2009 meeting.

Mockenhaupt Benefits Group  
Re: Financial Statements & Notes and Employee Statements for 2008 for the  
Borough of Conway Police Pension Plan.  
Re: Actuarial Valuation Report as of January 1, 2009 for the Borough of Conway  
Police Pension Plan.

Commonwealth of PA, Office of the Attorney General  
Re: Home Improvement Consumer Protection Act.

A motion was made by Rose seconded by Levenson and carried to pay the following bills:

**WATER & SEWER FUND**

Ambridge Do It Best Home Center	Supplies/STP	36.93
Auto Zone	Supplies/STP Truck	8.91
Joseph J. Brunner	Sludge/STP	70.00
CMA Environmental Lab	Testing/STP & Water	1,015.00
J.M. Cooper Landscape	Topsoil-Water Breaks/Water	54.00
Economy Plumbing & Heating Co	Supplies/STP	25.76
Economy Septic Service	Pumping/STP	3,062.50
Free-Col Laboratories	Qrtly Testing/STP	2,235.00
Gordon Brothers, Inc.	Water Softener/STP	36.00
LB Water Service Inc.	Supplies& Water Meters/Water	1,806.05
Lowe's	Supplies/Water	47.92
NIRA Consulting Engineers	Services/W&S	3,442.50
PA One Call System, Inc.	Monthly Activity Fee/April	31.20
Sewickley Construction Products, Inc.	Supplies/Sewage	53.90
Special Electric Motor Co., Inc.	Repairs/STP	2,814.07

**GENERAL FUND**

Ambridge Do It Best	Supplies/Parks	12.97
Approved Toilet Rentals, Inc.	3 Toilet Rentals/May	258.00
Bohach, Lori	Commission/April	8,716.26
Joseph J. Brunner	Services/April	9,681.50
Cercone Sales & Service	Tire Service/Police	36.00
Comcast	Office Internet/May	92.99
Crystal Springs	Water-Rental/Municipal Bldg.	27.67
Family Dollar Store	Supplies/Police	6.00
Flynn's Tire & Auto Service	Tires/Police	200.22
Giant Eagle	Fruit Basket;Supplies/Rec.-Bldg	221.87
Herzog Truck Services	Oil Change/Fire Truck	545.75
Frank Johnson	Repairs/Lawn Mower;Fire Dept.	160.00
Keystone Municipal Collections	Commission/April	509.42
Keystone Municipal Collections	Postage/April	715.62
Martino, Inc.	Diesel Fuel/Maintenance	249.12
NIRA Engineers	Services/April	7,771.23
PA State Assoc. of Boroughs	Webinar/Flu	30.00
Record Printing Company	Towing Stickers/Police	110.00
Sherwin-Williams	Paint/Maint.	18.69
Standard Typewriter & Office Equip.	Supplies/Police	11.00
Traffic Systems	Monthly Fee/May	70.00
Triangle Pet Control	Monthly Fee/April	50.00
Yesco Electric	Lights/Police Station	310.91

**HIGHWAY AID FUND**

Auto Zone	Supplies/Pick-up Truck	28.62
Newman Traffic Signs	Signs	401.40
Northland Ford	Inspection/2008 Ford	36.35
Russell Standard Corp.	Polypave	444.46
Scobie Transit & Supply, Inc.	Slag	841.00
Sherwin-Williams	Paint	296.10

**WAR MEMORIAL FUND**

Economy Electric Supply	Lights	140.65
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**PUBLIC COMMENT:**

No public comment.

**MAYOR'S REPORT:** *David Trombetto, Mayor*

Mayor Trombetto read the police call record for the month of April 2009.

**SOLICITOR'S REPORT:** *Chrystal Tinstman, Esq.*

Solicitor Tinstman presented Council with a sample letter regarding the Local Services Tax. She reminded Council that some businesses had not paid this tax or have not paid the full \$52.00 for each employee. She asked Council to review and provide any comments or suggestions on.

A discussion was held on the non-payment of the fees to be collected under the Billboard Ordinance. The Solicitor believed the best way to approach this would be to have Chief Blum file a non-traffic citation for Non-compliance of the Ordinance, failure to open their records. Council directed the Chief to proceed with this.

The Solicitor stated that she had received a mailing from the county asking for the Borough's approval on consent order of court regarding the property reassessment for Crows Run Self Storage. At the time of his appeal the Borough did not intervene and the assessment has been changed. Council questioned the amount of reassessment. She said that it was lowered to Land \$4,000.00 and Building \$0.00. The Secretary stated that he owns two parcels, one which has the buildings on, and one, which is beyond Crows Run and includes some of the hillside. The Solicitor stated that she would have to confirm that this was the parcel that did not have the storage units on it.

A motion was made by Rose seconded by Levenson and carried to approve the Consent Order of Court pertaining to the reassessment of Parcel #18-164-0282-000 owned by Crows Run Self Storage contingent upon the fact that this parcel is the one in the flood plain and does not include the storage buildings.

The Solicitor stated that she has been running into a snag pertaining to the Dudash property. She said that he owns approximately \$5,000.00 in taxes and \$1,400.00 in municipal liens. She was not sure if she could convey the property to Herr-Voss without the taxes on it. She said that Mr. Dudash signed the agreement saying he is responsible for the taxes and liens but he has not paid and she was not sure if he would. Her thoughts are to see if Herr-Voss would agree to pay these in small amounts over time or to talk to the school and see if they would erase the taxes. Council asked her to speak with the school and see if they would waive the taxes owed.

The Solicitor informed Council that she had responded to Attorney Budicak's letter, Mr. Mihalic's attorney, regarding the Malone Day Care Center issue.

**CHIEF'S REPORT:** *Anthony P. Blum, Chief*

Chief Blum commented on the Cops Grants. He stated that all of the grants, for equipment as well as for officers, are very involved and require a full time grant writer to complete. He said that these are not beneficial to small communities. He said that he would like to have the Secretary's office write a letter to Representative Altmire's office and tell him this. After a brief discussion, Ms. Roman said that she would write the letter and asked the Chief to outline what his displeasures with the grants are and forward to her.

The Chief also asked that a letter be written to PennDot regarding the heavy trucks on 11<sup>th</sup> Street. He said that they are damaging the road and are cumbersome and cause traffic problems. He was asked to again outline his complaints and a letter would be written by the Secretary's office.

A discussion on the damage which the Rite-Aid trucks are causing to the road and curb at the corner of 2<sup>nd</sup> Avenue and 11<sup>th</sup> Street was held. Council will have Mr. Sobolosky and the Maintenance Supervisor look at this area and talk to the Rite-Aid manager regarding this issue.

Chief Blum asked Council if he could use the Assistant Borough Secretary a couple of hours a week to get some of these letters and other typing completed. The Secretary stated that this would not be a problem if it was after the time that she was scheduled to work in the office. She also commented that she did not know why this was necessary since they always did typing for him whenever he asked for something. All that he had to do was bring in a rough draft or some main points and they always would do this. Ms. Rose said that she would speak to Rachel about working a couple of extra hours a week for the Chief and see if she would want to do this.

The Chief informed Council that he needed to order six badges. Ms. Roman asked how much they were. The Chief did not have a price on these. She asked him why he did not come with a price if he was asking to purchase them. Mr. Levenson asked why they needed six new badges. He asked what happened to all of the others. Chief Blum stated that they never have been returned by the other part-time officers and with the hiring of two new part-time officers badges are needed. Ms. Roman stated that she thought the issue of the badges and keys was resolved. Chief Blum said that it was not. The Secretary said that she had a list of what officers needed to be removed from the payroll and thought the Chief was writing them letters. She said that she would do this.

Chief Blum said that he, the Mayor and Ms. Roman had interviewed two candidates for the part-time police position. He said that they all agreed to hire both of the candidates.

A motion was made by Rose seconded by Senock and carried to hire William Waldschmidt III and Ronald Wilson as Part-time police officers, at a training wage of \$7.15 per hour, for up to 80 hours or as deemed necessary by the Chief of Police, contingent upon all the necessary paperwork, medical & psych evaluations and clearances being completed, with wages of \$12.50 per hour being paid after training is complete.

Ms. Roman asked why the Borough hasn't applied for the click it and ticket grant. The Chief explained that you have to write so many tickets a day. He said that they do not have data on tickets to submit with the grant because the full-time officers do not write tickets. If they wrote tickets then it would be overtime to send to court. Mr. Levenson said that you could put a part-timer on to start writing tickets and then apply for the grant and worry about the Full time overtime whenever you get the grant. Chief Blum said that the ESP needs to be calibrated in order to use this.

Ms. Rose asked the Secretary what was going on with the computers. She said that she had not spoke with RA Services yet but would call them tomorrow

Mr. Bradley Gilmore, 1340 2<sup>nd</sup> Avenue, presented Chief Blum with two laptop computers. Chief Blum thanked him and asked Council to send a letter to his company for this donation. Council said that this was already taken care of at the last meeting. Mr. Gilmore presented these to Council at the Workshop Meeting. Council asked the Chief to take these to the County and have them set them up for the Borough.

## **COMMITTEE REPORTS:**

*MAINTENANCE: Albert Sobolosky, Chairman*

Mr. Sobolosky was absent from the meeting.

***RECREATION/ORDINANCE: Renee Senock, Chairwoman***

Ms. Senock stated that the Recreation Committee is holding a Cash Bash on Saturday, June 13<sup>th</sup>. There are lots of tickets left. She asked Mrs. Then, a member of the Recreation Board, who was in the audience, if she could help sell tickets at the shopping center on Memorial Day. She said that she would be happy to help. Ms. Senock said that she would get in touch with her.

***FINANCE/ADMINISTRATION: Debbie Rose, Chairwoman***

Ms. Rose had nothing to report.

***PUBLIC SAFETY: Karen Roman, Chairwoman***

Ms. Roman had nothing to report.

***ZONING/GRANTS/WEBSITE: Scott Levenson, Chairman***

Mr. Levenson informed Council that the number of hits on the website has increased.

***NEGOTIATIONS: Robert Pribulsky, Chairman***

Mr. Pribulsky was absent from the meeting.

**AGENDA ITEMS:**

A motion was made by Rose seconded by Levenson and carried to approve Resolution #052009-1 authorizing execution of Amendment #2 to the Engineering Agreement for the Water System Improvement Project by the President of Council.

Ms. Rose commented on the condition of Roosevelt Street. She said that it was in horrendous shape. She asked all of Council to ride on it and give their opinion on at the next meeting. Mr. Sobolosky stated that he will take measurements of the road and get estimates on the cost of paving it.

Ms. Rose informed Council that the Fire Department did receive the bid for the new rescue vehicle from Cranberry Township. She asked the Secretary to write the check from the Fire Truck Escrow in the amount of \$47,000.00. The Secretary said that she would do this once she has received a letter from the Cranberry Township Volunteer Fire Department acknowledging acceptance of this bid.

Chief Charlovich asked Council if he could contact the Engineer about getting a revised map of the water lines and Fire Hydrants in town. The Secretary said that she or the Maintenance Department may have this. She said that she would check on this first and then make a call to the Engineer if the Borough did not have an updated one.

Mr. Levenson noted that they are still working on the Greenhouse Gas Inventory Study. He will let Council know when the next meeting will take place.

Ms. Rose asked if anybody knew when the electric at Gratty Park would be completed. Mr. Levenson said that he spoke with Mr. Sobolosky last night and he said that he did not know when he would be doing it. Mr. Levenson told him that he needed to get moving on getting this project completed.

### **UNFINISHED BUSINESS:**

A motion was made by Levenson seconded by Senock and carried to approve Resolution #052009-2 authorizing the execution of the Community Development Block Grant agreement relative to the Roosevelt Street Waterline Replacement Project by the Council President.

A discussion took place on washing of the police cruisers. Ms. Senock stated that the person whom she thought might want to bid on the washings decided that they did not want to.

A motion was made by Levenson seconded by Rose and carried to have Crown Car Wash wash the police cruisers for the year 2009 at a cost not to exceed \$528.00.

A brief discussion took place on preparations for the Memorial Day Parade. The Secretary said that she believed everything was in line. Fire Chief Charlovich will be handling the line-up. Mayor Trombetta said that he would have the police place the No Parking signs along the parade route on Friday. Ms. Senock commented on the great job that Sheryl did on the flowers at the Memorial.

### **NEW BUSINESS:**

A meeting of the Regional Corridor Alliance-West Committee (Crows Run Road) is to be held on Friday, May 29<sup>th</sup> at 10:00 AM in the Commissioners meeting room at the Court House. The Secretary said that Commissioner Camp's Secretary had called to see who would be representing Conway Borough. Those Council Members present could not attend due to their work schedule. They asked the Secretary to see if President Ritorto or Mr. Sobolosky could attend. If not they asked her to attend as a representative of the Borough.

The Secretary explained that there were some vacant houses along the parade route whose grass was out of control. She wanted to see if Council would like the Road Department to cut these and then place a lien on the house for grass cutting services. Council approved this.

**PUBLIC COMMENT:**

No Public Comment.

A motion was made by Levenson seconded by Senock and carried to adjourn at 8:25 pm.

Respectfully submitted,

Diane R. McKay  
Borough Secretary

DATE \_\_\_\_\_

PRESIDENT \_\_\_\_\_