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CONYNGHAM BOROUGH COUNCIL REGULAR SESSION
Tuesday, August 15, 2017

Conyngham Borough Council met in Regular Session on Tuesday, August 15, 2017 at 7:00 p.m. in Council Chambers, Municipal building, 215 Main Street, Conyngham, Pennsylvania. The meeting was called to order by Council President Gary Gregory, the Pledge of Allegiance was recited and roll call was taken.

Roll Call:

Present: Fuccile, Gallagher, Gregory, Hawk, Jones, McKee, Schneider.

Absent: None.

Others Present: Solicitor, Secretary, Treasurer, Engineer.

Absent: Mayor.

Citizens: Gerald Pesock, John E. Morris, C.A. Zamba, JM Hisney, Linda Grenavich, Steven J. Brosk, Dolores Brosk, Tim Ference, Sehar Saeed, Shabana Saeed, Kenneth Zipovsky, Debra Kobialka, Anita Reber, Louise Boyle, Joyce Boyle, Matt Balliet, Ron Schadder.

President Gregory advised an Executive Session was held prior to the Regular Session for litigation.

Public Hearing on Ordinance 305 Street Excavation Ordinance: The Solicitor reviewed the duly advertised Ordinance. Dolores Brosk questioned if Liberty Place is included – Yes all Borough Streets are included. Steven Brosk questioned what instigated this Ordinance – To bring current Ordinance up to date and add boring on Borough roadways.

Public Comment: None.

Approval of Minutes:

Motion

Motion to Approve Minutes from Regular Session July 18, 2017 & Continued Session July 31, 2017 – Gallagher. Second – Jones.

Questions on the Motion: None.

No Roll Call. Unanimous.

Mayor: Absent. The Department responded to fifty eight (58) offenses, incidents and/or requests for the month of July. Two (2) local Ordinance citations were issued. Report is on file.

Invited Guest: Tom DeAngelo from Barry Isett & Associates, Inc. was on hand to discuss the Sugarloaf Avenue project with Borough residents.

Anita Reber raised concerns of heavy rains causing creek to overflow bank.

BIA responded the Independence & Sugarloaf Avenue drainage will be extended to catch water earlier causing the velocity to go down and the utilization of a 36" pipe to replace existing outflow will actually cause the water to discharge slower.

Anita Reber questioned whether the residents will have any recourse if the project causes the creek to overflow banks.

BIA responded that a hydraulic study would need to be completed.

John Morris questioned why no water collection is on the South side.

BIA responded the work was limited to the North side however the Engineer will contact Penn DOT to inquire if asphalt curbing can be installed on South side by Penn DOT.

Gerald Pesock stated asphalt curbing is needed.

Sehar Saeed stated the portable toilet placed near her property smells horrendous. The Borough will contact M&J Excavation to have unit cleaned and/or removed.

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Steven Brosk questioned project timeline. President Gregory advised the substantial completion date is August 20, 2017 and the Borough and Joint Authority are working to move forward.

The Solicitor stated there is a liquidated damage penalty in the contract.

The detour on Sugarloaf Avenue will be removed before August 21, 2017 when the Main Street detour begins. Any work on Sugarloaf Avenue will have to be completed utilizing flaggers. Per Penn DOT all materials must be removed from right-of-way prior to opening of road.

Main Street will be closed from Goulds Way to Sugarloaf Avenue from August 21, 2017 through November 2017 for Penn DOT culvert replacement project. Vehicular and pedestrian detours are in place.

C. A. Zamba questioned whether or not the Engineer calculated the volume for the unnamed creek behind Sugarloaf Avenue.

BIA advised a design report has been created with the upstream areas taken into account.

Gerald Pesock questioned if UGI had been contacted to install a gas line while Sugarloaf Avenue will be opened for storm drainage installation. Councilman Fuccile advised they have however it was not cost effective for them to do so.

Fire, Rescue & EMA: Conyngham had five (5) Fire and Rescue calls and eleven (11) EMS calls for the month of July.

2018 Fire Services RFP meeting will be held with members of the Fire, Rescue & EMS Committee.

Treasurer: The July report was reviewed in detail at the Work Session. A copy of the report is available for public inspection and is on file.

Motion

Motion to Accept the July 2017 Treasurer's Report – Gallagher. Second – Jones.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

Treasurer Blase requested a Motion to approve the list of obligations in the amount of \$ 78,923.66.

Motion

Motion to Approve the Bills – Fuccile. Second – Hawk.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

Solicitor:

Motion

Motion to Adopt Excavation Ordinance # 305 - Gregory. Second – Hawk.

Questions on the Motion: Councilman Fuccile questioned if old Excavation Ordinances get replaced – Yes.

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ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

The Solicitor advised the Conyngham Borough Planning Commission reviewed the George Subdivision and recommended it for approval pending plans showing:

Place for Council to Sign
Listing of CVCO Water/Sewer Easements
Correct Adjoining Property Owners Names

The George Subdivision has been revised to show the above along with a change to the configuration to Lot#2 in order to meet zoning requirements which provides the Borough with 25 ft. fee simple title and 15 ft. right-of-way to provide 40 ft. access off of Butler Avenue.

Motion

Motion to Approve George Subdivision with Revisions - Schneider. Second – Fuccile.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Abstain
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

President Gregory thanked Dennis Evans for quick turn around on revisions.

The CBA Subdivision has been previously approved and Planning has recommended it as well however the Easement Agreement has been revised to show access to the rear of the building, utility easements and the party wall.

Motion

Motion to Approve Easement Agreement for Access, Utilities and Party Wall - Gregory. Second – Schneider.

Public Comment: None.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Abstain
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

MS4 Public Comments: President Gregory advised the MS4 has been duly advertised with a review period and public comments. The comment period will be open until September 1, 2017.

The record reflects no public comments were received during the meeting.

Recreation: Nothing at this time.

Planning & Zoning: The Zoning Report was read into the record. There were five (5) permits issued and eighteen (18) concerns addressed/actions taken.

Councilwoman Hawk questioned how the Borough can resolve properties with high weeds that have not been addressed. The Solicitor advised the Borough can hire someone and lien the property for costs.

Department of Public Works:

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Motion

Motion to Approve 2017-2018 Penn DOT Winter Services Agreement \$1,911.35 - Fuccile. Second – McKee.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

Motion

Motion to Approve M&J Excavation Change Order #2 \$5,102.00 - Fuccile. Second – Schneider.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

Buildings & Grounds: Nothing at this time.

Grants: 2018 LC Community Development Block Grant application is due August 25, 2017. Income surveys will be completed.

Police: Applications are being accepted until August 23, 2017 for Chief of Police.

Motion

Motion to Approve Metro Alert 10/12/17 to 10/11/18 \$1,609.00 - Fuccile. Second – McKee.

Questions on the Motion: None.

ROLL CALL VOTE:

Fuccile	-	Affirmative	Gallagher	-	Affirmative
Gregory	-	Affirmative	Hawk	-	Affirmative
Jones	-	Affirmative	McKee	-	Affirmative
Schneider	-	Affirmative			

New Business: None.

Old Business: None.

Catch-All: Christmas in Conyngham conflicts with Conyngham Valley Historical Society Home Tour December 2, 2017.

Public Comment: Ken Zipovsky advised Council Metro Alert is a County wide database the police utilize on a daily basis. He also recommended using license plate readers. Grants may be available through PA Auto Theft Authority.

Gerald Pesock advised speeding on Sugarloaf Avenue is an ongoing problem.

Anita Reber questioned why CVCO provides little or no communication with Borough officials.

Ron Schadder stated the Solicitor was to research the Chief of Police Separation & Release Agreement. The Solicitor advised Chief Hoats was paid \$25,000.00 for accrued time off.

Mr. Schadder wants information regarding the George Subdivision. He will file a right-to-know request.

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Mr. Schadder questioned the animal problems on Main Street – specifically feral cats.

President Gregory thanked Mr. Schadder for assisting him with traffic control for Valley Night.

Carol Ann Zamba stated the feral cat population is under control due to the spay/neuter program in place. The colonies have gotten smaller.

Motion to Adjourn at 8:37 pm – Gregory. Second – Fuccile.

No Roll Call. Unanimous.

ATTEST:


Secretary