

MINUTES OF THE BIG BEAVER BOROUGH COUNCIL MEETING December 21, 2021
Held at the Big Beaver Volunteer Fire Company, 621 Friendship Rd, Darlington, PA 16115
President Michelle Joy called the meeting to order at 7:00 pm
followed by the Pledge of Allegiance and the Lord's Prayer.

Roll Call:

Mayor: Don Wachter

President: Michelle Joy

Vice President: Roz Miller

Council Member: Jeff Magee

Bart Carr

Luke Taiclet

Kim Wagner

Jeff Magee

Treasurer: Deborah Ahern

Public Works Director: Chad Crawford

Secretary.: Jennifer Gasser

Zoning Officer: Dawna Pella

Engineer: Emily Palmer

Chief of Police: David Johnson

Solicitor: Shannon Steele

Absent Council Member Jason Landsbach

Michelle Joy recognized Jason Landsbach for his 30 years of service on Council and Mayor Don Wachter for his 54 years of service to the Borough. Michelle Joy advised that in lieu of flowers, Council and Staff planted a Dogwood tree and placed a plaque in memory of Mayor Don Wachter's granddaughter's at the park.

Approval of Agenda

Jeff Magee made a motion, seconded by Bart Carr to approve the agenda. All in favor, agenda as submitted is approved.

Public Comment

Jim Marshall thanked Donnie Wachter and Jason Landsbach for their decades of service and thanked everyone on Council. Also, he thanked Chad Crawford as last week they were on a fire call and Chad Crawford was out there removing a tree with a backhoe and expressed his appreciation as a resident.

Brian Miller addressed Council regarding the property on Norwood Drive. They have hired a real estate agent (sell property) and hired Hostetter to dispose of the contents of the property. Dawna Pella advised she issued citations in his sister's name and during the Court hearing she was advised Mr. Brian Miller is the power of attorney. The citations had to be withdrawn and she will come back to Council to see what they would like to do with reciting in Mr. Millers name. Dawna Pella advised she believes Mr. Miller is addressing Council requesting more time prior to her reissuing the citations under Mr. Miller's name. This will be addressed under Dawna's report.

Mr. Doug Kost addressed Council regarding the trash on Aley Hill Road. He advised he has filed a police report due to the amount of beer cans on the road and had pictures from a year ago and last Sunday. He had concerns with someone drinking and driving. He found a bag with pills in it and filed a police report. He is requesting the Beaver Falls Police Department increase patrols in the area.

Approval of Minute:

Kim Wagner requested to make an addition to the Bill List to add \$140.00 for gifts for the Planning and Zoning Committee, \$20.00 Giant Eagle gift card for each appointed position, excluding her and Roz Miller. Roz Miller made a motion, seconded by Kim Wagner to approve the Minutes of December 7, 2021, November Financials, and December Bill List with the addition of the \$140.00 for the gifts for the Planning Commission and Zoning

Hearing Board. All in favor, the December 7, 2021 minutes, November Financials, and December bill list are approved.

Reports:

Mayors: Mayor Don Wachter advised he is still pushing the Route 18 fifth lane and wanted to know if he should stay with that. Michelle Joy advised he can continue to work as a resident. Mayor Wachter appreciated all of the help he has received from Council throughout the years.

Police: Chief Johnson advised there was 38 calls for the month of November and they did concentrate enforcement efforts on Careywood Road. They had negative contact with large trucks and advised residents to contact the Police Department with the plate number. They have also had enforcement on Foxwood Rd for large trucks. Michelle Joy advised Mr. Kost had pictures of the garbage, alcohol cans and drugs and asked the police to patrol Aley Hill. Chad Crawford advised the cameras were installed and inquired if they were activated. Chief Johnson has a call in but does not believe they are active. Chief Johnson advised these are cameras used to help with solving crimes, not to send traffic citations.

Zoning: Dawna Pella discussed property on Norwood Drive. This is a vacant house in disrepair with some outside and sanitation issues. Through her research she found Robin Miller (present) was the power of attorney. During the hearing, it was brought to her attention it was Brian Miller that was the power of attorney. During the discussion, they presented the case of needing more time. Ms. Pella advised they are there to put their position to Council to request more time. Discussion ensued regarding the safety of the property. Luke Taiclet made a motion, seconded by Bart Carr to have the Zoning Officer review the property to ensure it's in a reasonably safe condition and report back to Council on January 3 and in the meantime, she can hold off on refiling. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet, and Michelle Joy. Dawna Pella advised she had a call from Westgate wanting to put up signs inquired if this has been previously discussed. She inquired if the issues Chad Crawford had with Westgate has been resolved before they add additional items. Discussion ensued regarding the signs at Westgate. Dawna will work with Jennifer Gasser and Chad Crawford with the signs. Dawna Pella advised MDIA notified her there has been no communication with Pitt Race for the final inspections. The Plan Reviewer will reach out to the contractor and if it's not resolved by the next Council Meeting, it will need to be discussed. Michelle Joy inquired if they have not met the borough requirements or is it with MDIA. Dawna Pella advised MDIA would issue the no occupancy permit, but MDIA will want to know that Council is ok with them pushing that.

Engineer: Emily Palmer advised the Borough received a request from CDC Engineers relating to municipal land use consistency that needs to be completed before getting a permit from the conservation district. The applicant is Beaver County Corporation of Development for a proposed development of a commercial or industrial use and they have not received an application for this. They will draft a response that they can't suggest the Borough sign off on this until they submit the permits. Emily Palmer advised Planning Commission met and reviewed the various topics listed on her report. They issued a review letter for Tower access group and until they get confirmation the variances were approved, they are in a holding pattern. Michelle Joy advised she had contacted Douglas' office and we were supposed to receive the outstanding decisions by Friday, and we have not received them. Emily Palmer advised they received an act 14 notice for Geo Petro and are standard notices that are sent and rarely responses are received; however, it may be appropriate for the Borough to respond to say here's where we sit and here's what they need to do so the DEP knows what they need to do. Emily Palmer will work with Shannon Steele and Dawna Pella to draft the letter. Shannon Steele will respond to the Planning Commission Chair regarding the letter. Emily Palmer advised the Turnpike Beaver River Bridge project has been extended until 2028 and we received another Act 14 letter with ambiguous wording about stormwater and it was not a formal request for stormwater review and does not

believe there is formal action required by the Borough, but just to watch and know that it is out there. Also, Emily Palmer advised they are getting additional information on aluminum box culvert for Chad Crawford.

Solicitor: Shannon Steele advised she had a conversation with the attorney from Wyoming Mining and informed him of the issue with the application not clearly identifying the issue and Dawna Pella preferred the application not reference alternatives, rather just make the application what is it they are requesting. Also indicating that attorney Venom needed to be on the application for Geo Petro and there was discussion regarding them thinking this was about the individual who lives near the sight and Shannon Steele advised this is only regarding the illegal use. To date the application has not been resubmitted. Shannon Steele advised he is keeping communication open with her. One of the major issues was they did not want to make the application knowing they are going to fail certain items. Shannon Steele reported on Danny's Motel and she informed his attorney on what Big Beaver wants to do and they are working on a written agreement regarding the timeline, bond and what they want. Shannon Steele advised she informed the attorney that the owner needs to keep the property boarded up, no activity. Shannon Steele advised he should receive a draft from her by the beginning of the year. Shannon Steele reported on Tower Access Group and Verizon and they are looking for the Zoning Hearing Decision as they are trying to answer LSSE letter, but they can't because they don't have the decision. Shannon Steele advised they can use the transcript from the Court Reporter; however, with no written decision after time period it's deemed approved and the applicant gets what they want. There was discussion regarding receiving the transcript from Douglas' office or requesting the transcript from the Court Reporter and billing Douglas' office. Michelle Joy advised the current Zoning Hearing Board met and appointed a new attorney. Jennifer Gasser is going to reach out to Attorney Patterson to see if he can do the Zoning Hearing on January 10th.

Public Works Dept: Nothing to report.

Treasurers: Nothing to report.

Secretary: Nothing to report.

New Business

Roz Miller made a motion, seconded by Jeff Magee to approve Resolution 15-2021 - Farrelly Plan of Lots #3 Plan Revision for New Land Development. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet, and Michelle Joy.

Kim Wagner made a motion, seconded by Roz Miller to approve Planning Commission's recommendation to approve the Lindy Paving extension request (60 days). Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet, and Michelle Joy. Jennifer Gasser confirmed this takes them to February 18, 2022

Jennifer Gasser advised of the request of a Zoning Confirmation letter for the refinancing of Dollar General on Route 18. Dawna Pella reviewed the letter and had no issues. We will be adding to the new fee schedule a cost of \$20.00 for Zoning Certification letters. Kim Wagner made a motion, seconded by Bart Carr to approve sending the Zoning Letter Confirming the Zoning and compliance of 7425 Big Beaver Blvd. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet, and Michelle Joy.

Old Business Update

Beaver County Humane Society Contract. Roz Miller made a motion, to renew the contract. There was no second to the motion. After discussion this matter was tabled. Jennifer Gasser will reach out to see if they will extend the deadline.

Christmas Scavenger Hunt Winners. Damaska family first place, Walter family second place, Alexander family third place, and Orrico family fourth place. 138 Shenango Rd and 351 Careywood Road were tied for the best decorations.

Property for Wallace Run Lift Station. Council discussed the different appraisers for the property for Wallace Run lift station. Roz Miller made a motion to use Ed Cline, there was no second motion failed. Roz Miller made a motion, seconded by Jeff Magee to use Nick King McConahy. Roz Miller rescinded the motion for Nick King McConahy. Roz Miller made a motion, seconded by Luke Taiclet to appoint Commonwealth for the appraisal of the property. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet, and Michelle Joy.

Roz Miller made a motion, seconded by Jeff Magee to rescind the prior vote to disband the Planning Commission and would like the Planning and Zoning Committee to spend more time to see what is practical for us to move into and this will take some research and if they decide to disband the Planning Commission as a result of that in the future, then we can revisit the vote. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Kim Wagner, Luke Taiclet. Roll Call Vote No: Michelle Joy.

Mayor Don Wachter advised he has been trying to get his phone transferred to his name. Michelle Joy advised if there's an issue prior to the 31st then Don Wachter will pay the bill the until this issue is resolved.

Executive Session Personnel Issues 8:30-9:18 PM

Jeff Magee made a motion, seconded by Bart Carr to amend the agenda for discussion of Circuit Rider Services and related changes to personnel. All in favor.

Jeff Magee made a motion, seconded by Luke Taiclet to use Circuit Rider Services for accounting/ bookkeeping services beginning in 2022. Estimated Cost \$20,000.00. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Luke Taiclet, Kim Wagner, and Michelle Joy.

Kim Wagner made a motion, seconded by Jeff Magee to reorganize staffing to include: elimination of the full time Treasurer position; modifying the position of Office Assistant to Treasurer/ Office Assistant (part time); modifying the position of Secretary to Secretary/ Assistant Treasurer (full time); along with the related changes to the job descriptions. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Luke Taiclet, Kim Wagner, and Michelle Joy.

Bart Carr made a motion, seconded by Roz Miller to approve a severance package to the occupant of the eliminated position to include salary and benefits through January 31 2021. Roll Call Vote Yes: Roz Miller, Bart Carr, Jeff Magee, Luke Taiclet, Kim Wagner, and Michelle Joy.

Meeting Adjourned: 9:23 pm.

Respectfully Submitted,

Jennifer Gasser