

Waterford Borough Council Meeting
July 12, 2010

Regular session of the Waterford Borough Council meeting was held in the Municipal Building on July 12, 2010 with the following members present: Gary Brown, Richard McGuire, Judy Cline, Barry Pugh, William Strohmeyer, Eric Keiser, Mayor Skelton. Laura Breon noted as absent. Also, Harry Latta and Solicitor Betza in attendance. Visitors present were: Greg Troyer, Bill Joslin, Liz Mistretta, Judy Dormann, Rosalee Holzer, Dorris Proctor, Arnold Loop, Sandy Loop, Elaine Stafford, Steve Stafford, Pat Nazarian, Tom Carr, June M. Shields, Benny Hunt, Darlene Hunt, Zona Miller, Tom Blose, Ray Majerik, David Russell, Greg Sesler, James Whitman, Martin Rice, Renee Reynolds, Carol Kirik, Ken Lewis, Justin and Louise Blose, Karen Molitar, Patrick Molitar.

Meeting began at 6:30 P.M. with the Lords prayer and pledge to the flag.

Gregg Sesler, Esq. asked council to reconsider the request to allow conditional use of the parcel at 6th and Chestnut owned by David Russell. Sesler referred to the zoning request appeal that has been filed. He outlined the steps Mr. Russell previously took in order to be able to construct his building. After lengthy discussion on this issue, Brown moved that the property be treated as non-conforming use. Second by Pugh. Cline questioned if there is a need for traffic study in that area. Latta discussed storm basin needing to be replaced per engineer Mark Corey. Strohmeyer questioned plan for snow removal and if parking was sufficient. More discussion followed. Roll call vote was taken with Brown, Pugh, Strohmeyer voting yes, and Cline and Keiser voting no. McGuire did not cast vote due to his interest in purchasing part of this property.

Betza reviewed ordinances that have been advertised and asked for motions for passage.

Brown moved to enact ordinance for removal of snow and ice. Second by Keiser. Vote all yes.

Updated parking ordinance prohibiting parking from 2-7 A.M. 366 days a year. Brown moved to enact this ordinance, second by Pugh, four yes votes, and one no vote by Cline

Pugh moved to enact dangerous structure ordinance. Second by Brown. Vote all yes.

Transient Retail Business ordinance. Moved by Pugh to enact, second by Keiser. Four yes votes one no vote by McGuire.

Betza discussed speed limits in the borough. Default limits in the borough are 35 MPH in urban district (territory which is contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than 100 feet for a distance of ¼ mile or more), 25 MPH in residential district, 15 MPH in school zones, and 55 MPH anywhere else. In order to change any default speed limits, an engineering and traffic study must be done. Latta addressed the incorrect signage currently posted on the borough streets and he also talked about the cost of new signs.

Karen Molitar asked about parking violations within the borough and asked if the borough is able to hire a private towing service. Keiser reviewed the nuisance ordinance pertaining to parked cars and junk. Adams will talk to the Pioneer Garage owner about getting his cars moved away or to behind the fence and away from the sidewalk.

Lia Mistretta from General Code talked about codification of ordinances and how they are indexed and maintained. She addressed the time frame needed to complete the process as well as the cost and payment plan. Initial purchase price (\$12,750.00) includes five bound volumes of the codified ordinances. Any additional copies cost \$65.00 per volume. Annual maintenance cost for the on-line version is \$1195.00 and does not include amendments. First payment will be due in 2010, two payments in 2011 and the final payment at the beginning of 2012. Keiser moved the council accept the proposal from General Code subject to review by Solicitor Betza. Funds to pay for the project to come from reciprocal repayment budget. Second by Cline. . Keiser, Cline, McGuire and Strohmeyer vote yes. Pugh and Brown vote no.

Ken Lewis from the Historical Society requested that the borough partner with them in order to keep and maintain the museum. The Fort LeBoeuf Museum Asso. also wants to partner in this endeavor. Buildings and grounds would have to be maintained and the borough would have to guarantee the payment of utilities and liability insurance. McGuire moved that council look into the process before agreeing to the partnership. Second by Cline. Vote all yes.

Greg Troyer requested permission to run a bicycle team time trial on Sept 25 which will begin in Waterford and he has asked that Walnut Street be closed to through traffic during the onset of the race. Brown moved that council grant Troyer's request that Walnut be closed temporarily to through traffic for the race on Sept 25. Second by Keiser. Vote all yes.

Martin Rice of 220 W. 1st St. asked that no speed bumps be put in where the new paving has been completed on Hazel St. He said more salt is needed on West 1st St and needs to be maintained better for the residents that live there. Streets committee will look at this portion of W. 1st. Reynolds asked that parade trailer be moved so that kids don't use it for hideout.

Arnold and Sandy Loop requested that the alley next to their home on Cherry St. be dug out and lowered to prevent water from running to the side of their house. Latta addressed the problem and Skelton said it would be taken care of.

UnaMae VanDyke asked whose responsibility it is to fix the holes at the post office parking lot. It is the property of the post office and they are working at getting them fixed.

Carol Kirik asked about the wet alley between Chestnut and Cherry and E. 4th and E. 5th St. Latta has surveyed this problem and said that the dry cistern box has collapsed. No water is flowing through the pipes. It needs a bigger pipe and new basin. McGuire moved that sign be posted so that through traffic is prohibited and the alley restricted to emergency and utility vehicles. Brown seconded. Vote all yes.

McGuire moved that minutes be approved as corrected. Second by Brown. All vote yes.

Keiser questioned why reciprocal taxes owed and new backhoe account are not on balance sheet. After discussion and the point made that these expenses will be placed in next-year's budget, Strohmeyer approved the reduction of retained earnings and other current liabilities be increased in the amount of \$46,000 on the balance sheet at this time

McGuire moved to accept treasurer's report. Second by Brown. Vote all yes.

McGuire moved to pay bills of the meeting with the exception of the Mark Corey bill for \$960.00 which will be forwarded instead to David Russell of LeBoeuf Gables for payment. Also add \$40 for payment to Virginia Marsh.

Committee Reports:

Sidewalks: Strohmeyer reported that Beer from PNC will take care of their sidewalk project in August. The new sidewalk project is complete, but there is dissatisfaction with the landscaping around those sidewalks. Latta said that he will ask Fromknecht to take a look at the problem before funds are released to Mayer Bros. He believes that the maintenance of the new seed is the property owner's responsibility.

Parks: Cline reported that the gazebo will be power washed this week.

Personnel: Engineer letters of interest are being reviewed.

Ordinances: Nothing to report

Streets: Department will meet with M. Oberlander to discuss graveling on W. 2nd St. Latta addressed right-of-way on W 2nd and Circuit being 60' and the road must be lined up so that Doult can place a pipe and pave his driveway.

This will result in Oberlander's business having less than 33' frontage. Motion made by Pugh to gravel Circuit St. at W. 2nd. Second by McGuire. Funds will be taken from new backhoe account. Five yes votes, Keiser voted no. Latta reported that the Legion property flooding problem is coming from their parking lot and not the street. There is still an illegal parking problem on Cherry and Chestnut Sts.

The issue of the 4-way stop sign at E. 1st and Cherry was revisited. Cost of traffic study by Latta was questioned. Twenty-four hours of labor time would be involved. Adult probation persons might be utilized for this. Cline moved that Keiser do a traffic study. Second by McGuire. Four yes votes and one no vote by Brown. Keiser suggested that a comprehensive plan be done on all of the streets and signs in the borough. Troyer brought up the speeding problem on Cherry St. A speed traffic study must be done by state police to change limits. Heritage Primary Care drain problem was discussed. A new drainage pipe and engineer study for retention pond is needed.

Latta reported on the accident that knocked off the N. Welcome to Waterford sign and another accident that destroyed the BP sign.

Latta said he really could use help from the Erie County adult probation. McGuire moved that we utilize the adult probationers to help in the borough. Second by Cline. All vote yes.

Paving has been completed by Russell Standard.

Streets department needs \$8500 for a new plow and \$3600 for tailgate spreader.

Keiser questioned the law enforcement report and asked that pictures and names and addresses be submitted in the reports.

McGuire moved that Ken Parke be approved for appointment to the Municipal Authority Board. Second by Brown. Vote all yes.

Brown asked that a letter be sent to Mendoza on E. 1st street property along with copy of the dangerous structure ordinance.

Strohmeier requested that Keiser begin the process to present a tenant's ordinance to council.

The ADA sidewalk work will not be done this year.

The state will inspect the W. 4th St. bridge again. It is currently not posted but weight limit is 80,000 to 100,000 by default.

Flatt Rd bridge in Waterford Township will most likely will not be completed this year.

McGuire moved to adjourn the meeting at 10 P.M. Second by Brown. Vote all yes.

Respectfully submitted,

Janet M Parke
Waterford Borough Secretary