

Waterford Borough Council Meeting
June 7, 2010

Regular session of the Waterford Borough Council meeting was held in the Municipal Building on June 7, 2010 with the following members present: Gary Brown, Richard McGuire, Judy Cline Laura Breon, William Strohmeyer, and Eric Keiser. Barry Pugh and Mayor Skelton noted as absent. Visitors present were: David Russell, Gregg Sesler, Esq., Mark J. Corey, Jeffrey C. Owens, Carol Kirik, Gary and Kelly Wiesen, Tom and Mary Blose, Justin and Louise Blose, Joe and Kaye Majerik, Maylon Sanders, Andy Konen.

Gregg Sesler, Esq, discussed the appeal that was filed against borough council on behalf of his client, David Russell, pertaining to the zoning change ordinance enacted by council on May 3, 2010. Sesler distributed to council copies of appeal filed and explained Pa zoning law on obtaining property. He outlined what Russell had done in good faith based on his own research concerning zoning and water and sewer approvals in order to purchase the property to construct his apartment complex. He asked that council reconsider and make the property non-conforming use. McGuire asked if Russell would consider an offer from the neighbors to purchase the property. Russell stated he would need to find another piece of property in the borough and have a concrete offer before he would consider selling. Sesler stated that litigation must be responded to at this point. Brown moved that the property be non-conforming use. Discussion on the issue ensued. A second to the motion was not made. Motion died on the floor. Sesler suggested a time period of thirty days for an offer to be submitted for purchase of the property from Russell.

Executive session was called at 6:55 P.M.

Meeting resumed at 7:08 P.M.

At the July 12 meeting council will re-visit this issue if neighbors and Mr. Russell do not reach an agreement by that date.

Mark Corey presented an update on the Hazel Street Bridge. He explained that the bridge could be replaced or reconstructed up-stream. He is still working on the design of this bridge. He estimates costs of new bridge to be \$600,000-\$750,000. There was discussion on the benefits of continuing this project as a new bridge would be advantageous to the borough long-term especially if the borough obtains the Shorehaven property from Gallagher. Corey stated he would have the final plans to Penndot by the end of June. Keiser moved that council approve going forward on the bridge project. Discussion of long term advantage of new bridge. Second by Cline. Vote three yes votes, and McGuire and Brown cast opposing votes. President Strohmeyer asked Corey about storm management plan letter received on LeBoeuf Gables. Corey stated the Erie County Conservation District has not yet issued the permit and the storm water plan approval has not been received. He discussed the proposed storm water management plan.

Betza reviewed pending ordinances.

The parking ordinance will replace all other parking ordinances in the borough. Brown moved to advertise the new parking ordinance. Second by Keiser. All vote yes.

Dangerous Building Ordinance. After discussion, Breon moved that this ordinance be advertised with amendments. Second by Brown. All vote yes.

Snow Removal Ordinance – McGuire moved that this ordinance be advertised. Second by Brown. All vote yes.

Transient Retail License Ordinance – Breon moved to advertise the ordinance amended to address food vendors only. Second by Brown. All vote yes.

Stop Sign and Speed Limit Ordinances must have engineering and traffic study completed before they can be advertised and adopted.

Sample ordinances for inspection of sanitary sewer pending sale of home were discussed. Samples had been given to Bruce Coffin at the Municipal Authority for review.

Carol Kirik requested that 5th Street alley from E. 5th to Chestnut be closed to through traffic allowing only for emergency and utility traffic. The alley retains water. Streets department will look at it.

Breon moved that minutes from May 3 meeting be approved. Second by Brown. All vote yes.

Breon moved that treasurer's report from May 3 meeting be approved. Second by Brown. All vote yes.

Bills of the meeting were reviewed. Secretary will call Times News to dispute legal advertisement that was printed incorrectly. Breon moved that bills be paid except for Times-News bill. Second by McGuire. All vote yes.

Committee Reports:

Parks: Cline reviewed report on all the work that has been completed this spring and summer. McGuire asked that welcome sign south of the borough be maintained. Banners to be hung from poles in the borough were discussed and a request was made that they be purchased. Breon suggested that the parks committee try to get sponsors to cover cost of the banners. Budgeted parks money that is remaining is needed for leaf blower, security, and mowing expense. Keiser voiced concern about the condition of the grounds around the museum. Secretary will phone Ms. Wolynak concerning the maintenance of the museum grounds including the parking lot.

Buildings: Breon reported that two bids have been submitted for repair of the front of the municipal building. She will try to get another bid. Discussion on using incarcerated persons to perform labor for borough projects was discussed.

Personnel-Admin: The employee's health insurance increased 38% beginning June 1. A meeting with the employees resulted in a \$500 deductible. Health insurance proposals from other companies will be considered.

Recycling: Strohmeyer said we are still on the list to have the light installed at site.

Sidewalks: Keiser said Ted Goring is asking about driveway cut on Proctor property on Cherry St. Borough took out driveway to put in curb. Latta said apron curb is what is needed. Latta will get price. Latta will check on new landscaping around sidewalk at E 6th St. and also on Chestnut south of 5th St. Council will not sign off on sidewalk project including landscaping until final review is completed. Strohmeyer will contact Beer at PNC about the concrete job at the bank. Zielinski on E. 5th St. is still planning to put in new sidewalk after roof work on the house is completed. Borough will replace sidewalk at Burns property on E. 5th and place lien.

Secretary will contact Joe Berdis from County Planning to determine when ADA work will be done.

Latta made council aware that Heritage Primary Care, owned by Nathan Moore has inquired about installation of a driveway between that building and N. High St.

Ordinances: Liz Mistreta from General Code will attend the July 12 meeting to discuss codification of ordinances.

Streets: Report was submitted to council .

Streets bids were as follows:

Russell Standard	\$99,988.39
McCormick Co	142,864.30
Vincent Cross Co	106,206.50
IA Construction	110,206.50

Discussion of bids and streets project. Breon moved that the project be awarded to Russell Standard as the lowest bidder. Second by McGuire. All vote yes. The projects that will be completed are paving on South East St \$27,991.22, Hazel St., \$10,836.80, patching of Cherry \$14,178.64, milling intersection at 5th and 6th and Cherry, \$8383.53 and patch as needed throughout the borough, \$16,355.80.

Letters of interest from engineering firms were received and will be reviewed by personnel.

Breon moved to amend the payment of bills to include Virginia Marsh \$42.12 and Charlene Skelton for mileage for parks materials, \$27.50.

Meeting adjourned at 9:45 P.M.

Respectfully submitted,

Janet M Parke
Secretary