Borough of Waterford Council

August 4, 2014 Regular Meeting

The Regular Meeting of the Waterford Borough Council was brought to order by President Judy Cline at 6:30 P.M. at the Waterford Municipal Building followed by the Pledge to the Flag, the Lord’s Prayer and a moment of silence.

**Council Members Present:** Barry Pugh Marian Burge, Karen Molitor, Jason Jack, Stephen Laskowski, and Kevin Gardner.

Borough Employees Present: Solicitor Edward Betza, Street Supervisor Chris Kimmy, Secretary/Treasurer Catherine Wise.

Guests Present: Patrick Molitor, Doris Becker, Jay & Dorrie Proctor, Una Mae Vandyke Phil Kuhn, Luetta & Leroy Gross, Aaron Caplan Jeff Sorenson, Mike Pennock, Marvin Cross and many more residents and concerned citizens. (There was a large gathering of people but the sign in sheet was lost – if anyone else would like to have their name included for this meeting please notify the secretary).

Barry Pugh moved to approve the minutes of the July 7, 2014 meeting minutes, Stephen Laskowski seconded the motion. All voted yes.

**Solicitor’s Comments**: Borough Solicitor Edward Betza started off the meeting by explaining that the June 9th special meeting was advertised in the paper, but was not posted at the building. Four items of business were conducted at the meeting: the resignation of Eric Keiser was accepted, Barry Pugh was appointed to the open seat, Karen Molitor was voted in as Vice President of Council and was appointed as a signer of checks. Due to the State of Pennsylvania’s Sunshine Laws, Steve Laskowski motioned to perform these motions a second time during the public meeting of August 4, 2014, Council woman Marian Burge seconded the motions. Solicitor Edward Betza opened up the meeting for public comment and after discussion All council members voted yes. Motions carried.

**Public Comment**: As discussed at the previous meeting in June and July, at the beginning of the meeting it was reiterated to those in attendance that Waterford Borough received a $7,000 grant through Erie County Gaming Revenue Authority (“ECGRA”) for improvements to the Gazebo Park, including repaving the brick sidewalk around the Gazebo, new plantings by JJ Wurst landscaping Company, and the installation of two Arbors with side landscaped gardens to form entrance walkways along the two brick walkways near the entrance corners along High Street that lead to the gazebo. Some of the memorial bricks existing under trees throughout the Gazebo Park will be relocated within these two newly landscaped memorial walkway garden entrances so the individual memorial stones, and those stones donated to celebrating our many school groups and volunteer organizations can be beautifully displayed all together along the sides of brick walkway and within the landscaped arbor setting. This display will emphasize each stone’s individuality and by being placed together, our unity as a community. Such placement will also keep them all out of harm’s way of the lawn mower and other park equipment. Parks member Marian Burge reiterated what she said at the July meeting that anyone who had a stone placed in the park and did not want it to be included in the landscaped garden just needed to let her or the Borough Secretary know. President Judy Cline reiterated to the attendees that notice of the project and option of those having donated stones to be included was also posted on the Borough website and on the Borough’s bulletin board outside the Municipal building. The Borough received several calls from individuals who wanted the stone they had placed in the park to be included in the community setting plan and from those who wished to opt out. Council members Marian Burge and Judy Cline told the crowd they received a number of very rude phone calls from a handful of disgruntled persons despite the caller’s being told repeatedly they were in no way being forced to participate.

Council President Judy Cline reiterated to those in attendance at the meeting that those who would like to Opt-Out of having their stones moved may do so by simply letting Secretary Catherine Wise, the Borough’s secretary know on a sheet of paper being passed around for those individuals to sign. President Cline tried to communicate that most everyone’s would be addressed once they heard the Park’s Committee’s report and so if they would please wait until the end of the meeting to speak.

Despite Council President Judy Cline’s clarification, and request that she wait until the public comment period at the end of the meeting Luetta Gross, who does not reside in the Borough nor is a Borough taxpayer, insisted she wanted to read her prepared speech, regarding her dislike of the landscaper’s design and plan to move the memorial stone dedicated to her daughter, at the beginning of the meeting. Ms. Gross was granted 5 minutes to speak; however she continued with her prepared speech for 15 minutes until she was done. During the course of Ms. Gross’s speech and afterward, other attendees, residents and non-residents, began to shout and talk out of turn from their seats several without providing their names or addresses so they cannot be identified for these minutes.

Councilwoman Marian Burge disturbed by Ms Gross’ conduct and some of the attendees outbursts left the meeting at 6:55 p.m.

President Judy Cline, also disturbed and brought to tears by some attendees conduct and outbursts, left the room once and asked Vice-president Karen Molitor run the meeting at 7:00 p.m., and then Ms Molitor agreed to take over as chair for the rest of the meeting.

**Urban Engineers Report**: Andy Holland from Urban Engineers presented the quote for the West 6th Street Storm Sewer project. One bid was received from Konzel Construction. The quoted price was $73,895.00. Councilman Barry Pugh motioned to accept the bid, Councilman Kevin Gardner seconded the motion. All voted yes. A pre-construction meeting will be held before the work begins..

A brief discussion was held with respect to the Porter Park bridge project the Borough received grants two grants for.

Mr. Holland explained that Urban Engineers tried to get the Borough’s 4th street bridge placed on Erie County’s TIP list which may have subsidized necessary repairs. However, they received word the list is full and they were unable to get the 4th Street bridge placed on the TIP list. Urban Engineers estimated cost for a new bridge is $800,000.00. There will be an inspection within the next few months and the bridge may need to be closed after the 3rd Street Bridge is completed.

**Streets Supervisor Report**: .Borough Street Supervisor Chris Kimmy reported the road crew is busy patching roads. The stop sign at West 4th street and Circuit street was fixed after it was knocked down. Councilwoman Karen Molitor motioned for the purchase of new PennDot mandated Stop Signs and posts at a cost of $2,532.50 to the Borough, Jason Jacks seconded the motion. All voted yes. Chris stated that at this time they will try and repair the hole in the 4th street bridge at an approximate cost of $350.00.

**Payment of Bills**: Secretary Wise presented and Councilman Steve Laskowski motioned for the Payment of Bills and Payroll for July 2014, Barry Pugh seconded. All voted yes.

**Zoning Officer’s report**: The Zoning Officer, Harry Latta, was absent from the meeting but submitted a monthly report. One resident asked why there wasn’t a Code Index Number on a permit. Zoning Officer Harry Latta will be asked about it before the next meeting.

**Streets Committee Report**: Councilman Barry Pugh stated that there is a drainage problem in the area of Routes 19 and 97 and Circuit Street. The question is who owns the Right of Way and it was decided that where the problem actually is, is the responsibility of that property owner.

**Parks Committee** **Report:**  Judy Cline stated there was some vandalism at the Gazebo and one or two of the spindles on the Gazebo had been broken and/or damaged. New parts will be ordered along with a couple extra for the future. The Council discussed offering a reward to anyone who gives information which would lead to prosecution of vandals. The $7,000.00 check for the Main Street Mission Grant has been received and the project will go forward as soon as the landscaper can schedule it, maybe as soon as August.

**Sidewalk Committee** **Report:** Councilman Jason Jacks, Sidewalk Committee Chair said **t**he Committee is working on details for a long term plan and ADA ramps. Councilman Jason Jacks also stated that he believes the deferments for sidewalks must go through the Zoning Hearing Board and appeals must have special exceptions. Solicitor Betza corrected Councilman’s Jacks interpretation of the statute and clarified deferments do not go through the Zoning Hearing Board. Solicitor Betza suggested any exceptions to the ordinance should be incorporated into the Borough’s current Sidewalk Ordinance and have the Sidewalk Committee clearly identify the criteria for any such exceptions they propose to Council.

**Secretary/Treasurer Report:** Borough Secretary/Treasurer Cathy Wise presented quotes for a new laptop computer. Councilman Kevin Gardner motioned to purchase a new Dell Computer with a mouse and an office program costing up to $650.00, Councilman Jason Jacks seconded. All voted yes.

**Discussion:** A brief discussion was held regarding the time frame for the Borough’s 2015 Budget. The Council President and Vice President agreed to provide a draft budget that the entire council can go through together line by line and asked Committee Chairmen to indicate to the Council President what funding they will need for 2015.

Councilman Barry Pugh agreed to be the Liaison for the next Waterford Municipal Authority meeting.

**Second Public Comment:**

\*Mr. Marvin Cross of Waterford Borough stated that given the Borough’s limited funds and the number of vehicles and employees the Water Authority has it would make sense for the Council to consider dissolving the Water Authority and merging it with the Municipal Authority so resources (vehicles and employees) could be combined rather than duplicated and provide a greater services and benefits to the taxpayers.. Solicitor Edward Betza commented that while “Regionalization” can be good or bad due to various factors.

Phil Kuhn from the Waterford Municipal Authority Board said that the Water Authority would be against consolidation due to many factors including grants, loans and various debts. He also stated that the Authority would sign the agreement for leasing of office space within the building.

\* Many attendees such as Jay Proctor, Jeff Sorenson, etc. gave their opinion on the Memorial Stones and suggestions for maintaining the area around the trees and stones.

\*Aaron Caplan asked about the Porter Park Bridge and when it will be fixed.

\*Mike Pennock of Waterford Borough inquired about the old Joe’s Auto parts building. The new owner had been given a 30 day extension which is now past due. Mr. Pennock stated he feels that there are a number of bricks that may need fixed. Council indicated that the Borough’s Zoning Officer, Harry Latta, and the Borough’s Code Enforcer, Don Spence, will be called to ask what is being done and if the Inspection Agency – BIU – needs to be contacted.

\*Doris Becker of Waterford Borough asked if a “Treasurer’s Report” can also be placed on the website, so that residents can see where their tax money is being spent.

\*Jeff Horneman of Waterford Borough complained about and wanted to know who raised the stones in the park out of the ground. Councilwoman Molitor replied she had no idea they had been raised as, that if they were raised, it was done before she was ever on Council and he would need to inquire with prior council members.

**Executive Session:** All council members and Solicitor Edward Betza adjourned at 8:10 p.m. for an executive session concerning the terms of a lease agreement with the Municipal Authority.

The regular meeting was re-adjourned at 8:30 p.m. and Councilman Barry Pugh motioned to sign the lease and have it presented to the Waterford Municipal Authority to accept or reject with the terms as presented by Council’s Solicitor. Councilman Kevin Gardner seconded the motion. All voted yes. Judy Cline was authorized to sign the agreement.

Councilman Jason Jacks motioned to adjourn at 8:33 p.m., Councilman Steve Laskowski seconded. All voted yes.

Sincerely,

Catherine Wise

Secretary/Treasurer

(Note: Borough of Waterford Vice President Karen Molitor helped with the Public Comment Portion of the minutes and other items that needed changing within the minutes along with President Judy Cline, and Council people Marian Burge and Jason Jack.)