Rochester Borough Council

Regular Meeting in the Municipal Building

November 16, 2020, 6:30 p.m.

Present: President Benjamin Rader, Vice-President Marjorie White, Ron Becker, Don Brothers, Brandy Dietrich, Mayor Keith Jackson, Solicitor Bernie Rabik, Police Chief Frank Mercier, Manager John Barrett

Absent: Donna Short, Code Officer Peggy Griffith, Fire Chief Mike Mamone III

The regular meeting was called to order with the invocation, pledge of allegiance and roll call.

 Council received a letter from Martin Knafelc resigning his Council seat effective immediately due to him recently moving out of the Borough. Mr. Brothers motioned to accept Mr. Knafelc’s letter of resignation. Mr. Becker seconded and the motion carried.

Council received 2 letters of interest for the vacant Council seats; Wesley Hill, 388 Deer Lane – for the open 2nd Ward seat, and Marlin Robinson, 108 Batchelor Street – for the open 3rd Ward seat. After some discussion, Mr. Becker motioned to appoint Mr. Hill and Mr. Robinson to fill the two vacancies. Mr. Brothers seconded and the motion carried. Roll Call – 5-0 all voted yes.

Mr. Brothers motioned to adopt Resolution 2020-01 appointing Mr. Hill to fill the Council vacancy in the 2nd Ward and Resolution 2020-02 appointing Mr. Robinson to fill the Council vacancy in the 3rd Ward. Mrs. Dietrich seconded and the motion carried.

Mayor Jackson administered the Oath of Office to Mr. Hill and Mr. Robinson, who were both present at the meeting. Mr. Hill and Mr. Robinson signed the Oath of Office and Affidavit of Residency and took their respective seats on Council. Everyone welcomed them as members of Council.

Persons in Attendance:

Shannon Stewart, 485 Jackson Street, stated that she was attending a Council meeting for the first time and was interested in hearing what was going on in the community.

Action Items:

Mr. Becker motioned to approve the minutes of the October 19, 2020 regular meeting, the October 27, 2020 budget meeting and the November 4, 2020 informational meeting between the 3 Rochester’s as presented. Mrs. Dietrich seconded and the motion carried.

Mr. Brothers motioned to pay all approved bills as submitted. Mrs. Dietrich seconded and the motion carried.

BILLS:

Gen. Fund – Ck# 10161–10218 – totaling $94,097.14.

Payroll (10/30, 11/13) – Ck# 4826-4845 plus Dir. Dep. and Elec. Pymts. – totaling $89,822.73.

Ordinance 05-2020 – Establishing an additional imposition rate on earned income to generate supplemental funding for the police pension plan. The ordinance provides for a one-half percent (.5%) increase to the earned income tax. The ordinance has been advertised for Council’s consideration. Mr. Brothers motioned to approve and enact Ordinance 05-2020 as presented. Mr. Becker seconded and the motion carried.

Garbage Contract – The current contract with Valley Waste Service expires December 31, 2020. Valley Waste Service sent a letter asking for a 2-year extension at a 2% increase for each year. There was discussion regarding the inclusion of electronic waste collection. There would be an additional charge somewhere between $1.05 and $1.15 per resident, per month for adding this collection. Manager Barrett will contact Valley Waste Service and get an exact cost for this addition. Mr. Robinson motioned to approve the 2-year extension with the addition of electronic waste collection. Mr. Becker seconded and the motion carried.

 Council received the tentative 2021 budget for their review and consideration. After some discussion, Mr. Becker motioned to approve the tentative 2021 budget as presented and advertise that it is available for review for Council to consider at the December 21st regular meeting. Mrs. Dietrich seconded and the motion carried.

Council received a letter from the Rochester Area Baseball-Softball Organization. They are soliciting donations for their organization. Solicitor Rabik stated that he would like to donate $100 on the Borough’s behalf. Council thanked him for his generous offer.

Review Items:

Council received for their review, the minutes of the October 8, 2020 Rochester Area Joint Sewer Authority meeting.

Council received for their review, the Liquid Fuels Audit Report covering the years 2018 and 2019.

Council received for their review and consideration, a proposed lease agreement between Rochester Borough and Martino, Inc. to maintain his fuel business at the public works location. After some discussion, Mrs. Dietrich motioned to approve the lease as presented. Mr. Brothers seconded and the motion carried.

Council received for their review and consideration, a Letter of Intent application to the PA DCED Governor’s Center for Local Government Services. The application is to request technical assistance to perform a study on the possibility of a merger/consolidation of the 3 Rochester’s and the possibility of consolidating certain services (Public Works, Administration, Code Enforcement, etc.). Council agreed the next step would be for the 3 Rochester’s to get together and decide jointly on the specific technical services to request. Manager Barrett will coordinate a meeting with the other municipalities.

Committee Reports:

Public Administration – Ron Becker, Chairperson

The Expense & Revenue report covering January 1, 2020 through November 12, 2020 was presented for Council’s review.

Council received for their review and consideration a letter from C.S. McKee, the investment managers for the police pension funds. They summarize current assets and investment strategies and are making 2 recommendations regarding proposed changes to the investment strategies. Manager Barrett stated that C.S. McKee does not have an investment policy statement on file for the Borough. After some discussion, Council will develop an investment policy statement and consider including C.S. McKee’s recommendations.

Public Safety – Don Brothers, Chairperson

Mr. Brothers asked about the status of 313 Deer Lane. Code Officer Griffith was not present to update Council. Solicitor Rabik will contact Mrs. Griffith and call Mr. Brothers with an update.

Public Works – , Chairperson

Manager Barrett reported that one of the decorative street lights was knocked over during the storm yesterday. It was removed and will be replaced.

Recreation – Brandy Dietrich, Chairperson

Mrs. Dietrich asked for a parks project update. Manager Barrett stated that the project was about 99% completed. The Rochester Area Chamber of Commerce has agreed to purchase the landscaping material for the project. The Manager is hoping weather will permit all the plantings be completed before the end of the year.

Manager Barrett presented a draft layout for a dedication plaque for the parks project. It showed the various groups and donors instrumental in developing and completing this project. The Manager noted that a dedication date needs to be established. After some discussion, the Manager was asked to revise the information on the plaque to include individual’s names from the various groups and set the dedication date for May 31, 2021, Memorial Day.

Mayor’s Report:

 Mayor Jackson had nothing to report.

Solicitor’s Report:

 Solicitor Rabik stated that he has been working with the Rochester Township Solicitor regarding the establishment of false fire alarm regulations and regulations for recovery of fire expenses incurred responding to certain fires. The two Solicitors will reach out to the East Rochester Solicitor to develop consistency between the ordinances for each community. While the ordinances will not be exactly alike due to differences between Borough and Township laws, they will be the same in substance to aid in the administration of the ordinances since the Rochester Township Fire Department provides fire services for all three communities. A draft will be presented once developed.

 Solicitor Rabik stated that he would like an executive session to discuss the 2 union contracts and current negotiations.

Code Officer’s Report:

The October 2020 Code Officer’s Report was presented for Council’s review on behalf of the Code Officer in her absence.

Manager Barrett stated that he spoke with Code Officer today. The Code Officer wanted to inform Council of issues she is having with permitting new businesses, mainly on Brighton Avenue. The PA Department of Labor & Industry does not have certifications on file for most of the buildings on Brighton Avenue. When new businesses look to move into a building that has no certification, they are required to get this certification before an occupancy permit can be issued. It can be costly to obtain and the building owners are offering no assistance to get this certification. The business owners are then looking for another community to establish their business. The Code Officer asked if Council would consider lowering their fees associated with this process to help reduce the cost to the business owner. After some discussion, Council was agreeable to consider all ideas that would help in the development of the business district.

Police Chief’s Report:

Chief Mercier presented the October 2020 Police Department report and Code Officer’s report for Council’s review. Chief Mercier reviewed several items from the reports.

Chief Mercier updated Council on Sergeant Shane’s status and informed them of a change in Officer Zarillo’s status.

Chief Mercier discussed the need for a police officer’s eligibility list. After some discussion, Mr. Brothers motioned to authorize the Civil Service Commission to develop an eligibility list of police officers for Council to consider should the need to hire a full-time police officer present itself. Mr. Robinson seconded and the motion carried.

Fire Chief’s Report:

 The October 2020 Fire Department Report was presented for Council’s review on behalf of the Fire Chief in his absence.

Manager’s/Treasurer’s Report:

 Manager Barrett presented the October 2020 Treasurer’s report for Council’s review.

 Manager Barrett stated that he and the Police Chief have been in discussion with Rodney Solomon, 447 Bedford Street. He has an alley running beside his house. He has a retaining wall adjacent to the alley and trucks keep hitting his wall and damaging it. The alley was posted “No Trucks” several months ago but a truck making a local delivery went up it and hit Mr. Solomon’s wall. Mr. Solomon asked about the possibility of making the alley a one-way. The Manager and Police Chief looked at this but feel that it is not an acceptable option due to numerous on-street parking spaces that would be lost. The Police Chief is suggesting a letter be developed and distributed to all the residents adjacent to this alley asking them not to drive any trucks through this alley and tell any delivery service that all deliveries must be made to the front of the property. Council was agreeable to the letter.

 Manager Barrett stated that the Sewer Authority would approve the proposed lease agreement for them to lease the old Borough garage as presented provided Article 2 (c) would be changed from a 60 day notice to a 120 day notice for each party to terminate the lease. Mrs. White motioned to approve the change from 60 days to 120 days and execute the agreement. Mr. Becker seconded and the motion carried.

Old Business/New Business:

 Mrs. White asked if the Borough had received the CARES Act funds from the County. Manager Barrett stated that the Borough has not yet received it but was notified the Borough was approved and should receive it within 2 to 3 weeks.

 Mr. Robinson asked about the steel building the Borough bought and has stored at the Borough garage. Manager Barrett stated that the Borough is trying to sell it. He has had a few inquiries but no one has made any offer at this.

 Mrs. Dietrich asked about the end date for street sweeping. Is this date the same each year or does it change? Chief Mercier stated that it used to be the same day every year but recently the Sewer Authority has been waiting until the end of fall to set a date as to when they have determined to stop street sweeping, which does change each year. Mrs. Dietrich stated that this is troubling to the residents because they think street sweeping is over, they don’t move their car, then they get a ticket. Chief Mercier stated that the Sewer Authority prefers to wait to set an end date based on weather and need. Manager Barrett asked if the resident’s concern was only about getting a ticket. Mrs. Dietrich stated yes. Manager Barrett stated that Council could establish an annual date to stop ticketing regardless as to when the Sewer Authority stops street sweeping. Council was agreeable to that and will consider a starting and ending date for ticketing purposes.

 Council went into executive session to discuss the negotiations with the 2 unions at 8:12 p.m.

Council reconvened at 8:30 p.m. and the meeting adjourned.

 Submitted by,

 John M. Barrett

 Borough Manager