Rochester Borough Council

Regular Meeting in the Municipal Building

February 16, 2021, 6:30 p.m.

Present: President Benjamin Rader, Vice-President Marjorie White, Brandy Dietrich, Don Brothers, Marlin Robinson, Donna Short, Mayor Keith Jackson, Solicitor Bernie Rabik, Police Chief Frank Mercier, Code Officer Peggy Griffith, Manager John Barrett

Absent: Ron Becker, Wes Hill, Fire Chief Mike Mamone III

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

Persons in Attendance:

Brad Garrone stated that he was there to answer any questions regarding his request to purchase 130 Hinds Street from the Beaver County repository.

Anita Nesmith stated that she was there to answer any questions regarding her request for a waiver to the off-street parking requirements for a business she and her husband would like to open at 442 Adams Street.

Action Items:

Mr. Robinson motioned to approve the minutes of the January 19, 2021 regular meeting and the February 1, 2021 informational meeting of the 3 Rochester’s as presented. Mr. Brothers seconded and the motion carried.

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

BILLS:

Gen. Fund – Ck# 10347–10408 – totaling $100,538.65.

Payroll (1/22, 2/5) – Ck# 4899-4917 plus Dir. Dep. and Elec. Pymts. – totaling $84,090.07.

Daniel Hufnagel is asking for Council’s consent and tax exoneration to purchase 313 Deer Lane from the Beaver County Repository of unsold property. Mr. Hufnagel was not present. Council asked the Manager to contact Mr. Hufnagel and ask him to attend the next meeting if he would like Council to consider his request.

Bradley Garrone is asking for Council’s consent and tax exoneration to purchase 130 Hinds Street from the Beaver County Repository of unsold property. Mr. Garrone discussed his plans for the building and stated that it would be ready for occupancy by the middle of April. The tax exoneration would be for the years 2018 through 2020. Solicitor Rabik stated that there were two different consent forms with different bid amounts and the School District only signed off on the one form. Mr. Garrone stated that he obtained an updated form from the County which was not available for the last School Board meeting. After some discussion, Mrs. White motioned to approve Mr. Garrone’s request contingent upon the School Board’s approval and conditionally upon the building being certified for occupancy by April 15, 2021. Mr. Robinson seconded and the motion carried.

Council received for their review and consideration, a request from Eric and Anita Nesmith asking Council for a waiver of the off-street parking requirements for a diner they intend to open at 442 Adams Street. Mrs. Nesmith discussed her plans for the building. It was noted that the building covers nearly the entire parcel which would not allow for any off-street parking. The off-street parking requirement for the proposed diner would be 18 spaces. The property is in the Mixed-Use zoning district. Section 406 (2) (1) of the Rochester Zoning Ordinance states: All or a portion of the required off-street parking may be waived by Council in the M (Mixed-Use), C (Commercial), and S (Special) Districts when the property for which the parking is required is in an area where there are sufficient publicly owned automobile parking spaces in the vicinity to justify the waiver without detriment to the public health, safety, and welfare. After some discussion, it was felt that there was adequate on-street parking available in the area to accommodate both the current need for on-street parking and the needs of the diner to support the waiver request. Mrs. White motioned to approve the waiver of all off-street parking requirements for the Nesmith’s and their proposed diner. Mrs. Short seconded and the motion carried.

Council received an offer from Storm Excavating to purchase the steel building the Borough bought but never erected. Solicitor Rabik noted that if Council estimates the fair market value of any Borough personal property to be one thousand dollars ($1,000) or more, then that property must be advertised for sale once, in at least one newspaper of general circulation. After some discussion, the Manager was asked to advertise this building for sale, setting a minimum bid amount of $20,000.

Review Items:

Council received for their review, the minutes of the January 14, 2021 Rochester Area Joint Sewer Authority meeting.

Council received for their review, the minutes of the January 12, 2021 Rochester Borough Development Corporation meeting.

Council received for their review, the Officers and Committees of Council for 2021.

Council received for their review, additional information regarding false fire alarms and reimbursement for fire services: a draft ordinance New Brighton Borough is considering, an ordinance from Center Township, an ordinance from Pleasant Hills, and a State statute that currently regulates false fire alarms. This was referred to the Public Safety Committee for review and to develop a recommendation for the Council to consider.

Council received for their review, a draft policy New Brighton Borough is considering outlining requirements for the purchase of repository properties. The Manager wanted to see if Council had any interest in adopting a similar policy for Rochester. After some discussion, Council asked the Manager to draft a policy for Council to consider.

Committee Reports:

Public Administration – Ron Becker, Chairperson

The Expense & Revenue report covering January 1, 2021 through February 10, 202 was presented for Council’s review.

The Manager stated that applications for a Beaver County Community Development Block Grant are due March 31st. The Manager is asking if Council has a project they would like to submit. Council will look to develop a list of potential projects for consideration.

Public Safety – Don Brothers, Chairperson

Mr. Brothers brought up for discussion, sidewalks not being cleared of snow and the overall condition of sidewalks in general. Code Officer Griffith stated that she was developing a reminder letter stating the property owner’s responsibility to clear their sidewalks after snow events. The Code Officer and Police Chief noted that the legal process for enforcing this is too lengthy to be of any value. Code Officer Griffith stated that she was going to start inspecting properties in the spring regarding the condition of their sidewalks.

Public Works – Marlin Robinson, Chairperson

Mr. Robinson noted that he spoke with the Foreman about the operations and did thank him for the good job they have been doing with snow removal. Mr. Robinson also noted some missing plates on handicap accessible corners on Virginia Avenue. The Manager will address that with the Foreman.

Manager Barrett asked Council for permission to purchase a new pick-up truck for the Public Works Department. The current truck is 24 years old with maintenance costs increasing. The dump truck loan was paid-off in 2020 and the Manager would like to keep that annual debt service amount in place for this new pick-up truck. After some discussion, Mr. Robinson motioned to authorize the purchase of a new pick-up truck. Mr. Brothers seconded and the motion carried.

Recreation – Brandy Dietrich, Chairperson

Mrs. Dietrich had nothing to report.

Mayor’s Report:

 Mayor Jackson had nothing to report.

Solicitor’s Report:

 Solicitor Rabik had nothing to report.

Code Officer’s Report:

Code Officer Griffith presented the January 2021 Code Officer’s Report for Council’s review.

Code Officer Griffith noted that the Smokehouse restaurant has received their certificate of occupancy and should be opening soon.

Code Officer Griffith presented a comparison of zoning and building code fees for Council’s review. The comparison was on a specific project that would be considered in 5 different communities and what the associated fees would amount to. Rochester’s fee was significantly higher than all the others. After some discussion, this was referred to the Public Administration Committee to review and to develop a recommendation for the Council to consider.

Police Chief’s Report:

Chief Mercier presented the December 2020, Year-End 2020 and the January 2021 Police Department Reports for Council’s review. Chief Mercier review several items from each report.

Fire Chief’s Report:

 The January 2021 Fire Department Report was presented for Council’s review.

Manager’s/Treasurer’s Report:

 Manager Barrett presented the January 2021 Treasurer’s report for Council’s review.

 Manager Barrett presented a list of properties in Rochester that are currently on the Beaver County Repository for Council’s review.

Old Business/New Business:

Council received the State Ethics Commission’s Statement of Financial Interests form for the year 2020. This form is to be completed and returned to the Borough office by May 1st.

 Mrs. White brought up for discussion, the need to update the Borough’s Comprehensive Plan and Zoning ordinance. After some discussion, the Manager will see if there are any grants available to help pay this project.

 Mrs. White asked about the lease with Marion Hill and when it was set to expire. Manager Barrett stated that he thought it was set to expire in June 2022.

 Mrs. White asked about the status of the wall at the Mental Health Building. Code Officer Griffith stated that there has been no progress at this time since the adjacent property owner has been denying access through his property for any contractor to re-construct the wall. Code Officer Griffith will continue to work towards a resolution to this situation.

 Mr. Rader noted the need to continue to pursue a cooperative relationship with the 3 Rochester and look at ways to jointly benefit all the Rochester Area residents. Manager Barrett stated that he spoke with East Rochester and at this time, they are not interested in participating in any joint or cooperative efforts.

 Council went into executive session to discuss the negotiations with the 2 unions at 7:53 p.m.

Council reconvened at 8:28 p.m. and the meeting adjourned.

 Submitted by,

 John M. Barrett

 Borough Manager