Rochester Borough Council

Regular Meeting (rescheduled from 6-21-21) in the Municipal Building

June 28, 2021, 6:00 p.m.

Present: President Benjamin Rader (arrived at 6:05 pm), Vice-President Marjorie White, Brandy Dietrich (arrived at 6:10 pm), Don Brothers, Marlin Robinson, Ron Becker, Donna Short (arrived at 6:29 pm), Wes Hill, Mayor Keith Jackson, Solicitor Bernie Rabik, Police Chief Frank Mercier, Code Officer Peggy Griffith, Manager John Barrett

Absent: Fire Chief Mike Mamone III

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

Persons in Attendance:

Sandra Klezia, a representative for the Rochester Lil Rams Football Organization, requested permission to use the outfield at the upper ballfield on Connecticut Avenue for their football practices. Representatives from the Baseball/Softball Organization asked that Council not grant them permission because of the damage incurred from the football spikes digging up the ground and causing divots which create a hazard for the outfielders. Also, the Baseball/Softball Organization recently received a 501[c][3] designation and are applying for grants to fix-up that field and the foundation through the Pittsburgh Pirates won’t approve a grant if the field is not specifically used for baseball or softball. After some discussion, an alternative location was proposed for the football practices. The empty lot at the corner of Reno Street and Ohio Avenue belongs to the Borough. Everyone felt this lot was big enough to accommodate these practices. Council agreed to let the football organization use this lot for their practices.

Ken Majors, representing the partners of the Rochester Hotel, stated that the Borough has requested funding the past 2 years through the Community Development Program to demolish the condemned building at 190 Brighton Avenue, which the Hotel owns. He spoke with County officials and they did not want to fund this project because the Borough didn’t own the building. Mr. Majors asked if the Borough would be willing to accept this property if the partners would donate the property to the Borough where then the Borough could re-apply for demolition. Council will consider the offer.

Mr. Majors also updated Council on his efforts to repair the retaining wall which collapsed at the corner of Jackson Street and Connecticut Avenue.

Brenda Epps addressed Council with a concern she had regarding how she was treated by the secretary and officer the last time she was at the police station. The Police Chief stated that he would address this with the individuals and Ms. Epps stated she would discuss this further with the Chief outside of the meeting.

Action Items:

Mr. Becker motioned to approve the minutes of the May 17, 2021 Council meeting as presented. Mr. Robinson seconded and the motion carried.

Mr. Hill motioned to pay all approved bills as submitted. Mr. Becker seconded and the motion carried.

BILLS:

Gen. Fund – Ck# 10587–10682 – totaling $146,973.00.

Payroll (5/28, 6/11, 6/25) – Ck# 4991-5020 plus Dir. Dep. and Elec. Pymts. – totaling $146,833.88.

313 Deer Lane – the Borough has purchased this property from the Beaver County Repository. The existing structure has been demolished. The costs were $3,418.31 to purchase and $7,800 to demolish the structure for a total cost of $11,218.31. The adjacent neighbor, Mr. Ellis, has expressed an interest in purchasing this property from the Borough. The current lot size is 23 feet wide by 80 feet deep for a total of 1,840 square feet. The current zoning ordinance requires a residential lot to be a minimum of 5,000 square feet. This lot cannot support the construction of a new house and therefore can only provide value to one or both of the adjacent properties through a lot consolidation. After some discussion, Mrs. White motioned to authorize the Manager to advertise for bids to purchase this property with a minimum bid amount of $2,000. Mr. Hill seconded and the motion carried.

Review Items:

Council received for their review, the minutes of the May 13, 2021 Rochester Area Joint Sewer Authority meeting.

Council received for their review, the meeting notes of the June 8, 2021 Rochester Borough Development Corporation meeting.

Council received for their review, a letter from the State notifying the Borough that they are entitled to Federal Funding which was allocated for local governments in the American Rescue Plan Act of 2021. The Manager has provided information on the American Rescue Plan Act of 2021 regarding the Local Fiscal Recovery Fund authorized under this Act. The Manager has submitted the required application to the State for the Borough to receive the funds that have been designated for the Borough of Rochester.

Committee Reports:

Public Administration – Ron Becker, Chairperson

The Expense & Revenue report covering January 1, 2021 through June 14, 2021 was presented for Council’s review.

Public Safety – Don Brothers, Chairperson

Council received for their review, a letter from New Sewickley Township and a letter from Rochester Township inquiring whether the Borough would have an interest in pursuing a regionalization of the police departments. The Public Safety Committee has been meeting with Rochester Township and the Manager and Police Chief met with the New Sewickley Manager and Police Chief for an informal discussion. The Manager stated that he has been working on this for months reviewing and costing for a contractual or regional arrangement. While both options would support providing a better service the contractual arrangement is more favorable for potential savings. However, accommodating existing pension benefits seems unlikely under a contractual arrangement but could be accommodated under a regional arrangement. Chief Mercier stated that he just received a letter from the Beaver County DA’s office, which was sent to all the municipal police departments, stating they would be willing to facilitate a forum to discuss some form of regional police department in Beaver County. After some discussion, Mr. Hill motioned to move forward with exploring the possibility of establishing a regional police department County-wide. Mrs. White seconded and the motion carried. Mr. Hill motioned to send Rochester Township a letter stating not to move forward with a regional study of our 2 departments but work towards a regional study County-wide. The motion failed due to the lack of a second.

Mr. Hill, the Manager and Mr. Mamone from Rochester Township, met to continue discussions regarding fire services needs and the appropriation of funds for capital purchases. There was also a discussion regarding the day-to-day operations and the need to have one location. It was felt that if the ladder truck was not going to be repaired, it should be disposed of. By removing the ladder truck, the Rochester Borough station may be large enough to support a singular station. There are 2 capital projects on the forefront – a new ladder truck and a new fire station. The new station would unify the operation and be of a size that would support the vehicles, equipment and firefighters needed to provide fire services. Representatives from Glick came down and did an informal assessment of the overall condition of the ladder truck. On top of the estimated $25,000 to replace the ladder cables and some of the electrical wiring, they identified other minor and major deficiencies which were estimated to cost an additional $30,000 to $50,000. Given the age of the truck and the overall assessment of the truck, it seems impractical to refurbish this ladder truck. The group was told that Forrest Hills is purchasing a new ladder truck and would be getting rid of their current ladder truck. Their current ladder truck is a 2008 and is in good condition. It was thought that purchasing their used truck might be a viable solution to address our current ladder truck situation. Mr. Hill and Mr. Mamone will provide more details as they are available.

Council received for their review, a certified police officer’s eligibility list from the Civil Service Commission of the top 3 scorers from the police officer’s exams the Commission recently administered as directed by Council. There was discussion regarding the availability of part-time police officers, our scheduling needs, and the position of our current staffing level to be able to provide the coverage needed for the community. After some discussion, it was felt there was a need to hire an additional full-time officer for the department. There was a discussion regarding the top three candidates on the eligibility list. Mr. Brothers motioned to hire Corey Krepps as a full-time police officer effective September 1, 2021. Mr. Robinson seconded and the motion carried. Roll Call: 7-1, all yes with Mr. Hill voting no.

Public Works – Marlin Robinson, Chairperson

Mr. Robinson had nothing to report.

Recreation – Brandy Dietrich, Chairperson

Mrs. Dietrich had nothing to report.

Mayor’s Report:

Mayor Jackson stated that the library is in need of a new roof and he feels the Borough should look to replace it.

Mayor Jackson brought up for discussion, Mr. Solomon’s wall issue. Mr. Rader stated that he had spoken with Mr. Solomon and would be working together to approach the abutting neighbors about making the alley a one-way, either east or west. Mayor Jackson noted that in another alley he has seen a resident place a post on the corner to protect his building which nearly abuts the alley. It was stated that a post could be a possibility but the entire post would have to be out of the right-of-way. A survey to establish the exact location of the right-of-way may be needed before a post could be placed. There was some question as to whether the wall itself may or may not be encroaching on the right-of-way, another reason a survey may be needed.

Mayor Jackson noted the condition of Hinds Street and the fact that Team Fischel and Columbia Gas have been utilizing the Borough’s property on Hinds Street as a staging area for their equipment and supplies. He feels they should be responsible for repairing the street.

Mayor Jackson stated that he had asked for Sargent Shane’s exam scores from when she was promoted to Sargent. He stated that he was told if the records could be located that he would get a copy. Chief Mercier stated that he has not been able to locate any documents developed during that promotion testing process. Mayor Jackson asked where they were. Chief Mercier stated that the Civil Service Commission members at that time may possibly have the records but he was not sure who the members were.

Mayor Jackson stated that he had footage of a couple of officers and things they were doing, there were crimes being made, they should not be officers. The Mayor stated that the Chief asked him who the officers were and the Mayor told the Chief he would not tell him. The Mayor stated that he is getting a lot of phone calls from people complaining about the officers involving racial remarks, harassment and abuse and things have to change. Manager Barrett asked the Mayor how things are supposed to change when he won’t disclose any information regarding all these alleged allegations. Official complaints must be filed, then an investigation must be completed to determine if there has been any misconduct by the officers. The Mayor stated that you wouldn’t believe them anyway. The Manager told the Mayor that he was defeating the purpose he was trying to address.

Solicitor’s Report:

Solicitor Rabik had nothing to report.

Code Officer’s Report:

Council received for their review, the May 2021 Code Officer’s Report.

Code Officer Griffith noted that the Riverview Apartments have sold.

Police Chief’s Report:

Chief Mercier presented the May 2021 Police Department Report and Code Report for Council’s review. Chief Mercier review several items from each report.

Fire Chief’s Report:

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

Manager’s/Treasurer’s Report:

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

Manager Barrett stated that Dan Miller has moved out of town. He was a member of the Civil Service Commission. Sam Walters is an alternate on the Civil Service Commission. The Manager asked that Council appoint Mr. Walters as a member to fill Mr. Miller’s vacancy. Mr. Becker motioned to appoint Sam Walters as a member of the Civil Service Commission filling the vacancy of Mr. Miller’s seat. Mrs. Dietrich seconded and the motion carried.

Old Business/New Business:

Mr. Rader brought up for discussion, the consideration of demoting the Police Chief to Sargent. The contract with the Chief provides for this option and would be of mutual agreement and not regarding his job performance. After some discussion, Mr. Brothers motioned to demote the Police Chief to Sargent effective November 1, 2021 as provided for in the Police Chief’s contract with the Borough. Mr. Robinson seconded and the motion carried. Roll Call – 8-0 all voted yes, meeting the required two-thirds vote of the full Council. Sargent Mercier and Sargent Shane will split the administrative duties currently performed by the Chief. A more detailed transition plan will be developed prior to the effective date of the Chief’s demotion.

Council went into an executive session at 8:44 p.m. to discuss the Police union contract and the Public Works union contract.

Mayor Jackson left the executive session at 8:45 p.m.

Council reconvened at 9:06 p.m.

Mrs. Dietrich motioned to approve the Public Works contract as discussed pending the acceptance of the union. Mr. Robinson seconded and the motion carried.

The meeting adjourned at 9:07 p.m.

Submitted by,

John M. Barrett

Borough Manager