

MINUTES OF THE BOROUGH OF MONTOURSVILLE

April 1, 2013

The regular meeting of the Montoursville Borough Council was called to order by Council President Robert Brobson at 7:00 PM, with the following answering roll call: Mark Tillson, Dennis Holt, Robert Brobson, Ronald Shearer, Eugene Boyles and Kim DiRocco. Absent – Mayor Dorin.

The Pledge of Allegiance was observed.

The minutes of the March 4, 2013 meeting were approved on a motion by Mr. Shearer, second by Mr. Boyles. The motion carried.

CONDITIONAL USE PERMIT – William Edwards & Brian St. John, 629 N. Loyalsock Ave. –Section 8.2.2.1 which allows Automotive Repair, Sales and Service & Section 17.4.6 which allows a Car Wash in the Large Scale Commercial District. Testimony was given by Engineer, Mr. Bruce Kirkpatrick, Hawbaker Engineering, representing Mr. William Edwards, who could not attend due to unforeseen circumstances. Mr. Kirkpatrick stated that current owner, Mr. Alex Roy has a sales agreement with Mr. Edwards and Mr. St. John. He explained the property has been granted 2 variances from the Zoning Hearing Board; for lot size and setbacks. He explained that he went to the courthouse and researched the ROW/Vine Street Extension; he did not find any official documentation of the ROW/Vine Street Extension being adopted by the Borough. Council member, Mr. Boyles stated he is sure that the Borough has never dedicated it as a street and he would like to see a ROW maintenance agreement with the Borough prior to the land development if they plan on using it as the primary access. It needs to be submitted to the Borough Engineer prior to the submission of their Land Development Plan. Mr. Kirkpatrick agreed and stated that they did intend on using Vine Street Extension as the primary access. Mr. Kirkpatrick explained to council the mounding & screening to help prevent the shining of lights out on to the streets, the hours of operations, the description of being 2 bays fully automatic car wash, and that the storm water is still not fully designed. Council member, Mr. Boyles questioned the timing of the carwash. Mr. Kirkpatrick stated that it is approximately eight minutes turn around and approximately 120,000 gallons of water use and all wash water from the carwash must go to the sanitary sewer. Council President, Mr. Brobson asked Mr. Kirkpatrick's opinion on whether this would adversely affect the neighborhood. Mr. Kirkpatrick stated that he felt it would not as it is listed as a conditional use under the zoning and felt it was a good transitional use. Council President, Mr. Brobson questioned whether the surrounding neighbors had been surveyed. Zoning officer, Mr. Matt Sauers stated that letters had been sent out to residents within a 500 ft radius of the property notifying them of this hearing and the zoning hearing. Council member, Mr. Holt questioned if there had been any add lots involved. Mr. Kirkpatrick stated a there is 12 feet and 50 feet that will be added from an existing lot. Council member, Mr. Tillson questioned the signage. Council member, Mr. Boyles noted that it would be addressed in their Land Development Plan and that this was just a hearing approving the use of the land. A discussion then took place regarding the entrance and exits of the car wash and the possibility of vehicle backup. Council President closed the conditional use hearing at 7:17 PM. At this time, Council member, Mrs. Kim DiRocco stated that she will be abstaining from voting as she has a past business relationship with property owner, Mr. Alex Roy; he was a client. A discussion then ensued regarding the issues to be included in the Right of Way Maintenance agreement, and if there would be an adverse affect on the neighborhood. Zoning Officer, Mr. Matt Sauers noted that the resident across the street, who attended the zoning hearing, was concerned about noise and was happy to hear that they would be utilizing a mounded planted area.

Motion by Mr. Boyles to approve the Conditional Use for William Edwards & Brian St. John, 629 N. Loyalsock Ave. – Section 8.2.2.1 which allows Automotive Repair, Sales and Service & Section 17.4.6 which allows a Car Wash in the Large Scale Commercial District with the condition of the execution of an approved Right of Way Maintenance agreement prior to Subdivision and Land Development approval, second by Mr. Holt. Council member, Mr. Holt noted a benefit; the water use. A discussion took place regarding the speed of which the application took place and if enough time had been given to the residents. The motion carried, with Mrs. DiRocco abstaining.

TREASURERS REPORT –

Motion by Mr. Shearer to approve the treasurer's report and the Borough bills for March 2013, second by Mrs. DiRocco. Council member, Mr. Tillson questioned the electric bills and requested the Secretary/Treasurer to obtain quotes from approved electric suppliers. He also questioned the Police department's vehicle equipment expenses and Streets/Water department overtime. The motion carried.

NEW BUSINESS –

PROJECT REVIEW AND FINALIZATION CDBG STREET IMPROVEMENT PROJECT– Ms. Kristin McLaughlin of SEDA-COG discussed with council the CDBG project finalization. She stated the estimated CDBG allocation for 2013 is \$ 84,500.00 with an anticipated 5 to 8 percent decrease in those funds. She stated the two projects that are still ongoing are Pine Street and Bennett Street reconstruction projects; Pine Street which has \$ 74,779.07 in it and Bennett Street which has \$ 111,052.68 in it. She stated she would recommend funding Pine Street at 52 percent and Bennett Street at 4 percent of Montoursville Borough's allocations; which are very cautious percentages. She also discussed another project; a handicap accessible fishing pond. She went on to say there would be some funds available if council would choose to do that. Council President, Mr. Brobson stated that any other projects could be considered also. Ms. McLaughlin agreed. Council President, Mr. Brobson stated he would prefer allocations to be used on streets. Council member, Mr. Boyles agreed. Members discussed options available for handicap access to the pond and whether it would be used. Another discussion took place regarding curb cuts that had been done in the past. Ms. McLaughlin stated that council may delay the project finalization approval and discuss with the Street/Water Commissioner, Mr. Smith if there might be any other streets that might meet the eligibility requirements. She said that there is time to do surveys so delaying the decision would not be a problem if council is at all hesitant and that there is no need to take action tonight. Ms. McLaughlin stated that she will delay the final public hearing until a later date. Council agreed. At this time, Engineer, Mr. Jason Campbell with McTish, Kunkle and Associates reviewed with council the plans for the Pine Street and Bennett Street reconstruction projects. Council member, Mr. Holt asked Mr. Campbell several questions about the project and associated costs. Council member, Mr. Mark Tillson questioned council's stance on sidewalks & curb replacement. A discussion took place between council members regarding the issue; it was noted that the sidewalks and curbs that were to be replaced for the Pine Street and Bennett Street improvement project had to meet the qualifications in order to be included in the CDBG grant. Ms. McLaughlin stated it is very important to keep in mind that street reconstruction is eligible, which includes sidewalks, curbs, tree removal and sometimes storm sewers but just milling and overlaying a street is not; that would be considered maintenance. It was noted that removing the sidewalks and curbs from the project may make it become ineligible. It was agreed upon to have Ms. McLaughlin come back to the next meeting to update council on her findings; if removing the sidewalks would adversely affect the project. A discussion took place regarding setting policy. It was noted that policy can change with the possibility of a new council every two to four years.

SRO AGREEMENT –

Motion by Mr. Boyles to approve the SRO Agreement with the Montoursville School District, second by Mrs. DiRocco. Council member, Mr. Boyles noted that the school district would not want to eliminate this program as the School Resource Officer is very important to them. Council members agreed. The motion carried.

RESOLUTION 2013 – 03 – Real Estate Tax Refund – Carol Savoy Realty LLC, 906 Broad St –

Motion by Mr. Boyles to approve Resolution 2013-03-Real Estate Tax Refund, second by Mrs. DiRocco. The motion carried.

TRASH REMOVAL CONTRACT RENEWAL – J & Jay Services

Motion by Mr. Boyles to approve the renewal of the Trash Removal Contract with J&J Services, second by Mr. Tillson. The motion carried

MOWING CONTRACT – Brown’s Landscape

A discussion ensued between council members and Street/Water Commissioner, Mr. Ronald Smith. Street/Water Commissioner, Mr. Smith reviewed the price quotes from all participating mowing contractors with council. Council member, Mr. Holt questioned if the apparent low bidder visited and walked the park. Street/Water Commissioner, Mr. Ronald Smith stated that they had. At this time, Council members requested references for the current lowest bidder, Brown’s Landscape. It was noted that the current mowing contractor, Ken Hafer will continue mowing the park until council has reviewed and approved the current low bidder. The item was tabled until next meeting.

DEMOLITION PROPOSAL – 41 Mill St. – R.L. Steinbacher

Motion by Mr. Boyles to approve the demolition proposal for 41 Mill St. from RL Steinbacher in the amount of \$ 4995.00, second by Mrs. DiRocco. The motion carried

**DEVELOPMENT IMPROVEMENT AGREEMENTS – LGN Management LLC
– ALEX ROY**

Motion by Mr. Holt to approve the Development Improvement Agreements for LGN Management, LLC and Alex Roy, second by Mr. Boyles. Council President, Mr. Brobson wanted to clarify that the Development Improvement Agreement for Alex Roy needed to come before council for approval, unfortunately it had not, previously. Council member, Mrs. Kim DiRocco noted that she will be abstaining from the vote due to a past business relationship with the applicants. The motion carried.

WELL # 3 & # 4 IMPROVEMENT PROJECT BIDS – Mr. David Walter, Larson Design Group reviewed bids with council and made the recommendation to award the bid to the apparent low bidder, HRI, Inc. in the amount of \$ 269,125.00.

Motion by Mr. Boyles to award Well #3 & #4 Improvement Project to HRI, Inc. in the amount of \$ 269,125.00, second by Mrs. DiRocco. Council President, Mr. Brobson questioned the Water Committee’s recommendation. Council member, Mr. Boyles stated that this was the committee’s recommendation. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports March 2013 and March Planning Commission Minutes were reviewed by council.

RECREATION – March Minutes
Event Permits: 2013-10 Montoursville Lions Club–Fun in the Sun Car Show–September 28, 2013
8:00AM-6:00PM
2013-11 Trinity Episcopal Church – Pentecost Service – May 19, 2013
8:00AM-4:00PM

Motion by Mr. Shearer to approve Event permits 2013-10 and 2013-11, second by Mr. Holt. The motion carried.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith reported to council on several issues including cleaning up Mill Street, trimming trees, sweeping streets and patching potholes. He stated that they started on cleaning up Indian Park and noted that he had been contacted by a church group who had volunteered to clean up the park. He stated that they would like to do this project yearly. Street/Water Commissioner, Mr. Smith stated they had removed the paneling from the old VIP building and the structure is good, so demolition has been held off. Pavilion 1 will be

demolished on Thursday. He stated they had replaced a pressure relief valve and a flow meter on the water system and a valve had been replaced at Pine and Allen Sts.

MAYOR – Mayor Dorin was absent.

POLICE CHIEF – Chief Gyurina reviewed the March Police Report with council. Chief Gyurina reported there had been criminal mischief in the park, noted that the Fire Department had done a good job at the fire on Broad St. Chief Gyurina stated that Part time Police Officer, Deborah Currinder had submitted her letter of resignation as of March 23rd, 2013. He is requesting approval from borough council to hire another Part time officer that he has in mind. Council President, Mr. Brobson questioned if the Personnel Committee had had the opportunity to meet the officer and if not they should schedule to meet him. Council agreed. A discussion took place among council regarding a conditional approval to hire the part time officer with the approval from the Personnel Committee; all agreed.

Motion by Mrs. DiRocco to give conditional approval to hire a part time Police Officer contingent upon meeting and approval from the Personnel Committee, second by Mr. Holt. The motion carried. Council member, Mrs. DiRocco commented about the Police Department's use of Face book to post and inform the residents of what the Police Department is accomplishing and that she has been receiving positive feedback from it. Council President, Mr. Brobson also noted that it has helped in solving several crimes.

COUNCILPERSONS – Council member, Mr. Boyles noted that the Historical Society requested the use the Borough parking lot on July 28th, 2013 for a bus trip.

Motion by Mr. Boyles to approve the request from Historical Society to use the Borough parking lot on July 28th, 2013, second by Mrs. DiRocco. The motion carried. Council member, Mr. Holt questioned if a new Fire Chief had been chosen yet. Chief Gyurina stated he believed that the Fire Companies meetings coincide with the Council meetings, so it probably would happen tonight. Council member, Mr. Holt asked when the Chief is informed of the new Fire Chief to please pass it on to the Borough Secretary. At this time, a discussion took place regarding the recent audit of the Montoursville Volunteer Firefighters' Relief Association from the Auditor General. Council member, Mr. Holt stated that he would volunteer to go to speak with the president of that association; when a date was established he would invite any council member to attend with him. Council member, Mr. Holt questioned the secretary as to when the house on Broad Street would be demolished. The secretary updated council on the status of that demolition. Council member, Mr. Holt questioned if the Zoning officer had composed a letter for the Montoursville Junior Athletic Associations Engineer regarding storm water and the proposed football field; the secretary would check with the Zoning Officer.

SOLICITOR – nothing at this time.

COUNCIL PRESIDENT – nothing at this time

COORESPONDENCE AND ANNOUNCEMENTS –

Next council meeting will be on Monday, May 6th, 2013 at 7:00 PM

VISITOR AND PUBLIC COMMENTS – None at this time.

There being no further business the meeting was adjourned at 8:41 pm on a motion by Mrs. Kim DiRocco, seconded by Mr. Boyles and carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary