

## MINUTES OF THE BOROUGH OF MONTOURSVILLE

September 7, 2010

The regular meeting of the Montoursville Borough Council was called to order by Council President Robert Brobson at 7 PM, with the following answering roll call: Eugene Boyles, Robert Brobson, Kim DiRocco, Donald Konkle, Ronald Shearer, Gary Marshall and Hunter Konkle.

The Pledge of Allegiance was observed.

The minutes of the August 2<sup>nd</sup>, 2010 meeting were approved on a motion by Mr. Boyles second by Mr. Shearer and carried.

Mr. Brobson made an announcement that an executive session was held for legal purposes after the August 2<sup>nd</sup> meeting.

### **Public Comment**

The Mayor presented a proclamation to the Montoursville 13/14 Junior League 2010 State Champions. They made it to states and won the State Championships this year, which is the first time that the 13/14 Junior League has done this in Montoursville. The Mayor presented a proclamation for each child and coach on the team. The Mayor also proclaimed Tuesday, September 7, 2010 Montoursville 13/14 Junior League State Champions Day.

Bill Keyte, Bubba's Cleaning Service, stated that they have been cleaning the office since the Borough has moved here. He is aware that the cleaning service is out to bid and would like to ask the Council to take into consideration the loyalty over the years and the fact that you know who is in your building after hours.

James Anthony and his son James Jr. are here tonight to give a presentation of his eagle project with the mayor. The mayor stepped out briefly for pictures with the baseball team, when he returns we will have the presentation.

### **Conditional Use Permit-**

Mr. Brobson recessed the regular meeting at 7:10pm and moved into Conditional Use hearing for 1050 Broad Street with Hutchinson Development. Dan Mathers is here representing Hutchinson East LP. Pictures distributed for the public to view. Mr. Brobson asked how many people this development will employ. Mr. Hutchinson answered with a rough estimate of 50 people, but with Worthington Trailer it could be anywhere upwards of 75 people. Solicitor Garth Everett stated that the purpose of the hearing tonight is to address issues at the Zoning level. Retail is a conditional use in the industrial zone and that is because some retail uses are not appropriate in the industrial zone. This is to decide if this particular use is appropriate in the Industrial level. Discussion held on the size and purpose of the retail space. It will only be 1400

sq feet with 11 parking spots. Mr. Brobson closed the conditional use hearing and went back to regular meeting at 8:20pm. Mr. Boyles attended the planning commission meeting and they endorsed the Conditional Use so Mr. Boyles would like to make a motion to endorse this as well. Discussion held on the Christmas tree staying up in front of the building. Second by Mr. Donald Konkle and carried.

The Mayor introduced Bud Anthony from Troop 21 who is doing an eagle project for the welcome sign over Arch and Weaver Street. Bud is going to paint the sign and build a large flower box in front of the sign. He will also build a wall around the front about a foot high that he will fill with potting soil and then fill with plants. After that he will turn the maintenance over to the garden club to maintain the flowers. There will also be about a foot of gravel around it so that the mowers do not have to go right up next to it.

### **New Business**

Developers Agreement between the Borough and Hutchinson Development-

Solicitor Garth Everett spoke on behalf of the version presented to the Council tonight. From a legal point of view, the only blank is that the date needs to be filled in. After speaking with Council they would like to get the developers engineer to certify what the weight capacity of the culvert bridge on Howard Street is now and what it will be after it is replaced as part of the development. There is some recommendations from Council members that it is placed on Engineer paper as well as with the Engineers seal and signature. He recommends that the agreement be approved when those two issues are addressed.

Mr. Dan Mathers spoke in regards to minor language tweaks. Discussion held that all permits should be in place before the end of the year. A Developer's agreement details what is required to be done, it is a multi phase project so it just outlines what the developers responsibilities are. This just brings everything together so that everybody knows what their responsibilities and requirements are. Mr. Boyles made motion to authorize as necessary the developer's agreement with the conditions discussed, seconded by Mr. Konkle and carried. Mr. Konkle stated that it would be best if we could keep all lines of communication open.

Land Development – Williamsport Regional Airport

Jonathan Baker, Montoursville Airport, is here to speak on this matter. They have received the necessary permits from the Zoning Hearing Board. They will be building a new structure involving a canopy building. Motion by Mr. Konkle seconded by Mrs. DiRocco to approve the Land Development request and carried.

Sooner Pipe – Amendment to current Land Development Plan

Chris Stein from Hawbacker engineering is here to speak on their behalf. Discussion held on adding 25 feet to the building. Motion by Mr. Konkle to approve this request, second by Mr. Boyles and carried.

### **Treasurers Report-**

Motion by Mr. Boyles to approve the Treasurers Report for August, second by Mr. Shearer and carried.

### Application for County Aid/Penn Dot-

Motion by Mr. Gene Boyles to acquire all the necessary signatures for approval to apply for Application for County Aid in regards to resurfacing various streets, second by Mr. Gary Marshall. The Mayor had a question in regards to the project between Weldon and Spruce. It was not addressed 3 years ago and he is curious as to when that is going to be done. Discussion will be held with Mr. Ron Smith and an answer will be given. Motion carried.

### SEDA-COG-Budget Change for Fiscal Year 2006

Jamie Schrawder, SEDA-COG, currently there is \$3,770 that was transferred from the pool fund to the Senior Center fund, however the 2006 money needs to be spent right away so she is proposing that it gets transferred into the sidewalk program. You have five years before funds expire, so it would expire in 2011. Motion by Mr. Donald Konkle to approve this transfer, second by Mr. Boyles and carried.

Jamie Schrawder, SEDA-COG, stated that in the 2008 budget \$3,190 dollars are left in the Braille Signage Project. That project is complete so she would like to revise the budget to move that money into the curb cut replacement project since there are currently 20 some intersections that are being worked on. Mr. Gene Boyles made the motion to approve moving \$3,190 dollars from the Braille trail project into the Curb cut replacement project, second by Mr. Gary Marshall and carried.

The Mayor asked Jamie about the standing water issue in regards to handicapped curb cuts. There are a number of curbcuts that collect standing water. If a person with a cane or chair goes down on to that when they are icy they could fall. She has not heard of any solution at this point in time.

### Fiscal Year 2011 CDBG –

Jamie Schrawder, SEDA-COG, is here to discuss the application schedule for Fiscal Year 2011. The first public hearing will be in January, project review in March and then Final public approval in April.

### Tiger II Grant Application—

Ginny Gardner spoke in regards to the Tiger Grant Application. Mr. Kelly and Mr. Houseman called and asked that we expedited this on their behalf to show their support of pushing this tiger grant through. Mr. Brobson stated that this money is the money that was originally taken away from us in the Tiger I grant. Motion by Mr. Donald Konkle to approve the Tiger Grant II Application, second by Mr. Gary Marshall and carried.

Adoption of Contractor Integrity Policy-

Jamie Schrawder, SEDA-COG, here to speak on behalf of this policy. This Policy must be in every contract when spending CDBG money. Motion by Mr. Gene Boyles to adopt the Integrity Policy, seconded by Mr. Ronald Shearer and carried.

Lycoming County Dept of Public Safety – response & delivery of Advance Life Support— Discussion held on how the county redistributed the services, but it is ultimately our decision. The Council has decided to stay with the closest service available. Motion by Mr. Donald Konkle to accept the closest service, second by Mr. Gene Boyles and carried.

Letter from Loyalsock Volunteer Fire Co—

This letter is in regards to the fact that they are currently the closest but will not be in the future. Council has decided to stick with their last motion and stay with the closest unit available.

**Recreation—**

Event Permit – Montoursville AYSO Opening Day Ceremony at Mill Street. Motion to approve the event by Mr. Ronald Shearer, second by Mr. Gary Marshall and carried. Mayor mentioned that they had 450 participants last year, it is a great program.

Streets/Water—

Ron Smith gave a report of different projects that have been completed in the past month.

Mayor –

August 17 he went to testify on radar for local municipalities. They will be pushing the issue to hopefully get a Radar Bill to help local municipalities and townships.

Chief-

September 11 memorial ride will be going through town on Saturday and should be going through town at approximately 4:30pm.

He is still working on aggressive driving grants in the borough. Mr. Brobson asked if we had a DUI checkpoint in the Borough. They did have one two weeks ago at the I-80 off ramp.

**Councilpersons—**

Mr. Gary Marshall has multiple issues to discuss.

Mark Tillson contacted Mr. Marshall in regards to coming up with a timeframe to address the issue with his alley. Ron Smith has already looked at the alley and talked to him today. His driveway is higher than the alley, all he has to do is pave his driveway. Ron Smith said the same thing to him after they went and shot the grade. Discussion ensued.

Mr. Marshall would like to know why we repaved an existing alley when we have alleys in the borough that have never been paved. This is in reference to the alley between Willow and Maple street and Broad and Cherry street. Mr. Boyles stated that there are alleys in the Borough that the property owners have paid for us to do so. Ron Smith spoke in regards to the alleys in question, that when the sewer went through town there were sewer cuts all throughout there and in some places they had to take two to three inches off to get it to grade. When they patched in that alley they were higher than the invert then the center of the alley and the water was running off into driveways and garages. Mr. Konkle stated that to solve this problem we need to walk back the streets and alleys.

Mr. Marshall would also like to address a petition that was signed by all of the neighbors on Mulberry Street to get the Borough to take responsibility of the alley behind the properties. Discussion was held that this is a private alley that has drainage problems. If the residents want to put money into it then they could dedicate it to us. Unless it gets dedicated we cannot do anything with it because it is private property.

Mr. Marshall would also like to discuss the playground equipment at Indian Park. The VIP's put the equipment in years ago and they did a terrific job. They have received about 10-15 years of hard use and it is now time to get a plan in place to get some decent equipment. Mr. Brobson asked Ron to check with the school to see where they got their equipment from. Discussion held that the PTO raises the money and as they have enough money they put a few pieces into place each year. Ron Smith will look into the different possibilities for new equipment.

Mr. Marshall stated that at the last meeting a resident brought up the subject of a fenced in dog run. Discussion was held on having a dog run in the park. Mr. Brobson stated that he did talk to the resident and directed her to look into and supply a proposal.

Discussion was held on the status of a possible Senior center. The surveys are being reviewed and a report will be given at the next meeting. The Mayor mentioned that he visited other senior centers and is looking into the cost of having a full time staff person as well as where they have those funds from.

Mr. Marshall would like to know where we are at with the replacement of the Reservoir. We should be hearing shortly as the engineering is in progress and we are moving along.

Mr. Shearer stated that the Harvest Parade requested buying Halloween Bags which would cost \$340. The money is left in the rec board budget. Mr. Boyles stated that he will find someone to sponsor half of it and Mrs. DiRocco will sponsor the other half.

#### Correspondence & Announcements –

Jamie Schrawder, SEDA-COG, when looking at paving streets next year let's see if anyone in the Borough would qualify for CDBG assistance. Jamie will coordinate with Ron Smith and the highway committee to make a recommendation.

The Chief spoke in regards to receiving \$1000.00 grant from the Attorney General's office to purchase two breath testers, all the Borough will have to do is buy mouth pieces.

The Borough received a letter from Solicitor Garth Everett and Senator Gene Yaw that they are in favor of our position regarding consolidation of local governments.

**Visitor and Public Comments-**

Donna Pongrat, 437 Cherry Street, we used to receive a report from the codes officer. It would be nice to receive a similar report from Codes Inspections. Discussion held as to what should be included in the report as one is already given to council in their packets.

The Mayor had a question in regards to starting the Rental Ordinance. Mr. Brobson stated that we have not gotten to that point yet, the Mayor stated that it was signed three months ago and he is disappointed that it has not been addressed yet. Mr. Brobson stated that it will be worked out with Angela and we will get that going.

Mr. Brobson read the report from Code Inspections saying that 22 permits were issued and approximately 23 nuisance complaints were addressed.

Halloween in the Borough will be observed Sunday, October 31<sup>st</sup> from 6-8pm.

Next council meeting will be Monday, October 4th, 2010 at 7pm. There being no further business the meeting was adjourned at 8:40pm on a motion by Mr. Boyles, seconded by Mr. Konkle and carried.

Respectfully submitted,

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Ginny Gardner, Borough Secretary/Treasurer