

MINUTES OF THE BOROUGH OF MONTOURSVILLE

October 5, 2015

The regular meeting of the Montoursville Borough Council was called to order by Council President Rosemary Holmes at 7:00 PM, with the following answering roll call: Mark Tillson, Don King, Dave Moyer and Christopher Lucas. Absent – Dennis Holt.

The Pledge of Allegiance was observed.

The minutes of the September 14, 2015 were approved on a motion by Mr. Moyer, second by Mr. Lucas. The motion carried. Council President, Mrs. Holmes noted she wanted to clarify a statement made and noted in the September 14th minutes. She stated the comment regarding polling council members about an unmarked police vehicle was inaccurate as she had not been approached. She stated it was not an error in the minutes; just an oversight in the actual statement.

VISITORS AND PUBLIC COMMENT – Resident, Nick Altebrando, 416 Cypress St. expressed his thanks to the Chief for contacting the River Valley Transit busses regarding speeding between Willow and Cypress St. He noted he had been offered to sit and time the busses in order to resolve the issue. He stated as suggested by council he called and left several messages for Mr. Nichols with River Valley Transit and had not received any return phone calls. He stated if the speed limit is 25 mph; he would like the busses to go 25 mph. Resident, Tina Kline, 1009 Tule St. 1st commented on Agenda item #3 under New Business, Fish Real Estate Invoice /Narrative/Field Evaluation Report that it is her understanding that this item relates to a contract signed by an individual Council member, noting that full Borough Council voted to authorize an appraisal. She stated the council member signed the contract and in doing so is in violation of Title 8 Borough Code, therefore, that individual should be solely responsible for the cost and not the taxpayers.

TREASURERS REPORT – **Motion** by Mr. Moyer to approve the Treasurer's report and the Borough bills for September, 2015, second by Mr. King. The motion carried.

Motion by Mr. Lucas to replace Council President, Mrs. Holmes with Council member, Mr. Tillson, second by Mr. Moyer. Council member, Mr. Tillson stated he did not want to be Council President. *The motion did not carry.*

NEW BUSINESS –

RESOLUTION 2015-06 – USE OF DONATIONS MADE TO THE INDIAN PARK MASTER PLAN CAPITAL IMPROVEMENT FUND –

Motion by Mr. Moyer to approve Resolution 2015-06; use of donations made to the Indian Park Master Plan Capital Improvement Fund, second by Mr. Lucas. The motion carried.

RESOLUTION 2015-07 – AMENDING THE FEE SCHEDULE – WATER RATES – Council member, Mr. Tillson explained currently water is being sold at \$4.50 per thousand gallons and is costing \$5.87 per thousand to produce. He stated raising rates to \$6.50 per thousand gallons would allow the Borough to not only maintain the system costs but encompass the responsibility for the curb stop to the main along with putting monies into the Capital Improvement Fund for future infrastructure improvements. He explained rates would be \$6.25 per thousand gallons if the responsibility of the curb stop to the main would not be included. Mayor Dorin questioned if the rates were ever considered to be raised annually rather than a onetime increase from \$4.50 to \$6.50 per thousand gallons. Council member, Mr. Tillson stated that it cost \$5.87 per thousand gallons to produce the water; what would be the purpose. Mayor Dorin suggested to increase \$1.00 per thousand for the next 2 years. He stated he understands the \$.25 increase for the taking of responsibility of the curb stop to the main; it's a business decision and supports it. He does not support the increase from \$4.50 to \$6.50 per thousand gallons. He commented with the savings from the automated bulk water system and the hopes of the gas industry picking up in the next year or two; monies should be able to be put aside. Council member, Mr. Tillson stated water cannot be sold at a loss. Mayor Dorin commented on previous council's decisions to lower water rates, noting that at that time water must have been sold at a very big loss. Council members agreed. Council members discussed business decisions from the past and how to correct and move forward to the future. Council member, Mr. Moyer noted that it was an eye opener when the engineer

report came out that the Borough was selling water at a loss. He stated incremental rates increases had been discussed. He noted two reasons why it was favored; first water would still be being sold at a loss, secondly rate increases every 6/9 months would be aggravating to the rate payers. Council member, Mr. Lucas noted \$6.50 per thousand gallons is still cheaper than the surrounding communities. Council member, Mr. Tillson discussed a water reservoir that needs replaced for approximately \$1,000,000.00, noting that he doesn't feel the residents would like to borrow the money to replace it. He stated monies can be put into the Capital Reserve fund in order to save and replace it. Mayor Dorin agreed and questioned when approximately the tank will need replaced. Council member, Mr. Tillson stated in approximately ten years. A discussion took place regarding approximate years required to replace the reservoir, bulk water sales and long term plans of the water system.

Motion by Mr. Moyer to approve the Resolution 2016-07, amending the fee schedule – water rates, noting it will be implemented starting January 1st, 2016, second by Mr. King. The motion carried.

FISH REAL ESTATE INVOICE – NARRATIVE/FIELD EVALUATION – No motion was made to approve.

CONTRACT #1 PAYMENT APPLICATION #5 – 4M CONSTRUCTION – \$ 28,901.42 –

Motion by Mr. King to approve the Contract #1 payment application #5 to 4M Construction in the amount of \$28,901.42, second by Mr. Moyer. The motion approved.

CONTRACT #2 PAYMENT APPLICATION #6– TRA ELECTRIC – \$34,473.60 –

Motion by Mr. Moyer to approve the Contract #2 payment application #6 to TRA Electric in the amount of 56,338.05, second by Mr. King. Council member, Mr. Moyer commented that the payment is for the automated bulk water loading station and questioned when the station might be up and running. Street/Water Commissioner, Mr. Smith stated once testing has been done, DEP must inspect and issue a permit, hopefully in a couple of weeks. The motion carried.

WATER BILLING CLERK – 6 MO. REVIEW/WAGE INCREASE - \$14.50/HR –

Motion by Mr. King to approve 6 month review wage increase for the Water Billing Clerk, second by Mr. Moyer. The motion carried.

EMPLOYMENT – BOROUGH CLERK – Pamela McCarty - \$14.00/HR – Council President, Rosemary Holmes explained Pamela is working at the Borough through a temp agency and is being recommended to be hired as a full time employee at \$14.00 per hour starting November 1st, 2015.

Motion by Mr. King to approve the hiring of Pamela McCarty as of November 1, 2015 with a starting wage of \$14.00 per hour, second by Mr. Moyer. The motion carried.

MS4 TREE PLANTING PROGRAM – PADEP COMMITMENT LETTER – Council President, Rosemary Holmes explained the MS4 Coalition has submitted a recommendation to apply for a tree planting grant; it requires a commitment letter to be submitted to PA Department of Environmental Protection in order to apply for 30 trees. Council member, Mr. King questioned the location of the tree plantings. It was noted that the trees would be planted in various locations in the park along with 4 trees to be planted on the flood buyout properties on Broad Street.

Motion by Mr. Moyer to approve the letter of commitment to PADEP for the MS4 tree planting program, second by Mr. Lucas. The motion carried.

PLANNING & ZONING – Central Keystone COG September Reports/Update was reviewed by Zoning Officer Assistant, Mrs. Robin Fox. A discussion took place regarding Horvath Communication Zoning Hearing Continuance, noting there had been a miscommunication error and it will be rescheduled sometime in November. Council discussed costs associated with Horvath Hearing and the working relationship between the Fire Company and the Borough.

RECREATION – Nothing at this time

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith gave an update from Larson Design Group on the current water projects; Bulk Water Loading station, Broad Street Waterline Replacement – Phase 1, Broad Street Replacement – Phase 2. He noted that with Phase 2 they are investigating using trenchless directional drilling. He stated he will be getting pricing hopefully there will be some savings on the restoration work with the project. He reviewed street paving project explaining that the curbing is moving along, milling has started on streets where the curbing has been completed, and paving should start in the near future. Council member, Mr. Lucas commented that PennDOT is still paving along with other municipalities so we are in line, noting that the Borough crew is doing a great job. Street/Water Commissioner, Mr. Smith explained the tar and chipping has been ordered and has been scheduled with PennDOT to start Wednesday, most of the trees that had been sent notices for dead tree violations are starting to be removed, the speed bump has been installed on John Hazel Drive and approximately 682 water meters have been installed to date. He commented that the VIP's helped with the setting up and clean-up of the Fall Festival. Council member, Mr. King questioned Street/Water Commissioner, Mr. Smith who's responsible for the removal of the tremendous amount of brush under the new bridge between the island and the mainland. Street/Water Commissioner, Mr. Smith stated it is the Borough's responsibility; he will investigate hopefully next year to get a permit in order to clean the creek. Street/Water Commissioner, Mr. Smith stated at the last meeting it was approved to tar and chip a road in the cemetery and unfortunately it will not be able to be done this year as the road is in bad shape, it needs to be graded and crowned. He explained the holes can be patched, use millings to crown it up and then tar and chip it next year.

MAYOR – Mayor Dorin reviewed the September Police Report with Council. He noted they had assisted other agencies and questioned Chief Gyurina if anything special had happened. Chief Gyurina stated he did not know of anything specifically. Mayor Dorin questioned if the issue with Pinnacle Consulting's contract had ever been resolved. Council President, Mrs. Holmes stated a letter had been sent discontinuing their services and a response had not been received. She stated actions have been taken to move forward.

POLICE CHIEF – Chief Gyurina explained that there had been a problem with the phone answering system and it has been repaired. He reported on several incidents; youths with BB guns in the Walmart parking lot, accident that hit a catch basin on Broad St near Ted's Transmission, and an ongoing trash and paper incident that has been solved.

COUNCILPERSONS – Council member, Mr. Tillson questioned Council President, Mrs. Holmes if she had done the new Committee assignments. Council President, Mrs. Holmes stated that she will have them next week, noting that she is still pondering. Council member, Mr. Tillson stated that full committees are needed to accomplish the year end items. Council President, Mrs. Holmes acknowledged she understood his concerns. Council member, Mr. Tillson questioned Street/Water Commissioner, Mr. Smith about the bulk water sales. Street/Water Commissioner, Mr. Smith responded that they are slow. Council member, Mr. Lucas offered an explanation as to why he made his earlier motion. He stated two key committees are chaired by an individual who has not attended all the meetings, walks out of meetings, resigned twice and rescinded both resignations and is not the type of individual he would like to chair a two crucial committees, Personnel and Finance. He stated several Council members had requested reorganization of the committees. Council President, Mrs. Holmes noted that she has reached out to several council members requesting them to participate. Council member, Mr. Lucas stated that previously Council President, Mrs. Holmes had not solicited members to participate, it had just been done. He stated now there are several council members requesting to expedite the process and it is not being done due to favoring a certain individual. Council President, Mrs. Holmes stated that it is not valid. Council member, Mr. Lucas stated most people would disagree with Council President, Mrs. Holmes statement. He stated he wanted to just explain his earlier motion; it was not a personal attack; it was purely business. He gave several comments regarding that certain council member and feels that he does not show the type of behavior that should be leading two of the key committees. He stated he thought he was justified and stands by his earlier motion; noting there is business to be run and it cannot be run under these circumstances. Council President, Mrs. Holmes stated she does not need emails with deadlines for things that she feels are under control. She stated the reassignments will be made, tomorrow after the meeting. She thanked Council member, Mr. Lucas for his concern and

does respect the fact that there very important things to accomplish with limited time to do them. Council member, Mr. Lucas noted that it is key to remember that Council President represents Council and not just the Council President.

SOLICITOR – Solicitor, Randy Sees noted that do to Council’s approval to change the water rates; \$.25 was conditioned upon the Borough taking responsibility of the main to curb stop; the ordinance will at some time need to be amended. He suggested sometime in January. Mayor Dorin also agreed that the ordinance should be amended.

COUNCIL PRESIDENT – Council President, Mrs. Holmes explained that one of the major concerns is the Borough employee’s job descriptions are in need of updating. She stated the Borough had requested the original companies that bid to rebid the project. She reviewed and discussed the following bids with council:

- HR Consulting \$ 8,100.00
- Eckert Seamans \$ 5,725.00
- Paragon Consulting \$ 5,000.00
- Welch Consulting \$ 15,500.00

She stated that all bids had been reviewed by the Personnel Committee. Council member, Mr. King noted that between the two lowest bids, Eckert Seamans has the most detailed report. Council President, Mrs. Holmes noted that Eckert Seamans previous bid of \$7500.00 had been given a credit of \$1275.00 for the work that had been completed by the previous firm. Council member, Mr. Lucas questioned the Borough’s previous experience with Eckert Seamans. Mayor Dorin stated that the Borough has known Eckert Seamans for over twenty years. Mayor Dorin and Council member, Mr. Lucas discussed the past experiences with Eckert Seamans. Council member, Mr. Moyer stated regardless of any firm chosen, a provision must be added for a due date. Council President, Mrs. Holmes agreed and noted all of the firms agreed to start as soon as the contract has been awarded.

Motion by Mr. King to contact Eckert Seamans and offer the Job Description/Personnel Policy project to them. Council member, Mr. Tillson noted he is not experienced enough to know which firm/bid is better than the other. He then asked Council member, Mr. Lucas and Council member, Mr. Moyer for any input. Council member, Mr. Moyer stated he was hoping to hear recommendation from the committee. Council President, Mrs. Holmes stated she has experienced Eckert Seamans seminars with the PSAB, noting that he is experienced in all facets of municipal government concerns. Council member, Mr. Tillson questioned Mayor Dorin’s past experience with Eckert Seamans. Mayor Dorin stated he has attended many of their seminars and webinars. Council member, Mr. Moyer stated he had experienced some of his webinars and noted they are very informative noting in his observation he is perceived to be anti-employee, however noting the webinars were for Council members and government entities. Mayor Dorin reminded Council members that an error occurred seven months ago when the initial project was given to the lowest bidder. Council member, Mr. Lucas questioned the Borough Secretary on the prior background between the Borough and Eckert Seamans. She stated that previous councils had her to investigate the costs of prior arbitrations, which Eckert Seamans had been involved, noting they had represented the Borough against both borough bargaining units. Second by Council member, Mr. Tillson. The motion carried. Council member, Mr. Lucas requested the vote to be recorded as follows: 4 yay - Tillson, King, Holmes, Moyer. 1 nay – Lucas. Council discussed the deadline for the project, the members of the Personnel Committee, Council Presidents duties regarding committees and whether Council President should or should not be Chairman committees. Council President, Mrs. Holmes stated she had not planned to be the Chairman of any committee, however had been advised that she may be a substitute until the Chairman has been appointed. Council member, Mr. Tillson explained he did not want the project to go on, so he would like a response from Eckert Seamans on a timeframe. Council President, Mrs. Holmes stated that it could be put in the contract and he has several staff that should be able to expedite the process. A discussion regarding the time constraints took place. Solicitor Randy Sees stated his understanding of the motion was to reach out to Mr. Miller with Eckert Seamans and offer him the position; it was not to approve a written contract. Council agreed that part of the provision of the contract would be that the project must be completed 30 days from the proposed award date of October 19th. Council discussed whether there might be some issues with employees interviews and the deer hunting season. Street/Water Commissioner, Mr. Smith did not feel there would be a problem.

PENDING MATTERS – Nothing at this time.

COORESPONDENCE AND ANNOUNCEMENTS – The next regular Council meeting will be Monday, October 19, 2015 at 7:00 PM.

VISITOR AND PUBLIC COMMENTS –Resident, Tina Kline, 1009 Tule Street questioned Chief Gyurina if the Police Department was fully staffed during last weekend. She stated she had heard there was limited amount of police coverage with a home football game and Fall Festival taking place. She also questioned if there had been fireworks or shots fired in the middle of the night. Chief Gyurina responded stating Friday evening there was coverage however Saturday night into Sunday morning there was no coverage. He also stated that it was indeed fireworks.

There being no further business the meeting was adjourned at 8:02 pm on a motion by Mr. Moyer, second by Mr. Lucas and carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary