

## MINUTES OF THE BOROUGH OF MONTOURSVILLE

November 13, 2012

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, Kim DiRocco, Eugene Boyles and Mayor Dorin.

The Pledge of Allegiance was observed.

The minutes of the October 1, 2012 and October 8, 2012 meetings were approved on a motion by Mr. Ronald Shearer, second by Mr. Eugene Boyles. The motion carried.

**CONDITIONAL USE PERMIT** – Robert Kohler – 1234 Broad St., converting a commercial retail space into apartment. **Motion** by Mr. Boyles to approve the Conditional Use for Robert Kohler, 1234 Broad St., converting a commercial retail space into a multi-dwelling unit, second by Mr. Shearer. The motion carried.

### **TREASURERS REPORT** –

**Motion** by Mr. Shearer to approve the treasurer's report and the Borough bills for October 2012, second by Mr. Holt. The motion carried.

### **NEW BUSINESS** –

#### **ORDINANCE # 453 – STORMWATER MANAGEMENT** –

Engineer, Mr. Todd Pysher, Pysher Engineering discussed ordinance with council, noting that it meets the requirements needed by an MS4 community.

**Motion** by Mr. Shearer to adopt Ordinance # 453 – Stormwater Management, second by Mr. Boyles. The motion carried.

#### **RESOLUTION 2012-11 - Authorizing the Appointment of the LST Tax Collector** –

**Motion** by Mr. Boyles authorizing the appointment of Ginny Gardner as LST Tax Collector, second by Mrs. DiRocco. The motion carried.

#### **RESOLUTION 2012-12 – Eliminating Police payments into the Police Pension Fund for 2013** –

**Motion** by Mr. Boyles to eliminate Police payments into the Police Pension Fund for 2013, second by Mrs. DiRocco. The motion carried.

#### **ORDINANCE #454 – Tax Levy**

**Motion** by Mr. Boyles to authorize the to advertisement Ordinance # 454 Tax Levy fixing the Tax Rate for the year 2013, second by Mrs. DiRocco. The motion carried.

#### **POLICE VEHICLE** –

Council member, Mr. Boyles gave explanation on how Act 13 impact monies could be authorized to purchase the police car along with a dump truck before the end of the year instead of implementing those purchases into the 2013 budget. Mayor Dorin questioned the need for six police vehicles for 5 full time officers. A discussion took place regarding the amount of police vehicles currently in use.

**Motion** by Mr. Boyles to purchase a police vehicle through COSTARS, second by Mrs. DiRocco. Police Chief Gyurina noted that the borough had originally 7 police vehicles under the previous Chief and that he had gotten rid of one vehicle. Mayor Dorin stated that he felt the department should be operating with no more than 3 vehicles; each vehicle being rotated by the officers. A discussion took place between the Mayor and Chief Gyurina regarding the age and maintenance of the current police vehicles. Council member, Mrs. DiRocco questioned Chief Gyurina about the selling of a police vehicle. Chief Gyurina stated that it was his intention to sell the oldest vehicle so that he would not be adding but replacing a vehicle. The discussion continued regarding the police vehicles in use and the rotation schedule of those

vehicles. Council member, Mr. Holt noted that it was a mistake to have sold a vehicle to Hughesville, there should be a 3 vehicle rotation, and does not support the chief taking a vehicle home. He stated he cannot support the purchase of another police vehicle. Motion carried.

**Motion** by Mr. Boyles to purchase a dump truck through COSTARS, second by Mrs. DiRocco. Mayor Dorin questioned the condition of the current dump truck. Street/Water Commissioner, Mr. Smith gave an update on the condition of the dump trucks; he noted they have holes in the bed, need brakes every time they are inspected and the frames are deteriorating. He stated that the borough has a fleet of old trucks. Mayor Dorin questioned the total number of dump trucks and equipment. It was noted that the new dump truck would replaced 2 old dump trucks from the fleet. Council member, Mr. Holt stated he would like to wait until next year to purchase the truck that would use natural gas. It was the consensus of council that it would be too long to wait. Motion carried.

#### **2012 CDBG CONTRACT –**

**Motion** by Mr. Boyle to approve the 2012 CDBG contract, second by Mr. Shearer. Motion carried.

#### **BUDGET 2013 –**

**Motion** by Mr. Boyles to authorize the advertising of the 2013 Budget with a change from water engineering from \$20,000.00 to \$63,000.00, with the \$43,000.00 adjustment from the water contingency fund, second by Mrs. DiRocco. Council member, Mr. Holt discussed reasons why he will not be approving the current 2013 budget; he would like a public meeting. He gave several reasons; the recreation fund should be nearer to \$90,000.00 or \$100,000.00, health insurance costs are too high, and the wages are too high. Mayor Dorin noted his concerns for the use of water fund revenues to balance the general fund and his support of the 5 year Water System Improvement Plan. Council President, Mr. Brobson questioned whether the water revenues had been used in the past to balance the general fund and if it was unusual. A discussion took place between Council President, Mr. Brobson and Mayor Dorin regarding the option of raising taxes to balance the general fund. Mayor Dorin noted he did not want to raise taxes; however would like the bulk gas water revenues to be committed. Council President, Mr. Brobson stated the 5 year Water System Improvement Plan is still moving forward; engineering is still being prepared for the projects. Council member, Mr. Boyles updated council regarding the Water Committee's meeting with Mr. Dave Walters from Larson Design Group and engineering for upcoming projects; he noted that the bulk gas water revenues are committed to these projects. A discussion took place regarding the past use of water revenues, correcting of past water revenue issues and the use of current water revenues for ongoing infrastructure improvements. Council President, Mr. Brobson stated that this has been a problem for the past 15 years and nothing had been done. Mayor Dorin agreed however stated that money, at that time, would have needed to be borrowed to do the improvements and they did not want to burden the taxpayer at that time. Council member, Mr. Shearer stated that taxes should have been raised over the last 20 years in small increments. Mayor Dorin agreed. A discussion took place regarding the millage and the amount of revenue coming into the borough by the average property owner. Council member, Mr. Tillson noted that the reason water revenues were being used to balance the general fund in the past was to supplement the real estate tax monies until the monies came in; then the money would be paid back to the water revenue. Mayor Dorin stated he just wants to make sure the right decisions are being made. Council member, Mr. Boyles stated that they are. Mayor Dorin questioned the security expense. Council member, Mr. Boyles explained that they met with Chief Gyurina and discussed the amount of time it is required to secure the wells and the water department. He noted that these are the costs associated with this time; approximately 12.5% of costs that would be paid by the water revenue fund to reimburse the general fund. Mayor Dorin noted that he does not know of a plan to secure the water system. Council President, Mr. Brobson stated that the plan is to protect the water system. The motion carried.

**Motion** by Mr. Boyles to approve a change order in the amount of \$15,500.00 to Larson Design Group for their design work contract increasing the current to contract to \$63,000.00, second by Mrs. DiRocco. The motion carried.

Council member, Mr. Boyles discussed with council a request from Lycoming County Water Sewer Authority to purchase approximately 20,000 gallons of water a day with the possibility of up to 50,000 gallons; supplying water from Greyfox

Development to Fairfield Rd. Council member, Mr. Boyles stated that the Water Committee discussed and recommended approving this request.

**Motion** by Mr. Boyles to approve the recommendation of the Water Committee of the intent to participate with the LCWSA and sell them water with details to be completed at a later date, second by Mrs. DiRocco. Mayor Dorin questioned the responsibility of the pump station and rates. Council member, Mr. Boyles stated that those items were yet to be determined. Council member, Mr. Shearer noted his concerns about selling water to the LCWSA and another interested party; not overburdening the borough. Council President, Mr. Brobson stated that this is only a preliminary approval to move forward with conversation with the LCWSA. The motion carried.

Council member, Mr. Boyles discussed with council a proposal from Aqua Infrastructure to purchase water from the borough. Their request is to purchase water from an existing water main approximately 400,000/500,000 gallon a day; guaranteeing payment for the contracted amount whether they take it or not. They would pay all costs for improvements and changes for anything we would require. Mayor Dorin questioned how many years the contract would be for. Council member, Mr. Boyles stated that it would be a 5 year renewable contract. Council President, Mr. Brobson noted that nothing is set in concrete at this time.

**Motion** by Mr. Boyles to pursue discussions with Aqua Infrastructure for a long term purchase agreement for water, second by Mrs. DiRocco. The motion carried.

**PLANNING & ZONING** – Central Keystone COG Reports October 2012 were reviewed by council. Planning Commission October 3, 2012 minutes were reviewed by council.

**RECREATION** – October Minutes

Council member, Mr. Shearer noted that next year the Harvest Parade will be moved up to September 28<sup>th</sup>, 2013. Chief Gyurina asked Council member, Mr. Shearer to request the Recreation Board review their permit request for the date and time of the Harvest Parade for next year.

**STREETS/WATER** – Street/Water Commissioner, Mr. Ron Smith reported to council regarding the Street and Water department's activities. He reported that ¾ of the leaves have been picked up; 85 loads to date. He stated that Mill Street is completed until next year when oil and chipping will take place; all the paperwork has been submitted to FEMA. He stated we should be receiving reimbursement in approximately 3 weeks. The total investment in the project was \$313,572.84. He stated that the street paving project has been completed. Street/Water Commissioner, Mr. Smith reported that the Water department completed flushing of the hydrants and noted that several hydrants need to be replaced. A discussion between council members took place regarding the FEMA reimbursement.

**MAYOR** – Mayor Dorin discussed with council the Fall Festival. Unfortunately, Mayor Dorin stated that the Montoursville School District Foundation will not be taking over the Fall Festival. He will not be looking any further to find someone to take over the Fall Festival; there is no Fall Festival. Mayor Dorin noted that there is a \$ 4000.00 credit towards fireworks and approximately \$2000.00 in a checking account; he noted that he does not feel it is our obligation to have them turn over the their finances as it was not on our books. Council member, Mr. Boyles stated that they could donate it to the borough recreation if they would like. Mayor Dorin noted that Olde Tyme Christmas will take place on November 30<sup>th</sup> and December 1<sup>st</sup> and that he is still working on getting a letter from Hutchinson authorizing the use of the tree to put lights on, and payment of the electricity. He updated council on the condition of the lights, finding bucket trucks to install the lights and the cost associated with installation of the lights on the tree. Council member, Mr. Boyles noted that the lights are not in the best of shape. A discussion took place between Mayor Dorin and Council member, Mr. Boyles regarding the lights. Mayor Dorin reviewed with council the October Police Report.

**POLICE CHIEF** – Chief Gyurina reported to council drug dealings taken place at the Wal-Mart parking lot. Chief Gyurina also reported on a DUI that took place with the person driving on the railroad tracks from Loyalsock Avenue up to Reading Lane to which the car then caught on fire. Chief Gyurina requested council to consider hiring another part time Police Officer; his request was due to the resignation of part time officers for other employment and scheduling issues. Council member, Mrs. DiRocco questioned the number of part time Police Officers that we employ. Chief Gyurina stated that we currently employ 5 part time officers. Mayor Dorin stated that he and Chief Gyurina had discussed costs associated with the hiring of a part time officer.

**Motion** by Mrs. Kim DiRocco to explore the possibility of hiring a part time Police Officer, second by Mr. Boyles. Council member, Mr. Tillson questioned the effect on the budget and what the availability of the prior part time officers were. He also questioned the definition of a part time officer and a full time officer. Chief Gyurina explained that full time officers must be hired through civil service and part time officers are “at will” employees. A discussion took place regarding the hours and benefits required from full time employment as a police officer and shifts that need to be covered. The motion carried.

#### **COUNCILPERSONS –**

**Motion** by Mrs. Kim DiRocco that standing Borough Council Committee Chairperson’s are hereby authorized to make decisions between meetings of Council on behalf of the Borough on issues within the purview of their committee; these decisions are limited to operational and maintenance issues which fall within budgetary limits and policy already set by Council, second by Mr. Boyles. Council member, Mr. Holt stated he will never support the motion as it is against the Borough Code. The motion carried. A discussion took place between Mayor Dorin and council regarding the interpretation of the motion. Council member, Mr. Holt explained to council his Montoursville Borough Capital Budget Plan. He noted a letter sent by Mr. Kremser regarding the Zoning on Broad St. needs to be addressed. The consensus of council was to send a letter to Mr. Kremser stating that there is no motion to change the current zoning. A discussion took place regarding the process that was done adopting the current zoning ordinance. Council member, Mr. Holt stated to council that he had sent his response to the Lycoming County Water Sewer Authority addressing their letter; he is not going to spend any more time regarding this issue. He discussed the VIP Christmas Party invitation, the update he had received regarding the properties involved in the flood buyout and the release of Hutchinson Development’s letter of credit.

**SOLICITOR** – nothing at this time.

**COUNCIL PRESIDENT** – nothing at this time.

**PENDING MATTERS** – nothing at this time

#### **COORESPONDENCE AND ANNOUNCEMENTS –**

Next council meeting will be on Monday, December 3, 2012 at 7:00 PM

#### **VISITOR AND PUBLIC COMMENTS –** Nothing at this time

Council President, Mr. Brobson announced that there was an executive session for personnel issues at 6:00 PM, prior to tonight’s meeting. There being no further business the meeting was adjourned at 8:35 pm on a motion by Mr. Boyle, seconded by Mrs. DiRocco and carried.

Respectfully submitted,

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Ginny Gardner, Borough Secretary