

December 2, 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, Kim DiRocco and Mayor Dorin.

The Pledge of Allegiance was observed.

The minutes of the November 12, 2013 meeting were approved on a motion by Mr. Boyles, second by Mr. Shearer. The motion carried.

**VISITORS AND PUBLIC COMMENT** – Fire Chief, Scott Konkle gave a brief update about the proposed building project. He also stated they have been very busy for the last couple of weeks and as always if anyone has any questions please feel free to contact him.

**LAND DEVELOPMENT PERMIT** –Preliminary Land Development – Conditional – Kriner Plaza was reviewed and explained by Mr. Randy Webster//Wentz and Webster Engineering, who is the engineer for Mr. Kriner. Borough Engineer, Mr. Todd Pysher stated he provided a letter stating that he would recommend a conditional preliminary approval with the condition that they would provide an approved Sewage Planning Module. Council member, Mr. Boyles questioned Mr. Webster if he thought there would be a problem obtaining an approved Sewage Planning Module. Mr. Webster stated that he did not; they would be using Walmart's system and that they were just waiting to get a response from Walmart. Council member, Mr. Tillson questioned the intentions of the property. Mr. Webster stated it was to be a strip mall. Council member, Mr. Tillson questioned the storm water runoff; as the property is always flooded. Mr. Webster stated that they will be utilizing Walmart's storm water management system.

**Motion** by Mr. Boyles to conditionally approve the Preliminary Land Development Permit for Kriner Plaza with the following conditions, the applicant obtain an approved Sewage Planning Module, second by Mrs. DiRocco. The motion carried.

#### **TREASURERS REPORT –**

**Motion** by Mr. Boyles to approve the treasurer's report and the Borough bills for November through December 31<sup>st</sup>, 2013, second by Mr. Shearer. The motion carried.

#### **NEW BUSINESS –**

**ORDINANCE # 458 TAX LEVY**– Council President, Mr. Brobson noted that there will not, once again be a tax increase this year. It will remain at 2.3 mils as it has been for the past several years.

**Motion** by Mr. Boyles to approve Ordinance # 458 Tax Levy to be set at 2.3 mils, second by Mrs. DiRocco. Council member, Mr. Shearer noted that he will be voting for this ordinance as he wants the borough bills to get paid. The motion carried. At this time, Mayor Dorin stated he vetoed Tax Ordinance # 458; he noted he had 10 days to supply that to borough council. Borough Solicitor, Mr. Randy Sees stated if the Mayor so choose he could present it now. Mayor Dorin presented his official notice to council stating his reasons for the veto; his official notice will be recorded and included as part of the meetings minutes. Mayor Dorin reviewed his reasons with council. A discussion took place between Mayor Dorin and Council President, Mr. Brobson regarding the tax ordinance and budgetary items. Solicitor, Mr. Randy Sees stated to Council President, Mr. Brobson that under the Borough Code, Borough Council has to reconsider the tax ordinance within ten days of the Mayor's; which would be ten days from today or you could do that at tonight's meeting or you could reconsider at another scheduled meeting within ten days from tonight. Council President asked if anyone would like to entertain a motion.

**Motion** by Mr. Boyles to override Mayor Dorin's veto of Ordinance # 458 Tax Levy, second by Mrs. DiRocco. At this time, a roll call vote was requested of the Borough Secretary by Council President, Mr. Brobson. The roll call vote is as follows:

YeasNays

Mark Tillson  
Dennis Holt

Robert Brobson  
Ronald Shearer  
Kim DiRocco  
Eugene Boyles

The motion fails to override Mayor Dorin's veto of Tax Levy Ordinance # 458 for a lack of the majority plus one. Mayor Dorin questioned the Solicitor as to what happens next. Borough Solicitor, Mr. Randy Sees explained that you can't pay borough bills until there is a tax ordinance for 2014.

**LIFE, ADD AND STD INSURANCE – (PAMHIC) ONE AMERICA** – Council President, Mr. Brobson requested the borough secretary to update council about Benecon the borough's health insurance management company. She noted that there will be a slight increase of .6 percent on the current insurance rates; it was estimated in the budget that the health insurance would raise approximately by 12 percent. She explained to council the benefits of belonging to the growing co-op as the larger numbers help keep the rates down. She went on to say that Benecon is now offering to the Pennsylvania Municipal Health Insurance Co-op (PAMHIC) Life, Short Term Disability and ADD Insurance through One America Insurance Company at a much discounted rate, compared to our current insurance company. It was noted that they will provide a three year rate guarantee.

**Motion** by Mr. Boyles to approve the change from Harleysville Insurance Company for Life, Short Term Disability and ADD to Benecon/Pennsylvania Municipal Health Insurance Co-op/ One America, second by Mrs. DiRocco. Council member, Mr. Tillson questioned if the life insurance can be transferred upon an employee departing from employment. The Borough Secretary stated that it could be. The motion carried.

**2014 MEETING SCHEDULES –**

**Motion** by Mr. Boyles to approve 2014 Meeting schedule, second by Mr. Shearer. Mayor Dorin questioned Borough Solicitor, Mr. Sees if the lame duck council has the ability to schedule the meetings in 2014. A discussion took place regarding the reorganizational meeting, noting the meeting schedule is for can change with the new council. The motion carried.

**PLANNING & ZONING** – Central Keystone COG Reports November 2013 were reviewed by council.

**RECREATION** – Nothing at this time.

**STREETS/WATER** – Street/Water Commissioner, Mr. Ron Smith reported to council on several projects. He stated they have picked about 80 loads of leaves and will be wrapping up sometime next week. He noted that the new dump truck should be billed sometime the middle of the month. He stated that he had not received the results of the leak detection as of date.

**MAYOR** – Mayor Dorin reviewed the November Police Report with council.

**POLICE CHIEF** – Chief Gyurina reported and explained to council about that the accidental shooting that occurred last week; a veteran with Post Traumatic Stress Disorder. He noted on November 14<sup>th</sup> he and Officer Hockman, who received the Top Gun Award, attended the PADUI Conference. Officer Hockman had 73 DUI arrests which qualified him for the award. He noted that "Click it or Ticket" was November 23<sup>rd</sup> through December 2<sup>nd</sup>, 2013. Chief Gyurina stated that they have already exceeded the amount of incidents from last year.

**COUNCILPERSONS** – Council member, Mr. Boyles stated that he had been contacted by Aqua America concerning the bulk water contract; he had informed the water committee and the borough solicitor. He stated that they will be implementing the requirements of the borough into the contract. He noted that Aqua America is aware that they cannot currently provide water to the gas industry as inexpensive as a current trucking company hauling water, which means that the contract will probably not be implemented until 2015. He stated they will be providing the borough with an updated agreement along with the system enhancements that we had requested. Council member, Mr. Shearer stated that the Personnel Committee is making the recommendations to approve the wages for 2014 for the Police Union Contract and the Non Uniform Union Contract, the Street/Water Commissioner 's salary - \$ 58,406.40, the Secretary/Treasurer's salary - \$ 53,872.00, the Police Chief's salary - \$ 62, 857.60, the Deputy Police Chief's salary - \$56,631.12, the Police Secretary - \$ 18.25/hr., the Borough Executive Assistant - \$ 15.00/hr. and the Water Executive Assistant - \$ 17.25/hr.. He noted they are also recommending advancement of Probationary, Water Operator, Mr. Craig Jernigan to Water Operator 1 as of January 1<sup>st</sup>, 2014.

**Motion** by Mr. Shearer to approve 2014 Montoursville Borough employee wages that were previously stated, second by Mrs. DiRocco. The motion carried. Council member, Mr. Tillson stated that he wanted to thank Gene, Bob and Kim for the last four years of service; he appreciates the time they have given and hopes that they would be available if any questions arise.

**SOLICITOR** – nothing at this time.

**COUNCIL PRESIDENT** – Council President, Mr. Brobson stated it was a pleasure serving on council. He stated it has been interesting and a learning experience. He thanked everyone for the opportunity to serve. He then discussed some misinformation he felt needed to be clarified regarding the revenues, ongoing water projects, contracts without arbitration and the purchase of needed equipment. He stated that a lot of good has been done; not all bad. Council President, Mr. Brobson questioned Mayor Dorin. Mayor Dorin stated that council made a promise to use the money for infrastructure and they didn't follow through. Council President, Mr. Brobson disagreed and stated money was being spent on engineering in order to do the infrastructure repairs. Mayor Dorin stated that we are losing the opportunity. A discussion took place between Council Members and Mayor Dorin regarding revenues, expenditures and FEMA reimbursements. Mayor Dorin stated the general revenue fund should stand on its' own. Council President, Mr. Brobson noted that it has never done that. Council member, Mr. Boyles stated that borrowing from the water revenue fund to balance the general fund had been done for the past thirty years. A discussion took place regarding the chart of accounts and their required use by the Pennsylvania Department of Community and Economic Development. Council President, Mr. Brobson noted that taxes had not been raised in the past twenty some years which is outrageous; there is no better place to live. A discussion took place between council and Mayor Dorin regarding the water system requirements, water projects and DEP. Council President, Mr. Brobson read a letter from Water Engineer Larson Design Group regarding the Broad Street Water line replacement project, hoping it will go out for bid in January or February 2014.


**CORESPONDENCE AND ANNOUNCEMENTS –**

Next council meeting will be a reorganizational meeting on Monday, January 6, 2014 at 7:00 PM

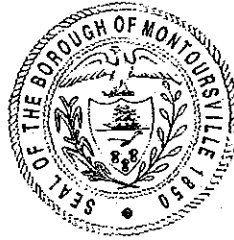
**VISITOR AND PUBLIC COMMENTS** – Nothing at this time

There being no further business the meeting was adjourned at 8:11 pm on a motion by Mr. Boyles, seconded by Mrs. Kim DiRocco and carried.

Respectfully submitted,

  
Ginny Gardner, Borough Secretary

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**JOHN DORIN**  
MAYOR

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**TO: COUNCIL PRESIDENT / COUNCIL**

**DATE: DECEMBER 2, 2013**

**RE: 2014 BUDGET**

I am vetoing the proposed Tax Ordinance #458, Fixing The Tax Rate For The Year 2014, for the following reasons:

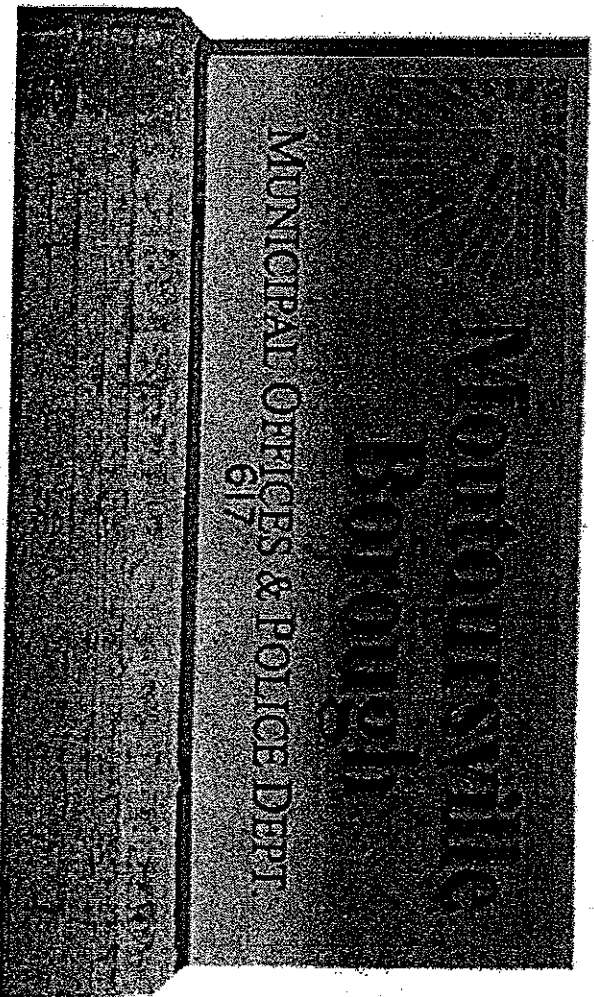
- I am requesting the Finance Committee to reinvestigate the Borough expenses to save 150,000 to 200,000 dollars annually in order to reduce or eliminate the proposed water rate increase or any tax increases;
- Failure of the 2010 Council to show fiscal responsibility in the 2014 Borough Budget after four years of irresponsible spending and decision making;
- Failure of the 2010 Council to proceed with the Montoursville Borough Water System and Capital Improvement Program as presented to the public on September 6, 2011 and the promise that, I quote, "THE REVENUES FROM THE BULK WATER SALES IS BEING INVESTED BACK INTO THE WATER SYSTEM TO MAKE NEEDED IMPROVEMENTS". (See attachment);
- Over the past four years, Montoursville Borough amassed 4.2 million dollars in bulk water sales and spent only 400,000 dollars on two infrastructure improvements. The Borough has currently 2.5 million left in the bulk water account with 6.4 million needed for water infrastructure improvements over the next five years;
- The 2010 Borough Council has infused over 1.2 million dollars of bulk water monies into the General Fund over the past four years failing to financially support projects on the promise made to the public at the September 6, 2011 meeting.

Respectfully submitted,

  
John Dorin, Mayor

Montourville Borough Water System  
&  
Capital Improvement Program

September 6, 2011



## Water Sales

- The Borough is fortunate to have a supply of water that exceeds their current need.
- The revenue from bulk water sales is being “invested” back into the water system to make needed improvements.
- Benefit to Borough residents is that the system can be properly maintained and managed without rate impacts to the residential, commercial and industrial users within the Borough

