

MINUTES OF THE BOROUGH OF MONTOURSVILLE

February 1, 2016

The regular meeting of the Montoursville Borough Council held in the Borough building was called to order by Council President Dave Moyer at 7:00 PM with the following answering roll call: Mark Tillson, Eric Greenway, Tina Kline, Christopher Lucas and Rosemary Holmes.

The Pledge of Allegiance was observed.

The minutes of the January 18, 2016 were approved on a motion by Mr. Lucas, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT – Mayor Dorin presented Certificates of Recognition to former Council members, Mr. Dennis Holt and Mr. Donald King for the service to the community.

TREASURERS REPORT – **Motion** by Mr. Greenway to approve the treasurer’s report and the Borough bills for January 2016, second by Mrs. Holmes. The motion carried.

NEW BUSINESS –

2016 ENGAGEMENT LETTER – LARSON, KELLET AND ASSOCIATES – Auditing Services – **Motion** by Mr. Lucas to approve the 2016 Engagement Letter with Larson, Kellet and Associates for auditing services, second by Mr. Greenway. The motions carried.

RESOLUTION 2016 – 03 – PENNDOT – Authorization requesting railroad crossing upgrades – Mill Street – Council President, Mr. Moyer explained this had been discussed last year; the installation of railroad crossing warning gates on Mill St. The only responsibility for the Borough would be to paint “Railroad Crossing” on the road. **Motion** by Mr. Lucas to approve Resolution 2016 -03 authorizing PENNDOT’s request to install railroad crossing upgrades on Mill Street, second by Mrs. Kline. The motion carried.

PLANNING & ZONING – Central Keystone COG January Reports were reviewed by Zoning Officer, Mr. David Hines.

RECREATION – Council member, Mr. Lucas stated he would like to thank the state for awarding the PADCNr grant in the amount of \$86,000.00, adding to the already approved grants from Lycoming County Act 13 grant in the amount of \$20,000.00 and First Community Foundation Partnership grant in the amount of \$25,000.00 for the first phase of the Indian Park Master Plan. He noted there are three other grants that have been applied for; PADCED grant in the amount of \$85,000.00, a DEP grant in the amount of \$3,000.00 and a Lumber Heritage Grant in the amount of \$5,000.00; hoping they will be awarded. He reviewed the January Recreation Board minutes and nine Event Permits. He stated Mr. Drew Boyles is in attendance to answer any question regarding Event Permit, 2016-02 for the Montoursville Kiwanis Club; Fall Festival – September 23-24, 2016. Council member, Mrs. Holmes questioned if there would be morning activities. Mr. Boyles stated yes there would be starting at 9:00AM Saturday morning. Council member, Mr. Tillson questioned if there is a home football game that weekend and if it hinder the event. Mr. Boyles stated he did not feel it was a problem as the vendors had no complaints. Council discussed the issue briefly. Mr. Boyles stated he appreciated their input and reviewed the events scheduled for the weekend. Council member, Mrs. Kline questioned the Chief regarding the two major events taking place on the same evening. Chief Gyurina stated he recalls one incident taking place however it had to do with the construction taking place at the school.

Motion by Mr. Lucas to approve Event Permit 2016 – 02, second by Mrs. Kline. The motion carried. Council member, Mr. Lucas explained there was a miscommunication on the organizations part as two applicants applied for the same event so Event permit 2016-03 was withdrawn.

Motion by Mr. Lucas to approve Event Permits 2016 -04 through 2016 -11, second by Mr. Greenway. The motion carried. Council member, Mr. Lucas explained Event Permit 2016-12 Lycoming County SPCA Pet Expo was deferred by the Recreation Board; they would like Council to review it. He stated they had many requests which the Recreation Board felt for the \$50.00 fee, they were asking for a lot. He stated they would like to have vendors, Pony rides and inflatables.

Motion by Mrs. Kline to approve Event Permit 2016 – 12, second by Mr. Lucas. Council member, Mrs. Holmes requested Council member, Mr. Lucas to review their request again. Council member, Mr. Lucas stated they request use of the bathrooms, parking, electric, trash bins, access to the shed, along with food and drink vendors. He stated he did not feel the Borough should be responsible for the removal of their trash. Council President, Mr. Moyer stated if the proper insurance would be supplied, he would not have issue with the ponies and inflatables. Council discussed the issue of the removal of trash and the cost of the trash removal, noting that the \$50.00 permit fee would not cover the cost of the trash removal. Council member, Mr. Greenway expressed his concern regarding the inflatable and the electric that would be used to run it. It was noted that the event was changed from 3 days to 2 days and all certificates of liability insurance would be required. Council member, Mrs. Kline expressed her concern with recent inflatable accidents and questioned the insurance liability limit. It was noted that it is required to provide \$1,000,000.00 in liability insurance prior to any permit being issued for an event. Council discussed their request for ponies; it was determined that it would not be an issue. Council member, Mrs. Kline questioned the use of helmets for the pony rides. It was noted that it was not known if helmets would be required. Council member, Mr. Tillson stated the fee should be increased to cover the trash along with the requirement to provide liability insurance. Council discussed what an equitable charge would be for the event. Council member, Mr. Lucas stated the goal is to approve the event without taking a loss, wanting them to have a successful event as possible. Street /Water Commissioner, Mr. Smith stated extra trash cans would be provided for the event and they would need to empty them over the weekend in the Borough's dumpster. Mrs. Kline amended her motion to approve Event Permit 2016 – 12 with proper certificates of insurance and \$400.00 fee, second by Mr. Lucas. The motion carried. Council member, Mr. Lucas stated that a tentative schedule of the concert series and movie schedule was presented at the meeting, hopefully it will be finalized at the next meeting. He noted if anyone has any recommendations please inform the Recreation Board. He stated BLA Landscaping will be attending the next meeting, February 16th to review Phase II of the Master Plan.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith reviewed the Street/Water report and the Larson Design Group status update with Council. The report included Bulk Water Loading Station warranty issues, report on the new distribution system low chlorine residuals, Broad Street Phase II and III engineering direction, Mill Street tree removal, Stop sign and no parking until snow removed sign installation, Water system DEP inspection with no violations, waterline repair on Sunset Drive, Well # 5 generator issue and repair, 774 water meters installed to date, December bulk water - 64,690 gallons and a new bulk water vendor. Council President, Mr. Moyer questioned the placing of a handicap parking space on Broad Street that was previously discussed last year. Street/Water Commissioner, Mr. Smith stated they will be installed in the spring on both sides of Broad Street.

MAYOR – Mayor Dorin reviewed the January 2016 Police report. He stated the complete report is located on the Police Facebook page.

POLIC CHIEF – Chief Gyurina reported to Council on felony retail thefts, two solved, a DUI accident involving heroin, a huffing incident at Walmart and two other felony cases.

COUNCILPERSONS – Council member, Mr. Tillson stated there had been a Street/Water Committee meeting prior to the Council meeting. He stated they discussed making a change to the water ordinance adding a rate and charge for a multi – unit, a building which has one service line that serves more than one dwelling unit. He explained per quarter the minimum charge would be multiplied by the number of units, the gallons would also be multiplied by the number of units. He explained if a property had two units the minimum charge would be multiplied by two, for 0 to 10,000 gallons. He explained the typical bill should not change, except in the case of low water usage. Council President, Mr. Moyer questioned how it

would affect future development; as the current ordinance states a separate tapping fee and separate meter is required for each unit. Council member, Mr. Tillson stated any new construction would need to go by the current ordinance. He explained that there is a difference between new construction and an existing building being retrofitted, where it might be unfeasible to abide by the ordinance. He questioned Solicitor, Randy Sees on the issue. Solicitor, Randy Sees stated a separate service line and meter is required regardless if it was built with multiple service lines or one service line being retrofitted. A discussion took place on the difficulty of plumbing existing homes to meet the separate service line requirement of the current ordinance. Council member, Mr. Tillson stated the multi-unit charge would make it fair to the other users who have separate service lines to their buildings. Mayor Dorin questioned how this would affect the issuance of a permit. Council member, Mr. Tillson stated he wants minimize the expense to the property owner however wants to make sure the Borough receives their fair share. Mayor Dorin noted there shouldn't be much worry about new construction in the borough. A discussion took place regarding a grandfathering date. Solicitor, Randy Sees stated what he was anticipating was any multi-unit prior to the passage of the ordinance wouldn't be required under the law to install separate service lines; any unit after the passing of the ordinance turned into a multi-unit building would be required to install multiple service lines or if the Borough chooses a separate charge could be multiplied by the number of units in the building.

Motion by Mr. Tillson authorizing the Borough Solicitor to draft an amendment to the Water Ordinance to permit for a multi-unit charge for existing properties with multi-units dwellings with one single service line, second by Mr. Greenway. The motion carried. Council member, Mr. Tillson stated it was also discussed that the borough is experiencing difficulty with the installation of new water meters. He reviewed and explained the process of the door hanger notifications to the service address, noting the meters need to be replaced; we need to speed up the process. He stated they are requesting a noncompliant rate charge for customers who refuse to call and schedule an appointment for their new meter to be installed. He stated when the customer receives the bill with the additional charges hopefully they will call, question it and at that time they could schedule their meter to be installed. The Borough Solicitor, Randy Sees recommended an amendment to the existing water ordinance in order to impose the charge. Council President, Mr. Moyer explained that people are avoiding or ignoring the request by the borough to call and schedule the installation of the new meter for the new meter, additionally when borough installers arrive to install the new meter's it is found that plumbing is not proper as required by the borough ordinance and upon notification that these plumbing issues must be repaired, they ignore the request, not scheduling a return visit to have the meter installed. He stated these cases have been going on for six months and up to one year, which results in a loss of income to the Borough. Council member, Mr. Lucas questioned the amount of meters that still need to be installed in the first ward. It was noted that there is a total of 190 meters that still need to be installed. Council member, Mr. Lucas questioned if the Borough has looked into why people are not scheduling to have their meters installed. He stated he knows that a lot of people are afraid to schedule as they have heard from neighbors the cost that may be associated with the installation of the new meter. Council discussed in length the reason why the current ordinance requires proper working plumbing before and after the meter, and the communication, method of notification and flexibility of the process to the residents. Council member, Mr. Lucas suggested a letter be sent to the resident, explaining the process, giving 30 days to call and schedule an appointment, and 90 days to comply; if they choose to not comply the noncompliance charge would take effect. Council member, Mr. Greenway stated the letter would be part of the process moving forward into the 2nd and 3rd Ward meter installation. Council President, Mr. Moyer stated the process of notification could be discussed after the ordinance is in place. He questioned if the Street/Water Committee discussed the noncompliance penalty amount. Council member, Mr. Tillson stated the idea is not to penalize anyone but to have the meters installed, however this isn't going to go away, it needs to get done. Council member, Mr. Lucas explained he does not have a problem with some sort of punishment however he feels there must be some kind of forewarning. Council President, Mr. Moyer feels there must be some teeth in the ordinance in order for people to comply but also should include some sort of a warning. Council discussed a penalty of \$30.00 a month/\$90.00 a quarter. Council President, Mr. Moyer stated the Borough must at least put the ordinance in place. **Motion** by Mr. Greenway to authorize the Borough Solicitor to amend the Water Ordinance to allow for the implementation of a noncompliance meter charge of \$30.00 per month after a 30 day notification, second by Mr. Tillson. Council President, Mr. Moyer asked for any public comments. Resident, Deborah Brown, 1201 Cherry St. questioned why people are afraid, noting that she had received her notification. Council President, Mr. Moyer stated there are ordinance's in place that have

requirements; hopefully the letter notifying and explaining the process to the residents will help. Council member, Mr. Greenway explained the idea is to have the resident contact the Borough, once contact is made the Borough will work with them. Resident, Matt Joiner, 421 Cherry St. commented that all information should be put in the letter as soon as possible in order to get the meter installations completed, without a consequence they will not get completed. Council President, Mr. Moyer explained that these are the things that you do not anticipate when starting such a thing as meter installation and there are some extenuating circumstances, but there are also some instances when they just do not want to comply; the ordinance will get the attention of those who choose not to comply. Council member, Mr. Tillson wanted to clarify that the notification will be sent to the property owner. Council member, Mrs. Kline requested clarification of the ordinance that they have 30 days to contact the Borough and not 30 days to impose the fee. Council President, Mr. Moyer stated that once the notification has been sent, they have 30 days to contact the Borough, if they don't contact the Borough, the noncompliance fee will start to be implemented. The motion carried. Council member, Mr. Tillson questioned the content of the letter to be sent. Council member, Mrs. Kline stated she does not support sending letters with the specific details to be sent prior to the approval of the ordinance. Council member, Mr. Lucas noted the letter needs to give a good explanation and details of the process. Council President, Mr. Moyer commented that the letter should have the approval of the Street/Water Committee, with input and approval of Council.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

COORESPONDENCE AND ANNOUNCEMENTS – The next regular Council meeting will be Monday, February 15th, 2016 at 7:00 PM.

VISITOR AND PUBLIC COMMENTS – None at this time.

There being no further business the meeting was adjourned at 8:45 pm on a motion by Mrs. Holmes, second by Mr. Lucas and carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary