

MINUTES OF THE BOROUGH OF MONTOURSVILLE

March 21, 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 March 7, 2016 meeting were approved on a motion by Mr. Lucas, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT – Nothing at this time.

FINAL LAND DEVELOPMENT – C I REALTY, LLC (DOLLY'S 2 RESTAURANT/ DRIVE –THRU) – 707 CLAIRE ROAD – Architect, Mr. Michael Rempel, representative for CI Realty, LLC presented the proposed Final Land Development to Council. Zoning Officer, Mr. David Hines explained it is a minor Land Development Plan for a proposed drive thru; he had reviewed the plan and as presented it does comply with the Montoursville Borough Zoning Ordinance. He commented in reference to Article 13 Neighborhood Business District, the district it is located in, which is to provide services primarily to the residential area rather than to a larger regional area. Appropriate uses will not generate excessive noise or heavy traffic. His one concern is the potential for stacking of vehicles and congestion on Claire Road. The plan has been reviewed by the Borough Engineer and doesn't require Stormwater management facilities. The plan was reviewed by the Lycoming County Planning Commission and has been recommended for approval, noting that John Lavelle/County Planning concerns for impervious surfaces had been addressed. The Montoursville Borough Planning Commission reviewed the plan and recommended approval with the following conditions: a) add a temporary barrier/gate/landscaping boulders to close the 2nd entrance, b) widen the 3rd entrance to meet 25' driveway standard, c) parking lot lighting will be required to meet current ordinance standards, d) add directional signs for safe and efficient traffic flow. He stated all other zoning, subdivision and land development requirements had been addressed. Architect, Mr. Rempel stated they had agreed to comply with the planning commission's recommendations. Council member, Mr. Tillson questioned if they also purchased the lot previously where the pet store was located. Mr. Rempel replied they have, however it will not be utilized with this project. Council member, Mr. Tillson questioned any neighborhood opposition. Mr. Rempel stated he had not heard from any neighbors. Zoning Officer, Mr. Hines noted landscaping material will be required to cut down on any neighborhood disturbance prior to opening the business. Council member, Mr. Tillson questioned the possibility of traffic signal backup. Mr. Rempel stated extra parking is available for the possibility of two lanes; it is something they will address at that time if it became an issue. Mr. Tillson questioned the size of the signage. Mr. Rempel noted that it will remain the same with an additional drive thru sign on the front of the building. Council member, Mr. Greenway questioned the parking area and entrance location. Mr. Rempel addressed his concerns. Solicitor, Randy Sees stated Final Land Development Plans are generally approved with conditions that at Developer's Agreement is signed with security. Zoning Officer, Mr. Hines noted that it had not been signed as of yet.

Motion by Mr. Greenway to approve CI Realty, LLC (Dolly's 2 Restaurant/Drive – Thru), 707 Claire Rd. contingent upon the Developer's Agreement being executed and Planning Commission recommendations a, b, c & d, second by Mrs. Holmes. The motion carried.

NEW BUSINESS –

LUMBER HERITAGE REGION 2016 GRANT –

Motion by Mr. Lucas to approve the Lumber Heritage Region 2016 Grant agreement, second by Mr. Greenway. Council President, Mr. Moyer explained there is a \$250.00 administrative fee that must be submitted with the agreement. The motion carried.

ELECTRICITY – CONSTELLATION – 1 YEAR CONTRACT – Council President, Mr. Moyer explained electric prices have gone up slightly. It was noted the GRT rate would be \$.06197, and 3 quotes were gotten with Constellation Energy being the lowest.

Motion by Mrs. Kline to approve a one year contract with Constellation Energy, second by Mr. Greenway. Council member, Mr. Greenway questioned if this provider has been contracted with the Borough in the past couple years without issues. It was noted that it was.

The motion carried.

UTILITY SERVICES ASSOCIATES PROPOSAL - \$7,755.00 – LEAK DETECTION – Council President, Mr. Moyer noted this had been discussed at the past council meeting. They will be in the Borough six days. They are the same company used for the past several years with no complaints.

Motion by Mr. Lucas to approve Utility Services Associates proposal for leak detection in the amount of \$ 7,755.00, second by Mrs. Holmes. The motion carried.

ESTABLISH AND OPEN BANK ACCOUNT – DCNR GRANT – Council President, Mr. Moyer explained will be opened at Jersey Shore Bank and is needed to track interest earned on the \$86,000.00 DCNR grant.

Motion by Mr. Lucas to establish and open a bank account for the DCNR Grant, second by Mrs. Kline. Council member, Mr. Lucas questioned the use of the previously established Indian Park Master Plan Capital Improvement fund for the grant. It was noted that it should not be. The motion carried.

PLANNING & ZONING – nothing at this time.

RECREATION – Council member, Mr. Lucas explained that Montoursville Little League requested approval for the installation of bleachers that they would provide behind the backstop at Bower Field. This field does not currently have bleachers. The bleachers would be used by parents who come to watch their children play. He stated the Recreation Board did approve the installation of the bleachers.

Motion by Mr. Lucas to approve Montoursville Little Leagues request install bleachers, second by Mr. Greenway. Council member, Mr. Greenway stated he had confirmed that there is enough room for the bleachers to be installed behind the backstop fence with no safety issues. The motion carried. Council member, Mr. Lucas reviewed the event permits. He noted Event permit 2016 -18, Eastern Lycoming YMCA day camp is being held 2 days a week, Monday & Friday's this year and Event permit 2016-19, Bald Eagle Repeater Association will be an overnight campout.

Motion by Mr. Lucas to approve Event permits 2016-17, 2016-18 and 2016-19, second by Mrs. Kline. Council member, Mrs. Holmes questioned Eastern Lycoming YMCA day camp request. Council member, Mr. Lucas confirmed the days as Monday and Friday. The motion carried. Council member, Mr. Lucas reminded council at the April 19th Recreation Board meeting they will be seeking public input regarding the playground phase of Indian Park Master Plan.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith reviewed the Street/Water report with Council; Pavilions ceilings are being installed with help from the VIP's; parking lots are being graded; park playground equipment was being inspected; an investigation dig found trees planted on Broad Street are planted above electric lines; two service lines were repaired with eight more in need of repair, bulk water sold in the last weeks - 2,793,279 gallons and 921 meters installed to date. Street/Water Commissioner, Mr. Smith requested approval to purchase a budgeted item, a 2016 Caterpillar mini excavator through COSTAR's at a price of \$ 44,400.00, with \$50,000.00 being budgeted for the mini-excavator and trailer. He was waiting on pricing on the trailer.

Motion by Mrs. Kline to approve the purchase of a 2016 Caterpillar mini-excavator through COSTAR's at a cost of \$44,400.00, second by Mrs. Holmes. A discussion took place regarding the purchase of a trailer for the mini-excavator, the

excavator delivery date, accessories included in the cost, warranty and purchase vs lease. Council member, Mr. Greenway noted the reason for the purchase was in order to do water service line repairs in tight areas. The motion carried.

MAYOR – Mayor Dorin announced the PSAB Annual Conference will be held June 5 – June 8, 2016 at the Hershey Convention Center; it is an authorized annual meeting per the Borough Code.

POLICE CHIEF – Chief Gyurina updated Council on the detailing of the new police vehicle, noting due to it being a leftover 3 of the 4 tires are bad and is investigating who will be responsible for replacement of those tires. He briefly discussed a preliminary hearing involving a 4 month old. He also noted the newly hired officer is on the fast track for learning. He alerted residents regarding a suspicious white pickup truck picking up “salvage” that may not be actual salvage.

COUNCILPERSONS – Council President, Mr. Moyer announced a Street/Water Committee meeting took place prior to the Council meeting; the previously discussed Streetscape was a topic at that meeting. Street/Water Committee Chairperson, Mr. Tillson stated the meeting was held to investigate what opportunities were available for the trees on Broad St. He noted Street/Water Commissioner, Mr. Smith had instructed that a tree on both sides of the street were to be hand dug in the area around the tree in order to investigate what actual lines were underneath the current tree scape, exposing electrical lines along with gas lines. Street/Water Commissioner, Mr. Smith also received recommendations from Ettinger’s Landscape as to what species tree would do well under those conditions and suggested to stay away from the current planted species. He explained the current trees had not been planted under the best circumstances and the future of the current living trees may not continue. He stated several decisions must be made in the future as to what direction Council would like to proceed. Mayor Dorin commented that he had not had the opportunity to view the exposed trees however he is receptive to planting another species of tree and feels that will satisfy the situation. Council member, Mr. Tillson discussed several ways of accomplishing the planting of the new trees and stated it must be done in the next couple of months, during the planting season. It was noted that planters would not be an option. Council member, Mr. Greenway discussed the moratorium imposed on the Chief of Police’s vehicle. He stated the taxpayer cost associated with vehicle was \$ 939.00 a year and was an asset to the residents as it increases the Chief’s response time along with providing a second line of defense. It was noted that when the moratorium was placed that the cost was approximately \$5000.00, which was not correct. Council member, Mr. Tillson disagreed with the figures and gave explanation. He stated he does not feel the community is any safer by providing the Chief with a company car. Council member, Mr. Greenway gave explanation to his figures. Council member, Mr. Tillson stated it was not budgeted for 2016 noting the newly hired police officer was also not budgeted. He stated his stance on it is that a company car should not be provided to the Chief; it is ridiculous. Council member, Mrs. Kline questioned the budget, the concessions being made to support the hiring of the new officer and if there was funds available in the current budget to cover Chief’s use of the vehicle. She stated supporting the Chief’s use of the vehicle will increase response time and questioned the difference in response time if he would not have the use of the vehicle. Chief Gyurina stated 10 – 12 minutes difference. Council member, Mr. Tillson commented the use would not be several times a week but once or twice a year and doesn’t understand, it doesn’t make sense. A discussion took place among Council members regarding the Chief’s use of a vehicle. Chief Gyurina explained the vehicle sits in his driveway unless he is needed and for driving back and forth to work. He continued by giving examples where having the vehicle would be a benefit to residents. A discussion regarding the instances where state police coverage would be required or assist took place. Council member, Mr. Greenway explained his feeling is it is an investment in the Borough hopefully not having to be used and continued to explain a situation where it was needed to be used and wasn’t. A discussion took place regarding different examples of situations, response times and costs regarding the vehicle use. Council President, Mr. Moyer suggested to put the subject on the agenda for the next meeting so the public may comment prior to Council taking a vote on the matter. All agreed. Council member, Mr. Lucas discussed playground equipment needing attention. Street/Water Commissioner, Mr. Smith stated the noted playground equipment will be removed. Council member, Mr. Tillson requested an update on the condition and anticipated resolution to the erosion of the bike path. Council President, Mr. Moyer stated Council member, Mr. Greenway has contacted and discussed the situation with Senator Yaw. Senator Yaw expressed concern and requested photographs noting that he is member of the

Chesapeake Bay Commission. Council President, Mr. Moyer stated as of date there has been no movement and we are still waiting to hear from all entities involved. Street/Water Commissioner, Mr. Smith discussed the possibility of utilizing concrete from the airport to stop the erosion of the bike path via a DEP Emergency permit. It was noted the concrete must be moved by May 1st. A discussion took place regarding the utilization of PaDOT equipment and County Act 13 funding to help with the bike path. Council member, Mr. Tillson noted at the prior council meeting it was discussed the prospect of installing a 4 way Stop sign on Park Rd. and requested the topic to be put on the agenda of the next council meeting. **Motion** by Mr. Lucas to authorize the Solicitor to draft an Ordinance to authorize the installation of 4 stops signs in the intersection of Park Rd and John Hazel Drive, second by Mr. Greenway. The motion carried.

SOLICITOR – Nothing at this time.

PENDING MATTERS – Council President, Mr. Moyer explained he had received a recommended revised Zoning fee’s schedule from Planning and Zoning Chairperson, Mrs. Holmes, which will be added as an agenda topic for discussion with a resolution to be drafted at the next council meeting. This will allow for public comment. He reviewed and explained, the fees are not to make a profit but to pay for the actual expenses incurred for these services. The schedule had been provided to Mrs. Holmes via Zoning Officer, Mr. David Hines.

COORESPONDENCE AND ANNOUNCEMENTS – The next regular Council meeting will be Monday, April 4, 2016 at 7:00 PM. Council President, Mr. Moyer announced there will be an executive session to discuss some pending legal matters following tonight’s council meeting and we will not be reconvening after the executive session.

VISITOR AND PUBLIC COMMENTS – Fire Chief, Scott Konkle thanked Borough Council for use of the hydrants at the airport and Mill Street for MAMA training. He noted 2 men are in the EMT training and 5 men are currently in the firefighting one training. He commented that he does not prefer PA State Police coverage in the Borough and would prefer paying the Borough Police overtime to work.

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

Respectfully submitted,

Ginny Gardner, Borough Secretary