

MINUTES OF THE BOROUGH OF MONTOURSVILLE

March 3, 2014

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

The Pledge of Allegiance was observed.

The minutes of the January 13, 2014 meeting were approved on a motion by Mr. Moyer, second by Mrs. Holmes. The motion carried. Mayor Dorin explained that Kelly Mazzante, who was to receive a certificate of recognition was under the weather and the Officer Keller who was to receive an Officer of the Year Award was currently on assignment, so he will be deferring until later in the meeting and Kelly until the next meeting.

CONDITIONAL USE PERMIT – Brian Martino, 1020 N. Loyalsock Ave. – transitional professional office – Martino Insurance. Zoning Officer, Mr. Matt Sauers opened the public hearing for the conditional use for Mr. Martino, 1020 N. Loyalsock Avenue as a transitional professional office; an insurance office. He noted it is an approved use as per the Zoning Ordinance; been approved by the County Planning and approved with one recommendation from the Borough Planning Commission. Council member, Mr. Tillson questioned the driveway pattern and parking going to be used. Mr. Martino gave testimony he would be applying for all required zoning permits. Zoning Officer, Mr. Sauers noted that there is a hammerhead at the end of the garage. Mr. Martino gave a brief background of Martino Insurance; he noted the business will have ten to fifteen cars daily. Resident, Ms. Bonnie Darling, 1119 Chestnut Street questioned if this property was zoned to allow a business and residence in one property and if a beauty salon would be allowed. Zoning Officer, Mr. Sauers stated that a professional office is an approved use for the property however beauty salons are not considered professional offices. Ms. Darling questioned future zoning for the property. Zoning Officer, Mr. Sauers stated that professional offices would be permitted in the future or it could convert back to a residence. It was noted that the zoning of that property had not changed; it has existed since 2009. Ms. Darling noted that she along her neighbors are not in favor of the use. Council member, Mr. Moyer confirmed that the zoning has existed on this property since 2009 and this is just a process that is required by the zoning ordinance. A discussion took place regarding a utility right of way at the rear of the property. Zoning Officer, Mr. Sauers closed the public hearing at 7:10 PM.

Motion by Mr. Moyer to approve the Conditional Use for Brian Martino, 1020 N. Loyalsock Ave., for use as a transitional professional office including the recommendation from the Planning Commission, second by Mr. Tillson. The motion carried.

SUBDIVISION – LOT CONSOLIDATION – Willing Hand Hose Co, 821 Broad St. Mr. Jared Pantella/ Hawbaker Engineering representing the Willing Hand Hose gave presentation and explanation of consolidation of Parcel #34-006-105 and Parcel # 34-006-107. Zoning Officer, Mr. Matt Sauers stated it complies with the requirements needed and recommends approval. **Motion** by Mr. Lucas to approve the Subdivision –Lot Consolidation for Willing Hand Hose Company, Parcel #34-006-105 and Parcel # 34-006-107, second by Mrs. Holmes. The motion carried.

LAND DEVELOPMENT PERMIT – Preliminary Land Development – Willing Hand Hose Co/Lundy Construction, 821 Broad St., Mr. Jared Pantella/Hawbaker Engineering presented to council the proposed Preliminary Land Development for Willing Hand Hose Company. Council member, Mr. Tillson questioned the demolition of the existing house. Willing Hand Hose, President, Mr. Tyson Minier, stated the house is currently being used to house live in members, so currently they are not looking to demolish. Council member, Mr. Tillson questioned if there would be a social hall. Mr. Minier stated that there would not be a social hall.

Motion by Mrs. Holmes to approve the Preliminary Land Development Permit for Willing Hand Hose Company, second by Mr. Moyer. The motion carried.

TREASURERS REPORT –**Motion** by Mr. Moyer to approve the treasurer's report and the Borough bills for February 2014, second by Mrs. Holmes. The motion carried.

NEW BUSINESS –

PUBLIC HEARING – CDBG FFY2014 CDBG – Council President, Mr. Ronald Shearer recessed the regular meeting at 7:18 pm and the first public hearing for the CDBG FFY 2014 was convened. Mrs. Kristin McLaughlin of SEDA-COG stated the CDBG program is an entitlement grant program. It is federal program through Housing and Urban Development, passed to PA Community and Economic Development and then passed to the entitlement community. It is governed by PA ACT 170. Tonight's public hearing goal is to discuss the regulatory requirements, discuss any projects under consideration for 2014, to invite any proposals from the public and at the end of tonight's public hearing conclude projects for the funding year 2014. The Borough's estimated allocation from DCED this year will be \$ 85,000.00 with the allocation date yet to be decided, hopefully by summer. She reviewed the application schedule and stated that June 2nd is the project finalization date with the Final Public Hearing date is as yet to be determined. She explained and reviewed the eligible activities; the regulatory requirements; the Fair Housing Notice, the Ant displacement Plan, Section 504 Annual Review and Section 3 Statement. She reviewed past years' funding; approximately \$200,000.00 in curb cuts and recently the reconstruction project of Bennett and Pine Streets at a cost of approximately \$200,000.00. Approximately \$64,000.00 is remaining from the years funding from Bennett and Pine Streets reconstruction project to be rebudget. At this time, Mrs. McLaughlin gave council or the public the opportunity to propose projects. Council member, Mr. Lucas asked Mrs. McLaughlin to review with the public the low to moderate income guidelines in order to qualify. Council member, Mr. Moyer requested to the public to spread the word on these grants to their neighbors. Council members and the public discussed several possible projects including handicap piers for the pond, park master plan, restoration of the bike path, paved walkway from the elderly housing to the park, sidewalks, installation of gas lines and curb cuts. Resident, Mr. Wayne Miller suggested adding a sidewalk project if it would be eligible. Resident, Donna Ponegrate suggested a donation to the Fire Company. At this time Mrs. McLaughlin questioned if there were any more any additional requests for proposed projects. She asked any public comment on any projects under consideration for the 2014 funds or any other previous year's projects. Ms. McLaughlin then closed the 2014 CDBG application process. She asked if there were any public comment or concerns regarding the potential for historical or environmental impact associated with projects under consideration for 2014 funds or any other previous year's projects. There were no public comments. Ms. McLaughlin then closed the 2014 CDBG application process. Council President, Mr. Shearer closed the public meeting and reconvened the regular council meeting at 7:45 P.M.

At this time, Police Chief Gyurina made a request of council to hire Christopher Herb as a part time Police Officer.

Motion by Mr. Moyer to approve the hiring of part time Police Officer Christopher Herb, seconded by Mr. Tillson. Motion approved. Council member, Mr. Moyer welcomed Police Officer Herb.

ENGINEERING PROPOSAL – LARSON DESIGN GROUP – Well 4 & 5 Electrical Service and Generator Feasibility Study – Street/Water Commissioner, Mr. Ronald Smith explained and discussed with council.

Motion by Mr. Tillson to approve engineering proposal for Well 4 and Well 5 Electrical Service and Generator Feasibility study from Larson Design Group in the amount of not to exceed \$ 7,500.00, second by Mr. Moyer. The motion carried.

LB WATER – WATER METERS – – Street/Water Commissioner, Mr. Smith explained that quote received is for \$240.00 per meter including MXU for the IPERL from LB Water which is a COSTARS dealer. Mayor Dorin asked several questions regarding the meters. Street/Water Commissioner, Mr. Smith stated that there is no charge for the software upgrade, which includes training. Council member, Mr. Lucas stated that a lot of time had been spent discussing this subject at the last Street/Water Committee meeting; noting that when comparing models this meter is a smart meter and has a better warranty. Street/Water Commissioner, Mr. Smith stated that they will be installed by wards for the next three years. Installation will start in Ward 1 as soon as the meters are delivered.

Motion by Mr. Lucas to approve the purchase of the IPERL meter and MXU from COSTARS dealer, LB Water at a yearly cost of \$186, 720.00 for the next 3 years, second by Mrs. Holmes. The motion carried.

2013 LIQUID FUELS REALLOCATION – WINTER MAINTENANCE MATERIALS – Street/Water Commissioner, Mr. Smith explained that he is requesting council to reallocate the 2013 County Liquid Fuels of \$ 4305.00 to be used for Street Improvements to Winter Maintenance.

Motion by Mr. Moyer to reallocate 2013 County Liquid Fuels \$4305.00 from Street Improvements to Winter Maintenance, second by Mrs. Holmes. The motion carried.

ELECTRICITY – CONSTELLATION – 1 YEAR CONTRACT– Borough Secretary explained that the cost of electricity has risen significantly in the past several months; in order to keep the costs to a minimum three quotes were received.

Constellation Energy was the least expensive for a one year contract.

Motion by Mr. Moyer to approve a one year contract with Constellation Energy for electricity, second by Mr. Tillson. Council member, Mr. Tillson suggested to check the costs yearly. All member agreed. The motion carried.

PSAB ANNUAL CONFERENCE VOTING DELEGATE - Borough Secretary explained to Council, the voting delegate could be any Council person that attends the annual conference. This year council member Rosemary Holmes will be attending.

Motion by Mr. Lucas to appoint Council member, Mrs. Rosemary Holmes as voting delegate at the 2014 PSAB annual conference, second by Mr. Moyer. The motion carried.

KEYSTONE COMMUNICATIONS RADIO PURCHASE- Street/Water Commissioner, Mr. Ronald Smith explained that there may not be a need to purchase a radio for the new dump truck due to the fact that Police Chief Gyurina may have an extra radio that could be installed in the new dump truck.

VOLUNTEERS OF INDIAN PARK- Personnel Committee Chairman, Mr. Dave Moyer explained to council that the Personnel Committee met to discuss items that have arisen regarding liability issues and the VIP's. The Personnel Committee is making the following recommendations; the VIPs will no longer be able to drive licensed vehicles due to increased liability exposure, their spending allotment has been decreased from \$100 to \$25; anything more than \$25 will require approval from Street/Water Commissioner, Mr. Ronald Smith. Council member, Mr. Moyer noted that this does not mean they cannot spend over \$25 just that it will require approval from Street/Water Commissioner, Mr. Smith. Council member, Mr. Moyer stated they would like 2 or 3 individuals from the VIP's responsible for purchasing and supplying receipts for all purchases. He went on to say by any means they are not intending on hog tying the VIP's from doing any projects; just trying to reduce liability exposure and auditing issues that may arise. He noted the VIP's are a valuable asset to the park. Council member, Mr. Moyer was questioned if the VIP's we're allowed to utilize chainsaws. He stated that word has already been passed on from the prior council meeting that they were not to use chainsaws; he noted that it does not mean power tools. He also felt a motion was not required at this time in order to implement these recommendations; Street/Water Commissioner will handle them. Council member, Mr. Moyer also stated that spraying of pesticides was prohibited from being done by the V. I. P's. Mayor Dorin stated that some of these things were on the list that the VIP's wanted to do, like using the chainsaws and spraying. He stated that the VIP's are disappointed and concerned with the invasive species "Tree of Heaven" in the park and removal along with spraying along pathways and other projects that they had planned which they will no longer be able to do. Mayor Dorin questioned if the borough employees with the pesticide license could possibly spray prior to April 15th. Street/Water Commissioner, Mr. Smith did not think it would be a problem to spray by April 15th however felt that you must at least wait until the foliage starts to come out for it to be effective. A discussion took place regarding DEP requirements for license pesticides operators to spray in public recreation areas. Council member, Mr. Lucas stated that the VIP's are an asset to the park, we just need to keep open lines of communication which will help Street/Water Commissioner, Mr. Smith help the VIPs with their projects. Mayor Dorin discussed with council future projects for the VIP's. He stated that the VIP's are disappointed. Council member, Mr. Moyer stated unfortunately change is hard. Mayor Dorin also discussed a waiver of liability and noted he would supply the VIP's with the solicitor's emailed advice on the subject. Solicitor, Randy Sees stated he would have to review the subject again as it was several months ago. Council member, Mr. Tillson questioned the

Solicitor if it was possible for third party to sign off on liability. Solicitor, Randy Sees stated if he recalls correctly the waiver only released the liability of the VIPs themselves and cannot release third party liability.

PLANNING & ZONING – February Planning Minutes and Central Keystone COG Reports February 2014 were reviewed by council.

RECREATION – February Minutes were reviewed.

- Event Permits: 2014-5 Alzheimer's Asso–Walk to End Alzheimer's–September, 20th, 2014,
7:00AM-1:30PM
2014-6 Lycoming Physical Therapy, 4 mile marathon to support Family Promise of Lyco. Cty–
April 5, 2014, 7:00AM-1:00PM
2014-7 Lycoming County SPCA –Pet walk/Expo– May 30 –June 1, 2014 – 9:00AM-
5:00PM
2014-8 Kelly Mazzante–Boot camp–4 week program, Tues & Thurs 6:00-7:00PM and
Saturday 10:00-11:00AM - April throughout summer
2014-9 Montoursville Kiwanis Club – Kiwanis Fall Festival –September 26 -27, 2014,
4:00PM - 11:00PM
2014-10 Susquehanna Christian Softball League – Softball – Saturday's, May 1
through August 1, 2014 5:30PM-8:30PM
2014-11 Montoursville Rotary Club – Lewis & Clark Circus – June 27, 2014
7:00AM - 9:00PM
2014-12 Trinity Episcopal Church – Regional Worship Service & Picnic –May 18, 2014,
7:00AM – 2:00PM

Council member, Mr. Lucas introduced Mr. Buckle with the Kiwanis Club, who will be hosting the Fall Festival in conjunction with the Harvest Parade. Mr. Buckle explained that their intention is to run a family oriented event in the park for the community. He went on to say that their Kiwanis club is growing and has a lot of young members. Mr. Buckle explained that they will be seeking donations from the community in hope of having a successful Fall Festival. Council member, Mr. Lucas stated that the Recreation Board referred Event Permit 2014- 7, Lycoming County SPCA back to council for review. He also stated they are also referring back to council, a request from an organization called Micah's Journey to operate the concessions stands. A discussion regarding the fees for the SPCA and other nonprofits, along with for profit businesses using the park took place. Council President, Mr. Shearer noted that in order for "for profit" businesses to utilize the park; the park rules need to be changed. Mayor Dorin noted that the Fall Festival had permitted "for profit" businesses. Council discussed past practices and future issues that could occur with "for profit" businesses in the park. Council member, Mr. Moyer requested further clarification regarding Micah's Journey request. It was discussed that the current concession stands are run by the softball leagues to help defray their costs of taking care of the fields. Council agreed to allow the softball leagues continue to run the concession stands and to charge the SPCA permit fees per day.

Motion by Mr. Lucas to approve Event permits 2014-5, 2014-6, 2014-7, 2014-9, 2014-10, 2014-11, 2014-12 and table 2014-8 for further clarification, second by Mr. Moyer. The motion carried.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith gave a report to council on the Street and Water Department activities which include the installation of the new radios. He noted the approximate delivery date of the new truck is the third week of March; 219.41 ton of salt was used this winter season; had several complaints this year regarding snow plowing and sidewalk shoveling due to the excessive amount of snow this winter. He presented to council a request for two handicap parking stalls; 460 Jordan Avenue and 353 Cherry St. Street/Water Commissioner, Mr. Smith stated that he received approval from Chief Gyurina for the handicap stalls. He stated that PADOT is scheduled to pave Fairview Drive this summer. Fairview Drive has seven intersections that PADOT will be redoing, making them handicap accessible at a cost of approximately \$5,000.00 per curb cut. He noted this is becoming a requirement of any paving project and council should consider using the CDBG grant for use in any Borough paving project. Street/Water Commissioner, Mr. Smith requested council to allow him to get three phone quotes for the mowing of the park; Mr. Brown does not wish to mow it this year. Council agreed. He explained that Mill Street will be closed Thursday due to the beams for the railroad bridge being installed. He also reported that 3 leaks had been repaired.

MAYOR – Mayor Dorin reviewed the February Police Report with council. He explained that council had approved “Young Lungs at Play” and the 24 signs have arrived and are ready to be installed in the park. Mayor Dorin reported on the Park Master Plan; three firms will be submitting and presenting a proposal to the Recreation Board at their March 18th meeting. He also discussed the Rental Ordinance and whether council would like to stay as close to the Rental Ordinance that Williamsport currently uses. Mayor Dorin questioned Chief Gyurina if he had reviewed the ordinance and had any comments. Chief Gyurina stated to use what applies to Montoursville Borough currently and implement as situations present themselves. Mayor Dorin questioned Chief Gyurina about implementing the 3X’s you are out to the rental properties. Chief Gyurina did not see any issues with it. Mayor Dorin also discussed the registration process that could be implemented with the ordinance. Council member, Mr. Tillson asked the Solicitor about privacy issues and the registration process. Solicitor, Randy Sees stated that it was definitely a privacy issue but needs to investigate the issue further. A discussion regarding the costs associated with implementing the registration process. Council member, Mr. Lucas stated that he feels the Borough would be remiss if they didn’t do something similar as Williamsport’s ordinance.

POLICE CHIEF – Chief Gyurina reviewed some ongoing investigations.

COUNCILPERSONS – Council member, Mrs. Holmes stated that she is working on the newsletter with the anticipated mailing date of April.

SOLICITOR – nothing at this time.

COUNCIL PRESIDENT – nothing at this time.

COORESPONDENCE AND ANNOUNCEMENTS –

Next council meeting will be Monday, April 7, 2014 at 7:00 PM

VISITOR AND PUBLIC COMMENTS –Resident, Marian Harris, Jordan Avenue questioned why council does not host the free shredding day any longer. It was noted that in the past, the company that had not charged to do the service however has decided to start charging for the service.

There being no further business the meeting was adjourned at 9:07 pm on a motion by Mr. Lucas, seconded by Mrs. Holmes and carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary