

## MINUTES OF THE BOROUGH OF MONTOURSVILLE

April 1, 2019

The regular meeting of the Montoursville Borough Council held in the John Dorin Municipal Building was called to order by Council President Eric Greenway at 7:00 PM with the following answering roll call: Mark Tillson, Ted Haines, Tina Kline, Chris Lucas and Robert Brown. Absent: Eric Greenway

The Pledge of Allegiance was observed.

The March 4, 2019 minutes were approved on a motion by Mr. Haines, second by Mr. Brown. The motion carried. Council Member, Mrs. Kline noted the March meeting minutes did not reflect her record of a no vote for an event permit that been presented for approval. In response, the Borough Secretary explained that a roll call vote was not taken therefore yays, nays or abstentions are not recorded in the minutes.

**VISITORS/PUBLIC COMMENT ON AGENDA ITEMS** – Ms. Glenda Ruch/SEDACOG, Director of Community Development Program, publicly thanked Council for welcoming her at their meeting and explained she is attending in order to answer any questions regarding reallocation of funds for the CDBG FFY 2018 for an adult wheelchair accessible swing into Curb cuts Phase III. She explained one of Montoursville Borough's FFY 2018 CDBG projects that Borough Council had elected was to allocate \$20,000 toward the purchase and installation of an adult wheelchair accessibility swing to be installed in Indian Park. Prior to Borough Council taking such action on the project, Ms. Kristin McLaughlin/SEDACOG Senior Program Analyst was asked by council to perform some research and consult with DCED to verify eligibility and fundability of the adult wheelchair accessible swing. Ms. McLaughlin reported based upon direction she had received from John Hears, Lycoming County CDBG Grant Manager, Borough Council elected to move forward on the allocation including the project under the 2018 CDBG application. Ms. Ruch explained DCED conducted a thorough review of the application and Ms. Donna Enrico/DCED Economic Review Consultant, followed-up with Ms. McLaughlin, and expressed concerns regarding the adult accessible wheelchair swing stating it did not meet the low to moderate income national objective based on limited clientele. Ms. Ruch explained the definition of limited clientele under the federal regulations have several protected classes; severely disabled adults are considered a protected class under the limited clientele and considered low to moderation income. Ms. McLaughlin had been in contact with the Borough Secretary, and informed her the only way DCED would keep the application moving forward that included the adult accessible swing is if Borough Council were to agree and submit to DCED a written certification that would assure the adult accessible swing will be exclusively used for severely handicapped adults. The risk factors had been discussed that would be associated should Borough Council include the project under the 2018 application, and were to include certification as required by DCED. Ms. Ruch reviewed the potential risks scenarios noting if DCED were onsite in the park conducting a monitoring visit reviewing the CDBG funded projects, and a child was on the adult accessible wheelchair swing that is exclusively to be used by a handicapped adult; or if a person from the public witnessed a child or another person using the adult accessible wheelchair swing and informed DCED of the occurrence, Borough Council would be required to refund the \$20,000 that was allocated for the project back to DCED. Ms. Ruch indicated at the directive of the Borough secretary and Borough Council, Ms. McLaughlin had informed DCED of Borough Council's decision to abandon the adult accessible wheelchair swing project and to reallocate the \$20,000 into the Borough's ongoing Curb Cuts project. Ms. Ruch stated she is attending tonight's meeting to make the public aware and address any questions or concerns regarding the project decision made by Borough Council. It was mentioned this project can be re-addressed in the future if Borough Council elects to include certification with language required by DCED; SEDACOG will help facilitate the request. Vice President, Mr. Lucas commented he is disappointment with DCED's decision, noting the Borough is granted CDBG funding each year and is very appreciative of this funding. However, he feels Borough Council was forced to apply the \$20,000 CDBG funding into the curb and sidewalks rather than into a project that would benefit the people of the community. He further stated they will be diligent to find other avenues to move forward with this project without assistance from DCED. It was mentioned it is not reasonable to expect Borough Council or any one person in the borough to be the judge of somebody's handicapped level. Council member, Mrs. Kline inquired as to DCED's requirement change. Ms. Ruch addressed her question and explained DCED is being more stringent and more restrictive with requirements than previously had been.

**NEW BUSINESS –**

**SRO AGREEMENT & EXTENSION LETTER** – Council Vice President, Mr. Lucas presented the SRO Agreement & Extension Letter.

**Motion** by Mr. Brown to approve the SRO Agreement & Extension Letter, second by Mrs. Kline. The motion carried.

**APPLICATION FOR COUNTY AID** – Council Vice President, Mr. Lucas presented the application for county aid

**Motion** by Mrs. Kline to approve the Application for County Aid, seconded by Mr. Haines. The motion carried.

**SALE OF 2012 DODGE CHARGER THROUGH MUNCIBID** – Council Vice President, Mr. Lucas explained the bid received was \$4,200.00 for the 2012 Dodge Charger.

**Motion** by Mr. Brown to approve and accept the bid for the 2012 Dodge Charger in the amount of \$4,200.00 seconded, by Mrs. Kline. The motion carried.

**PURCHASE 2019 DODGE CHARGER AWD POLICE VEHICLE** – Council Vice President, Mr. Lucas explained a request to purchase 2019 Dodge Charger AWD police vehicle through COSTAR's in the amount of \$27,795.00.

**Motion** by Mrs. Kline to approve the purchase of a 2019 Dodge Charger AWD police vehicle through COSTAR's in the amount of \$27,795.00, second by Mr. Haines. Council member, Mrs. Kline questioned the date of delivery. Chief Gyurina explained the vehicle was in the process of being built. Vice President, Mr. Lucas questioned the condition of the other police vehicles. Chief Gyurina explained some vehicles have issues. Council member, Mr. Tillson questioned the equipment needed for the new vehicle. Chief Gyurina stated the equipment from the 2012 Dodge Charger will fit in the new vehicle. The motion carried.

**PURCHASE HONDA GENERATOR 6.5-6.9 KW** – Council Vice President, Mr. Lucas explained a request to purchase a Honda generator 6.5-6.9 KW from United Rental in the amount of \$1,335.00. It was noted the purchase amount is slightly over the budgeted amount of \$1,000, however the budgeted amount was based on an older quote. Council member, Mr. Tillson questioned if the generator will be permanently mounted. Street/Water Project Coordinator, Mr. Cliff Hoffman confirmed the portable generator will be mounted to the front of the new trailer, which will be stored inside.

**Motion** by Mr. Brown to purchase the Honda generator 6.5-6.9 KW from United Rental in the amount of \$1,335.00, second by Mr. Haines. The motion carried.

**INDIAN PARK/BOROUGH PROPERTY MOWING** – Council Vice President, Mr. Lucas shared at the previous Borough Council meeting quotes were reviewed in regard to the mowing contract of Indian Park and Borough property. Borough Council had proposed to award the contract to Dad's Landscaping however a discussion ensued over concerns with services to be provided and requested verification from Dad's Landscaping as to meeting the borough's criteria. Council member, Mr. Brown inquired if Dad's Landscaping was willing to meet the criteria that were previously discussed by council. The Borough Secretary confirmed they are able to meet the criteria mowing Indian Park and Borough property. Street/Water Mr. Hoffman noted at the prior meeting Smith's Lawncare quote had been incorrectly tabulated however was still not the lowest quote.

**Motion** by Mrs. Kline to approve the contract with Dad's Landscaping to provide mowing services to Indian Park and Borough property; seconded by Mr. Brown. The motion carried.

**PROPERTY DAMAGE** – Council Vice President, Mr. Lucas discussed the property damage release for damage incurred to the traffic signal pole at the intersections of Broad and Walnut Streets. It was explained that Lecce Electric provided an estimate of \$50,000 for the repair. The monies received by endorsing the property damage release from driver's insurance company will be placed in a segregated fund for the Borough share required for a future grant application to replace the Borough traffic signals.

**Motion** by Mr. Brown to approve the Property Damage Release form for the damage of the traffic signal pole located at the intersection of Broad Street and Walnut Street in the amount of \$50,000.00, second by Mr. Haines. The motion carried.

**BRUSH PILE** – Council Vice President, Mr. Lucas explained as spring cleanup approaches the need for establishing the opening date for the return of the container used for the collection of residents brush is needed. It was shared the cost of the container has remained the same as last year with the exemption of a \$.50 per ton increase from the landfill. Council member, Mr. Brown inquired for the Borough Secretary to confirm that the previous year's costs were under budget for this service. It was explained the previous year's budget included an anticipated fee for grinding which was eliminated therefore year end numbers were under budget. In addition the container did not start until July 2018 whereas 2019 will be made available a couple of months earlier. The hours will be Monday through Friday, 8:00AM to 4:00PM. It was recommended the container be delivered and available to residents as soon as possible; within the first week of April. Borough Council will have future discussion regarding the brush facility being open on certain Saturdays.

**PLANNING & ZONING** – Central Keystone COG March 2019 Reports.

**RECREATION** – Council Vice President, Mr. Lucas reviewed and explained Event permits 2019-02, and 2019-06. He shared the Men's softball, Coed softball and Lady Warrior softball leagues schedules and playing field requests. Men's softball leagues representative, Mr. Carter McGill requested the Lady Warrior softball leagues contact noting he would work with them on scheduling. Council Vice President, Mr. Lucas stated the concern of the Recreation Committee was with the Men's softball leagues permit and requested schedule; currently it looks as if they would like the use of the fields every day. The Recreation Committee would like to be able to see any field openings for free play for family outings, or kid's pickup games. He explained clarification would be helpful on next year's event permit. Mr. McGill explained Monday, Tuesday and Wednesday are the scheduled games with Thursday and Friday for makeup games. Council Vice President, Mr. Lucas questioned Mr. McGill if they would be utilizing both fields at all times. Mr. McGill stated both fields are used Monday, Tuesday and Wednesday. Council Vice President, Mr. Lucas questioned Sunday's use. Mr. McGill shared Sunday's are for the Coed softball leagues use. Mr. McGill introduced two new officers, President and Vice President of the Men's softball league.

**Motion** by Mr. Lucas to approve Event Permits 2019-02 and 2019-06, seconded by Mrs. Kline. Council Vice President, Mr. Lucas stated incidents by the adult leagues that will not be tolerated; parking and driving in areas that are not permitted, smoking and alcohol use in the park. He explained if any of those issues are observed, permits will be rescinded and any future permits will not be issued. He continued stating he is requesting each representative to police their leagues for cooperation. It was noted in previous years there was a Church softball league, however they have not requested an event permit as of date. The motion carried. Council Vice President, Mr. Lucas reviewed and explained Event permit 2019-11.

**Motion** by Mr. Lucas to approve Event Permit 2019-11, seconded by Mrs. Kline. The motion carried. Council Vice President, Mr. Lucas reviewed and explained Event permit 2019-12.

**Motion** by Mr. Lucas to approve Event Permit 2019-12 without a fee; seconded by Mrs. Kline. It was confirmed the date of the event is Saturday, April 6<sup>th</sup>, 2019 with a rain date of Sunday, April 7<sup>th</sup>, 2019. The motion carried.

**STREETS/WATER** – Street/Water Project Coordinator Mr. Hoffman reviewed his March report; he reported leaks in the borough are at an all-time low, unaccounted water usage is down approximately to 10% - 15%. Council member, Mr. Tillson noted the purchase of the trailer and generator had been approved. He questioned the bulk water sales. It was noted that sales have declined.

**Motion** by Mr. Tillson to approve the purchase of the 2003 Vactor truck as per the letter of intent to purchase from Old Lycoming Township; seconded by Mr. Haines. Council Vice President, Mr. Lucas requested for public comments. No comments were received. The motion carried.

**MAYOR** – Mayor Bagwell reported he had been contacted by the Lycoming County Veterans Day Parade Committee inquiring if Montoursville Borough would be willing to include them under the borough's liability insurance for their one parade scheduled later this year. The Borough Secretary confirmed the cost for the committed to be added to the Borough liability coverage for their one day event would be \$150.00. She explained the parade is held at different municipalities every year; this will be the first year the parade will be held in Montoursville Borough. Council member, Mr. Brown inquired with the Borough Secretary if there are available funds to cover this cost in which were

confirmed. Council member, Mrs. Kline noted that there may be a possibility of a resident making a donation to cover the cost.

**Motion** made by Mr. Brown to approve the Lycoming County Veterans Day Parade Committee to be added to Borough of Montoursville's liability insurance for their 2019 parade at the cost of \$150.00, seconded by Mrs. Kline. Council Vice President, Mr. Lucas requested for public comments. No comments were received. The motion carried.

**POLICE CHIEF** – Chief Gyurina reviewed the March police report. Council member, Mrs. Kline questioned Chief Gyurina regarding the police participating in the MCI drill. Chief Gyurina said he did not believe so. Council member, Mr. Tillson stated he had been contacted by a resident regarding the enforcement of tractor trailer trucks and local deliveries. Chief Gyurina stated there is nothing in the vehicle code that permits his enforcement. Council member, Mr. Tillson questioned Chief Gyurina regarding the police having bullet proof shields. Chief Gyurina stated the police department already owns some through a grant monies obtained several years ago.

**COUNCIL PERSONS** – Council member, Mr. Brown announced it is the 75<sup>th</sup> Anniversary of Konkle Library. He shared the library will be holding various events scheduled each month throughout the year in honor of their anniversary. A flyer with a list of the calendar of events is available is at the Borough office, library and several business's.

**SOLICITOR** – Solicitor, Randy Sees recommended a brief executive session following the meeting to discuss a legal matter.

**COUNCIL VICE PRESIDENT** – Council Vice President, Mr. Lucas commented he would like to make the public aware that Little League's opening day is scheduled for April 27, 2019; the parade route will start at the middle school ending at the Little League field. He noted the carnival will also be held the same day. Council Vice President, Mr. Lucas questioned Street/Water Project Coordinator, Mr. Hoffman of the status of the paving timeline. Street/Water Project Coordinator, Mr. Hoffman stated a timeline is not available at this time, however he will notify him as soon as one becomes available.

**PENDING MATTERS** – Nothing at this time.

**CORRESPONDENCE AND ANNOUNCEMENTS** – The next regular Council meeting will be held Monday, May 6, 2019 at 7:00 PM. Council Vice President, Mr. Lucas announced an executive session will be held immediately following this meeting to discuss legal matters and Council will not be reconvening.

**VISITOR AND PUBLIC COMMENTS** – None at this time.

Respectfully submitted,

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Ginny Gardner, Borough Secretary