

MINUTES OF THE BOROUGH OF MONTOURSVILLE

June 1, 2020

The regular meeting of the Montoursville Borough Council held as a virtual meeting using Zoom was called to order by President Eric Greenway at 7:00 PM with the following answering roll call: Misty Emick, Eric Greenway, Chris Lucas and Robert Brown. Ted Haines and Mark Tillson: absent.

The Pledge of Allegiance was observed.

The May 4, 2020 minutes were approved on a motion by Mr. Brown, second by Mr. Greenway. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

TREASURERS REPORT – Motion by Mr. Lucas to approve May 2020 treasurer's report, second by Mr. Greenway. The motion carried.

PUBLIC HEARING – Community Development Block Grant FFY 2020 and CARES Grant Application – Ms. Kristin McLaughlin /SEDACOG. Council President, Mr. Greenway recessed the Council meeting at 7:03 PM and opened the Public Hearing. Ms. McLaughlin/ SEDACOG discussed and reviewed the CDBG Grant Application for FFY 2020 and timeline. She explained the Borough's project finalization must occur prior the County Commissioners meeting in August 2020. The County Commissioners will hold their Final Public Hearing on September 3rd, 2020. She stated the anticipated allocation for 2020 is \$ 98,626.00, 18% goes to SEDACOG for administration. Ms. McLaughlin reviewed and discussed eligible activities, the national objectives and fundability requirements, the County's Fair Housing Notice, Antidisplacement Plan, Section 504 Outreach and Section 3 Preference. Ms. McLaughlin explained in the past years the Borough had funded street construction projects, curbcuts, sidewalk replacement project and last year's project, removal of the architectural barrier in the vestibule of the borough building. Ms. McLaughlin asked at this time for any ideas of possible projects that would be considered for CDBG funding. Council discussed several project ideas to fund including curbcuts and the traffic study for the park entrance. Council President, Mr. Greenway shared that curbcuts are always considered a project. Ms. McLaughlin shared that being that we have not received an engineer's cost estimate for the Borough building vestibule project as of date, 2020 funds could be allocated to that if the costs exceed what was allocated to that project. Council member, Mrs. Emick questioned if the CDBG FFY 2020 could be used on a previously approved traffic study for the park entrance. Ms. McLaughlin explained that it could be a potential project however it may not be for the 2020 FFY but possibly for future funding but could not say for definite. Council President, Mr. Greenway confirmed that the curbcuts and possible crosswalks could be considered. Ms. McLaughlin stated yes and asked Borough Engineer, Todd Pysher to explain. Mr. Pysher stated that the process for the 2020 curbcut project has started and been identified and moving forward to the administrative paperwork, with the project going to bid sometime this month. Mr. Pysher confirmed with Ms. McLaughlin that there are still additional curbcuts that need to be done and those have been identified to be completed prior to the next round of street paving. Mr. Pysher noted he will give update on the status of the traffic study for the park entrance. Council Vice President, Mr. Lucas questioned the timeframe requirements for the reconstruction of curbcuts noting a good deal of CDBG monies have been expended on new curbcuts but questioned older curbcuts that have been damaged and need replaced. Ms. McLaughlin explained generally, its 15 years from when they were installed can be replaced automatically, if they are 10 – 15 year's needs an engineer approval that an architectural barrier exists. Council Vice President, Mr. Lucas requested the curbcuts on Broad Street be evaluated to see if they meet the criteria. Ms. McLaughlin agreed. Council member, Mrs. Emick questioned the possibility of the funding being used for the playground. Ms. McLaughlin stated Montoursville Borough does not meet the criteria of borough wide low to moderate income, generally you can't make improvements to the park. We've tried in the past to find a number of different projects including the installation of a handicap accessible equipment which was unsuccessful. She noted there had been one project several years ago that did work out which was the Braille trail. Council President, Mr. Greenway stated what makes the most sense is to fund the possible crosswalk and curbcuts including the possible repair or replacement of curbcuts. Ms. McLaughlin stated a decision for what project to fund does not have to be determined this evening. Ms. McLaughlin stated she would like to move on to the discussion of the CARES act. She explained the CARES act is a stimulus package which were allocated on March 27 of 2020; it's

the Coronavirus Aid Relief, and Economic Security Act. The use of these funds are to prevent, prepare and respond to coronavirus. Montoursville Borough has been allocated \$62,363.00 with administration reducing it to approximately \$56,000.00. Applications are due to the state no later than July 31, 2020. In order to meet hearing requirements and policy decisions regarding those hearings, a decision would be required this evening on the use of those funds in a broad category. The funds are expected to be available in September. Ms. McLaughlin explained what the statement of preventing preparing for and responding to coronavirus funding uses would have meant in the previous couple of months and what it could possibly mean in use of the funds in September or October. She noted the federal government has still not released the guidelines for the program which puts everyone at a disadvantage. She stated we have to operate under the assumption that 70% of the funds still need to be used for low to moderate income persons which will make it a bit difficult. Some general project ideas that have that they're really looking to fund are mostly public services and job retention. Ms. McLaughlin reviewed the several different capacities of funding use including public improvements to the Borough building which would possibly fall under the category of urgent need. In terms of public services funding use, assistance either rental or mortgage assistance for low to moderate income residents using an number of service providers in Lycoming County. The service providers are indicating there will be a possible increase in the next several months for this kind of need. This would also include utility assistance if needed. Council President, Mr. Greenway stated he believes there was 2 ideas discussed, one being a permanent security window at the service counter of the borough building and either portable or even permanent hand washing stations in areas of the park that are heavily used. Ms. McLaughlin questioned if costs were available for those items. It was noted a cost for the window was approximately \$2700.00 - \$6,000.00 and no cost was available for permanent hand washing stations. Ms. McLaughlin questioned if there is any need in the borough for assistance for businesses or residents who might have trouble with the paying rent or utilities. Council President, Mr. Greenway explained he feels there is a need for assistance that may arise further into the year and would like money allocated for that use. Ms. McLaughlin wanted clarification on the use of funding for income payments for business services or direct assistance to homeowners noting it would only be for 3 months. She explained it is temporary assistance, and the applicants would need to qualify to meet the low to moderate income guideline. The payments would actually go directly to the landlord or mortgage company. She continued these services are already being provided by organizations in the county and the Borough may grant one of these organizations to service only the residents of Montoursville. Business services would be a direct benefit from the Borough. Council member, Mrs. Emick questioned if the funding could be used for property tax relief. Ms. McLaughlin explained that it may be more difficult to prove as they are potentially paid twice per year versus a monthly bill. Council Vice President, Mr. Lucas explained he feels there is no better use of this funding than to help borough residents and businesses. He continued noting there are also many children that do not have meals that were being provided by the school during this epidemic and questioned if funds could be allocated for this purpose also including families. Ms. McLaughlin agreed but may be something to be considered eligible in the fall. Council member, Mrs. Emick stated Montoursville is fortunate enough to have a food pantry Harvest of Hope that provides backpacks throughout the school year and a safe zone, operating year round that provide such a service. Council Vice President, Mr. Lucas stated with the expectation that school may not reopen in the fall, this would help feed hungry children, which would be one of the best possible uses of this funding. Ms. McLaughlin stated before a formal decision is made the hearing must close and the council meeting will need to reconvene. She continued to give recommendations to council regarding the funding possibilities. She stated what is needed this evening is really how much funding you would like to put into a project with possibility of dividing the approximate funding of \$56,000.00 into two different projects. She suggested over the next couple of weeks to really hone in on things when the funds become available which at that time guidelines should be provided. It was noted at this time that the handwashing stations cost approximately \$430.00. Council Vice President, Mr. Lucas questioned if there is another spike of the COVID19 in the fall is there a possibility for another round of economic stimulus that would provide an opportunity to fund a project to provide food to children. Ms. McLaughlin stated she believes there will be a second round of this kind funding, noting that the Borough would have up to two years to spend it which gives the ability to rebudget if a project does not utilize the funding. Council Vice President, Mr. Lucas questioned if it as challenging to help the businesses regarding meeting criteria as with the homeowner. Ms. McLaughlin stated there is different criteria and reviewed some of that criteria. At this time, Ms. McLaughlin requested any other public comments. Hearing no further comments Ms. McLaughlin closed the 2020 CDBG and CARES application process and concluded the public

hearing at 7:48 PM. Council President, Mr. Greenway reconvened the council meeting at 7:49 PM.

NEW BUSINESS –

AMENDED JOINT POLLUTANT REDUCTION PLAN (PRP) – Council President, Mr. Greenway requested for any public comment. Resident, Mrs. Tina Kline requested an explanation of the changes that were made. Borough Engineer, Mr. Todd Pysher addressed Mrs. Kline's request, stating the only changes being made are not related to anything in Montoursville Borough, only the work that would be done in Fairfield Township. He continued stating due to the fact that Montoursville Borough and Fairfield Township have a joint Pollutant Reduction Plan (PRP) requires public comments for both municipalities. Mr. Pysher explained the only change that is being made is stream restoration work in both Tules Run and Bennett's Run in Fairfield Township and upon further evaluation it was decided to abandon the Tules Run area and with all of the streambank restoration occurring in Bennett's Run. Bennett's Run was required to be extended beyond what was in the original Pollutant Reduction Plan. Mrs. Kline thanked Mr. Pysher for the explanation. No other public comments had been made.

WATER DELIQUENTS – WAIVED PENALTIES – Council President, Mr. Greenway explained that water delinquent penalties have been waived during COVID through all three ward's billing cycles. He questioned Council members regarding continuation of waiving the penalties or to begin applying penalties. He asked if Council members had any comment. Comments were received regarding the need and amount of residents affected.

Motion by Mr. Lucas to continue to waive water penalties until the borough is several months into the recovery period, second by Mrs. Emick. The motion carried.

MONTOURSVILLE RECREATION DOG PARK PROPOSAL – Council President, Mr. Greenway presented the Montoursville Recreation Dog Park Proposal for approval. Ms. Zoe Gillespie gave update and explained her proposal to Council members. She explained the steps that had been taken to make this project become a reality. She asked if any Council members had any questions regarding her proposal and equipment to be installed. She explained she had met with Zoning officer, Mr. David Hines and received an approved zoning permit for the property. All the equipment will be permanently installed in the ground by volunteers, possibly the Rotary Club and Volunteers of Indian Park. She stated she had received approval from Superior Energy to utilize two fences located on their property as barriers for the dog park which helped reduce the cost of fencing. She requested a community day for cleanup of the brush on the property. It was suggested for Ms. Gillespie to contact Superior Plus regarding the clean-up of brush on their property. Council Vice President, Mr. Lucas congratulated Ms. Gillespie on her graduation from high school. He thanked Ms. Gillespie for putting this project together, noting he is a huge fan and really appreciates her efforts.

Motion by Mr. Lucas to approve the Montoursville Recreation Dog Park Proposal submitted by Ms. Zoe Gillespie, seconded by Mr. Greenway. Council Vice President, Mr. Lucas commented that Ms. Gillespie should be very proud of herself and her efforts. Ms. Gillespie thanked Vice President, Mr. Lucas. Mayor Bagwell questioned the issue of area between Superior's fencing and the proposed new fence. Ms. Gillespie explained. Mayor Bagwell thanked Ms. Gillespie for her great job. The motion carried.

AUTHORIZE BOROUGH SOLICITOR TO ADVERTISE ORDINANCE 486 AMENDING CHAPTER 54, ANIMALS, ARTICLE, DOGS – Council President, Mr. Greenway explained the proposed amendment, noting it solely eliminates the leash requirement for dogs while in the Dog Park.

Motion by Mr. Greenway to approve the authorization for the Borough Solicitor to advertise Ordinance 486 Amending Chapter 54, Animals, Article, Dogs, seconded by Mr. Brown. The motion carried.

PAYMENT APPLICATION #1 – MILL STREET ROADWAY IMPROVEMENT PROJECT –

Motion by Mr. Greenway to approve Payment Application #1 for the Mill Street Roadway Project to Hammaker East Ltd. in the amount of \$427,925.01, second by Mrs. Emick. The motion carried.

RESOLUTION 2020-04 – AUTHORIZATION TO ERECT AMERICAN FLAGS ON THE DECORATIVE LIGHT POLES ON BROAD STREET – Council President, Mr. Greenway presented Resolution 2020-04 for

approval. It was explained the Rotary Club has requested to install smaller American flags overhanging the curb on the decorative light poles, instead of the previous year's size and location. It was noted that PennDOT has reviewed the ordinance had no objection.

Motion by Mr. Greenway to approve Resolution 2020-04 giving authorization to erect American Flags on the decorative light poles on Broad Street, second by Mr. Lucas. The motion carried. At this time, Council President, Mr. Greenway explained that Lycoming County will be reopening under Governor Wolf's green phase on Friday, June 5th with the Borough facilities including Indian Park and Borough building reopening. He noted reopening will mean we will be adhering and imposing the state guidelines issued, including yard sales starting this weekend. Anyone wanting to have a yard sale this weekend, the permit will be granted. He requested applicants to stop by the Borough office Friday if the intent is to have a yard sale this weekend to get a permit. Council President, Mr. Greenway questioned Street/Water Project Coordinator, Mr. Hoffman if the park and facilities will be ready. Street/Water Project Coordinator, Mr. Hoffman shared that hopefully by Friday we will be ready, including the Mill Street area. Council Vice President, Mr. Lucas questioned Council President, Mr. Greenway on how long will the picnic tables be available in the downtown municipal parking lot. Council President, Mr. Greenway shared due to some restrictions still being in place, four picnic tables will remain in place. If it has been determined that there is a need, additional picnic tables will be added. Council member, Mrs. Emick shared in speaking with Gordy Snyder from Johnson's Café, he relayed his thanks for the picnic tables. Council President, Mr. Greenway shared the use of the picnic tables were well received. Council Vice President, Mr. Lucas questioned if the use of alcohol will be continued to be permitted at the picnic tables. Council President, Mr. Greenway stated yes, he would imagine so. He asked Council members for any comments or questions regarding the reopening. Council member, Mr. Brown requested to comment on some of the factors that were in play for these types of decisions. He stated the first guideline we were given during the red phase, yellow phase and now the upcoming green phase kept changing and continues even today. He shared the health recommendations that were pushed as essential at the beginning of the pandemic suddenly changed and showed not to be effective,. The ever changing list of essential businesses, and the lack of any explanation on how the essential / non-essential determinations were made, made it really hard. He continued noting as Chairman of the Budget Committee, he and the Borough Secretary attended numerous webinars regarding finances during this pandemic which can create havoc on the finances of the Borough. A program from the state provided a rough estimate of the possible ramifications to the current budget, unfortunately the program was very generic and could be used by any municipality. When the figures for the Borough were input into the program it showed an estimated possible shortfall of \$430,000.00 to the 2020 Budget. Considering the Borough's General Fund Budget is slightly over 2.3 million, and if the estimate was anywhere near correct, it would be a significant shortfall that the Borough would have to deal with. Council member, Mr. Brown stated Pennsylvania as well as other states were advising businesses to comply with the state guidelines and if they were not followed they may use their power to possibly affect the licensing for that particular business. He explained the Borough receives funding from the state, failing to follow their guidelines could possibly risk the loss of that funding. With that and the possible shortfall in revenues for the 2020 Budget in mind, the Borough did not want to risk that loss of revenue by opening up against the guidelines. He continued stating the Borough insurance policies could also have been put at a higher level liability risk by not adhering to the state guidelines, along with the possibility of increased premiums or the possibility of a lawsuit against the Borough due to negligence. He explained he used the words may and could, as those were the answers the Borough was given when we asked the questions to the state and our insurance company. No concrete answers were given. Council Vice President, Mr. Lucas added that the Borough did look into things and did not choose to do nothing; the decisions made were based off of feedback of the authorities that we rely on. Council member, Mr. Brown agreed noting many people do not understand that it is not cut and dried. He stated it is not as he would like it to be and he is sure many people feel the same way. Ultimately, the Borough Council is the custodians of the taxpayer's monies, and all these types of decisions were taken into consideration; Council felt the decisions that were made were the right things to do for the Borough and the taxpayers at large. Council President, Mr. Greenway thanked Council member, Mr. Brown for his comments. He explained in addition Event permits will be addressed after the Planning and Zoning Report.

RECREATION – Council Vice President, Mr. Lucas reviewed and explained Event Permits #2020-01, #2020-13, #2020-14, #2020-15, #2020-13 and #2020-17.

Motion by Mr. Lucas to approve Event Permit 2020-13 Men’s Softball League with a contingency the league will abide by the Borough’s use of field polices; are to follow the Governor’s Office / Department of Health guidelines with regard to Covid-19 as outlined for each phase as they change, and upon submission an approved plan from the Governor’s office, second by Mr. Brown. The motion carried.

Motion by Mr. Lucas to approve Event Permit 2020-15, second by Mrs. Emick. The motion carried.

Council Vice President, Mr. Lucas recommended to table Event Permit 2020-14 Annual Youth Football & Cheerleading, until next month’s meeting when their approved plan for social distancing is received.

Motion by Mr. Lucas to approve Event Permit 2020-01, second by Mr. Brown. The motion carried.

Motion by Mr. Lucas to approve Event Permit 2020-17, second by Mr. Greenway. The motion carried.

Council Vice President, Mr. Lucas review and discussed Event Permit 2020-16. Borough Council at this time denied Event Permit 2020-16. Borough Council directed the Borough Secretary to contact the group organizer to inform them the Borough does not service the fields; one field is reserved for the youth, therefore their request for the use of 3 fields will not be approved and will only have use of two fields. The group is welcome to resubmit an Event permit application for another date.

Council President, Mr. Greenway explained a motion will be required regarding CDBG CARES Grant funding application presented earlier by Ms. Kristin McLaughlin.

Motion by Mrs. Emick to approve the CDBG CARES Grant funding application for general assistance to Borough resident’s including homeowner and renter, for humanitarian needs including food services, second by Mr. Lucas. The motion carried.

Motion by Mr. Lucas to approve the CDBG CARES Grant funding application to purchase and install a protective window for the Borough office service counter, not to exceed \$10,000.00 in addition to the CDBG CARES funds that will be applied to the general assistance of Borough residents and their humanitarian needs including food for children, second by Mr. Greenway. The motion carried.

Council President, Mr. Greenway explained due to the county moving into in the green phase, the Borough will begin to issue permits. He stated the organizer of the Montoursville Borough Community Yard Sale submitted a request to hold the community wide event on Friday/Saturday of the weekend of June 13th, 2020.

Motion by Mr. Greenway to approve Annual Montoursville Community Yard Sale for the dates requested, second by Mrs. Emick. The motion carried.

STREETS/WATER – Street & Water Project Coordinator, Mr. Hoffman questioned as to who will be responsible for the dog parks maintenance and upkeep. Council Vice President, Mr. Lucas stated it will be the responsibility of the individual dog owner to clean up after their dogs; however grounds maintenance in regard to mowing of the grass will fall upon the Borough along with any other low maintenance upkeep. It was noted the addition of the dog park will be an added benefit to the community. Street & Water Project, Mr. Hoffman explained that one of the Borough Water Department’s truck is having mechanical issues. He noted the loss of the truck in the fleet puts a strain on the Borough crew. Street & Water Project Coordinator, Mr. Hoffman commented on the bad timing for this to occur, however explained it is important for Council to address this need as soon as possible. Council President, Mr. Greenway shared several quotes were acquired by Street & Water Project Coordinator, Mr. Hoffman from COSTARS vendors ranging from \$42,000.00 to \$47, 000.00. Council President, Mr. Greenway shared the same concerns as Council member, Mr. Brown with regards to concerns for budgetary shortfalls. He explained the Water Capital Improvement fund will provide the funding for the purchase of a new water truck. Council President, Mr. Greenway acknowledged Street & Water Project, Mr. Hoffman’s effort with obtaining the various quotes which helped ensure the best possible price. Street & Water Project Coordinator, Mr. Hoffman commented the new truck is very similar to the current truck being used. The double cab would provide additional space to carry more equipment.

Motion by Mr. Greenway to approve the purchase of new truck through a COSTAR’s vendor for the Borough Water Department, not to exceed \$46,000.00, second by Mr. Lucas. Council President, Mr. Greenway requested for public comments. No comments were received. The motion carried.

MAYOR – Mayor Bagwell shared he had receive an email requesting the Borough’s fireworks ordinance be posted using any means possible. Mayor Bagwell publically thanked everyone for their efforts during this pandemic. Council Vice President, Mr. Lucas thanked Mayor Bagwell for all that he does for the residents of the community addressing their many questions and concerns.

POLICE CHIEF – Chief Gyurina reviewed the May police report. As a follow-up on Mayor Bagwell’s request, Chief Gyurina shared he had requested Deputy Chief Bentley to post the Fireworks ordinance as a reminder to Borough residents.

COUNCIL PERSONS – Council member, Mr. Brown shared he received a message from Resident, Mrs. Stephanie Beadle on behalf of Mr. Vince Shearer requesting Council Vice President, Mr. Lucas to touch base with him regarding following Little League Guidelines as far as playing safely. Council Vice President, Mr. Lucas commented that he received a message from Mr. Shearer and would follow-up with him after the meeting. Council member, Mr. Brown publically thanked Mayor Bagwell and all the citizens for their efforts throughout this time during the pandemic and adhering to the rules that had been set in place.

SOLICITOR – Solicitor, Mr. Randy Sees reminded Borough Council previously a request to vacate a remaining portion of Charles Street was requested, to which a hearing was scheduled for February 2020 and did not take place. At this time, the application request is currently in the process of being renewed. He stated the advertisement for vacating Charles Street had been approved by Council unless he hears otherwise the advertisement will be put in the newspaper and at the July meeting Borough Council can consider again the request to vacate the final portion of Charles Street without a Public Hearing unless we receive a specific request for a Public Hearing.

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS –

The next Council meeting will be held Monday, July 6, 2020 at 7:00 PM

VISITOR AND PUBLIC COMMENTS – Resident, Mrs. Stephanie Beadle, 1253 Jordan Avenue inquired if the Borough had contacted the surrounding communities regarding the loss of funding and insurance policy premiums being affected by permitting the ability to play on their ball fields or tennis courts during the past two weeks and how they have been handling the situation. Additionally she inquired if the Borough has plans in place to address this issue should we be faced with it again in the future. Council President, Mr. Greenway stated he is not aware of any surrounding communities having a loss of funding at this time due to parks being closed. However it all still remains to be seen in the upcoming months if that should occur. At this time a committee has not been formed; in communicating with other community leaders, the consensus shows they had been following the guidelines placed by Governor’s office. Resident, Mrs. Beadle stated to her knowledge surrounding communities have permitted the use of their ball fields and play equipment and inquired as to how Borough Council is enforcing the guidelines. Council Vice President, Mr. Lucas reiterated regardless of what other local communities are permitting, Montoursville Borough Council has been following the state recommended guidelines to protect the best interest of the community by closing off the fields and playground equipment during this time. He noted the green space of the park had not been closed during this time and citizens have been able to walk, picnic, play ball in those allotted locations. Council President, Mr. Greenway stated the Borough will continue to follow the guidelines as set by the Governor’s office and State Health Department even as they are updated which at times is ongoing. Chief Gyurina shared Montoursville Borough Police Department and officers were only to enforce businesses, not individuals; as per correspondence from the District Attorney’s Office their office will not be prosecuting individuals, therefore officers will not enforce nor issue citations regarding the guidelines. Borough Solicitor, Mr. Randy Sees, also shared Borough Council does not require guidelines from the Governor’s office to close the Borough Park for any reason. Council member, Mr. Brown explained the guidelines are

continually being updated since the pandemic and at times on a daily basis. Council member, Mrs. Emick also shared the Borough opted to keep the park closed due to the additional liability that could be placed upon the Borough should they decide to reopen. Subsequent to explanations provided by various council members brought satisfaction and conclusion to the individual's inquiries. Sun Gazette Reporter, Mr. Derek Danneker questioned the location and size of the dog park. It was noted dog park location is 41 Mill Street, Montoursville; dimensions of the park lot to be 50 feet by 295 feet including the parking area. Mr. Danneker questioned the amount of funding raised; it was noted the Borough was unable to confirm the amount funding raised for the park. Resident, Mrs. Tina Kline, 1009 Tule St acknowledged Council, Mayor Bagwell and Police Department for all their hard work during the pandemic and for their support of the community and businesses.

There being no further business the meeting was adjourned at 9:14 PM on a motion by Mr. Brown, second by Mrs. Emick. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary