

MINUTES OF THE BOROUGH OF MONTOURSVILLE

June 2, 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, Dennis Holt, David Moyer, Rosemary Holmes and Christopher Lucas.

The Pledge of Allegiance was observed.

The minutes of the April 21, 2014 and May 5, 2014 meeting were approved on a motion by Mr. Holt, second by Mr. Moyer. The motion carried.

VISITORS AND PUBLIC COMMENT – Fire Chief, Scott Konkle reported on the construction of the new building. Carl Caum, Williamsport PA commented to council regarding a complaint filed against the Charlie Green Softball League and their officers, and requested their permit to be revoked. Harry Tompkins, Williamsport PA also commented on the Charlie Green Softball League bylaws and officers. Council member, Mr. Holt stated these are the reasons that council does not give exclusive use to anyone using the park. He stated there is an internal problem with the organization and a meeting should take place to try to work things out. He welcomed them to report back at the July meeting. Mr. Carter Magill, Loyalsock commented he feels there should be a Committee established for all three teams, each team having representation on the committee; hoping to establish this for next year.

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

NEW BUSINESS –

CDBG PROJECT REVIEW AND FINALIZATION – Mrs. Kristin McLaughlin explained to council that the CDBG grant allocation is estimated at \$85,000.00. Projects that were proposed at the March meeting had been evaluated by the criteria of edibility, fundability, timeliness and financial need and reviewed. She noted that for the FFY 2014, she is recommending the curb cut and replacement program; 82% of the CDBG FFY 2014 going toward the curb cut and replacement project and 18% going toward administration. She reviewed other projects proposed including sidewalk replacement, sidewalk for Mill Race Commons, handicap accessible pond access, upgrades to the bike path and the reasons for not recommending them. Mrs. McLaughlin stated that if council has no questions she will be requesting from council approval for the project at 82% of the allocation for the Curb Cut Replacement Program and 18% of the allocation for Administration. Mayor Dorin questioned Mrs. McLaughlin regarding the 15' x 37' walkway from the senior housing that he had proposed. Mrs. McLaughlin stated that unfortunately it is a very small project which does not make sense to fund because of all the red tape. Mayor Dorin went on to question Mrs. McLaughlin about the past curb cuts and problems with standing water. Mrs. McLaughlin stated she did not have the answer. Council member, Mr. Lucas noted that the curb cuts are required by law. He also confirmed with Street/Water Commissioner, Mr. Ron Smith that using CDBG monies for curb cuts helps cut down the expense when doing a paving project, allowing more streets to be paved. Street/Water Commissioner, Mr. Smith noted that the Borough had addressed the problem of standing water on the curb cuts by raising the ramps $\frac{3}{4}$ of an inch above the street last year. **Motion** by Mr. Lucas to approve the recommendation of the CDBG FFY 2014 project finalization with 82 percent of the allocation going to curb cut and replacement and 18 percent allocated for SEDA-COG Professional and Administrative Services Agreement, second by Mr. Moyer. The motion carried.

SEDA-COG FFY 2013 PROFESSIONAL AND ADMINISTRATIVE SERVICES AGREEMENT –

Motion by Mr. Moyer to approve SEDA-COG FFY 2013 Professional And Administrative Services Agreement, second by Mrs. Holmes. Council member, Mr. Holt noted that the agreement is at a cost of \$15,000.00 from the \$85,000.00 allocation.

Council member, Mr. Moyer noted that the services that the Borough receives from SEDA-COG for administration of the grant has been excellent. The motion carried.

STREET/WATER COMMITTEE RECOMMENDATION – 342-346 BROAD ST & 216 MONTOUR ST. – Street and Water Committee Chairman, Mark Tillson stated that the Street/Water Committee reviewed the Borough's Water Ordinance and noted that the way the ordinance is written the invoices cannot be paid. He stated the only way that these types of invoices could be paid is to have Borough Council change the ordinance.

Motion by Mr. Moyer to approve the recommendation of the Street and Water Committee to not pay the invoices for 342-346 Broad St and 216 Montour St, second by Mr. Tillson. The motion carried.

WATER SERVICE LINE – MAIN TO CURBSTOP – POLICY – LETTER – Council member, Mr. Moyer explained to council the recommendation to have a letter supplied to any borough resident that has replaced their water service line which meets the Borough's Water Ordinance specifications and has been inspected by the Borough and approved by the Borough. The letter should state the date, time and employee that inspected the service line. He stated that prior to sending any letters, it will be reviewed and approved by council. Council agreed. Council member, Mr. Holt stated he felt that the borough should pay both invoices.

Motion by Mr. Holt to approve the reimbursement for 342-346 Broad St and 216 Montour St property owners for the work done by their contractors, second by Mrs. Holmes. The motion failed for lack of a majority. Council member, Mr. Holt stated he would like a policy that all Borough employees do all the work for service line work from the main to the curb box. He stated if it is found to be a property owner issue the Borough would send the property owner an invoice. Council member, Mr. Holt noted that if the Borough employees are busy; then the Borough should have a contractor, who was chosen by RFP, do the work. A discussion took place regarding Borough employees doing the work.

Motion by Mr. Holt to adopt a policy to have the Borough employees repair the leaks between the main and the curb box and also to solicit an RFP for contractors that could also do that work, second by Mrs. Holmes. Council member, Mr. Tillson question Solicitor Randy Sees if putting a list of contractors together to do the work would put the Borough at risk for liability. Solicitor Randy Sees stated that there would be no more risk than if the Borough would be doing the work. It was noted that the Borough would be inspecting any contractor's work. Council member, Mr. Holt noted that he would prefer that the Borough employees do the work but noted that they may not always have the time so this would be a plan B, to have contractor's do the work. The motion carried.

PUBLIC SERVICE LINE LICENSE AGREEMENT – PA STATE POLICE – Street/Water Commissioner, Mr. Smith explained to council that this is a required agreement that gives the Borough the easement in order to proceed with the Broad Street Waterline Replacement Project on the State Police property, 922 Cherry Street.

Motion by Mr. Moyer to approve Public Service Line License Agreement for the PA State Police, 922 Cherry Street, second by Mrs. Holt. The motion carried.

RESOLUTION 2014-06 - CONDEMNATION OF PROPERTIES FOR EASEMENTS NECESSARY TO COMPLETE THE BROAD STREET WATERLINE PROJECT and ORDINANCE # 459 - PUBLICATION OF RELATED PROPOSED ORDINANCE FOR CONSIDERATION AT THE JULY MEETING OF COUNCIL

Motion by Mr. Moyer to approve Resolution 2014-06 for condemnation of properties for easements necessary to complete the Broad Street Waterline Project and Publication of related proposed Ordinance for consideration at the July meeting of Council, second by Mrs. Holt. Mayor Dorin questioned if this is for the people that did not respond to our request. Council President, Mr. Shearer stated that it was. Solicitor, Randy Sees stated that this would be for 4 owners and 9 properties. Mayor Dorin questioned if there had been 2 letters sent. Council President, Mr. Shearer stated that he was correct. The motion carried.

LAMAR LEASE – BROAD ST AND RTE 15 ADVERTISING – Assistant Secretary, Mr. Gene Boyles explained to Council the location of the billboards that Lamar Company lease from the Borough. Council discussed the prior leases, a month's use of a billboard, costs and increases for the five year leases. Council member, Mr. Lucas questioned the solicitor

if the leases and there language were standard for the industry. Solicitor, Randy Sees stated he had seemed to remember reviewing some for the county. He stated he had reviewed them and sent an email with his comments.

Motion by Mr. Holt to table action on the Lamar Billboard Leases, second by Mr. Moyer. The motion carried.

CIVIL SERVICE COMMISSION ALTERNATE – APPOINTMENT – FRANK DELYCURE – Council member, Mr. Moyer explained to council Mr. Delycure’s desire to become an alternate.

Motion by Mr. Moyer to approve Mr. Frank Delycure as Alternate member of the Civil Service Commission, second by Mr. Lucas. The motion carried.

ZONING HEARING BOARD ALTERNATE – RESIGNATION – CARL NAUGLE –

Motion by Mr. Holt to accept the resignation of Mr. Carl Naugle as Alternate member of the Zoning Hearing Board, second by Mr. Lucas. The motion carried.

ORDINANCE # 460 AMENDMENT ADVERTISING – Mayor Dorin presented Council a supporting letter from the Montoursville School District. Chief Gyurina explained to council that the amendment to the Ordinance would prohibit parking on streets around the McCall Middle School during certain hours alleviating a problem that has been occurring dropping off students. Mayor Dorin explained he would like this amended so it can be implemented at the beginning of the upcoming school year. Discussion took place regarding the other schools.

Motion by Mr. Moyer to approve advertising proposed amendment to Ordinance # 406, second by Mr. Lucas. The motion carried.

EMPLOYMENT - PART TIME POLICE OFFICER – DOUG LITWHILER - Chief Gyurina explained to council the need to hire two part time police officers, one being Doug Litwhiler and another yet to be determined. Council member, Mr. Holt questioned if Mayor Dorin and the Personnel Committee recommended Mr. Litwhiler. Mayor Dorin and Personnel Chairman, Mr. Moyer stated they have recommended Mr. Litwhiler.

Motion by Mr. Moyer to approve the hiring of Doug Litwhiler as a Part Time Police Patrolman along with the hiring of a second Part Time Police Patrolman to be determined, provided having the approval of Mayor Dorin and the Personnel Committee Chairman, who in turn will notify the rest of Council, second by Mr. Lucas. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports May 2014 were reviewed by Council.

RECREATION – May Minutes were reviewed by Council member, Mr. Lucas.

Event Permits: 2014-25 AYSO Montoursville 690 - Mill St/Trolley Field Use –
Aug 1, 2014 - June 10, 2015 - 5:00 PM – 7:30PM
2014-27 FUMC MOPS – Love is English 5k Walk/Run –
October 18, 2014 - 7:00AM – 12:00PM

Motion by Mr. Lucas to approve Event permit’s 2014-25 and 2014-27, second by Mr. Moyer. The motion carried. Council member, Mr. Lucas reviewed and discussed the upcoming events scheduled in Indian Park. Council discussed the Fall Festival.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith gave a report to council. He noted the brush pile will be ground on June 4th, and that Stryker will be no longer interested in taking the excess mulch. He feels that it should be locked from here forward as there was an excessive amount of brush being dropped off. Council and Mayor Dorin discussed the cost associated with the grinding of the brush pile and having the borough load mulch on Saturday’s until noon in order to get rid of it. It was questioned if the Borough employees would consider working on overtime on Saturday’s in order to load the mulch. Council member, Mr. Tillson questioned Street/Water Commissioner, Mr. Smith if the mulch could be cleaned up by

the County so a nursery could use it. He noted that it could not. He also stated that everyone in the County has the same problem; an overabundance of mulch that they cannot get rid of. Council discussed advertising the mulch on Facebook, the Borough website and newsletter. They continued to discuss operating hours and locking the brush pile.

Motion by Mr. Moyer to have Borough employees work overtime on Saturday loading mulch from 8:00AM – 12:00PM and to begin locking the gate with a key available at the Borough office for residents only with the exception of paid contractor's, second by Mr. Lucas. The motion carried. Street/Water Commissioner, Mr. Smith stated they have been cleaning up backed up storm sewers, rebuilding catch basins, weed whacking and spraying the park. He updated council on a request made by the engineer for the railroad to add two pieces of pipe to the storm sewers, building the bank out on Mill Street so there is not a steep drop off. He noted the contract with the County regarding the recycling area has been located. It states that the county is responsible for cleanup of any debris that is around the area; the borough is responsible for plowing snow around the area. Mayor Dorin stated he will address this with the County. Street/Water Commissioner, Mr. Smith reviewed the locations for the boxes at the mini-park with Mayor Dorin. He also stated the new street sweeper is sweeping streets again after getting through the long process of getting it licensed; it is the same process that will be needed for the backhoe. Street/Water Commissioner, Mr. Smith noted the Water Department installed a two inch service line for the new carwash being built alongside the Borough building. He also reported selling 8,291,830 gallons of bulk water. Street/Water Commissioner requested a Water Committee meeting to discuss the electric at Wells #4 & #5; he noted there are major issues. Council and Street/Water Commissioner, Mr. Smith discussed some of the issues.

MAYOR – Mayor Dorin reviewed the May Police Report with council. He noted he had received a Letter of Recognition for the putting up the “No Smoking” signs in the park from Harrisburg. He presented to Council Resolution 2014-07 regarding the use of radar by Borough Police, which will be sent to the legislature, so a bill can be passed in order for it to be legal for local police. He stated it had been reviewed by the solicitor and addressed the solicitor's concerns with council. He requested council's support of the resolution. If passed it does not mean it is mandatory for police departments to get radar; it will be up to the local municipality. He stated it is another tool used for safety.

Motion by Mr. Holt to approve Resolution 2014-07, second by Mrs. Holmes. Council member, Mr. Lucas questioned the Solicitor Randy Sees comments regarding the Resolution. Solicitor Randy Sees stated that council may approve; he was just questioning some of the statements made in the Resolution. The motion carried. Mayor Dorin distributed and reviewed with council an updated list of the VIP Projects. He reviewed the regulations that council imposed on the VIP's and noted that the attendance of members is down and members are not pleased with the regulations. Council and Mayor Dorin discussed at length, third party liability issues regarding the VIP's. Council member, Mr. Moyer stated that it is unfortunate that we can't continue to do things as in the past; it is the year 2014. He stated this issue isn't something that council has made up it has been reviewed by solicitor and insurance company. Mayor Dorin noted that it is unfortunate however the borough will just have to do the best we can with the manpower we have available. Mayor Dorin distributed, reviewed and discussed with council Ordinance # 451 that had been amended on December 5th, 2011, removing the inspection of sidewalks for properties being sold. Mayor Dorin requested the inspection of sidewalks for properties being sold be put back in place. He noted that 297 homes were sold since the Ordinance was amended, that would have been inspected. Council member, Mr. Moyer read an excerpt from Montoursville Borough Code, put in place in 2006, that stated in short that the Borough already has an ordinance that allows for sidewalk inspection; however it may be enforcement that is more of the problem. The Ordinance and enforcement of the Ordinance was discussed in length by Council and Mayor Dorin.

POLICE CHIEF – Chief Gyurina reported to Council that the bears that were located in Indian Park are gone. He also reported about DUI's and heroin issues in the borough.

COUNCILPERSONS – Council member, Mr. Holt requested on behalf of the Borough Treasurer to pay \$392.85 from 06448320/Legal Services for Broad Street Waterline Project easements to McNerney, Page, Vanderlin & Hall and \$2945.00 from 01450700/ Recreation Capital Outlay for the Park Master Plan to Brian Auman Landscaping. Council Member, Mr. Lucas asked if the Indian Park Memorial Fund was looked into. Council discussed the Indian Park Memorial fund with the outcome that only 90% of the interest may be spent. Mayor Dorin gave a brief update on the Park Master Plan. Council

member, Mr. Holt reviewed some over budget line items. Council member, Mr. Moyer announced that there will be a Water Committee meeting on June 9th, 2014 at 7:00PM.

SOLICITOR – Solicitor Randy Sees explained to council that the Borough auditor requested approval at a public meeting of the payment of waterline services from the Water Fund. He stated it could be done in conjunction with approval of the Park Master Plan payment and it should be in the form of a motion.

Motion by Mr. Moyer to approve payment of \$392.85 from 06448320/Legal Services for Broad Street Waterline Project easements to McNerney, Page, Vanderlin & Hall and \$2945.00 from 01450700/ Recreation Capital Outlay for the Park Master Plan to Brian Auman Landscaping, second by Mr. Lucas. The motion carried

COUNCIL PRESIDENT – Nothing at this time.

CORESPONDENCE AND ANNOUNCEMENTS – Next council meeting will be Monday, July 7th, 2014 at 7:00 PM

VISITOR AND PUBLIC COMMENTS – Resident, Nancy Gottschall, 506 Cherry St. complained of a fire pit burning something that caused her eyes to burn in her neighborhood. It was suggested that she contact the Police the next time this would occur.

There being no further business the meeting was adjourned at 9:25 pm on a motion by Mr. Moyer, seconded by Mrs. Holmes and carried.

Respectfully submitted,

Eugene Boyles, Asst. Borough Secretary