

MINUTES OF THE BOROUGH OF MONTOURSVILLE

July 6, 2020

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

The Pledge of Allegiance was observed.

The June 1, 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. Haines to approve June 2020 treasurer's report, second by Mr. Brown. The motion carried.

NEW BUSINESS –

AMENDMENT #2 TO COOPERATIVE AGREEMENT – CDBG FFY 2016 – TIME EXTENSION -

Council President Mr. Greenway presented Amendment #2 to the CDBG FFY 2016 Cooperative Agreement.

Motion by Mr. Greenway to approve Amendment #2 to the CDBG FFY 2016 Cooperative Agreement, seconded by Mr. Haines. The motion carried.

ORDINANCE #485, VACATING A PORTION OF CHARLES STREET AND DECLARATION - Council President, Mr. Greenway presented Ordinance #485 vacating a portion of Charles Street and declaration for review.

Motion by Mr. Greenway to approve Ordinance #485, Vacating a Portion of Charles Street and Declaration, seconded by Mr. Brown. The motion carried.

ORDINANCE #486 AMENDING CHAPTER 54, ANIMALS, ARTICLE, DOGS - Council President, Mr. Greenway presented Ordinance #486 amending Chapter 54, Animals, Article, Dogs for review.

Motion by Mr. Greenway to approve Ordinance #486 Amending Chapter 54, Animals, Article, Dogs, seconded by Mr. Haines. The motion carried.

COMCAST OF SOUTHEAST PENNSYLVANIA CABLE FRANCHISE AGREEMENT PROPOSAL –

Council President, Mr. Greenway presented a proposal for a cable franchise agreement from Comcast of Southeast Pennsylvania for review.

Motion by Mr. Brown to approve the Comcast of Southeast Pennsylvania Cable Franchise Agreement as presented, second by Mr. Greenway. The motion carried.

DONATION – MONTOURSVILLE GARDEN CLUB – TREE - Council President, Mr. Greenway presented a tree donation from the Montoursville Garden Club located on the nature trail.

Motion by Mr. Greenway to approve a tree donation from the Montoursville Garden Club as presented, second by Mr. Haines. The motion carried.

LAMAR LEASE - #223-01/BROAD ST AND #321-02/RTE 15 ADVERTISING – Council President, Mr.

Greenway presented a five year lease agreement with Lamar Advertising advertising billboards located on Broad Street and Rte. 15 for review.

Motion by Mr. Greenway to approve lease agreements #223-01, #321-01 and #321-02 with Lamar Advertising for advertising billboards located on Broad St and Rte. 15, second by Mr. Brown. The motion carried.

RESOLUTION 2020-05 – AUTHORIZING THE BOROUGH SECRETARY TO SELL A 2011 CHEVROLET SILVERADO TRUCK BY MEANS OF A PUBLIC ONLINE OR ELECTRONIC AUCTION SALE –

Motion by Mr. Greenway to authorize the Borough Secretary to sell the 2011 Chevrolet Silverado truck by means of a public online or electronic auction, second by Mr. Haines. The motion carried.

RESOLUTION 2020-06 – AUTHORIZING THE BOROUGH SECRETARY TO SELL 1999 GENERAC GENERATOR, MODEL #99A-0051 AND SWITCH BY MEANS OF A PUBLIC ONLINE OR ELECTRONIC AUCTION SALE –

Motion by Mr. Greenway to authorize the Borough Secretary to sell the 1999 Generac Generator, Model #99A-0051 and switch by means of a public online or electronic auction, second by Mr. Brown. The motion carried.

DISASTER DECLARATION EXTENSION – Council President presented the disaster declaration extension for review.

Motion by Mr. Greenway to approve the disaster declaration extension as presented, second by Mr. Haines. The motion carried.

CHANGE ORDER #1 – MILL ST ROADWAY IMPROVEMENT PROJECT – COMPESATING FOR ACTUAL CONSTRUCTION QUANTITIES – HAMMAKER EAST, LTD – Council President, Mr. Greenway explained Change Order #1 for the Mill Street Roadway Improvement Project.

Motion by Mr. Greenway to approve Change Order #1 for the Mill Street Roadway Improvement Project to Hammaker East Ltd in the amount of \$95, 353.42, second by Mr. Haines. The motion carried.

PAYMENT APPLICATION #2 – FINAL – MILL ST ROADWAY IMPROVEMENT PROJECT – HAMMAKER EAST, LTD. – Council President, Mr. Greenway reviewed Payment Application #2 to Hammaker East, Ltd.

Motion by Mr. Greenway to approve Mill Street Roadway Improvement Project Payment Application #2 to Hammaker East Ltd. in the amount of \$112,259.01, second by Mr. Brown. The motion carried.

PLANNING & ZONING – Central Keystone COG Report June 2020

RECREATION – Council President, Mr. Greenway reviewed and explained Event Permits #2020-11, #2020-14, #2020-18, and #2020-19.

Motion by Mr. Greenway to approve Event Permits 2020-11, 2020-14. 2020-18 and 2020-19 as presented, second by Mr. Haines. The motion carried.

STREETS/WATER – Street and Water Project Coordinator, Mr. Cliff Hoffman shared the fence installation for the dog park is halfway completed and the water line bore under Broad Street is complete and in working order.

MAYOR – Mayor Bagwell shared prior to the pandemic a discussion took place regarding parking issues on the chevrons in front of the post office and residents not removing their vehicles for snow removal. He explained a possible option was to increase the fine amounts. Borough Solicitor, Randy Sees shared he had begun working on an ordinance related to the crosswalks however snow removal is a new matter and would require direction from Borough Council. Mayor Bagwell thanked Ms. Zoe Gillespie for all her hard work establishing the dog park.

POLICE CHIEF – Chief Gyurina reviewed the June police report. He explained the Black Lives Matter peaceful protest that began in Williamsport to Montoursville, took place without issues; people were very respectful. He noted his presence at that protest was to ensure safety of the protestors.

COUNCIL PERSONS – Nothing at this time.

SOLICITOR – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS –

The next Council meeting will be held Monday, August 3, 2020 at 7:00 PM

VISITOR AND PUBLIC COMMENTS – Architect, Mr. Anthony Visco, representing Mr. and Mrs. Matthews, explained they had gone before the Planning Commission and received a unanimous approval of their proposed Land Development plan. He questioned why Borough Council removed the item from the agenda. He added it was due to late review of items by Borough Engineer, Mr. Todd Pysher. He stated Engineer, Mr. Dan Vassallo has documents available for this evenings meeting and would have at least hoped Council would have approved with a contingency of review of documents by Borough Engineer, Mr. Pysher. Engineer, Mr. Vassallo shared he is the site engineer for the proposed dance studio on Broad Street, and stated a conditional use was approved in March regarding the parking lot for the studio. He explained several items related to the proposed dance studio and noted he has had several meetings and discussions Zoning Officer, Mr. David Hines and the Planning Commission. Council President, Mr. Greenway explained a proposed Land Development application could not be presented to Council without the Borough Engineer's full review and recommendation, and therefore would not be on the agenda. At this time, Mr. Matthews questioned Council President, Mr. Eric Greenway as to why the item was removed from the agenda and shared his frustration with the process. Council President, Mr. Greenway stated once the Borough Engineer has an opportunity to thoroughly review and recommend the approval of his Land Development plan the item will be placed on the agenda. Resident, Mr. Larry Gage, 601 N. Arch Street inquired about the standard procedures for planning commission process. Resident, Ms. Zoe Gillespie provided an update regarding the dog park; noting she would like to have the construction of the park completed by the end of the week as she will be leaving for the military. She explained there are still a few items remaining to be completed along with available money donated to the Key Club that she would like the Borough to oversee to help offset the costs. She has plans to inform the Key Club and will keep Council informed. Resident, Mrs. Donna Ponegrate, 437 Cherry Street, question if a permit was required for the protest held in Montoursville. Council President, Mr. Greenway explained a permit was not required due to the protest being held on public property. It was noted the protests that have taken place in the area have been peaceful and people involved have been very respectful. Resident, Ms. Carrie Staron, 928 Mulberry Street, questioned the setback of the dog park fence to the road and shared her concerns for dogs getting lose and running into the street. Council President, Mr. Greenway explained the dog park is set back approximately 50 feet from the road. Ms. Staron questioned the cable agreement and number of customer's. Council member, Mr. Brown explained the franchise agreement is based upon the number of customer/sales in the Borough; 3% of sales, based on revenue from advertising, home shopping, etc. He noted initially the agreement called for a decrease in the percentage, however after further discussions an agreement was submitted and agreed upon. Ms. Staron questioned the location of the Lamar billboards and if they will be electronic or standard. Council member, Mr. Brown stated they are standard billboards. Resident, Duane Buffington, 108 Sunset Circle, commented on the fireworks ordinance. He noted June 1st he emailed Mayor Bagwell and Chief Gyurina his concerns regarding July 4th, requesting additional police presence on Sunset Drive and Sunset Circle the day of Conklin fireworks. He continued noting as of July 2nd he did not receive a response from the Mayor or the Chief, therefore he sent another short email to indicate it was July 2nd and fireworks are starting to be set off on Sunset Drive which were in clear violation of the ordinance. He stated, Friday July 3rd from approximately 8:50pm to 9:50pm the middle of the street had become a firework launching pad and was below the 150' of any property. He explained due to phones lines being busy he was unable to speak to a police officer; he was left an abundance of trash and debris on his property. Even though reminders regarding the fireworks ordinance were posted on social media, he feels more police presence that night would have been more of a deterrent for people. Mayor Bagwell explained that it was his fault a reply was not made however after receiving the email, he did call Chief Gyurina regarding his concern and recommended to post the Borough's Fireworks Ordinance on social media. Mayor Bagwell felt by doing this it would have addressed Mr. Buffington's concerns as well as be a strong reminder to residents. Additionally he noted previous council meeting minutes will reflect Borough Council did discuss fireworks and police presence. Chief Gyurina explained the process and challenges with issuing ordinance violations, often residents will report the next day vs. the moment it is happening. He further stated July 4th is typically one of the busiest nights for both emergency and non-emergency call centers, however the 150 foot ruling is not only a Borough ordinance, it is also a state ordinance, therefore people should not hesitate to call 9-1-1 due to the potential fire hazard. Resident, Mr. Larry Gage, 601 Arch

Street praised Borough Council and Police Department's handling of the pandemic. Resident, Mr. Duane Buffington requested Street/Water Project Coordinator, Mr. Cliff Hoffman to possibly provide street sweeping to his street. Street/Water Project Coordinator, Mr. Hoffman responded that he will look into it.

There being no further business the meeting was adjourned at 7:59 PM on a motion by Mr. Greenway, second by Mr. Haines. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary