

## MINUTES OF THE BOROUGH OF MONTOURSVILLE

August 3, 2020

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

The Pledge of Allegiance was observed.

The July 6, 2020 minutes were approved on a motion by Mr. Brown, second by Mr. Haines. The motion carried.

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

**TREASURERS REPORT** – Motion by Mr. Lucas to approve July 2020 treasurer's report, second by Mrs. Emick. The motion carried.

### **FINAL LAND DEVELOPMENT – WILLIAM J. MAURO/JAMES MATTHEW, TAX PARCEL #33-001-404 246 BROAD STREET – DANCE STUDIO –**

Zoning officer, Mr. David Hines reviewed the Final Land Development plan for a dance studio for William J. Mauro/James Matthew and stated it meets all zoning requirements. He noted if in the future and additional dwelling unit be added, an additional EDU would be needed from Lycoming County Water and Sewer Authority. Borough Solicitor, Mr. Randy Sees stated a letter of credit was provided at 2:45PM today, and is not adequate however it should not be difficult for the bank to remedy. Zoning Officer, Mr. Hines stated the plans will not be released until all conditions are met. He also noted they will have to abide by additional flood plain regulations due to the property being located in the flood fringe. Borough Engineer, Mr. Todd Pysher noted all his earlier conditions have been met at this time with the exception of the financial security. Borough Solicitor, Mr. Sees shared as he previously stated the letter of credit should be an easy fix as the dollar amount is correct; it is the language with in the letter of credit which is not acceptable to the borough.

**Motion** by Mr. Brown to approve Final Land Development for William J. Mauro/James Matthew, Dance Studio, 246 Broad Street with a condition of providing adequate financial security, second by Mr. Haines. The motion carried.

### **NEW BUSINESS –**

#### **DEVELOPMENT IMPROVEMENT AGREEMENT - WILLIAM MAURO/JAMES MATTHEWS –**

**Motion** by Mr. Haines to approve the Development Improvement Agreement for William Mauro/James Matthews with a condition of providing adequate financial security, seconded by Mr. Haines. The motion carried.

**CDBG PROJECT REVIEW AND FINALIZATION FFY 2020** – Ms. Kristin McLaughlin, SEDA-COG explained CDBG FFY 2020 and reported the Borough's allocation has increased to \$98,628.00. She explained the focus will be the three projects proposed at the June meeting; crosswalk replacement across Loyalsock Avenue, curb cuts installation and recreation. She explained and discussed why she will not be recommending funding the crosswalks across Loyalsock Avenue or recreation as they do not meet a National Objective. She explained in reference to the Loyalsock crosswalks, you are not permitted to make things handicap accessible; you are to remove architectural barriers. She explained however if a crosswalk signal does not have hearing or sensory impaired barrier for that capability, you could definitely install new pedestrian signals. She continued stating her 2020 project recommendation is to allocate \$81,720.00 to curbcuts and \$16,900.00 for the administration. A discussion took place regarding an approved transportation study being done for safe crossing on Loyalsock Avenue and future ideas regarding the safe crossing locations. Borough Engineer, Todd Pysher reminded council that a portion of Loyalsock Avenue is a state highway therefore you will need PennDOT approval. Council Vice President, Mr. Lucas stated he liked the idea of pedestrian signals with the sensory/hearing impaired capabilities. Ms. McLaughlin offered to investigate the idea. She explained she does understand council would like to approve a project other than curbcuts, however she has racked her brains for the past 8 years looking for alternative projects; it is just the nature of the CDBG funding sources. She noted she understands curbcuts are not an exciting project however it does save the Borough monies as they are required to be installed when you pave a street, so instead of using the Borough's Liquid Fuel monies, they can be funded through the CDBG grant. Ms. McLaughlin stated again her recommendation is to allocate \$81,726.000 for the installation of curbcuts, and in the meantime investigate and wait for the outcome of that traffic

study and investigate the possibility of moving forward with a project on Loyalsock Avenue in the future. Council member, Mr. Tillson questioned the status on the project to remove the architectural barriers from the entrances/vestibule of the Borough building. Ms. McLaughlin gave update and noted there is \$72,458.00 allocated to that project. She continued to explain if monies are not used they can always be re-budgeted to another project. Ms. McLaughlin reviewed the scope of work she included regarding the Borough building entrance/vestibule project. Council member, Mrs. Emick questioned if the counter height could be made handicap accessible. Ms. McLaughlin stated it could be a possibility that would fall in the scope of work. She reviewed the CDBG-CV funding which included a permanent window/partition component and noted the application is due on August 31<sup>st</sup>. with the possibility of rolling it into both applications.

**Motion** by Mr. Lucas to approve the CDBG FFY 2020 project to allocate \$81,726.00 toward the curbcut project and \$16,900.00 for the administration, second by Mr. Haines. The motion carried. Ms. McLaughlin continued to explain her recommendation for the CDBG-CV project funding to allocate \$23,082.00 to STEP, Inc., \$23081.00 to American Rescue Workers Rental/Mortgage-Utility Assistance, \$10,000.00 to the Borough building glass window partition and \$6,200.00 for administration. She explained she took the essence of past conversations with Borough council that would benefit the residents as much as possible, noting some of those past conversations included providing meals to children. She stated there are a lot of unknowns right now with going back to school therefore she feels her rental/mortgage –utility assistance is the best use of this funding. She shared October is actually the beginning of the season for these types of requests; not knowing what may continue to happen with the virus, she will continue to keep a close eye on what is going on now and reevaluate if needed for the future. Council Vice President, Mr. Lucas questioned Ms. McLaughlin if she foresees a second round of CDBG COVID funding in the fall. She state she does believe there will be a second round. Council Vice President, Mr. Lucas stated he appreciates the breakdown of the funding that Ms. McLaughlin recommends, however questioned how the residents will be notified of this funding. Ms. McLaughlin shared once the monies are available, she will be working directly with the STEP and the American Rescue Workers and making sure residents are notified. She explained she works with those organizations on a day to day basis with other projects and is very familiar with them. Council Vice President, Mr. Lucas shared personally, he and his family has not been impacted, however many Montoursville families have. He shared and questioned, many of these families have never needed help before and not familiar with the process, how are they going to know there is help for them. Ms. McLaughlin agreed, noting this is her best guess for where the funding could be used. She stated currently as far as she knows, these funds must adhere to the guidelines of regular CDBG funds as the federal regulations have not yet been released. She will keep a very close eye to make sure he funding is being used in a timely fashion and not missing a need. If something should come to light as a need, monies could be re-budgeted. Council member, Mr. Haines questioned the application process. Ms. McLaughlin stated it is a first come first serve, however she noted this is just one source of funding available to these organizations; they always have rental/mortgage and utility assistance available. What were are anticipating is that there is going to be an increase need in service. She shared there is also monies available at the county level. It was noted the Borough had submitted preliminary requested information to the county for possible funding. Council member, Mrs. Emick shared she had a lengthy conversation regarding Ms. McLaughlin’s memo with the Borough Secretary on how to get the grant information out to the residents. She discussed different possibilities on how to share the information. Ms. McLaughlin stated she will work with Borough Council and the Borough Secretary to make sure the information is shared with residents. Vice President, Mr. Lucas recapped Ms. McLaughlin’s recommendation for the CDBG-CV project funding to allocate \$23,082.00 to STEP, Inc., \$23081.00 to American Rescue Workers Rental/Mortgage-Utility Assistance, \$10,000.00 to the Borough building glass window/partition and \$6,200.00 for administration. Council member, Mrs. Emick questioned Ms. McLaughlin regarding the possibility of the Borough window project funding project coming in under budget, where would those funds be redistributed. Ms. McLaughlin explained the funds would be re-budgeted to other CDBG eligible projects, like the American Rescue Workers or STEP. Council member, Mr. Tillson questioned the dollar amount allocated to the glass window/partition and the ability to modify the reception counter to have handicap accessibility. A discussion ensued regarding the two different types of CDBG grant funding available, the annual CDBG and CDBG-CV, noting that if there is a greater need for the CDBG-CV funding, the annual CDBG allocation may only use 15% of the allocation for public service.

**Motion** by Mr. Haines to approve the CDBG-CV project funding to allocate \$23,082.00 to STEP, Inc., \$23,081.00 to American Rescue Workers Rental/Mortgage-Utility Assistance, \$10,000.00 to the Borough building glass window partition and \$6,200.00 for administration, seconded by Mrs. Emick. Council member, Mr. Tillson noted hopefully COVID will go away, however security will not. Council Vice President, Mr. Lucas stated if there has not been enough monies allocated to the window/partition, monies can be reallocated to cover any additional expense. The motion carried.

**LYCOMING COUNTY COOPERATIVE AGREEMENT – CDBG – FFY 2018** – Council Vice President, Mr. Lucas presented the Lycoming County Cooperative Agreement for CDBG FFY 2018 for review.

**Motion** by Mr. Haines to approve the Lycoming County Cooperative Agreement for CDBG 2018, seconded by Mrs. Emick. The motion carried.

**AUTHORIZE BOROUGH ENGINEER, TODD PYSHER, PYSHER ENGINEERING TO PREPARE & ADVERTISE BID DOCUMENTS – CURB RAMP PROJECT –**

**Motion** by Mr. Lucas to approve authorization of Borough Engineer, Pysher and Associates, Inc. to prepare and advertise bid documents for CDBG curb cut project, second by Mr. Brown. The motion carried.

**AUTHORIZE BOROUGH SOLICITOR TO ADVERTISE ORDINANCE #487 – AMENDING CHAPTER 150, VEHICLES AND TRAFFIC –**

**Motion** by Mr. Haines to authorize Borough Solicitor to advertise Ordinance #487 to amend Chapter 150, Vehicles and Traffic as presented, second by Mr. Brown. Borough Solicitor, Mr. Sees gave explanation stating the ordinance specifically sets forth that parking within 20 feet of a crosswalk is prohibited, makes fines uniform across all parking violations; a \$20.00 fine paid within 7 days or \$30.00 thereafter. It will also address parking before snow removal fines. The motion carried.

**RESIGNATION LETTER – ZONING HEARING BOARD ALTERNATE & PROPERTY MAINTENANCE**

**BOARD OF APPEALS – DAN HEITSENRETH** – Council Vice President Mr. Lucas presented a formal letter of resignation submitted by Dan Heitsenrether from the Zoning Hearing Board Alternate & Property Maintenance Board of Appeals.

**Motion** by Mr. Lucas to approve Dan Heitsenrether's formal letter of resignation from the Zoning Hearing Board - Alternate and Property Maintenance Board of Appeals, second by Mr. Haines. The motion carried.

**9/11 MEMORIAL COALITION RIDE LETTER REQUEST** – Council Vice President, Mr. Lucas shared the Borough is in receipt of a letter from the 9/11 Memorial Coalition Ride requesting approval of passage through the Borough of Montoursville. Borough Solicitor, Mr. Sees stated he has given Borough Council recommendations. He stated essentially the coalition's letter requests two things; is Montoursville Borough permitting the 9-11 Memorial ride to go through the borough and is Montoursville Borough willing to indemnify the Commonwealth of Pennsylvania for anything that may happen during that ride by the members coalition, the riders or anyone that may be working the event. Council Vice President, Mr. Lucas questioned if it was an all or nothing scenario. Borough Solicitor, Mr. Sees stated it is two separate questions, so you are permitted to say yes to the first question and no to the second for example. Council member, Mr. Tillson questioned what would happen if we did not do anything. Borough Solicitor, Mr. Sees stated unfortunately he does not know. A discussion took place between council members referencing some correspondence about the 9-11 ride. Borough Solicitor, Mr. Sees shared if the Commonwealth of Pennsylvania gets sued for something that happens during the ride, Montoursville Borough would have to pay the cost to defend the Commonwealth. Mayor Bagwell questioned if Montoursville would have to defend the entire ride. Borough Solicitor, Mr. Sees stated that is an open question. Mayor Bagwell continued the Coalition had shared that at least four communities have not submitted a letter and it is an all must be signed or nothing. Council Vice President, Mr. Lucas questioned if Montoursville Borough chose to say yes to the first question and no to the second, would that absolve the borough from liability. Borough Solicitor, Mr. Sees stated it would make things exactly the same as the ride last year and all previous years. A discussion took place regarding different scenarios and outcomes of the 9-11 ride, insurance issues, and liabilities.

**Motion** by Mr. Lucas to approve the 9/11 Memorial Coalition Ride's 1<sup>st</sup> request to ride through Montoursville Borough and deny their 2<sup>nd</sup> request to fully indemnify, save harmless and, if requested, defend the Commonwealth of Pennsylvania, second by Mr. Brown. Council Vice President, Mr. Lucas explained he fully supports the ride but he must protect his constituents. Council members, Mrs. Emick and Mr. Brown agreed with Council Vice President, Mr. Lucas. The motion carried.

**SALE OF A 2011 CHEVEROLET SILVERADO TRUCK IN THE AMOUNT OF \$10,600.00; SALE OF A 1999 GENERAC GENERATOR MODEL #99A-0051 AND SWITCH THROUGH MUNCIBID –**

**Motion** by Mrs. Emick to approve the sale of a the 2011 Chevrolet Silverado Truck in the amount of \$10,600.00 and the 1999 Generac Generator Model #99A-0051 in the amount of \$2,350.00, second by Mr. Brown. The motion carried.

**PLANNING & ZONING** – Central Keystone COG Report July 2020

**RECREATION** – Council Vice President, Mr. Lucas stated he wanted to thank Weis Markets for their kind and generous donation of benches for Indian park. He explained Event permit 2020-23.

**Motion** by Mr. Lucas to approve the Event Permit 2020-23, second by Mr. Haines. Council member, Mrs. Erick questioned the status of the director of AYSO. Council Vice President, Mr. Lucas stated the director was staying on for another year. The motion carried.

**STREETS/WATER** – Streets and Water Project Coordinator, Mr. Clifford Hoffman stated the dog park is near completion. Council Vice President, Mr. Lucas gave thanks and appreciation to Street and Water Project Coordinator, Mr. Hoffman and his crew for their efforts repairing a water leak.

**MAYOR** – Mayor Bagwell mentioned he received a phone call from a resident requesting the website to be updated with current photos. It was noted that the website will be transitioning to a new platform in the future.

**POLICE CHIEF** – Chief Gyurina reviewed the July police report. He shared that tomorrow evening was to be National Night Out however it had been cancelled so he and Mayor Bagwell will be taking calls from residents and stopping by to take photos with kids. Chief Gyurina shared the new police vehicle was finally delivered.

**COUNCIL PERSONS** – Nothing at this time.

**SOLICITOR** – Nothing at this time.

**COUNCIL VICE PRESIDENT** – Nothing at this time.

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

**CORRESPONDENCE AND ANNOUNCEMENTS** –

The next Council meeting will be held Monday, September 14, 2020 at 7:00 PM.

**VISITOR AND PUBLIC COMMENTS** – Resident, Mrs. Nancy Butler, 1301 Pearl Blvd, questioned Street and Water Project Coordinator, Mr. Hoffman on the status of storm sewer pipe cleaning. He explained the camera had ran through the pipes. Mrs. Butler gave explanation as to her understanding of the situation. Borough Solicitor, Mr. Sees stated at this time there is no indication that Mrs. Butlers issue is a borough issue and it does not make any sense to go into any further discussion. Resident, Mrs. Carrie Staron, Mulberry St., shared she is very fortunate to live in a community such as Montoursville and wanted to commend Street and Water Project Coordinator, Mr. Hoffman and his crew for doing such a great job repairing the water break into the early morning hours.

Motion to adjourn made by Mr. Haines, second by Mrs. Emick at 8:24PM.

Respectfully submitted,

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Ginny Gardner, Borough Secretary