

MINUTES OF THE BOROUGH OF MONTOURSVILLE

August 4, 2014

The regular meeting of the Montoursville Borough Council was called to order by Council Vice President Rosemary Holmes at 7:00 PM, with the following answering roll call: Mark Tillson, Dennis Holt, David Moyer and Christopher Lucas. Council President, Ronald Shearer – absent.

The Pledge of Allegiance was observed.

The minutes of the July 7, 2014 were approved on a motion by Mr. Holt, second by Mr. Moyer. The motion carried.

VISITORS AND PUBLIC COMMENT – Mayor Dorin introduced Boy Scout, Jack Sheets who presented his Eagle Scout project. Jack distributed a handout and discussed his project with Council. His project would involve restoring the covered bridge in Indian Park by repainting the bridge and benches, redoing the flower pots, mulching around the bridge and cleaning the plaques. A discussion regarding funding of the project took place. Mayor Dorin suggested seeking out Lowes to donate supplies if needed. It was noted that the point of contact for the Borough would be Street/Water Commissioner, Mr. Smith and Mayor Dorin. Mayor Dorin also commented that the VIP’s would be available to help.

Motion by Mr. Moyer to approve Boy Scout, Jack Sheets Eagle Scout project to restore the covered bridge in Indian Park, second by Mr. Lucas. Council member, Mr. Holt suggested for a future scout project making the bridge handicap accessible. The motion carried.

TREASURERS REPORT – **Motion** by Mr. Holt to approve the treasurer’s report and the Borough bills for July 2014 and \$1506.24 - Legal Services for Broad Street Waterline project easements and \$157.28 - Legal Services for Misc. Water Issues to McNerney, Page, Vanderlin & Hall; \$1007.50 – Design and permitting for Bulk Water Station to Larson Design Group, second by Mr. Moyer. The motion carried.

NEW BUSINESS –

EASEMENT AGREEMENT – BROAD ST WATERLINE PROJECT & AGREEMENT TO REVEST TITLE – THEODORE A. & DENISE L. THOMAS – 1000 BROAD ST – Solicitor, Randy Sees explained the agreements to Council.

Motion by Mr. Moyer to approve Easement Agreement for the Broad St Waterline Project & Agreement to Revest Title for Theodore A. & Denise L. Thomas, 1000 Broad Street, second by Mr. Holt. The motion carried.

BROAD STREET WATERLINE REPLACEMENT PROJECT BID – Council Vice President Rosemary Holmes noted that a bid opening for the Broad Street Waterline Project took place earlier in the day. She requested the Secretary read the bid results.

2014 Broad Street Waterline Replacement Project Bid Results

Joao & Bradley Construction	\$ 761,390.00
Glenn O Hawbaker	\$ 1,206,373.00
Anrich, Inc.	\$ 1,074,385.00
Dave Gutelius, Excavating, Inc.	\$ 969,440.00
G & M Crawford, Inc.	\$ 1,156,156.00
HRI, Inc.	\$ 1,095,175.00
Sikora Brothers Paving	\$ 875,590.00

The Borough Secretary noted the apparent low bidder, Joao & Bradley Construction documents had been reviewed by the Borough Engineer and Borough Solicitor. A discussion took place regarding the apparent low bidder, bid documents, attendance at the bid opening and project completion date.

Motion by Mr. Moyer to award the Broad Street Water Line Replacement Project bid to Joao & Bradley Construction Company in the amount of \$ 761,390.00, second by Mr. Holt. The motion carried.

CONSTRUCTION INSPECTION PROPOSAL – LARSON DESIGN GROUP – Council Vice President, Mrs. Holmes explained the proposal to Council. Council member, Mr. Holt expressed his concerns over the cost for a 2 month project which is approximately 5% of the bid.

Motion by Mr. Holt to approve Larson Design Group Construction Inspection Proposal at a cost of \$40,500.00, second by Mr. Moyer. Council member, Mr. Tillson noted that there will now be accountability for the project, in the case that something would go wrong. The motion carried.

LICENSE AGREEMENT – PENNDOT - BROAD ST WATERLINE PROJECT –

Motion by Mrs. Holmes to approve the License Agreement with PENNDOT for the Broad Street Waterline Project subject to further revisions and solicitor approval, second by Mr. Moyer.

The motion carried.

RESOLUTION 2014-08 – OPPOSING THE EXPANSION OF FEDERAL CONTROL OF THE CLEAN WATER ACT –

Motion by Mr. Lucas to approve Resolution 2014-8, Opposing the Expansion of the Federal Control of the Clean Water Act, second by Mr. Moyer. Council discussed the impact of the Clean Water Act. The motion carried.

GRANT APPLICATION – 1ST COMMUNITY FOUNDATION OF PA – INDIAN PARK POND RESTORATION & NATURE TRAIL – Borough Secretary explained the grant application was requested by Mr. Brian Auman/BLA who was hired to put together a Park Master Plan.

Motion by Mr. Lucas to make application to the 1st Community Foundation of PA for a grant in the amount of \$25,000.00 for the Indian Park Pond Restoration and Nature Trail, second by Mr. Moyer. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports July 2014 were reviewed by Council. Council Vice President and Chairman of the Planning and Zoning Committee, Mrs. Holmes announced that a Planning and Zoning Committee meeting took place prior to the Council meeting tonight to discuss the chickens on Washington Street. She reviewed the Solicitor, Randy Sees investigation regarding other communities and chickens and noted is almost non-enforceable. She noted that if Council would impose an Ordinance against chickens, it would not remedy the situation on Washington Street as they would be grandfathered. She did note that should chickens become a health hazard, it could be enforced through the codes department. Council member, Mr. Lucas discussed the enforcement of and Ordinance regarding chickens from Loyalsock Township with Borough Solicitor, Randy Sees. Council member, Mr. Lucas explained several health issues that may occur from raising chickens. Solicitor, Randy Sees explained that if chickens become a health or safety issue; the Borough has a Nuisance Ordinance which could be enforced. He stated that the Nuisance Ordinance does not just pertain to chickens but to any other nuisance that may occur. A discussion took place regarding a home with an overabundance of cats infested with fleas currently being served with notice from the codes department.

RECREATION – Event Permits:

- 2014-28 Montoursville Youth Football and Cheer – July 20th – December 1st, 2014
5:00PM – 8:00PM
- 2014-29 Cub Scout Pack 21 – Picnic/Overnight Camp – July 25th & 26th, 2014
4:00PM- Noon
- 2014-30 ACES – Zombie Fun Run 5K Walk/Run – October 12th, 2014
8:00AM – 6:00PM
- 2014-31 Bilquis Ali – Bounce House/ Bounce Equipment – July 28th, 2014
Noon – 8:00PM

Event Permits were reviewed by Council member, Mr. Lucas. The Borough Secretary recommended to Council to amend the event permit application and pavilion rental agreement by adding to the application/agreement requesting notice of using or renting equipment such as bounce houses, floatable apparatuses etc., in order to make sure the applicant has proper liability insurance. Council agreed to the recommendation.

Motion by Mr. Lucas to approve Event permits 2014-28, 2014-29, 2014-7, 2014-30 and 2014-31, second by Mr. Moyer. The motion carried. Council member, Mr. Lucas reviewed the upcoming Recreation Board events: Repasz Band – August 5, Movie in the Park – “Planes” – August 22 and October 4th – Fall Festival Parade. He also noted the Park Master Plan survey is posted on the Facebook sites for the Montoursville Recreation Board, Montoursville Police Department, Montoursville Borough and on the Montoursville Neighborhood Watch. He requested everyone to fill it out to help form the future of the park.

STREETS/WATER – Street/Water Commissioner, Mr. Ron Smith gave a report to Council. He reported the catch basins have been completed, trees cleaned up from the last storm, streets were being swept, alleys are being patched, and the park is being mulched. He stated that recently he had gone through a DEP inspection for our MS4, if anything learned he noted that all Borough owned vehicles need to be washed in an approved wash bay site. Street/Water Commissioner stated in the future they will start line painting, thermal plastic repair, tar/chipping and installation of the new banners. In the water department he noted the mixing chamber is almost complete with DEP permitting being completed in the near future; well # 5 was down, a company was brought in to clean the well, remove the pump to inspect and repair if needed and will reinstall once completed and the well will be put back online. He stated that a new level transducer for the reservoir will need to be purchased as the current one cannot be repaired at a cost of \$ 2,748.58 and to receive the permanent permits from DEP for Well #2 and #3 a chlorine analyzer, data logger, and auto battery will need to be purchased at a cost of \$ 12,612.00. He explained to Council that currently Well #4 is being run off of a generator while Well #5 is down and it is having a problem; he feels it needs to be cleaned. He reviewed the projects the VIP’s have completed; repaired Pavilion 5 roof, repaired and replaced rotting wood on the restrooms on John Hazel Drive and rebuilt lights for the Fall Festival. Council member, Mr. Tillson questioned the water meter replacement status. Street/Water Commissioner, Mr. Smith stated door hangers are currently on order to hang on residents doors with instruction to contact the Borough office to set up an appointment to install. Work orders will be issued for the installation of the new meters with a checklist for Borough employee’s to review the general property maintenance, weeds and sidewalks of the property’s address. If the property has a suspected issue Codes enforcement can take over. Council discussed the enforcement of repairs for sidewalks, sidewalk inspection with home sales, and a “reasonable” amount of time to repair sidewalks. Solicitor, Randy Sees stated a “reasonable” amount of time must be given to comply. He also noted a property seller’s disclosure would cover the sidewalk, if violated it becomes an issue between the buyer and the seller of the property. Street/Water Commissioner, Mr. Smith noted that he is hopeful to have Ward 1 completed by the end of the year. Council member, Mr. Holt stated that if all of Ward 1 has new meter’s installed; all sidewalks in Ward 1 should be reviewed by the end of the year and if needed passed on to Codes. Council member, Mr. Holt questioned the work load for the Street and Water Department. He stated he would prefer to rehire a full time codes and zoning officer; the town is a mess and needs to be cleaned up. Council member, Mr. Tillson noted that it shouldn’t be any more work load as they are already at the property. Council member, Mr. Holt expressed his unhappiness with the codes and zoning. He stated that something needs to be done.

Motion by Mr. Holt to approve the water department, while installing meters, to inspect sidewalks, general maintenance issues and weeds of the property and if needed refer the issues to the codes department, second by Mr. Moyer. The motion carried. Council member, Mr. Holt questioned if the Well 4 & 5 project would be bid. Street/Water Commissioner, Mr. Smith stated that the generator will be purchased through COSTARS and installed; PPL needs to do some of the work. He noted the rest will be bid out. Council member, Mr. Tillson suggested and discussed with Council the future budgeting for capital expenditures. Council member, Mr. Tillson questioned Street/Water Commissioner, Mr. Smith about all the street cuts done by the gas company. Street/Water Commissioner, Mr. Smith stated that this is one of the reasons he keeps postponing the paving projects; he does not want to pave a street and then have it cut up by the gas company installing a gas service.

MAYOR – Mayor Dorin reviewed the July Police Report with Council. He explained to Council he had issued a Certificate of Appreciation to Montoursville Rotary Club for the cleanup of the streetscape and floral decorations. He noted he had received several phone calls regarding the dead trees and the request for removal of such trees located in the streetscape. Mayor Dorin discussed the Water System 5 year Improvement Plan. He requested Council to review it and update. Street/Water Commissioner, Mr. Smith stated that the Water System 5 year Improvement Plan is a revolving plan; if a more important project comes up, it becomes part of the plan and may move a current project of the plan, down in priority. Mayor Dorin stated the plan is dormant and disagreed. Mayor Dorin questioned Street/Water Commissioner, Mr. Smith on the status of the repair of the clock. Street/Water Commissioner, Mr. Smith stated that he thought Mayor Dorin was going to speak with Mr. Tommy Nau. A discussion took place between Mayor Dorin and Street/Water Commissioner, Mr. Smith regarding the clock. Council member, Mr. Tillson questioned why the business on Broad Street that repairs clocks is not able to repair it. Mayor Dorin stated no he did not but that is Street/Water Commissioner, Mr. Smith's job. A discussion between Mayor Dorin and Street/Water Commissioner, Mr. Smith took place regarding contacting the business owner and reasoning as to why he was not contacted, with both parties disagreeing. Solicitor, Randy Sees shared with Council Vice President, Mrs. Holmes that the discussion was becoming a personnel issue and not appropriate for public meeting discussion. A discussion between Mayor Dorin, Street/Water Commissioner, Mr. Smith and Council member, Mr. Tillson regarding the disrepair and the background of the clock. Mayor Dorin noted that the Montoursville Chamber, when they joined the Williamsport Chamber, purchased the clock. Council member, Mr. Tillson and Mayor Dorin agreed the problem is finding a vendor to repair the clock. Council member, Mr. Tillson stated he will find a vendor to repair the clock. Mayor Dorin requested the pass code to the rear door of the police department from Council. Council discussed Mayor Dorin's ability to enter the Borough building through the front and rear doors. Council agreed and instructed Chief Gyurina to enable the passcode to the rear door as per Mayor Dorin's request.

POLICE CHIEF – Chief Gyurina reported to Council on a heroin overdose that took place in Indian Park during midday while children were playing on the playground.

COUNCILPERSONS – Council member, Mr. Holt questioned the Borough Secretary about the two pensions, the Non Uniformed Pension located in the MRT Borough's association and the Police Pension located in Wells Fargo Bank. He noted he would like the percentages for the rate of return for the Police Pension located in Wells Fargo Bank. He wanted to note Council needs to make sure that there is enough money in the pensions in order for employee's to retire and make sure the pensions are climbing at a rate sufficient for these retirements. Council member, Mr. Holt questioned that he and another former employee were never given a determination if they were entitled to any benefits and he was fully vested. Council member, Mr. Holt stated he was not supplied with any documents. He requested Council to have the Borough Secretary look into the reasoning as the Borough did not handle his pension properly. Council member, Mr. Tillson stated he wants Council to review the value of the Chief of Police having a car. He doesn't feel it will jeopardize the Borough's safety; the budget is coming up, cuts need to be made and this is an area to start. Council member, Mr. Moyer noted he understands the budget and finance issue and that some feel that this is a "perk". He stated he could not support it; it is an extra layer of safety. **Motion** by Mr. Tillson to put a moratorium on the Chief of Police having a car, second by Mr. Holt. Council member, Mr. Holt noted several issues that bothered him and strongly disagreed with what the past Council had approved regarding the Chief of Police. Council member, Mr. Moyer disagreed. The motion carried. Council member, Mr. Holt discussed the paving of Vine Street Extension by the Lazer Car Wash. He questioned if their Final Land Development had been approved. It was noted that it had not as they had only requested a Preliminary Land Development. Council member, Mr. Holt stated he watched as they paved the extension and he feels it is not done the way the Borough should want it. He would like a notice to be issued to the contractor that it was not done correctly and they did not obtain the proper permits. He explained unless this paving issue is resolved he will not vote to approve their Final Land Development. A discussion between Council member, Mr. Lucas and Council member, Mr. Holt took place regarding the process and requirements requested by the Borough of the developer. Council discussed whether the extension and developer's parking lot was done correctly. Council member, Mr. Tillson questioned why Hawbaker Paving would not do the job properly if this is what they do for a living; it

does not make sense for them to do a shotty job. Council member, Mr. Holt stated it was the developer who instructed the contractor and it was their duty to get a permit from the Borough, which they did not do. He continued by saying that they would have done it properly if we would have followed up on them. Council member, Mr. Moyer stated he was bothered by the fact that the Street/Water Commissioner, Mr. Smith asked on Friday when they would pave; they did not know. He then questioned if a core sample would prove it was done correctly. Council discussed what were on the Preliminary Land Development Plans and their approval of them. Council member, Mr. Holt explained it needs to be done properly to the Borough's specs or Borough Engineer, Todd Pysher's specs. Council member, Mr. Lucas questioned Street/Water Commissioner, Mr. Smith about how paving is done and could that what is being done on Vine Street Extension. Street/Water Commissioner, Mr. Smith stated that it was not the case, the paving done on the parking lot is not a rough coat but an impervious asphalt which is required for storm water approval. Council and Mayor Dorin discussed the durability of Vine Street Extension in the future; Solicitor Randy Sees and Street/Water Commissioner, Mr. Smith agreed that the Right of Way Agreement states that the Developer is responsible for the repair and maintenance; excluding snow plowing. Council member, Mr. Holt stated that if this is let go, it is considered mismanagement, it needs to be brought up to the specs and standards that he feels is the Borough's standards. Council member, Mr. Lucas stated that if Council member, Mr. Holt does not feel it is up to the Borough standards then it should be inspected by an engineer. He noted that no one on Council is an engineer so before we make any decisions it should be inspected by an engineer. Council member, Mr. Holt stated it should not be let go; this problem was created by the mismanagement of the Borough staff. Street/Water Commissioner, Mr. Smith stated the specs on the blueprints were approved by Borough Council. Council member, Mr. Tillson noted he approved the blueprints based on the Borough Engineer's approval, as he is not knowledgeable to determine if it was done correctly or not. A discussion took place between Council members and residents over the costs associated with the Borough Engineer inspecting Vine Street Extension and the cost savings associated with the police car. Council member, Mr. Tillson questioned which entity would be responsible to do testing to prove if Vine Street Extension had been done correctly. Solicitor, Randy Sees stated that it is a Right of Way, the specs are what is included on the Land Development Plan. He stated if it meets the specs, when the project is finished they will ask for final approval of the Land Development Plan, and barring any unforeseen circumstances, they will get it.

Motion by Mr. Holt to approve the Borough Engineer to review and inspect the Vine Street Extension, second by Mr. Lucas. The motion carried. Council member, Mr. Holt explained to Street/Water Commissioner, Mr. Smith currently down by the railroad tracks there is a ditch for a waterline that needs replaced, also Smith Jeweler's street cut needs redone. He stated that he does not care who fixes the problems, if the contractor's don't fix them the Borough will and charge them for the work.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Absent at this time.

COORESPONDENCE AND ANNOUNCEMENTS – Next Council meeting will be Monday, September 8th, 2014 at 7:00 PM

VISITOR AND PUBLIC COMMENTS – Resident, Donna Ponegrate, 437 Cherry St. questioned if the Borough knew anything about an addition being added to the High School and removal of the stone entrance in order to accommodate parking that is being required by the Borough. She also questioned the Yard Sale Ordinance and if it is being enforced on a resident on Broad Street who seems to be having a continuous yard sale. Council discussed the Yard Sale Ordinance. There being no further business the meeting was adjourned at 9:05 pm on a motion by Mr. Moyer, second by Mr. Holt and carried.

Respectfully submitted,