

MINUTES OF THE BOROUGH OF MONTOURSVILLE

August 5, 2019

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

The Pledge of Allegiance was observed.

The July 1, 2019 minutes were approved on a motion by Mr. Brown, second by Mr. Haines. The motion carried.

VISITORS AND PUBLIC COMMENT – None

TREASURERS REPORT – Motion by Mr. Greenway to approve July 2019 treasurer's report, second by Mr. Brown. The motion carried.

PUBLIC HEARING – TO CONSIDER PASSAGE OF RESOLUTION 2019-07 APPROVING THE TRANSFER OF THE PLCB LICENSE NO. R20104 INTO MONTOURSVILLE FROM LEWIS TOWNSHIP, LYCOMING COUNTY, PENNSYLVANIA– Council President, Mr. Greenway recessed the Council meeting at 7:05 PM and opened the Public Hearing to consider passage of Resolution 2019-07 in connection with an application for SAI William 1, LLC to permit an inter-municipal transfer of Liquor License R20104 to facilities within the Borough of Montoursville to be located at 447 Broad Street, Montoursville, Lycoming County, Pennsylvania from Lewis Township, Lycoming County, Pennsylvania. Attorney Joseph Mashinski representing SAI William 1, LLC reviewed and explained the request for consideration. He stated the license is not for use as a bar/night club, rather it's a convenience store that will be able to sell beer and takeout food that will have limited hours of operation as compared to a bar being allowed to stay open to 2:00am. Each employee will be required to sign a policy & procedures manual and be required to participate and pass an alcohol and management training program in order to sell beer to convenience store patrons. A background check of the business owner will be conducted to ensure they are able to operate legally and financially prior to the business opening. Attorney Mashinski addressed Council's concerns and questions. Council President, Mr. Greenway questioned if the public had any comments; hearing none, the public hearing was closed. Council President, Mr. Greenway reconvened the council meeting at 7:19PM.

Motion by Mr. Lucas to approve Resolution 2019-07 approving the transfer of Restaurant Liquor License R20104 into Montoursville Borough from Lewis Township, second by Mr. Greenway. The motion carried.

NEW BUSINESS –

PROPOSAL TO PAVE BOROUGH MINI PARK PARKING AREA ON BROAD STREET – M & M Asphalt Corp. – Council President, Mr. Greenway presented M & M Asphalt Corporation's proposal for review.

Motion by Mr. Greenway to approve M & M Asphalt Corporation's proposal to pave the Borough's mini parking area located on Broad Street in the amount of \$12,755.00, second by Mr. Haines. The motion carried.

PROPOSAL REVIEW FOR PROFESSIONAL SERVICE – LEVINE ENGINEERING – MONTOURSVILLE WATERWORKS – SCADA SYSTEM - Council President, Mr. Greenway presented Levine Engineering's proposal for professional services for review.

Motion by Mr. Greenway to approve Levine Engineering's proposal for professional engineering services for the design of SCADA SYSTEM not to exceed \$40,000.00, second by Mr. Haines. The motion carried.

PROPOSAL REVIEW FOR PROFESSIONAL SERVICE - LEVINE ENGINEERING – HOP PERMIT – WATER SYSTEM INTERCONNECTION - Council President, Mr. Greenway presented Levine Engineering's proposal for professional services for review.

Motion by Mr. Greenway to approve Levine Engineering's proposal for professional engineering services for the preparation of the PennDOT High Occupancy Permit application for a waterline interconnection not to exceed \$8,500.00, second by Mr. Lucas. The motion carried.

PROPOSAL TO PAVE – 140 SQ YARDS – CHURCH ALLEY – GREEN VALLEY TRUCKING & PAVING –

Council President, Mr. Greenway presented Green Valley Trucking & Paving's proposal for paving.

Motion by Mr. Lucas to approve Green Valley Trucking & Paving's proposal to pave 140 square yards of Church Alley in the amount of \$4,200.00, second by Mr. Brown. The motion carried.

REIMBURSEMENT REQUEST – TODD MAHAFFEY – FROZEN PRESSURE WASHER –

Council President, Mr. Greenway reviewed Mr. Mahaffey's request for reimbursement for the purchase of a pressure washer that he had purchased through Municibid in the amount of \$575.00. After purchasing he learned the pressure washer did not function; paid to have it inspected and discovered it had been frozen. Street and Water Project Coordinator, Mr. Cliff Hoffman confirmed Mr. Mahaffey's inspection report and reported that Borough was not aware that the item was not functional at the time of placement on Municibid. After some discussion, Council agreed to refund Mr. Mahaffey \$575.00 with the condition of the return of the item.

Motion by Mr. Lucas to approve Mr. Todd Mahaffey reimbursement request in the amount of \$575.00 for the pressure washer purchased through Municibid conditionally with the return of the pressure washer, second by Mr. Brown. The motion carried.

PLANNING & ZONING – Central Keystone COG July 2019 Reports was reviewed.

RECREATION – Council Vice President, Mr. Lucas reviewed and explained Event permits 2019-27, 2019-28 and 2019-29.

Motion by Mr. Lucas to approve the Event Permits 2019-27, 2019-28 and 2019-29, second by Mr. Greenway. The motion carried.

Council Vice President, Mr. Lucas gave reminder of the movie in the park scheduled for August 13, 2019.

STREETS/WATER – Street and Water Project Coordinator, Mr. Cliff Hoffman had nothing to report at this time.

MAYOR – Mayor Bagwell commented on the American flags located on Broad Street becoming tangled. He explained the possibility of having too many objects permitted on a single post. He suggested that in the future consideration might be to find an alternative location. At this time Mayor Bagwell introduced Zoe Gillespie, who addressed Council with an update regarding the dog park project. She explained she had received \$2,600.00 in donations which have been placed into the Montoursville School Districts Key Club Account; she is hoping to organize a dog walk in early October. She shared upcoming fundraising opportunities, including the sale of photo prints by Mayor Bagwell; Hoss's Buffet discount cards which will be made available to the public, percentage of sales will be donated to the dog park. She also will be participating as a vendor during the Fall Festival scheduled for September 20 & 21, 2019.

POLICE CHIEF – Chief Gyurina reviewed the July police report. Chief Gyurina reported contractors will be working at the Santander building on Broad Street conducting after hour remodeling to include jack hammering between 5:00pm and 10:00pm during the period August 16th to August 30th. He recommended no travel down the sidewalk or parking in front of the building while renovations are being conducted. Chief Gyurina announced the resignation Police Officer, David Yael effective August 16, 2019. Chief Gyurina explained he would like to pursue hiring an individual who is on the Civil service eligibility list.

COUNCIL PERSONS – Council member, Mr. Brown shared July 26th, 2019 as a representative for Montoursville Borough, he had the honor to attend the dedication ceremony of the John P. Conrad Railroad Bridge. He provided a summary of his attendance stating the John P. Conrad Bridge replaced the bridge that was built in 1927 that had been damaged during Tropical Storm Lee in 2011. The new bridge is now 142' longer, has 3 spans compared to 6 on the old bridge and is 3' higher. These design features allow better water flow underneath and will assist to migrate flooding that has been a concern for residents of the Borough. The new bridge piers are embedded 60' – 100' below ground level compared to the previous bridge being 8' below ground level. The expected life span of the new John P. Conrad

Bridge is 100 years and is expected to see 15,000 or more carloads of freight. He shared the total cost of the new bridge was \$12.5 million dollars. In closing Council member, Mr. Brown thanked the Borough for allowing him the opportunity to attend the event.

Chief Gyurina, at this time gave a reminder regarding the *National Night* out which is scheduled for Tuesday, August 6th, 2019. He encouraged people to attend the annual event; it is a great opportunity for kids to meet their local law enforcement and emergency responders. Food and refreshments will be on hand.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next regular Council meeting will be held Monday, September 9, 2019 at 7:00 PM. Council President, Mr. Greenway announced an executive session will be held immediately following this meeting to discuss personnel matters and Council may be reconvening.

VISITOR AND PUBLIC COMMENTS – Resident, Bill Ruffing, 329 Arch Street thanked Borough Council for passing the firework ordinance; he added he speaks for many of the residents in the Borough; who are very appreciative for their actions taken on this matter. Resident, Carrie Staron, 928 Mulberry Street questioned as to what happens to Council members documents that are in their possession; is there an archival system or process when a Council Person or Mayor leaves their position. The Borough Secretary responded stating the Borough has archives stored in the basement. She further explained official documents are required to remain archived; there are state procedures in place protecting such documents. She explained in order to discard official documents they must adhere to the schedule for maintaining official records. Additionally documents that are not included on the disposition list are not to be destroyed. Ms. Staron inquired if documents that a Council member personally possesses will be maintain in that office. The Borough Secretary replied by again assuring that all documents are archived at the Borough office including meeting minutes which are also available online, however Council members, who are personally in possession of documents, those documents will remain with that Council member; the Borough does not have access to their personal emails or documents, etc. Resident Larry Gage, 601 Arch Street addressed an earlier action taken by Council during tonight's meeting in regard to the Municibid purchase/reimbursement. He commented to the "Buying As Is" clause listed on Municibid. He questioned if he were to buy something through Municibid, learned it did not work and requested a refund; would it be the Borough's policy to honor a complete the refund. Council President, Mr. Greenway stated it would be reviewed on an individual circumstance, however there will need to be an inspection process in order to know how they will be listed in the future. Council Vice President, Mr. Lucas added Council's action taken was based on good faith; if the Borough sold something knowing the item did not work then the listed "As Is" would apply, however in this particular circumstance both parties were under the belief the item was a functioning unit and it wasn't, therefore it would be dishonest on the Borough side of the transaction being listed "As Is". Council member, Mr. Lucas noted Council's actions will not set a "black & white" precedent for future purchases made on Municibid. Council member, Mr. Haines stated he feels no monies are actually lost noting the item in its current condition would have been sold for scrap.

There being no further business the meeting was adjourned at 7:55 PM on a motion by Mr. Lucas, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary