

MINUTES OF THE BOROUGH OF MONTOURSVILLE

August 7, 2017

The regular meeting of the Montoursville Borough Council held in the Borough building was called to order by Council Vice President, Chris Lucas at 7:00PM with the following answering roll call: Mark Tillson, Eric Greenway, Tina Kline, Ted Haines and Rosemary Holmes.

The Pledge of Allegiance was observed.

Council Vice President, Mr. Lucas announced that there was an executive session held prior to this meeting to discuss personnel issues and an executive session will be held after this meeting to discuss personnel issues and they will not be reconvening.

COUNCIL PRESIDENT – Council Vice President, Mr. Lucas called for nominations for Council President. It was moved by Mr. Greenway to nominate Mr. Lucas for Council President, second by Mrs. Holmes. It was moved by Mr. Tillson to nominate Mr. Greenway for Council President, second by Mrs. Kline. Council Vice President, Mr. Lucas called for additional nominations, hearing none, Council Vice President, Mr. Lucas closed the nominations. Council Vice President, Mr. Lucas requested a roll call vote for nominee, Mr. Lucas. The roll Call vote is as follows:

<u>Yeas</u>	<u>Nays</u>
Eric Greenway	Mark Tillson
Christopher Lucas	Tina Kline
	Ted Haines
	Rosemary Holmes

Council Vice President, Mr. Lucas stated that nominee; Mr. Lucas had failed to win for lack of a majority vote for Council President. Council Vice President, Mr. Lucas requested a roll call vote for nominee, Mr. Greenway. The roll call vote is as follows:

<u>Yeas</u>	<u>Nays</u>
Mark Tillson	
Eric Greenway	
Tina Kline	
Christopher Lucas	
Ted Haines	
Rosemary Holmes	

Council Vice President, Mr. Lucas stated that Council member, Mr. Greenway had won by majority vote and will be Council President.

The minutes of July 3, 2017 were approved on a motion by Mr. Greenway second by Mr. Haines. The motion carried.

VISITORS/PUBLIC COMMENT ON AGENDA ITEMS – Nothing at this time.

TREASURERS REPORT/BOROUGH BILLS – **Motion** by Mrs. Kline to approve the treasurer’s report and the Borough bills for July 2017, second by Mr. Lucas. The motion carried.

SUBDIVISION – SJ Holdings, LLC ,300 Streibeigh Lane ,Tax Parcel #34-005-806- Manufacturing Warehousing/Contractor Yard – Zoning Officer, David Hines reviewed and explained the subdivision. **Motion** by Mr. Lucas to approve the subdivision plan for S.J. Holdings, LLC, 300 Streibeigh Lane, Tax Parcel #34-005-806, second by Mrs. Holmes. The motion carried.

LAND DEVELOPMENT – FINAL – EuroOptic, 635 N. Loyalsock Avenue, Tax Parcel #34A-351-167- Large Scale Commercial – Zoning Officer, David Hines reviewed and explained the Final Land Development Plan.

Motion by Mrs. Holmes to approve the Final Land Development Plan for EuroOptic, 635 N. Loyalsock Avenue, Tax Parcel #34A-351-167, second by Mr. Haines. The motion carried.

At this time, Council President, Mr. Greenway introduced and welcomed the newly appointed Council member, Mr. Ted Haines who will be filling the vacancy created by Mr. David Moyers' resignation.

NEW BUSINESS –

CDBG PROJECT REVIEW AND FINALIZATION FFY 2017 – Ms. Kristin McLaughlin, SEDA-COG explained CDBG FFY 2017 allocation is \$ 87,045.00 approximately 1% decrease from the previous year's funding. She reviewed the projects discussed at the previous council meeting. Ms. McLaughlin proceeded to recommend \$46,300.00 to curb cut reconstruction, \$25,000.00 to homeowner sidewalk/curb reconstruction and \$15,660.00 to administration. A discussion took place regarding the homeowner sidewalk/curb reconstruction project.

Motion by Mr. Greenway to approve the CDBG FFY 2017 projects with \$ 46,385.00 to curb cut reconstruction, \$25,000.00 to homeowner sidewalk/curb reconstruction and \$15,660.00 to administration, second by Mrs. Holmes. Council member, Mrs. Holmes questioned if there is enough money budgeted for sidewalk reconstruction. Ms. McLaughlin explained how there is flexibility with the funding and could be accomplished with a budget revision or budget modification. She explained the budget revision and budget modification to council. It was noted that if the homeowner sidewalk/curb reconstruction does not prove to be a good project, the Borough can always return to doing curbcuts. Solicitor, Randy Sees questioned if Lycoming County would need to sign off on the budget revision or budget modification. Ms. McLaughlin stated yes for future years, however the Borough has the authority to select and put money into any project, unless the County determined the Borough was putting money into an ineligible project. She noted beyond that the County has no ability. The motion carried. Ms. McLaughlin reviewed a memo she had sent to Council which explained the process to reallocate prior years funding, that funding could be placed into the sidewalk/curb reconstruction project. She stated the budget modification could take place at a public hearing at the September meeting where she would recommend using approximately \$15,000.00 - \$20,000.00 of 2014 funding. Council agreed with her recommendation to a budget modification of \$20,000.00 of 2014 funding. A discussion regarding the new DCED policy needed for curbcut replacement took place. The policy states curbcuts that are 10 years old with an engineer's certification for replacement will be eligible; curbcuts 15 years or older do not need an engineer's certification for replacement.

RESOLUTION 2017-05 ADOPTING THE MONTOURSVILLE/MUNCY MULTI-MUNICIPAL COMPREHENSIVE PLAN – Council President, Mr. Greenway explained the plan is required to be done every 10 years.

Motion by Mr. Lucas to approve. Resolution 2017-05 adopting the Montoursville/Muncy Multi-Municipal Comprehensive Plan, second by Mrs. Kline. The motion carried.

CHANGE ORDER #1 – INDIAN PARK NATURE TRAIL PROJECT, JOHN CLAAR EXCAVATING, INC. in the amount of \$ 6,601.00 –

Motion by Mr. Greenway to Change Order #1 for the Indian Park Nature Trail to John Clara Excavating, Inc. in the amount of \$6,601.00, second by Mr. Lucas. The motion carried.

CHANGE ORDER #2 – INDIAN PARK NATURE TRAIL PROJECT, JOHN CLAAR EXCAVATING, INC. in the amount of \$ 4,700.00 –

Motion by Mr. Greenway to approve Change Order # 2 for the Indian Park Nature Trail to John Claar Excavating, Inc. in the amount of \$ 4,700.00, seconded by Mr. Lucas. The motion carried.

AUTHORIZATION FOR SUBCONSULTANTS TO PREPARE BID DOCUMENTS AND SURVEYING - TRAFFIC SIGNAL – BROAD AND WALNUT STS – Council President, Mr. Greenway explained the traffic signal

was damaged in a vehicle accident and is required to be repaired. Borough Engineer, Todd Pysher will be working with the subconsultants.

Motion by Mr. Lucas to authorize the subconsultants through the Borough Engineer, Todd Pysher to prepare bid documents and to do surveying for the traffic signal located at the intersection of Broad St and Walnut St., second by Mr. Greenway. Council member, Mr. Lucas questioned that the driver's insurance would cover the costs. It was noted that the driver's policy had maximum coverage of \$50,000.00 for the repairs and the costs will likely exceed \$50,000.00. The motion carried.

AUTHORIZATION TO ADVERTISE ORDINANCE #476 VACATING A PORTION OF STREIBEIGH LANE – Attorney Dan Mathers representing S.J. Holding's explained noting that previously the subdivision had been approved for 300 Streibeigh Lane, in the course of preparing the subdivision it was discovered that a segment of Streibeigh Lane should have been formerly vacated however was not. This segment was located in the footprint of the existing building. It was noted that advertisement of the ordinance and public hearing is required.

Motion by Mr. Greenway to authorize the advertisement of Ordinance #476 vacating a portion of Streibeigh Lane, second by Mr. Lucas. The motion carried.

PLANNING & ZONING – Central Keystone COG July Report was reviewed by council.

RECREATION – Council member, Mr. Lucas reviewed and explained Event permit 2017-24.

Motion by Mr. Lucas to approve Event permit 2017 -24, second by Mr. Greenway. Council member, Mrs. Holmes questioned a conflict with the Fall Festival. It was noted that it does not conflict with the festival. The motion carried.

Council member, Mr. Lucas reviewed and explained Event permit 2017-25. He noted the requestor of the permit is for profit business soccer camp and questioned the eligibility. He stated past practice only has permitted non-profits eligible. A discussion took place on the location in the park that had been requested. Council member, Mrs. Kline questioned if the fee would be the same as for non – profit. It was noted that it would be the same fee as per the Fee Schedule. Council member, Mr. Lucas noted that the requestor also asked for a fee reduction so that their fee to the youth would be reduced. He explained that the event would benefit the local youth. Council member, Mr. Tillson questioned if a fee would still be charged. Council member, Mr. Lucas stated yes, they will be making a profit with some proceeds going toward scholarships for soccer players who can't afford the camp.

Motion by Mr. Lucas to approve Event permit 2017 -25. Council member, Mr. Tillson questioned the fee amount. Council member, Mr. Lucas stated it was \$500.00. Mayor Dorin questioned the anticipated amount of children attending. Council member, Mr. Lucas explained approximately 20 – 40 families without a total number of children listed and noted it was directed toward children between the ages of 2 – 8 years old. He noted the local AYSO targets children ages 4 through high school. Second by Mr. Greenway. Council President, Mr. Greenway noted if the permit gets approval; a precedent will be set for other for – profit businesses regardless of what the business is. Council member, Mr. Tillson questioned what the park ordinance permits regarding for – profit business. It was noted that it is at the discretion of council. Council member, Mr. Lucas questioned the solicitor if council would permit for – profit business, could they deny certain for – profit businesses. Solicitor, Randy Sees stated he can never tell council that there is not some for – profit business they can keep out, but it would make it much, much more difficult to deny. Mayor Dorin stated if for profit businesses would be permitted a precedent would be set. The motion failed. Council member, Mr. Lucas questioned a previously approved permit for the MJAA Youth Football practice dates were modified so that they were not in conflict with the Recreation Board events. It was noted that modification of their practice dates had been done so that they do not interfere with events.

STREETS/WATER – July's monthly report was reviewed by council.

MAYOR – Mayor Dorin reviewed the July 2017 Police report. He reminded residents to lock their vehicles as this past weekend 7 vehicles were entered into illegally. Mayor Dorin noted the Chamber of Commerce will be fund raising by selling bricks for the Broad Street Mini Park.

POLICE CHIEF – Chief Gyurina was absent.

COUNCIL PERSONS – Nothing at this time.

SOLICITOR – Solicitor, Randy Sees stated he will be attending the PSAB Legal Update on August 9th and 10th and will be returning with any materials that may be pertinent to the Borough.

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 11, 2017 at 7:00 PM.

VISITOR AND PUBLIC COMMENTS – Resident, Ron Beach, Cedar Street requested an update on the status of the brush pile. Council President, Mr. Greenway stated the status is it is currently closed. Council is doing their best to find outlooks for the mulch, once outlooks are found; another pile of brush will be ground that will be the same size as the current mulch pile that we can't dispose of. He stated it will remain closed until a solution is found. A discussion regarding how Loyalsock Township deals with their brush pile took place. Council President, Mr. Greenway stated he spoke to a supervisor at the township; they push it up the hill and give it away. Currently, he suggested residents put small brush out with your trash; larger quantities to contact a landscape company. He stated there is still room for the leaves to be picked up this fall; this is the reason we are not excepting any further brush. Mr. Beach questioned if council is still looking for outlets for residents. Council President, Mr. Greenway stated they are and will take any suggestions residents have. Council member, Mr. Lucas explained the brush pile needs to be moved long term and can't be located in the park as it is deed restricted for recreational purposes. DCNR has given us several years to remove it; property needs to be found in order to continue. We also are permitted for a compost pile and not a brush pile. He continued to explain that he has a trailer load of brush so this issue is affecting everyone. Mr. Beach suggested contacting a neighboring township to partner with. He questioned the cost of the tub grinder. Council member, Mr. Tillson stated it will cost approximately \$16,000.00 per year to grind and feels it is not fair to the residents that do not have tress on their property. Mr. Beach questioned the number of residents who do not have trees on the property. Council member, Mrs. Kline stated that her property does not have any trees located on it. A discussion took place regarding utilizing a neighboring municipality to provide a brush pile, how it would be regulated, and contractor's permit fees not covering the expense of grinding. Council member, Mr. Tillson explained a lot of the issue is regulation. Additional discussion regarding the past fees paid by contractors and the amount of brush hauled by contractors took place. Mayor Dorin commented that this is a service that has been provided for many years and now it will be taken away due to not having land permitted to do this service and the overabundance of mulch. A discussion took place regarding possible land availability, partnership and the difficulty in regulating. Council member, Mr. Tillson stated the bottom line is that comes down to dollars and cents; contractors have a contract that allows them use until the end of 2017; next year there will be no contracts. He stated in 2018 how will it be regulated and how can the fee be fair and equitable to all residents. He stated the long term issue is that another location needs to be found within the next 4 years. A discussion regarding current borough owned property located in the flood zone and how it would not be permitted in those areas took place. Resident, Charles O'Conner, 1179 Mulberry St. commented at the end of June, his granddaughter rented Pavilion #1, the toilet facilities provided were unpleasant. He noted that he was aware that new facilities are under construction. He commented there were no recycling facilities located at the pavilions.

There being no further business the meeting was adjourned at 8:19 pm on a motion by Mr. Lucas, second by Mr. Greenway. Council President, Mr. Greenway reiterated there will be executive session and they will not be reconvening. The motion carried.

Respectfully submitted,