

SELINGROVE BOROUGH RECESSED COUNCIL MEETING

MONDAY, MAY 16, 2005 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. D. Mengel, V. Pres. W. Hetherington, C/P S. Christine, C/P C. Handlan, C/P M. Inch, C/P G. Kinney and C/P W. Reuning

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor G. Beaver; Police Chief T. Garlock; Recording Secretary D. Long; Borough Resident Pete Carroll

OTHERS ABSENT: None

CALL MEETING TO ORDER:

Pres. Mengel called the meeting to order at 7:00 P.M.

VISITORS TO BE HEARD: None

UNFINISHED BUSINESS FROM PRIOR MEETINGS:

Reject all bids received on Modifications to New Police Department Building Project –

Mgr. Bickhart reported that the Borough advertised for improvements to be made to the new police department. Two bids were received, one from Keister Construction in the amount of \$18,675 and the second from Robert Feaster Corporation in the amount of \$22,950. Both of these bids are well in excess of what the Borough intended to spend.

Motion by C/P Hetherington to reject the two bids. Seconded by C/P Inch. Pres. Mengel called for a vote on the motion.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Consider cost estimates for other improvements – Mgr. Bickhart stated there were other contractors that he had expected to get bids from and he was disappointed not to have received bids from them. He will try to work with some of these contractors in order to break the project down into smaller pieces and to do the absolutely necessary things first a little bit at a time. He will have more information at the June Council meeting.

Mgr. Bickhart stated he has looked into the issue of the telephone system and it appears that it would not be reasonable to take the existing system to the new police department. He has gotten quotes from two different entities to create a new phone system for the police department. One quote is in the \$3,000 range and the other is in the \$6,000 range. He will provide more information on this at the June meeting. A new phone system would be able to do the kinds of things that the Borough cannot do now, such as having recorded messages, voice mailboxes, and public service announcements on a pre-selected menu. This phone system is in addition to what was discussed and what was in the specs. Pres. Mengel asked if it is possible to put the existing system into the building now and add a new system later on at budget time. Mgr. Bickhart replied that this could be done as a fall-back position. A cable would have to be carried across the street and there might be enough height to just put a cable from the top of the Borough building to something across the street. C/P Handlan stated there are phone lines in the building already so why does a cable need to be run. Mgr. Bickhart stated that more than just phone lines are needed when there is a series of phones with different buttons and intercoms with the ability to talk from one office to the other inside of a phone system. There is a controller panel, which is in the basement of the Borough building. C/P Handlan asked who the police department would have to talk to in the Borough building. C/P Kinney stated that the Borough office gets a number of calls that are referred to the police

department and they just transfer the calls to them. If the police department gets a call to talk to somebody in the Borough office they can also just transfer the call. C/P Handlan suggested just giving a person a new number to call rather than transferring them. C/P Kinney stated it is a courtesy or a convenience for the calling party, especially if they are calling long distance. The cost factor has to be considered, but his impression is that a phone system should be part of the money that is set aside for the project. He is concerned, however, about where the money will come from. C/P Handlan stated that \$10,000 was set aside to renovate an entire building. C/P Kinney stated that some things were added to the specs. He stated that as chairman of the Property and Facilities Committee he thinks the committee should be reviewing these specs before anything is decided on. Mgr. Bickhart stated this is a good idea. C/P Kinney stated he would like to know what the bids were asking for, as \$18,000 and \$22,000 is a lot of money. C/P Handlan stated that \$10,000 does not go a long way in renovations, especially when modifying a building to accommodate a police department, which has to be much more secure than a home. C/P Kinney stated that the police have been in the basement for 20-some years and nothing down there is secure. C/P Handlan stated that this does not mean that things have to continue to be that way. C/P Kinney stated that some of the renovations could be done, but in moderation. He wants to know what is being done before the money is spent. Pres. Mengel suggested going back to Keister Construction and Robert Feaster to tell them the things that need to be done to see what prices they can come up with. C/P Hetherington stated that this is going to be the police station for many years to come and, while everything does not have to be done at one time, whatever is done should be done right, whether it is a phone system or bulletproof glass or whatever. C/P Kinney stated he is in agreement. It should be determined what needs to be done immediately to get the police department into the building and then at budget time additional improvements can be put into the budget. He stated he does not want to shortchange the police and it is not his intention to shortchange anybody. Pres. Mengel suggested having the Property Committee work with Mgr. Bickhart on what needs to be done. C/P Kinney stated that another thing to consider is that tomorrow is the primary election and there will be a new mayor. He suggested getting some input from that person because he may have some suggestions and it would be proper to ask him for those suggestions at this stage. Mayor Beaver stated there will not be a set candidate after the primary election. C/P Kinney stated both people running are Republicans and Mayor Beaver stated the loser may run on write-in votes on the Democratic ticket in the general election. C/P Handlan stated that Chief Garlock has already submitted what his needs would be to move into the new building. C/P Kinney stated he has seen that information. C/P Handlan stated that is what was submitted for the bid process. She stated she never imagined that anything other than modifying the building would be able to be done with the \$10,000. C/P Kinney stated there is \$13,000 for modifications, but he does not know where the money will come from for the phone system. Mgr. Bickhart stated the package can be put together to cover the cost of the phone system. Some of the costs of moving into the new building had to do with the phone system, the cables, the antennas and in some cases those things have been taken care of by others at no cost to the Borough. Some of the essential things are already covered, such as a new antenna and radio base station, which the county has worked out for the Borough. The list that he made for the bid process is a list of things that Chief Garlock felt he needed in order for the police department to move into the building. The Borough needed to get ideas on the costs of these things. It does not surprise him that the two contractors who bid were as high as they were, but that is not the way the Borough should go. With that information the Committee needs to sit down to prioritize things and then talk to some contractors to start getting things done a little at a time. It cannot be made perfect with the money that is currently available. C/P Hetherington stated Chief Garlock should have a lot of input on this and Pres. Mengel stated she just assumed that he would be part of the process. C/P Reuning stated it should be a modern, up-to-date phone system with good communications because that is what the police department needs.

C/P Handlan asked if there is a target date to move the police department into the new building. Chief Garlock stated he wants to be in before the new semester starts at Susquehanna.

NEW BUSINESS:

OTHERS:

Award contract for replacement of recycling truck dump-body – Mgr. Bickhart reported that Janet has received bids on replacing the dump body on the dump truck that the Borough bought with recycling funds. This was in the grant applications and has already been approved for reimbursement. Janet is recommending that the bid be awarded to Martin Steel, Inc. of Mifflinburg. Some Council members expressed concern that Martin's bid was so much lower than the other bids. Pres. Mengel stated that Janet told her she has spoken with other people who have used Martin Steel and they are very happy with their work. C/P Hetherington asked what will be done with the old dump bed, such as selling it or remodeling it. Mgr. Bickhart replied that he does not know the answer to that question. The bed is probably not usable or the Borough would not be replacing it. Mayor Beaver asked if the bids were for different materials, perhaps some for steel and some for aluminum. Mgr. Bickhart stated all the bids are for aluminum sheet goods at the same specs.

Motion by C/P Kinney to accept the bid from Martin Steel for \$3,250 for the dump body and \$325 for the light bar and tailgate. Seconded by C/P Handlan. Pres. Mengel called for a vote on the motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Adopt Resolution pertaining to the Continuation of the CDBG program – Mgr. Bickhart reported that this resolution was given to Selinsgrove through the Boroughs Association. The Boroughs Association and SEDA-COG is requesting that the Borough adopt this resolution and send it to the legislators concerning the proposal to eliminate the Community Development Block Grant Program in the 2006 budget.

Motion by C/P Kinney to adopt the resolution. Seconded by C/P Hetherington. Pres. Mengel called for a vote on the motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

COUNCIL MEMBERS:

Donald Foreman Property Dispute – C/P Hetherington stated that if the Lutze property is to be restored to its original condition then the fence that is blocking the view from the Foremans should be taken down because the fence was not there until they got ready to start construction. He stated it is not even a proper fence; it is a snow fence. C/P Kinney stated that the property line on the drawing shows that the Foremans' chimney is on Mr. Lutze's property. Should they be required to take down their chimney? C/P Hetherington stated this comes under the Grandfather Act. He stated there is an argument wherein one of the parties could show a drawing from another engineer that shows that three feet of the Foreman property is on Mr. Lutze's property. C/P Handlan asked if a permit is needed to put up a new fence. C/P Kinney stated that a permit is not needed unless the fence is over six feet tall. He stated the property owner could be asked to take the fence down but then they could put up a five-foot fence, which would really block the Foremans' view from their window. C/P Hetherington stated there is a good chance there will be a new owner of the property in the near future and he wonders if this will continue to drag on. C/P Kinney stated that the Foremans' plants were torn out and Solicitor Cravitz stated that is not a Borough problem. C/P Kinney stated that neither is the fence a Borough problem, but according to the drawing it looks like the brick veneer of the Foremans' house is on Mr. Lutze's side of the property line. C/P Hetherington stated that it has always been known that the chimney is on the other property. C/P Reuning stated if it is not the Borough's problem then Council should stay out of it. If both parties want to get it settled then they should hire a surveyor and have the property surveyed. C/P Christine asked if the fence goes against any ordinance. He stated it is an eyesore. C/P Kinney agreed that it is an eyesore but it will eventually fall over. He is afraid that if Council says too much then the property owners will put a permanent fence up and the Foremans will not have any view whatsoever.

C/P Hetherington stated that the proposed new property owner is an employee of Mr. Lutze so the problems may continue.

Employee Relations and Employee Grievance Policy – Mgr. Bickhart stated that when Council last looked at the employee manual the issue of writing a grievance policy came up. The directions were to take a look at the 1993 language and/or to look at the procedure that is in the police contract. Mgr. Bickhart has put together some information with the 1993 language being the top paragraph and the police procedure being the bottom paragraph. The discussion was also made to make sure that it said something about the employees not being compensated for any time that they are involved in the grievance process and that the employees have to bear all their costs associated with the grievance. He tried to string all the language together. The two existing procedures are very different. The 1993 language talked too much about disciplinary actions and discriminatory acts, so he has gone through and made suggestions to clean that up and talk about a procedure that would be a general grievance, not necessarily an order to an employee or any kind of an action. The employee could aggrieve anything or everything. The first paragraph has been made generic. Mgr. Bickhart stated that he likes the three-step procedure which mimics what is in the police contract, where the employee first goes to the immediate supervisor, which in this case would be himself. In the police contract it is a combination of the police chief and the mayor. When that first step does not work the employee goes to the Personnel Committee as an opportunity to review the grievance. The third and ultimate step is Borough Council. The first paragraph ends with the Personnel Committee and Mgr. Bickhart stated he does not think that that is wise. He suggested taking the top half of the first paragraph and merging it with the procedure in the second paragraph and leaving the third lines clarifying that the employees are not expected to file a grievance on Borough time. If they are going to do this it will be on their own time. He stated if there is no objection to this logic he will recombine this in a way that takes the best out of the first paragraph, takes the procedure out of the second and then leaves the caveat that it has to be on the employee's own time. C/P Reuning stated he has not had a chance to read this, but he feels that one essential thing in all the procedures is that at each level there is a recommendation and that the rest of Council should not get involved in any way, shape or form until it becomes the final adjudicating body. Each step needs to be independent. He stated that in the old procedure from four or five years ago that was not the case, and it was sloppy. It has to be clear. C/P Kinney asked Solicitor Cravitz if he has had a chance to look at it and he replied that he has not. Mgr. Bickhart stated he just handed this out tonight so that Council can review it and get back to him with their comments, but he wanted to explain what he has done. He agreed with C/P Reuning that the procedure in the 1993 draft was very bad and he would strike that. The three-step process that mimics the police contract in terms of timing, written reviews and recommendations going through the process is pretty good. The full Council is not to be involved until the very last step. As far as Council is concerned that is the final step, although nothing would preclude someone's right to sue Council. However, the grievance process must end with Council. He stated that the police contract has a fourth step of a mandatory arbitration but the Borough is not offering that in their policy. Pete Carroll asked if Mgr. Bickhart has lower supervisors underneath him, such as Gary Klingler for the street crew. He suggested that the first step in the grievance process would be to Gary as the first-line supervisor and then to Mgr. Bickhart. If the first-line supervisor cannot settle the grievance then the employee can go up the chain of command, which would then fall to Mgr. Bickhart. After that it would move to the committee and then eventually if that does not work it goes to the full Council with a recommendation. Pete stated that he sees Mgr. Bickhart being inundated with things that the lower-line supervisors could take care of for him so that it might not even get to his level. Mgr. Bickhart replied that the Borough does not have that complex of a system. Only a few employees would follow the path to Gary and then to him. He stated that he would not resolve the grievance without Gary if it were one of his employees. Mgr. Bickhart stated that he himself is the lowest common denominator. C/P Reuning stated he also had thought about what Pete suggested but there is also a lot of overlap, as employees work on all kinds of projects. Water people work with street cleaning, with some under Gary and some not. Mgr. Bickhart stated he would agree with Pete if there were a hierarchy that could be written with the employees and then another tier of managers and then the Borough Manager. Selinsgrove does not have that so it is unnecessarily complicated to write that for a few employees it goes to Gary and then to the Borough Manager. He and Gary work together to resolve issues anyway. Pres. Mengel stated that perhaps that option should be included because she could see somebody going over Gary's head and going to Mgr. Bickhart first, in which case Gary will not know anything about it. Mgr. Bickhart stated that would not happen; Gary would

know about it because he would inform him. Pres. Mengel stated that the option should be included that if an employee has a supervisor other than the Borough Manager, the employee should go to his immediate supervisor. C/P Kinney stated that Gary is the immediate supervisor for all the departments, giving the instructions of what he wants done, so he would be the first line. He stated Gary would not solve a grievance without talking to Mgr. Bickhart first and vice versa. C/P Reuning stated there will not be a clear-cut hierarchy. Mgr. Bickhart asked if the concern is that Gary be involved in the process or that the employees have a separate step to go to Gary. Pres. Mengel stated the immediate supervisor should be the first person to receive a grievance filing. Pete asked if the employees know what the guidelines are and what procedure the Borough wants them to follow. He stated it would be nice to have the immediate supervisor be able to solve the grievance, and if he cannot then he can go up the chain of command to the Borough manager. Mgr. Bickhart stated that in the scenario of Roger going to Rick, Rick does not function at a level where he is responsible for policies or procedures or their interpretation. Gary may be responsible, but Mgr. Bickhart certainly is responsible. His feeling is that Rick would report to Gary and Gary would report to him anyway. Pres. Mengel stated that the language of the immediate supervisor needs to be included in the process before the Borough Manager. Mgr. Bickhart stated the hierarchy will be defined and shown so that it is clear who the immediate supervisor is. He stated that Gary's position can be put into the loop for those that he supervises. He will look for language to put this extra step in.

Kidsgrove Invitation – Mgr. Bickhart stated that he wanted to make sure that Council was aware that this is going on, referring to the dedication of the Rotary Club stage at Kidsgrove.

MAYOR – Request for Executive Session to discuss a personnel issue

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 7:40 P.M. for discussion of Personnel Issues. Council meeting reconvened at 8:15 P.M.

ADJOURNMENT:

Motion by C/P Kinney to adjourn at 8:15 P.M.