

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, OCTOBER 3, 2005 - 7:00 P.M.

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

COUNCIL MEMBERS ABSENT: C/P C. Handlan – attending CK-COG meeting as Borough's representative – joined Council meeting at 9:23 P.M.; C/P W. Reuning

OTHERS PRESENT: Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor G. Beaver; Police Chief T. Garlock; Borough Treasurer Sheri Badman; Recording Secretary D. Long; DH&L Ambulance League Representative Woody Mengel; DH&L Representative Ken Stettler; Daily Item Reporter Marcia Moore; Borough Residents Phil Burgess, Dennis Fetter, Ted Fullmer, Ivan Parker, Katherine Savidge, Joseph and Margaret Siro, and C.B. "Jack" Steffen; SASD Transportation Director Pete Carroll; SEDA-COG Representative Bill Seigel; School Bus Safety Officer Connie Raker; Charles Inch

OTHERS ABSENT: None

CALL MEETING TO ORDER:

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

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF SEPTEMBER 12, 2005:

C/P Inch reported that on page 13 under the review of the estimated fund balance in the Finance report there is an incorrect amount stated regarding the surplus. The minutes are correct, as that is what was stated at the meeting. However, the information is incorrect and will be addressed during the Finance Committee report.

C/P Inch reported that on page 20 there is a reference to voting districts on the Isle of Que. There are two election districts on the Isle of Que, not three as stated in the minutes. The minutes correctly reflect what was stated at the meeting. However, the information is incorrect because there are just two voting districts on the Isle of Que.

Motion by C/P Kinney to approve the minutes with the corrections noted. Seconded by C/P Hetherington.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

VISITORS TO BE HEARD:

Borough Police Chief, Thomas Garlock – Presentation of Police Report for August 2005

DH&L Fire Company, Ken Stettler – Ken reported there were 21 alarms during the month of September: 3 automatic, 4 standby assignments, 1 vehicle accident with extrication, 4 false alarms, 3 miscellaneous fires, 5 vehicle accidents without extrication, and 1 structure fire. These alarms occurred in the following areas: 3 in Monroe Township, 10 in Penn Township, 7 in Selinsgrove, and 1 in Shamokin Dam. There was no dollar loss. The report for the garage fire in Penn Township is not complete and does not appear on the report. The loss was around \$125,000 for building and contents. A total of 570 man hours were spent on activities during September.

Pres. Mengel remarked that the man hours seem to be going up every month. Ken replied that the man hours reported are not even close to the man hours that actually go into running the operation. When people fill out reports or go in for an hour or so to do some cleaning, those man hours do not get reported.

DH&L Fire Company Strategic Plan, Ken Stettler – Ken went over the 2005 Strategic Plan, noting that there are four parts to it: instituting a vehicle replacement program, continuing with development of rescue team, establishing certification of fire department personnel, and implementing pre-plans for industrial, commercial and high occupancy structures. Ken reported that due to the age, design, condition and operating capabilities of the current fleet of equipment, the equipment is not adequate to complete tasks safely and efficiently and the department needs to begin a replacement program. The 1978 GMC tanker needs to be replaced. It is currently out of service because the tank needs to be welded again at a cost of \$1,000 or more. A contract has been signed with Four Guys Incorporated for a new tanker truck that will be delivered on November 4. This is a demonstration unit that was available at a very affordable price and it is similar to what DH&L had been specing out. The 1981 Mack rescue truck that was donated to Selinsgrove from Hatboro also needs to be replaced soon. It is overweight and there is extra rescue equipment that cannot be put on the truck. In case of an emergency someone would have to bring this equipment to the scene via pickup truck or other means. Also, the wiring on the truck is not heavy enough. DH&L has tried to get various grants, similar to what Hummels Wharf has received, for the replacement of this truck on at least two different occasions. Creamer, Upper Augusta and Point Township or Tuckahoe have gotten fire grants; however, Selinsgrove has been unsuccessful so far. A bid has been placed on a rescue truck in Palmyra. It is a 1997 unit and it is at a very good price. Palmyra is on a replacement program so at the end of the cycle they get rid of equipment whether it is obsolete or not. Palmyra's meeting is tomorrow night to award the bid. If DH&L's bid is accepted then they must decide if they will follow through with the purchase of the rescue truck. Ken has put together a plan that the bank is looking at; it looks good on paper but he would feel more comfortable if there was more revenue. C/P Kinney asked where DH&L is coming up with the money for these purchases since the ladder truck and the building are not paid for yet. Ken replied that DH&L approached Penn Township and got a service agreement commitment from them for \$50,000 per year for apparatus replacement. Ken has worked out the budget numbers and everything is fine for now. The ladder truck loan from Swineford Bank will be paid off and there will still be a 2 percent loan. The money sitting in the bank is making more interest than the 2 percent. Right now DH&L can afford to buy the tanker truck and the rescue truck. However, Ken would feel better if there were more income. C/P Inch asked if these purchases are contingent on selling the land and Ken replied that they are not. He stated that if and when the race track is sold the new fire station will be paid off first. He reported that there is a meeting on Wednesday with another party that is interested in the property. C/P Kinney expressed concern that the newspaper reported that the social hall will cost \$1 million. Ken agreed that this is excessive and stated that he has made his feelings perfectly clear to the rest of the membership. The social hall will not bring in as much money as could be made by investing the money. Ken asked that the social members of DH&L come to the meeting on Wednesday to lend support and to get the point across that this is too much money to be spent on a social hall. Ken is hoping that with the strategic plan the Borough will be able to increase its allotment to the fire company. Pres. Mengel stated this will be considered during the discussions for the 2006 budget. Ken stated the strategic plan goes on to discuss how equipment will be replaced over the years on a cycle recommended by Craven, Peters, Peterson. The second goal, which is to develop a technical rescue team, is already in the process of being completed. Equipment has been obtained from the terrorism task force but there is no place to put it at the moment. The third goal, certification levels for fire personnel, is being implemented. There is a structural burn class tonight and the actual field training will be on Saturday. This is the first step to get the firefighters state certified. When applying for grants, extra points are awarded for certified firefighters. The fourth goal, implementation of pre-plans, has begun with laptops that will be stored on the vehicles once the information is loaded in. Each major building and business will have a pre-plan on the laptops. This information will include floor plans, potential hazards, and other pertinent information. Currently a file box is used for this. The laptops will be a much better system. Mgr. Bickhart asked if there is a financial plan prepared to go along with the strategic plan, showing dollars and cents programmed out over the years. Ken replied that based off of this year's budget the fire company is okay through the year. If anything major would occur they have some CDs to fall back on. He has been waiting to get accurate budget numbers to present to the bank and to have an accurate budget to present to Council. Today he found out his numbers were off a bit from Penn Township's workers' comp numbers; this has been corrected. Mgr. Bickhart suggested Ken include what he can for the budget information for the 10th so that it will be available for Council to look at. C/P Kinney asked if Mgr. Bickhart is asking for an audit and Mgr. Bickhart replied he is not really asking for an audit. Ken stated he does not have a full audit for last year, but for

the year before Scott Frost, the son of Fritz Frost, controller for Weis Markets, did an audit and found no irregularities to speak of. Any time anybody, including the state, has done an audit there has never been anything questionable or unacceptable found. C/P Kinney stated he is not suggesting there are problems, but he thought it would be helpful to see expenditures and income for the fire company. Mgr. Bickhart stated at this point he would rather see a projection for 2006 and then anything that is foreseen in 2007, perhaps programming it out over the life of paying for the vehicles. He does not want to put Ken to any unnecessary trouble but some of this information is probably also what the bank wants to see. Ken stated that the social room is an unknown at this point, so he is not showing any income for them. If the social hall generates income and a profit that would all be a plus. Mgr. Bickhart stated that the section of the plan that mentions the liability of having a piece of equipment out of service and what that does to DH&L's ability to respond got him to thinking about the mutual aid system that exists, and that got him thinking beyond that to the regionalization issue, where one of the values of regionalization that has been mentioned by most people is an evaluation of what equipment is needed in this region. Ken stated this all falls within what has been proposed to this point. There was a meeting just two weeks ago between DH&L, Shamokin Dam and Kreamer to discuss regionalization. Everything so far indicates that DH&L is doing what is expected as far as obtaining apparatus. He stated if DH&L were to get two more engines, that would not be part of regionalization, but the discussions have been that DH&L would be the ladder company and heavy rescue, and everybody would keep an engine and tankers because of the rural settings and the relationship to the ISO and NFPA ratings. Also, boats would stay with the companies that have them now. Ken stated that the main reason they want to keep a tanker around is because a good portion of the Isle of Que has an inadequate hydrant system and Penn Township has many rural locations. The tanker also carries forestry equipment in case of a forest fire. C/P Inch asked if Scott Frost is still doing the accounting work and Ken replied that Scott basically just did the audit. Laird Gemberling prepares the annual tax returns and is very familiar with DH&L's finances. Pres. Mengel stated Council is not prepared to make any monetary commitments to DH&L tonight and Ken replied that he understands this.

DH&L Ambulance League, Woody Mengel – Woody reported that the blue wheelchair ambulance, which is new to DH&L this year, has been very busy with 28 calls just last month. There is a full-time operator plus per diems on it. There were 209 calls for ALS and BLS last month, for a total of 237 calls in one month. He does not have the yearly figures to date, but he estimates that there were over 2,100 calls this year. There is a new ambulance coach coming at the end of November or beginning of December that will replace ambulance 8-1.

Bill Seigel, SEDA-COG – Address questions concerning FFY 2005 Professional and Administrative Services Agreement – Bill reported that the fee in question was set the same as it was the prior year as outlined in the scope of services when reviewed in October of 2004 and January of 2005. The only difference between that scope of services that was reviewed at the Council meeting and the actual administrative services fee was the additional fee for the enforcement of Davis Bacon Labor Standards, but SEDA-COG has held the fee this past year; it was adjusted in 2004, and it had been held for a couple of years prior to that. By comparison to other communities it is probably one of the lower figures because Selinsgrove Borough has done multi-year projects, which is the most efficient way to carry these projects out because not as much cost is incurred each year. This allows the Borough's fee by comparison to be relatively low, even though it seems high to Council. Pres. Mengel asked where the legislation stands at this point with respect to the allocation of funding. Bill replied that the Department of Community and Economic Development is stating that the administration's attack on the CDBG program and the actions by the House and Senate look as though the adjustment for federal fiscal year 2006 will result in a reduction of 6 to 10 percent. They are also stating that it is highly likely that the program will in fact be funded in 2007 and a similar reduction will take place in 2007. That would then lead to a change in the administration and it is unknown what will happen at that point in time. There has been a discussion about the need for infrastructure funding in the United States, and depending on which studies are looked at it as much as \$12 to \$35 billion throughout the nation that is necessary for the infrastructure of the nation's communities, including water, sewer, and streets. SEDA-COG is hearing that while the complexion of the program may change it is highly likely that there will be some kind of a program that takes federal funds and gets them into local communities with a focus on environmental and other infrastructures. C/P Kinney asked if SEDA-COG's fees will also go down 6 to 10 percent in the next two

years if the funds go down by that amount. Bill replied that the fees have never been tied to the actual allocation; they have been tied to the performance of work that SEDA-COG does. If the Borough continues to do the one or two projects that are continuation projects, the fees will remain the same or go down. If the Borough adds to the projects then the fees will likely increase, but SEDA-COG has never charged a percentage of the Borough's allocation because SEDA-COG feels the fees should be based on the work and not on the percentage the Borough receives. C/P Kinney stated he thinks the fees are much too high for what SEDA-COG is doing this year, next year and the following year. He is opposed to SEDA-COG's addition of another \$1,000. Bill replied that the increase amount is actually \$1,780, which is related to the enforcement of labor standards. C/P Kinney replied that there are no labor standards this year and Bill stated that there have been no charges for labor standards for Pine Street reconstruction from day one. This is the first fee for that. C/P Kinney asked why this was not put in initially when the Borough applied for the money to do that project. Bill replied that that would have been in 2004 and what was put in in 2004 was the environmental review work. He stated the costs were incurred and the \$1,780 represents a fee that is markedly less than what most engineering services would charge for the same service. When the Borough funded the Pine Street project the only charge SEDA-COG made relative to that project was the environmental review work. They did not charge for labor standards. SEDA-COG is only asking to be paid for the services they have provided. All the labor standards enforcement for the project were done for roughly \$1,800 and Bill does not feel that is an excessive fee when one considers that it requires weekly review of payrolls, restitution where contractors mis-pay, resolution of problems that come up, and it protects the Borough from having to repay funds or pay employees of contractors who have not properly paid funds. It is a labor intensive effort. C/P Kinney asked where the other \$17,000 comes in. Bill replied that that amount includes application preparation, grants administration, financial management, progress reports that are required twice a year, project development, and project management. Bill asked if the Borough is dissatisfied with the level of services that SEDA-COG provides. Council replied that they are not dissatisfied, with which C/P Kinney agreed, but he restated that he feels the costs are excessive in comparison to what the Borough is getting. He stated the total of \$19,000 is excessive and he feels that that should include all parts of the job. The Borough is an eligible community to get the grants so it is not like they have to go out and hammer the legislators to get the money. He stated the Borough has to start cutting costs and no one comes up with money to offset the Borough's loss of tax revenue. Bill stated that perhaps SEDA-COG could do a better job of making Council aware of what is involved in the administration and management of the CDBG program. If the sense is that the fees are too high it may be as much a non-understanding of what is involved day to day in the administration end of the program as it is the actual fee assessment. He volunteered to develop a routine report to Council on specific tasks that have been performed over a certain period of time. The general consensus of Council was that this would be a good idea. Bill stated that most of the work SEDA-COG does is done quietly. When Council does not see a lot of him then things are going well. When he shows up it means there is a problem. Council and Bill both feel they have had a good working relationship, but Bill will develop a quarterly update on the tasks that SEDA-COG is involved in on behalf of the Borough. He asked Council to consider the total due over the five-year period of \$19,000, which is approximately \$4,700 per year. Pres. Mengel reported that application preparation is \$6,320, grant administration is \$4,300, activity development is \$3,600, and activity management is \$4,780, for a total of \$19,000.

Motion by C/P Hetherington to accept this with the stipulation that Council will receive quarterly reports on SEDA-COG's activities. Seconded by C/P Christine.

AYES: FOUR (4)

NAYS: ONE (1) – C/P Kinney

MOTION CARRIED

Pete Carroll, Selinsgrove Area School District Transportation Issues

1) Consider left-turn lane at intersection of Broad Street and Route 522 – Pete stated that with no left turn lane heading west on Route 522, traffic backs up when the buses leave the school campus at the end of the day. He realizes the roadway is not wide enough and he understands that there has been no further discussion on widening Broad Street in order to make a left turn lane to go west on Route 522. Instead of a left turn lane, Pete suggested finding out if the computer box that controls the traffic signal has the capacity to allow the light to stay green longer in order for traffic to make the left turn onto Route 522, and then let the southbound traffic proceed into the Borough. Mgr. Bickhart stated it is

possible to get PennDOT's input on this, but he needs to have Council direct him to send a letter to PennDOT. Pete Carroll also suggested that to alleviate additional traffic tie-ups in this area it might be advisable to prohibit left-hand turns from the parking lot of Weis Markets onto Broad Street during certain hours of the day. Pres. Mengel requested that Pete address this with the Safety Committee.

C/P Hetherington stated that a quick, spur of the moment Safety Committee meeting was held without Chief Garlock, Pete Carroll or Mgr. Bickhart. At that meeting the committee discussed and felt that there is not enough room at Broad Street and Route 522 to add a left turn lane. The committee is not opposed to a study as long as there is no cost incurred by the Borough. They felt that if right turns would be allowed there it would speed things up also.

2) Consider continuance of bus route using West Snyder Street – Pete reported that he would like to continue running 12 southbound buses down West Snyder Street in the afternoon for a total of about five minutes, as this has greatly alleviated the congestion at Seals Avenue and Broad Street. He stated that the buses on West Snyder Street have been going slower than the speed limit and the drivers are watching for foot and bicycle traffic. Mgr. Bickhart stated he has heard from several residents of that part of town who are all opposed to continuing the busing. Mr. Ivan Parker addressed Council, stating that he has always been opposed to the bus traffic because the area is a private residential area. The residents did not object to the school being placed back there, although they do get a lot of noise from the school on Magnolia Avenue. Most of the noise is from the children playing at recess so it is not an offensive noise. He stated the residents never wanted bus traffic coming through the neighborhood and they are totally opposed to its continuing. He realizes that it may help the traffic flow on Broad Street but it detracts from the enjoyment of the homes in the residential area to have the buses coming down West Snyder Street. Mgr. Bickhart stated he had a call from Earl Clark and today he spoke with Jack Rouse. He has also had several conversations with Ted Fullmer. Mr. Fullmer addressed Council, stating that he agrees with Mr. Parker. Originally when the school was proposed busing was going to be allowed through the neighborhood. He stated there is a problem with the children and safety in the area so he suggested that perhaps something should be considered for the immediate future until something else is done long-term. He stated for about a half hour in the morning and again in the afternoon there is a bad situation. He suggested getting Russ Fairchild or someone from the state involved to look at a proposal for putting new lanes in through the school system and routing the buses out 18th Street or somewhere else. He stated he does not like the buses going through the community, but if it will help in the short term he thinks it is the right thing to do for the safety of the children. Ivan Parker stated Mr. Fullmer probably has the worst of everything where he lives because he is subjected to the traffic from the schools and the pedestrian traffic. Mr. Parker said he was not opposed to a temporary rerouting of the buses for the duration of the Mill Road project, but he predicted that when the new road was completed that the school district would ask to make the change permanent. He is now predicting that if the busing on West Snyder Street is allowed to continue then the school district will want to let some of the buses go down Magnolia Avenue to Independence Street. He stated he understands the logistics but it is not conducive to the enjoyment of the homes in the neighborhood and the residents are thoroughly opposed to the buses continuing to come through there. C/P Kinney stated that the Borough was assured that the bus traffic would not come down through the residential area when the intermediate school and middle school were built. C/P Hetherington stated that in the quick Safety Committee meeting that was held the committee recommended that the buses not use Magnolia Avenue or West Snyder Street now that Mill Road is open again. The committee would like to see a study done to keep as many buses as possible off of the Borough streets with the exception of maybe 18th Street, Route 522 and Market Street. The buses could come in 18th Street and circle around and go back out the same way. Pete Carroll showed a video of one day that he filmed the buses coming down West Snyder Street, stating that the buses take less than five minutes to go through the neighborhood. He stated the buses leave the intermediate school around 3:25 p.m. The first bus came down West Snyder Street to Broad Street at 3:28 p.m. C/P Hetherington verified what Pete said regarding the time, stating that he was there one day and the buses were through in about five minutes and were traveling in a nice orderly manner. He stated, however, that sometimes the buses come through very quickly and they take up the entire street so someone wanting to travel west has to wait until the buses come through. He also expressed concern for the safety of the pedestrians in the area. Pete Carroll stated there are 34 buses that leave campus at the end of the school day. He stated at 3:32 p.m. the last bus was making its turn onto Broad Street. Jack Steffen asked who owns the property where Spruce Street could continue by the football field. This area

is currently only open to pedestrian traffic. Pres. Mengel stated that the Borough owns that property. Jack asked whether Spruce Street could be extended and made one way toward Broad Street to allow the buses to use that street at the end of school. C/P Hetherington stated that part of the garage of the Methodist parsonage is on the Borough property and if Spruce Street would be extended then that garage would have to be torn down. C/P Kinney stated that a few years ago the school was having water problems and at that time there was discussion about opening the street up and running a water line down through there. The Borough was willing to go 50/50 with the school in developing that but the school said no. The Methodist church was also opposed to the street being opened through there. Jack suggested just using the street for school traffic and C/P Kinney explained that tax dollars cannot be used to open a street for just one entity; it has to be opened to the public. Jack stated tax dollars are used for less worthy causes, such as the downtown decorative streetlights. C/P Kinney replied that tax dollars are not being used to pay for that. The Borough is paying for the traffic lights, which need to be updated, through a grant of \$218,000 through the Highway Beautification Program. Selinsgrove Projects Incorporated is raising the additional money to pay for the decorative streetlights. Pres. Mengel redirected the discussion to the issue at hand. Jack Steffen suggested having a police officer at West Snyder and Broad Streets to stop traffic so the buses can pull out. Pres. Mengel stated the issue tonight is how long this will continue on West Snyder Street. C/P Hetherington stated that the Safety Committee feels there is no more problem here than there is on other streets in the Borough that do not have crossing guards. The school has created a problem and expects the Borough to solve it, and the Safety Committee does not feel that the problem is that bad. Pete Carroll reported he is trying to be responsible to the residents of the Borough and the commuter traffic that comes through Broad Street when the buses are leaving campus by also sending six buses out Broad Street and down Mill Street to Market Street to keep them from going out to the traffic light and down Route 522 to Monroe Township. C/P Kinney suggested putting this back to the Safety Committee and getting Chief Garlock's input on the situation to come up with a strategy. Pete pointed out that there are issues in the Borough of commercial vehicles being parked on side roads. These tractor-trailers are driving on Borough roads to get to their residences. Pine Street is used by the buses to get to the Isle of Que and there are residents in Penn Township that need to be picked up. There are bus drivers who are taxpaying residents of the Isle of Que who have to park their buses on the Isle of Que and they are driving on the public roadways. There are water trucks, trash trucks and other commercial vehicles driving on the Borough roadways. He stated that the few minutes that the buses are coming down West Snyder Street is a small amount of time in comparison to the congestion that is being eased at Broad Street and Seals Avenue. C/P Hetherington stated again that the Safety Committee is recommending that since Mill Road is open the buses should be put back to the way they were because that was the agreement that was made. C/P Christine asked whether the buses could use 18th Street. Pete Carroll replied that everything is closed off on campus due to the parents coming in to the intermediate school and the middle school. The public is not mixed in with the buses because Seals Avenue is chained off to shut the campus down in the morning and the afternoon. He stated all the buses for the four schools on campus start at the high school around 3:12 p.m. and then move to behind the intermediate school, where the students from the intermediate and middle schools get on the buses, and then the buses pull out from there. Pete also stated that the Borough turned the crossing guards back over to the school district and when the traffic light was originally put up a PennDOT supervisor came to Gary Klingler and stated that the crossing guards are not supposed to be directing traffic. The interpretation of the law is that PennDOT is saying that crossing guards are only supposed to stop traffic to assist pedestrians and then step out of the intersection. Chief Garlock feels that the crossing guards do have to do some minimal amount of traffic control. There is a proposal to classify the crossing guards as special police/crossing guards. Some time in the past the words special police were removed and it is now proposed that the crossing guards be called auxiliary police/crossing guards with limited powers which would encompass traffic control. This would eliminate the issue of their stopping traffic. C/P Hetherington asked Solicitor Cravitz what the Borough's liability would be to make the crossing guards auxiliary police without Council action. Pete stated he would bring this to Council and Chief Garlock stated this is all in the discussion stage and is not an issue that is even close to coming to Council at this point. Pete Carroll recognized Dennis Fetter, who has been a crossing guard for 16 years at Broad and Eighth Streets, which is one of the worst intersections to handle with some of the heaviest traffic. Pres. Mengel asked for a motion from someone from the Safety Committee on the request from Pete Carroll to continue allowing the buses to use West Snyder Street. C/P Kinney stated that a motion is not needed. If a motion is not made the busing will stop, as the original motion

was to allow the buses to travel on West Snyder Street until Mill Road was reopened. C/P Hetherington asked Pete Carroll if he has heard any feedback from Dr. Fred Johnson or Jeff Hummel. Pete replied that they encouraged him to bring the issue to Council for a resolution. Solicitor Cravitz reported that regarding the original motion on the busing issue, there was discussion to the effect that West Snyder Street would be used until Mill Road was reopened but the motion itself does not say that. The motion was to use West Snyder Street temporarily but with no cap on it. He suggested making a motion so the issue is clearly resolved.

Motion by C/P Hetherington that since Mill Road is now open Council rescinds its temporary approval of the buses using West Snyder Street in the Borough of Selinsgrove. Seconded by C/P Inch.

Mgr. Bickhart asked Pete Carroll how quickly this can be implemented with the drivers. Pete replied that he would like to have until the end of the week to get notification to the contractors. Pete also pointed out that there are two Council members missing tonight and he wondered if that might affect the vote on this issue. C/P Hetherington stated that this was pointed out at the beginning of the meeting and it will be in the minutes.

Motion amended by C/P Hetherington to state that the busing change be effective Monday, October 10, 2005. Amendment seconded by C/P Inch.

Pres. Mengel called for a vote on the amended motion.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

Motion by Pres. Mengel that this issue should go back to the Safety Committee to find a way to get the studies done to find a better way to get the buses off the campus. Motion died for lack of a second.

C/P Hetherington stated he does not see that is the Safety Committee's job because it is a school problem, not a Borough problem. C/P Kinney stated the school should have some studies done and keep Council informed of what the studies are so that Council can review the studies and make a recommendation. The Borough should not initiate a study or spend money to have a study done on a school issue.

3) Consider modification to parent drop-off of students at north end of Magnolia Avenue – Pete stated that Ted Fullmer brought it to his attention that there is not a turnaround area for cars that are coming to the end of Magnolia Avenue to drop students off and pick them up. The cars are pulling up and then doing a three-point turn to go back down Magnolia Avenue. Pete went to Mr. Heintzelman at the intermediate school and Mr. Bohle at the middle school to put something in newsletters to parents about the traffic there and the hazardous conditions. However, it is really a Borough issue and Pete suggested that Mr. Fullmer contact Chief Garlock and/or Mgr. Bickhart, which he did. Pete stated that if Spruce Street were opened up it would allow the parents to come up Magnolia Avenue to the obstruction of the roadway on campus and then go back out Spruce Street. Also, the 12 southbound buses could travel through there and down to the crossing guard at Broad Street to make their right turn. C/P Hetherington stated this would cost the Borough money to solve the school's problem for a couple hours a day during the nine months of the school year. Pete stated that this is a community problem. C/P Kinney stated when the Borough opens up a new street the Borough has the right to assess the property owners on both sides for that cost. He stated the school should come to Council to say they are willing to go along with this. The church on the other side would also have to say yes. Jack Steffen stated he does not think the church would complain about this because it is a safety issue for the children. C/P Kinney stated the Borough cannot assess the school for anything because they are a tax-free entity. If the school approaches Council the Borough can go ahead and develop the street, as long as the Borough has the money. At this time, the school has not approached the Borough and stated they are willing to do this. Pete Carroll stated that he will take this back to his bosses and proceed from there. He asked if C/P Kinney is willing to look at Spruce Street as a project for next year and C/P Kinney replied that he can guarantee this will not be in next year's budget. Pete Carroll asked if he could have some help from Mgr. Bickhart in exploring the possibility of opening Spruce Street. Pres. Mengel said this should be done

at no cost to the Borough. C/P Kinney stated an engineer would have to give a cost estimate to open up the street and information would have to be gathered to determine the right of way. He stated he is not opposed to spending monies on this possibility but he feels it should be a shared cost between the Borough and the school district. Pete Carroll replied that he cannot speak for the school district but he can make recommendations to them. Pres. Mengel suggested Pete Carroll go back to the appropriate committee at the school to see what they are willing to do to help with this. If the school is willing to help then Mgr. Bickhart can work with Pete to explore possibilities for opening Spruce Street. Ted Fullmer stated that the Borough took out trees along the south end of the football field that had helped to shield the lights and muffle some of the sound. Mgr. Bickhart stated the Borough does not own that property; half is owned by the school district and the other half by the church. However, the Borough has an unopened street right-of-way, which complicates the issue. The school district cleared off the bank for maintenance purposes and took the trees and brush off of their own property. This was not something that the Borough did. Connie Raker, the safety officer for one of the school bus contractors, asked what other streets the Council does not want the buses to travel. She stated they try to route the buses to alleviate traffic throughout the Borough so some buses go west on Mill Street to Market Street and some buses go down Pine Street to Market Street. She asked if there are other streets with homes on them that Council does not want the buses on. She asked if Council would rather the buses just use Pine and Broad Streets every day. She stated sometimes Market Street can be backed up past the Sunoco station and wanted to know if it was better for the buses to sit on Market Street or could they travel other ways to alleviate some of that traffic. C/P Hetherington stated that legally the buses cannot be kept off any street in the Borough. Pete Carroll pointed out that Council had just denied the buses the use of West Snyder Street and C/P Hetherington stated that Council is only asking the buses not to use West Snyder Street. Solicitor Cravitz stated this is not accurate. When the school district came to Council with the plans for the intermediate school the school district agreed, in order to get their plan approved, that they would not use the side streets because the Borough was conducting street improvement programs and the streets were not constructed to carry bus traffic. The school district was asked to put up a bond or pay for the upgrade of those streets and the school district refused to do this, stating that they would not use those streets. Pete Carroll asked if he could open this up for review and C/P Kinney stated that those streets have been improved since then. Pete Carroll said that he went out with Gary Klingler to check the road conditions before the buses started using those roads and Gary indicated that he cannot remember when West Snyder Street was repaved. Pres. Mengel stated if there are illegal turns taking place on Magnolia Avenue that Chief Garlock should get involved. The issue should be looked into and when there is something to report then Council can decide on appropriate action. She stated this will continue with the Safety Committee until it is resolved.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Inch, Chairman

Payment and Ratification of Bills – C/P Inch stated that the Finance Committee reviewed the bills and found everything to be in order.

Motion by C/P Inch to pay the bills. Seconded by C/P Kinney.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

Sewer Surplus Figures Correction – C/P Inch reported that the surplus figures were stated incorrectly at last month's meeting. According to a paper prepared by Sheri, the total surplus for the year will be approximately \$41,000. Sheri stated that the Borough pays John Abromitis \$160,000 per quarter and the Borough makes \$210,000 per quarter on receipts. This gives the Borough a \$50,000 per quarter profit but the Borough has additional expenditures. Mgr. Bickhart stated that what he said last month had nothing to do with ending 2005. Sheri had done another analysis that looked at how the Borough was doing, taking out all of the construction projects and just reporting operational income and operational expenses. On a quarterly basis the Borough was generating \$50,000, which means if you annualize it, the amount generated is \$200,000 but only if nothing else changed and there were no construction projects. That is where the misunderstanding is. Both things are correct but they are two different things

and the minutes suggest that they are the same thing. Sheri stated the \$622,000 shown for debt service to ESCRA is currently anticipated to go to \$743,000. C/P Inch estimates the end of the year surplus, based on where the Borough is now, to be \$68,000 but there are some outstanding construction bills that will be paid from that surplus. After these bills are paid the surplus is estimated to be \$41,571. Five years ago the Borough had \$1,063,000. This year the Borough has budgeted to end the year with \$363,000 but now the Borough will end up with about \$200,000. Sheri stated that because of the costs, the Borough is eating away at the reserve that had previously accumulated. C/P Inch stated that the reserves are at 1/5 of what they were five years ago.

Statewide Tax Recovery, Inc. - Exoneration Requests – Rebecca Keister for 2003 due to being a non-resident; Lamar Krebs for 1989 – he died recently and this bill is non-collectible because he is now deceased; Martin Bergstresser for 2004 due to being a non-resident; Jeff Smith for 2004 due to being a non-resident.

Motion by C/P Kinney for exoneration of these people. Seconded by C/P Hetherington.

AYES: FIVE (5) NAYS: NONE MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Reuning, Chairman – No Report

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Kinney, Chairman – No Report

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Handlan, Chairwoman – No Report

PERSONNEL MANAGEMENT COMMITTEE: C/P Christine, Chairman – C/P Christine stated that the employees still do not have their handbook. Mgr. Bickhart stated he reduced the copy down so it can be printed in-house and he hopes to have this done by the end of the week.

PUBLIC SAFETY COMMITTEE: C/P Hetherington, Chairman

Committee Recommendation on “No Turn on Red” Signs on Market Street at University Avenue/Walnut Street and on Market Street at Pine Street – C/P Hetherington stated the Committee has no problem with right turns at the red lights. Mgr. Bickhart stated this came about because the Borough engineer, in designing the new traffic signals at both intersections, prepared a set of drawings that showed that there would be no right turns in all four directions at both intersections. Those plans were reviewed and approved by PennDOT and it is part of the contract to install the “No Turn on Red” signs. C/P Kinney stated Council could ask PennDOT to change this to allow right turns on red. Mgr. Bickhart has asked the engineer whether PennDOT is mandating that the Borough install the signs because they are on the plans and he has not heard back from the engineer yet. Pres. Mengel stated Council needs to wait to hear from the engineer.

Committee Recommendation on “No Turn on Red” Sign on Broad Street at Route 522 – Mgr. Bickhart reported this sign is already up but the Borough does not have an ordinance for it. Without an ordinance the police cannot enforce it. C/P Hetherington stated the Safety Committee has no problem with changing this to allow right turns on red at this intersection. Chief Garlock stated the reason PennDOT put that sign there was to decrease the traffic accident rate at that intersection. Mgr. Bickhart stated he asked PennDOT about this and was told that because the stop line on Broad Street is so distant from the cartway of Route 522 PennDOT insists on that no turn on red sign.

Motion by C/P Hetherington to legalize by Ordinance PennDOT’s “No Turn on Red” sign at the intersection of Broad Street and Route 522. Seconded by C/P Kinney.

AYES: FIVE (5) NAYS: NONE MOTION CARRIED

AD HOC COMMITTEE ON LANDLORD ORDINANCE: Pres. Mengel, C/Ps Handlan and Kinney – Pres. Mengel stated the Committee is working with the landlords to develop this Ordinance.

NEWSLETTER COMMITTEE: C/Ps Hetherington, Inch and Reuning – C/P Hetherington stated Sheri does all the work on the newsletter and the Committee makes an occasional suggestion. Corrections or changes should be given to Sheri.

PLANNING COMMISSION: Earl Moyer, Chairman – No Report

ZONING HEARING BOARD: Glen Rohrer, Chairman – No Report

CIVIL SERVICE COMMISSION: George Cravitz, Chairman

Resignation of William B. Swartzlander, Jr. – C/P Hetherington asked if it is up to Council to find a replacement or if the Commission will recommend someone. Mgr. Bickhart stated he has a recommendation of Dan Greak, who has agreed to serve if appointed. Pres. Mengel suggested finding out more about Dan Greak. C/P Kinney stated he was disappointed that Mr. Swartzlander's letter stated that he was upset at how slowly things moved. C/P Kinney stated that he felt things moved in a timely manner.

Motion by C/P Kinney to accept the resignation of William B. Swartzlander, Jr. Seconded by C/P Inch.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

C/P Hetherington suggested sending Mr. Swartzlander a letter thanking him for his time and service. Council decided to wait until next month before taking action on Dan Greak.

PARKS AND RECREATION BOARD: Richard Norman, Chairman – Pres. Mengel reported that this Saturday is the Kidsgrove Fall Festival.

SHADE TREE COMMISSION: Mark Vergauwen, Chairman – C/P Kinney suggested Council revisit the Ordinance establishing the Shade Tree Commission in order deal with situations such as the one on Eighth Street. He feels Council has given too many rights away to the Shade Tree Commission. Pres. Mengel directed that this be looked into by the Community Affairs Committee.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Garry Beaver – Mgr. Bickhart reported that he contacted CK-COG regarding the house on South Market Street. As soon as they are available they will look into this. C/P Hetherington asked if anyone has been cited on weed issues that have been brought up over the past two months, which included the railroad station, the railroad property near the crossing on Water Street, Scott Shaffer's property at the old Moose, the property at the end of South High Street at the old window place, the property at Keller's where the wrecked trucks are, and under the bridge going over to the Isle of Que. C/P Kinney also added Chestnut and Walnut Streets on the Isle of Que, which have two properties whose lawns are in bad condition. C/P Hetherington also mentioned Ludwig's portable garage, which was supposed to be taken down but has been up all year. Mgr. Bickhart replied that what happened was that Council got tired of the annual letters from the Ludwigs requesting that they be allowed to put the portable garage back up so a year ago the Ludwigs were given permission for perpetual installation of the portable garage. As soon as this was done the Ludwigs failed to take it down again. He suggested requiring the Ludwigs to go back to the annual request to put the garage up. Pres. Mengel authorized Mgr. Bickhart to send a letter to that effect. C/P Hetherington stated that if the Borough is going to keep the fish ramp on the Isle of Que then they are going to have to maintain it. If the Borough is not going to maintain it then he suggested selling the property. C/P Kinney stated he is not in favor of selling the property, but he does agree that some work needs to be done on the ramp and since Council will be starting its budget considerations some money should be appropriated for this. Pete Carroll asked if anything was done about the pine tree at the residence of C/P Kinney's neighbor. Chief Garlock asked for a list of the exact locations of the problems that have been discussed so that he can act on them.

BOROUGH SOLICITOR: Robert Cravitz

Update on Erosion of Stormwater Facilities along Weiser Run – Mgr. Bickhart reported that he was invited to attend a school district Building and Grounds Committee meeting. They asked what the Borough wants them to do and Mgr. Bickhart told them that the Borough wants them to repair the damage to the facility that the school district had originally constructed. The Committee wanted to know if the Borough would consider working with them on any aspect of making this renovation. They proposed sharing costs but on Council's behalf Mgr. Bickhart told them that it would be much cleaner to keep any sharing separate by liabilities. The school district needs to repair their damage and the Borough does not need to get involved in that. However, the damage exposed the sanitary sewer, which is the Borough's responsibility, so Mgr. Bickhart told the Committee that *if* there would be cooperation this would be in the Borough bearing the responsibility of stabilizing the sanitary sewer in advance of the school district restoring everything else. At some point the school district will submit a design of the plans for the stabilization of the sanitary sewer and the reconstruction of the embankment and the stream stabilization. The Borough engineer will review the design and the Borough might wish to bear the expense of that engineering review. In response to a question by C/P Inch, Mgr. Bickhart stated that most of the damage is on land owned by Susquehanna University, but the university has no responsibility in this issue because it was a failure of a stream stabilization that the school district constructed but which failed. Pres. Mengel asked why the Borough must do any work since the exposed pipe resulted from the damage. Mgr. Bickhart stated the Borough does not have to do anything but they may wish to stabilize the Borough's exposed sanitary sewer pipe and then let the school district stabilize the embankment. He stated the cost to the Borough to do this will be several thousand dollars, while the school district's expenses will be between \$15,000 and \$20,000 plus engineering. C/P Inch asked why the construction failed and Mgr. Bickhart reported that the rip rap stone size was at the small end of the range that the engineer, Rettew Associates, recommended. Rettew's position is that the project was not constructed as designed. Mgr. Bickhart also stated that the Borough engineer has raised questions about the transition area at the end of the school district's rock lining stabilization where Weiser Run in its natural form begins. The Borough might want to participate in stabilizing this a little more if there are issues of transitioning to the natural stream channel. Mgr. Bickhart stated that the school district's structure failed for one reason or another. He objected to the school district characterizing it as an act of God because it was designed for a 100-year frequency flood event and that has not happened. The school district also characterized it as being related to the development in Harris Estates and Mgr. Bickhart took exception to that because all of the developments had stormwater management. In the course of the failure of the stabilization the erosion was so severe in a highly erodable soil that it undermined and exposed a fairly long section of the Borough's sanitary sewer that comes down from Chestnut Street through Pine Meadows and on down into town. Mgr. Bickhart has raised in writing from the beginning his concern about additional damage to that sewer line that would be caused by the school district's inactivity. It is close to winter and Mgr. Bickhart is concerned about potential freezing of the sewer line. He stated the school district needs to restore their failed design and the exposure of the sanitary sewer is collateral damage which the school district also needs to fix. C/P Inch asked how long this will take and whether the school district will move on this issue before winter. Mgr. Bickhart stated he does not see how the school district can possibly get anything done before winter and this is a big concern. The Borough could cooperate with the school district by stabilizing the sanitary sewer as quickly as possible. The school district still has to have an engineer design the project and then they will probably have to bid it. C/P Hetherington stated the Borough could do the sewer stabilization work but the school district should pay the Borough's costs because the school district caused the problem. Pres. Mengel asked if the Borough has insurance for this. Mgr. Bickhart stated Council could offer to stabilize the sanitary sewer in a concrete encasement at the direction of the Borough engineer, make the repairs as quickly as possible and ask that the school district reimburse the Borough for the cost of doing this. This will save the school district some money in the long run and remove a liability issue that will be there for months.

Motion by C/P Kinney that the Borough perform the necessary repairs and stabilizations to the sanitary sewer line, inform the school district that this will be done, and assess the school district to reimburse the Borough for the actual costs. Seconded by Pres. Mengel.

Solicitor Cravitz stated that this does not have to be done in a bid process because it is an emergency repair. Mgr. Bickhart stated the school district was concerned with the concrete encasement issues relative to the stream, and a permit for erosion and sedimentation control. He feels the Borough can get that from the Conservation District office without going through a permit process. However, the school district would have to get a permit for the entire project, which is going to slow this down even further. Mgr. Bickhart stated he would really like to get in and get the sewer line stabilized. In response to a question by C/P Inch, Mgr. Bickhart stated that the sequence of events to fix this would be that someone will have to do the design and the Borough engineer will review it because the Borough has the final say over what the school district does to stabilize the sewer. The sewer would be the first thing that would be stabilized, probably with a concrete encasement. Then substantial amounts of fill will have to be brought in to reshape and fill in the hole where the bank was moved back ten feet or more to get to the sanitary sewer. Then the new stabilization would involve filler fabric on the bank and rip rap rock, hopefully in a larger diameter to meet the design. The Borough will only do the sanitary sewer portion of the project and the school district will have to do the rest of it. C/P Christine stated it is ultimately the school district's responsibility, but he asked whose liability it is. Solicitor Cravitz replied that it is the Borough's responsibility because if the sewer line breaks DEP will cite the Borough. C/P Inch asked if the Borough can do this themselves or if an outside contractor is needed. Mgr. Bickhart replied that Gary may have to have an outside contractor do certain elements of this, but basically the Borough can do this themselves. C/P Hetherington asked if the Borough has the money to pay for this and C/P Kinney replied that there really is no choice; it has to be fixed. Mgr. Bickhart estimated the cost to be no more than \$5,000. Susquehanna University has given the Borough consent to come across their property to access the sewer line. Pres. Mengel called for a vote on the motion.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

Update on Real Estate Tax Assessment appeals for Middleburg Yarn and Sunbury New

Enterprises – Solicitor Cravitz reported that neither the school district nor the county is going to pursue an appeal of this. The cost for doing each one of these on the appraisals alone would be \$10,000 to have an expert come in and it would not be fiscally practical to pursue this.

Update on Real Estate Tax Assessment appeals for Brian and Bridget Farrell (former DH&L Fire Company property) and Market Street Manor Associates and Selinsgrove Elderly Housing Association – Solicitor Cravitz reported he has not had time to check on these at this time.

Consider adoption of Ordinance # 739 pertaining to the relocation of the “Police Only” Special Purposes Parking Zone from Market Street to High Street – Solicitor Cravitz reported that this is a revision of Section 133-28 to eliminate the special purpose parking zone on the west side of Market Street and allow that to be a regular parking space. On North High Street there will be a police only parking space 80 feet north from Pine Street effective immediately.

Motion by C/P Kinney to adopt Ordinance # 739. Seconded by C/P Christine.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

C/P Hetherington asked how soon the police department would be moved into the new building and Chief Garlock replied they are still waiting on a back door. Mgr. Bickhart stated he cannot get the contractor moving on this and Pres. Mengel directed him to get another contractor. Mgr. Bickhart stated he will call the contractor tonight to tell him to forget it and he will get a new contractor tomorrow.

9:23 P.M. – C/P HANDLAN ARRIVES AT MEETING FROM CK-COG MEETING

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for September 2005 - Pres. Mengel asked if there were any questions on the Treasurer's report. Hearing none, she stated that it is on file for audit.

Pres. Mengel asked Sheri if there were any problems with the annual audit. Sheri replied that there were not. She had a session with Laura Kerstetter on changes that Sheri would like to see for next year. No one on Council had any questions on the audit.

BOROUGH MANAGER / SECRETARY / ZONING OFFICER: Mgr. Bickhart

Non-Police Matter Suggestions Update – No Report

Authorization to Request Proposals for Auditing Services for next three years – Mgr. Bickhart stated he needs Council's permission to advertise for auditing services.

Motion by C/P Kinney to advertise for auditing services. Seconded by C/P Inch.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Update of PROPERTY TRANSFERS and ZONING/SIGN PERMITS ISSUED, Janet Powers, Deputy Zoning and Permit Officer – Nothing further

Invitation to “Discovering Common Ground: Learning About the People and Groups Making Things Happen in our Community,” October 15, 2005, 8:30 A.M. to 2:00 P.M. – Mgr. Bickhart reported this event is sponsored by Selinsgrove Projects, Inc. Pres. Mengel stated she would like to see a lot of Council members at this event. She stated this is for anyone with an interest or a stake in the Borough to have their ideas heard, not just SPI or the Chamber or Council members.

GSVCC Susquehanna Valley Rally, October 15, 2005 – Mgr. Bickhart reported that this is a bike ride around the Susquehanna Valley and if anyone is interested they can let him know.

Halloween Parade, October 18, 2005, 7:00 P.M.

Snyder County Solid Waste Management Authority Waste Tire Recycling, October 21, 2005 from 3:00 P.M. to 6:00 P.M. and October 22, 2005 from 9:00 A.M. to 3:00 P.M., Borough Shed – Mgr. Bickhart reported there will be a fee of \$1 per tire 21 inches or smaller with no rims.

SELINGSGROVE MUNICIPAL AUTHORITY – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY

Draft Budget for 2006 – Mgr. Bickhart stated this will go the Finance Committee to put the Borough budget together, but this current proposal will require another sewer rate increase. The budget has not been completely adopted by ESCRA and is still in draft form. It proposes to set rates that will allow ESCRA to recover their capital reserve funds, which have been depleted at a pretty aggressive rate. This is similar to what the Borough has talked about doing with its own sewer fund. Mgr. Bickhart spoke with Dave Faust to get some background on it. Dave is a proponent of fiscal responsibility in terms of having funds available when needed and to gather them over a period of time. Mgr. Bickhart stated he cannot disagree with this, as this is what the Borough is doing with their sewer rates, but the reality is that the Borough is coming off an increase in rates to fund the treatment plant upgrades and now ESCRA is following up right away with an aggressive plan of replenishing their capital reserves. Mgr. Bickhart asked them to postpone the rate of capital reserve replenishment and to build it up over a longer period of time or on a scale that would allow the Borough to not have to raise rates again, but maybe raise rates gradually over the next couple of years. Dave Faust indicated he would continue to talk with ESCRA about the logic of that. Mgr. Bickhart reported that in the information that Council received everything is under something called Depreciation, which shows \$395,000. Dave told him that this has been whittled down to \$375,000 but someone has already approached ESCRA and asked them to consider \$200,000. The Borough would be much better off at this rate but it may not be enough. It is not really depreciation even though that is what they call it. It is really more in terms of debt service and capital reserve.

BOROUGH ENGINEER: J. A. Coukart & Associates

Sanitary Sewer Line Construction Project – C/P Kinney asked how this project is moving along and Mgr. Bickhart stated he has heard of no problems except that when they dug down by PennDOT they found contaminated groundwater from PennDOT's underground gas storage tanks. This will cause PennDOT some problems but it has not had any adverse effects on the Borough's sewer line construction. C/P Kinney asked if Council has to take action on Coukart's request to move the sewer line 20 or 30 feet. Mgr. Bickhart stated this request has nothing to do with the contaminated ground but has to do with where the water main was found. He stated this is in the engineer's jurisdiction. C/P Kinney stated the sanitary sewer main is being moved ten feet to the south. Mgr. Bickhart replied the Borough will have to change its easements so Council will have to authorize Solicitor Cravitz to prepare the documents necessary to accomplish that but that kind of a movement is at the engineer's discretion.

Motion by C/P Kinney to instruct Solicitor Cravitz to prepare documents required by the engineer, John Coukart and Associates, to get the easements and move the contract along. Seconded by C/P Inch.

C/P Kinney asked if there is a completion date set yet. Mgr. Bickhart stated there is a contract time but he is not sure what the date is. Pres. Mengel called for a vote on the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

2004 Street Program Issues – Mgr. Bickhart reported that the 2004 Street Program included improvements to Eighth Street and Pine Street. In the course of preparing those bid documents there was, at the time of the design, a belief that 27 trees would have to be removed. As a result of actions of the Shade Tree Commission and property owners taking down their own trees it ended up that there were only two trees that had to be removed. The contractor, HRI, has requested a change order and submitted documentation indicating that it was going to cost the contractor \$1,694 more to have two trees removed than it would have if it was two out of 27. The engineer had reviewed this and because he had put it into a request for payment concurs with the request of the contractor. Mgr. Bickhart discussed this with Sheri today and the issue that poses a problem is that one of the trees was on property for which the Borough submitted a bill and the property owner did not pay the bill. A lien was filed and the property has been sold and the lien has been paid. The lien was filed based upon the contracted price at the time and now the change order would add \$847 more for that tree, which the Borough has no means of recovering for that particular tree. Solicitor Cravitz agreed, stating it is beyond the time limit now. Mgr. Bickhart stated the Borough submitted a bill for the other tree and the property owner paid the bill. C/P Kinney stated the contractor originally bid at \$580 each for the trees. Pres. Mengel asked if the contractor removed two trees at a cost of \$2,700 but now the contractor wants \$1,694 more on top of that. Mgr. Bickhart replied that the \$2,700 is what it cost the contractor. The contractor was going to get \$1,160 and the \$1,694 is in addition to the \$1,160. That is the difference between the \$2,700 and the bid price, plus 10 percent for overhead on that amount. He stated this is not unreasonable and everybody did everything properly but it has left the Borough with this predicament. Mgr. Bickhart stated that in the contract it does indicate that the contractor is to notify the engineer within 30 days of anything that he determines to be a problem in the contract. The contractor got a bill for this work that was dated September 22, 2004 so the contractor knew on that date that it was going to cost him \$2,700 and he was only going to get \$1,160 by the contract. The contractor did not notify the engineer until June 3, 2005. Immediately upon being notified, the engineer dealt with it and the timing since June has been partly the Borough not pursuing it and wanting time for explanations. Therefore, the contractor did not notify the Borough within the 30 days. If the contractor had made the notification within 30 days of September 22, 2004 the Borough would have had ample time to include it into the request for payment by the property owners. C/P Kinney stated that at \$383,726.38 for the contract he does not feel the contractor should be worrying about \$1,694. He stated the contractor waited eight or nine months to notify the Borough. The Borough should deny this, stating that the contractor had ample time to notify the Borough and the Borough has no way of recouping the money. Pres. Mengel directed Solicitor Cravitz to reply to the contractor.

NEW BUSINESS:

COUNCIL MEMBERS

C/P Kinney – Last week a retired Borough employee passed away, Charlie Keyser. C/P Kinney stated he wanted to acknowledge the loss of this man, who was a loyal employee for a number of years, and state on the record that he will be missed.

C/P Handlan – There is a Town/Gown meeting tomorrow night at 7:00 p.m. at Susquehanna University.

MAYOR – Nothing

OTHERS

Jack Steffen – Jack stated that there have been problems with the university students again recently. He stated he planted a small section of grass out in front of his house and taped it off. One morning a big “S” was written in it. The next morning the tape was down and it was trampled. One night at 2:00 a.m. he woke up to someone being thrown up against the back of his truck. Yesterday morning the magnetic ribbons on the back of his truck were moved and torn. He stated on Friday and Saturday nights from 10:00 p.m. to 2:00 or 3:00 a.m. there is a constant parade up and down the street. He urged Council to move forward quickly on the Landlord Ordinance and expressed dissatisfaction that it was taking so long to implement. C/P Handlan stated this cannot be rushed into, and she also stated that the landlord licensing fees will not change the behavior of the students. She stated she experiences the same problems herself and she reports the students to the university. She stated if Jack knows who the students are he also should report them to the university. Jack stated Tracy Tyree at the university does not feel there is a problem and even told him that without the university there would be no Selinsgrove. Jack also expressed his dissatisfaction with the Borough spending money to put in new decorative streetlights downtown. He stated that Council should find the money somewhere to hire more police officers. C/P Kinney stated that Council was about to go into an Executive Session to hire a new police officer, so that issue is being addressed. Jack stated there should be one police officer for every 500 residents. C/P Kinney stated it used to be one per 1,000. Jack stated with a population of 4,500 there should be nine police officers. C/P Kinney said the Borough has 3,800 residents in the tax base but when the census is taken the population of Susquehanna University is counted, which takes the population higher.

Pete Carroll – Pete showed a short video of the speed limit indicator sign that was put on 18th Street with Council’s permission. It shows traffic moving slowly in this area. After the trees lose their leaves the sign will be moved to Broad Street for a while.

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 10:00 P.M. following a 5-minute break at 9:55 P.M. for discussion of Personnel Issues – individuals included on the Certified Eligibility List for hiring a full-time Police Officer. Council meeting reconvened at 10:17 P.M. with C/P Kinney having left the meeting.

Motion by C/P Christine to accept Chief Garlock’s recommendation of hiring Shannon Klopp as a police officer. The salary will be \$31,500 because Officer Klopp has two years of experience as per the advertisement. Seconded by C/P Inch.

AYES: FIVE (5)

NAYS: NONE

MOTION CARRIED

Chief Garlock will contact Shannon Klopp and Mgr. Bickhart will send the official letter. Chief Garlock stated all that is left is for Officer Klopp to pass a psychological exam and a medical exam. He did just pass a psychological exam within the past year and a half, so if there have not been any drastic changes he should be fine with that. He also just had a medical so he should pass that with no problems. Chief Garlock asked for a start date for the new officer and Mgr. Bickhart replied that any time is fine. He stated if the officer is hired mid-month the Borough will have to pay a full month of medical for him but it is

important to get the officer hired. Chief Garlock stated the police department had 529 calls for service last month, which is about 200 above normal. Pres. Mengel asked how quickly Officer Klopp can get out of his position where he is now and Chief Garlock replied that he does not know the answer to that. He would like to have him start as soon as possible because he really needs him. Mgr. Bickhart stated that if it is within a couple days of the end of the month he and Sheri would prefer to see him wait until the first of the month.

ADJOURNMENT:

With no further business to discuss the meeting adjourned at 10:21 P.M.