

SELINGSGROVE BOROUGH COUNCIL MEETING

MONDAY, FEBRUARY 6, 2006 - 7:00 P.M.

Deleted: JANUARY 5

COUNCIL MEMBERS PRESENT: Pres. C. Handlan, V. Pres. W. Reuning, C/P D. Anderson, C/P J. Herb, C/P M. Inch, and C/P D. Mengel

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COUNCIL MEMBERS ABSENT: C/P Hetherington

OTHERS PRESENT: Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor P. Carroll; Police Chief T. Garlock; Recording Secretary D. Long; Daily Item Reporter Marcia Moore; Borough Property Owner Suzanne Kaufman; Borough Residents Joseph and Margaret Siro; DH&L Fire Company Representatives Dawayne Betzic and Ken Stettler; Freeburg Residents Malcolm Derk and Carson Moyer; SEDA-COG Representative Bill Seigel; SPI Representatives Pat Owens and Judy Spiegel; SU Students Nadya Chmil, Eric Johnson, Mitchell Rife and others; Scott Wetzel

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Deleted: Borough Residents Dave Bowersox, Sue Kinzer, Matt Lutze, Tom Ryder, and Dr. Sean Wise;

OTHERS ABSENT: None

Deleted: Treasurer S. Badman

CALL MEETING TO ORDER:

Pres. Handlan called the meeting to order at 7:00 P.M. Mgr. Bickhart called the roll.

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¶ These oaths were administered by Mayor Beaver prior to the meeting. Sworn in were

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Deleted: William Hetherington, Jr., and

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COUNCIL MEETING RECESSED AT 7:02 P.M. TO AN ADVERTISED PUBLIC HEARING

Presentation by Bill Seigel on FFY 2006 CDBG Funding and Past Allocation of Funds – Mr. Seigel introduced himself and described the role of SEDA-COG in assisting the Borough in the administration of their Community Development Block Grant program. Tonight’s meeting is designed to solicit input from the public and to have Council identify and select projects, allocate funds for the projects, and approve the application. The goal tonight is to overview the program, talk about some of the required notices that are mandated in the process, and discuss projects that the Borough and SEDA-COG are aware of. Mr. Seigel gave an overview of the CDBG program, stating it is a federally funded program of the U.S. Department of Housing and Urban Development. The funds come from the federal government through the Pennsylvania Department of Community and Economic Development to Selingsgrove Borough. It is an entitlement grant program authorized under Pennsylvania Act 179. Allocations for Selingsgrove Borough were estimated at \$114,000; however, the actual allocation will be \$115,401. The schedule for this year includes tonight’s public hearing after which Council will reconvene the meeting to discuss projects and potential allocations. A second public hearing will be held on March 6 at 7:00 P.M. at the regular Council meeting for comments from the public on projects that have been selected by the Council. Mr. Seigel stated that the types of projects that can be funded are quite broad. The federal regulations require that a community meet two thresholds – eligibility and fundability. Eligible activities include a broad range of community development and economic development activities, projects such as environmental infrastructure, water, sewer, streets, storm sewers, curbs and sidewalks, lighting, housing rehabilitation projects, economic development activities, recreation activities, etc. Very few projects are not eligible under the federal guidelines, but these would include building a Borough building, using funds for general purpose government activities, or using funds for maintenance activities such as painting curbs, painting lines on streets, etc. Capital construction and capital reconstruction projects are eligible and, as an exception, removal of architectural barriers in Borough facilities is also eligible. Once the eligibility threshold is met all projects must then meet one of three fundability criteria: 1) low and moderate income benefit; 2) remove an urgent or threatening situation; or 3) eliminate slum and blight. Mr. Seigel explained that under the low and moderate income threshold guidelines the Borough must demonstrate that the beneficiaries of any project are 51 percent or more low/moderate income households. In Selingsgrove a low/moderate one-person household would be an income of \$27,250. If the Borough wants to qualify for fundability under the low/moderate income benefit, the Borough must demonstrate from census data or from a survey that the majority of the persons benefiting from the project are low/moderate income. The second test the Borough can use is the elimination of an urgent or

emergency situation. This is rarely used, as it requires a gubernatorial declaration and the situation must have worsened within the last 18 months. It limits activities to the removal of the immediate emergency and it requires the Borough to open the municipal budget to see if the situation can be taken care of from within the Borough's budget before CDBG funds may be used. It is a means of qualifying a project to meet fundability but it is rarely used because of the requirements that come with it. Selinsgrove did use the program a number of years ago during the blizzard of 1995/1996 when the Borough recaptured some of the snow removal costs that were incurred during that situation. The third method of meeting the fundability criteria is to eliminate a slum or a blighting influence in the community. This refers to an abandoned structure that has fallen into a state of disrepair that is not code compliant or if there is a neighborhood that has had a disinvestment for some reason. CDBG funds can be used for acquisition, demolition and disposition of those properties. This is not used very often in this region other than to occasionally acquire a property that has fallen into a state of disrepair and which has fallen into a tax delinquency. Most of the projects that Selinsgrove Borough will undertake will fall under the first fundability test of benefiting low/moderate income persons.

Mr. Seigel reported on some of the requirements that are published under the guidelines from the federal government. Each Council member received a copy of the Fair Housing Notice, which is a policy that has been adopted by Selinsgrove Borough identifying the fair housing officer and indicating and publicly stating that it will not condone and support discrimination in housing activities. Each Council member also received a copy of the Antidisplacement Plan, which is a policy adopted by the Borough stating that they will not use CDBG funds to acquire properties to displace low/moderate income property owners or residents. If the Borough does use CDBG funds for that purpose, which is allowed in limited situations, then the Borough will replace those housing units on a one-to-one ratio. The reason for this regulation is that in some of the larger urban areas in the early days of the CDBG fund program, in the mid 1970s and early 1980s, whole neighborhoods were being acquired and demolished, forcing the low/moderate income residents to move to other communities. Congress put a prohibition on this in order to stop that practice. Each Council member also received a Preference Statement referring to Section 3 businesses or individuals, which are businesses that are located in the service area of the project, in this case Snyder County. A preference is given by Selinsgrove Borough to support businesses that reside in this general community to provide economic opportunities for those residents.

Hear Public Comments on Proposed Activities or on Proposals for New Activities – Mr. Seigel reported on the community development plan, which Selinsgrove Borough is obligated to develop and adopt. The primary purpose of tonight's meeting is to discuss that plan and the projects that Council is aware of, projects that might be proposed, and also to discuss the impact of some of those projects. The projects that are currently under consideration include the following: 1) the Pine Street reconstruction project – CDBG funds are being used to pay for the renovation work that included capital reconstruction to Pine Street, which was eligible for street reconstruction funding based on the survey of the Isle of Que, where the predominance of the population meets the low/moderate income threshold; because Pine Street is the primary means of ingress and egress to the Isle of Que it meets both the eligibility and the fundability criteria; 2) the installation of handicapped accessible curb cuts – a project where the Borough in various areas around the community removes existing curbs and sidewalks at intersections and installs depressed curbs and sidewalks in order to provide improved accessibility for handicapped individuals, an eligible activity because it addresses pedestrian circulation, sidewalks and curbs, and it is fundable because there is a presumption allowed by the federal government that projects that serve predominantly handicapped persons are qualified under the low/moderate income requirement; 3) the continuation of the Borough's sidewalk program – a program that provides direct grants to income eligible homeowners to replace the public sidewalks in front of or alongside of their homes, a grant the Borough has made available for a number of years to the residents of the community that qualify in order to offset the costs of required sidewalks that are installed and replaced; and 4) an allowance under the CDBG program for administrative costs for which the Borough sets funds aside to cover both the Borough's work in administering the program as well as SEDA-COG's work in administering the program, including legal ads, notices, etc. Mr. Seigel asked if any members of Council or the public would like to propose additional or alternative projects for consideration. C/P Inch asked how much the Borough still owes itself for the Pine Street project since the Borough reimburses its expenses from the CDBG funds. Mr. Seigel replied that the total fund amount that is still owed is approximately \$120,000, which the Borough will

reimburse itself for partially this year and partially next year. Mr. Seigel asked if anyone was aware of any historical or environmental impacts of any of the projects that were mentioned. Hearing none, he asked if there were any comments on any projects that have historically been funded by Selinsgrove Borough with the CDBG funds. Hearing none, he suggested that Pres. Handlan reconvene the Council meeting.

COUNCIL MEETING RECONVENED AT 7:17 P.M.

Discussion of Proposed Use of Funds for FFY 2006 – Bill Seigel recommended the following allocations for the CDBG funds of \$115,401 for FFY 2006: 1) \$69,000 for Pine Street reconstruction; 2) \$25,000 for handicapped accessible curb cuts; 3) \$3,781 for the continuation of the Borough’s sidewalk program, which would be combined with an existing balance for a total of about \$10,000; and 4) \$17,620 for administrative costs. He noted in reviewing the agenda that there was a suggestion of \$20,000 for the sidewalk grant program and he is open to discussion of these recommended figures. Mgr. Bickhart reported that the Borough’s architectural barriers project is mostly completed and there are known commitments requiring a new allocation of approximately \$20,000 for sidewalks. Bill Seigel then changed the recommended allocation of CDBG funds as follows: 1) \$69,000 for Pine Street reconstruction; 2) \$8,781 for handicapped accessible curb cuts; 3) \$20,000 for the continuation of the Borough’s sidewalk program to be added to the existing balance; and 4) \$17,620 for administrative costs. Mgr. Bickhart clarified that the \$20,000 for sidewalks would fund sidewalks and/or curbing. Bill Seigel agreed, stating that both the curbs and the sidewalks are the responsibility of the homeowner.

Motion by C/P Reuning to tentatively approve these allocations and projects pending final approval at the March 6, 2006 Council meeting. Seconded by C/P Anderson.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Bill Seigel reported there was a minor budget revision suggested by Sheri to increase the allocation for the sidewalk program. In reviewing the 2004 CDBG program that was previously approved it was noted that there was a balance of Borough administrative funds that have not been necessary for the Borough’s administrative and legal advertisement costs. Mr. Seigel and Sheri are recommending that Council move \$2,818 from the Borough administrative line item into the sidewalk improvement grant. This is a simple budget revision with no public hearing required.

Motion by C/P Anderson to move \$2,818 from the Borough administrative costs to the sidewalk improvement program. Seconded by C/P Inch.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Bill Seigel asked Council to act on the SEDA-COG scope of services that was reviewed previously with the Council for their administrative services for the FFY 2006 program. The fee is \$17,220, which is the same fee as in FFY 2005, and it covers the full five years of the Borough’s grant program.

Motion by C/P Reuning to approve SEDA-COG’s scope of services for a fee of \$17,220. Seconded by C/P Mengel.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF JANUARY 3, 2006:

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Motion by C/P Inch to approve the minutes as presented. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

VISITORS TO BE HEARD:

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Borough Police Chief, Thomas Garlock – Presentation of Police Report for December 2005 and 2005 Year-End Statistical Summary – Pres. Handlan expressed concern that the crime rate has increased and asked what saturation of crime rate increase can be reached before the Borough needs another police officer. Chief Garlock responded that the Borough is at that point now. He stated crime has been steadily increasing for the last 8 or 9 years. Some of this is attributable to increases in reporting rather than increases in crimes. Once the police department stabilized between 1997 and 1999 then from that point on increases were noted which could no longer be attributed to reporting issues. The increases from 2000 on reflect actual increases in crime. The Part 1 crime showed the greatest increase, with some statistical stability to Part 2 crimes. Part 2 crimes are those which are encountered by police officers in the performance of their duties while Part 1 crimes are those crimes that are reported by citizens. Part 1 crimes include such serious crimes as theft, robbery, rape, and assault. Chief Garlock said he would not expect high increases in Part 2 crimes, which are deemed less serious by the federal government than the Part 1 crimes, because when the police are out in the community doing what they are supposed to do they reach a saturation point and it will remain pretty level. The Part 1 crimes are increasing primarily due to reporting by citizens. Serious crime increased 16% from 2004 to 2005; a large number that is statistically relevant. C/P Reuning asked if this trend is true for other boroughs that are comparable in size to Selinsgrove. Chief Garlock replied he did not know about other boroughs but it is far above the state average. Mgr. Bickhart stated that he saw similar reports in the newspaper regarding Mifflinburg's crime increase, with a correlation drawn between increased drug use and increased crime. He asked if that correlates in Selinsgrove and Chief Garlock replied that it does. Mayor Carroll reported that because the Borough police are not working 24/7 many reports are handled through the state police and those crimes are not reflected in Chief Garlock's reports. Chief Garlock stated those crimes are calculated under the County and not the Borough.

Mayor Carroll reported that there is additional training for the police officers that has traditionally come through the satellite dish on the roof of the Borough building. There is new training that Chief Garlock is in favor of that will be available online and which will save the Borough some money. There is a one-year contract which will be coming soon and Mayor Carroll asked for authorization from Council to sign this contract. Chief Garlock stated this is in the budget under contractor services. He stated this new training is less expensive by about \$800, plus the dish will not have to be moved from the Borough building. He stated the police department now has their own internet connection so they do not have to use the County's, which was down most of the time. The online training carries less administrative burdens for Chief Garlock. It takes all the hard copy administration that he currently does and puts the burden on the officers; the programming and training is all done via computer, which is accessible to Chief Garlock administratively. It is online streaming video on demand with no difference in quality. Mgr. Bickhart reported it is the same company and the same program but it is delivered via internet rather than the cable satellite transmission. He stated it is more in line with contemporary corporate in-servicing where the officers can be trained on various packets that are available. A record is kept of the score, when the program was started and when it was completed. He stated it sounds like a much better program. It was budgeted at the more expensive price so cost is not an issue, but Council should pass a motion to change the contract.

Motion by C/P Herb to approve this change in contract. Seconded by C/P Inch.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Mayor Carroll reported that Chief Garlock has scheduled all the officers for mandatory 16-hour training this month. This contract is above and beyond the mandatory training. C/P Handlan asked Mayor Carroll to let Council know when the contract comes in. C/P Mengel asked if the dish is used for anything else and if not, what will be done with the dish. Mayor Carroll explained that the dish belongs to the training company and they will come take it down.

C/P Anderson stated she would find it interesting to know how many more police officers it would take to have 100% coverage so that there were no empty shifts. She stated the goal should be to have 24-hour

coverage in the Borough. Chief Garlock referred Council to the staffing report he put in the budget for last year and the year before, stating this would give a pretty good idea. However, he can put this into a more user-friendly format for the next Council meeting.

DH&L Fire Company, Ken Stettler – Ken reported there were 23 incidents in January as follows: 2 automatic alarms, 1 brush fire, 1 CO alarm, 2 false alarms, 2 good intent service calls, 6 miscellaneous fire calls, 1 medical assist, 3 vehicle accidents without extrication, 1 structure fire, 1 tree down, 2 vehicle fires and 1 water rescue recovery. The loss within the jurisdiction was \$0.00. The incidents occurred as follows: 1 in Middlecreek Township, 5 in Penn Township, 1 in the Borough of Riverside, 15 in Selinsgrove, and 1 in Union Township. January man hours total 455. C/P Anderson asked if this qualifies as a busy month and Ken replied that it is about normal. He stated sometimes there will be up to 50 calls and he remembers one month a year or so ago when they only had 4 calls.

Ken reported that as part of the DH&L five-year plan there was a goal of getting certifications for the firefighters. The weekend before last a vehicle rescue class was started, with state certifications from the Department of Health. The first module was completed and the second module is this weekend. Then there will be technician level training and the testing will be May 6 and 7. Ten firefighters will be certified through the Department of Health for vehicle rescue. C/P Handlan asked if there has been any success in recruiting new firefighters. Ken replied that there is no formal recruiting/retention program in place at this point; it is basically word of mouth. Several college students recently joined and there is another one who would like to join. There are also some firefighters who are already trained with other fire departments who will help out DH&L. C/P Inch asked if the new equipment is working well and Ken stated that it is. Ken invited people to come any Monday night to look at the equipment.

C/P Handlan reported that this past week Mgr. Bickhart, C/P Mengel, Mayor Carroll and she attended DH&L's monthly meeting. They were on the agenda and they spoke specifically about DH&L's funds and the building of the social hall. Penn Township was also represented at the meeting for the same reason. There were concerns about the municipalities' funds being commingled with the building funds. There was some uncertainty as to how the funds were being accounted for. DH&L knows there is a separation in how much was donated but no one could solidify if the funds were in one account. DH&L has assured Council and Penn Township that they would go back and research the issue and ensure that the funds from the municipalities were in separate accounts. Ken stated that they are not in separate accounts but as far as donations made directly to the fire station, any large donation such as the one from Penn Township or grants or anything like that are immediately upon receipt or shortly thereafter applied against the principal loan from Swineford Bank. There was a paper trail to show that those funds went specifically to that. Only a minimal amount of donations has come in for the social hall and they are listed on the reports appropriately. The Borough's money was placed into the truck fund from which come monthly payments to Swineford Bank and to PEMA, as well as expenses, such as inspections, to keep the apparatus on the road. Mgr. Bickhart reported the Borough makes some direct allocations to pay specific invoices and there is never any question about those allocations. He stated that while Ken was not at the meeting Ken did call him the next day to assure him that the Borough's funds went in through the truck fund, which would have no possible relationship to loaning money toward the grill room or building programs. Ken stated that the lump sum that Penn Township donated in 2002 was used to pay Zartman for the construction. Mgr. Bickhart stated at the meeting he asked a question about the profitability of the grill room going forward and no one could answer it. He stated it would be helpful to have a report at some point in time as to how it is going. The Borough group left the meeting with the expectation of being advised of things as they went forward. Ken stated that he will reiterate this to the house committee, who prints out a monthly report that can be given to Council. Mgr. Bickhart asked who the new treasurer is and Ken replied that he does not know. Pres. Handlan informed Council that Ken Stettler resigned just this past month as treasurer of DH&L. Ken stated Linda Herrold would be the best point of contact for the Borough but that the treasurer tasks were divided up among several people.

Malcolm Derk, Freeburg Borough President – Mr. Derk stated he is beginning a municipality tour tonight, with Selinsgrove being the first stop. He plans to visit every municipality in the 85th legislative district. He wanted to hear what issues are on the Borough's agenda so he can speak to them and

perhaps offer some help if there is anything that he can do along the way to assist Council with their issues. He stated he is president of Freeburg Borough.

SPI River Access Plans, Pat Owens – Pat stated he is working with the Greenways Project to develop access to the waterways in the area. He displayed some items, two of which are on the wish list and one of which is in the making. The one moving forward is the Isle of Que boat launch. He showed photographs of what is there with sketches of what is being proposed. A design is currently being worked on for restroom facilities. He would like to have a committee put together by the end of February to come up with a timeline for the project. Pat also showed the Pump Station Park at Spruce Street, which is on the wish list to become a soft launch. The access is already there and it is simply a matter of cleaning things up, picking rocks, paving the parking lot and putting in some lamps. He also showed an overview of proposed trail systems within the Borough and trails leading north and south along the river, along Penn's Creek, and going into Monroe Township and Penn Township. He has been in discussion with people from the two townships and nothing will be proposed until ideas are more finalized. All these things tie into the Greenways Project. Pat thanked the people from SEDA-COG, who have been wonderful and have done a lot of work on these sketches and ideas. C/P Reuning asked if the trails will be connected with the PP&L property at Shady Nook. Pat replied that this is on the wish list. Brian Tomko is on the recreation committee in Monroe Township and they have had some general discussions on this. C/P Inch asked if rails to trails walks are being proposed. Pat replied that there are rails to trails and rails with trails. On the wish list that he, Mgr. Bickhart and Brian Auman from SEDA-COG worked on there is a railway system that goes through the farmland heading west which could become a rails with trails, but there has to be a certain amount of easement. This would extend to Kreamer and beyond, connecting with a trail outside Middleburg. C/P Anderson stated it could extend as far as McClure. Mgr. Bickhart stated it would be rails with trails to Kreamer and then rails to trails extending as far as Lewistown and beyond. Pres. Handlan stated Council's biggest concern was the bathrooms at the boat launch on the Isle of Que. She stated SPI had proposed to take care of the bathrooms and maintain them. She understands that there is no commitment to put a permanent structure there. Mgr. Bickhart stated he is working on getting a clarification on that from the Fish and Boat Commission so that the Borough does not have to amend the grant but that there is an understanding that there is no commitment to putting in permanent bathrooms, which will give the flexibility to design what everyone would accept as reasonable. He stated floodplain, portability and vandalism issues still need to be addressed. C/P Anderson asked if places have been identified that currently have removable toilets. Pat stated he spoke with Mandy at SEDA-COG and they met with Judy Spiegel and Mgr. Bickhart. Pat spoke to his son, who is an environmental engineer with the Chesapeake Bay Foundation, so he has been making contacts but he has not seen any models or anything like that. C/P Anderson stated that in Assateague, Virginia all the public facilities are removable for hurricanes. Pat stated he went to the Tow Path in Cleveland and he has been on Pine Creek Trail and the Brandywine Creek Trail in Chester County. Mayor Carroll suggested making sure that Dick Norman is given copies of the trails information because there are some issues that he is dealing with at Kidsgrove with some trails. C/P Reuning stated that Minnetonka, Minnesota, where his daughter-in-law is the mayor, has an extensive system of trails.

SPI Main Street Manager Program, Judy Spiegel – Judy reported on the Main Street Manager program, which gives the Borough additional funds to help with downtown revitalization. She handed out information that the Pennsylvania Downtown Center provided. She stated the most important thing to Council is that the Borough has to act as a conduit for the funds that come in from the state to fund the program. This gives SPI money for the Main Street Manager, which is a paid position to help with the revitalization efforts. About \$115,000 in grant money is available to pay for that position. One of the questions that Council had asked was whether the Borough has to front the money to SPI before the funds are received from the state. Judy and Mgr. Bickhart clarified with the Downtown Center that that will not be the case. SPI will show need and the state will forward the funds to help pay for the position; therefore the Borough will not have to loan funds to SPI. The state requires a local match of up to \$90,000; SPI currently has commitments of \$50,000 with another \$40,000 to go. Judy does not see that this will be an issue as they have four years to raise those funds. Judy stated that once the Borough qualifies for the Main Street program then they will become qualified for other grants that the state offers, such as for façades and for the CVS project. Selinsgrove had done the Main Street Manager program years ago, with SPI being a result of those efforts, so the groundwork is in place to possibly qualify for the

Main Street program by September or October of this year. Judy asked for Council's support to sign an agreement that they will be a conduit to SPI for the state's funds. The Borough will not incur any expenses prior to receiving that money from the state. Pres. Handlan stated that at the last SPI meeting the Borough made it clear that SPI needs to come to Council to ensure that Council understands what SPI is working on and what grants they are applying for, including what obligations these place on Council. Judy stated that she will work closely with Council on these issues. She asked for Council approval to submit the application for the Main Street Manager program. She stated SPI will be applying for some tourism dollars to help with the Market Street Festival and White Christmas. Those funds go directly to SPI. C/P Anderson asked if a motion is needed in order for SPI to move forward with the Main Street Manager program. Pres. Handlan stated that this was not necessary.

Judy reported that Congressman Sherwood visited Selinsgrove a week ago Friday and was very supportive of SPI's efforts. He asked some good questions and listened carefully to the answers. There are some places where he might be able to help, such as with Shade Tree money and with some historic projects. Mgr. Bickhart stated that Skip Weider was instrumental in getting Congressman Sherwood to come to Selinsgrove, and Skip is very active in the library project. He was hoping that Congressman Sherwood could help with some money for the library.

Judy reported that there has been a committee formed to solicit bids for the demolition of the CVS building. The treasury continues to grow, with donations coming in. She stated she cannot give a time frame yet but the project should be moving forward soon. Margaret Siro stated that the other night during the lamp lighting ceremony she was standing next to the CVS building and she noticed a musty odor. She expressed concern that the demolition company be required to cover asbestos and mold issues. Judy replied that this will be part of the bid process. Mgr. Bickhart stated that the building is musty but not moldy. There was an environmental consultant in before the building was sold and every piece of the building that could hold mold was pulled out and disposed of. Inside the building there is nothing but concrete block and bare steel. It is damp but there is no mold.

Suzanne Kaufman, Water Bill Issue – Suzanne reported that she is asking for help with her water bill. She had some pipes freeze in a house that she owns in the Borough. The pipes burst and water poured through the building for about three weeks. She stated that she lives in Pittsburgh and the house is empty and listed with a realtor, who is not responsible to check on the house. The damage was discovered when the realtor took someone in to show the property. She reported that her water/sewer bill is \$1,500. She has been told she can have her drains tested to see if the water went into the sewer system and if it did not that part would be forgiven. She is asking for time to pay the bill without late fees. Mgr. Bickhart stated he spoke to Suzanne about this issue and he explained the normal policy that if it can be determined that if the water that was leaking did not go into the sanitary sewer the Borough will credit the sanitary sewer charges. He stated that in the past Council has accepted payments over a period of time but Council has never waived late fees. Suzanne stated initially a water heater malfunctioned, breaking the electric circuit, which caused the furnace not to heat, which caused the house to freeze, which caused several broken pipes, the biggest one of which supplied the bathroom. Mgr. Bickhart stated he can do the dye test to determine whether the water went into the sanitary sewer sometime this week because Suzanne has to return to Pittsburgh on Thursday. He stated the late fee is a substantial one-time penalty of 25%. It is not incremental and it is not monthly. By Council action a decade ago it was decided to take that extreme measure to require people to keep up with payment of their bills. C/P Herb stated this is a significant amount of money. He stated he understands that the use of water is used to calculate both the water bill and the sewer bill with the assumption that a certain percentage of the water used will go back into the sewer. He stated that if Suzanne's water bill was eight times its normal amount this does not necessarily mean that eight times the normal amount of water went into the sewer system. Mgr. Bickhart replied that it is actually pretty proportionate. The Borough pays sewer fees to ESCRA and the majority of the sewer revenues go directly out to pay ESCRA on a gallonage basis. C/P Herb asked whether, if everyone in the Borough suddenly doubled their water usage, the ESCRA costs for the Borough would also double. Mgr. Bickhart replied that it would be pretty close, barring some minor administrative costs. He stated that it is proportional. While the amount of water that registers on the water meter may not be the exact amount that goes into the sewer system it is most likely within 85 or 90 percent of that number. C/P Herb stated that this would be less true during the

summer months as people find uses for water that are outside, such as watering lawns and gardens, washing cars, etc. and this water will not find its way into the sanitary sewer. He asked if Council needs a motion to keep the late charges from accumulating until this issue is resolved. Pres. Handlan stated it is only a one-time charge so it will only be assessed once and Council cannot waive the late fee. Mgr. Bickhart asked Suzanne if the bill is past due. She stated it is due February 20. Pres. Handlan stated if arrangements are made to pay the bill before February 20 then the late fee will not be imposed. Mgr. Bickhart stated that if the entire bill cannot be paid on time the late fee will be applied to the outstanding balance. C/P Herb expressed that this will be a large late fee and under the unusual circumstances he would like to see if Council can find a way to not impose this. The consensus of Council was that the large late fee was imposed so as to discourage people from paying their water bills late, and the late fees are never waived so as not to set a precedent. C/P Anderson asked if there is homeowner's insurance that will help with this. Suzanne replied that her insurance paid \$20,000 to fix the pipes, dry out the residence, paint, etc. Solicitor Cravitz stated that typically insurance will not pay a water bill; it just covers the loss itself. Mgr. Bickhart stated if after the dye test it is found that the water did not go into the sewer system, the bill would be corrected and the due date would change. Suzanne stated this will be helpful as \$900 or more of the bill is for sewer. She will call Mgr. Bickhart tomorrow morning to set up the dye test.

UNFINISHED BUSINESS FROM PRIOR MEETINGS:

Committee Assignments – Pres. Handlan reported these have been done, with some committees scheduled to meet soon.

Review List of Council Issues – C/P Anderson stated it is good to see that the Borough's portion of the Weiser Run sewer issue has been completed. C/P Inch asked if the school board will reimburse the Borough for any of the expenses. Mgr. Bickhart replied he will send them the bill. He reported that some of the blanks in the Council Issues list can be answered with information from the Borough engineer's letter.

Review Employee Handbook Policy Revision on "BENEFITS – Medical Insurance – For an Employee 65 and Older" – Mgr. Bickhart reported that the language change for employees age 65 and older will take into consideration the Medicare Part D coverage provisions. Council received copies of this, with bolded type indicating the changes. This acknowledges the fact that Medigap Plan I does not have prescription coverage. There is now a Medicare Part D prescription plan that is to be acquired and Medicare Part B will stay the same as it was. The essence of the revision is that because of the variability in Medicare Part D prescription plans, they should be submitted to Council for review on a case-by-case basis, both initially and as they change. They can be changed annually so any change decisions should be brought to Council's attention. C/P Reuning stated that Council needs to keep the doughnut hole in mind, as this can run up to \$3,600 per person per year. Mgr. Bickhart stated the Borough is not proposing to pay any of those costs; the Borough is just paying the premium costs. He stated only in the first transition year with employee Robert Wendt did Council agree to pick up parts of his deductibles for drugs. The Borough is now proposing to pay only the premium costs and if an employee picks a plan with a doughnut hole it will make no difference to the Borough in terms of its agreement with the employee. There is no way to put into language the limitations that Council may impose. That is why the language includes the employee coming to Council on a case-by-case basis for approval. C/P Reuning stated there are 53 different plans in the state of Pennsylvania alone.

Motion by C/P Anderson to accept the changes to the employee handbook as presented. Seconded by C/P Herb.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Authorize execution of Agreement with PA Fish and Boat Commission – Mgr. Bickhart reported that he does not have anything back yet from the Fish and Boat Commission. Solicitor Cravitz stated he reviewed the agreement and found it to be legally sufficient. He stated it does leave some holes to get out of because the Borough is allowed to make changes to tasks and descriptions contained in the scope

of work performed by the Borough provided such changes do not add new tasks, which would happen if the bathrooms were to be taken out or changed. He stated it would be okay for changes to increase or decrease the cost associated with the completion of any given task provided such increase/decrease does not increase the maximum reimbursement dollars set forth. This allows the Borough some wiggle room. Mgr. Bickhart stated the Fish and Boat Commission told him they were working on these sections and they requested a finer definition of how the funds would be allocated so that they knew how much was associated with the bathhouses, and that is what they will except out. If the Borough does not build big bathhouses then they will not get the full amount of the grant. Pres. Handlan asked what the drop-dead date is for getting this turned around. Solicitor Cravitz replied that the Fish and Boat Commission is holding it open. Pres. Handlan stated Pat Owens should be able to provide a proposal that is acceptable.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Inch, Chairman

Payment and Ratification of Bills

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – Mgr. Bickhart reported a request for exoneration from Kevin Britton for the year 1996 in the amount of \$5.50 due to being a student non-resident. A second request for exoneration was reported from Erma Walter for the year 1999 in the amount of \$5.50 due to being deceased.

Motion by C/P Mengel for exoneration of these people. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Purchase new Server for \$3,437 plus installation costs of \$6,000 +/- – Mgr. Bickhart stated that this purchase and the following purchase have not been made yet. They are budget items but due to their magnitude they are listed for Council in case there are any questions or discussions before the purchase is made. The purchase orders are already made out. Solicitor Cravitz stated that these need to be approved individually.

Motion by C/P Inch to approve the purchase of the new server and the installation costs of the server. Seconded by C/P Anderson.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Purchase Fuel Master Card System to replace existing equipment for \$6,359.30 plus installation cost of \$2,872 – State Contract Purchase

Motion by C/P Inch to approve the purchase of the card system and the installation costs of the card system. Seconded by C/P Anderson.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Mayor Carroll asked how old the existing system is. Mgr. Bickhart replied that it was installed along with the installation of the fueling system itself. C/P Anderson stated she thought Sheri said it was over ten years old. Mgr. Bickhart stated the reason the new card system is needed is that the card readers are no longer reading the cards. The system is used to account for purchases by various other civic groups such as the fire company and the ambulance league, who are then charged by the Borough.

Gasoline Sales – C/P Inch reported that the Borough sells gasoline to the fire company, the ambulance league, ESCRA, and the library. These groups actually use more fuel than the Borough itself does. The Borough has been charging these groups a fee of \$.05 per gallon and then the fee was raised to \$.10 per gallon. There has been a considerable investment made to the pump area recently, with new fencing being installed, \$700 in pump maintenance, and \$10,000 being allocated for the metering system. Therefore, the Finance Committee is recommending raising the fee from \$.10 to \$.20 per gallon. The last load of unleaded gasoline cost the Borough \$1.84 per gallon. On Thursday the Sunoco station was selling their gas for \$2.39 per gallon. If the Borough's gas price was raised \$.10 from the current \$1.94 per gallon to \$2.04 per gallon the groups would still be saving \$.35 per gallon at that price. The reason the Borough pays less is that they do not have to pay the taxes and they buy in bulk. C/P Anderson clarified that the Finance Committee is not asking for the approval of the \$2.04 but rather for the \$.20 fee because if the gas price changes the fee will remain at \$.20 but the total price per gallon will change.

Motion by C/P Inch to raise the fee to \$.20 per gallon. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Pres. Handlan asked if the groups will be given advanced notice of this increase or will they just pull up to the pump and find out. C/P Inch stated he will ask Sheri to inform the groups of the fee increase.

Sassafras Street Interceptor Bill – C/P Inch reported that Sheri is expecting a bill on the Sassafras Street interceptor project before the next Council meeting. She would like Council to approve the payment of this bill pending the engineer's approval and the breakdown of the costs with ESCRA.

Motion by C/P Mengel to approve the payment of this bill pending the engineer's approval and the breakdown of the costs with ESCRA. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Educational Costs – C/P Inch reported that there are several new Council members and Mayor Carroll who would like to attend some educational seminars and meetings. There is no policy of what the Borough would pay. The Finance Committee is recommending a policy of a budget of \$500 per year for a Council member to include registrations, meals, mileage, etc. and a budget of \$1,000 for the Mayor for the same purposes. C/P Anderson stated the reasoning for the higher amount for the Mayor is that, because he supervises the police department, there are more things that the Mayor will need to be up to date on. Mayor Carroll stated he does not want to eat into what the police department has budgeted for training of officers. C/P Anderson stated this is a \$6,000 item in the budget and the Finance Committee figured on the \$1,000 for the Mayor coming out of this. She stated this could be reviewed mid-year. Pres. Handlan clarified that the amount being proposed is \$4,500 annually, with seven Council members at \$500 each, or \$3,500, and the Mayor at \$1,000, for a total of \$4,500. C/P Reuning stated the Finance Committee did not really specify what the money should be used for. Each person can determine how they want to use the money that is available. Pres. Handlan clarified that it would be used to cover all reimbursable expenses. C/P Anderson stated in looking back over the years in 2001 this was a \$750 item with \$627 being spent. In 2002 it was a \$750 item with \$300 being spent. In 2003 it was a \$750 item with \$200 being spent. In 2004 it was a \$500 item with \$75 being spent. She stated this varies depending on how many new people there are at any one time and what their interests are. Pres. Handlan stated this is also affected by what courses are offered and when and where they are offered. C/P Anderson stated this year it is a \$250 item so there will need to be some reshuffling. C/P Inch stated the Finance Committee really felt there should be a policy set for this. C/P Handlan stated Sheri also made it clear that if the seminar is reasonably close the attendee should not stay overnight. Mayor Carroll stated there are two new Civil Service people who are waiting for approval for some training. He asked if this will come from the police department budget, stating he does not see a line item in the budget for this training. C/P Anderson stated the assumption of the Finance Committee was that this would fall under the police department's \$6,000 item.

Motion by C/P Inch to approve this policy as outlined above. Seconded by C/P Anderson.

Mayor Carroll asked whether, if the event is at a distance and there are functions at night, the attendee can stay overnight. He stated he has back-to-back training with a late-night function. C/P Anderson stated this would be at the attendee's discretion as long as it falls within the budgeted amount.

Pres. Handlan called for a vote on the motion.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Authorize Payment #3 of the Streetscape Project – Mgr. Bickhart stated the streetscape project is pretty well completed and this request for payment is either the last or very nearly the last on the project. The traffic signals have been in and installed for quite some time, so those bills have been paid 100%. He stated the entire amount of the grant has been sent out and the Borough has asked for reimbursement. With this particular approval the Borough will ask for the third reimbursement amount. Reimbursements 1 and 2 have been received already, with one taking about three weeks and the other one taking about four weeks to come in. The Borough has not had to front-end any of the money for very long, if at all, to cover the grant funds. This is a reimbursement grant rather than what Judy Spiegel was talking about, which will be an allocation in advance. Mgr. Bickhart pointed out that \$11,011.50 is anticipated to be the overrun amount that would be the obligation of the Selinsgrove Chamber of Commerce to cover in excess of the grant amount for the costs associated with everything but the traffic signals. That number in the original information was around \$40,000 to \$50,000 and with inspection costs it may have been even more. The Selinsgrove Chamber of Commerce has been anticipating as much as \$70,000 and it looks more like the final figure will be \$11,000. The figure of \$78,542 indicates the total cost to date for the traffic signal work. The Borough had budgeted \$78,700 so this estimate was on target. C/P Inch stated he thought the Borough had budgeted \$85,000 for the traffic signals. Mgr. Bickhart replied that was the budget at one time but it was backed down to the \$78,700 after the re-bids were received. He stated the contract overestimated many things so that is why the contract price is lower. The approval of payment #3 will be for a payment to Beck Electric in the amount of \$108,830.07. This includes \$103,836 on Beck's last invoice and \$4,994.07 in retainage. When the project is complete the retainage will be changed from 10% to 5%. Beck will get back 5% of his retainage and the Borough will hold 5% of the retainage until they get through the final inspection and the entire punch list is done, at which point Beck will get his final retained amount. Pres. Handlan asked if a motion is needed to pay the \$108,830.07. C/P Inch replied this was included in the bills from the Finance Committee, which have already been approved for payment.

Mayor Carroll asked what the status is for the next phase of lights. Mgr. Bickhart replied that he is waiting for confirmation of the commitment of grant funds. This next phase should move very quickly since the designs and bid have already been approved by PennDOT. It is possible that more lights could be installed by the fall. The project would have to be re-bid, so it could be Beck Electric working on the next phase or it could be somebody else. The spec problems with Beck Electric that caused the first phase to be re-bid have been corrected. Beck is now on PennDOT's approved list.

PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Reuning, Chairman

C/P Reuning reported that his committee will meet February 16 at 10:00 a.m. on the sidewalk issue, at which time they will determine what is a bad sidewalk and what is a good sidewalk.

Approve dates for Spring Cleanup – April 10, 11 and 13, 2006 – Pres. Handlan asked if the Borough office will double check to make sure these dates do not coincide with anything that is going on at the University, such as a visitation day of some sort or other event. Mgr. Bickhart stated he will do this.

Authorize advertisement for contracted services for collection and disposal – Motion by C/P Reuning to advertise for contracted collection and disposal services. Seconded by C/P Herb.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Recommendations of 2006 Spring Cleanup – The Borough policy has been that if there is a recycling opportunity for a material, such as TVs, the Borough does not allow disposal of that item at the spring cleanup because it does not go to recycling then, but rather to trash. As the County advises the Borough of the materials that they will pick up, the Borough deletes them from the items that can be put out for spring cleanup. C/P Reuning suggested putting this in the next issue of the Borough newsletter.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Mengel, Chairwoman

Pres. Handlan stated she thought the decision was made at last month's meeting to pass the amendment to the flood plain code to this committee. Mgr. Bickhart replied that he has subsequently gotten some information from the flood insurance program that needs to be integrated into this amendment. The information came two or three days after the Planning Commission met so he has not had a chance to integrate it yet. The changes need to be made to reflect the changes in the flood plain maps.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Herb, Chairman

Pres. Handlan stated that the Town/Gown Committee has always included co-chairs from this committee and the Public Safety Committee. Going forward she only wants one chair of the Town/Gown Committee, which this year will be C/P Herb.

PERSONNEL MANAGEMENT COMMITTEE: C/P Anderson, Chairwoman – No Report

PUBLIC SAFETY COMMITTEE: C/P Hetherington, Chairman

C/P Inch reported that there will be a Safety Committee Meeting next Monday, February 13, at 7:00 p.m. Pres. Handlan stated she sent four items to C/P Hetherington for the committee to review. The individuals need to be contacted with whatever is decided.

PLANNING COMMISSION:

Recommendations for revisions to Stormwater Management Requirements of Subdivision and Land Development Ordinance – C/P Anderson reported that the sympathies of the Planning Commission were that in a perfect world the full stormwater management study would be done. This is a very expensive project but the Commission is urging that this be looked into with Penn Township, due to the increasing amount of development there. In the absence of this happening right away, and if there is strong feeling that the Borough needs a betterment in the stormwater runoff, then there is the possibility of adding language to the Borough's stormwater management plan based on a meadow use base, even though something else is existing on the property. In other words, the way the water would drain in an empty meadow is the beginning point for figuring the amount of stormwater runoff. The Borough could also require something similar to what both the university and the school district did voluntarily, giving the mechanisms for controlling the rate of flow out of the underground water pipes, such as the pipes that run under the athletic fields. She stated it is unclear what the full impact is on a developer of using the meadow designation. The Commission feels strongly that a full stormwater runoff study should be attempted. Pres. Handlan stated there have been significant changes in stormwater runoff in the last five years. It is highly noticeable in town so she agrees that a good look needs to be taken at this.

Motion by C/P Inch to authorize Solicitor Cravitz to prepare the ordinance amendment to reflect the two recommendations, one concerning a new provision that predevelopment computations be based on meadow use and the other concerning the language that would require that all detention facilities be equipped with a device that allows the Borough to adjust the discharge in the field after installation. Seconded by C/P Reuning.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

C/P Anderson urged Council not to lose sight of the need to pursue the stormwater management plan. C/P Mengel asked for clarification on the meadow use designation. Mgr. Bickhart explained that it is an

artificial control that imposes a condition that in essence would say that when one is trying to figure out how much water comes off a property to begin with, it must be taken back to the time when there was nothing there but meadow. This dictates how much can be let off after development. Since the Borough is much more improved than meadow, this has a factor of imposing an additional removal of stormwater. When the Borough was meadow not nearly as much water ran off because meadows soak up more water. A meadow is the soil condition with the highest amount of infiltration and the least amount of runoff. The Planning Commission talked at great length about the fact that it is an artificial requirement. The only thing in favor of it is that it is used by a neighboring municipality, Monroe Township, to accomplish the same objective. C/P Mengel asked what results they get from this and Mgr. Bickhart replied that there is no way to see the results. One must just believe that it is a betterment. Engineers state that it results in a betterment. No one has objected to the use of this convention in Monroe Township. Solicitor Cravitz gave the example of the Monroe Manor project, which was farmland and not a meadow. The developer must go back to before the farmland, which had crops on it, to the meadow designation. The stormwater facilities in Monroe Manor are very extensive. Mgr. Bickhart clarified that less water would have come off the land as a meadow than as a cornfield or a grass field. C/P Anderson stated the Borough is fully developed so there are just changes to existing use. The likely development in the Borough will be with the school district and the university. If the development of the Selinsgrove Inn had taken place after this designation was passed it could have changed what their obligations were in terms of stormwater runoff. C/P Mengel stated this could put the school district in a predicament the next time they want to do something. C/P Anderson replied that it changes the way the calculations are done by the engineers so it may mean the developer might need a different detention pond or piping system.

ZONING HEARING BOARD – No Report

CIVIL SERVICE COMMISSION:

Re-organizational meeting February 6, 2006 at 2:00 p.m., Council Room – Mgr. Bickhart reported that the minutes of the Civil Service Commission will be passed along to Borough Council as they become available. The Commission's mandate, since they are now reorganized, is to go back over the procedures since they have just gone through the process, and make recommendations for changes for the next time. The Commission then becomes relatively inactive. They do have a role in September in that the list of available candidates for positions is good for a year. It can be extended but this has to be done by September. Having gone through all the trouble to create the list it would be a good idea to extend it for as long it may be needed.

PARKS AND RECREATION BOARD: Richard Norman, Chairman – No Report

SHADE TREE COMMISSION – No Report

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Pete Carroll

Mayor Carroll reported that the police department will hold an open house on Saturday, March 25, from 10:00 a.m. to 2:00 p.m. Some invitation letters will be sent out. There will be light refreshments. Chief Garlock will lead a walkthrough of the station and free gun locks will be given out while supplies last. Mayor Carroll also reported that there has been a delay with the grant for \$20,000 that Chief Garlock requested. Mgr. Bickhart clarified that a grant agreement has to be drawn and no money can be expended until it is signed off on.

The police department needed secure benches for the prisoners because there is no cage. These benches cost \$300+ in catalogs, but by using donated materials, money and time they have been constructed at a cost savings. The Vo-Tech students did the welding on the first bench and did the second bench entirely from scratch. The cushions were done by one of the officers whose grandfather had an upholstery shop. Officer Wolfberg donated his time to put a drywall partition with a door and Plexiglas in the foyer for an investigation and interrogation room. Less than \$400 was expended on all

this. C/P Inch suggested commending the police department for doing work on their own time. Mayor Carroll stated he has included this as part of his article in the Borough newsletter. C/P Mengel asked if a thank you note has been sent to the Vo-Tech. Mayor Carroll stated this is in process also.

Mayor Carroll commented on the good job the police department is doing, including a quick response during the rock-throwing incident and three arrests by Officer Wolfberg, who stopped to check on a vehicle where people were changing tires and it turned out some of the people had warrants on them.

Mayor Carroll reported that the police department has started their 16-hour mandatory training this month. The new program that was approved tonight for additional training will be very helpful to the officers.

Pres. Handlan asked if the sign will be on the police department by the open house. Mayor Carroll stated he has received estimates from two different companies. He needs to find the money to purchase a sign. Mgr. Bickhart stated he took down the panel that says "police department" from the Borough building. This panel is reusable with a smaller version of the logo. While the logo part of the sign may not be installed by the open house, the police department sign will be. It is made of a special light-weight acrylic material so it will not decay. He stated that the sign inside the Borough building has been covered with paper so that people will not go downstairs looking for the police department.

BOROUGH SOLICITOR: Robert Cravitz

Consider Adoption of Resolution 2006-01, exonerating Tax Collector Michael B. Bolig for collection of various taxes for 2005 – Solicitor Cravitz reported this item and the following one are housekeeping matters that are handled every year. Resolution 2006-01 states that Council is allowing Michael Bolig to turn over collection of 2005 delinquent taxes in amount to \$15,616.77 to the Snyder County Tax Claim Bureau. This resolution also exonerates him from collection of the delinquent 2005 per capita taxes in the uncollectible amount of \$845 and the delinquent 2005 per capita taxes in the collectible amount of \$1,535. These amounts will not be held liable on the tax collector's bond.

Motion by C/P Mengel to adopt Resolution 2006-01. Seconded by C/P Inch.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Notification of Statewide Tax Recovery, Inc. of 2005 Delinquent Per Capita Taxes – Solicitor Cravitz stated this action will notify Statewide Tax Recovery to collect the 2005 delinquent per capita taxes.

Motion by C/P Anderson to make this notification. Seconded by C/P Inch.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

SU Parking Lot Indemnification Letter – Solicitor Cravitz stated he received a copy of this letter several weeks ago from Jeff Edmunds, who was going to sign it on behalf of Susquehanna University. Solicitor Cravitz stated the letter should come directly from Susquehanna and he has not received it yet.

Consider Authorization to pursue costs of damages to Traffic Controller at Route 522 and Broad Street – Solicitor Cravitz reported that the traffic control box at the corner of Route 522 and Broad Street has been repaired at a cost of \$12,475. The insurance companies for the men involved in the collision are each putting the blame on the other. The repair cost is being referred to arbitration, where the insurance companies will go before a third party to plead out their cases to determine who will pay for this. In the meantime, the Borough has paid the bill and is waiting for reimbursement. Since arbitrations can go fairly long, up to eight months, Solicitor Cravitz would like to have authority from the Borough to bring an action against Anthony Andracchio and Jason Martin for the loss that was caused by their accident of October 8, 2005. He explained that if the Borough gets a judgment against the insured's license then the insurance company will have to respond because the insured's license is lifted until the bill is paid.

Motion by C/P Mengel to proceed with the action against the drivers as noted above. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – Mgr. Bickhart reported that the engineer has requested approval of two change orders for the interceptor metering chamber project. The first change order is to change the size of the sanitary sewer from 8 to 10 inches. This change was necessary because of Susquehanna University’s possible development and the thought that it might be prudent to increase the pipe size to cover any future development that would occur along Sassafra Street. Council has already addressed and approved this in terms of advising the contractor to make the change. The change order form now needs to be signed to acknowledge that fact. This results in an increase in the contract of \$2,336. The second change order is to extend the contract time on the project by 60 days because of PP&L’s delay in providing the electric service to the metering chambers. The original contract time showed substantial completion to be by December 20; this will extend that to February 18. Meter readings should be available by March. John Abromitis will provide monthly updates.

Motion by C/P Anderson to accept the two change orders and authorize Mgr. Bickhart to sign them on behalf of Council. Seconded by C/P Reuning.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

BOROUGH TREASURER: Sharon Badman

Review Treasurer’s Report for January 2006 - Pres. Handlan asked if there were any questions on the Treasurer’s report. Hearing none, she stated that it is on file for audit.

BOROUGH MANAGER / SECRETARY / ZONING OFFICER: Mgr. Bickhart

Non-Police Matter Suggestions Update – Mgr. Bickhart reported it was a busy month. There were concerns about the 25 mph speed limit for southbound traffic on Market Street. There is a missing sign at North Market and East Snyder Street. There is a dark section of South High Street, which will be referred to the Safety Committee. Pres. Handlan stated she has had comments of dissatisfaction regarding the “No Turn on Red” signs on the new traffic signals. C/P Herb questioned why PennDOT is requiring these signs now when they did not require them before. Mgr. Bickhart responded that the pedestrian signaling is set so that it totally shuts down the intersection in all directions for a short time. The plans that were submitted by the Borough engineer did not have the signage but PennDOT required the signs to be added. If the Borough does not want them they will have to petition PennDOT for a study to have them removed. Mayor Carroll asked why there was only one “No Turn on Red” sign at Route 522 and Broad Street. Mgr. Bickhart stated that is not the same type of intersection as the downtown intersections because traffic volume and flow is figured into that intersection as well as pedestrian issues.

Recommendation for adoption of revisions to Chapter 140 – Zoning, pertaining to Flood Plain regulations that were previously a part of Chapter 65. More updates now required, new Flood Insurance Rate Maps received for review and comment – Mgr. Bickhart reported he has received some new, very significant information on flood insurance rate maps. The maps did two things – they changed the flood plains in the Borough and they also inserted some additional language. It is the language that Mgr. Bickhart would like to insert into the revision to Chapter 140 so that the language in the Ordinance matches the maps. There are some severe implications in the flood plain which have resulted from a remapping that imposes the results of the Luzerne County levee raising project. This results in a small increase of 1 or 1½ inches in the Borough’s 100-year flood plain elevations. It also used a new base map, or contour plan, for the Susquehanna River which was much more detailed than the one that was used in the 1980s. It also changed the datum from which elevations are measured for flooding purposes. Surveyors talk in terms of benchmarks and there is a mean sea level datum; the

federal government has taken charge of defining what that means. The one that was used up until recently was done in 1929. They have now adopted the convention of using one that was done in 1988. The two are about 9 inches different in elevation in this area. There are more detailed flood plain maps available in the office. Mgr. Bickhart suggested putting this to a committee or taking a significant part of a Council meeting to go over this information. C/P Anderson asked if this will be on the agenda of the Planning Commission or if the extra three people from the flood mitigation should also be included. Mgr. Bickhart stated it does not have anything to do with the flood mitigation aspects but it would rightfully go back to the Planning Commission for their evaluation. He stated the identification of properties within the flood plain is still fairly accurate. At one point it was believed that the bypass would keep the river from flooding over into town and now the new mapping says that it will not. On the upper ends of Selinsgrove it is very much directly related to the river flooding and not just Penn's Creek flooding. The implications in that part of town are as much as 4 feet deeper. At the confluence of the river and the creek it remains the same. C/P Anderson wondered whether the access ramp to the bypass has actually made matters worse for Selinsgrove. Mgr. Bickhart replied that it has not made it worse, and because the flood plain area is now broader in area it actually lowers the flood level slightly for the Isle of Que. Mgr. Bickhart will work on an illustration of this for Council to see. Pres. Handlan stated this will have to be a side meeting, perhaps a work session.

Report on Cleon Bauman property, 309 South Market Street – Mgr. Bickhart reported that he had requested CK-COG make an inspection of this property, which they have done. They declared it unfit for human habitation and posted it immediately but never followed up with a letter. They now have a letter dated January 11 giving Mr. Bauman 30 days to respond with his plan of action. Mr. Bauman is planning to demolish the structure; therefore no compliance difficulties are anticipated on this property. Mr. Bauman is removing salvageable items now. A demolition permit will be required when he does the actual demolition.

Consider Plaque to be placed on building donated to Borough by Omega Bank – Mgr. Bickhart showed language suggestions for a cast bronze outdoor plaque. There was a 16" x 12" plaque on the building previously. The plan is for this new plaque to cover that hole and use the same mounting brackets. The cost of a plaque like this is approximately \$500. The consensus of Council was that the wording that states the building is "donated to Selinsgrove Borough" is preferable to "given". C/P Herb stated he would like to see the plaque say that the building was donated to the community rather than just to the Borough. However, it was pointed out that the wording does include the phrase "in demonstration of their community support". Mgr. Bickhart stated he took as much of the wording as he could from some of the writing from Omega Bank's dedication. He stated he ran the general language by Omega Bank for their input, and they indicated either is fine although they did prefer the word "donated" to "given".

Motion by C/P Mengel to have a plaque made using the wording stating "donated to Selinsgrove Borough", and to pay for the plaque. Seconded by C/P Inch.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Mayor Carroll stated he found out about a foundry below Meiserville that might be able to make the plaque out of a different material for a lower price. C/P Anderson stated that the university has found that bronze really is the only thing to use for an outdoor sign; anything else darkens too fast or disintegrates.

Report on Robert and Vickie Heimbach property, 4-6 North Water Street – Mgr. Bickhart reported that in response to a fire call to this property, the fire company discovered some concerns about safety-related construction items. This was a rental property and the fire company could not get in touch with the property owner. Mgr. Bickhart went in, investigated and wrote a letter to the property owners, making them aware of what the fire company had made him aware of. The owners have subsequently corrected everything that was of concern. The landlords were very appreciative of having these issues identified and having the opportunity to fix them.

Report on removal and replacement of St. Pius X and SU "directional sign(s)" on Market Street – Mgr. Bickhart reported that when the PP&L streetlights were removed, one of the poles was holding a

PennDOT standard blue sign with silver letters indicating Susquehanna University with an arrow. This was posted quite high on the pole due to clearance issues at the corner. Directly under this sign was one that the Borough had permitted for the Catholic Church. There is another pair of these signs at the Post Office on a pole that is still in place. There is now no pole to put the signs back onto. Mgr. Bickhart informed Susquehanna of the situation because they paid PennDOT for the signs and they pay an annual fee. He asked if they would consider a sign that would be consistent with the other signage for businesses downtown along the curb – the smaller, lower signs that the Borough has standards for in the Ordinance. The university is looking at a proposal to do this so that the signs will be attractive and directional without having to mount the signs high. Mgr. Bickhart talked to the mailman who made the previous contact for the church when they got the permit for their sign. He did not know if the church would be interested in a directional sign any more. He will find out and report back to Mgr. Bickhart on this. Mgr. Bickhart stated he also informed PennDOT of this because it was their sign that was taken down. They have the right to come in and put up a very high 4x4 or 6x6 post and to re-hang the sign that was taken down. PennDOT will not allow that kind of a sign on the traffic signal poles.

Request of Selinsgrove Kiwanis Club to discuss terms of use of Pump House for weekly Club meetings – refer to committee – Mgr. Bickhart asked that a committee be assigned to meet with the Kiwanis Club. They would like to hold their weekly meetings at the pump house. Pres. Handlan referred this to the Community Activities Committee.

Changes in PHEAA/Degenstein Community Service Program – Mgr. Bickhart reported that the Borough will have to do more paperwork with this program as Degenstein will be doing less. Sheri has no problems with this. Pres. Handlan asked if this will cost the Borough more money. Mgr. Bickhart replied it will not. The Degensteins have indicated by letter that they will entertain the grants to cover the costs but they do not want to do the paperwork.

Report on issues with Police Killed-In-Service Pension policies – Mgr. Bickhart replied data is still being gathered. The pension plan people came in to talk to the employees about the provision that the Borough had just recently made available to them wherein the employees can contribute up to an additional 10 percent to their own pension plans. In the course of that discussion the Borough was led to believe that they did not have the kind of killed-in-service coverage that they thought they did. A clarification letter is to be sent showing what the pension plan covers. The Borough had acquired an insurance policy that they thought covered the gap between that and the state law which indicated that the family is eligible for 100% of the salary for the life of the family. This is a potential multi-million-dollar burden which the Borough thought they had covered with insurance.

Consider applying for Keystone Mini-Grant for roof rehabilitation project relating to Library – Mgr. Bickhart reported a suggestion was made for the Borough to apply for a Keystone mini-grant for roof rehabilitation to the Borough building since the library is under that roof. Margaret Siro asked if the library area has been examined for mold or mildew. Mgr. Bickhart replied that he has looked at this. The area is open and it is not wet. He saw no evidence of mold himself, but he has not had an expert come in to look at it. Margaret Siro stated mold means death to the library because mold destroys books. There were some books in a box that had gotten wet and there was some mold on them. C/P Anderson stated there are no odors and no reason to suspect mold at this point. Pres. Handlan stated she has not seen the area but she does know of recent leaks where some books were saturated in the storage area. Mrs. Siro stated her concern for respiratory problems due to mold, especially in young children and babies. C/P Anderson suggested that mold inspection and remediation could be included as part of the grant for the roof rehabilitation project. Pres. Handlan asked Mgr. Bickhart to add this to the issues list.

Report on Police Department Mural relocation project – Mgr. Bickhart reported that he has spoken to some people from the university and some people from town who have expressed an interest in trying to relocate the mural that is downstairs in the old police department. Chief Garlock said there is no place in the new building that is big enough to accept the mural. Mgr. Bickhart suggests putting the mural, which is 7' x 6' in size, in one of the stairwells of the Borough building on the big block walls. The mural is hand painted with depictions of many things about the Borough. There is no urgency to this so other suggestions for relocation are welcome. C/P Anderson asked if it has artistic and historic value.

Mgr. Bickhart replied that it dates from 1980 or 1981 and it is a relatively nice mural. It was painted by Graybill and was framed by Brosious and his father.

Reminder – Statements of Financial Interest are to be completed and returned to the Borough Office before May 1, 2006 – Mgr. Bickhart reported that almost everyone's have been turned in.

Update of PROPERTY TRANSFERS and BUILDING PERMITS ISSUED, Janet Powers, Deputy Zoning and Permit Officer – Informational only.

Town-Gown Committee – Mgr. Bickhart reported Tracy Tyree contacted him and suggesting having a meeting on one of three dates: Wednesday, February 15, Tuesday, February 21, or Wednesday, February 22. Pres. Handlan stated February 21 is the SPI meeting. C/P Anderson asked if this is different than Town-Gown with the Safety Committee and students. Pres. Handlan stated the meetings are structured differently now, but they include the Safety Committee and the Community Affairs Committee, the Mayor, Chief Garlock, the Borough Manager, university students, the Dean, and the Director of Public Safety. It is different from the committee that C/P Herb is involved with and it does not include all Council members. Mgr. Bickhart stated February 22 is a Planning Commission meeting. It was decided to try to have the Town-Gown meeting on Wednesday, February 15 at 7:00 p.m.

Ross Charles' Swimming Pool Request – Mgr. Bickhart reported that Ross Charles has a property at Susquehanna and University Avenues. He would like to be able to build a swimming pool on his property. He is in an R1 zone and currently is at the maximum impervious coverage for his property. Mgr. Bickhart and Janet Powers discussed this with Mr. Charles and they did not suggest a variance. They suggested he might consider rezoning because the properties to the west of his are all owned by Susquehanna University and after about four properties there is an RSP zone which could be extended down to his intersection. By doing so the impervious recovery requirement in R1, which is 25%, could be changed to the R3 requirement, which is 45%. Mr. Charles may be pursuing this with the Planning Commission. Pres. Handlan asked about the likelihood of this being approved by the Planning Commission, stating that she hopes it would not be approved. Mgr. Bickhart stated this would be more consistent with the way the properties along University Avenue on that side of the street are being used. They are fairly small lots that probably had more than 25% impervious coverage from the day the zoning was adopted, meaning that the properties were immediately nonconforming properties. They are more consistent with an R3 designation. Going back along Susquehanna Avenue there are larger lots where it is a classic R1 type of density. C/P Mengel stated the properties were all R1s prior to Susquehanna buying them. Mgr. Bickhart stated that Mr. Charles has an issue and rezoning is one way to try to resolve it. It does not constitute a variance. Solicitor Cravitz agreed, stating it is not a hardship caused by the lot. Mgr. Bickhart stated Mr. Charles has the burden to make the proof. He stated these things typically come to the Borough first, who then refer them to the Planning Commission. To save time, Mr. Charles would like to go directly to the Planning Commission. He spoke to Gene Kreamer, a surveyor from Kreamer who did some surveying for Mr. Charles, to gather some documentation on the existing impervious coverage. C/P Anderson stated the Planning Commission would make a recommendation to Council.

SELINGROVE MUNICIPAL AUTHORITY – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – No Report

NEW BUSINESS:

COUNCIL MEMBERS – C/P Reuning reported the Public Facilities Committee will meet on February 16 at 10:00 a.m. to work on the sidewalk issues.

MAYOR – FEMA Training – Mayor Carroll reported that Dave Nichols at the 911 center made him aware of training for the street crew, Council persons and others. This is the NIMS. It should start off with the IS700. He stated he can get the books ahead of time and the test can be taken online. He will find out more information on this.

OTHERS – Carson Moyer – Mr. Moyer stated that Malcolm Derk is running for the office of state representative for the 85th district and would appreciate any support.

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 10:02 P.M. for discussion of a personnel matter and some litigation. Council meeting reconvened at 11:37 P.M.

ADJOURNMENT:

Deleted: ADJOURNMENT

With no additional business, **Motion by C/P Herb** and **Second by C/P Anderson** to adjourn at 11:37 P.M.

Attachments: None