

**Multi-Municipal Rec. Advisory Committee meeting - Monroe Township
SELINGSGROVE BOROUGH COUNCIL MEETING**

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

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

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor P. Carroll; Police Chief T. Garlock; Borough Treasurer Sheri Badman; Recording Secretary D. Long; DH&L Representatives Dawayne Betzic and Ken Stettler; Daily Item Reporter Marcia Moore; Borough Employees Michael Moyer and Janet Powers; Borough Residents Andrea and Gerald Dorsey, Paul Helwig, Ken Mease, Dee Moyer, Joseph and Margaret Siro; SEDA-COG Representative Bill Seigel; Selingsgrove Chamber of Commerce Representatives Diane Alderson, Shane Ulrich and Pamela White; Jerry Valentine for the Trahers

OTHERS ABSENT: None

CALL MEETING TO ORDER:

Pres. Handlan called the meeting to order at 7:00 P.M. Mgr. Bickhart called the roll, with all C/Ps present.

COUNCIL MEETING RECESSED AT 7:01 P.M. TO AN ADVERTISED FINAL PUBLIC HEARING

Presentation by Bill Seigel on FFY 2006 CDBG Funding – Mr. Seigel reported that the 2006 allocation of the entitlement grant program from the U.S. Department of Housing and Urban Development through the Pennsylvania Department of Community and Economic Development for the Borough of Selingsgrove is \$115,401. He reported on the proposed projects as follows: Reimbursement to the Borough from Pine Street Reconstruction - \$69,000; Curb and Sidewalk Grant Program for income-eligible homeowners - \$20,000; Removal of Architectural Barriers per the installation of curb cuts - \$8,781; Administration Fees - \$17,620. He then summarized the resolution of the Borough of Selingsgrove, which authorizes the submission of an application to the Pennsylvania Department of Community and Economic Development to apply for FFY 2006 Community Development Block Grant funds. Whereas it is necessary and in the public interest of the Borough to receive these funds; whereas Borough Council has the authority and the responsibility under Pennsylvania Act 179 to apply for and utilize these funds; whereas the Borough Council has undertaken considerable community participation process culminating in the development of a Community Development Plan, including the application; whereas Selingsgrove Borough is familiar with the requirements of the program that are included in the Statement of Assurances; and whereas Selingsgrove Borough desires to apply for these funds it is therefore resolved by the Borough Council whose President is authorized to have prepared by the SEDA – Council of Governments staff the necessary forms and documents to submit an application and being further resolved the Community Development Plan developed as a result of the process is hereby adopted, and finally being resolved that the President of Selingsgrove Borough Council is empowered to place her signature on behalf of the governing body on the necessary forms and to affix the seal of the Borough of Selingsgrove.

There was no public comment or discussion on any of the proposals.

COUNCIL MEETING RECONVENED AT 7:07 P.M.

Motion by C/P Anderson to approve CDBG Application for FFY 2006, authorize the President and Secretary to sign all documents related thereto, and accept proposal from SEDA-COG for the administration of the FFY 2006 CDB Grant. Seconded by C/P Inch.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF February 6, 2006:

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

VISITORS TO BE HEARD:

Borough Police Chief, Thomas Garlock – Presentation of Police Report for January 2006

Hiring and Utilization of Part Time Police Officers – Chief Garlock stated he is taking applications for part-time officers. While the extra staffing for vacations and holidays is a help, this will not allow full 24-hour coverage for the Borough. Also it may not help when a full-time officer calls in sick because getting someone to cover on such short notice can be a problem. Pres. Handlan stated if anyone has comments or questions they can send an email to her and Mgr. Bickhart with a copy to Chief Garlock. Mgr. Bickhart reported that Chief Garlock is suggesting having the names of four to six officers on a part-time list. The process will be that Chief Garlock receives applications and will then give Council a list of suggested part-time officers. The Council will then need to approve the individuals on the list and cover those people by name with insurance at a cost of \$1,200 per officer. The compensation for a part-time officer is currently \$9 per hour according to the union contract with the police department. This goes back many years and has not been amended. A more realistic rate of pay is \$11 per hour and Mgr. Bickhart feels the union will be agreeable to changing only this part of the contract. In the beginning of the COPS Grant era – 1988 or 1989 – the Borough had hired a part-time police officer, stipulating he would be paid \$9 an hour for the first year, \$10 for the second and \$11 for the third. Therefore, by past practice through this grant the Borough has paid other than \$9 an hour for a part-time police officer.

DH&L Fire Company, Ken Stettler – Ken reported there were 27 incidents in February as follows: 1 automatic alarm, 1 CO alarm, 1 standby assignment, 1 vehicle accident with extrication, 3 false alarms, 4 good intent service calls, 1 HazMat call, 5 miscellaneous fires, 2 local alarms, 4 structure fires, 3 water rescue recoveries and 1 flooding. The incidents occurred as follows: 2 in Middlecreek Township, 4 in Monroe Township, 3 in Penn Township, 8 in Selinsgrove, 1 in Shamokin Dam, 4 in Union Township, 2 in Washington Township and 3 in Washingtonville. The loss within the jurisdiction was \$0.00. February man hours total 651. Ken clarified that the Washingtonville incidents took place at the PP&L Power Plant's Montour Preserve for the boating accident.

Mgr. Bickhart reported that at the last DH&L meeting the fire company rescinded the action to loan the social club \$20,000 putting to rest the public concern that has been expressed over this potential action. He explained that several months ago the social club had indicated that they might need some additional money for operating expenses. A vote was taken to loan them \$20,000 from the building fund if needed. The money has not been needed and the fire company has now rescinded that possible loan. Due to the extensive discussion on this, Mgr. Bickhart, Pres. Handlan, C/P Mengel and Mayor Carroll went to the fire company meeting to find out what exactly was going on in order to answer questions. The questions were answered satisfactorily a month ago and at this past meeting the action was totally rescinded. The action does not have anything to do with going ahead with the social club. Pres. Handlan asked if a buyer was found for the steel and Ken replied that one has not yet been found.

Selinsgrove Area Recreation, Inc. (SARI) on Swimming Pool Renovation Project – No one from SARI was at the meeting, but Pres. Handlan reported they did have a meeting last Tuesday.

Pamela White, Selinsgrove Chamber of Commerce – Pamela reported that she is at the meeting tonight to present a check to Borough Council for the difference between the grant funds for the streetlight project and the final bill amount. Shane Ulrich presented a check for \$11,011.40 to C/P Inch. Pamela stated the Chamber is delighted to have some extra money to move forward with the next phase of the project. C/P Hetherington stated that he had publicly expressed his doubts and he now wished to publicly commend the Chamber for their efforts, stating that he is proud of them and that it takes more than just

the people at the Council table. He thanked the Chamber for their efforts and told them not to rest on their laurels but continue to move forward. Pres. Handlan stated that with the Borough Council, the Selinsgrove Chamber of Commerce and Selinsgrove Projects Inc. all working together the Borough has a bright future ahead.

Jerry Valentine for Traher Property Sewer Connection Issues – Mgr. Bickhart reported that the University Avenue sewer project is on again. The preconstruction conference and the beginning of construction have taken place. He has written a letter to the property owners notifying them of this and reminding them that they need to make individual arrangements to have their plumbing connected to the new sanitary sewer. The Siros and the Hesses on the first two properties had originally come out the front of the buildings and will continue to do so. The Vascellaro property is a mixed bag. The fourth property of Susan Huffman had to have the plumbing reversed in the house to go from the back to the front. She has made arrangements to have this done. The fifth property is the Traher property, which proposes the most difficulties. Currently their plumbing goes out the back of the building below the footer, which makes it difficult to replumb things to get them to the front. Jerry Valentine asked Council two months ago to consider extending the sanitary sewer approximately 30 feet to get to the west side of the driveway. He had also asked that the sanitary sewer be deepened by two feet, making it possible for the Trahers to rearrange the plumbing to get into the sanitary sewer extension by gravity, which is the best way. Two months ago the engineer's cost estimates were given to Council and it was tabled to allow time to consider Jerry's requests. Tonight Council needs to make a decision on what they will authorize the engineer to do and who will pay the additional costs. The original memo from the engineer showed a cost of \$2,360 to extend and deepen the sanitary sewer. There would also be an additional cost to acquire additional easements in order to avoid a gas main. The engineer is proposing to shift off into the yards a little bit with the last section in order to avoid the gas main and get deeper. Solicitor Cravitz stated the additional costs will most likely be a couple hundred dollars. Jerry Valentine stated if the engineer would deepen the line just a foot from its present location he could make it work. There was some discussion of whether the Borough would pick up the additional cost and Jerry stated that the Trahers would probably not want to pay the additional cost. However, if the Borough is able to stay on the side of the driveway that was originally in the plan then the easement will not have to be widened. Mgr. Bickhart stated this would change the engineer's estimate, making it less expensive, possibly around \$1,520. C/P Herb stated the question that needs to be asked is what is the Borough's responsibility to its citizens? Solicitor Cravitz stated the contractor will come forward with a change order when Mgr. Bickhart tells him about this. The Council will then approve the change order, or they could approve it now provided it falls within a certain cost parameter.

Motion by C/P Hetherington to authorize the engineer to issue a change order to deepen the sewer to the degree necessary to accommodate the Trahers' lateral without an extension. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Jerry Valentine asked for clarification that the Borough would pay the cost of this, as he and the Trahers feel they are having a burden placed on them to connect to a new sewer line when the present one is working just fine for them. Council verified that they will pay for this. Mgr. Bickhart asked Jerry to let him know as soon as possible how much deeper he wants the sewer to be at that location.

Hear Conditional Use Request of Andrea Dorsey – Mgr. Bickhart reported that the Borough Planning Commission heard the Dorseys' conditional use request to waive the requirements for off-street parking. Their application indicates that they rent the property at 602½ South Market Street, which is a separate dwelling in the rear of the property, and they would like to have permission to have a daycare, stipulating a maximum of three children in the daycare. They do not have the opportunity to provide any off-street parking. The Planning Commission recommends that this be approved on the condition that the Dorseys do whatever they can to have their clients drop off the children off of Market Street. There is an unopened alley off of Stauffer Avenue which would be the most convenient way to do this, but it would involve rights to cross properties which the Borough cannot give. The property owner on the corner attended the Planning Commission meeting and was in agreement with the proposal with the drop-off condition. C/P Anderson stated with only three children there really is no need for additional parking as

there is no additional staff. She stated it made sense to facilitate this request. Andrea Dorsey will have full licensure to run the daycare.

Motion by C/P Anderson to approve the Planning Commission's recommendation. Seconded by C/P Mengel.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Report on the Cooperative Agreement with SU Pertaining to Recycling – Borough Recycling Supervisor Michael Moyer drafted a letter stating some concerns with Susquehanna University students volunteering to help at the recycling center on the Saturday. Mgr. Bickhart drafted a letter responding to Michael's concerns. Council has copies of both letters. C/P Hetherington asked if the Borough has any liability in the case of a university student being injured while working. Solicitor Cravitz stated that theoretically the students are not working for the Borough; they are volunteers. If they get hurt on Borough property they would be covered by the Borough's property liability insurance. Mgr. Bickhart called the insurance company and they said that volunteers working for the Borough have the same status as people who come to bring their recyclables. They are covered by the liability insurance because they are not employees. The volunteers could become employees and be covered that way but they are not seeking employment status. Mgr. Bickhart stated that the university currently does not have an outlet for recycled materials and they are in the process of increasing their recycling program on campus. The Borough provides the facility for them so that they know they can collect glass and plastics and have a ready means of disposal. Pres. Handlan stated this is being done by two of the student-run organizations, SAVE and a geology program. Mgr. Bickhart stated he was hoping that this would also work in conjunction with the university's baling of cardboard, which would help the Borough out. However, the Borough found out about it a little bit too late. The university has found that there is currently a market for cardboard and the return is good if you can bale it. The Borough has a roll-off that takes away the cardboard to be broken down but the Borough gets nothing for it. C/P Hetherington asked whether residents are being overcharged for the drop-off, as Mike is saying one thing and Mgr. Bickhart is saying something else. Mgr. Bickhart replied that he does not disagree with Mike but he does not feel now is the time to look at it. At the end of the year during the budget process this can be addressed. Sheri had stated that the budget proposes to end the year with \$20,000 due to budgetary carryover. The actual amount in the budget is \$10,000 or \$11,000. Generally there will be a surplus through the year so it is best to wait until the end of the year to evaluate this. Pres. Handlan stated she went to the recycling center on the Saturday that the students were working and they completely unloaded her car for her. This is an excellent service for senior citizens. The students identified themselves as SU students who were volunteering. C/P Reuning stated this is a good way to work cooperatively with the university. Janet Powers stated that Mgr. Bickhart mentions in his letter that he had discussed this with her. She stated that he only mentioned it to her briefly and she was not a part of any discussion nor did she meet with anybody from Susquehanna. She stated that she has been doing this job for 15 years, she set up the recycling center, she got the grants, she got the roll-offs, and she was left completely out of this discussion. She stated it costs \$100 every time a roll-off is pulled and the Borough gets \$10 a ton back from the other grant. She stated the roll-offs usually leave with 1½ tons on them, so the Borough is losing about \$85 for every roll-off. Janet stated that in many cases Mgr. Bickhart will say that he discussed something with her but he does not report to Council what Janet says about an issue. He makes it sound as though they were in agreement on something, which often is not the case. She stated she does not want Mgr. Bickhart talking for her. Mgr. Bickhart stated he did not say that they were in agreement. In the morning sessions in the break room Janet's opinion was that she did not see why this should be done at all. He stated that based upon that he decided Janet was not in favor of this and he proceeded to follow up on it on his own. He stated he will not get into a discussion at a Council meeting with one of his employees about what is done in the office. Pres. Handlan asked Janet if she and Michael are in agreement on the amount of money being lost. Michael's analysis is that the Borough is losing about \$220 a year. Janet replied that it depends on how much Susquehanna will bring to the recycling center. She is concerned about the new bar that is opening up and how many beer bottles will come from there. Pres. Handlan stated it will take some time until an accurate figure can be determined. The important thing is that the Borough is trying to build relationships and connect with the community. Some things may cost more in money but the benefits in other ways can be dramatic. C/P Anderson stated it only

costs more if there are additional roll-offs. The arrangement Mgr. Bickhart made with SU will not allow them to overflow the roll-offs. The recycling program run by the student groups at the university is not the university's recycling. It is the recycling that is done out of the residence halls and it will be mostly aluminum cans. She stated she would be surprised if it results in being a major cost factor to the Borough. Mgr. Bickhart stated he documents in his letter that there will be savings to the Borough, which comes from not having to pay an employee five hours of overtime once a month. There are other savings having to do with workers' compensation and some of the insurances, whose amounts are multiples of wages paid, so the savings are wage costs plus other elements. He estimated a savings of \$600 for just nine months of the year. Taking the quantity of the materials that SU is proposing to bring, the additional pulls over the period of a year can be calculated. There is not a roll-off just for SU; their materials are intermingled with the Borough's materials. He has taken the \$100 per pull into consideration for each additional pull over a year and the Borough is still significantly on the plus side. C/P Mengel asked who is supervising the students on Saturday. C/P Hetherington also stated that someone should be in charge of them. Pres. Handlan stated that the two faculty advisors for each of the two student groups involved in the recycling program supervise the students. Mgr. Bickhart stated that the advisors have a key to the recycling area and they open and close the area on Saturday. C/P Reuning stated the students are responsible volunteers who do not need to be supervised. C/P Hetherington stated he feels the Borough is wrong by not having someone in charge, someone who will be responsible for what happens. If anything happens the Borough will be responsible because it is the Borough's recycling facility. Mgr. Bickhart stated the volunteers' directions are to open the containers, put up the signs and be there to supervise that recyclables get put into the correct containers. At the end of the day the students are to take the signs down, lock the containers and go home. The students have done this the one time they were there. C/P Mengel stated she is concerned that Council is hearing about this entire situation after the fact, as has happened in the past with other issues. Michael Moyer stated he was there the Saturday the students helped. He stated three students were late and one person came on time. One student left five minutes early, before he had a chance to show her how to close things up. Pres. Handlan clarified that there was still someone else there to close up. Michael stated there were green bottles mixed in with the brown bottles. Pres. Handlan asked how Michael knew it had happened on Saturday. She said when she goes on Thursday things are mixed up; it can happen to anybody, not just the students. Michael said on Thursday evening when he closed up he looked at everything to be sure it was right. He said the student had trouble closing the trailer and needed help. He stated if he works on a Saturday he can do other things when the recycling is slow; he can work in the shed, clean trucks, etc. He stated if it snows on a Saturday the lot needs to be cleared off and kept clear for the safety of the public. He stated the students will not be doing this so the Borough employees will be down there anyway. Pres. Handlan stated the employees would be there regardless cleaning the snow. Michael stated he could clear the snow and watch the recycling. C/P Anderson stated she is hearing Michael say that he is objecting to volunteers being there at all, whether they are SU students or anyone else. C/P Herb stated that if Council were to actively discourage any form of recycling they are doing a disservice to the community in general. He stated he could have some sympathy to the argument that volunteers may not be the answer. However, he would like to see what would happen after a longer test of the effectiveness of the volunteers and the cooperation between the Borough and the university. After some more time the situation can be assessed to see whether it will work to continue the program. Janet Powers stated the only way to correct the financial part would be to have SU pay for the privilege. If SU brings recyclables the Borough has to pay to pull it. Michael stated that the Borough is required to do curbside recycling because the student population puts the Borough over the population limit. Janet agreed with Michael, stating that because the Borough has over 5,000 in population they are required to do curbside recycling. If the 1,800 SU students were removed from the total the Borough would be below 5,000 in population. She stated the Borough is required to do the recycling but she does not feel the Borough should do it free for an institution. She stated the Borough residents have a fee on their water bill for recycling but Susquehanna pays nothing and they will be bringing their recyclables to the Borough for disposal. Michael stated that the student volunteers will not be able to judge how much more a container will hold if it is close to being full. This may result in containers being over full. He stated he knows how much the containers will hold. The No. 1 plastics are pretty full now but as far as the Borough residents he knows the container can go another week. If SU comes in and puts in a lot of plastic there will not be enough room for the residents' plastic. He asked how SU will know how much is coming in front the public as opposed to what they are putting in. C/P Herb asked if there is some type of schedule from SU as to

what they will be putting in when and Michael replied that there is not. Mgr. Bickhart stated that he spoke with Mike and asked him what his concerns would be. Mike stated his concerns were with adding materials and judging how much longer a container could be used before having to be pulled. Mgr. Bickhart then went to SU and asked if the Borough can dictate when they deliver there materials so there will not be a problem. In this way the Borough can have the materials from the university added at a time when a pull is scheduled, meaning that the material will cost the Borough nothing to deposit. The university is willing to work with the Borough so there are no problems. The university has a key so that they can bring the materials whenever it is convenient for them, providing it does not create a problem for the Borough. Janet asked how the Borough will keep track of what the university is bringing, if they are bringing it whenever they want. Mgr. Bickhart replied that the university has agreed to keep a record of the quantities of materials they bring every day that they bring it so that the Borough can have a record of it. Pres. Handlan stated the university needs to record this information anyway for their own purposes. C/P Mengel asked if the university should contact Mike before every time they want to dump and Mgr. Bickhart replied that the university is willing to work out a schedule and do the dumping whenever the Borough directs them to do so. If they dump at a time that causes a problem the schedule will be adjusted. Janet asked what will be done with Penn Township and Mgr. Bickhart replied that nothing is being done with Penn Township. Mike stated that Mgr. Bickhart's letter says that the Borough is thinking about selling permits to non-Borough residents. Mgr. Bickhart replied that this is true but nothing has been decided yet. Janet asked if Council was aware that Mgr. Bickhart was looking into selling permits and opening the facility to everybody in the area. Mgr. Bickhart stated this is something that has been discussed for over a year in the recycling meetings. C/P Herb stated this is not the time or the place to discuss this issue. He suggested holding a work session. C/P Anderson asked which committee the recycling would fall under. Pres. Handlan stated it would fall under Borough Administration - Property and Equipment, which is C/P Mengel's committee. C/P Anderson stated she is dumbfounded by the objections because Council's goal should be to have the maximum amount of recycling occurring. It may make sense in the long run to sell permits to make this happen. Pres. Handlan stated this would also generate some additional revenue. C/P Mengel stated her committee would meet with the recycling people on this issue. Pres. Handlan thanked Michael and Janet for bringing this to Council's attention and sharing their information.

Margaret Siro asked if there is a chain of command for Borough employees to follow if they have a complaint and if their issue is not resolved what recourse the employee has. Pres. Handlan stated the employee goes to his superior first. She stated that in Michael's case he brought the issue to her attention. She stated she had not heard about any issues from Janet. She stated she has made it clear to all Borough employees to bring any issues to her and if necessary she will bring it before Council and the necessary committee. C/P Anderson stated that she chairs the personnel committee and tonight is the first she has been aware of any of these issues. She suggested having regular personnel committee meetings and as chair she could have a meeting with each employee. Pres. Handlan stated she would recommend doing this. C/P Reuning stated there definitely has to be a chain of command because if employees go off in opposite directions a chaotic situation will result. Janet stated that is the point she was trying to make. C/P Reuning replied that Janet is partly responsible for that, and he stated he will talk with her about that sometime. Pres. Handlan stated Council cannot undermine the Borough Manager and Council cannot be involved in every single thing that goes on every day in the Borough. She meets with Mgr. Bickhart on a regular basis and he brings things to her attention. She then provides updates to Council as needed. She stated she is working on opening the channels of communication so everyone knows the proper process and how to handle things.

UNFINISHED BUSINESS FROM PRIOR MEETINGS:

Review List of Council Issues – Mgr. Bickhart stated most of the information is from the engineer pertaining to the Sassafras Street project and the University Avenue project. The interceptor project does not have metering occurring because of electric service to the meters, which should be resolved this week. The University Avenue project was started today and they expect to be done in a couple weeks. He stated the revisiting of the sewer rates was scheduled for March.

Authorize Execution of Agreement with PA Fish and Boat Commission – Mgr. Bickhart stated Council had been concerned about the documentation in the agreement which indicated that the Borough was proposing to build two concrete block restrooms. He sent a letter to Scott Bollinger from the Fish and Boat Commission indicating that Council would like to evaluate alternatives and decide on a course of action. Scott asked Mgr. Bickhart for a breakdown of the distribution of the \$88,000 grant monies, which Mgr. Bickhart provided to Scott and to Council. Scott called Section 22 of the agreement to Mgr. Bickhart's attention, stating that it would be appropriate to utilize that section for the purposes outlined by Mgr. Bickhart. The Borough can adjust the scope after adopting the agreement. In Mgr. Bickhart's final letter he asked Scott to focus on Section 22 in order to satisfy Council's concerns and allow the agreement to be approved as it was submitted to the Borough, allowing the scope to be revised as the project proceeds.

Motion by C/P Anderson to authorize the execution of the agreement. Seconded by C/P Mengel.

AYES: SIX (6)

NAYS: ONE – C/P Hetherington

MOTION CARRIED

Suzanne Kaufman Water/Sewer Bill Issue – C/P Mengel asked whether this has been resolved. Pres. Handlan stated Ms. Kaufman sent a thank you to Council for hearing her at the last Borough meeting. Fortunately, since her cellar has a dirt floor it was determined that she did not have to pay the sewer portion of the bill. This saved her \$900 out of her total \$1,500 invoice. Mgr. Bickhart stated Ms. Kaufman had to pay for the water that she used, as the Borough has no way to credit that. This was resolved before the penalty took effect so there was no penalty issue.

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: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – One request from Helen Solomon, deceased, for 2005.

Motion by C/P Hetherington to grant exoneration. Seconded by C/P Mengel.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Reuning, Chairman – C/P Reuning reported that the committee met regarding the sidewalks and decided to adopt, with some adjustments, the ADA recommendations. He recommended that the Borough begin as early as possible, depending on the weather, to ask people who have sidewalk blocks that are totally gravel or whose blocks are out of alignment by 3 inches or so to replace them. Mgr. Bickhart stated he will try to restate the ADA requirements so that they can be measurable. The current policy talks about sidewalks needing to be replaced if two cracks intersect. Those cracks could be hairline cracks which result in no distortion and no imperfection whatsoever. The current Borough policy states that that slab would have to be replaced and there are other generalities in the way the existing policy is stated that makes it difficult to measure. Mgr. Bickhart has gotten samples of standards from other municipalities and put them together. Lewisburg has no such standards. The bottom line on sidewalks in the Borough is that they are what ADA would call accessible routes and they are required to meet handicapped accessibility requirements. The Borough has spent money making intersections handicapped accessible. When the ADA requirements are applied it sets a standard that is really severe. They would talk about two slabs being offset vertically by no more than a half an inch. Mgr. Bickhart stated the Borough has a mandate to follow ADA, but the suggestion was made today that maybe they could talk to Jeff Whitman, who is a resident of

Selinsgrove. He had contacted the Borough in the winter because of the snow. He is a reasonable person who is handicapped and would have some insight into the practical side of following the ADA. Mgr. Bickhart stated he is concerned about trying to enforce anything in violation of ADA on sidewalks because that is a standard that will be violated on probably every property. Solicitor Cravitz stated that once the Borough starts they have to finish. If that door is opened the entire Borough will have to be made ADA accessible across the board. Right now the Borough is limited to just the curb cuts and getting people up onto the sidewalks, and the sidewalks are deemed to be the owners' responsibility to make sure they are passable. If the Borough starts enforcing the ADA then a big chunk of the budget will have to go toward improvement and people will have liens put against their properties to pay for the work. C/P Reuning stated he does not see a problem with the Borough requiring someone to replace a block of sidewalk that is dirt or disintegrated concrete. Solicitor Cravitz stated it should be fine if the Borough sets a standard that the sidewalk must be cement rather than gravel. However, if the Borough says it has to be done because of ADA requirements then everywhere in the Borough will have to be made accessible. He stated he has run into this with fairgrounds that have some sidewalks and some gravel. If someone in a wheelchair gets stuck in the gravel they can bring a lawsuit. He can cite case law where the organizations had to either give up their carnivals or pave the area. He warned Council to be cautious on how they approach this. C/P Reuning stated his concern is with the blocks of cement where people could stub their toes. Mgr. Bickhart suggested starting out with a crude assessment of what is safe or unsafe. He stated this needs to be in writing in order to have it applied equitably across the board. He does not want a set of regulations that are ambiguous and will be subject to interpretation as time goes by. He wants Council to be in agreement on this. As an example of the refined ADA requirements, he cited an ADA requirement of a cross slope on sidewalks. If this were applied to the Borough sidewalks it would be half the slope of what the Borough has been recommending as design standards for decades. C/P Reuning stated the committee is still working on the standards and will bring them to Council when they have something finalized. He encouraged Council members to go for walks and pay attention to the sidewalks and report back to his committee. Mgr. Bickhart stated he would talk with Jeff Whitman to get his opinions also.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Mengel Chairwoman – No Report

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

Recommendations pertaining to the use of the Pump House by Kiwanis – C/P Herb stated the committee met to discuss this, but they did not have some necessary information at the time, such as the cost of heating and air conditioning the pump house for the Kiwanis' weekly meetings, every Wednesday around noon. Sheri has supplied that information and the average daily cost of utilities for the pump house over the course of this past year was \$6.24 per day. The committee will meet again to come up with a suggestion to make to the Kiwanis. In addition to a nominal payment, which the committee feels might be appropriate, Kiwanis has offered to provide service to the community, perhaps in the form of grounds maintenance at the pump house. This is significant as the cost of maintaining the grounds there is well over \$1,000 per year. The committee will meet with some Kiwanis members to find out their definition of what will actually be maintained. The committee will then draft a proposal for the Kiwanis and for Council for approval on both sides. The proposal will be as simple as possible. He stated the other agreement was very comprehensive, reflecting the fact that the Kiwanis had restored the property and had virtual sole responsibility for the use of the property. That responsibility has now reverted to the Borough. Next month there should be a proposal to submit to Council. C/P Reuning stated the Kiwanis will have to work around the summer concerts. Sheri stated that there will not be Wednesday concerts this year, as many of the people had prior commitments. Mgr. Bickhart stated the Kiwanis had an agreement which was in essence a 99-year lease. The Kiwanis had sole responsibility for the pump house and the Borough had nothing to do with it. This was in return for all the improvements that were made, because the Kiwanis took it from a working abandoned pump house to a club house, with a kitchen and other materials. When the Kiwanis disbanded they turned it back over to the Borough, who then began paying the bills and operating it. In deference to the effort that the Kiwanis made to make the building what it is they deserve a lot of consideration and the committee is working through this. The

Borough realizes approximately \$1,200 per year in revenues from other organizations, which helps to offset the utilities, but it is still an underutilized facility.

PERSONNEL MANAGEMENT COMMITTEE: C/P Anderson, Chairwoman – Pres. Handlan asked if C/P Anderson will let Mgr. Bickhart know when she schedules meetings with the employees. She also asked if C/P Mengel would do this with her committee meetings also.

PUBLIC SAFETY COMMITTEE: C/P Hetherington, Chairman – C/P Hetherington stated the committee met on February 13 with C/Ps Hetherington, Herb and Inch, Mayor Carroll and Chief Garlock present.

Speed Limit – At the meeting Mayor Carroll requested that the speed limit on 18th Street be lowered from 35 to 25 mph. After much discussion of 18th Street as well as other streets within the Borough, the committee is suggesting to Council that a Borough-wide 25 mph speed limit be adopted. Route 522, Market Street and Sassafras Street would be excluded because they are state routes. Gary Klingler checked on signage. Broad Street would require ten signs; 18th Street would require seven signs; South Front Street would require seven signs. There were a few others, for a total of 36 signs at an approximate cost of \$1,213.38. This does not include the price if posts would need to be replaced. Posts are usually \$35 to \$40 each. It also does not count labor, but the Borough employees are paid no matter what job they are working on.

Motion by C/P Hetherington that the Borough adopt a Borough-wide speed limit of 25 mph contingent on the money being available for the signage. Seconded by C/P Mengel.

C/P Hetherington stated that the police use VASCAR to enforce the speed limits. They are required to allow 10 mph over the speed limit. The thought in the committee was that if the speed limit is reduced to 25 perhaps the traffic will slow down to 35 mph, citing concerns especially in the areas of the schools and Front Street. C/P Anderson asked if 18th is the Borough's to do and C/P Hetherington replied that it is. She then asked where the current 25 mph areas are in the Borough. Mgr. Bickhart replied that the central part of Market Street is 25 mph, most of University Avenue, and every street that is not posted in an urban area is 25 mph by mandate. C/P Anderson asked if there is an advertisement period when a change such as this is made. Solicitor Cravitz stated there is one advertisement made one month before the change goes into effect. He stated an Ordinance will have to be drafted and it will have to be advertised for the next Council meeting. Mgr. Bickhart stated the Borough needs the concurrence of PennDOT. Solicitor Cravitz stated PennDOT has done away with the traffic study for Borough streets. Mgr. Bickhart stated the Borough could petition PennDOT to consider reducing the speed limits on their streets. Sassafras Street is the one that concerns him, with the crosswalk and the university crossing Sassafras for athletic events. Solicitor Cravitz replied that PennDOT will do their own traffic study for their streets. C/P Herb suggested considering this as a separate issue. It was discussed that the Borough cannot change the speed limit on Route 522 or the north end of Market Street. Mgr. Bickhart suggested asking for permission from PennDOT to reduce the speed limit on the block of North Market Street from the Episcopal Church to the railroad tracks. C/P Hetherington reminded Council that any speed limit enforcement lies with the police department and they cannot be everywhere at one time. Chief Garlock is in favor of lowering the speed limits. Mgr. Bickhart displayed a map showing the speed limits in the Borough. Pres. Handlan called for a vote on the motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

C/P Hetherington stated the committee had a complaint about the speed limit signage on Market Street. It was suggested that the 25 mph speed limit be extended to the railroad crossing and perhaps a sign could be put up as far north as the red light stating that there is a 25 mph speed limit ahead. If PennDOT will not change the speed limit maybe the Borough could get a sign at the railroad tracks that says 25 mph in order to warn people of the speed change.

Alley Behind Post Office – C/P Hetherington stated that the committee had a request to make the alley behind the post office one way. He stated this has come up through the years and it has always been decided that there is no easy cure for this. On University Avenue the mailboxes are set up for eastbound

traffic, but some people cross over so the driver can use the mailboxes. Most people go southbound in the alley because the mailboxes are on the driver's side. The way traffic moves now it makes it easier for the big mail trucks to get in to load and unload. The committee is recommending to keep things the way they are and to encourage people to be cautious at the intersection of the alley and University Avenue.

Signage at East Snyder Street – C/P Hetherington stated that the street signs on Market Street alternate between sides of the street. There is a sign for West Snyder Street but no sign for East Snyder Street, which is one way going east. C/P Herb stated that a person who is not familiar with the Borough may not realize what street this is because it is offset from West Snyder Street. Pres. Handlan stated this is an issue, especially with the curve in the road and the church being right there. C/P Hetherington stated that the cost of a street sign plus a new post would probably total about \$75. The Borough employees used to make the street signs themselves. He cautioned that while he is not opposed to putting this street sign in, if it is done more people may come forward requesting signs for other streets in the Borough. C/P Anderson suggested a survey could be taken to see where signs are needed in order to add them. Mayor Carroll asked if new street signs will be put up due to some of the street names being changed in the Borough. Mgr. Bickhart replied that there are a few signs that will be changed on existing poles. Solicitor Cravitz stated a motion does not need to be made to add a street sign in the Borough, but Council should direct Mgr. Bickhart to do this. C/P Hetherington asked Mgr. Bickhart to have the Borough employees add a street sign for East Snyder Street on Market Street.

South High Street Dark Area = C/P Hetherington reported there is a dark area on South High Street near L/B Water Supply. He stated one person made a complaint and he is not sure if it is a problem specific to that property, in which case the property owner is responsible. If it is a safety concern the Borough could install a light but then that might be too much light for a neighboring property. He stated the committee will do more research on this.

Tree Trimming – C/P Hetherington stated there are some trees that need to be trimmed around the street lights. He did not know if this was the Borough's responsibility or not. He stated there are some dark corners due to trees needing to be trimmed from lights. C/P Reuning stated PP&L will do trimming but it is only on their lines. C/P Hetherington stated this needs to be looked into.

Trucks and Motor Homes in Borough – C/P Hetherington stated the committee has sample ordinances, with some being very technical and some being very simple, regarding truck parking requirements. He stated the committee is recommending to let things the way they are now and to continue trying to send letters to the truck owners to see if they would park elsewhere. It would be a good idea, though, for the Borough to come up with a suggestion for where they could park. He stated some people use their automobile for work, some use a pickup, and some use tractor-trailers. The parking in the Borough is public parking. C/P Anderson asked how big of an issue this is and C/P Hetherington replied that the Borough has gotten more complaints the past year than ever before. The complaints are about various vehicles throughout the Borough. C/P Reuning stated it is a safety issue with some of them, as drivers cannot see up and down the streets. Pres. Handlan stated there is a piece in the current Borough newsletter which speaks to this issue. Mgr. Bickhart stated he is also trying to find some places along the curbs in places where parking would be less offensive. Pres. Handlan asked about the area south of town where people park tractor trailers and school buses. C/P Hetherington stated the owners of that property furnish electricity for the diesel engines, but he thinks there is a fee to park there. C/P Reuning suggested setting a size limit for trucks and motor homes that park on Borough streets. C/P Hetherington stated Council may want to consider setting a time limit for people who come to visit Borough residents in motor homes. He stated he has heard that some people on High Street are keeping dogs in a motor home. Some of the sample ordinances address motor home issues. C/P Reuning stated some motor homes are so wide that they take up half of the width of some streets.

East Sherman Street – C/P Hetherington stated there was a request to Council to prohibit parking in the area of the parking lot at the liquor store and cigarette store in order to help the trucks get in and out of Wood Mode. The committee did not discuss anything on this issue at its last meeting because he thought it was the street up at the other end. This will be discussed at the next committee meeting.

Engine Retarder Prohibition – C/P Hetherington stated he got a request from a woman that the Borough prohibit the use of engine retarders, or jake brakes. There are other municipalities in the area that have signs posted prohibiting their use. He stated the Borough should not make this prohibition on Route 522 for trucks coming down the hill to the traffic light. He stated the committee will discuss this at the next meeting.

Parking Issues – C/P Hetherington stated that snow clearing needs to be addressed before next winter. On a certain area of Orange Street people do not shovel out enough space and when they park it makes the street narrower. He stated he would like to invite Gary Klingler to some of the committee meetings concerning traffic issues. He stated it is convenient to have his meetings at night and asked if a Borough employee comes to a meeting when he is not working does the Borough pay the employee overtime. Solicitor Cravitz stated if the employee is there for the betterment of the Borough he should be paid for his time if he is required to be there. C/P Hetherington stated that Gary, as superintendent of the streets, can contribute to the discussions of the Safety Committee regarding these issues. He stated he will try to get as much information as he can during working hours and only invite Gary to the meeting as a last resort. Pres. Handlan also suggested putting Gary first on the agenda so he can leave more quickly.

TOWN/GOWN COMMITTEE – C/P Hetherington stated he attended the meeting, along with Mgr. Bickhart, C/P Herb, Chief Garlock and Mayor Carroll. The new university nightclub, Trax, will be opening in March. The building will stay pretty much the same except for some lights under the eaves and on the smokestack which will be on when the club is open. The students will be given tags to wear, and they will be allowed three beers, one per hour. The club will only be open to students of legal age. The university students and faculty complimented the Borough police department on the job they did the other week when all the problems were taking place in town. They said Officer Wolfberg was very professional and did a very good job. Community service for the students, such as cleaning up streets and helping senior citizens, was discussed. Approximately 400 students live off campus in 132 rental properties. C/P Herb stated the committee will meet again in May.

PLANNING COMMISSION: Earl Moyer, Chairman

Consider additional recommendations on revised Flood Plain Ordinance – Mgr. Bickhart reported that Perry Wilson has suggested some additional changes to the Borough's flood plain regulations. He stated the evaluation of these is a pretty weighty matter and suggested Council have a special meeting for discussion. One of the main issues is to define "minor repairs" for insurance purposes. Perry Wilson is recommending that the definition of minor repairs would include all of those things for which a person does not need a building permit from CK-COG or from the Borough to repair a property in a flood plain. Mgr. Bickhart has listed those details but suggested that when Council enacts the Ordinance they could just refer to the list without reciting it, because it is three pages worth of things that do not need permits. Another issue is to define "repetitive loss". Perry Wilson is suggesting that the Borough include the given definition in its Ordinance. Section 601 is the place where repetitive loss is actually mentioned. Other issues include some additional definitions that come from the fact that right after the Planning Commission was done with the Ordinance Mgr. Bickhart received flood plain maps and a new flood plain study with definitions that have changed. Council will need to take the maps and the study that goes along with maps and define the words that these documents use when finalizing the Ordinance. The phrase "100-year flood" has been changed to a "1% annual chance flood"; the phrase "500-year flood" has been changed to a ".2% annual chance flood". C/P Anderson stated she sat through this discussion with the Planning Committee and she agreed with Mgr. Bickhart in advising that the Borough Council have a work session to review the new map, which is a little alarming. After that the public will need to be informed of the changes. If the revisions are accurate people will have to think about Hurricane Agnes as a way of defining how much flooding there will be in the Borough. Anybody who has built property using the original flood plain map in use since 1982 who thinks they will be okay in the event of a flood may find that they will not be okay. Some people who do not currently have flood insurance may need to get flood insurance. C/P Reuning reminded Council that flood insurance does not cover water that seeps through basement walls. Mgr. Bickhart showed a map which indicated the significant changes to the flood plain, some as much as 4.75 feet from what people thought was true since 1982 to what is actually true. C/P Herb asked whether what has changed is what is being projected to happen given a certain situation

or what were the actual flood levels in 1972. Mgr. Bickhart replied that it is a little bit of both, but it is mostly a change in what people were led to believe would be the flooding in a 100-year flood. The information given to the Borough in 1982 was incorrect and anyone who has relied on it since 1982 has been relying on a significantly flawed piece of data. C/P Inch asked if computations were incorrect or if it has to do with the raising of flood walls upriver from Selinsgrove. Mgr. Bickhart replied that it is a variety of things. The most significant change in the calculations is that it is now understood that in the event of a 100-year flood the bypass will not provide the dike effect that people thought it would in 1982. All the water north of the Borough comes across the bypass and comes into the upper end of town, whereas the prior map thought the water would be kept out as though the bypass were a dike. C/P Anderson stated some of the change is the 3 inches that the water will be raised from the Luzerne County levee raising. Mgr. Bickhart stated this is probably the most insignificant factor. A much more detailed analysis was done of the shape of the cross section and it was much more carefully determined where this would be. There are implications even on the Isle of Que, which is not involved in the bypass being a dike. At the upper end of the Isle of Que the new maps show that the 100-year flood level is a tenth lower than it was predicted before. In the middle part it is 3/4 of a foot higher than was predicted in 1972. So Tony Butto, who built his first floor right at the 100-year flood plain level, could have 9 inches of water in his first floor in the event of a 100-year flood, provided that all the data is true. This is partly because of the Luzerne levee project and partly because of the remapping of the cross section and having a more accurate model of how the flow comes down through there. At the south end of the Isle of Que it is 1.2 feet higher, but Mgr. Bickhart is not sure why it changes so dramatically from one end of town to the other. No one has experienced a 100-year flood since Hurricane Agnes in 1972 so nobody knows if this is accurate, but everyone bases the figures on Agnes. The new mapping is not much different than what the reality was during Agnes. The main change is that due to the dike effect of the bypass, many people on the north end of Selinsgrove who thought they were not in the 100-year flood plain in fact are in the 100-year flood plain. Council needs to go over the information so that they understand it and then the public needs to have the situation explained to them. Based on the discussion with the Planning Commission, Mgr. Bickhart has asked Janet to prepare two lists. One would be a list of people who have gotten permits based upon the flood elevations in the 1982 mapping, such as Advanced Auto and Tony Butto. These people are owed a very careful warning that the data is now incorrect. The other list would be of people who have not done anything in all this time but who have now been determined to be in the flood plain when they were not before. Anyone in the 100-year flood plain who has gotten a mortgage in the past couple years was required by the federal government to have flood insurance. Those mortgages at properties that were not believed to be in the 100-year flood plain but which now are would not have been required to have flood insurance. However, as soon as Council adopts the new maps they will move into a category where they should have flood insurance. Mgr. Bickhart stated he has put together a notebook which will be kept on the Borough office counter for people to look through. He will go over it with anyone who has questions. After some discussion, Council decided to recess tonight's meeting to a work session on Monday, March 13 at 7:00 p.m.

ZONING HEARING BOARD: Glen Rohrer, Chairman – Minutes of meetings will be supplied for informational purposes when the Board meets.

CIVIL SERVICE COMMISSION: Dalton Savidge, Chairman – Minutes of meeting supplied for informational purposes.

PARKS AND RECREATION BOARD: Richard Norman, Chairman

Multi-Municipal Comprehensive Recreation, Parks and Open Space Plan Advisory Committee meeting – to be held March 8, 2006 at the Monroe Township Building.

SHADE TREE COMMISSION: Mark Vergauwen, Chairman – C/P Mengel stated she heard that a woman who had an accident on Market Street was charged for tree damage. She asked if anything has been done with the tree and Mgr. Bickhart replied nothing has been done yet. Sheri stated it will March or April until the tree can be replaced, as the weather has not been right to plant trees.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Pete Carroll – Mayor Carroll reminded Council of the open house at the police department on Saturday, March 25 from 10:00 a.m. to 2:00 p.m. The department is still waiting on some grant money in order to finish up some work. Refreshments are being donated for the open house and gun locks will be given out while supplies last. Mayor Carroll has asked for volunteers to come in to help out.

Mayor Carroll reported that Chief Garlock is keeping him up to date on activities in the Borough, such as the pending case involving the throwing of rocks. He stated the Trax nightclub at the university is having a grand opening on March 24, with a pre-opening for the administration on March 19. Mayor Carroll had a tour of the facility with Tom Rambo, who said they will be installing security cameras to monitor students. Mayor Carroll also stated he is working with Chief Garlock to get some part-time officers hired as soon as possible in order to cover when full time officers are off duty. He also reported that he is working on rescheduling some training that had been canceled as well as attending other training.

Mayor Carroll reported that he submitted a purchase order to get signage up on the new police department building. He checked with various companies and the Middle Creek Sign people, who put up the original sign on the Borough building, came in with the best price of \$1,685. This is not a budgeted item and he wondered if things could be moved around in the budget. Mgr. Bickhart replied that the problem with moving things around in the budget is that at this point in the budget year the Borough does not know where it stands. There was some confusion as to Council already taking action on this and Mgr. Bickhart reminded Council that they took action on the Omega Bank donation sign but not on the actual police department signage. He stated the old sign from the Borough building can be moved at any time. The oval sign is the expensive one. He stated just having the words "Police Department" on the building would be adequate temporarily and the financing of the oval can be discussed more toward the end of the fiscal year, which follows the calendar year. C/P Anderson asked if this could be paid for from the grant funds that are coming and Mayor Carroll said those funds are designated for security issues on the building. He stressed that the police department needs signage because it is such an important part of the community, and to let people know that they are no longer in the basement of the Borough building.

Motion by C/P Mengel to purchase the sign and rearrange the money to pay for it. Seconded by C/P Hetherington.

C/P Inch stated the Finance Committee does budget estimates throughout the year but it is too early in the fiscal year to know whether the \$1,685 will be available at the end of the year. Mayor Carroll stated he will seek some funds through community support donations. He also suggested putting the small sign that had been in the Borough building on the High Street side of the police department. C/P Anderson asked if the \$1,685 was for both signs, the lettered sign and the oval, and Mayor Carroll replied that it was, and it also included installation. C/P Anderson stated the sign company could do the lettered sign and hold off on the oval portion for now. Mayor Carroll stated the lettered sign cost is \$760 and the oval is \$925.

Motion amended by C/P Mengel to only do the lettered portion of the signage for a cost of \$760 and to move the sign that is on the front of the building to the High Street side of the building. C/P Hetherington rescinded his second to the original motion and seconded the amended motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

BOROUGH SOLICITOR: Robert Cravitz

Update on Borough Complaint against Andracchio and Martin regarding damage to traffic signal cabinet at Route 522 and Broad Street – Solicitor Cravitz reported that suit has been filed against Anthony Andracchio, who has been served, and Mr. Martin, who will be served by the Northumberland County Sheriff. He has not yet heard from the insurance companies, but the case will be proceeding.

Fire Company Loan – Solicitor Cravitz reported that the fire company notified him that their interim construction loan for building the new fire house ran out in November. They now want to get permanent financing and need to go through the same thing that they did back in November for purchasing the fire apparatus. Council needs to pass a resolution stating that the fire company is authorized to put their final financing in place for \$194,722, which is what is left from the initial financing. DH&L thought they would have enough money to pay off the loan through grants and other money coming from the state. They have come up short so now their interim financing ran out and the bank would like to have permanent financing. Otherwise the bank will call the loan for the full amount. The term will be 5.9%. The loan is tax free, which is why the fire company needs Council's cooperation.

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – PP&L will be in this week regarding the interceptor project. The startup of the flow meter is scheduled for March 16. The University Avenue project is beginning. The engineer is working on the street program and the alley program. There has been a semi-final inspection of the Streetscape project, with a punch list of items that the contractor needs to complete. This is a relatively minor list of things including painting some of the unpainted elements, such as bolt heads, brackets, etc. Temperatures prohibit the painting so those items are being held to be completed as soon as weather conditions permit. C/P Mengel asked where the issue stands on the Susquehanna University project with the stormwater retention in the parking lot. Solicitor Cravitz replied that the university has never gotten back to him on this. Mgr. Bickhart reported that the Planning Commission approved the land development plan for the addition of west halls with the condition that the university submit satisfactory evidence to the Borough that they will accept the responsibility of using a parking lot as a stormwater retention basin. The Borough is still waiting for that documentation.

Consider approval of reducing retained amount on Streetscape Project to 2x Engineer's estimate of costs to complete punch list – Mgr. Bickhart asked Council to reduce the retainage on the Streetscape project to two times whatever the engineer's estimate is for the completion of the additional work. Retainage on the contract is currently \$15,286.43, which is 5% of the contract amount. Over 99% of the contract has been completed so it seems unreasonable to continue to hold \$15,000 when the punch list has only \$500 worth of items to be completed.

Motion by C/P Anderson to reduce the retained amount on the Streetscape Project to two times the engineer's estimate of costs to complete the punch list. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for February 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 Complaint Update – Mgr. Bickhart reported that someone was opposed to the two-hour parking limit on East Pine Street from Strawberry Alley to Water Street, indicating that it is a residential area. This is by Ordinance so unless Council changes the Ordinance this will stand. There was a complaint by a landlord concerning a tenant that was living in an apartment without water service. The Borough discontinued the water service and there is a provision under the Property Maintenance Code to declare the property unfit for occupancy. This was done and the person moved out of the building, resolving the issue. Anna Kratzer had a complaint regarding the snow plows gouging her grass in Liberty Alley. Mgr. Bickhart explained to her that when there is a few inches of snow it is hard to tell where the edges of the alleys are and suggested she put something up to mark them. He has referred this issue to Gary. Someone called about a vacant property next door, wanting to know what the Borough can do about it. The property is up for Sheriff's sale, so this issue should resolve itself out in time.

Report on Cleon Bauman property, 309 South Market Street – Mgr. Bickhart reported that he is awaiting a letter from CK-COG regarding the order to demolish the building. He will call them and ask them to move forward on this.

Report on Earleen Wagner property, 441 Orange Street – Mgr. Bickhart reported that this is the property where Bob Wagner was electrocuted. Out of concern for Mrs. Wagner's ability to go back into the property that day, the fire company refused to allow PP&L to reengage the electric service. The fire company needs to be satisfied that there is no hazard before they allow this to happen. It is the fire company's decision and they said no. Mgr. Bickhart stated the fire company asked him to look inside and he agreed with them that it does pose some significant hazards of accumulation of flammable materials, obstructed exitways, etc. Unless Mrs. Wagner presented some evidence that she had someone who would look out for her Mgr. Bickhart was not interested in having her back in the property either. He spoke with her after a couple of days about the deteriorated nature of the property. Mrs. Wagner indicated that she wanted to find another place to live and that she did not want to live in her house by herself. She has been referred to Area Agency on Aging, which is trying to resolve her living arrangements. The Red Cross paid for her to reside in a hotel for a few days. That money ran out and Area Agency on Aging called, asking if they clean the property and bring it back to a less hazardous status and would be responsible for restarting the electrical system and the furnace and the heating systems and all of those things that restart when the power is restored, could Mrs. Wagner go back into the property. Mgr. Bickhart stated he was not now taking, nor did he ever take, any action that would bar Mrs. Wagner from being there. The Agency is now working on making the property livable and returning Mrs. Wagner to the property temporarily. C/P Hetherington reported that he heard a rumor that Mrs. Wagner was moving into High Street Manor. Mgr. Bickhart stated this would solve the problems. He stated he tried to work with her through what was not a pleasant circumstance for her. He wanted her to move in a certain direction and he encouraged her that way but the rumor in town was that he would not let her move back in, which was not true. She could have moved back in the next day if she had someone who would be responsible for her, but he stated he would not tell her she could go back into the property because she was distraught, her husband was gone, and she was incapable of living there alone and taking care of the systems. The oil burner does not work and they rely 100% on ceramic heaters that are plugged into an old tube and post electrical system in outlets that have too many things plugged into them. The electric service was changed but the wiring throughout the house was never changed.

Searer property update – C/P Mengel asked if extermination was done on the Searer property for the benefit of the neighbors and Mgr. Bickhart replied not to his knowledge. He stated he passed this along to CK-COG and asked them to impose the condition if they could, but apparently under the circumstances they could not. The primary problem was fleas, which are not as troublesome as rodents. He has not seen any sign of rats. C/P Mengel asked about the mold growing in the basement. Mgr. Bickhart replied the basement was emptied and power washed but there is no mandate to require people to treat mold. Ken and Carol Smith are the new owners and they have replaced windows and the roof, and have sided the property.

Report on issues with PMRS Pension Plan, including buy-back of P/T and Probationary Time – Mgr. Bickhart reported on a letter he received from PMRS and suggested referring this to the Personnel Committee. PMRS met with the employees, who expressed some concerns about buying back the six-month probationary period. If an employee began working for the Borough a number of years ago they had a six-month probationary period during which the employee was not eligible for retirement benefits. This changed and the Borough was required to issue retirement benefits immediately upon hiring somebody. The employees who were not eligible during the six-month probationary period are Sheri Badman, Richard Kline and Bob Wendt. The second category includes the employees who started as part-time employees of the Borough, who are not eligible for pensions. It would be a deviation from past and present policy to allow these employees to buy back their part-time service before they became full-time. This applies to Brian Beaver, Janet Powers and Brad Simcox. If either of these issues is of interest to Council, the proper procedure is to request PMRS to cost them out so that the Borough knows what the employee would have to pay and also what the Borough would have to pay. For a part-time employee, neither the Borough nor the employee is contributing to the employee's pension. If the Borough allows them to buy back their pension, then both the employee and the Borough would have to

contribute what they each would have had to contribute during those part-time years of service. Mgr. Bickhart stated this is a policy decision for Council to make and Council can decide whether or not they want to pursue this for the dollar figures involved. The answer right now under current policy is no, but Council can change the policy if they so desire. Sheri stated that all the changes being requested could have a significant monetary impact on the Borough. Pres. Handlan stated that as it pertains to the probationary period, the present employees have their pensions begin immediately whereas the three employees mentioned above did not have that opportunity. The part-time situation remains the same, both in the past and in the present. C/P Anderson stated this then becomes a fairness issue, as an employee hired now is required by law to be included in the pension plan immediately. Sheri reported that Chief Garlock would like to buy back a year's probationary period from prior service for when he worked for the Borough in the 1970s. Mgr. Bickhart stated he understood Chief Garlock to be asking PMRS if there is a record of him paying into the pension fund, not that he is looking to buy it back. He just wants to see if he is entitled to it. C/P Anderson asked if there is a legal requirement for Council to allow the full-time employees to buy back their probationary period. Solicitor Cravitz required that Council could play hard ball and say that is just the way it was when the employees were hired so they are stuck with it. Sheri stated that Council could still turn the request down after they find out what the cost is. Pres. Handlan directed Sheri to find out the cost for the probationary period buy-back but not to take any action on the part-time employees and to share those figures with the Personnel Committee.

Report on issues with PMRS Pension Plan regarding Police Killed-in-Service policy – Mgr. Bickhart reported that at one point in time Council considered a change in the law that in essence required the Borough to provide 100% of the ending salary to the spouse and/or dependents of a police officer who was killed in the line of duty. It has been determined that the legislature, when they passed that act, amended an act that did not apply to the Borough's pension because the Borough's pension is organized under a different act. Therefore, the Borough is not required by law to offer this benefit to the Borough police officers because they are covered by the PMRS pension plan. If Council wants the same benefit available to the Borough officers then they need to request PMRS to do an actuarial study to figure the cost of amending the Borough's plan to go to 100% of the ending average salary. C/P Inch stated that to his knowledge the Borough is covered by insurance for this. Mgr. Bickhart replied that the Borough obtained a policy, believing that it was going to function correctly. However, the PMRS agreement was not amended to make it work. At the present time the Borough is not paying the premium on the insurance policy because it would not do anything without amending the PMRS agreement. The insurance policy pays the premium to PMRS, who pays the beneficiaries. Sheri pointed out that all the Borough is required by law to provide is 50% of the salary. The Borough is exempt from the law requiring payment of 100% of the salary. Mgr. Bickhart reported that the Borough had picked up the insurance policy to cover the other 50% only to learn that that the PMRS agreement was not amended to accept the other 50% and to blend it with the Borough's 50% in order to pay out 100% benefit. He reported this was done because Council agreed that the Borough owes it to their officers to provide the same coverage as the municipalities that are not covered by PMRS. He stated in order to do this Council needs to ask PMRS to do the paperwork to make it possible and when the paperwork is completed then the Borough will begin paying the premium on the insurance policy again. He stated the Borough was paying the premium for a couple years before this problem was discovered. The Borough will not get a credit for these payments, which amounted to \$500 per year. Sheri stated that if the Borough does decide to go with 100% coverage for the officers, if an officer is making \$40,000 a year and he is killed in service, his spouse will get \$40,000 a year until her death. In addition to that, she will receive \$283,000 from the federal government, \$100,000 from the state and \$50,000 from the Borough. She will also receive the \$40,000 a year even if she remarries. C/P Anderson asked if the Borough pays this amount or if the insurance pays it. Mgr. Bickhart replied that it is a little of both. The Borough's provision had been that if an officer was vested after working ten years he would get 20% of his ending salary as his pension, whether he retired or was killed in the line of duty. Six years ago Council added a provision stating that if an officer is killed in the line of duty the family would get the maximum of 50% of the ending salary. However, PMRS did not cover that additional expense with an insurance policy because they are prohibited by law from doing so. Right now, if a police officer were killed in the line of duty, the widow would get 50% of his ending average salary for the rest of her life and the Borough's minimum municipal obligation every year would be recalculated to reflect that they now owe that much money back into the pension system. The amount is almost as if it is self insured and the Borough would pay it out over a long

period of time. Sheri stated that the Borough can make improvements to the plan but can never go backwards. Therefore, they can go elsewhere to get 100% insurance coverage. C/P Inch stated he remembers when the Borough first got the insurance and he could not believe how inexpensive the premium was. Mgr. Bickhart stated the premiums are inexpensive because it is unlikely that a police officer would be killed in the line of duty. On the other hand, if it should occur it could be catastrophic to the Borough. Mgr. Bickhart suggested pursuing this with PMRS by requesting them to consider an amendment to the plan and to do an actuarial study to see what it would cost the Borough. Council is under no obligation and can choose not to do this but the only way to know what the PMRS plan would cost at 100% is to ask them to cost it out. Pres. Handlan directed Sheri to go ahead and do this.

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

Report on Snyder County's Multi-Municipal, All-Hazards Mitigation Plan and the projects included

– Mgr. Bickhart reported he attended a meeting where he learned the county has hired a consultant who is in the process of conducting a study which identifies all the possible hazards that can befall Snyder County. The primary one is flooding, but there are some others such as severe weather, winter weather, power outages, tornadoes and hurricanes. The group is looking for additional projects to be put on the list to be eligible for future federal money if they could be tied to mitigating a disaster. Some of the projects submitted included some stream stabilization projects very much the same as the Borough's Weiser Run project, for which the Borough has had a state grant application in for the last three years. Mgr. Bickhart included that project and he also included a similar project for South Tributary. If the Borough can get money to improve the carrying capacity it will reduce flooding so this is an eligible project. He does not know if the Borough will receive any money, but the point is to get the projects on the list. The Snyder County Commissioners put a large number of county-owned bridges on the list because they are in need of structural repairs. In the event of an emergency, Mgr. Bickhart and Gary Klingler have identified that if power is out for a long period of time the Borough loses the ability to pump water into the reservoir in order to keep the water system operating. If the water system stops then the sewer system stops. Mgr. Bickhart is also proposing to add generators to the list of things that the Borough might acquire with federal money in the future to keep the Borough operating.

Discuss past and future practice pertaining to purchasing printing services from SU –

Mgr. Bickhart reported that by past practice the Borough has gotten its printing done predominantly by Penn Valley Printing. Mayor Carroll compared costs between Penn Valley Printing, Ink Spot Printing and Susquehanna University to do some printing for the police department. The university's printing services are significantly cheaper, but the past practice has been to use Borough businesses. The university primarily does printing for not-for-profit organizations such as the United Way, Relay for Life, etc. At this time of year the Borough prints the water quality report, the CCR report, and a flyer for the recycling program, and newsletters are printed twice a year. The printing costs run a couple thousand dollars a year. If Council sets the policy to use Susquehanna University's print shop it could cost \$1,000 rather than \$2,000. C/P Mengel stated she does not see how the Borough can not give the printing jobs to a Borough business. Sheri stated the Finance Committee felt they could spread the work around and not go completely with any one printing shop. C/P Hetherington suggested printing in lieu of taxes. Mgr. Bickhart stated it is called services in lieu of taxes and it is quite common. Pres. Handlan stated the university does do printing for other entities outside the university and they do printing for their employees. They do make money and this is a business for them. C/P Inch stated it is hard for a private enterprise to compete with the university's print shop and Pres. Handlan agreed, stating the university has state of the art equipment which is all brand new. She stated she had a printing job to be done for a state association. She got estimates from three other printers in the area and none of them could compare to the university's price nor did they have the equipment that the university has. She stated they do not mind the university making a profit, but they are not paying taxes. If they are going to run a business and make a profit they should pay taxes. C/P Anderson stated that by the university not charging as much as the Borough would pay somewhere else, that is part of a contribution in lieu of taxes. Mayor Carroll stated he understands that the Borough does not want to drive a company out of business, but at the same time Council is spending the taxpayers' money and should spend it responsibly. Mgr. Bickhart stated the Finance Committee's recommendation was that the Borough use a

little of both. C/P Mengel suggested continuing with the usual jobs at Penn Valley Printing and using the university's print shop for new or unusual jobs, such as the envelopes for the police department. Pres. Handlan stated there is no way that a tax-paying business in the Borough can compete with the university. C/P Hetherington stated that he felt it was more responsible to pay the lowest price for services in order to spend the taxpayers' money wisely. The Borough puts projects out to bid in order to get the lowest price, even if those contractors are outside the Borough. Solicitor Cravitz stated that from a legal standpoint the Council is required to spend tax dollars in the most economical way based upon the lowest reasonable, competent bidder. If the Borough goes with someone other than the lowest price, then they must be prepared to justify their reasoning for doing so. C/P Herb asked if supporting a tax-paying local business is not a valid reason. He stated the savings to an individual taxpayer would probably only be a couple dollars over the course of a year but the impact to an individual business is significantly more. Council remained divided on this issue and Pres. Handlan stated she would leave this issue to the discretion of the Borough Manager. Mgr. Bickhart stated he is inclined to save dollars so he will find the cheapest way to get the printing done. He stated he believes in service in lieu of taxes.

CSVT Project Status Report & Bridge Proposal Review – Scheduled for March 16, 2006 from 6:30 to 8:30 p.m. at Tedd's on the Hill. This meeting will focus on the bridge over the Susquehanna River above Winfield. CEDA-COG is slowing the process down a little bit and giving some consideration to the possibility of building a monument to the Central Susquehanna Valley as opposed to just a rudimentary bridge. Mgr. Bickhart will attend the meeting to express his personal belief that he is not in favor of a monument. He welcomed anyone else from Council to go to the meeting also.

Job Openings for Summer 2006 – PHEAA/Degenstein Work-Study Program – Mgr. Bickhart stated the Borough has posted job openings, which usually include playground assistants. The Borough needs to do some more work on organizing the listings because the Degensteins will be doing less work from now on. The Borough gets the manpower for 90 cents on the dollar, or 90%. Pres. Handlan stated the information from the PHEAA website has been posted on the classified employment section at the university. She stated if the Borough supplies the information they will post each individual job. This should be sent to longa@susqu.edu.

Snyder County GIS System Concerning Renaming Streets and Readdressing – Mgr. Bickhart reported that the street naming has not changed from what was approved two years ago. There are some individual properties that will be readdressed. Anyone who has an address along a street name that has changed will get a notice that their address has changed. The townhouses at Penn's Landing will have sequential numberings as though they were a house in town. Several of Savidge's projects will have address changes. At the far end of South High Street from Stauffer Street to Sand Hill Road there are some townhouses that will be numbered. The GIS System would like to know that Council is okay with the whole system of addresses and street names. In the near future, with or without Council's review of this, notices will be sent to people who will have their addresses changed. Some private streets, such as in townhouse areas, have also been renamed in order to give them addresses. House numbers will not be changed if they are sequential. North and South split on Pine Street; East and West split on Market Street. Orange Street will no longer be North Orange Street because there is no South Orange Street; the same applies to Ninth Street, as there is no South Ninth Street. Starting at Pine Street going north the odds are on the right and the evens are on the left. Most of the houses in the Borough are numbered sequentially. Both the people who are having their addresses changed and the people who are not having their addresses changed will get a notice so that everyone knows whether they are or are not having an address change. This is being done by GIS in cooperation with the Post Office, which is the official agency for notifying everyone about the change in address. As soon as that comes out then Gary will put the street name signs up.

SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Dave Faust and Bob Dagle, Chairmen – No Report

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – C/P Hetherington and Mgr. Bickhart –

Next meeting scheduled for March 23, 2006 at 7:00 p.m. Mgr. Bickhart reported that this is the old Monroe Township landfill. He stated that the Borough owes them the same as the year before last. It was reduced for a year but then the Borough decided to go back up. It is around \$700. As long as the landfill exists the authority must be maintained.

NEW BUSINESS:

COUNCIL MEMBERS – Pres. Handlan asked Council members to get their comments on the newsletter to Sheri. She stated some minor changes were made and there were some typos. C/P Herb stated that the wording of Mayor Carroll’s note implies that the money that the police are getting is coming from Fairchild. He feels this is excessively political and he would prefer to see the source of the money indicated rather than the individual. He stated the money comes from a program and not a person. Mgr. Bickhart stated that this has been amended to refer to the program as facilitated by Representative Russ Fairchild.

Motion by C/P Reuning to approve new newsletter. Seconded by C/P Inch.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Sheri stated that Omega Bank will be charging the Borough to accept payments of water bills and she asked if it could be put into the newsletter that the Borough will no longer be accepting payments for water bills at Omega Bank. Payments should be made at the Borough office. Mgr. Bickhart stated the Omega location will be deleted from the water bills when they are reprinted.

MAYOR – Nothing

OTHERS – Nothing

RECESSED MEETING:

With no additional business, at 10:53 P.M. the meeting was recessed to March 13, 2006 at 7:00 P.M.

Attachments: None