

SELINGSGROVE BOROUGH COUNCIL MEETING

MONDAY, DECEMBER 4, 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 Dawne Long; DH&L Representatives Jason Kaufman and Ken Stettler; Borough Residents Garry Beaver, Joseph and Margaret Siro; SPI President Judy Spiegel

OTHERS ABSENT: None

CALL MEETING TO ORDER:

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

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF NOVEMBER 6, 2006 AND SPECIAL MEETING OF NOVEMBER 13, 2006:

In the meeting minutes of November 6, on the top of Page 4, the name Carol Page should be Karel Page.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

VISITORS TO BE HEARD:

Borough Police Chief, Thomas Garlock – Presentation of Police Report for October 2006 – Chief Garlock reported that 50 Part 1 crimes were reported and 25 cleared in October. Part 1 crimes this year compared to last year are a bit lower, with 321 this year as compared to 333 last year through the end of October. There were 58 Part 2 crimes reported and 43 cleared in October. Part 2 crimes this year compared to last year are higher, with 587 this year as compared to 510 last year through the end of October. Of the 108 total crimes reported in October, 68 have been cleared. As of the end of October there have been 907 crimes reported to date, more than the 843 reported last year to this same date. The police had 515 calls for service in October as compared to 472 last year. Total calls for service this year through the end of October total 4,882 as compared to 4,145 calls for service for the same period last year. Chief Garlock noted that the Part 1 gap between crimes this year as compared to last year has closed to 3.8% lower this year than last year. He stated over the next two months this gap will probably close completely. Part 2 crimes are running 16% higher this year over last year. Total crime is 7.6% higher this year, and call volume is 17.8% higher this year. Chief Garlock reported that the burglary incident rates were much higher in October than they were in the preceding months. However, the alcohol-related offenses were lower in October than they were in September. There was also a decrease in off-campus incidents. A robbery was reported in October that was a non-campus college issue, when a drug dealer was ripped off during a buy. C/P Hetherington asked why the incidents were down in October as opposed to September. Chief Garlock replied that in September the police were very proactive and issued many citations. The staffing levels were high, with two cars running at one time and sometimes three officers on duty over the weekends. The police aggressively patrolled and had many officer-initiated incidents. Because of this the students took their activities inside so as not to cause problems in public and so as to avoid citations. Mgr. Bickhart stated that he prepared an illustration to present to Susquehanna, taking 13 months of Chief Garlock's reports and recategorizing the identification of service calls by zone, grouping Susquehanna together to show trends of university incidents. He also

did this with the school district to show the characterization of incidents related to these entities in relation to incidents in the Borough itself. He also showed that the out-of-Borough incidents are a very small percentage. He is hoping this information will encourage the university to make a larger contribution to the Borough. Mgr. Bickhart also reported that information on clearing crimes is not really listed in Chief Garlock's reports other than by subtraction. There are 108 total crimes reported in October with 68 being cleared in the month. The 108 reported crimes are new; however, the 68 cleared crimes include crimes from previous months. The difference indicates that the Department is falling behind. By looking back over past reports, it is clear that in many months there is a backlog of crimes remaining to be cleared. This has to do with staffing, which Chief Garlock addressed in his staffing report. C/P Anderson asked what the average clearance rate was in Pennsylvania. Chief Garlock replied that, the last time he looked, the average clearance rate for Part 1 crimes was 32 or 33% and the clearance rate for Part 2 crimes was as high as 77%. C/P Anderson stated from her experience at the university, the clearance rate goes up when officers are assigned to investigation rather than having patrol officers work on clearing crimes. Pres. Handlan asked if the Loving Care issues from last month are being addressed, and Chief Garlock replied that they are.

DH&L Fire Company, Ken Stettler – Ken reported there were 20 incidents in November as follows: 1 automatic alarm, 1 good intent service call, 2 HAZMAT calls, 7 vehicle accidents without extrication, 5 structure fires, and 4 water rescue recoveries. The incidents occurred as follows: 1 in Anthony Township, 1 in Freeburg, 1 in Kreamer, 2 in Middlecreek Township, 2 in Monroe Township, 5 in Penn Township, 4 in Selinsgrove, 2 in Union Township, 1 in Upper Augusta Township and 1 in Washington Township. The loss within the jurisdiction was \$0.00. November man hours total 630. In reply to a question from C/P Mengel, Jason Kaufman stated that the incident in Anthony Township was a water rescue involving a car near Washingtonville during the heavy rains. C/P Inch reported that he had a call to his house this past week and he was very pleased with the quick response by the police, DH&L and Hummels Wharf.

DH&L Ambulance League – No Report

UNFINISHED BUSINESS FROM PRIOR MEETINGS:

Review List of Council Issues – Mgr. Bickhart stated that the need for the ordinance that has been called “the Bloomsburg Ordinance” is increasing. He tried to recompile everything that has been done to date to come up with a bare bones ordinance. He suggested getting the committee back together to review this. Pres. Handlan stated this is possible as long as the ordinance is nondiscriminatory. Mgr. Bickhart replied that it is. The issues that make this bare bones ordinance necessary have nothing to do with who the tenants are, whether college students or not, but has a lot to do with who the landlords are. The registration of a local manager for each property is absolutely essential. Every week something comes up requiring Mgr. Bickhart to chase someone down from out of the area regarding a problem with a property. He stated the basic element of having a licensing agreement to give the Borough something to pull away from the landlord is the only real hammer that the Borough will have to make this an effective ordinance. Fining is secondary to the possibility of a landlord losing the ability to rent a property until they comply. Mgr. Bickhart reported he has talked to some of the better landlords who have never been opposed to some elements of an ordinance, and they do not mind being inspected. Their concern is that it not be burdensome. The possibility of landlords and tenants using a checklist was discussed. Mgr. Bickhart stated there are 900 rental units in the Borough, so this is not something that can be implemented overnight. Pres. Handlan stated the committee that was looking into this ordinance was a special committee, not one of the formal committees. C/P Anderson stated the Town/Gown booklet had a good checklist to advise the students of questions to ask and/or agreements to have with their landlord. Mgr. Bickhart stated he has read this booklet. While the recommendations are a bit beyond the scope of a Borough ordinance, some of them were right on the mark. If the Borough were to require landlords to go through a checklist, the booklet should be amended to say the student should make sure they go through the checklist. He stated the booklet is prepared so the answers should be “yes” but if an answer is “no” then that is between the landlord and the tenant. However, when someone is renting unsafe or unsanitary properties the Borough needs something with some enforceability to address the issue. Pres. Handlan stated she hoped Mgr. Bickhart kept some of the attachments to the original ordinance.

He replied that those attachments were well done. Pres. Handlan stated another concern is who would be doing the inspections. Mgr. Bickhart replied that in the past Council had talked about CK-COG doing them. He has gotten documentation from them on how they would provide that service for the Borough. Mgr. Bickhart feels it would be good for the Borough Administration to back away from this and require the landlord to arrange with CK-COG to have the inspections performed on some frequency. The Borough would just get a notice that the inspection was satisfactorily completed. He stated he does not have to be involved in going to do the inspections. Any state-certified property inspector would be able to do the inspections, so if people have a problem with CK-COG they could go to someone else. Some landlords have expressed concern about CK-COG, what they can and cannot do, and their availability for inspections. Pres. Handlan was unsure which Council committee this should go to, so Mgr. Bickhart suggested the Board work on it as a whole. He will supply copies to everyone and hopefully in January and/or February there will be time to work on the ordinance. Mgr. Bickhart stated he has also reviewed Brian Betz's comments, which characterize the attitude of someone who is diligent, very committed and very professional, but who has some reservations about the ordinance process. Mgr. Bickhart called Brian and spoke with him about his concerns and in the process convinced Brian that something must be done. They discussed the minimum that needs to be done, and Brian is basically onboard with the ordinance. Mgr. Bickhart stated he will try to have a draft available for the January meeting.

Mgr. Bickhart reported he is still working on compiling a list of junk vehicles. All owners of junk vehicles will be notified. C/P Hetherington suggested Jeff's Recycling on Snyderstown Road as a place that will haul vehicles away for people. Mgr. Bickhart stated that this is the type of information he needs to include in a letter to the junk vehicle owners. Some other suggestions for junk hauling included Pyle's in Mount Pleasant Mills, Comfort's, and Joe's on Route 61. Under some circumstances the Vo-Tech will take junk vehicles for the shop. C/P Mengel stated there are some junk vehicles on the property at High and Mill Streets across from the Moose Playground.

Recommendations on revised schedule of fees – C/P Inch stated this has been before the Finance Committee and there are some refinements that need to be made. Mgr. Bickhart stated he is also working on an ordinance for a general fee structure within the Borough. One issue is how often the Borough will require inspections, who will conduct them, and what administrative costs will be associated with them. The fee for registering a local manager will be minimal. The bigger issue is some sort of routine series of meaningful inspections. The fee for this would be proportional to the working between the landlord and the inspection agency, probably CK-COG, with a fee being charged by CK-COG for each inspection and reinspection. Mgr. Bickhart stated in going over the lists of fees, he found some that need to be fixed and some that do not apply any more. The intention is to have one concise, complete document with everything listed. Mgr. Bickhart hopes to finish his list and sit down with Solicitor Cravitz for the benefit of his insight into some of the fees. A copy will then be given to Council along with a recommendation for updating the list of fines, fees, penalties, etc.

Main Street Manager Program Application Appraisal, Selinsgrove Projects Inc., Judy Spiegel – Judy reminded Council that the Main Street Application appraisal is scheduled for Thursday. All Council members are invited to come to the meeting at any time to lend support to the program. The meeting will show the state representative what has been accomplished in Selinsgrove over the past few years and what still needs to be done, such as development of the former CVS property. Some legislative aides will also be present to lend support and to investigate grant funds. Judy also reported that White Christmas is in progress. Winterland, an event for children, will be held on December 9 on the former CVS property.

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 Hetherington.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – Mgr. Bickhart reported on two requests for exoneration: Beverly Seibel was deceased in 2005 and Patricia A. Hassey was deceased in 1998.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Establish date(s) and time(s) for Continued/Special Meeting(s) to further consider 2007 Budget and/or to adopt Tax Levy Ordinance (proposed Ordinance No. 750) – Council will meet Wednesday, December 27, 2006 at 4:00 p.m. for final adoption of the budget and to pass the ordinance in regard to the tax.

Tentative Adoption of 2007 Budget and authorization for publication of proposed Ordinance No. 750, levying taxes required by the Budget, for adoption at a Special Meeting to be held prior to the end of December – Solicitor Cravitz stated Council needs a motion to adopt the tax ordinance at 10.3 mills. This will be the millage under the new assessment for 2007. In 2006 the Borough was at 13 mills, but with the new assessment of 100% rather than 75%, the millage will be 10.3, a 5% increase.

Motion by C/P Herb to adopt the tax ordinance at 10.3 mills. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Motion by C/P Inch to adopt and advertise the 2007 Budget for the December 27 meeting. Seconded by C/P Herb.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Request approval to pay all bills received through the end of 2006

Motion by C/P Reuning to approve payment of all bills received through the end of 2006 to the extent that revenues are available for this purpose and following the review and approval of the Chairman of the Finance and Budget Committee. Seconded by C/P Mengel.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

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

Review of 2007 Street/Capital Improvement Program – Mgr. Bickhart reported that the improvement plans include both street and utility work. The amounts for 2007 are line items in the 2007 budget.

Authorize Borough Engineer to proceed with design – Mgr. Bickhart stated that because work on the street/capital improvement program is often behind, he is asking that Council authorize the Engineer to begin the design now. He cautioned that this is expenditure of funds from 2007 and the budget has not been approved yet. However, at this point Council is only committing to paying for the engineering work.

Motion by C/P Hetherington to authorize the Engineer to proceed with the design. Seconded by C/P Inch.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

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

Update on “Draft” Agreement pertaining to future disposition of recyclables – C/P Mengel reported that the draft agreement with J.A.W.S. for recycling has been put on hold for a while. The Committee plans to visit both of the facilities in the spring to reevaluate things. By August there should be some renegotiating by the County on the landfill agreement. She stated representatives from Lycoming did not

attend the meeting. She did have some documents that dealt with quantities of recyclables, but there were no offers to change anything. C/P Anderson stated that part of the issue is an implication of whether the J.A.W.S. facility is up to managing the task, so the sites will be visited in the spring. C/P Mengel stated that there were also some concerns about whether J.A.W.S. handles the facilities they currently do business with in a satisfactory manner. She stated Janet Powers was at the meeting and expressed some concerns that the Borough had with J.A.W.S. in the past.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Herb, Chairman – No Report

PERSONNEL MANAGEMENT COMMITTEE: C/P Anderson, Chairwoman

Smoking Policy – C/P Anderson reported she just got back today from vacation and has not had a chance to check her email yet. She checked her telephone message and had one from a woman who works with some Selinsgrove High School students who would like to make a presentation for the Borough to consider expanding the smoking policy statement to include the parks. C/P Anderson will call her back and determine how to proceed. She stated she has not heard back from any employees regarding the new smoking policy. Mgr. Bickhart stated he has not heard back from anyone either.

Smoking Cessation Program for Employees and Family – Mgr. Bickhart reported a program will be held in Council chambers on December 13 from 1:00 to 2:30 p.m. All Borough employees who use tobacco in any form, not just smoking, have been invited. The company, Clinical Outcomes Group, suggested also inviting the dependents of the employees. The meeting is being held during work hours to let the employees know that the Borough is making a major effort to encourage them to do all that they can to stop smoking and to use the period from January 1 through June 30 to do so. Mgr. Bickhart stated that the Borough may wish to bear the expenses of devices used to assist smokers, such as patches, gum, etc. Clinical Outcomes purchases these devices at a discount and makes them available to the Borough at their cost. Mgr. Bickhart also asked Council to consider offering incentives to employees who are successful in quitting. He stated his daughter is in the coaching field, presenting workshops to businesses about smoking and other health issues. She can cite many ways that employers benefit from employees not smoking, such as savings in health care costs.

Motion by C/P Anderson to officially adopt the policy and to put it in the personnel policy manual that all Borough buildings and vehicles will be non-smoking effective July 1, 2007. Seconded by C/P Inch.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Mayor Carroll stated that Council needs to keep in mind that the fire department will also need to be included in this policy, as the DH&L building is owned by the Borough. Solicitor Cravitz stated the ambulance league will also have to be made aware of this policy. C/P Anderson suggested including them in the cessation program notice. Mgr. Bickhart even though they are not technically employees, he will get information out to them tomorrow.

Pres. Handlan asked if the manual will address violations of the non-smoking policy. Mgr. Bickhart stated it would be handled like any other disciplinary problem, on a case-by-case basis going through a series of steps which get more serious with each step.

C/P Reuning asked why someone requested smoking cessation outside in the parks. C/P Anderson stated that the woman who left the message indicated that the high school students she works with have a strong presentation to make. She stated she will talk to the woman to see if they want to make a presentation to the Personnel Committee. C/P Herb stated that people who smoke in public places are often unaware of the incredible nuisance it is to non-smokers. Smoking in public often leads to littering.

C/P Mengel stated she is concerned that the fire company and ambulance league were not included in the initial discussion on this. She feels that it is not right to include them when they have not been notified. She stated these are volunteers, not Borough employees. C/P Anderson suggested letting them know about the policy being passed as of July 1 and giving them an opportunity to comment on it.

Pres. Handlan pointed out that the policy was always discussed as including all Borough buildings and vehicles. C/P Mengel pointed out that the ambulance league and fire company were not in anyone's minds when this was being discussed. Mgr. Bickhart stated the notification can include a request for comments to be directed to C/P Anderson and the Personnel Committee. The notification can be posted and copies distributed, noting that the fire company and ambulance league are being considered as an extension of the policy. He stated the original thoughts were for the Borough employees and where they work, not DH&L. C/P Herb asked if it would be advisable to amend the motion to not include the fire company and ambulance league. C/P Anderson stated Council should still include them, but give them time and a chance to comment. Pres. Handlan pointed out that this policy does not go into effect until July 1, which is sufficient time to make the notifications and receive feedback. Mgr. Bickhart stated that technically the Borough does not own the ambulance league's building, only the fire company's building. They are next to each other but are in separate buildings. He also stated that the Borough has no way of enforcing the policy on a volunteer. Pres. Handlan agreed with extending participation in the smoking cessation program to the volunteers as well.

Margaret Siro expressed concern about liability to the Borough if the Borough makes the patch available to employees at the Borough's expense. C/P Herb asked if offering the patch would be discriminatory in any way and Solicitor Cravitz replied that it would not be.

Motion by C/P Herb that if there is money available and the legal means to do so, an offer of help to the employees in the form of a patch or other device should be made available. Seconded by C/P Anderson.

Again expressing liability concerns, Margaret Siro cited a personal knowledge of someone who used the patch and had a reaction to it. Solicitor Cravitz stated this would be done as an employee benefit and not as a requirement by the Borough. The Borough is not requiring employees to quit using tobacco, only to not use tobacco during working hours in Borough buildings and vehicles. They can still use tobacco on their lunch hour or on their breaks. He stated the caveat could also be made that the use of an anti-smoking device must be approved by the employee's doctor or medical provider.

Pres. Handlan called for a vote on the motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PUBLIC SAFETY COMMITTEE: C/P Hetherington, Chairman

PennDOT Traffic Study – C/P Hetherington reported that a letter was received from PennDOT indicating that they will restudy some of the speed limits during the school year, including a review of roadway and roadside conditions, built up areas, trial runs at various speeds, radar data and accident history. This will be done as soon as possible and when completed PennDOT will inform the Borough of the results.

Stop Sign Ordinance – C/P Hetherington reported that he, Mgr. Bickhart and Chief Garlock have come up with some proposed additions to § 133.14 Stop Intersections. Some additional stop signs have been found that are not covered by the ordinance. Mgr. Bickhart made a listing of all the alleys intersecting streets in the Borough where there currently are stop signs that are not covered by an ordinance. The four stop signs that have previously been proposed for the ordinance include one replacement stop sign and three places currently without stop signs. Mgr. Bickhart explained that Mill Street, Route 522 and Sassafra Street were all state roads and the signs were erected by PennDOT at one time or another as a part of what they would do with streets and alleys that approached a state road. Some were turned back over to the Borough and some are still state roads. In order to enforce the stop signs they need to be in the ordinance. C/P Hetherington reported that there is also a proposed addition to § 133.7 Speed Limits Established. This would include Market Street North, speed limit 25, for southbound traffic only from West Snyder Street to a point 300 feet north of West Snyder Street. Mgr. Bickhart stated this is the one PennDOT studied and granted the Borough permission to change from 35 to 25 miles per hour, extending the zone that currently ends at Snyder Street to near the front of the Selinsgrove Inn. Where the sign is actually positioned would be a matter of practical placement. This will get people to slow down before they get into the curve. Mgr. Bickhart suggested putting something on the new sign to get

people's attention. PennDOT typically uses orange diamonds. Pres. Handlan asked if the speed trailer is available that Mayor Carroll had positioned by the schools in the past. Mayor Carroll replied that he is waiting to see where Selinsgrove is on the schedule for the use of the sign. Chief Garlock suggested putting the sign next to the garage by the Selinsgrove Inn.

Motion by C/P Anderson to amend the motion to authorize Solicitor Cravitz to include the additional stop signs in the ordinance that he is preparing. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PLANNING COMMISSION: Earl Moyer, Chairman – No Report

ZONING HEARING BOARD: Glen Rohrer, Chairman – No Report

CIVIL SERVICE COMMISSION: Dalton Savidge, Chairman – No Report

PARKS AND RECREATION BOARD: Richard Norman, Chairman

Mgr. Bickhart reported no December meeting of the Multi-Municipal Comprehensive Recreation, Parks and Open Space Plan Advisory Committee. The next meeting will be held January 18, 2007 at 7:00 p.m. in the Selinsgrove Borough Council chambers.

Mgr. Bickhart reported that Dick Norman has informed him that there are two vacancies on the Parks and Recreation Commission. Council can assist Dick by finding people that might like to serve.

SHADE TREE COMMISSION: Karl Maul, Chairman – No Report

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Pete Carroll

Mayor Carroll reported that there were some ribbon cuttings held recently. He was unable to attend the one at the lube place on the strip. In response to a question from Pres. Handlan, Mayor Carroll stated that even though this is outside the Borough, there is cooperation between municipalities for ribbon cutting ceremonies. These are coordinated by the Greater Susquehanna Valley Chamber of Commerce.

Mayor Carroll stated it will be interesting to see how things proceed with the bank building being sold to someone who will be starting an upscale restaurant. Mgr. Bickhart stated they picked the name Irene's. Pres. Handlan stated it is named after the grandmother. There will be a dance floor, entertainment, dinner music and dancing. They are interested in pursuing the economic development liquor license. Mgr. Bickhart stated he has spoken with the owner about this.

Mayor Carroll reported that he spoke with Johnny Wilson, the captain of the DH&L Fire Police. Their fundraisers over the last couple of years were used to purchase red warning flares called turbo flares, which can be seen on flat ground up to a mile away. The fire police are able to donate four flares for each police vehicle, including the new one for next year. Mayor Carroll suggested an article for the newspaper along with a picture of Chief Garlock accepting the flares from Captain Johnny Wilson.

BOROUGH SOLICITOR: Robert Cravitz

Indemnification from SU pertaining to West Halls Development Plans – Solicitor Cravitz reported that the liability indemnification has been received from Susquehanna University. He reviewed the plans with John Coukart and the Borough is covered by this indemnification and will be held harmless for any and all claims to persons and property that arise from parking vehicles on that particular lot. Mgr. Bickhart reported that this is a hot issue again as the university contemplates proceeding with the West Halls development plans.

Update on 2006 Street and Alley Program Contract Issues with Mid-State – Solicitor Cravitz reported that Mid-State was only able to complete 44% of their work. John Coukart and Mgr. Bickhart have talked with Mid-State regarding difficulties with their performance. Mid-State had to close down the job when PennDOT would no longer allow them to lay asphalt. Solicitor Cravitz's recommendation is for the Borough to put Mid-State's bonding company on notice that there were difficulties. The Borough will give Mid-State an opportunity to complete the job in the spring. Paving can begin as early as April 16, 2007 but must start no later than April 21, 2007. The project must be completed in May. The Borough can require Mid-State to pay their penalty under the contract from October 22, 2006, which should have been the completion date, through November 1, 2006, when PennDOT required them to cease. The penalty would begin again on April 16, 2007 and run through the completion date of the project. The Borough is not letting Mid-State off the hook as far as completion of the project, and also not letting the bonding company off the hook. If Mid-State does not get started by April 21, 2007 the Borough will call the bond and have the bond company complete the job. Mid-State would then be told they are no longer welcome on this particular project. C/P Inch asked if there is any possibility of the bond lapsing during this time. Solicitor Cravitz replied the bond is good for one year from the contractor's date of notice to proceed, which was August 24, 2006. C/P Mengel asked if a motion is required and Solicitor Cravitz replied it was not as long as Council does not object to proceeding in this manner. Mgr. Bickhart stated at last month's meeting Council authorized Solicitor Cravitz to take whatever action was necessary. He stated regarding the \$100 per day penalty, the Borough has had and will continue to have additional costs. He stated that has not always been the case, but in this case he feels the penalty is justified. He stated these are serious issues, as no contractor wants its bonding company put on notice. He stated it may come down to the Borough exercising its option on the bond, as no one is sure Mid-State will be in business on the start date of April 21, 2007. Solicitor Cravitz stated the Borough could call the bond now, but John Coukart and Mgr. Bickhart both stated the work that was done was pretty good work and they recommended giving Mid-State a chance to extricate themselves from their predicament.

Adopt Resolution Number 2006-09 pertaining to the waiver of required police pension plan member contributions for 2007 AND Adopt Resolution Number 2006-10 pertaining to the waiver of required non-uniformed municipal employee pension plan member contributions for 2007 – Solicitor Cravitz reported that adoption of these two resolutions would waive the requirements that both uniformed and non-uniformed employees contribute to the pension plans. Mgr. Bickhart stated this is consistent with the Borough knowing that the costs will be born by state reimbursement. Part of it is a contractual obligation on the Borough's part with the uniformed employees, and part of it is a Borough policy to extend the same privilege to the non-uniformed employees.

Motion by C/P Inch to adopt both resolutions. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – Mgr. Bickhart reported that the University Avenue sanitary sewer issue is due to the heavy rains that have caused some inconvenient washouts. With the intense rains the water does not stay out in the curb line. John Coukart will be talking with PennDOT about this, but the permanent fix cannot be applied until next spring. The edge of the road was dug up by the Borough to put in the sanitary sewer. It was put back with a little bit of a curb, but when PennDOT paved the road the curb was diminished.

Standing water and drainage issues in the Borough were discussed, with Mgr. Bickhart noting that with hard rains, the leaves that remain are washed into the storm sewers and the water backs up. He stated the crew was out for two or three hours doing nothing but removing leaves and during the last rain storm every inlet was once again completely matted full of leaves that were not on the ground at the beginning of the storm.

Review Treasurer's Report for November 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 on the four newest issues. He stated he does not see anything that would cause Anna Kratzer's car to drag following work done by the gas company. He stated he has spoken with Brian Betz regarding the kid's dirt bike on his property. Brian was unaware of this and appreciated the neighbor calling the Borough. Corby verified some curbing was not sealed by the contractor, and this will be taken care of.

Mgr. Bickhart reported that some people complained about an odor of benzene drawing into their apartments. It was found that a landlord has created six apartments in a building where the Borough has a record of only three apartments. The landlord also leased the garage to another individual who was doing auto repairs. Mgr. Bickhart stated he is gathering data and will be contacting the non-resident landlord. He stated this landlord epitomizes the circumstances and the need for an ordinance that were discussed earlier. An ordinance would make enforcement much easier. C/P Hetherington stated he saw smoke pouring from the garage after he made a recent trip to the compost pile. He stated he can only imagine how much smoke would have been going upstairs into the apartments. Mgr. Bickhart stated the person has no business being in the garage.

C/P Inch asked if anything has been rescheduled on the Weiser Run washout. Mgr. Bickhart replied that to his knowledge nothing has been scheduled. He stated the engineer needs to look at it to determine what the contractor needs to fix.

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

Review and approve Council Meeting dates for 2007 – Mgr. Bickhart stated these dates need to be advertised before the beginning of the year. Most dates are on the first Monday except for January, April and September.

Motion by C/P Anderson to advertise these dates. Seconded by C/P Reuning.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Reappointment of persons to Boards and Committees as follows:

Motion by C/P Herb and Second by C/P Hetherington to reappoint Donald Rowe to the Selinsgrove Municipal Authority until 12/31/2010; Earl Moyer to the Selinsgrove Borough Planning Commission until 12/31/2010; Kurt Knitter to the Selinsgrove Borough Planning Commission until 12/31/2010; Cyril Runkle to the Selinsgrove Borough Zoning Hearing Board until 12/31/2011; Ken Miller to Selinsgrove Parks and Recreation Commission until 12/31/2011; and Richard Norman to Selinsgrove Parks and Recreation Commission until 12/31/2011.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Update on Property Maintenance Code violation at 441 Orange Street, Wagner Property –

Mgr. Bickhart reported that this is the Bob Wagner property, where Bob was electrocuted and Mrs. Wagner was left on the property. He stated the Area Agency on Aging took her on and her affairs were subsequently turned over to Attorney Michael Hudock, who arranged to have the property sold. The property has been bought by Ann and Dave Bowersox. They were given permission to take down the garage in the alley, a safety hazard that Mrs. Wagner had been notified about. Dave took the garage

down right away. Mgr. Bickhart stated he is not aware of Mrs. Wagner's current whereabouts. She was trying to get into Market Street Manor or High Street Manor, but he does not know if she got in or not.

C/P Hetherington asked if Cleon Bauman was finished with the property on South Market Street. Mgr. Bickhart stated there is now an unsafe hole there that the Borough needs to notify Mr. Bauman about. Garry Beaver stated that he believes Mr. Bauman is aware of this as he contacted Charles Excavating to have fill put into the hole. However, nothing is available right now.

C/P Hetherington stated there is a small woods behind Computata where a couple of the trees have long limbs broken off that are just hanging in the trees. He was concerned about a safety issue. Mgr. Bickhart stated this is a concern only to the property owner unless they hang over a right-of-way. He stated he will alert the Shade Tree Commission to this.

Notice concerning Public Officials Liability Insurance Policy – For information only to let Council know a different public officials liability insurance has been put in place with different language that should perform better for the Borough going forward.

SELINSGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Dave Faust and Bob Dagle, Chairmen

Appoint new representative to replace Dave Faust

C/P Hetherington nominated George Kinney for this position. The nomination was seconded by C/P Mengel.

C/P Hetherington stated that George has been with the sewage treatment plant since before it was built, either as a Council member or as Borough Manager. He stated George would be an asset, as he probably knows more about the place than anybody else, with the exception of the employees. C/P Herb expressed concern that no one had asked George if he would be willing to accept the nomination for this position. C/P Reuning expressed concern as to whether George is qualified on the financial side, as was originally brought up when Council received Dave Faust's resignation. C/P Mengel recommended asking George first, before voting on the nomination. Pres. Handlan stated that Jim Black was also mentioned because of his financial background. No one has spoken yet with him either. Don Sheldon was also mentioned. Jim App was mentioned but Mgr. Bickhart spoke with him and he was not interested. Bill Ward was also mentioned. Pres. Handlan stated she would talk with those who have been mentioned. She will then send an email to the Council members.

C/P Mengel rescinded her second to the nomination. C/P Hetherington rescinded his nomination.

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – C/P Hetherington and Mgr. Bickhart – No Report

NEW BUSINESS:

COUNCIL MEMBERS – Pres. Handlan reminded Council that tomorrow night is Late Shoppers' Night.

Pres. Handlan reported that Sheri Badman and C/P Inch have been working on an initiative at her request to do some background in preparation for the annual meeting with the university. Sheri and C/P Inch have gone to other university towns to determine what the universities in those towns are doing as far as a commitment to their municipality, either as payment in lieu of taxes or student contributions. Sheri and C/P Inch came up with information from Bucknell, Dickinson, Bloomsburg, Millersville, Gettysburg, Elizabethtown, Ursinus and Lock Haven. Pres. Handlan stated this is good preparation for the meeting with the university on Wednesday. She stated she will share the information with the rest of Council after she has had a chance to go over it.

MAYOR – Nothing further

OTHERS – Sheri Badman reminded the Council members of the party for Gary Klingler on December 15 from noon to 4:00 p.m. at the pump house. Mgr. Bickhart stated there will be a framed resolution for Gary.

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 8:41 P.M. for discussion of Personnel Issues. Council meeting reconvened at 9:55 P.M.

ADJOURNMENT:

With no further action being taken, the meeting adjourned at 9:55 p.m. following Motion for adjournment by C/P Hetherington and Second by C/P Inch.

Attachments: None