

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, NOVEMBER 3, 2008 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. C. Handlan, V. Pres. J. Herb, C/P D. Anderson, C/P S. Hendricks, C/P M. Inch, C/P D. Mengel, and C/P E. Viker

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Mgr. J. Bickhart; Mayor P. Carroll; Junior C/P Morgan Botdorf; Police Chief T. Garlock; Borough Treasurer Sheri Badman; Recording Secretary Dawne Long; DH&L Representative Ken Stettler; Daily Item Reporters Wayne Laepple and Tricia Pursell; Borough Residents Paul Grimes, Noah Shane Hendricks, Joseph and Margaret Siro; Selinsgrove Library Director Jennifer Johnston

OTHERS ABSENT: Solicitor R. Cravitz

CALL MEETING TO ORDER:

Pres. Handlan called the meeting to order at 7:03 P.M. Mgr. Bickhart called the roll.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF OCTOBER 6, 2008, RECESSED MEETING OF OCTOBER 8, 2008, AND SPECIAL MEETING OF OCTOBER 15, 2008:

C/P Anderson noted that in the second paragraph on Page 8 of the October 6 minutes a word is missing. It should begin as follows: "Some new figures were also prepared this afternoon."

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PERSONS TO BE HEARD:

Borough Police Chief, Thomas Garlock – Presentation of Police Report for August 2008 – Chief Garlock reported in August 2008 there were 43 serious crimes and 50 other crimes for a total of 93. He noted the increase in certain crimes is normal for the beginning of the school year. There were 398 calls for service in August 2008 as compared to 391 in August 2007, as expected during the summer. Total calls for service this year are 3,128 as compared to 2,636 in 2007. The breakdown of activity by officer shows that Officer Wolfberg was still off duty. The civilian Community Service Officer ended his tour in the middle of August. The summer bicycle patrol was also concluded. Hopefully the Community Service Officer will return next summer to continue these patrols. Chief Garlock noted a commendation issued to Officer Brian Eichenlaub for an incident occurring on August 17, 2008 on the Isle of Que. Officer Eichenlaub received a Class B commendation, which is a mid-range commendation, relative to his handling of a shooting incident on South Front Street in which one minor injury occurred. Chief Garlock stated he hopes to be caught up with September's report by the middle of the month. He is still waiting for some reports to come in and hopes to be back on track with regular rotations. Chief Garlock stated that the background investigation for the new hire is moving forward. Contacts have been made in Nevada to investigate the candidate, who has spent many years outside of Pennsylvania. Pres. Handlan asked if all the computer software issues have been resolved and Chief Garlock replied that there are minor fluctuations in the program, but these were expected. He stated there are still some things that the software will not do so he does these things by hand. However, overall the problems experienced in the beginning of the year with the software and associated hardware issues have been remedied. Chief Garlock reported that the wireless system is progressing and he hopes to have a laptop with a wireless connection installed in one car by tomorrow.

DH&L Fire Company, Ken Stettler – Ken reported there were 25 incidents in October as follows: 3 automatic alarms, 1 CO alarm, 1 standby assignment, 3 false alarms, 3 good intent service calls, 1 HAZMAT call, 1 miscellaneous fire, 1 pedestrian accident, 3 local alarms, 4 vehicle accidents without extrication, 1 odor investigation, 1 training, 1 structure fire, and 1 vehicle fire. The incidents occurred as follows: 1 in Middlecreek Township, 3 in Monroe Township, 2 in Northumberland, 7 in Penn Township, 9 in Selinsgrove, 1 in Shamokin Dam, and 2 in Union Township. The loss within the jurisdiction was \$0.00. October man hours total 464. Pres. Handlan asked what the odor investigation was, and Ken replied that it was for a natural gas odor. He stated someone had melted plastic in their dishwasher and it smelled like natural gas.

Selinsgrove Area Recreation Inc., Brian Burke – Brian was not able to attend, but he sent an update via email to Mgr. Bickhart, who reported that the contracts have been signed, the contractor has presented all his insurances, the authorization to proceed was given, and work should begin at any time. They will do a lot of the demolition and excavation through the winter. The pipe installation can also be done. There are some specialty materials such as coatings and tilings that cannot be done due to temperature, but if the weather is mild enough a fair amount of work can be done through the winter.

Jennifer Johnston, Director, Selinsgrove Community Library – Jennifer reported that through a generous donation there is now wireless Internet in the library. Many people come in with their laptops to use this. Susquehanna University donated some older computers that were no longer being used, so two more have been added to the number available for people. Through donations from the Friends of the Library and the Degenstein Foundation, new shelves have been added. Another seating area has been created as a result of this. The library is doing outreach to Head Starts and daycares to reach children through story times. The library is updating their nonfiction section to include manuals and self help books for people who want to do things for themselves. The health section is also being updated. Jennifer reported that in comparing September 2007 to September 2008, the circulation is up 1,200 and computer usage has gone up by 480 people. With all the economic turmoil in the past few months, more people are coming into the library to use the resources. Jennifer reported the library is very excited about the feasibility study. At the last Board meeting the commitment was made to keep Selinsgrove Library as the headquarter library as long as there is enough space and parking. Pres. Handlan stated that Jennifer has been with the library for four months and has accomplished a lot in that short period of time. She stated that Selinsgrove Library and the community are fortunate to have Jennifer onboard.

Jennifer reported that she and Pam Ross went to Harrisburg today to meet with the architects. They toured a library in Camp Hill that reminded her of a Pottery Barn. They also toured a library in Mechanicsburg that is located in an old mill that was built in the 1800s. She stated the tours were very eye-opening and presented many possibilities. C/P Inch asked if either of the buildings toured was also a borough building. Jennifer replied that Karen Temple was going to look into that, but most of those types of situations were either in the Philadelphia area or the Pittsburgh area, and it was still not the kind of space that Selinsgrove would be looking at so it was decided it would not be worth the length of travel to look at these libraries. Pres. Handlan asked how the tours went last week, and Jennifer replied that they went well. They toured Berwick and Sunbury. The Berwick library is in a new, plain building that they just occupied at the beginning of this year. They have good sight lines within the library. The Sunbury library is very large and impressive. They had a lower level with a community feel and an office that was used for education. This was a space that might be similar to what the Borough needs. There were community rooms and storage on the first floor, with the second floor being just the library. Jennifer stated this was a good library to tour to get an idea of how it would work to share space with someone else, but it is still not exactly what Selinsgrove is looking for. They had a very large corridor and lobby area with quite a bit of wasted space. Pres. Handlan noted that Mgr. Bickhart and C/P Inch also went along on last week's tour. She asked how these libraries compared to the State College library. Jennifer replied that no matter how nice a library is, there are components that she does not like. She stated that the layout of the State College library was very nice and much more open. The Berwick library's layout was very plain and seemed boring, and the second level with the children's library was not very well planned out. A lot of the libraries toured had the children's library separate from the rest of the library because children like to be noisy and adults want it to be quiet. She stated the separation of adults and children at State College was much better than the others. The Camp Hill library also did a nice job with

the separation, with an open stairwell connecting the two levels. Mechanicsburg was smaller compared to the others, and it was long and narrow and did not feel as large as its 16,000 square feet. Pres. Handlan asked if the architects actually went along on today's tour and Jennifer replied that two of them did, driving her and Pam to the libraries. Afterwards they sat down and discussed numbers, as far as what Selinsgrove would need. The architects asked questions about sharing space and entrances. Pres. Handlan asked if Jennifer is satisfied with the questions that El Associates is asking, and Jennifer replied that the architects are very in tune and committed to making sure that they understand what the library wants and is thinking about, and what they have seen that they liked and did not like. Mgr. Bickhart noted that seeing libraries is a worthwhile effort. He only saw two last week, but there are many differences and they allow Selinsgrove to begin to focus on what they feel is better as far as arrangement and space utilization. Jennifer stated that she and Pam had some ideas of what they wanted, as far as study space and quiet rooms, but once you get into libraries the ideas change because you see that maybe what you wanted is not quite right once you see it in action. She stated the architects have a lot of insight and can show how even small changes can make a big difference. C/P Inch stated that the architects seem to be very eager to work with the library and the Borough to figure out what is needed and wanted. He stated he is very happy with them. Pres. Handlan thanked Jennifer for her presentation, and Jennifer then left the meeting.

C/P Anderson asked if the library was to present a budget request tonight and Mgr. Bickhart stated that he had thought they would tonight based on past practice. However, all of the library's documentation has been submitted for Council's consideration in the budget meeting.

UNFINISHED BUSINESS FROM PRIOR MEETINGS:

Review List of Council Issues – Mgr. Bickhart stated that he had a meeting scheduled with the building committee of the Selinsgrove Area School District on the Weiser Run reconstruction. This was the day of the Berwick library tour, and they left with enough time to get back for the meeting but got stuck in traffic in Danville so he needs to reschedule this meeting with the school district. Mgr. Bickhart noted that the Borough is working with DEP concerning the sewage/water facilities planning. C/P Anderson has copies of job descriptions for employees, and they will meet Friday to go over those and then get the committee engaged in coming up with job descriptions and going through the evaluation process.

Appoint Charlie Benner, 1 Linda Lane, to serve as the Borough's representative on the Penn Valley Airport Authority to complete the unexpired term of Glen Rohrer until 12/31/09 –

Mgr. Bickhart reported that Charlie had a conflict and could not attend tonight's meeting. Charlie is a pilot and very involved in various things in the county. He had previously operated a farm in Washington Township and gave it over to someone else to operate and moved to Linda Lane. Charlie has a good background in aviation and Mgr. Bickhart feels he will make an excellent representative for the Borough. He is very conservative and the type of person needed to represent the Borough. He would be one of nine representatives, each representing a different municipality.

Motion by C/P Viker to appoint Charlie Benner as the Borough representative to the Penn Valley Airport Authority. Seconded by C/P Inch.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Recognition of Morgan Botdorf, Selinsgrove Borough Junior Council Person, featured in October 2008 edition of the Pennsylvania Borough News – Pres. Handlan reported that Morgan was highlighted in this month's issue of Pennsylvania Borough News. She noted how proud Council is of Morgan. Morgan stated that on Wednesday she will present her graduation project on serving as a Junior Council Person to the school, so this article is very timely. C/P Anderson stated she asked if she could attend the presentation, but was told by the school that it can only be Morgan and the three teachers. Morgan stated she had to make a poster and write a paper, and this determines whether she can graduate or not. C/P Viker stated it sounds like a doctoral dissertation. He stated that he is grateful for Morgan's dedication, noting that it is rare for someone so young to come to all the meetings, which could present as tedious. He stated that Morgan is attentive and provides insight, and he is grateful for her

presence. Pres. Handlan stated that she hopes Morgan will encourage other students from Selinsgrove to become Junior Council Persons. Morgan stated that she believes Mr. Edwards is working with students to find a new Junior Council Person for next year. Mgr. Bickhart stated Council does have a schedule for this. He needs to look at it, but he believes it involves appointing someone early enough so they could attend during the summer if they choose to and then they can continue on through the next school year. C/P Anderson stated that it took a while for Morgan to feel comfortable, so attending during the summer is probably a good idea for the person can so they can become more familiar with Council. Anyone who is interested can come as an observer at any time.

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 Anderson.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Change in Water Rate Schedule – C/P Inch stated that this issue was discussed for quite a while at the committee meeting in order to address concerns that came up at the last Council meeting.

Motion by C/P Inch to adopt Option 2 for \$3.90 per 1,000 gallons for the first 6,000 gallons with a minimum fee of \$23.40, and \$2.70 per 1,000 gallons over 6,000 gallons. Seconded by C/P Anderson.

C/P Herb stated that he was not at the last Council meeting and he needed to be brought up to speed at the committee meeting this afternoon. He thought that the concerns and alternative suggestions brought up by C/P Hendricks were worthwhile reasons to take a fresh look at this. C/P Herb stated that there is a concern with the minimum 6,000 gallon standard because there are people who are using less than this. The committee considered the benefits of reducing this minimum against the effect that that would have on the Borough's ability to continue to have a revenue flow that would be larger than the actual costs for the year. With upcoming construction programs, C/P Herb stated that he was convinced that that was a legitimate enough concern to set aside the reduction in the minimum rate. However, this further modification of the rate schedule will be set aside only for the next year, or two at the most. At this time next year this will be reviewed and if possible the modifications will be made that Council has been heading for all along, but at the very least these will be made within two years in order to adopt the proposal that C/P Hendricks brought before Council last month. C/P Herb stated he feels this is the right proposal and wants to follow through with it as quickly as possible. C/P Inch stated that this has been worked on in Council for the past several years. At first there were four different rate categories and two have been removed. Tonight's motion would remove the third category, with the goal of making it one price for everyone. This will be done within the next year, with a possible schedule adjustment for one rate. C/P Hendricks stated he has no problem supporting the motion today, but he is asking Council to have a common vision of where they want to go in the near future. C/P Viker asked if this is a good faith understanding that Council will revisit this in a year without any significant or drastic change in Council's thinking. He asked if Council could bind themselves, or even a future Council, to a set of expectations. C/P Anderson stated Council could not bind a future Council. She stated it has been Council's intent to continue with this, and she would be surprised if, even with new Council members, the wisdom of this process would not carry the day. She feels that Option 2 at this point is the fairest to all concerned because it does not increase anyone's fee except for the high rate user, and if Council completed the entire program now the impact to the high rate user would be a 36% increase, and that is not a fair thing to do. C/P Herb stated that he believes that Council is committing to a good faith effort to look at this and, barring anything that is totally unforeseen, moving through the scope that Option 5 proposes this year, and doing it next year if possible, and certainly no later than two years from now. Mgr. Bickhart stated that this motion is a reaffirmation of where Council started the whole process, when they first looked at it and decided to do this progressively over a period of years, which period was not specified. Council has been diligent in making another adjustment every year. The original intent was not only to remove all the

declining rate levels but also to match the base rate with the 3,000 gallon limit that is currently on the sewer charges. Council has been moving along this path for three years now. C/P Viker called for the question.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Mgr. Bickhart stated that Solicitor Cravitz has not advertised a generic rate schedule, so what Council has authorized was for the solicitor to prepare and advertise an ordinance for the next meeting. By adopting it at the December meeting there will still be time to implement the change in the first quarter of 2009.

Review Eastern Snyder County Regional Authority's proposed 2009 Budget, final adoption scheduled for November 19 – C/P Inch stated that ESCRA is anticipating an increase for the Borough of \$63,000. Mgr. Bickhart stated that in ESCRA's budget there is a line item called "depreciation" which is a way for ESCRA to identify the charge back to the users and accumulate capital reserves for the operation or repair of the sanitary sewer system. The number comes from ESCRA's audit. The auditor takes the entire system and figures out the value of the entire system, and then for each year figures the depreciation in the value of the entire system. That is the amount of money that ESCRA is looking to recover from the municipalities. This does not pay for anything other than to put money in the bank account. If ESCRA would do this very carefully for the whole life of the facility they would have enough money in the bank to actually build another facility. Mgr. Bickhart stated he can understand the accumulation of reserves. The Borough does it in their sewer fund and in the water fund. There is value in maintaining some cash reserves, but ESCRA's number is just too high and going into 2009 is not the year to make the adjustment from \$380,000 last year to \$510,000 for this year. The Borough has two representatives who serve on the authority and Mgr. Bickhart would like to know Council's opinion concerning how this should be addressed with the representatives or with the entire authority. ESCRA's budget was not adopted by unanimous vote. Two members voted against it. One was Neil Smith and Mgr. Bickhart asked him what his reasoning was. He indicated he felt this was not the year to increase the depreciation, and Mgr. Bickhart agrees. He stated that he hesitates to mention these issues because the authority serves the Borough extremely well. They meet, go over difficult decisions, and come up with a good financing plan. They built the sewer plant expansion and are dealing with some surprises on that. However, this is just a budget issue and concerns how it is reasonable to accumulate additional capital. C/P Herb asked if ESCRA is looking, through a reserve fund, to fund 100% of their depreciation; in other words, creating a reserve fund that will equal what their accountants tell them is the amount their entire system will depreciate in a year. Mgr. Bickhart replied that, as an example, if there was a \$1 million treatment plan amortized over 20 years, they would charge the Borough \$50,000 a year for 20 years and at the end of that time they would have \$1 million in the bank. C/P Herb asked if there are any other municipal organizations that fund their depreciation 100%. He stated that seems extremely high. Mgr. Bickhart stated he does not know of any businesses that can fund their depreciation 100%. C/P Herb asked if Council is in a position to request Bob Dagle and George Kinney to reconsider their vote to approve the budget. Mgr. Bickhart stated that November 19 is the meeting when they will finally approve the budget, so whatever Council wishes to do needs to be done between now and the final adoption. C/P Viker asked to what extent Council may instruct, advise or require the Borough's representatives to vote any particular way. Mgr. Bickhart stated Council cannot require, but they can encourage and provide appropriate guidance. He stated that Ed Hovenstine, the Borough Manager in Shamokin Dam, feels the same way. He does not know what his Council may wish to do, but he was talking about going to ESCRA and speaking directly to the eight members who meet and decide on budgets. There are four municipalities, each of which has two representatives. C/P Inch stated that of the \$63,000, about \$40,000 is money to put into the depreciation account. C/P Viker stated there seem to be two issues: 1) what is a reasonable amount that one might identify as an appropriate depreciation amount for the budget; and 2) is Council committed to conveying that number to the Borough's representatives with a request that they vote in a way that supports that number. Mgr. Bickhart stated that a reasonable amount in public service is the best government that can be afforded. There is always a balance between what can be charged against the services that the public demands. Borough Council faces that every time they do a budget. ESCRA does not have to do this because Selinsgrove pays 30-some percent, based upon flow, of whatever budget ESCRA comes up with. Pres. Handlan stated that ESCRA has guidance on their budget; they did not just arbitrarily come up with that number.

C/P Anderson stated the \$510,000 is the exact depreciation figure from their audit. The decision that ESCRA has made is to fund 100% of depreciation. Council is saying that ESCRA should not be trying to fund 100% of the depreciation because that is an unfair predicament for the rate payer. C/P Viker asked at what number Council would not be having this conversation. Mgr. Bickhart stated Council was happy with the \$380,000. The Borough had a rate structure that balanced it, but they were losing a little bit of ground in that the Borough rates probably are not as high as they should be. Council is not anticipating recommending any sewer rate increase, so without a sewer rate increase in 2009, if nothing changes Council will be \$40,000 less able to put money aside to do repairs and renovations that they do on their own system. He would like to see ESCRA come out with a 20-year plan showing what they will be doing with the depreciation. They have known that the depreciation is in the \$500,000 range for several years. They have provided three years' worth of data showing this and they have not been trying to recover this in the first couple years, which is admirable. However, 2009 is not the year to do it. Maybe there will be a year down the line where the amount can migrate up to \$500,000 but given the uncertainties of the economy 2009 is not the year to do this because the Borough has to pass it along to the citizens that use the sewer system in the Borough. This is the same as considering a tax increase in the budget because it will come out of the citizen's pocket one way or the other. C/P Herb stated that from the current to the proposed budget the costs are increasing about \$200,000. Of that \$200,000 increase, \$130,000 of it is on the books as a depreciation increase, which represents 65%, or two thirds, of the total increase being connected to the depreciation figure. He stated this figure has an artificial quality about it. There is flexibility in that, and the sense that a 65% increase should be represented by depreciation is unreasonable. He does not feel anyone would object to a 10% increase. C/P Inch stated that when the new sewer plant was built the Borough had a fair amount of money in reserves. While costs kept increasing each year for the plant, the Borough waited quite a while to raise rates, which put the Borough in a precarious situation, and in one year the sewer rates were raised 56% to recoup the money. The fund is now being restored and some of the losses have been recovered. Council does not want to see this have to happen again, especially for something like depreciation.

Motion by C/P Viker that Council request the Borough's representatives to vote no on the budget unless the depreciation amount is closer to 30% of the overall increase.

Mgr. Bickhart asked if Council could talk dollars rather than percentages. He stated that his percentages are different from C/P Herb's. He stated the proposed 2009 budget increase of \$130,000 is a 34.21% increase over last year. C/P Herb explained his way of figuring was as a percentage of the overall increase in the budget. He stated he liked Mgr. Bickhart's suggestion of looking at a dollar amount. He stated a \$30,000 increase in depreciation spread out over the four municipalities would leave Selinsgrove to pay about one third of that amount, or \$10,000, which while not desirable, is an acceptable increase.

C/P Viker amended his motion to say that Council request the Borough's representatives to vote no on the budget unless an acceptable increase is part of that budget. He is asking for help from Council to determine what an acceptable increase would be. Pres. Handlan noted that Council can share how they feel but the representatives do not have to follow Council's recommendation when they vote. C/P Viker stated that his motion is to direct Mgr. Bickhart to convey Council's concerns to the representatives, noting it should be on the record as an action of Council. C/P Herb stated that even \$25,000 represents about a 12½% increase of the amount that ESCRA is requesting, and that does not seem like an unreasonable amount to go for. C/P Anderson stated it still gets them up over \$400,000 in depreciation. C/P Herb suggested using a \$25,000 increase over the present \$380,000 as a guideline figure. Pres. Handlan asked Mgr. Bickhart if he was comfortable sharing that with the authority or the Borough's representatives. She stated the whole board should get a copy. C/P Mengel suggested writing a letter to the Borough's representatives and copying the entire board. Mgr. Bickhart said he can do this, or he can attend the meeting if that is Council's wish.

C/P Viker asked if a motion is needed or if Council is comfortable with a consensus decision. Pres. Handlan stated she does not think a motion is needed, and Mgr. Bickhart agreed. C/P Viker therefore withdrew any quasi-motions he might have made. Mgr. Bickhart will send a letter.

Committee meeting to review proposed 2009 Budget – C/P Inch stated the Finance Committee will be meeting Monday, November 10 at 1:00 PM. in the Borough Council chambers. The full Council will meet Monday, November 17 at 6:30 PM.

Statewide Tax Recovery, Inc. - Exoneration Requests – Mgr. Bickhart reported one exoneration request for Glen Brown for 1992, 1993, 1994, 1995 and 1996 due to his being deceased.

Motion by C/P Anderson to approve this exoneration request. Seconded by C/P Mengel.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

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

Schedule committee meeting pertaining to recommendation of 2009 Infrastructure Improvement Plan (streets, alleys, utilities and Weiser Run improvements) – C/P Hendricks will meet with his committee members to come up with a date to meet.

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

Report on Selinsgrove Municipal Building and Community Center Library Renovation and Expansion Project Feasibility Study, meeting held on Wednesday, October 8 and building tours conducted on October 29 – C/P Mengel stated most of this has already been reported on.

Pres. Handlan stated she is pleased with how this is moving along and she is anxious to see what EI Associates comes up with next. Mgr. Bickhart stated the next meeting will be November 5 at 7:00 PM. C/P Inch stated he thought there was a conflicting meeting that night and Mgr. Bickhart stated the Source Water Protection meeting has been postponed. Tonight's meeting will recess to the November 5 meeting. Pres. Handlan asked Sheri if it is possible to note on the Borough's website when a meeting has been recessed. Sheri stated she can do this. Pres. Handlan asked who will specifically be working on financing as this project moves forward. She stated that even though the Borough and the library are doing this jointly, they have different funding sources. The library will soon be starting their capital campaign. Mgr. Bickhart stated both organizations need to think about their own fundraising. The Borough does not call it fundraising, but rather finances it one way or another for a period of time. C/P Mengel stated that EI does a lot of grant work and there are possibilities there. C/P Viker asked if there should be an estimated dollar value before this can be tackled. Pres. Handlan stated it will need to be determined who is paying what share, especially if this will be the head library and not just a branch. Mgr. Bickhart stated that this should be discussed at this next meeting. He stated that Berwick is a library that was not funded with any public monies. They did not have to go through prevailing wage or procurement procedures associated with public funds. They built a \$2.5 million library without public funds. The basic state grant for libraries is called the Keystone Grant and provides \$500,000 toward the project. Berwick did not use those funds. This next meeting will be the time to start looking at those types of decisions, and to take the feasibility study in terms of costs and fundraising and develop that. Pres. Handlan asked if EI Associates has the area developed on their website yet where the Borough can log in and see the status update. Mgr. Bickhart does not believe this has been done yet and Pres. Handlan asked if that could be discussed at the next meeting also.

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

PERSONNEL MANAGEMENT COMMITTEE: C/P Anderson, Chairwoman

Report on recommendations for Job Descriptions and Employee Evaluations – C/P Anderson stated she will review position descriptions with Mgr. Bickhart on Friday and then have a committee meeting. She stated the Borough Manager evaluation format will be shared more widely. Pres. Handlan asked what the target date is for implementation of this and C/P Anderson stated people will be informed that this is the new system as of January 2009. Mgr. Bickhart stated that as interviews are conducted with the current employees, these things will be discussed and fine tuned. Pres. Handlan asked if these will be semi-annual or annual, and C/P Anderson stated it depends on what form is utilized, but she is

thinking it will be annual. Some jobs will want to have three to five goals articulated for the year, but other jobs are more routine so they will not need a system that requires three to five goals. This may end up being a different evaluation form for the facilities people than it is for the office staff. Pres. Handlan suggested having some core competencies that could be shared.

PUBLIC SAFETY COMMITTEE: C/P Herb, Chairman

C/P Herb asked if the room was available Tuesday, November 18 at 6:30 for a committee meeting. Sheri stated that that is SPI's meeting night. C/P Hendricks suggested the pump house. Sheri stated the Kiwanis meets in the pump house on Tuesdays. C/P Herb asked if there was a place downstairs and C/P Anderson stated the university would probably be happy to accommodate the committee. C/P Herb stated he would look into that. Pres. Handlan asked if anything more has been heard concerning the stop sign on Front Street. C/P Herb stated that is an agenda item for the committee meeting; however, he has not heard anything more about it.

PLANNING COMMISSION: Earl Moyer, Chairman

Review agenda and draft minutes from October 22, 2008 meeting, note recommendation to approval Annual Evaluation Report on the Borough's Hazard Mitigation Plan – Information only

Adopt Annual Evaluation Report on the Borough's Hazard Mitigation Plan – Mgr. Bickhart stated this is basically the same annual report that Council had last year. Nothing has been accomplished. He has received no response to the Luzerne levee raising money for moving the emergency access off the Isle of Que. At Council's request he directly contacted via email all three county commissioners and made them aware of the fact that the Borough is interested in this and would like advice on how to proceed to finish the project. C/P Anderson asked if ES-3 should be removed since the former DH&L building is now privately owned. Mgr. Bickhart agreed that that could be deleted in its entirety. C/P Anderson asked if ES-5 has been met. Mgr. Bickhart stated there is still a request for equipment. It has been proven that it will not result in anything, but DH&L would still like the equipment.

Motion by C/P Anderson to adopt the report with the deletion of ES-3. Seconded by C/P Mengel.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

C/P Mengel asked if the Borough is getting money for the Weiser Run problem and C/P Anderson replied no. Mgr. Bickhart stated it was not on the original list of projects. Pres. Handlan asked if the newest Council members have gone to NIMS training. Mgr. Bickhart replied no and C/P Anderson stated no training has been held. Mgr. Bickhart stated he has been trying to arrange it. Pres. Handlan asked how this impacted the Borough's certification and Mgr. Bickhart replied the certification was able to be completed satisfactorily. The new Council members need to be brought up to date. It was never converted to an absolute requirement to prove that every Councilperson has done it, yet when it first came out it was required. Dawne Long asked if the Councilpersons can do the NIMS training online, as she knows that it is available online for firefighters. Mgr. Bickhart replied that it can be done online, but it is easier online at the direction of the emergency communications personnel. Something can be arranged in-house. C/Ps Hendricks, Herb and Viker need the training.

ZONING HEARING BOARD: Cyril Runkle, Chairman – No Report

CIVIL SERVICE COMMISSION: Dalton Savidge, Chairman

Appoint a replacement to serve Dan Greak's unexpired term to 12/31/12 – Mgr. Bickhart reported he has not found anyone interested in this position. Mayor Carroll stated he has also found no one. C/P Anderson suggested Tom Rambo, but C/P Viker stated he is not a resident of the Borough. He asked if this could be advertised and interested parties be requested to contact Mgr. Bickhart, perhaps as a free public service announcement. Mgr. Bickhart replied that it would probably cost the Borough and he would have to question its effectiveness. C/P Anderson suggested putting it on the Borough's website,

and Sheri stated it is there. Mgr. Bickhart stated what is usually done is that names are suggested and people are contacted. Pres. Handlan asked if Council has the responsibility to fill this position and Mgr. Bickhart replied they do. C/P Herb suggested Jim Charles. C/P Hendricks suggested Tim Charles also. Sheri stated that Sean Christine is back in the area and is willing to do something. C/P Anderson asked if Bill Reuning would be willing to serve and Pres. Handlan stated he is already doing something. C/P Anderson then suggested Don Sheldon as someone who is looking for more to do. Mgr. Bickhart will look into the names suggested.

PARKS AND RECREATION BOARD: Richard Norman, Chairman – Mgr. Bickhart reported that Dick still owes reports on the 2008 summer playground program and the annual report on the skateboard ordinance.

SHADE TREE COMMISSION: Karl Maul, Chairman – Mgr. Bickhart reported the trees have been trimmed downtown and two have been removed at the direction of the Shade Tree Commission. C/P Viker stated he spoke with the young gentleman who is working on the tree survey on Eighth Street. He stated the survey is underway and he does not know if it has been completed yet or not. C/P Inch stated that tonight Council authorized payment of the bill for the tree trimming and removal.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Pete Carroll

Mayor Carroll reported he has participated in numerous ribbon cuttings at Monroe Marketplace. Emma's also did one in town. The Halloween Parade went well. The Halloween night at the police station was well attended with parents and trick-or-treaters. Mayor Carroll also attended numerous meetings throughout the month. He provided a list of his activities to Council.

BOROUGH SOLICITOR: Robert Cravitz, Esq.

Update on GLSS Partnership's Appeal of Real Estate Assessment – Mgr. Bickhart reported in Solicitor Cravitz's absence that this property, formerly Mr. Carmen, has requested reassessment of their two properties. One is a major piece of property with the buildings on it, and the second is a small lot between the buildings and the Borough's soccer fields. The board of assessment denied the request on the primary property and buildings, but did reduce the assessment from \$7,490 to \$5,940, a reduction of \$1,550, on the smaller 50 x 300 foot vacant piece of property.

Adoption of Ordinance # 772, pertaining to imposing a requirement for every owner of real property to have a contract for the removal and disposal of municipal wastes – Mgr. Bickhart reported that Solicitor Cravitz did prepare and advertise this ordinance. If Council adopts this they will require all property owners to have contracts for trash removal by licensed haulers or some facsimile of that including a pay-as-you-throw or removal on a prepaid bag arrangement. The ordinance requires the property owner to supply proof of these contracts if the Borough so requires, and a timeframe in which to provide that proof. The ordinance also provides a duty to the contracted haulers to verify the contract if the Borough requests them to do so. C/P Anderson asked if the Borough can really require a business person to do that and Mgr. Bickhart replied apparently they can. He stated that this is not necessarily the Borough's doing, but they are responding to the state's requirement that this be done as a condition for receiving future recycling grants. C/P Viker stated that he would be inclined to vote no on this except for the fact that the Borough is bound by the expectations of the higher authority, which is the state, in order to receive future state funding for recycling programs, which are very well received and quite popular. Therefore, he will be voting yes with grave reservations regarding the onerous nature of this expectation. Mayor Carroll asked if anything has been done regarding open dumpsters on Market Street. Pres. Handlan stated that is not part of this ordinance. C/P Inch asked if a paid receipt from a waste hauler is as good as a contract and the answer was yes. C/P Viker stated he also takes comfort in the fact that the Borough is not becoming the trash police. No one will check a property unless there is some significant problem, and then this gives the Borough some authority to rectify the situation.

Motion by C/P Hendricks to adopt Ordinance # 772. Seconded by C/P Mengel.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Update on Susquehanna University's \$5M Redevelopment Assistance Capital Grant – consider "Cooperation Agreement" proposed and consider adoption of Resolution pertaining to executing Grant documents – Mgr. Bickhart reported this does not require action tonight. Solicitor Cravitz has reviewed this and felt that this was the county's responsibility. Mgr. Bickhart believes this is a result of a misunderstanding on Solicitor Cravitz's part, and that as the solicitor for Snyder County also, he is aware that the county will be receiving money for bridge work from the same grant program that was announced at the same time by the governor. The two grants are completely separate and have nothing to do with each other. Mgr. Bickhart does not want to misrepresent Solicitor Cravitz's opinion and therefore proposes to table both of these issues until the next meeting. In order for the university to acquire this money, the Borough will receive the grant. The cooperation agreement is the document that describes how the Borough will relate to the university concerning the administration of the grant, and the resolution is a document that puts all of it in place so that it authorizes Mgr. Bickhart and Pres. Handlan to sign documents going forward concerning the cooperation agreement and the grant itself. Other than that, it is a fairly typical grant. The university is aware of the differences, of which there are some. Being a private institution, things like U.S. steel regulations, prevailing wages, and bidding requirements are not things the university typically deals with. However, they have gone back and made the adjustments. They have also retained special legal counsel with some expertise in these grants to help them through this process. C/P Viker asked if moving these activities to next month will cause any problems with deadlines or cause someone to have to move too quickly. Mgr. Bickhart asked the university today and they said there was no downside to tabling this to next month. He pointed out that in the cooperation agreement, the financial considerations between the university and the Borough have been that the Borough would ask the university to reimburse the Borough for any expenses that the Borough would have on their behalf. He asked if he is safe in assuming that that is the only financial relationship that Council would desire. He stated that the university has offered to pay a fee if Council so desires one, but based upon past practice of Council they simply look to be reimbursed for any expenses. C/P Inch asked if Council will receive a copy of the agreement. Mgr. Bickhart replied that Council will receive a copy of both the agreement and the resolution. He stated he would have brought them along, but Solicitor Cravitz has not had a chance to fully review them yet. Pres. Handlan stated she would not want to ask for a fee from the university, and Council agreed.

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – Written report provided; no discussion.

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for October 2008 - 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 stated he and Paul Grimes sat and discussed a number of things. Most of the issues on the list have already been covered or are not things that the Borough has any jurisdiction over. Pres. Handlan stated she had a good response to the Borough newsletter, with citizens writing in to share some problems or concerns within the Borough. A few of them had provided contact information and Mgr. Bickhart was asked to contact those individuals and talk to them. These issues included things such as trash, abandoned autos, issues with students, houses that needed repair, animals, and so on. These things are being addressed. Mgr. Bickhart stated that he wants to add these to the document so Council knows what people are writing about and what is being done about it. C/P Inch stated that one item mentioned in the newsletter is that people should not be raking their leaves into the street before 7:00 AM on the morning they will be picked up. He stated that he has encountered three or four different spots where leaves have been raked into the street early. This presents a real

problem during a rainstorm for those who live near drains. Pres. Handlan agreed, but stated that she feels the Borough does not give people much choice when they have so few hours in the week to be able to do that chore. She stated, however, that when the sewers get clogged up, especially on Broad Street, it is a problem. She does not have an answer for that. Mgr. Bickhart stated he does not either. The potential for damage is there, but there have not actually been many bad experiences. It is one of those things that is a violation, but putting the effort toward enforcing it is not really justifiable, whether it comes from him or Corby. If the Borough crew sees it and comes into contact with the property owner they do mention it. However, it is not something that is sought out in order to write letters to property owners. Pres. Handlan stated that one of the issues brought to her attention through the newsletter was that people were not aware that if they missed the leaf pickup that they could call the Borough office and they would come back and pick up their leaves. A lot of leaves have not fallen by the time the crew goes through. Mgr. Bickhart stated this was an issue of leaves falling and accumulating after the dates for the pickups. The Borough does continue on past the date when leaf pickup is scheduled to end until the point where they have to start plowing snow. Last year the leaves fell very late and were picked up as long as possible; however, they were not all picked up before the Borough had to change equipment. C/P Inch stated that his concern is that there are several people to the north of him who, when the pickup is Tuesday night, rake the leaves into the street the previous weekend. If not picked up, the leaves can sit for a week or so and cause some problems.

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

Update on Source Water Protection Plan Steering Committee meeting scheduled for Wednesday, November 5, 2008 at 7:00 PM in the Borough Council Meeting Room – Mgr. Bickhart reported the meeting has been postponed. This is important for the Borough and any ideas and recommendations for protecting the groundwater source in the Borough is worth the effort. This is being paid completely by the state. They have hired a contractor, and all the Borough needs to do is interface with them in the review of the various recommendations and come up with a strategy toward public education so people can be made aware of what they can do individually to protect the groundwater supplies. Mgr. Bickhart is working to have this done in cooperation with Penn Township because they and the Borough share their water supply in that they are interconnected. The aquifers and the opportunity for development and doing things that could affect the groundwater that the Borough and Penn Township utilize is much greater in Penn Township than in the Borough because the Borough is fully developed. They can do things concerning storage of materials but in terms of land development the Borough is pretty limited. The issue came up a number of years ago in regards to a feed plant operation and the proposal to apply hog manure within a few hundred feet of the Borough's well in Penn Township. Fortunately the proposal did not go forward, but these are the kinds of things that the Borough needs to be able to address, have plans for, and have ordinances for in order to limit them. In that case, the situation was outside the Borough so only Penn Township could have implemented any effective control to protect the Borough's Well No. 4, which also happens to be in Penn Township. So far the state has agreed to allow Penn Township and the Borough to work on this together. There is a study for Penn Township that is done exactly the same and looks like what Mgr. Bickhart sent to Council, so Penn Township has the benefit of the same analysis. The steering committee is the next activity and Mgr. Bickhart is looking for a date sometime in early December. He will let Council know when that meeting is set. He stated that after reviewing the material, if Council has any questions they can stop in and talk about it with him. This is a very important study for the Borough. In reviewing the technical information, Mgr. Bickhart found that for the first time, to his knowledge, the Borough has a meaningful evaluation of just exactly where sources of potential contamination could come from that could affect the groundwater supplies. The groundwater is very high quality, very high quantity, and relatively deep, but not totally protected without the Borough continuing to worry about it. C/P Anderson asked if the steering committee is already formed. Mgr. Bickhart stated the meeting is just a meeting at large to see who shows up and that will become the steering committee. They are inviting local government people, planning commissions and county people. School district people are being asked to see if they could find someone to make this curricular, as some of the output from this study could be made into classroom materials to help educate students who live within the recharge area for the water system. C/P Anderson stated there could be some valuable assistance available from the geology faculty at Susquehanna. Mgr. Bickhart stated he wanted

to contact Fletcher or Lowright, who did private consulting work together. C/P Anderson stated Fletcher does not live in the community any more. She suggested Jen Elick. Mgr. Bickhart stated that he knows Jen Elick, who is on the Shade Tree Commission. He does want to connect with the university to get a representative. C/P Viker stated that Jen Elick is the department head and there may be a groundwater expert on faculty. A year or so ago the faculty was looking to hire a groundwater expert, but he does not know if one was found. C/P Anderson stated that Jen Elick would be the contact person for that department and that Bob Goodspeed is another possibility if he is still around.

Reminder concerning 2009 Budget Workshop meeting Monday, November 17, 2008 at 6:30 PM in Council Meeting Room – Reminder only; no discussion

Reminder concerning PSAB Borough Officials Training and Update, various dates and locations in January and February of 2009 – Reminder only; no discussion

Reminder concerning 2009 PSAB 98th Annual Conference, March 22-25, 2009, Hershey Lodge and Convention Center – Reminder only; no discussion

SELINSGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman

Update on proposal for additional T-Mobile wireless antennas on Water Tank – Mgr. Bickhart reported that the municipal authority instructed him to contact T-Mobile Wireless. He shared a letter noting the issues that the authority has raised. He has not yet received any feedback that these issues are unacceptable and the company seems to be moving forward. Mgr. Bickhart feels that this will be resolved and a lease for wireless antennas should be forthcoming. C/P Viker stated that he reads that the authority said that the proposed lease amount was insufficient and suggested a higher amount. He asked if Mgr. Bickhart is saying that the higher amount is acceptable to T-Mobile. Mgr. Bickhart replied that he feels that is true, as they have not given him any indication that anything in the letter was unacceptable. The authority did not like the option arrangement and did not want to tie their hands with that issue, so they chose not to go with that. However, they did allow the company to come and do planning and measuring in order to proceed right way to a monthly or annual lease, whichever they prefer. The authority was quite adamant about making sure this was equitable with the lease they currently have. If they do less than that it puts them in a bad position.

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Bob Dagle and George Kinney, Chairmen
– Discussed previously under Finance Committee report. Mgr. Bickhart noted that he will prepare a letter and contact the Borough's representatives.

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Bill Hetherington and John C. Bickhart

Annual assessments increased from \$1,500 to \$2,000 for 2009 – Mgr. Bickhart stated that the bi-annual meeting was held in October. This authority looks after the former Eastern Snyder County landfill, which was closed a number of years ago and which just needs a little attention from time to time. There are a couple of basins associated with it that the authority would like to do a little work on so that is why the assessments will be raised this year. The assessment is shared based on 2000 census information, and it is not terribly expensive. The Borough's share for 2009 will be \$980.

NEW BUSINESS:

Mgr. Bickhart stated that not too long ago he reported on the Community Rating Study that was done and the fact that the Borough had managed to be rated to a point where all flood insurance purchasers saved 15% on their insurance. The Borough is annually reevaluated and they have been approved for next year, so they continue to maintain that level of benefit to the flood insurance rate payers.

Pres. Handlan stated she received a letter from Bob Derr, who is organizing the 9th Annual "Bar Crawl" for March 2009. This event takes place in March every year. Over the years it has grown significantly and they had well over 100 people participate last year. They held a meeting downstairs tonight at 7:00 PM.

They are trying to get more of the community involved in this. Pres. Handlan spoke with Chief Garlock, who stated he has never had an issue in all the years they have done this event. Because the group is growing so large they are now breaking down into teams to raise funds. Pres. Handlan invited them to come to a Council meeting after they have outlined everything. The group wants to assure Council as to their intent and to make sure Council does not have any concerns with them doing this in the Borough. They start at one end and work their way down through the bars in town raising money for cystic fibrosis.

RECESSION:

At 9:03 PM meeting RECESSED until 7:00 PM on Wednesday, November 5, 2008. Mgr. Bickhart will advertise the November 17, 2008 meeting to avoid recessing the recessed meeting.

Attachments: None