

SELINGSGROVE BOROUGH COUNCIL MEETING

MONDAY, AUGUST 5, 2013 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Brian Farrell, V. Pres. Pete Carroll, C/P Dottie Anderson, C/P Tim Charles, C/P Shane Hendricks, C/P Rich Mease, and C/P Erik Viker

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Borough Manager Paul Williams; Solicitor Matt Cravitz; Mayor Sean Christine; Borough Treasurer Sheri Badman; Recording Secretary Chele' Weaver; SEDA-COG Glenda Ruch; Daily Item Rick Dandes; DH&L Gary Griner and Dawayne Betzer; Parks & Recreation Rocky Baer; Savidge Housing Group Michael & Richard Savidge; Ethnogenesis Marlin Grimes; Twisty Freeze Justin & Betsy Womer; Borough Residents Margaret Siro, Jay & Maggie Lemons, Earl Moyer, Vincent Stoops & Marvin Rudnitsky.

OTHERS ABSENT: None

CALL MEETING TO ORDER:

Pres. Farrell called the meeting to order at 7:00 P.M. Mgr. Williams called the roll, followed by a moment of silence and the Pledge of Allegiance.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF JULY 1, 2013:

Motion made by C/P Viker to approve the minutes as presented. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Recess meeting to FINAL PUBLIC HEARING - advertised for 7:00 P.M. -

Presentation by Glenda Ruch on FFY 2013 CDBG Funding. - Ms. Ruch informed everyone in attendance that SEDA-COG still has not received their 2013 allocation from the Department of Community and Economic Development. She stated that several weeks ago she informed everyone that she would have the numbers before tonight's final public hearing, but this is just not the case. They do not even know when the 2013 applications are going to be submitted. They are anticipating sometime in September of 2013 since they are already into August 2013. Ms. Ruch informed everyone that they will be using an estimated allocation based on the Borough's 2012 CDBG allocation. The 2012 allocation was \$92,325. This amount will likely change for 2013.

The projects that were selected for funding include the ongoing Borough wide sidewalk/curb replacement for \$10,981.00; elevator construction \$26,944.00; curb cut replacement/upgrade \$38,000.00 and administration is \$16,400.00.

Ms. Ruch asked if there were any questions from the public or Council regarding the activities mentioned and the estimated allocation amount. She will be looking for direction from Council as to how she is to apply any increase/decrease to the FFY 2013 CDBG allocation to Administration and Borough wide Sidewalk/Curb Replacement at the conclusion of the public hearing. If there is an increase SEDA-COG has reduced their administration fees the last two (2) years to keep within the 18%. The Borough's allocation the past two (2) years has been a decrease in funding.

Ms. Ruch stated that the approval of Resolution 2013-18 will actually give SEDA-COG authorization to prepare the application forms and authorize the President of Council to sign.

Meeting reconvened at 7:10 P.M.

Motion made by C/P Hendricks to approve Resolution 2013-18. Motion seconded by V/P Carroll.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Motion made by C/P Hendricks to approve applying the increase/decrease to the CDBG allocation.
Motion seconded by C/P Anderson.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Recognition and Presentation to prior Junior Council Person - Magdalene Lemons

Mayor Christine presented Resolution 2013-14 to Maggie Lemons from the Selinsgrove Borough, Snyder County, Pennsylvania thanking her for her years of service.

PERSONS TO BE HEARD:

DH&L Fire Company – Chief Dawayne Betzer reported that the Brush Truck has been sold and sent to Florida and the Engine has been sold and sent to Indiana. The fire company received \$10,500.00 for the Brush Truck and \$4,500.00 for the equipment. Chief Betzer informed Council that the new piece of equipment is in production and the cab is going through the second stage of production. They are expecting the Fire Truck to be here by the end of October 2013.

There were 37 incidents and they occurred as follows: 3 in Chapman Township, 1 in Jackson Township, 6 in Monroe Township, 9 in Penn Township, 15 in Selinsgrove Borough, 1 in Shamokin Dam Borough, 1 in Union Township and 1 in Washington Township.

There were 37 alarms and they are as follows: 6 automatic alarms, 1 stand-by assignment, 11 good intent/service calls, 2 medical assists, 3 MVA w/o extrication, 1 odor investigation, 1 power lines down, 1 rescue call, 4 structures fires, 4 trees down, 1 unauthorized burning, 1 vehicle fire and 1 water rescue/recovery. This was a total of 321.33 man hours.

Chief Betzer stated that the Fire Co. did hold a chicken barbeque in July and they tried platters and made \$450.00. The platters were not a big hit. They also had an event at Susquehanna RV on the same day and brought in \$875.00.

Fire Police - Gary Griner informed Council that the van had been used nine (9) times in July for a total of 202 miles. There were 19 crew members for a total of 54 man hours. They were in Chapman Township 2 times, Monroe Township 1 time, Selinsgrove Borough 2 times, Penn Township 2 times and Middle Creek Township 1 time.

Selinsgrove Area Recreation, Inc. - No Report

Selinsgrove Projects, Inc. - No Report

Parks & Recreation Commission - Rocky Baer - Copy Provided - Mr. Baer informed Council that they had a meeting on July 23, 2013. The committee is still looking for one (1) person to serve on Parks & Recreation and there are two (2) positions available due to inactive members.

The Summer Kids Program has seen a high of 24 children in attendance with an average of 18 children per day. The current counselors are Maya Fuller-Little, Brent Shambach and Courtney Wolfberg. Vince Stoops and the counselors have been posting program information and photos on Facebook and issuing press releases in the Snyder Co. Times, The Daily Item and our local radio station. One issue that has arisen is the length of time in a day. The Committee will be looking at shortening the amount of time they are there. They are also looking at pre-qualification, clearances, background checks, etc. They are not

having issues, but want to be safe for the future. The Committee would also like to thank Vince Stoops for all his time and commitment to the program. The last day for the program will be this Friday, 8/9/2013.

The Dog Park has had the sign installed recognizing the donor's dogs. The sign for the Major Anthony Selin Park, that is located in the dog park, has a damaged roof and missing shingles. This will be investigated. Mr. Baer informed Council that the bench by the dog fountain is missing. No one seems to know where it went. If anyone has any information as to its whereabouts they are to let him know. He also stated there is a concern with dog bites. The Committee plans on posting a sign that states "Selinsgrove Dog Park, enter at your own risk." C/P Viker asked that this be checked out with the Borough's insurance to make sure it is something they handle. Mr. Baer also stated that the American Legion has offered to purchase the next supply of bags for the doggie droppings.

The Mini Playground recently had a layer of mulch put down for safety.

Major Anthony Park needs some work done to the horseshoe pit.

The Boat Launch has been awarded to G&R Charles. They are waiting for lower water levels and have 150 days to complete the contract. They are anticipating a fall completion. The Porta-John has been paid for by Selinsgrove Projects, Inc. and they would like to be recognized as paying for it. Vince Stoops is going to create a sign stating it is sponsored by SPI. They are asking that G&R Charles, the contractor, reimburse SPI for use of the Porta-John during the months they are on site.

Mr. Baer informed Council that the ice rink has graffiti on the wall and it needs to be painted over. The Borough staff should be taking care of this.

There is also a possibility of the Moose providing a charitable donation to Parks & Rec. Mr. Baer will be following up with this.

The NEOS equipment has been installed at Kidsgrove, but they are still waiting for the rubber padding to arrive and be installed.

The kayak access has been getting used quite a bit and some people are using it for swimming.

The Rotary Field will be hosting the Selinsgrove Seals football carnival on Saturday, August 24, 2013.

The next meeting for Parks & Rec. will be held on Tuesday, September 24, 2013 at 7:00 P.M.

C/P Hendricks referred back to the pre-qualification, clearances, background checks, etc. for the Summer Kids Program. He doesn't feel that the individuals involved should be held to a different standard than what is currently required in the Employee Handbook. Working with children should be included in the Employee Handbook.

V/P Carroll suggested that the dog park perhaps offer a container that could hold used shopping/grocery bags for cleaning up the doggie droppings. The bags that the American Legion would like to purchase are rather expensive. He also stated he was made aware of a stray cat being adopted down at the park and that the current owner has been taking it home and then bringing it back to the park to roam.. He stated one of the parents that goes there has children that are allergic to cats. V/P Carroll would appreciate this being looked into. He feels that the cat should be kept at home.

Others to be Heard –

Borough Resident Vince Stoops - Mr. Stoops wanted to express a concern to Council about the parking spaces in front of IT Express and how they are being used. He lives right next door and he has almost been hit by cars driving through the parking spaces rather than waiting for the red light.

V/P Carroll asked if the property is for sale. Mr. Stoops answered yes. V/P Carroll asked if the current owners couldn't close off the parking lot.

PUBLIC FACILITIES & SERVICES COMMITTEE- Shane Hendricks, Chairman Request by Michael Savidge to vacate a portion of Union Alley (from Stauffer Avenue to Sand Hill Road) - Copy Provided - Mr. Savidge stated that it looks as though the alley has always been vacated for Lot #18 because the house is built right on top of it. Mr. Savidge is asking for half of the unopened alley behind Lot #29. C/P Hendricks stated the Borough is going to have to research how the unopened alleyway is impacted by Lot #18. This alley will never be opened. It is possible that the property owners on the eastern half of the block may not want the 10 feet because of increasing real estate taxes.

C/P Anderson asked if all we are being asked tonight is to say go ahead with the request to grant permission to do the research. Mgr. Williams stated there is more to it like advertising requirements and notices

C/P Viker moved to approve this process. He stated that the Borough should engage in the usual process to vacate the alley as Mr. Savidge requested. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Charles asked if the Borough is going to have Sol. Cravitz look into Lot #18. Mgr. Williams stated yes there is a lot of work to do.

Mr. Savidge stated that he has a second item he would like to discuss that is not included on the agenda. He had dropped off a packet of information earlier this morning with regards to the property located at Sand Hill Road. He realizes that there wasn't enough time given for Council to review this information. Mr. Savidge would like to know how this will be handled - next month or some comments tonight.

Mgr. Williams' recommendation is since it is still fresh to Council to take a month to digest it and talk about it at next months meeting. It deals with the subdivision at South Sandhill Road. It is a two (2) part issue and involves revisiting some of the conditions that were imposed and also the dispute of the Engineering fees. Council may want some time to digest Mr. Savidge's comments.

Mr. Savidge would like to know if he will get credit for the impervious coverage if he demolishes the existing house and garage at the Sand Hill Road location.

Mgr. Williams stated he is familiar with the Storm Water Management Ordinance and the Ordinance calls for pre-development to assume the condition as being a meadow. He cannot say what has been done in the past. Mgr. Williams suggested Mr. Savidge document what is there perhaps by photographs. Mr. Savidge stated this has already been identified on their Land Development Plan. Mgr. Williams stated that if it isn't considered a meadow he feels that Mr. Savidge could request for a waiver. Mr. Savidge asked to formally request a waiver this evening so that he can proceed with the demolition. Mgr. Williams stated that there is nothing that prevents him from doing the demolition. He would however ask that Mr. Savidge apply for a zoning/building permit. Presently, the Borough has no plan of record for consideration. If Mr. Savidge would like to remit a new application/plan the application should include the waivers that are being requested. Right now there is no action that should be considered by Borough Council until there is a plan before them. Mr. Savidge stated there is a plan before Council.

V/P Carroll stated that he did give Council a plan, but Mr. Savidge left a prior Council meeting indicating that he was not going to go forward with that plan. Mr. Savidge said that is correct. V/P Carroll agrees with Mgr. Williams no plan is before them tonight. Council is trying employ the proper procedures.

C/P Viker stated he would love to see Mr. Savidge accomplish the work he wants to do. C/P Viker is not sure if Council will give him four (4) votes to the positive.

Pres. Farrell stated he feels that everyone here would love to see Mr. Savidge improve the property - this is not the issue - it is doing the same thing for everyone else after this decision is made. Council cannot make a decision for Mr. Savidge and then go back to a different set of rules for someone else.

Mgr. Williams stated we have an adopted Zoning Ordinance. These are the rules and regulations - you have a Zoning/Hearing Board if Mr. Savidge needs relief from the Zoning Ordinance - this is what it is there for. Council may also grant waivers from the Sub-division Land Development Ordinance. He referred to Resolution 2013-13 which stated that if Mr. Savidge did not accept the conditions of approval within 10 days the plan is denied. There is no plan of record at this time.

C/P Viker asked if the problem would be solved by resubmitting the plan. Mgr. Williams answered yes. Mr. Savidge asked if this would include the fees again. Mgr. Williams answered yes. It would be a new application with new fees. Mr. Savidge stated it is the same plan and it has not been changed. Mgr. Williams stated there are deficiencies on the plan that the Resolution pointed out. Mr. Savidge stated he is not paying the fee again. Pres. Farrell asked what the fee was and was told by Treas. Badman that it was \$400.00 and was paid on 3/1/13. The total cost was \$1,466.00. Mr. Savidge still owes \$1,066.00 from the original application.

C/P Viker said that what he is hearing is that the fees attached to the original plan have not yet been paid in full. Mr. Savidge stated the original fee has been paid in full. They just received as of last week a balance which included what the Engineer charged the Borough. C/P Hendricks asked Sol. Cravitz if an extension can be granted on the effective date to Resolution 2013-13. Sol. Cravitz stated that it did expire. Mgr. Williams stated the Borough could grant him a waiver from paying new application fees as long as Mr. Savidge agreed to pay whatever additional expenses present themselves.

C/P Viker stated he is disappointed that the original fees have not been paid.. What has been suggested is to waive the fees for a second plan. C/P Viker asked Mr. Savidge if he will pay the balance on the current statement. Mr. Savidge stated that he would pay the balance on the current statement.

Sol. Cravitz stated there is a method in the planning code for someone to dispute the charges. You can take issue with these types of fees, all the fees or none of the fees - however you would want to do it. There is a way to go about it and a way to dispute it.

C/P Viker made a motion that Council authorize a waiver of the application fee for a second plan, provided first that the current balance is paid in full. Motion seconded by C/P Hendricks. Mr. Savidge agreed to remove his dispute of charges.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Approve agreement with Penn DOT for the installation of decorative street lighting - Copy Provided - C/P Hendricks stated that what Council is looking at is a template. There is nothing specific in it - subject to satisfaction of the Solicitor and Borough Manager.

Motion made by C/P Hendricks to approve. Motion seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair

Payment and Ratification of Bills

Motion made by C/P Anderson to pay the bills. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – None Presented

Request by Mrs. Nancy Ernest for relief of interest on municipal lien - Copy Provided - C/P
Anderson stated that Mrs. Ernest paid the original costs (the lien, attorney's fees and lien costs). She is asking for the \$3,410.40 in interest from 10/24/83 to 6/17/13 to be waived. The Committee did not feel that this was appropriate given the policy of attaching liens to properties under these circumstances. Mrs. Ernest was encouraged to come and meet with Treas. Badman and setup a payment plan not being charged any additional interest as long as she begins to comply - paying the original interest that is due.

Motion made by C/P Anderson to approve a payment plan and no further accrual of interest. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: ONE (1) Pres. Farrell MOTION CARRIED

Approve healthcare renewal - Copy Provided - C/P Anderson stated there is a 4% increase for medical and a 9% increase for dental. The average overall cost is about 4%.

Motion made by C/P Anderson to approve. Motion seconded by C/P Hendricks.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Franchise Fee Review by Dan Cohen - Copy Provided - C/P Anderson informed Council that the Borough will be receiving a check in the amount of \$29,000.00. The Committee is also recommending that the Borough retain Cohen to continue to help us negotiate the franchise agreement with Service Electric Cablevision. The current agreement expires in April 2014. The cost is estimated to be \$8,900.00 plus expenses.

Motion made by C/P Anderson to approve. Motion seconded by C/P Hendricks.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

ESCRA proposal to split sampler costs - Copy Provided - C/P Anderson stated that following when the Borough did the split sample - ESCRA actually purchased the sampler. Treas. Badman stated that when she billed ESCRA for their share of the costs on the testing - she billed for the total cost of the sampler. The agreement that ESCRA had with the Borough is that it would be paid 50/50. ESCRA is willing to give the Borough \$2,200.00 based on estimates to purchase sampling. The Borough will consider the \$700.00 as a rental fee for the sampler and cell phone use.

Motion made by C/P Anderson to approve. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Audit for 2012 - Copy Provided - If there are any questions Council members are to see Treas. Badman.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Carroll, Chair

Commence Review of Preliminary Editorial Report for Codification of Borough Ordinances - Mgr. Williams informed Council that the Borough Administration Committee has some responsibilities towards anything that pertains to Ordinances. The Borough has a contract with Keystate Publishers - the president being Ken Rotz - he is doing the codification of the Ordinances providing to us an editorial report. Mgr. Williams would like members of the committee to become familiar with this editorial report. Mr. Rotz will then follow up with a meeting. There are about six (6) specific questions within this report that he feels the administration can address. They are starting to get involved with some policy making decisions. The Borough Solicitor was copied on this document. Mgr. Williams wanted to make Council aware that this process is about to begin with the receipt of this report.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Mease, Chair

Approve Street Closure Permit Request - Christ United Methodist Church on August 18, 2013 - Copy Provided - C/P Mease stated they are requesting No Parking along Mill Street between 8th Street and Elderberry Alley. This would be from 12:30 P.M. to 6:30 P.M.

Motion made by C/P Mease to approve. Motion seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Approve Street Closure Permit Request - Market Street Festival on September 28, 2013 - Copy Provided - C/P Mease stated that the event is requesting that Market Street between West Snyder Street and Sassafras Street be closed from 6:00 A.M. to 6:00 P.M.

Motion made by C/P Mease to approve. Motion seconded by V/P Carroll.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Approve Street Closure Permit Request - Welcome to the Grove on August 21, 2013 - Copy Provided - C/P Mease stated they would like to close down Union Alley between Pine Street and Chestnut Street for three (3) hours from 5:30 P.M. to 8:30 P.M. People leaving the library and businesses need to use the alley. The Commons is the only spot they are going to be using. C/P Mease sees no problem if an amendment is made that Union Alley will be closing from Pine Street up to Gelnett Way.

Motion made by C/P Mease to approve. Motion seconded by V/P Carroll with amendment.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair – No Report

PUBLIC SAFETY COMMITTEE: C/P Viker, Chair

Committee Meeting 7/24/13 Summary Report - Copy Provided - C/P Viker stated he wanted to hit a few of the highlights that might need some attention - the Curfew Ordinance was discussed and by a vote of two (2) to one (1) the Committee decided to recommend Ordinance No. 809 set consistent hours throughout the calendar year. Sol. Cravitz will revise the Ordinance for consideration by Borough Council.

C/P Viker stated they discussed parking restrictions at intersections. The committee has decided to continue with what the vehicle code recommends at all intersections.

Plans to hire two (2) Police Officers were discussed. The consensus of the committee is that the pool of applicants is acceptable. The Police Chief is very much in support of this plan.

The Susquehanna University Parking Study was looked at. The current parking Ordinance requires that large entities such as Universities look at parking per building. The University is offering an alternative way of doing this. The parking space ratio would be looked at as an entity of the campus. The committee suggested

the Planning Commission should be asked to consider possible amendments.

C/P Viker stated that the Public Safety Committee is concerned about access and the ramp from the DH&L property into the Weis Markets space - there have been some changes simplifying what kind of traffic might be crossing into the Weis Markets property from DH&L property. There is still an easement agreement being worked on. The current revised Penn DOT plan does include a fourth pedestrian crossing from the southeast to the northeast corner of SR 0522 and SR 0204.

**Request to advertise Ordinance No. 809 updating the violations and penalties of Chapter 70:
Curfew - Copy Provided**

Motion made by C/P Anderson to advertise Ordinance 809. Motion seconded by V/P Carroll.

C/P Viker stated he has a point of discussion that pertains to the old fashioned nature of this Ordinance - he moves to amend the original motion to allow payment of fines on this Ordinance to be in "wampum beads and chickens." If this motion dies for lack of a second then return to the original motion, but he wants this on the record. It died for lack of a second so it goes back to the original motion.

AYES: SIX (6) NAYS: ONE (1) C/P Viker MOTION CARRIED

Meeting recessed for a 10 minute break at 8:30 P.M. Meeting reconvened at 8:40 P.M.

PLANNING COMMISSION: Earl Moyer, Chair

Weis Markets Store #226 - Update - Mgr. Williams informed Council that there was a meeting that was requested by Alex Ororbia from Weis Markets. The meeting involved DZO Powers and Mgr. Williams. The meeting was supposed to be a discussion of signs and some other loose ends. He is pleased to report that the 4th crossing at the signalized intersection is plausible. He does have a sketch that shows this. What was put on the table this particular day was that they will provide the 4th crossing in exchange for some assistance to get an early start on site work. What is still outstanding are a number of agreements. The development agreement, security agreement, the Penn Township Municipal Authority Agreement and a Storm Water Management Facilities Agreement are outstanding. In fact, Weis Markets did not respond until after 7:00 P.M. Friday evening 8/2/13 from their legal department to Sol. Cravitz's office. They provided the cost estimate of improvements. Mgr. Williams has nothing to present to Council tonight.

Engineer Coukart did a quick review of the status of the Condition of Approval in comparison to where they are today. He also has some outstanding items that he enumerated in a letter dated today 8/5/13. Weis Markets HOP submission is inconsistent with what Council approved as the Final Plan.

At the Finance Committee meeting earlier today there was a discussion with those three (3) Council persons in attendance to facilitate this development. C/P Viker tends agree with property owners rights - perhaps tonight's meeting could be continued at another time or consider having a special meeting in order to help Weis Markets get this development project underway. What Mr. Ororbia described to Mgr. Williams is that they have done a count as to the number of work days it will take to get the building under roof. With the onset of winter, Monday, August, 5, 2013 was chosen as the date to start. There is actually a construction trailer on site. They should not be moving earth at this time.

Mgr. Williams met with Solicitors Matt & Bob Cravitz to discuss the fact that Weis Markets chose not to attend the Penn Township Municipal Authority Meeting. This is an addendum agreement to the Borough's agreement - Weis Markets really shot themselves in the foot - they are now out of synch - what happens in September is our Borough meeting will be held before the next Penn Township Municipal Authority Meeting. Mgr. Williams is not sure how this will unravel over the next month. He is hoping that Weis Markets may be inclined to have a special meeting as long as Sol. Cravitz and the Borough Engineer concur that everything is in order. There are still some things pending at Penn DOT.

It is the same old story - the Borough was given new information and revised plans at the eleventh hour for the Planning Commission meeting and it was a struggle. Mgr. Williams feels their pain but he feels he did the best that he could to facilitate the improvement. The ball is now in Weis Markets court.

It was discussed to hold a meeting on Monday, August 19, 2013 with Weis Markets to discuss these issues before the next Council meeting. There would need to be advertising done to accomplish this and Council feels that Weis Markets will probably not be ready by then, so why go to the expense. Sol.

Cravitz stated that Penn Township has not seen any documents or pre-drafted copies. Weis Markets is not close to being ready.

C/P Hendricks stated that maybe Council should at least tell them that the Borough is willing to work with them in any way we can. C/P Viker stated so this would be a gesture of good faith. C/P Viker would rather just say "see you next month". C/P Hendricks stated he would rather say "see you in two (2) weeks" and then if Weis Markets is not ready the Borough can say "see you in another two (2) weeks".

Mgr. Williams stated Weis Markets has been sending revised plan copies to Penn DOT and they don't send copies to the Borough.

C/P Anderson stated that we the Borough are willing to have a special meeting. C/P Hendricks stated it needs to be advertised and if they don't show they don't show. Mgr. Williams stated the door can be posted that the meeting has been cancelled if Weis Markets does not show.

Motion made by C/P Hendricks to recess the meeting to Monday, August 19, 2013. Motion seconded by Pres. Farrell.

AYES: SIX (6) NAYS: ONE (1) V/P Carroll MOTION CARRIED

ZONING HEARING BOARD: Cyril Runkle, Chair

Mgr. Williams stated that there has been an appeal taken with John Carlson and the tree house. Sol. Cravitz is in the process preparing the response. Mgr. Williams is asking that Council consider a motion that he be permitted to enter his appearance and intervene on Council's behalf in the matter of Carlson vs. the Hearing Board. Sol. Cravitz would be representing Council's interest as the Borough and Borough Council.

Motion made by C/P Anderson to approve. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

CIVIL SERVICE COMMISSION: Dalton Savidge, Chair

Meeting Notes April 23, 2013 - Copy Provided - Mgr. Williams stated that the Commission met on July 2, 2013 to certify the list of applicants eligible to take the examination. The exam was administered on Saturday, August 3, 2013.

SHADE TREE COMMISSION: Joan Fasold, Chair – No Report

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Sean Christine

Presentation of Police Report for June 2013 – Copy Provided - Mayor Christine wanted to talk about an item that was brought up in the past - the clearance rates for the crimes reported. In July Mayor Christine had a lengthy conversation with Chief Garlock about the status for the department and what the hiring means. Obviously, up until now the Borough was up in the air about exactly how many officers they wanted to hire. Mayor Christine and Chief Garlock talked about staffing and what the challenges have been along with moral issues - what has changed and what has not.

One of the biggest things that Mayor Christine mentioned to Chief Garlock is that there is some interest on Council, by Mayor Christine and by Chief Garlock in having an Investigator as part of the Police Department. If there is a staff of five (5) Officers plus the Chief and we make one (1) an Investigator - Mayor Christine thought this would make Chief Garlock happy - however, Chief Garlock's response was

that if we have five (5) - four (4) Patrolmen and a Detective basically the Borough is still cutting the department short because this Detective will get all of the investigations for the entire department.

Mayor Christine also stated that some of the crimes in Selinsgrove are going to the State Police because the Borough does not have enough manpower to have shifts 24 hours a day plus clear the crimes that are taking place in the Borough. Mayor Christine's recommendation is for Council to make a motion on hiring three (3) Officers for the year 2013. C/P Hendricks stated he would like to see an increase in cleared crimes. Mayor Christine stated that by hiring the third Officer this should happen.

C/P Anderson stated that it makes more sense adding the third Officer as Council is working on the 2014 budget. The pool of candidates is good for a year. The last Investigating Officer was Wayne Graybill and when he was on there were six (6) Officers. C/P Viker asked Treas. Badman if the Borough could afford to pay for three (3) Officers in 2013. Treas. Badman stated she would have to look at the numbers. Even though the Borough is hiring two (2) Officers in 2013 the Borough had to payout Officer Wolfberg in 2013.

C/P Hendricks reminded Council that the Borough continues to fall further and further behind on our roads, we still have not figured out how to pay for this building - there is a lot of money that we need to commit to other projects before we start saying lets hire three (3) Police Officers. C/P Anderson stated she is never in favor of doing something abruptly when it comes to taxpayer money. To say we are going to hire three (3) Officers now does not feel comfortable to her - it is abrupt.

Pres. Farrell stated he spoke with Chief Garlock this morning and he never even mentioned a third Officer. Mayor Christine stated that the idea of having an Investigator is something new and was discussed on Thursday, August 1, 2013.

Mayor Christine stated he will have a conversation with Chief Garlock to be mindful of this going into the 2014 budget process. C/P Hendricks reminded Council that the budget process will be started in September. He feels he wouldn't even consider this till 2015.

Mayor Christine stated that he would like to point out that it is alarming to hear what crimes really do happen within the Borough.

Borough Resident Margaret Siro asked to speak to Council. She finds this very upsetting. Mrs. Siro stated she has lived here for nine (9) years and from the time they moved here she can feel the difference in Selinsgrove. She feels there is a lack of news in the Daily Item - is everything really under control? Mrs. Siro mentioned that Rudy Gelnett left the Borough with a lot of money and now Council is saying that the Borough doesn't have enough money to pay for Police protection. Isn't this the most important thing in Selinsgrove? C/P Anderson stated that the Rudy Gelnett funds are setup as a Municipal Trust to enhance the lives of the citizens of Selinsgrove. Mrs. Siro stated doesn't the safety of the community enhance lives? The crime rate is going up. The safety of the people of Selinsgrove is the most important thing. The Borough needs a Police Department that they can look to with confidence. This is the first priority. Mrs. Siro is agreeing with Mr. Hendricks when he states he would like to see the crimes solved.

Animal Rescue - Mayor Christine stated that there were several cats in a house that was vacant in the Borough. The cats were kept inside and they given large containers full of food and water. When you walked into this house you wanted to throw up - the smell was horrible. Someone had opened one of the doors and the cats got out. At least two (2) of the cats were euthanized for fear of rabies. There has been a concern over the years about stray cats wandering in the Borough. There is actually a business in Selinsgrove that has food and water set out for cats that are living under the business. The Ordinance says that there may not be animals running at large in the Borough if you own the animal. There is nothing that says you cannot feed whatever animal comes onto your property. Mayor Christine is asking for Council's support to have Sol. Cravitz look into amending the Animal Ordinance to read that if you harbor stray animals you are responsible for them.

BOROUGH MANAGER / SECRETARY: Paul A. Williams

Justin Womer - Request for waiver of additional engineering fees - Copy Provided - Mgr. Williams stated that Council will see minutes from a Council meeting on 7/2/2012 - this was Mgr. Williams first Borough Council Meeting. Mr. Womer had been issued a building permit for Twisty Freeze which is located in a flood plain. The zoning permit was first issued by the former manager without the requirement to go through the land development process. This all occurred before Mgr. Williams came on the scene. Borough Council at the 7/2/2012 meeting granted Mr. Womer relief from having to pay professional engineering services up to that point in time which amounted to just short of \$2,300.00 because there was a problem with the former administration. The L/D process should have been followed before the zoning or building permit was issued. Here we are a year later and Mgr. Williams was anxious to see the opening of the Twisty Freeze. Some dates came and went. Mr. Womer was acting as his own contractor and working a full-time job and trying to meet all the requirements of the flood plain Ordinance. When Mr. Womer was ready for the final inspection which involved CKCOG for building compliance and also the Borough's Engineer, John Coukart, for flood plain and land development compliance, there were some on-site meetings and Mr. Coukart came twice at Mgr. Williams request to determine if the building was now ready to be occupied. There were some costs that were incurred - normally paid for by the applicant. Mgr. Williams realized that the Borough's Engineer is not Mr. Womer's Engineer but Mr. Coukart is hired to make sure that Mr. Womer meets the requirements of the land development regulations as well as the flood plain regulations. There were some hourly charges that were incurred along with some mileage costs. Mr. Womer was also paying for his own professional, Rocky Baer.

Mr. Womer requesting tonight that Council consider a further waiver on the professional engineering fees that have been incurred as a result of this land development.

Mgr. Williams stated he had a pre-agenda meeting last week with Sols. Cravitz in preparation for this meeting and they looked at this request in the following manner - yes, Mr. Womer deserved consideration last year because he was forced into a position. This however is different, because the expense is trying to achieve the opening for his business. Mgr. Williams cannot recommend what was done last year. Mgr. Williams believes the amount to be less than \$800.00.

Mgr. Williams' recommendation to Council is to not grant a waiver of these expenses. He would like Mr. Womer to state his case with any justification for his request.

Mr. Womer stated when he originally got all his permits he did not need a Land Development Plan. He got papers in the mail after former Mgr. Bickhart was fired and nobody knew what was going on. He was already in the building and CKCOG came five (5) times. Why does he have to pay the Borough Engineering fees when he knew nothing about this to start with?

C/P Anderson stated that is the reason why a motion was made and she seconded it to take care of this the last time around for \$2,271.98. How does this relate to the current \$753.82? Mr. Womer wants to know why CKCOG had anything to do with this and why was he paying them all this up front money when someone else has to come in from the Borough to go over what was already inspected.

Mgr. Williams stated that CKCOG was in contact with the Borough Office to make sure the plan that Mr. Womer had was in compliance with the Zoning. There is a component that CKCOG depends upon the Municipality to confirm. An example is the parking lot - Mr. Womer stated it passed the first time by former Mgr. Bickhart - everything was passed and carved in stone and then it cost him about \$20,000.00 to fix. C/P Viker asked Mgr. Williams if he could tell Council what did the citizenry get - what did Mr. Womer get for \$554.16 on one (1) bill and \$199.66 on another from Engineer Coukart. What happened here that could not possibly have happened in a less expensive way to get to where we are now? Mgr. Williams stated compliance issues - specifically one (1) of the first things Engineer Coukart came out for was the number of parking spaces. Other issues dealt with flood plain compliance - they were inside the store looking at the sump pump. This either had to be a sealed unit or it had to have a "chimney" fabricated so the sump pump would still be active. C/P Viker asked if Engineer Coukart had to come and add all of this. Mgr. Williams reply was absolutely, he is the appointed professional Engineer of the Borough to check for compliance of DEP imposed flood plain regulations.

C/P Viker stated that the Borough needs a policy in place so that when anyone comes in they get a reasonable estimate of what the bottom line is going to be.

Motion made by C/P Viker to waive the fees dated 7/1/13 and 5/1/13 for Mr. Womer. The motion died for lack of a second.

C/P Hendricks stated he has a question for Sol. Cravitz. Last July the Womer's came in asking the Borough to waive \$2,271.98 - based upon the original permit being issued in error. Are any of the current expenses on Engineer Coukarts statement amended? Sol. Cravitz stated that the invoices that are being presented tonight would have been incurred regardless of what happened prior. These have been incurred by Mr. Womer just by virtue of the development. Mgr. Williams stated that under the scenario that the Building Permit was issued in January - nothing else would have been required. There should have been a review. All of these items are basically closeout project items and final inspection items to make sure that Mr. Womer is in compliance with the Land Development Plan. Mgr. Williams stated that if Mr. Womer's professional Rocky Baer would have given something in writing to the Borough that says that the plan is in compliance and sealed, maybe this could have been circumvented. This is not the direction that Mgr. Williams chose to go. He volunteered to go out and meet with Mr. Womer. He actually organized some of the meetings in hope of getting Mr. Womer's business opened.

C/P Charles stated that it is the **law** that everyone must have a flood management plan if they build in the flood plain. If this would have slid by Mr. Womer would have never gotten an Occupancy Permit. Mr. Womer asked why - he didn't need one from the start. C/P Charles stated that he did. It's the law - everybody who does anything in the flood plain must have a Flood Management Plan.

C/P Anderson asked if this would be the last bill. Mgr. Williams stated it should be except for recording the plan, being that Mr. Womer is a land developer he should become acquainted with the expenses.

Manager's Monthly Activity Report - Copy Provided - Mgr. Williams would like to highlight some things that are not listed. Starting today August 5, 2013, ECI Services has mobilized in the Borough Office to correct the air infiltration problem that was authorized to be done by Council. The contract amount is for about \$6,300.00. It is about a seven (7) day project and they are working from 3:30 P.M. to 11:30 P.M.

Earlier this evening Treas. Badman mentioned that Council has a copy of the Financial Statement for the year 2012. It was mentioned that the Borough is falling further behind on paving. There are two (2) really important decisions to make - funding of Police Services and keeping up with the infrastructure. This will set the tone in addition to financing this building. These will be the driving factors for the upcoming budget discussion. The budget is normally starting to be discussed in September. A memorandum will hopefully be handed out at the end of August about a week before Labor Day.

The handout tonight is going to three (3) committee members on Codification - they spoke about a component of this at the Public Safety Committee Meeting and it has to do with the fines or penalties of Ordinance violations. Boroughs may have up to \$1,000.00 as the assigned penalty. It is the maximum fine. The Magistrate could impose any fine that he/she would want between \$1.00 - \$1,000.00. This is called a sliding fine. An example would be if the police issue a first offense fine for \$25.00 and this same person gets a second offense - they can charge more for the second offense.

Mgr. Williams stated there was a suggestion that the Borough come up with a consolidated fee schedule so that one doesn't have to look in different places for application fees. Mgr. Williams has been accustomed to the applicant being required to sign a Professional Services Agreement so that the Borough doesn't have the things that have occurred (as with Mr. Womer) there is a certain expectation that people are going to be incurring certain costs for land development and subdivision projects. Associated with that is an established escrow amount of money - it can be based upon the complexity of the development, as much as \$10,000.00 up front, using a scale that is related to an estimate of the cost.

Another item that Mgr. Williams would like to discuss in Executive Session would be an update on where the Borough is with Palmer Construction.

CDBG-DISASTER RECOVERY AVAILABLE FUNDS - Copies Provided - Mgr. Williams informed Council that there will be two (2) rounds of funding. There was a first round of \$27M - 80% of the money is earmarked to go to five counties (Bradford, Columbia, Dauphine, Luzerne and Wyoming). Public Works brainstormed to come up with a project that might be related to flooding. One that would be competitive with the other 20% of funds that are available. The Borough Council has a policy that they would like to retain properties that are flood prone on the tax roles and not just turning it into "green space" - then you would have isolated open space on the Isle of Que. Ms. Ruch from SEDA COG does expect there will be a second round (not yet announced) to be about \$29M. The four (4) areas that these funds would be used for are Housing Buyouts, Economic Development, Infrastructure and Flood Prevention.

BOROUGH SOLICITOR - Matthew Cravitz, Esq.

Adopt Resolution 2013-17 regarding the traffic light installation at Market & Mill Streets - Copy Provided - Sol. Cravitz stated this discusses taking over pieces of land in order to avoid the Borough doing a condemnation. There is an agreement with all the property owners to set up the lights.

Motion made by C/P Viker to approve. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH ENGINEER

Update on pending projects - Coukart & Associates, Inc. - Copy Provided - Mgr. Williams stated that the 2013 Utility Program has had about 90% of the work done on North High Street. The Contractor to date has used 62 days of the 110 day contract. There still is some additional work to take place on Sugar Maple Street and Strawberry Alley.

The Street Program had a pre-job conference with HRI on July 18, 2013. They anticipate starting around the middle of August. The Borough is trying their best to coordinate among three (3) different contractors. Aaron Shiltz is doing work for the property owners; G&R Charles is following up with the ramps, curbs and sidewalks for the Borough and finally will be the milling and some storm water improvements as well as the final paving. The Borough does not anticipate the final paving to be complete until the end of September.

There was a pre-job conference for the Isle of Que Boat Launch on July 2, 2013. The Contractor is 30 days into the 155 day contract. There should be mobilization this week.

The curb, ramps & sidewalks by G&R Charles are 30 days into the 50 day contract. They have only completed 10 of 34 curb cuts - they may be up to 14 at this point. There may be a request to extend this work - hopefully a justified reason.

Mgr. Williams informed Council there was a kick-off meeting with Penn DOT as it relates to the street lamps. This was held on July 18, 2013.

Engineer Coukart has provided a schematic for Sidewalk Replacement so the property owner who qualifies for Community Development Block Grant money can have sidewalk replaced on East Chestnut Street on the Isle of Que.

Mgr. Williams would like for Council to consider a motion tonight for the Traffic Signal at Mill and Market Streets. The Borough is still awaiting a letter from Penn DOT subject to receipt of this letter the Borough is ready to go to bid. This project could be implemented and cleared by the end of the year.

Motion made by C/P Viker to approve seeking bids for replacement of the traffic signal at Mill and Market Streets. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Update on pending projects - Larson Design Group - Copy Provided - Mgr. Williams stated the Borough has utilized this firm for two (2) projects this year - SCADA and Reservoir Cover Replacement - they have also been used for the Industrial Park Road shared sampling. Mgr. Williams would like to later call for an Executive Session to discuss potential litigation as it relates to this matter. The reservoir cover is still incomplete. The Borough is holding \$20,000.00. Larson would like to see bids privately for what it would cost to complete this project. Mr. Zeigler has been trying to entice Atlantic, the Contractor from New Jersey, to come back and complete the work. The Borough has a feeling that it is so labor intensive that even the \$20,000.00 is not worth it to them. Sol. Cravitz is going to notify the Bond Company for Atlantic to advise them that the Borough has an incomplete project. Mgr. Williams does not know if the \$20,000.00 is even sufficient for anyone else to scrape off the paint and re-coat. SCADA is finished and it looks like it came in at \$16,000.00 less than budgeted - which is really good news for the Borough.

BOROUGH TREASURER - Sharon Badman

Approve Treasurer's Report for Month of July 2013 - Copy Provided

Motion made by C/P Viker to approve. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Treas. Badman reminded Council that Chele' Weaver is working on the Fall 2013 Newsletter. If anyone has any articles they would like included, please see that she gets them.

ZONING: Janet Powers, Deputy Zoning and Permit Officer

Update of ZONING, SIGN & DEMOLITION PERMITS ISSUED & REAL ESTATE TRANSFERS - Copy Provided

SELINGSGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman - Mgr. Williams informed Council that the Borough has some antennas that are affixed to our elevated water tower - the presence of AT&T and T-Mobile have the antennas. AT&T has been indirectly in touch with the Borough about doing some upgrades. Mgr. Williams does anticipate that AT&T will be coming back to the Borough soon asking for the upgrade. This will be brought before Council with a recommendation.

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Carol Handlan and George Kinney, Chairmen – Copy Provided - Mgr. Williams informed Council that the Borough was just copied today with a letter from the DEP. ESCRA is required to do an annual report called a Chapter 94 report. Verbatim from the department is this - The department has reviewed your Annual Lease Load Management Report for the calendar year 2012 (Mgr. Williams will be reading in two (2) parts) - the report appears to be accurate and it has been completed in accordance with DEP rules and regulations.

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Bill Hetherington and Dianne Mengel –
No Report

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 10:25 P.M. to discuss pending litigation. Council meeting reconvened at 11:03 P.M. No action was taken.

Recess Meeting to Monday, August 19, 2013 at 7:00 P.M.

Respectfully submitted by

Chele' Weaver
Recording Secretary