

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, DECEMBER 2, 2013 - 7:00 P.M.

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

COUNCIL MEMBERS ABSENT: C/P Tim Charles

OTHERS PRESENT: Borough Manager/Secretary Paul Williams; Solicitor Bob Cravitz; Mayor Sean Christine; Junior C/P Jonah Markle; Borough Treasurer/Asst. Borough Manager Sheri Badman; Recording Secretary Chele' Weaver; DH&L Fire Company Gary Griner, Dawayne Betzer and Don Weirick; Shade Tree Commission Bo Fasold; Parks & Recreation Rocky Baer; Mayor Elect Jeff Reed; Council Elect Marvin Rudnitsky; Planning Commission Earl Moyer; 5 Star Equipment, Inc. Rory Kania; Borough Residents Margaret Siro, Donna Stroup and Buffy Ramer

OTHERS ABSENT: None

CALL MEETING TO ORDER:

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

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETINGS OF November 4, 2013 and November 18, 2013.

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

AYES: SEVEN (6)

NAYS: NONE

MOTION CARRIED

Recess meeting to PUBLIC HEARING – advertised for 7:00 PM –

A. Regarding Cable Franchise Fee Renewal

- 1. Review past performance of the cable operator.**
- 2. Identify the community's future cable-related needs.**

Mgr. Williams informed Council that the Borough is in the midst of renewal of their franchise agreement and negotiations. The Borough is using special counsel from Pittsburgh, the Cohen Law Group. Natausha Horton is the Borough's special counsel. They have remitted a proposed renewal agreement to Service Electric Cablevision. Mgr. Williams proceeded to read some prepared remarks that were provided to Council from the Cohen Law Group. This public hearing had been publically advertised for the past 30 days.

B. Hear public comments.

C/P Anderson wanted to know if it would be possible for Service Electric to provide more options in people's choices. For instance, C/P Anderson pays her fee to the cable company and she gets all of these many, many, many sports channels most of which she is not interested in. But they will not substitute a different channel for those. A different kind of packaging might be helpful.

C/P Anderson also stated that in some communities they have public service announcements on a local channel. She isn't quite sure if it was ever explored here in the Borough. It may be beneficial for the community.

Mgr. Williams informed Council that Treas. Badman traveled to Service Electric Cablevision about two (2) weeks ago to review their past performance maintenance records. This shows a tracking of a complaint and a response time to resolution, etc.

Mgr. Williams also mentioned that accountability is one (1) of the goals that the Borough wants to accomplish and this means the timely receipt of payment on a monthly or quarterly basis with backup. The Borough doesn't know what properties the fees are derived from. The Borough receives a lump sum amount without any data. This is one (1) very important issue that the Borough is including with this Cable Franchise Renewal.

Typically the franchise agreement is a 10 year agreement. There are sometimes options to enter into a 12 year agreement but there would have to be some incentives that might be of benefit to the Borough to go beyond the 10 year franchise agreement.

Mgr. Williams also stated that he, Sol. Cravitz and Treas. Badman did attend an educational seminar put on by the Cohen Group in Sunbury and it was a very good learning experience about franchises in general. It is a specialized field of law.

In the end the Borough will be considering a Franchise Renewal Agreement by way of Ordinance. It will have to be advertised, so this will not be the last opportunity for a public hearing.

The meeting reconvened at 7:10 PM

PERSONS TO BE HEARD:

DH&L Fire Company – Gary Griner reported that for the month of November 2013 the fire company received seven (7) automatic alarms; two (2) brush/wild land fires; one (1) CO alarm; one (1) motor vehicle accident with extrication; two (2) medical assists; four (4) motor vehicle accidents without extrication; four (4) odor investigations and three (3) structure fires for a total of 24 alarms.

Incidents by Township are as follows: One (1) in Franklin Township; nine (9) in Monroe Township; ten (10) in Penn Township; three (3) in Selinsgrove Borough and one (1) in Shamokin Dam Borough for a total of 24 incidents and total estimated losses at \$0.00.

Mr. Griner also informed Council that there were a total of 185 personnel used for a total of 128.73 man hours.

Selinsgrove Area Recreation, Inc. – No report.

Selinsgrove Projects, Inc. – No report.

Selinsgrove Chamber of Commerce – Copy provided.

Parks & Recreation Commission – Rocky Baer – Mr. Baer informed Council that the meeting scheduled for Tuesday, November 26, 2013 has been rescheduled for Tuesday, December 10, 2013 because of the Thanksgiving holiday and not enough Board members being present. A public notice has been sent out.

For the year 2014 the meetings will be held on the even numbered months on the fourth Tuesday of the month. The December 2014 meeting will be held earlier in the month due to the Christmas holiday.

C/P Anderson wanted Mr. Baer to be aware that Jr. C/P Markle was interested in getting some High School students together to help in the parks. Mr. Baer stated he would love to have this interaction.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE – Dottie Anderson, Chairwoman

Payment and Ratification of Bills

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery, Inc. – Exoneration Requests – No report.

Tentative Adoption of 2014 Budget and authorization for solicitor to prepare Ordinance No. 813 levying the tax rate at 16 Mills for 2014. No Tax Increase for 2014 – Copy provided.

Motion made by C/P Anderson to approve the tentative adoption of the 2014 budget with no increase in taxes and no increase in the Rental Registration fee and also the reinstatement of the Per Capita Tax. Motion seconded by C/P Hendricks.

AYES: FIVE (5) NAYS: ONE (1) – C/P VIKER MOTION CARRIED

Request approval to pay all bills received through the end of 2013, to the extent that revenues are available for this purpose.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Establish date and time for Special meeting for Final Adoption of the 2014 Budget and adoption of Tax Ordinance No. 813 for 2014.

C/P Anderson stated the date will be Thursday, December 19, 2013 at 4:00 PM in the Borough Council Chambers.

Cleveland Brothers CAT – Copy provided.

C/P Anderson informed Council that in the budget for 2013 the Borough had budgeted for the purchase of a new Caterpillar 420F Backhoe. There was \$100,000.00 budgeted from four (4) different funds. The total cost with the addition of a forklift and a bucket is \$92,373.00, on a state contract within the budgeted amount.

Motion made by C/P Anderson to approve purchase. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Keystone Communications – Copy provided.

C/P Anderson stated the Fire Police would like to purchase a portable Motorola HT1250. Mayor Christine will use the remaining funds of \$275.00. This would leave \$926.00 to be paid from the General Fund.

Motion made by C/P Anderson to approve purchase out of General Fund. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Santa Fest 2013 - Copy provided.

C/P Anderson stated that the Main Street Managers Office will be using funds from the Gelnett Trust that

were approved for concerts over the summer but had to be cancelled due to inclement weather. These remaining funds will be used for Santa Fest 2013 held on Saturday, December 7, 2013.

PUBLIC FACILITIES & SERVICES COMMITTEE – Shane Hendricks, Chairman – No report.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT – Pete Carroll, Chairman – No report.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS – Richard P. Mease, Chairman

Authorize approval to block parking spaces on Eighth Street for a wedding on December 21, 2013 – Copy provided.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE – Tim Charles, Sr., Chairman – No report.

PUBLIC SAFETY COMMITTEE – Erik Viker, Chairman

C/P Viker informed Council that the committee met to satisfy the Commonwealth's requirement that they receive a report from the Fire Company and everything seems to be in order.

PLANNING COMMISSION – Earl Moyer, Chairman – Copy provided.

Mgr. Williams stated that the Commission met on Wednesday, November 20, 2013. The primary purpose of the meeting was to discuss with Susquehanna University the potential for the revision of the Zoning Ordinance to give them consideration of a parking ratio based upon individuals per parking space.

Sol. Cravitz was in attendance at the meeting and there was a good turnout from the planners. This is not a new topic for the Planning Commission. Susquehanna University has spent a considerable amount of time and effort on documentation. They had done a parking study back in the years 1999 and 2006 and they are continuously updating their parking status. They have had some growth and in 1999 the Zoning Ordinance was amended by Ordinance # 678 to accommodate the uses of Field House-Gymnasium-Stadium, those uses were not specified prior to the adoption of Ordinance # 678.

Rather than accounting for spaces for all the individual uses that are on campus – be it residential, class rooms, administration, etc., the idea behind this ratio on the basis of individuals per parking space is a new concept. Susquehanna University has done some comparisons with as many as 14 other State Colleges and Universities. This is still a work in progress. The Planning Commission took no action. The Commission will be working with the Solicitor to consider a Zoning Ordinance amendment.

Mgr. Williams stated that one (1) of the items or concerns is that the parking space might not be in the area where people desire it to be. The whole idea of the change in the Ordinance is that somewhere on the campus there are available parking spaces. Mgr. Williams stated that there are three (3) parking spaces for each unit in the 18th Street Commons.

Sol. Cravitz stated that one (1) of the main concerns that Council should have when Susquehanna University came before Council for a change in the zone (particularly with Pine Meadows) they paid for the entire change of the Ordinance for the advertising, posting, etc. Now they are asking for a change specific to them again, this will be an expensive proposition with the advertising, hearings, etc. The Commission didn't talk with Chris Bailey about this, but Council may want to consider it.

The Ordinance does need change. Right now the Commission is dealing strictly with the number of beds. If there are two (2) beds then one (1) parking space must be provided. To cover other areas there are parking lots for the Field House, Chapel, etc., they help to pick up the overflow from other events.

Susquehanna University's attitude is that these events are occurring when the staff is gone or the commuting students aren't on campus. So they feel they don't need parking spaces dedicated specifically for an event. They are asking that we change our ordinance to require (1) one off-street parking space for every 1.88 individuals on campus, including students, teachers, staff, commuters, etc.)

They are counting on people not all being there at the same time. If everyone would show up at the same time, there will not be enough spaces.

Sol. Cravitz stated he would like to talk with Mgr. Williams and DZO Powers and go through the Ordinance again. The Commission does not want to open a door because there are other campuses in the Borough (Selinsgrove Area School District) and the Commission requires them to have parking spaces. The school district may want to come in and use the same ratio. This will be strictly geared toward Susquehanna University.

Planning Commission member Rocky Baer stated that he would like to suggest that as the Commission moves forward on this that Council would consider the ratio that is coming up and the environmental impact. The smaller the ratio the more asphalt or macadam the Borough is going to be seeing. Please consider this when looking at the numbers.

ZONING HEARING BOARD – Cyril Runkle, Chairman

Update on John Carlson – Copy provided – Sol. Cravitz stated that Tuesday, January 14, 2014 at 1:00 PM has been set aside for argument in front of Judge Hudock. There is going to be no evidentiary hearing – the record is complete, it was created at the hearing in July 2013. This will be an argument and Mr. Carlson will be presenting and leading the argument.

CIVIL SERVICES COMMISSION – Dalton Savidge, Chairman

Mgr. Williams stated that communication has been made with the list of eligible candidates on the Civil Service list. There were 11 names. Council chose to make an offer to the leading two (2) candidates.

SHADE TREE COMMISSION – Bo and Joan Fasold

Mgr. Williams informed Council that on behalf of the Shade Tree Commission they would like to thank the following people: Selinsgrove Volunteers – Ruthann Troup, Vickie King, Cooper Rowe, Corey Troup and Don Ulrich for their help with a tree planting on November 16, 2013. They would also like to thank Susquehanna University volunteers including – Nick Roman, Erin McKean, Derrek Reitz, Cassie Jensen and Derek Straub for their help.

Additionally they would like to acknowledge Director of Public Works Corby Bowersox and Borough Manager Paul Williams for their assistance in planning and logistics.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR – Sean Christine

Presentation of the Police Report for October 2013 – Copy provided. Mayor Christine informed Council that on the October 2013 report that the theft category should be 12 not 112. Other than this there are no anomalies.

Mayor Christine stated he did attend the downtown Tree Lighting Ceremony on Tuesday, November 26, 2013. In spite of cold and rainy weather there may have two (2) to three (3) dozen people there. This event was sponsored by Selinsgrove Projects.

The Emergency Services Banquet is coming up on Saturday, December 7, 2013. It starts at 5:30 PM with dinner at 6:30 PM. It is going to be a bit more casual than years past and will be held at the American Legion in Selinsgrove. Mayor Christine would like to thank Treas. Badman, Administrative Assistant Chele' Weaver, staff, Buffy Ramer and Vince Stoops for their support. He is hoping the incoming Mayor will continue this tradition and would like to invite members of Council to attend.

Mayor Christine stated this will be his last meeting as Mayor and would like to thank everyone for their support. This has been a great experience.

BOROUGH SOLICITOR – Robert Cravitz, Esq.

Adopt Ordinance No. 811A Vacating a Portion of Union Alley – Copy previously provided – Sol. Cravitz stated that this repeals prior Ordinance 811. The property owners have all been given personal notice by Certified mail. Sol. Cravitz did state that several did have questions and each one had the opportunity to take an appeal and object to the vacating of the portion of Union Alley. Since they did not take advantage of the appeal process the Ordinance is now ready to be enacted and will vacate the portion south of Union Alley which runs from the northern right of way line of Sand Hill Road to the southern right of way line at Stauffer Avenue. It will be maintained by the private property owners.

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

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

BOROUGH ENGINEER

Update on pending projects – Coukart & Associates, Inc. – Copy provided.

Mgr. Williams informed Council that the Contractor for the 2013 Utility Program will be submitting their final payment application including retainage. They are completing the closeout paperwork.

Engineer Coukart is reviewing the Contractor's final payment application for the 2013 Street Program. The Contractor's final closeout paperwork is being processed.

The Isle of Que Boat Launch has been granted approval by the PA Fish & Boat Commission. The final inspection was held on Monday, November 25, 2013.

The Borough Office is awaiting the Contractor's final closeout paperwork for Curb Ramps & Sidewalks.

Engineer Coukart is proceeding with the preliminary design for the construction of Downtown Streetscape – Phase III (these are the ornamental street lights). Engineer Coukart's office continues to assist the Borough with PennDOT's requirements as needed – this includes quarterly reports, monthly reports and project schedule.

The Weis Markets Land Development has seen Engineer Coukart regularly attending the weekly Job Conference meeting to stay informed of the work schedule as it pertains to the Borough. To date, the existing sanitary sewer line has not been televised as promised by Weis Markets. PennDOT has issued an approval of the storm drainage portion of the Highway Occupancy Permit (HOP). Issues still remain unresolved with the balance of the permit.

Mgr. Williams informed Council that the Borough Office received a copy of the Traffic Signal Permit Plan in the mail today– the approved plan for Route 204 and 522. This only shows three (3) pedestrian

crossings at the intersection. The Borough does expect a revised plan to be remitted by Weis Markets to be considered by PennDOT showing a crossing on the fourth leg.

The Traffic Signal at Mill and Market Streets had a pre-job conference on Thursday, November 21, 2013 with PennDOT personnel in attendance. The Contractor has requested shop drawings from its vendors for approval and will begin work as soon as the anchor bolts are delivered. Mgr. Williams informed Council that the fabrication time for the pole is about 16 weeks. This pole is not off the shelf, rather it is customized. This project will be going into 2014.

Upon the Borough's approval the 2014 Public Works Project will immediately begin the field work and design in order to obtain an early spring 2014 bid letting. The Public Facilities Committee met twice in advance of the preparation of the budget to identify potential Street and Utility Projects for 2014.

Update on pending projects – Larson Design Group – Copy provided.

Mgr. Williams stated the Borough continues to work with Atlantic Lining Company on a resolution of the coating of the concrete wall that surrounds the reservoir. This is still a work in progress and the Borough has been working with Sol. Cravitz.

BOROUGH TREASURER – Sharon M. Badman

Approve Treasurer's Report for Month of November 2013 – Copy provided.

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

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGER / SECRETARY – Paul A. Williams

Manager's Monthly Activity Report – Copy provided – Mgr. Williams informed Council that on Thursday, November 7, 2013, he attended the meeting with the Keystone Innovation Zone in the Community Room. Kelly Gavin came to speak with property owners and residents to talk about incentives and benefits of having a business incubator.

On Thursday, November 14, 2013 Mgr. Williams had a meeting with Mike Coyne from Susquehanna University. Mr. Coyne heads up a Committee of SPI which is called Economic Restructuring. He is focused on trying to reduce the number of vacancies and about to unveil their newly designed website for Selinsgrove Projects, Inc. The Borough will be working with them on this venture. It would inform prospective business owners as to what they need to do as far as Zoning Permits, parking compliance, etc.

Under ongoing projects it is important to add the Ornamental Street Lights. This is going to be an ongoing task of design and engineering – not only with Engineer Coukart but also with an Electrical Engineer. This will lead up to and culminate with an approval from PennDOT.

Review and Approve 2014 Revised Meeting Dates – Copy provided – Mgr. Williams stated these are traditional dates for Borough Council, Planning Commission, Zoning Hearing Board, Shade Tree Commission and the Selinsgrove Municipal Authority. Parks and Recreation Commission is now meeting on the even numbered months rather than on the odd numbered months.

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

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Adopt Resolution No. 2013-23 for Sewage Permit Fees Charged to the Public for on-lot sewage systems – Copy provided.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Adopt Agreement with Central Keystone Council of Governments for sewage enforcement services – Copy provided.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Sewage Enforcement Officers:

**Primary – Gerald W. Kilgus, SEO #03770
Alternate SEO – Russell Goodling, SEO #02177**

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Complete “Affidavit of Residency” for all newly elected officials – Copy provided to officials - Mgr. Williams stated this is following the recent Municipal election that was just held.

Adopt Resolution No. 2013-24 and 2013-25 – Mgr. Williams stated that some recognition is in order. He would like to recognize C/P Dottie Anderson for her years of service on Council and to also recognize Mayor Sean Christine for his years of service. Pres. Farrell read each Resolution out loud and C/P Anderson and Mayor Christine were each presented with their Resolution. They will be missed.

Motion made by C/P Hendricks to adopt Resolution 2013-25 in recognition of C/P Anderson. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Motion made by C/P Viker to adopt Resolution 2013-24 in recognition of Mayor Christine. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Mgr. Williams stated that under the Manager’s Report on Wednesday, November 13, 2013 he met with C/P Charles who represents the Personnel Committee to do Personnel Evaluations. Evaluations were performed for Treas. Badman, Director of Public Works Corby Bowersox and office staff.

V/P Carroll stated that for the record he would like to recognize SPI and all the volunteers for all their hard work in decorating the downtown for the holiday season.

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 – No report.

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – George Kinney

Monthly Minutes – No report.

Letter to Attorney Cravitz of November 26, 2013 – Copy provided.

NORTH-EASTERN SNYDER CO. JOINT AUTH. – Bill Hetherington/Dianne Mengel – No report.

Recess at 8:05 PM to an Executive Session following a 15 minute break.

Reconvene meeting at 8:58 PM.

Motion made by C/P Anderson for Treas. Badman to pay ESCRA \$193,000.00 in the first quarter of 2014 along with a note of explanation as to what the Borough is doing. Motion seconded by V/P Carroll.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

ADJOURNMENT:

Meeting adjourned at 9:00 PM.

Respectfully submitted by

Chele' Weaver
Recording Secretary

