

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, DECEMBER 7, 2015 - 7:00 P.M.

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

OTHERS PRESENT: Borough Manager/Secretary Paul Williams; Solicitor Bob Cravitz; Mayor Jeff Reed; Junior C/P Jonah Markle; Borough Treasurer/Assistant Borough Manager Sheri Badman; Recording Secretary Chele' Weaver; C/P Elect Grant Neff; DH&L Fire Company Drew Heintzelman; Selinsgrove Chamber of Commerce Sue Gilbert; Susquehanna University Mike Coyne and Selinsgrove resident Vincent Stoops

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 MEETINGS OF November 2, 2015 and November 16, 2015

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

Selinsgrove Projects, Inc.

Board Meeting Minutes – Copy Provided

Selinsgrove Chamber of Commerce

Meeting Minutes – Copy Provided

SARI (Pool) – Richard Mease – No Report

Selinsgrove Parks & Recreation – Megan Will

Adopt Resolution 2015-13 to Create Tobacco-Free Areas at Local Parks including the use of electronic cigarettes and vaping devices – Copy Provided

Motion made by C/P Hendricks to adopt Resolution 2015-13. Motion seconded by V/P Carroll.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

DH&L Fire Company/DH&L Ambulance League

Drew Heintzelman reported that for the month of November 2015 there were 29 incidents with total estimated losses at \$80,000.00 (there was a combine fire and two (2) structure fires that were all outside of the Borough).

The incidents are as follows: Four (4) automatic alarms; one (1) CO alarm; one (1) motor vehicle accident with extrication; one (1) good intent/service call; one (1) gas leak; one (1) pedestrian accident; two (2) medical assists; four (4) motor vehicle accidents without extrication; one (1) odor investigation;

two (2) power lines down; one (1) public service; three (3) structure fires; one (1) smoke in structure; one (1) tree down; three (3) traffic control; one (1) vehicle fire and one (1) water rescue/recovery.

There was a staff count of 145 with 122.74 man hours. To date there have been 330 responses for 2015.

Others in Attendance

Pearl Harbor Day

Pres. Farrell brought to everyone's attention that today we should remember Pearl Harbor.

Vince Stoops

Mr. Stoops would like to advocate for the new Borough Council members to not appoint Mr. Paul Williams as Borough Manager. He makes this request after nearly a dozen incidences that are problematic from this citizen's point of view and should be problematic from the government's point of view. None of the current Council members are strangers with the issues that the Borough has had over the past two (2) years and Council is no stranger to the issues that Mr. Stoops has raised.

In the interest of Selinsgrove, Mr. Stoops feels it is best if the Borough starts looking in another direction. The Borough has had issues as far ranging as messing around with Zoning Ordinances to make sure that some organizations have to spend over a year trying to get a temporary non-permanent movable structure put up versus a multi-million dollar corporation who is able to get through the process in a couple of months to put up a structure that requires tearing down two (2) buildings including one (1) historic structure. There is a disparity between how the rules are being applied and who is able to get through the system quickly.

Mr. Stoops stated that there have been problems with local volunteers being harassed, bullied and intimidated by Mr. Williams. Mr. Stoops stated he is one (1) of the volunteers that should be included. This evidence has been brought forward, although Mr. Stoops had not asked Council to take any steps on it at the time – he could have very easily done so – whether or not Council would have done something would have been up to you.

Mr. Stoops is advocating that in January 2016 that the position be opened up for general applications from the public to find the best qualified applicant.

On a side note Mr. Stoops stated that the community breakfast went very, very well in November. The next one (1) will be held in the spring and will be through the Campus Garden at Susquehanna University.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE – Tim Charles, Chairman

Payment and Ratification of Bills

Motion made by C/P Charles to pay the bills as presented. Motion seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

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

Tentative Adoption of 2016 Budget

Motion made by C/P Charles to tentatively adopt the budget as presented. Motion seconded by C/P Hendricks.

C/P Viker offered an amendment to the motion and stated that he is well known as someone who loves a no tax increase budget. He would like to make sure that Council has one (1) last opportunity to consider that this is the year in which the Borough has seen an increase in public concern about public safety. V/P Carroll has held meetings in public about people feeling unsafe. Is this the year that Council should choose not to increase the budget for the Police Department? Is this the wisest time for Council to not only reduce the requested amount from the Police Chief for part time labor, but not actually increase the number of staff? With this in mind, C/P Viker recommends amending the motion to increase the millage rate to 21 with the understanding that Council would be using these funds to increase the Police Department by two (2) staff members of sworn officers and recover the part time budget as requested by the Chief of Police to \$25,000.00.

This motion died for lack of a second. Borough Council then considered the original motion.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Authorize Solicitor to Prepare Tax Levying Ordinance at 17 Mills for 2016

Motion made by C/P Charles to authorize the Solicitor to prepare Tax Levying Ordinance. Motion seconded by C/P Rudnitsky.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Establish date and time for Special Meeting for Final Adoption of the 2016 Budget and adoption of Tax Ordinance for 2016

C/P Charles stated that Thursday, December 24, 2015 at 10:00 a.m. has been requested. This date works for most everyone and a quorum will be established.

Sol. Cravitz stated that Council has an opportunity within 10 days after the reorganization meeting to have the budget reopened and revisited. This may not be a final thing that happens on December 24, 2015. It is subject to change in the future.

Request approval to pay all bills received through the end of 2015, to the extent that revenues are available for this purpose.

Motion made by C/P Charles to authorize Treas. Badman to pay bills that come between now and the end of the year. Motion seconded by C/P Viker.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

United Way – Request for Funding – Copy Provided

C/P Charles stated this is not something budgetary wise that Council is legally able to do.

PUBLIC FACILITIES & SERVICES COMMITTEE – Shane Hendricks, Chairman – No Report

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT – Pete Carroll, Chairman

V/P Carroll stated that the committee will be meeting on Wednesday, December 9, 2015 at 10:00 a.m. in the Keystone Room.

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

Approve Street Closure Request – Tenth Street (from Mill to Penn Streets) for Rotary Croquet Challenge – Saturday, May 21, 2016 – Copy Provided

C/P Mease stated that this will take place from 7:00 a.m. to 11:00 p.m.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE – Marvin Rudnitsky, Chairman

C/P Rudnitsky stated that Parks and Recreation Coordinator Jess Runkle has submitted her resignation. This will be effective 12/31/15. C/P Rudnitsky stated that he is very saddened to hear this because Ms. Runkle has grown into this position and has done a very good job.

C/P Rudnitsky is asking Council to accept her resignation with regret and advertise the vacancy for Administrative Assistant whose job will include Recreation Coordinator, Recycling Coordinator and Deputy Zoning Officer. This is a full time position with a salary to be determined based upon education and/or experience. The committee would like to start receiving applications by the end of the year.

Motion made by C/P Rudnitsky to accept Ms. Runkle's resignation. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Rudnitsky stated that in regards to the Selinsgrove Police Association there was a proposal given to them which the committee thinks will be accepted. It is in review by their legal counsel.

PUBLIC SAFETY COMMITTEE – Erik Viker, Chairman – No Report

PLANNING COMMISSION – Earl Moyer, Chairman

Mgr. Williams stated that the commission met in November. The update to the Sign Ordinance was worked on. This will continue most likely at the January meeting.

ZONING HEARING BOARD – Cyril Runkle, Chairman

Meeting Minutes – Copy Provided

Mgr. Williams stated that Horvath Communications and Leann Mischel have been continued until January 7, 2016. There was a variance that was heard by a property owner on North Market Street. He was given a verbal affirmative for a variance request for a side yard encroachment.

CIVIL SERVICE COMMISSION – Dalton Savidge, Chairman

Mgr. Williams stated that the vacancy on the Police Department was advertised. Applications will be accepted until 4:00 p.m. on Friday, December 11, 2015.

SHADE TREE COMMISSION – Bo and Joan Fasold

Fall Planting of 19 Trees on Saturday, November 14, 2015.

Mgr. Williams stated that there were approximately 20 volunteers that showed up along with Mayor Reed. The majority of the volunteers were utilized at Pump House Park.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR – Jeff Reed – No Report

BOROUGH SOLICITOR – Robert Cravitz, Esq.

Adopt Ordinance No. 822 – Sewer Rate Increase – Copy Provided

Sol. Cravitz stated the ordinance proposes that rates will be going up for the first 3,000 gallons to \$30.00 and each 1,000 or part thereof thereafter to \$10.00. This will take effect on Friday, January 1, 2016. Residents will not see the increase take place until April of 2016 when first quarter billing goes out.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Mgr. Williams stated he would like to update Council about Horvath Communications. They are the company that is proposing to construct a monopole tower at the pool property owned by Selinsgrove Area Recreation, Inc. (SARI). The Borough did receive written communication from the Department of Conservation and Natural Resources (DCNR) with regard to the Borough being involved as a third party in the arrangement between SARI (the Borough being the recipient of the Grant for the improvements to the pool and DCNR). This Grant was entered into in the year 2008. Mgr. Williams stated that because the monies were used for improvements to the pool and not acquisition of property – DCNR does not take issue with what is taking place. DCNR did ask SARI to consider the location of the tower – Mgr. Williams is aware they have because they put a considerable amount of time into this.

Due to this response from DCNR, the Option and Lease Agreement has once again been revised. Should SARI decide to enter into this Option and Agreement it would only be between Horvath and SARI. This would be with the understanding that the proposed paragraph would be added to the Lease Agreement. It would be a second part of paragraph nine (9) which acknowledges the Borough is aware that there is a Lease Agreement between the Borough and DCNR.

Sol. Cravitz stated that the Borough is no longer in the thick of this matter. Horvath no longer needs the Borough to be a signatory participant. This will now go back to the Zoning Hearing Board for final disposition most likely in January 2016.

BOROUGH ENGINEER

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

Mgr. Williams stated that an email communication was received from PennDOT in regards to the Downtown Streetscape Lighting – Phase III. There are some new dates for advertising and the award will occur in the beginning of 2016.

The 2015 Street Program, the 2015 Curb Ramp Project and the 2015 Public Works Project are all at a closeout status.

Engineer Coukart has started gathering some topographical information for the 2016 Street Program on Broad Street from Penn Street to Pine Street.

Mgr. Williams stated that Engineer Coukart has been involved in construction site observations entering final completion at Northumberland National Bank, the Selinsgrove Area School District – Middle School and Weis Markets, Inc.

Update on HMGP Elevation Project

Additional funding approved by PEMA & FEMA – Copy Provided

Mgr. Williams stated that this funding is for the Walshaw and Schrader families on the Isle of Que.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Update – Lillian Griner, 106 S. Third Street

Mgr. Williams stated that at Council's last meeting on Monday, November 2, 2015 there was a letter received from Dennis R. Peters of Peters Consultants, Inc. Two (2) of the items Council has already taken action on and this was to gather information and generate a site plan for both the Schrader and Walshaw properties and looking at setbacks if in the event there would be an encroachment to any yard because of the elevation, egress steps that need to be provided, etc.

A third letter dated Monday, November 2, 2015 dealt with utilizing this same consultant and a two (2) part scope of services. This involved the Lillian Griner property at 106 S. Third Street which is directly adjacent to the home being elevated by the Walshaw family at 108 S. Third Street. The Griner property has not been lived in since approximately 1990 and there are visual signs of the structure falling into disrepair – so much so that it does call attention to Professional Engineer/Building Code Official Dennis Peters that it may not be a structure worth saving.

The federal monies for the elevation grant provide for \$14,000.00 to pin or underpin the structure while the abutting house is being elevated so that the structure would be stabilized and not collapse. Mgr. Williams is asking Council if the Borough should expend the \$14,000.00 that has been allocated for the federal grant thereby throwing this money away towards a structure that has no value or purpose and will most likely not be lived in again and perhaps could be concluded as it should be razed. The Griner's have been attempting to sell this property privately – they do have an asking price. Whoever would purchase this property would have to assume the cost and expense of tearing down the structure before they could reuse the building lot.

The proposal the Borough has received from Dennis Peters is two (2) fold. First, there would be an investigation into visiting the structure and make a report and reach a conclusion as to what Mr. Peters feels is the condition of the structure. If the property turns out to be more than just uninhabitable but actually condemned, the second part of Mr. Peter's services would lead the Borough through a process to condemn and work towards the demolition of the property. Mr. Peter's will take the Borough through the bid and contract process and approximately seven (7) meetings.

Mgr. Williams is happy to report that he did meet with Gary and Larry Griner on Friday, December 4, 2015. The property owner, Lillian Griner, their mother, could not attend. They are willing to work with the Borough to have an inspection done which has been scheduled for Friday, December 11, 2015.

Mgr. Williams is asking that Council only award and recognize the first part of the scope of services by Dennis Peters. The Finance Committee has reviewed this contract and the scope of services for the first phase which costs \$1,150.00.

C/P Charles stated that Central Keystone Council of Governments (CKCOG) normally does all the Borough's inspections. This would be a contract with a person that is involved in engineering the property next door. Is there a conflict with this? C/P Charles does not want it to appear that the Borough is giving the contract to someone that is doing work on another property and it might make that work easier, less money, etc.

Sol. Cravitz stated that Mr. Peters is only providing a consultation to go and inspect the Griner property and write a report. He will not be charging \$12,000.00 to do this. On the surface there may appear to be a conflict but Mr. Peters is a Professional Engineer and Sol. Cravitz feels this is two (2) different jobs. Mr. Peters will be evaluating one (1) for the elevation and one (1) to see whether or not the property is worth saving. Sol. Cravitz stated that if you want Mr. Peters to be completely independent then the answer is "no" the Borough would have CKCOG come down and do the inspection and give the Borough a report.

Pres. Farrell asked if this work falls back on the property owner. Mgr. Williams stated that there will be a lien placed against the property should the Borough need to intervene.

Sol. Cravitz stated that if CKCOG does the inspection and comes back and says that the property should be torn down, the Borough will now be in the thick of it and have to do something.

Mgr. Williams stated that once the first phase (scope of services) is done by CKCOG or Mr. Peters and they determine that it needs to be demolished – if the Griner's are not going to undertake it themselves then the Borough would need to take the lead and we would need assistance to make it happen.

Motion made by C/P Rudnitsky to accept Phase One (1) of the proposal with Mr. Peters. Motion seconded by C/P Mease.

AYES: THREE (3)

NAYS: FOUR (4) – C/P Hendricks, V/P Carroll, C/P Charles and C/P Viker

MOTION DENIED

Motion made by C/P Rudnitsky to accept Phase One (1) of the proposal with CKCOG. Motion seconded by C/P Charles.

AYES: FIVE (5)

NAYS: TWO (2) – C/P Hendricks and C/P Viker

MOTION CARRIED

BOROUGH TREASURER – Sharon M. Badman

Approve Treasurer's Report for Month of November 2015 – Copy Provided

Motion made C/P Viker to accept as written and presented. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGER / SECRETARY – Paul A. Williams

Manager's Monthly Activity Report – Copy Provided

Mgr. Williams stated that he would like to recognize the Public Works Department for providing the residents of Selinsgrove with continuous leaf pickup this fall.

Review and Approve 2016 Meeting Dates – Copy Provided

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Release of Financial Security – Weis Markets – Copy Provided

Mgr. Williams stated that the review from the Borough Engineer is clean except for one (1) exception and that is the retention basin on the east side of the store. It is retaining water and should be dry after 72 hours. Engineer Coukart took it upon himself to make some further contacts with other entities mainly the Snyder County Conservation District who referred him to someone with the Department of Environmental Protection (DEP) that deals with mosquitos. This person who works with DEP resides in Selinsgrove. He is familiar with the basin location.

In having a conversation with a representative from Weis Markets, they think it could be that the orifice needs cleaning. Mgr. Williams noticed that there is vegetation there. If there is water present, it might facilitate aquatic life that would feed on the mosquito larvae. The downside is that when there is a dry spell this kind of aquatic life will die off.

When Mgr. Williams asked Engineer Coukart what he would recommend, he was comfortable making the recommendation.

Motion made by C/P Rudnitsky to approve the release of escrow. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Sol. Cravitz stated that Engineer Coukart has noted that there is a strong and distinct odor of septic sewage present in the vicinity of the Weis Markets pre-treatment system. As of Thursday, December 3, 2015, Weis Markets went to the Penn Township Municipal Authority and stated they will be replacing this system because the initial system is not functioning or has it functioned since day one (1). Weis Markets is hoping by March 2016 to have this removed and a new treatment system installed.

Release of Financial Security – Northumberland National Bank – Copy Provided

Motion made by C/P Rudnitsky to release the financial security. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

ZONING – Jessie Runkle, Deputy Zoning and Permit Officer

Update of ZONING, SIGN, OCCUPANCY & DEMOLITION PERMITS ISSUED – Copy Provided

PARKS & RECREATION COORDINATOR – Jessie Runkle

Monthly Report – Copy Provided

SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Ed Mann

Meeting Minutes – Copy Provided

Mgr. Williams stated he would like to comment under Old Business – No word on Susquehanna University Admissions building plans. This project involved the raising of two (2) structures. During the process of the Borough reviewing the plans we took the opportunity to look at the water consumption and usage at these two (2) buildings. There were some high and low periods with the existing Admissions Building, the historic structure that was torn down and a subsequent building going west. There needs to be some sharing of information so ESCRA can be as satisfied as the Borough was. There were some periods of high usage at one (1) of these buildings when it had been used as a residence. Mgr. Williams hopes that this issue can be overcome.

Under New Business – The Que Brew has four (4) persons involved in a home brewing business. Mgr. Williams stated that they are permitted as a home brew to brew so many gallons or barrels per year. This is per the Liquor Control Board (LCB) regulations. The Que Brew is desiring to go into a new location. Somehow they ended up making an application to the Sewer Authority as it relates to what their byproduct might be. It is most likely something other than just processed water. There are other byproducts of what they do in their recipe including hops and barley.

The Borough is working in conjunction with those principals. Mgr. Williams is trying to gather this information and work with Alan Zeigler, the Borough's consultant on sewer issues. John Abromitis has

asked that the Borough share this information with ESCRA. Mgr. Williams is trying to avoid the situation that the Borough experienced with having a difference of opinion at a different location in the past.

NORTH-EASTERN SNYDER CO. JOINT AUTH. – Bill Hetherington/Dianne Mengel

Meeting Minutes – October 30, 2014 – Copy Provided

Meeting Minutes – November 19, 2015 – Draft – Copy Provided

NEW BUSINESS:

OTHERS

Vince Stoops

Asked Council if the new Ordinances being proposed could be posted on the Borough webpage. Mgr. Williams stated that this would exceed the minimum requirements of the Borough Code. C/P Viker stated that it is just a few clicks to load a PDF document and it would be transparent. Pres. Farrell stated that Council will bring this up at the next meeting and a decision will be made at that time.

President Farrell

Pres. Farrell would like to recognize C/P Viker for his years of service on Borough Council with Resolution 2015-14. C/P Viker has served on Council from January 2008 to December 2015 a consecutive period of eight (8) years. C/P Viker has served as the Chairman of the Public Safety Committee for many years. C/P Viker has served the Borough Council with great dedication and distinction and will forever be a part of the Selinsgrove community and to be entered into the official record of the Borough of Selinsgrove effective on the 31st day of December 2015. C/P Viker received a round of applause.

Recess to Executive Session at 8:08 p.m.

The meeting reconvened at 8:22 p.m. – No Action Taken

ADJOURNMENT:

Motion made by C/P Viker to adjourn at 8:22 p.m.

Respectfully submitted by

Chele' Weaver
Recording Secretary

