

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, FEBRUARY 2, 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; DH&L Fire Company Gary Griner; Cole's Hardware Greg Cole; SEDA COG Glenda Ruch; WKOK Radio Lauren Koch; Susquehanna University Students Anthony Santulli, Leah Leahy, Hope S. and Sean C.; Port Trevorton resident Cindy Price; Selingsrove resident Vince Stoops; Monroe Township resident Dan Kiesinger and Selingsrove Cole's Manager Russell Treas

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 JANUARY 5, 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

RECESS MEETING TO PUBLIC HEARING AT 7:00 P.M. ON CONDITIONAL USE for Cindy Price located at 308 South Market Street. The purpose of this meeting is to discuss waiver of the required number of off-street parking spaces in that the owner has developed the maximum number of parking spaces possible for the property. – Copy Provided

Mgr. Williams stated to Council that he would like to make some opening comments. This property was formally used by Love and Care Nursing Home. The property is fully built out and it has no off street parking. The previous use was used on a 24/7 basis. There would have been nursing care staff , administrators, etc. Mgr. Williams does not know about the number of parking spaces that were actually used or required by those who resided there – perhaps none.

In the Zoning Ordinance that Council has adopted under section 140-94 there is a provision allowing the Borough to hold a Conditional Use Hearing. The Ordinance states that Council has the discretion to deem compliance to exist for the otherwise required number of off street parking spaces and that the owner has developed the maximum number of parking spaces possible for the subject property.

At Council's last meeting of January 5, 2015 (in the minutes that were just approved) Council did authorize advertisement of an Ordinance that would eliminate the on street parking requirement for those spaces that used to be reserved for emergency vehicles in front of the property which essentially should free up some parking spaces not only for this property, but other properties in close proximity.

Mrs. Price intends to use this property as a Thrift Store and has already been through the Planning Commission. V/P Carroll stated that a recommendation has been made to Council. Pres. Farrell stated that Council can now go ahead and consider the waiver for the off street parking.

Meeting reconvened at 7:06 p.m.

Motion made by C/P Viker to allow Mrs. Price to have the parking variance as described by Mgr. Williams with the provisions that are necessary for the Ordinance. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

DH&L Fire Company – Gary Griner reported that for the month of January 2015 there were 33 incidents and they are as follows: Five (5) automatic alarms; one (1) chimney fire; two (2) motor vehicle accidents with extrication; one (1) electrical fire; one (1) gas leak; one (1) HazMat call; eight (8) medical assists; five (5) motor vehicle accidents without extrication; five (5) structure fires; one (1) smoke in structure and three (3) traffic controls.

Incidents by Township are as follows: Two (2) in Jackson Township; two (2) in Monroe Township; two (2) in Northumberland Borough; eleven (11) in Penn Township; fourteen (14) in Selinsgrove Borough; one (1) in the City of Sunbury and one (1) in Union Township. The total staff count was 177 for a grand total of 217.36 man hours.

Selinsgrove Projects, Inc.

Board Meeting Minutes – Copy Provided

Selinsgrove Chamber of Commerce

Meeting Minutes – Copy Provided

Selinsgrove Parks & Recreation – Shane Hendricks

Request for Appointment of Vincent Stoops as a Commission Member – Copy Provided

C/P Hendricks would like to make a recommendation to reappoint Mr. Stoops as a Parks & Recreation (PnR) Commission Member. Motion seconded by C/P Charles.

C/P Rudnitsky requested to be heard at this point. He stated that appointing a person to any Board or Commission he feels is an endorsement by the Council. He feels he cannot do this in this case and perhaps others will see it as he does. From Mr. Rudnitsky's very first meeting as a member of Council (he joined Council in January of 2014) he was introduced to Mr. Stoops bringing matters before the Council – generally in the nature of complaints about one (1) of the Borough's premier volunteer organizations – Selinsgrove Projects, Inc. (SPI) and about the Main Street Manager program in particular. He has made many allegations of wrong doing in public. These were never substantiated. Mr. Stoops promised to send Council emails with these substantiations and they were never received.

Mr. Stoops came before Council and told the current Council that a member of this Council had written a letter without Council's authority to him. Council later learned that Mr. Stoops was actually referring to C/P Rudnitsky. Mr. Stoops couldn't produce the letter because C/P Rudnitsky never wrote it. This letter was to intimidate Mr. Stoops. As it turned out C/P Rudnitsky was in his capacity as a private attorney before he was even elected to Council. He was providing pro bono services to SPI (a 501c3 organization) to advise them how to follow their own by-laws because SPI wanted to remove Mr. Stoops from their Board. C/P Rudnitsky was advising SPI how to do this and it then came to Council that C/P Rudnitsky had written this letter, which was not true.

Mr. Stoops then made many comments about the leadership in SPI. People were listed by name including Mary Bannon. Mr. Stoops conduct as a member of the SPI Board was so unpleasant that the Board felt compelled to initiate the steps of removing a member from the Board. In all of C/P Rudnitsky's experience he has never seen this happen before. Mr. Stoops eventually resigned.

Not satisfied with all that Mr. Stoops would say in front of Council's public session, he then proceeded to carry signage walking the streets of Selinsgrove condemning members of this Council, the Mayor and Susquehanna University. This was conduct that C/P Rudnitsky felt was rather bazaar. Mr. Stoops further

engaged in personal attacks using the Daily Item Facebook page. C/P Rudnitsky would describe this as being defamatory and even implicating Susquehanna University with conspiracy theories. C/P Rudnitsky feels there needs to be accountability for everyone's conduct and in this case. C/P Rudnitsky will not vote to appoint Mr. Stoops to any Board or Commission of the Borough.

C/P Viker asked if the Borough has any manner in which they seek out members for the PnR Board. C/P Hendricks stated it is basically a recommendation of the Board and anyone willing to serve, whether they are a Borough resident or an area resident.

C/P Hendricks stated that Mr. Stoops has done a fine job on the PnR Board. He has a lot of energy and a lot of enthusiasm.

Motion made by C/P Viker to amend and table the motion one (1) month in order to give the PnR Board a chance to meet. Motion seconded by C/P Rudnitsky.

AYES: FOUR (4)

**NAYS: THREE (3) – C/P Hendricks, Pres. Farrell
and C/P Charles**

MOTION CARRIED

The next PnR meeting is scheduled for Tuesday, February 24, 2015 at 7:00 p.m. in the Keystone Room.

SARI (Pool) – Richard Mease

C/P Mease stated that SARI has seven (7) Board members at this point in time. C/P Mease received confirmation from Monroe Township that they are donating \$3,000.00 to the pool this year. SARI is also working on different programs with PnR Coordinator Jessie Runkle. Things are moving forward and SARI is still looking for more Board members. The by-laws state that they can have as many as 15 members.

SEDA-COG – Glenda Ruch

Approve Re-Budgeting of 2013 CDBG Funds to 2015 Handicap Ramps Project – Copy Provided

Ms. Ruch stated that she has two (2) items for Councils consideration and approval. The first is a budget revision to the Borough's Federal Fiscal Year 2013 Community Development Block Grant (CDBG) program. Ms. Ruch stated that she did not want to completely deplete the sidewalk line item in 2013. The reason Ms. Ruch decided to leave some money in the line item is because they are not sure when the 2014 money is going to be available to the Borough. It could be mid to late summer or early fall. The Borough has approximately \$12,000.00 that will be allocated to the sidewalk program as part of the 2014 budget. If something would come up between now and then, Ms. Ruch felt if she left a little bit of money in the fund they could take care of a household or possibly even two (2) with this money.

The budget revision is to get money into the 2015 curbcuts program. The intention is to have curbcuts done this year in the spring and summer of 2015. This work will be done before the Borough actually has their 2014 monies from CDBG. Ms. Ruch wanted to have some money available for the 2015 curbcuts now so the Borough didn't have to wait to have the 2014 money, because the work will be done before the Borough actually has access to the 2014 budget.

Ms. Ruch stated that the proposal is to take \$10,843.00 from the ongoing sidewalk and curb replacement program which will leave \$1,000.00 in this line item and move the \$10,843.00 to the curbcut replacement program.

Motion made by C/P Charles to approve Contract Number C000057321 Budget Revision Certification with changes that Council just made that will leave the private sidewalk/curb replacement with a revised budget of \$1,000.00 and the curbcut replacement upgrade with a revised budget of \$46,843.00. Motion seconded by C/P Rudnitsky.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Approve Amendment #1 to Professional & Administrative Services Agreement with SEDA-COG – Copy Provided

Ms. Ruch stated that this is between Selinsgrove Borough and SEDA-COG for Federal Fiscal Year 2013. This agreement was originally dated May 13, 2014 and it is relative to the administration and delivery of the Borough's 2013 CDBG Contract. The amendment that Ms. Ruch is proposing is necessary to include the delivery fee that is going to be associated with the enforcement of the labor standards since the Borough is doing the curbcuts in a phased approach. Every time that SEDA-COG puts this out to bid and construction commences, SEDA-COG has to do the labor standards enforcement. This is something that they do for the Borough, but it's a delivery fee and is a fee that is paid for not through admin fees but from the project line item.

What is being amended on the 2013 Professional & Administrative Services Agreement is that there will be an increase of \$1,780.00 to this agreement to pay SEDA-COG to perform the enforcement of labor standards for the 2015 curbcuts project. This amount will be paid out of the project line item.

Motion made by C/P Rudnitsky to authorize President Farrell to execute this amendment. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Ms. Ruch stated that this means that Council has just approved \$10,843.00 as the budget revision adding to the curbcuts. SEDA-COG will take \$1,780.00 of this. The Borough will have available for construction of curbcuts \$9,063.00.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE – Tim Charles, Chairman

Payment and Ratification of Bills

Motion made by C/P Charles to authorize payment of outstanding bills. Motion seconded by C/P Rudnitsky.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

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

Gelnett Request - \$10,000.00 for Energy Conservation Initiative – Previously Provided

C/P Charles stated that Stacy Richards was at Finance & Budget today. The Energy Conservation Initiative was discussed. C/P Rudnitsky is on the Advisory Committee so there was some good discussion on both directions.

C/P Charles stated that the \$10,000.00 would be used for the residential side of this initiative. This will cover the inspection fee of \$50.00 for the first 200 residents interested in participating. This will be a once and done option.

C/P Hendricks asked what if there would be more people interested. C/P Charles stated that the committee would ask for more funds from the Gelnett Trust.

C/P Hendricks asked Sol. Cravitz about how the Borough structured the Gelnett Trust if this is an appropriate expenditure of funds. Sol. Cravitz stated yes and that Council has absolute discretion over the fund as given underneath the Trust document.

Pres. Farrell stated this will require an investment on the homeowner's part. There will be nobody that covers the repairs/improvements 100%. It will be up to the homeowner as to whether they want to make the improvements that are recommended. C/P Rudnitsky stated that households who meet the requirements of the SEDA-COG Weatherization Program will have their repairs/improvements covered 100%. This goes according to income level.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Consider the adoption of Resolution 2015-02 pertaining to the exoneration of Mike Bolig for Delinquent Real Estate Taxes for 2014, Uncollectible Per Capita Taxes for 2014 and Collectible Delinquent Per Capita Taxes for 2014 – Copy Provided

Motion made by C/P Charles to approve Resolution 2015-02. Motion seconded by C/P Hendricks.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Authorize Statewide Tax Recovery, Inc. to collect the Delinquent Per Capita Taxes for 2014 that are determined to be collectible.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Notification of Award of Exit Grant for the Main Street Program – Copy Provided

Approve RFP for 2015 Borough Cleanup – Copy Provided

Motion made by C/P Charles to advertise for requests for the Annual Spring Cleanup. Motion seconded by C/P Viker.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE – Shane Hendricks, Chairman

PennDOT RFP for Street Light Project – Copy Provided

Authorize Engineer to prepare Ordinance for 2015 Street Project listing property owners and curbing/sidewalk replacement

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Authorize Engineer to prepare bid documents for the following projects – Copy Provided

CDBG Handicap Ramp Project

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Drainage Project (Spruce Street) and Water Line Project (Broad Street)

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Curbing/Sidewalk and Paving Project (High Street, Charles Avenue, Susquehanna Avenue and add alternates)

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

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

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

Approve Street Closure Permit for Race Car Parade on Saturday, August 1, 2015 on Market Street (from Route 522 and Sand Hill Road) – Copy Provided

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE – Marvin Rudnitsky, Chairman – No Report

PUBLIC SAFETY COMMITTEE – Erik Viker, Chairman – No Report

PLANNING COMMISSION – Earl Moyer, Chairman

Meeting Minutes – Copy Provided

ZONING HEARING BOARD – Cyril Runkle, Chairman

Hearings on 2/5/15 – Senior Citizens Center & OIP

CIVIL SERVICES COMMISSION – Dalton Savidge, Chairman

Meeting Minutes – Copy Provided

C/P Hendricks asked if advertising has been done for the Police Officer position and has testing taken place. Mgr. Williams stated that the ad was placed (it was a joint advertisement with the Shamokin Dam Borough) and the examination and the physical agility test was held on Saturday, January 31, 2015 at Susquehanna University. There were 12 applicants for Selinsgrove Borough. The next component will be the oral exams.

SHADE TREE COMMISSION – Bo and Joan Fasold

Currently Reviewing 2015 Street Program Impacts

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR – Jeff Reed

Presentation of the Police Reports for December 2014 – Copy Provided

C/P Hendricks questioned on Page 2/Section 2 where the Property Loss From Theft of \$101,403.00 came from. Mayor Reed stated he will check with Chief Garlock and let C/P Hendricks know.

BOROUGH SOLICITOR – Robert Cravitz, Esq.

Adopt Ordinance No. 819 eliminating emergency parking space on South Market Street – Copy Provided

Motion made by C/P Viker to adopt Ordinance No. 819. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Approve Intergovernmental Cooperation Agreement to share costs and settlement of assessment appeal – Keith Kratzer & Olga Smith – Copy Provided

Sol. Cravitz stated that the Board of Assessment has turned down their initial request for a reduction of their tax assessment. They took their appeal to the Court of Common Pleas and now the County, School District and the Borough are involved in a court action with Mr. Kratzer and Ms. Smith. The Borough is splitting the fee with regard to the appraisal based upon the amount of tax. This means the School District will be paying most of the fee for the appraisal, then comes the County and then finally the Borough. It's very common to enter into this agreement.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

BOROUGH ENGINEER

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

Update on pending projects – Larson Design Group – Copy Provided

BOROUGH TREASURER – Sharon M. Badman

Approve Treasurer's Report for Month of December 2014 – Previously Provided

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

Motion made by C/P Hendricks to approve Treasurer's Reports from December 2014 and January 2015. Motion seconded by C/P Viker.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Approve 2015 Street Cleaning Schedule – Copy Provided

Approve 2015 Recycling/Borough Cleanup Schedule – Copy Provided

Motion made by C/P Charles to approve the 2015 Street Cleaning Schedule and the 2015 Recycling/Borough Cleanup Schedule as supplied. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Provide Articles for March 2015 Newsletter (deadline 2/13/15)

BOROUGH MANAGER / SECRETARY – Paul A. Williams

Manager's Monthly Activity Report – Copy Provided

Mgr. Williams stated that all the snow has been keeping the Borough's road crew busy. He also informed Council that on Thursday, January 29th and Friday, January 30, 2015 an audit was performed for the RCAP funds. These were the funds that the library was the recipient of. It was for 1.25 million dollars and had been received from the State. The audit went very well. Treas. Badman once again came through and she deserves recognition of her advanced preparation.

Energy Conservation Initiative Advisory Committee Minutes – Copy Provided

Mgr. Williams stated that the committee is still seeking other funding to implement the program. A public launch is being planned for Monday, March 9, 2015 at the Selinsgrove Intermediate School.

Notice: PSAB 2015 Annual Conference, April 26-29, Lancaster Marriott & Convention Center

Statements of Financial Interest Due by May 1, 2015

Property Maintenance Code

Mgr. Williams stated that an AD HOC Committee meeting was held last year and comprised of Mgr. Williams, Pres. Farrell, C/P Viker and C/P Mease. They embarked upon having a discussion of what the Borough would like to see in a Property Maintenance Code adoption. Mgr. Williams stated that he has been hearing over and over again - is there not something that the Borough can do with the present state of affairs with our existing Property Maintenance Code that we have on the books. The Borough does have Ordinance No. 725 and also has this Ordinance codified.

When the codification was done it drafted a minor glitch/conflict with the adopting Ordinance. Mgr. Williams met with Sol. Cravitz to address this issue because in his opinion this is the quickest route in order for the Borough to have some teeth to address those properties that have been through up to three (3) floods. No one is tending these properties. Mgr. Williams would like to propose to the AD HOC Committee that they review the materials that were handed out to them and to see if they might agree to amend what is currently on the books.

Mgr. Williams stated that there were former members of Council that sat in the current Council's position. They spent time looking at the 2003 International Property Maintenance Code. They did not choose to adopt it wholesale. There were many things in this Property Maintenance Code that they didn't feel were appropriate for Selinsgrove. They selected what they wanted to include.

Sol. Cravitz stated that some of the changes have been cleaned up. A lot of things were mislabeled and cross references weren't appropriate.

ZONING – Deputy Zoning and Permit Officer – Jessie Runkle

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

PARKS & RECREATION COORDINATOR – Jessie Runkle

Monthly Report – Copy Provided

Mgr. Williams stated that Ms. Runkle did receive \$1,500.00 from the Guyer Foundation for the Supervised Summer Playground Program.

Ms. Runkle also ordered the new playground equipment from Play World to replace the deteriorating equipment in the tot lot down by the Gazebo. The Borough will be installing this equipment and is waiting to pick it up.

Mgr. Williams stated that there are two (2) 5k events that are desiring to come to Selinsgrove. They will be leaving the City of Sunbury. The one (1) is the Ta-Ta Trot to benefit breast cancer. They had around 2,500 participants last year and are expecting up to 4,000 participants this year. This is all about planning, logistics and making it safe. The second event is the Freedom 4/24 5k. Both these events should take place in early summer 2015.

SELINGSGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Ed Mann

Meeting Minutes – Copy Provided

Mr. Dan Kiesinger offered his neutral views to Council about “fair share” with the four (4) municipalities involved with ESCRA. If Council would like to meet with him, Mr. Kiesinger would love to come in and answer any questions Council may have.

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

NEW BUSINESS:

OTHERS – Treas. Badman stated she was approached by Marcia Moore of the Daily Item and she wanted to know how much money has been received from the Gelnett Trust since it was started and where it has been used. Treas. Badman stated she passed this information onto Ms. Moore.

Pres. Farrell requested a 5 minute break at 9 p.m. followed by an Executive Session to discuss pending litigation.

Meeting reconvened at 10:00 p.m. – No action taken.

Direct management to prioritize recommendations from Larson Design and proceed with testing.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

ADJOURNMENT:

Meeting adjourned at 10:02 p.m.

Respectfully submitted by

Chele' Weaver
Recording Secretary