

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, JULY 1, 2013 – 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Brian Farrell; V. Pres. Pete Carroll; C/P Shane Hendricks; C/P Tim Charles; C/P Richard Mease; C/P Dorothy Anderson and C/P Erik Viker.

OTHERS PRESENT: Borough Manager Paul Williams; Treasurer Sheri Badman; Mayor Sean Christine; Solicitor Robert Cravitz; Larson Design Group Alan Zeigler, Parks and Recreation Rocky Baer; D.H. & L. Fire Co. Representative Gary Griner; Radio Station WKOK Sarah Lagerman and Borough Residents Vince Stoops, Buffy Ramer, Marvin Rudnitsky and Jean Konz.

OTHERS ABSENT: Recording Secretary Chele' Weaver

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. Mgr. Williams presented Pres. Farrell with the sign-in sheet with the names of the guests this evening.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF JUNE 3, 2013. Motion made by C/P Charles to approve the minutes of 6/3/13 as submitted. Motion seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

DH&L Fire Company – Gary Griner reported (28) incidents in June as follows: (7) automatic alarms, (1) brush fire, (1) standby, (1) auto accident with extraction, (4) good intent service calls, (2) Medical Assists, (2) Auto Accidents without extraction, (1) odor investigation, (3) structure fires,(1) tree down, (4) water rescue/recovery, (1) flooding. This is a total of 366 man hours, for 208 men. The incidents occurred as follows: one (1) call to Beech Creek Borough, (1) call to Beavertown Borough, (1) call to Hartley Township, (1) call to Jackson Township, (1) call to Middlecreek Township, (9) calls to Monroe Township, (4) calls to Penn Township, (6) calls to Selingsrove Borough, (2) calls to Shamokin Dam Borough, (1) call to the City of Sunbury, and (1) call to West Perry Township.

As an update, Mr. Griner stated that there will be a chicken barbeque on July 20, 2013, and there will be tickets for sale in the Borough Office. The engine has been sold to Newfoundland, it will be driven to Newfoundland this month by the new owner and it will be a first line engine there, it does not have to meet NFPA in Canada so they can use it for a first line engine. The new squad is in service, it came in on Saturday. Pres. Farrell thanked Mr. Griner for his continued service to the Borough.

SELINGSGROVE PARKS & RECREATION COMMITTEE – Mr. Rocky Baer mentioned that this is an off month, no meeting was held. The next scheduled meeting will be July 23, 2013 at 7:00 PM in the Borough Building. They are averaging 10 children a day attending the summer camp activities at Anthony Selin Park. The theme has been mythology, the parents seem supportive and things have been going well. Vince Stoops explained the sign in and sign out procedure. They can only be signed out by the person who signs them in. Many of the children are also involved in other activities at the University and the School District.

SPI: Mgr. Williams stated that he attended the SPI meeting last month. They have sold enough bricks to be able to put the chimes in the clock, they have surpassed their goal of 70 bricks. SPI would like to recognize the people who purchased bricks in some sort of ceremony, they are in the planning stage for that recognition event. Sean Christine is now a representative on the SPI Board.

COMMITTEE REPORTS:

FINANCE AND 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

C/P Anderson stated that a bid has been received from ECI Services, of Dillsburg, PA for \$6,832.00 to make needed repairs and install insulation in regard to the air infiltration system in the Borough Office. ECI will perform all work after normal business hours. A second bid of \$9,420.00 was received from Kelly Systems, of Middletown, Pa. No further bids are necessary because the project is less than \$10,000.

Motion made by C/P Anderson to accept the bid of ECI Services. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Anderson reported that the Finance Committee reviewed a quarterly report on the current year-to-date budget which was provided by Treasurer Badman. No abnormalities were noted.

PUBLIC FACILITIES AND SERVICES COMMITTEE: C/P Hendricks, Chair – No Report

BOROUGH ADMINISTRATION PROPERTY AND EQUIPEMENT: C/P Carroll - No report, discussion in executive secession

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P MEASE, CHAIR – C/P Mease reported that they have (3) street closure requests. The first one is for Antiques on the Avenue, 7/14/2013 5:00 A.M. to 5:P.M.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

The second street closure request is for the Hops, Vine and Wines Festival, 7/20/2013 from 7:00 A.M. to 8:00 P.M.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

The third and last street closure request is from the football boosters for a carnival. They want to close down West 10th Street from West Penn Street to West Mill Street, from 8:00 A.M. to 5:00 P.M. on August 24, 2013. Pres. Farrell suggested having them notify property owners within that section of 10th Street. C/P Hendricks stated that he is familiar with that location and the street is very narrow. There is a problem with children darting out into the street from between parked cars. He thinks it would be safer to close that section of the street.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Mr. Williams stated that a fourth street closure request was added tonight for the 5th Quarter.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONNEL COMMITTEE – C/P CHARLES, CHAIR – C/P Charles pointed out the hand-out for the Borough Managers job description and the annual appraisal form was given to each Council member. He would like to have them back by the August meeting.

PUBLIC SAFETY – C/P VIKER, CHAIR – C/P Viker is trying to pull a meeting together in July, he will be back to the committee members with possible dates. Mgr. Williams recently put a few things on their agenda for consideration.

CIVIL SERVICE COMMITTEE- Mgr. Williams stated that they will be meeting tomorrow, July 2, 2013 at 1:00 P.M. to review the police officer job applications, they have received 13 so far.

SHADE TREE COMMISSION – Mgr. Williams stated that they did not meet last month, they were asking about the plans to water the trees. C/P Viker stated that the Fasolds have been working with a forester regarding the trees along Penn Street, they are very pro-active people. Mayor Christine questioned the height requirement for the curbs on Penn Street. Mgr. Williams stated that it is yet to be determined, there are some specific elevations that the contractor will have to adhere to.

MAYOR – Sean Christine presented the police report for the month of May, 2013. There are no real anomalies, but he is sure the officers are starting to feel the extra work load and will appreciate the hiring of the new officer or officers. The Mayor stated that he and C/P Hendricks sat in on a conference call in regards to a television show called Communities of Distinction hosted by Terry Bradshaw. He

stated that it was mostly a sales pitch to get the community to invest \$25,000 for a five minute spot on the show. He does not recommend going forward with this proposal unless someone else has an interest in it.

SOLICITOR – Robert Cravitz stated there were some changes at the state level in the PMRS-non-uniformed retirement plan that needed to be addressed by ordinance. He has provided Ordinance 810 which was advertised and will address those changes and some previous changes that have been made.

Motion made to adopt Ordinance 810 by C/P Charles. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Solicitor Cravitz presented an Agreement between the Borough of Selinsgrove and the Penn Township Municipal Authority in regard to the sewage transportation for Weis Markets, Inc. The agreement makes the transportation of the sewage the responsibility of Penn Township, the Borough would be held harmless for any problems arising in regard to the sewage from the store. The Borough will accept the sewage from a small line used for the restroom located at the gas pumping station only. He stated that the agreement between Weis Markets, Inc. and Penn Township is very stringent, they are complying with all of Penn Township's rules and regulations. As part of the agreement between the Borough and the Penn Township Municipal Authority, the Authority will be able to have the Borough turn off water in the case of non-payment of sewage rent.

Motion made by C/P Viker to accept this agreement between PTMA and the Borough of Selinsgrove in regard to Weis Markets, sewage transportation. Motion seconded by C/P Charles.

AYES: SIX (6)

NAYS: ONE (1) - C/P HENDRICKS

MOTION CARRIED

Solicitor Cravitz presented a Memo from Tom Garlock, Chief of Police in regard to proposed Ordinance 809 which is in regard to the curfew ordinance. His specific recommendation is that the ordinance be retained, he contends that Judge Lori Hackenberg's decision not to enforce it is in error. All prior magistrates had ruled that prior notice to a minor was not part of the statute. Mgr. Williams also provided a memo in this regard, which explains that Keystone Publishers of Shippensburg, PA under the direction of Ken Rotz has undertaken the task of updating our codified Ordinances. He will provide an Editorial Report, this will be a comprehensive review of Findings, Comments and Recommendations. C/P Viker stated that there will be a Public Safety Committee meeting coming up where there will be 3 persons to review it if sent to the Committee. C/P Viker stated that since the issue was tabled Council should not be discussing it.

Motion made by C/P Charles to remove Ordinance 809 from the table so that Council can discuss it. Motion seconded by C/P Anderson.

AYES: SIX (6)

NAYS: ONE (1) - C/P VIKER

MOTION CARRIED

Motion to advertise Ordinance 809 with changes recommended by the Solicitor, clarifying that a minor does not need prior notification. Motion seconded by C/P Carroll.

AYES: THREE (3) - C/P'S HENDRICKS, CHARLES AND CARROLL. NAYS: FOUR (4) - C/P'S FARRELL, ANDERSON, MEASE AND VIKER. MOTION DEFEATED.

C/P Viker stated that he will put the item on the agenda for the upcoming Public Safety Committee meeting. C/P Charles requested that the Solicitor be present at that meeting.

ENGINEERS REPORT: Attached. Mgr. Williams reported that the utility project is well underway. They installed the sewer line between Pine and Chestnut, today they completed the water line installation, in that same block. A pre-job conference regarding Penn Street is scheduled for the week of July 15, 2013. The Isle of Que pre-job conference is scheduled for July 2, 2013 at 11:00. A pre-job conference is scheduled for 10:00 on July 2, 2013 in regard to Penn Street Curbs and Sidewalks. Both meetings are with the same contractor, G& R Charles. Savidge Land Development, no additional comments were received. Michael Savidge did not accept the conditions of approval so therefore it is deemed a denial. Justin Womer, had a soft opening last Tuesday, he did receive an Occupancy Permit from Central Keystone Cog and had the approval of The Department of Agriculture for food services. He will schedule a true grand opening later. Weis Markets did submit a revised final plan. The traffic signal replacement at Market and Mill Streets is progressing, he is working on getting a revised temporary and/or permanent easement with those property owners, it should be available for bidding shortly.

C/P Charles mentioned that PennDOT will be redoing Market Street next year. He would like to provide advance notice to all businesses and residents that it will affect. C/P Charles asked Solicitor how much input the Borough will have with PennDOT, can we make a suggestion that they only do half of the core business district at a time, leaving the other half available where people can drive or walk. Solicitor Cravitz suggested contacting the local representative and the District Engineer with these concerns. Mgr. Williams did mention the project at the Chamber of Commerce meeting, most members are also involved with Selinsgrove Projects Incorporated. He will be pro-active as best he can otherwise the finger will be pointing back at the Borough. We did have a small project that occurred near Pine and Market Streets, he made notification by personal handouts. That project was deemed to be an emergency repair. The Borough crew staged the repairs so that it did not impact the lunch hour. The Borough has worked with the contractor to make access available to the Morning Glory Station, the new restaurant on N. High Street, during the utility project which is currently in progress. C/P Viker suggested some sort of signage advising people they can park in some of our less obvious parking lots and walk to their destination during the Market Street reconstruction. Mgr. Williams stated that at this point PennDOT is not making it clear if it will be a 2014 or 2015 project. As soon as we know more we will make an effort to notify persons that would be impacted by the project in the newsletter, through handouts, announcements at appropriate meets, and through new releases in the media.

TREASURERS REPORT: Attached.

Motion made by C/P Viker to accept the Treasurers Report. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

At 7:57 P.M. Pres. Farrell called for a 15 minute break.

RECONVENE COUNCIL MEETING – The meeting reconvened at 8:15 P.M. Pres. Farrell called for an executive session to discuss matters of litigation.

RECONVENE COUNCIL MEETING - The meeting reconvened at 9:20 P.M.

C/P Viker moved to authorize the Solicitor to coordinate a negotiation meeting with ESCRA to include a Borough representative that the Borough Council President selects, Mgr. Williams, Alan Zeigler, our consultant from Larson Design Group; our representatives for ESCRA and other attorneys that are relevant to act upon the proposed recommendations that our consultant has laid down for us. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGERS REPORT: Attached. Mgr. Williams supplied a report for Larson Design Group. He has a report on the reservoir cover and the SCADA System. The Borough and Larson Design Group have been trying to get the contractor to return and make needed repairs and to schedule the surface preparation and recoating. The Borough has withheld \$20,000.00 as an incentive to get the contractor to come back and complete the work. The SCADA system at well number (4) has been installed and just needs to be calibrated in with the system. A correction to be made on the management report is that it should say Tropical Storm Lee, instead of Hurricane Irene. The closeout documents were provided to the Commonwealth agency by Mgr. Williams. June 6th is an important milestone for the Borough in that we did receive the Occupancy Certificate for the Municipal Building which was dated May 31, 2013. There was no deadline for the Borough to meet the conditions of approval and it seems like the representative from L & I just wanted to make a case. It became a non-issue for CK COG and especially for Tom Sauers, we don't know where this complaint came from but we can surmise that it came from general contractor Palmer Construction. June the 12, although we had some rain delay Penn DOT Agility performed Tar & Chip application to South Front Street. June 20, the last item should say Twisty Freeze, they are open for business.

What led to the proposed resolution 2013-15 was actually a letter from Joe Kantz, the County Commissioner. He wrote to encourage the Borough to consider the enclosed sample resolution. In the year 2007 under Rendell's administration, maintenance work became included under the prevailing wage requirements. Should Council choose to adopt this resolution tonight maintenance would be proposed to be excluded from the prevailing wage requirements. Secondly, is that rather than this being tied to a specific dollar amount of \$25,000.00 which has been in existence since 1961 that they follow the consumer price index, similar as to how the threshold for bidding was recently changed. It would save costs in the long run. Mgr. Williams recommends that Council adopt this resolution.

Motion made by C/P Viker to adopt Resolution No. 2013-15. Motion seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Mgr. Williams presented Resolution 2013-16 stating that the Civil Service updated its rules and regulations and asked that Borough Council adopt a resolution establishing the fee of \$25.00 for each

police application. C/P Viker is not comfortable charging a fee to persons who apply for employment. He feels that it could be a deterrent. C/P Hendricks feels that associated costs for the hiring of police officers is the cost of doing business within the department.

The proposed resolution died for lack of a motion.

Mgr. Williams presented a copy of a letter from SAIC Energy, Environment & Infrastructure, LLC addressed to himself. The letter notified the Borough that the monitoring wells at 713 Bridge Street, the former AMP building, currently the site of the Snyder County annex and fire company, have been decommissioned on or about June 24, 2013. The decommissioning of the wells has been approved by the Pennsylvania Department of Environmental Protection.

Mgr. Williams addressed the Planning Commission report saying that the Commission did not meet for a few months because they had no new development plans. He would like to work with the Commission on some outstanding issues including the Borough's aging Comprehensive Plan, Subdivision and Land Development Ordinance and Zoning issues. The Land Development and Zoning process starts with the Comprehensive Plan which should be updated every 10 years or so. He feels that certain aspects of the Comprehensive Plan should be looked at by the Commission including taking a look at the alley adjoining us and how it affects other property owners. Off-street parking is also one element we need to spend some time on. He also would like to work on updating our Subdivision and Land Development Ordinance. Snyder County is currently updating their SALDO. Municipalities who do not choose to enact their own SALDO can use County SALDO. Mgr. Williams stated that the Borough can use the County model as an example to update their SALDO. One problem we have run into is that our current SALDO allows the applicant to skip from a sketch plan, or concept plan, to a final plan if it meets certain criteria. This happened recently with Weis Markets, who presented what should have been considered a preliminary plan, labeled it a final plan and were resistant to making any changes. Had they gone through the complete process we would have avoided the issue of sending the sewage to the Penn Township Municipal Authority, the structure could have been raised one foot and we wouldn't be having that discussion. He is also concerned with other issues with the Zoning Ordinance, including possible sign issues such as if a company wanted to locate a billboard along Routes 11-15, the design of off-street parking became an issue with Weis Markets, we should have requirements for a traffic impact study. We have a lot of issues we could address. We may need to enlist the support of a planning consultant to help us through these zoning revisions. This might be an issue for the upcoming budget. We currently have a Property Maintenance Code that was enacted a few years ago. The Borough Manager at that time referred to sections from the 2003 International Property Maintenance Code suggesting that certain aspects of that code be adopted. The code has been used sparingly when complaints are received. Matt Sauers of Central Keystone Cog suggested that the Borough adopt the 2012 International Property Maintenance Code.

C/P Charles stated that we have a problem with a few homes that absolutely have to be dealt with. C/P Viker stated that it is unconstitutional for the Borough to interfere with private property owners unless there is a public health hazard such as vermin. He would like to see the language "tied-up" so that situations that could endanger the public health can be enforced. Mgr. Williams stated that we do

have the power to adopt a maintenance code and we have the police powers to enforce it. C/P Charles stated that he had a problem with the title, "International Property Maintenance Code." He feels that a code meant for areas such as cities like Philadelphia may not be the right fit for Selinsgrove.

Mgr. Williams mentioned that Dalton Savidge is one of the concerned neighbors of 7 Linda Lane, a home that has apparently been abandoned by the owner. The yard has not been mowed all season. The house was listed for sale but has been taken off the market. Several attempts to reach a property owner have failed. Mr. Savidge has been researching the Borough Ordinance and pointed out that the Property Maintenance Code refers to a Section "106," which is not there. The Planning Commission will be meeting to go over some of these issues more thoroughly.

Mgr. Williams mentioned a report from ESCRA that was attached to agenda packet. It is the Management Discussion and Analysis for December 31, 2012 extracted from the financial statement.

With no further business a motion to adjourn was made by C/P Viker at 9:57 P.M.

Respectfully submitted:

Janet L. Powers, DZO
Acting Recording Secretary