

**SELINGROVE BOROUGH COUNCIL MEETING**

**MONDAY, JUNE 6, 2011 - 7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** Pres. C. Handlan, V. Pres. E. Viker, C/P D. Anderson, C/P P. Carroll, C/P T. Charles, and C/P S. Hendricks

**COUNCIL MEMBERS ABSENT:** C/P B. Farrell

**OTHERS PRESENT:** Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor S. Christine; Borough Treasurer Sheri Badman; Recording Transcriptionist Dawne Long; Daily Item Reporter Tricia Pursell; Borough Business Property Owners Jerry Inch, Jacque Reggia, and Stephen W. Wilcox, Jr.; Borough Residents Deanna Moyer, Earl Moyer, Mike Moyer, Kim Riegel, Joseph Siro and Margaret Siro

**OTHERS ABSENT:** Junior C/P Kathryn "Katie" Kirchner

**CALL MEETING TO ORDER:**

Pres. Handlan called the meeting to order at 7:01 P.M. Mgr. Bickhart called the roll, followed by a moment of silence and the Pledge of Allegiance. It was noted that Junior C/P Katie Kirchner is attending her graduation tonight, as is C/P Brian Farrell, whose daughter is graduating tonight.

**REVIEW AND APPROVAL OF COUNCIL MINUTES FROM RECESSED MEETING OF APRIL 25, 2011 AND REGULAR MEETING OF MAY 2, 2011:**

Motion by C/P Charles to approve the minutes as presented. Seconded by C/P Anderson.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**PERSONS TO BE HEARD:**

**Jacque Reggia, Steve Wilcox and Roxanna Williams, regarding closing of Union Alley** – These three people are the owners of the properties at 6-8 North Market Street which are currently occupied by Walter Insurance, It's All About Me Boutique, and the currently vacant commercial property most recently occupied by ACS Nutrition and a computer store. Ms. Williams was not at the meeting but her interests were represented by the others. Mr. Wilcox stated he is also representing his mother, Patricia Wilcox, who is also an owner. Mr. Wilcox asked Solicitor Cravitz what is meant by vacating a portion of Union Alley. Solicitor Cravitz explained that the Borough is removing the public nature of a section of the alley consisting of 100 feet from the center line of West Pine Street in order to close this section of the alley. There will still be access to the properties in question, with people entering the alley from Chestnut Street of via a soon-to-be-created access alley from High Street to Union Alley. The Borough will vacate the public portion of Union Alley to remove the public's right to go through the park that will be laid out in the Commons. The Borough will also create an easement from Union Alley to High Street. Mr. Wilcox asked what the reason is for closing the section of Union Alley. Solicitor Cravitz stated that there will be a continuous plaza from the front of the library addition into the Commons on through to Market Street. There will be an amphitheater area, trees, benches, a veterans' memorial and flag poles. Mr. Wilcox asked if there was ever a traffic count or study done to determine how many people use the alley on a daily basis. He stated with the changes there will be two-way traffic and a portion of a parking lot will be lost to the new alleyway from High Street to Union Alley. C/P Viker shared his drawing of the plans with Mr. Wilcox and Mgr. Bickhart found some larger plans to display for everyone to see. Mr. Wilcox asked if there were any other plans considered and if so, did they all include closing this portion of Union Alley. Solicitor Cravitz stated the idea from the beginning was to make the continuous plaza from the library to Market Street. There were concerns for people's safety when there are events taking place if the alley is left open. Mr. Wilcox asked if temporary ways to close the alley during events were considered and C/P Viker stated the Safety Committee determined that permanently closing the portion of the alley was

the best use of space for the greater public good. It is an alleyway with alternate means of access, so it was determined that no one's rights were violated by the choice that was made to close the portion of it. Mr. Wilcox stated that in the March 21 meeting minutes Council authorized Solicitor Cravitz to prepare documents related to the vacation of 50 feet of Union Alley. He asked when this changed from 50 to 100 feet. Solicitor Cravitz stated he spoke with Mgr. Bickhart to determine exactly what needed to be closed for the project. Mr. Wilcox stated in the same minutes C/P Hendricks had asked if anyone talked with Jacque Reggia about this and Mgr. Bickhart had replied that no one had talked to her or any of the building owners. However, she would have the same access into her property. Mr. Wilcox asked if everyone has seen the markings that have been put down near the parking area at the rear of 6-8 North Market Street. He noted there is a zigzag curb that does not give the same access as the current access. C/P Viker explained that "the same" does not necessarily mean the same path of travel but it does mean the same amount of access. Drivers may have to make a turn or two more than was necessary before, but the property is still as accessible. It is not a convenience factor; it is an accessibility factor. Mr. Wilcox stated the access goes from 10 feet to 20 feet, so it is not the same. In order to have safe access to his parking lot he will not be able to use about 1/3 of it. He is also concerned about access by the garbage truck, fire trucks and other emergency vehicles, tenants moving in or out with a moving truck, etc. C/P Viker stated that the fire department determined everything would be fine. Mr. Wilcox stated there is a gentleman who likes to park at the end of the parking lot and a large truck could not be backed in without going over the curbing if it is installed as it is currently designed. C/P Anderson asked if the contractor put down the markings to which Mr. Wilcox is referring. He replied that Mgr. Bickhart did the marking to give the owners and tenants an idea of how things will be per the plan. Mr. Wilcox asked that before Council votes on the plans they go to the site and look at the markings to see that they do not allow the same access to his parking lot. He will probably have to eliminate three spaces to allow for safe access to the lot. After some discussion and study of the plans, it was determined that there is an angled concrete planter on the plans that makes the alley a good deal narrower near Mr. Wilcox's parking lot. C/P Viker suggested taking the planter away and squaring off the curb to the alley at the end of the Reggia property. He said it may not be as aesthetically pleasing but it would solve Mr. Wilcox's problems with parking. Solicitor Cravitz stated this will have to be addressed through a change order with the contractor. Mr. Wilcox thanked Council for listening to his concerns and Pres. Handlan thanked him for bringing his concerns to Council. C/P Charles asked if this has to be acted on tonight and Pres. Handlan stated she did not think so. She feels it should be looked at in more detail. Solicitor Cravitz stated that just because Council votes to vacate the alley does not mean the Borough is out of the woods. The property owners still have a right to go across the alleyway and they can demand fair compensation for having this done. The Borough's intention is to swap with the property owners for an easement from Union Alley to High Street in exchange for their easement from Union Alley to Pine Street. C/P Viker stated that is a different issue from the construction issue, which currently includes the planter that will get in the way of the property owners and tenants. Solicitor Cravitz stated that if the property owners are aggrieved by what the Borough is doing that could be part of their damages because in this case the Borough is almost blocking access to the property. C/P Viker stated by taking away the planter the majority of the inconvenience is removed or reduced. Solicitor Cravitz agreed and stated it should be on record that this is Council's intention. C/P Charles stated he does not want to vote tonight to vacate the alley without looking at it himself. He asked how crucial it is that this be done, asking if there should be a special meeting held in a week to vote on this. Solicitor Cravitz replied there is time. Mgr. Bickhart stated one of the last things the contractors will do is the part that connects the building to the Commons. C/P Anderson stated the first issue will be temporary inconvenience during the construction, but that cannot be helped.

**Jerry Inch, regarding new alleyway next to his business to access Union Alley** – Mr. Inch stated his concern regards access to his shop for trailers that he inspects, especially if Union Alley is made two ways. He stated his understanding is that the lane that will be put in beside his shop will be a driveway and not a public right-of-way. Pres. Handlan stated it will be made a public right-of-way. C/P Carroll stated that Council took Mr. Inch's advice and contacted the fire company for their input. As a result, some changes were made to the curbing near Mr. Inch's garage. C/P Anderson stated Mr. Inch raised this issue at a Planning Commission meeting, and the information was very helpful. C/P Viker stated that sometimes the cost of doing business in a community is that people may have to wait while a large vehicle is backed into a location. Mr. Inch agreed and stated things may be congested at times.

C/P Viker stated Mr. Inch is a successful business, which is good for the community, so people will just have to be patient. There was some light-hearted discussion about what to name the new alleyway and someone suggested Inch Way.

**DH&L Fire Company** – No report

**Police Chief Tom Garlock, Police Officer Commendations and Civilian Life Saving Award** – One of the officers to be acknowledged was not able to be here tonight, so Chief Garlock will do this at the Tuesday, July 5 meeting when both officers can be present.

**COMMITTEE / COMMISSION / BOARD REPORTS:**

**FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair**

**Payment and Ratification of Bills**

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

**AYES: SIX (6)      NAYS: NONE      MOTION CARRIED**

**Statewide Tax Recovery, Inc. - Exoneration Requests** – Gary Hilbert Sr. for 2001, 2003, 2004, 2006, 2007, 2008 and 2009 since he is deceased.

Motion by C/P Viker for exoneration of Mr. Hilbert. Seconded by C/P Hendricks.

**AYES: SIX (6)      NAYS: NONE      MOTION CARRIED**

**Consider award of Contracts to Lowest Responsible Bidders for Selinsgrove Commons Project** – G&R Charles Excavating is the low bidder with a base bid of \$189,000 and an add alternate bid of \$10,500.

Motion by C/P Anderson to award the contract to G&R Charles Excavating conditioned upon the approval of DCNR. Seconded by C/P Charles.

**AYES: SIX (6)      NAYS: NONE      MOTION CARRIED**

**Consider award of Contracts to Lowest Responsible Bidders for the 2011 Street Program, University Avenue from Market Street to the point** – G&R Charles Excavating is the low bidder for this project also. Mgr. Bickhart noted that the notes on the bid tabulation sheet show that the bids came in over the engineer's estimate so the bids are over what was originally budgeted for the project. However, all of the property owners who are required to put in curbing and/or sidewalk will be doing it on their own. Therefore, the money that was budgeted and set aside in the event those property owners did not do it on their own will not be needed and can be put toward the Borough's portion of the project. There may be one property owner that will have to be assessed for a portion along the railroad. Mgr. Bickhart, Treasurer Badman and the Finance Committee feel that the Borough has the budget capacity to do the base bid plus Alternates 1, 2, 3 and 4.

NOTE: C/P Charles stated for the record that he is not related to anyone at G&R Charles Excavating.

Motion by C/P Anderson to award the contract to G&R Charles Excavating. Seconded by C/P Viker.

**AYES: SIX (6)      NAYS: NONE      MOTION CARRIED**

**Consider award of Contracts to Lowest Responsible Bidders for the 2011 Utility Project, Water Main Replacement on North Market Street to North High Street** – C/P Anderson reported the base bid is \$192,628 with \$310,000 having been budgeted. Again G&R Charles Excavating is the low bidder.

Mgr. Bickhart noted this is for the base bid and the add alternate. Because the engineer was concerned about inflating costs in the project, the base bid was only to do a water main replacement on Market Street. The alternate bid extends it up around Bridge Street and interconnects on High Street at Cole's Hardware. Mgr. Bickhart noted for the record that when the engineer reviewed the submission by G&R Charles, it was discovered that G&R Charles had utilized the wrong schedule of unit values to calculate his final price. The price actually written in the proposal by G&R Charles was \$251,549.70. The engineer always checks the math on the units and this time he found that G&R Charles did not use a revised tabulation of units. The engineer recalculated using his unit costs and the correct units to come up with \$192,628.58. C/P Viker noted that either way G&R Charles is still the low bidder. Mgr. Bickhart stated that is correct; however, this is a legal contractual matter. The whole thing was given to Solicitor Cravitz, who wrote a letter to G&R Charles asking for something in writing. G&R Charles supplied written documentation acknowledging that their tabulation was incorrect and they are willing to do the job for the price noted on the bid tabulation sheet of \$192,628.58 for the base bid and \$61,009 for the add alternate.

Motion by C/P Anderson to award the contract to G&R Charles Excavating. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

C/P Carroll asked if this water project includes the problematic hydrant at Bridge and Market Streets. Mgr. Bickhart replied it does.

**Consider adoption of Resolution 2011-06 pertaining to authorization to open a Sinking Fund account for the Building Project and to designate three signatories for this account with any 2 of 3 being required** – C/P Anderson stated this relates to the construction loan from Juniata Bank. The money from the bank gets transferred into the Sinking Fund account and from that account the construction is paid for. Solicitor Cravitz stated the bank loan is also repaid through this account. C/P Anderson stated the three individuals who will be signatories for the account are Pres. Handlan, Mgr. Bickhart and Treasurer Badman. Two of the three people will be required to sign all drafts, requests or checks from the account. Mgr. Bickhart stated whenever a corporation opens a bank account something like this is needed.

Motion by C/P Anderson to adopt Resolution 2011-06. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

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

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

**Report on Selinsgrove Municipal Building and Community Center Library Renovation and Expansion Project:**

**Update on proposed Lease Agreement with Snyder County Libraries, Inc, pertaining to the building project** – C/P Charles suggested that *on Page 2 under Operating Costs*, the end of the final sentence should read "... fire alarm and fire protection systems that serve the entire Premises." *The phrase "heating, cooling and ventilation" should be removed.* This is to avoid future confusion because later on in the lease there is reference to these items being prorated. Pres. Handlan stated this is referring to shared spaces. C/P Viker stated that the library pays for their own spaces, but for the lobby and hallways that are shared the library will kick in 50%. C/P Charles also stated that *No. 13 at the top of Page 4 needs to be deleted in its entirety* because the Borough has agreed to keep the walks free of ice and snow. Solicitor Cravitz stated he thought this was already taken out, but as it was not he will be sure that it is. He stated the first issue C/P Charles brought up was put in to cover areas where the operating expenses could not be prorated because of the footage. C/P Charles stated he felt the Operating Costs section on Page 2 was a contradiction to the Utilities Etc. section on Page 2. Mgr. Bickhart stated it is. He believes the intention was to strike "heating, cooling and ventilation" as noted above. The 50% applied to the fire alarm and fire protection systems only. C/P Charles stated that on Page 3, Condition,

Maintenance, and Repairs, he found that the most recent draft is significantly fewer pages than the original draft. However, he does not understand the reference to each paying "50% of the construction, engineering, and other associated costs, less any insurance payments, grant funds or other contributions received, for the capital repair or replacement". He stated this implies that if something happens to the Borough's side and major repairs are needed the library is liable for 50% or vice versa. He asked if this is the way this should be and Mgr. Bickhart replied yes. He stated this was discussed at some length and this is the recommendation that was made. C/P Viker stated that if something major were to happen to the building it would affect both entities and they both need to chip in for the repairs. Mgr. Bickhart stated all kinds of scenarios were discussed and it really gets complicated to try to write something better than what is here in the draft. The library also agreed to sharing 50%. C/P Viker stated it seems to reference more catastrophic events rather than if a piece of molding were to fall off the wall. He stated "from acts of God, from vandalism or malicious mischief, from civil disturbances, riot or war" are major events. C/P Charles asked for clarification of "special risk" in the second full paragraph on Page 5. Solicitor Cravitz stated this refers to umbrella coverage. Mgr. Bickhart stated the wording is something that he wondered about as it was not clearly defined. He went to the insurance industry and found that this is what they call the policies that deal with things other than liability, such as fire and earthquake. C/P Viker stated the language seems foreign because it is industry jargon. C/P Charles stated he understands the umbrella policy. Mgr. Bickhart stated the first two parts of Section 21 deal with liability insurance and how some of the fixtures in the library need to be covered by the Borough because it is the Borough's building. The special risk clause deals with the Borough's obligation to provide insurance for fire or earthquake on the Borough's building. Noting the phrase that "Landlord shall charge the Tenant with the additional costs of this insurance", C/P Charles asked if this is prorated and Mgr. Bickhart replied that it is. C/P Hendricks asked how heating, cooling and ventilation operating costs will be calculated in the shared spaces per Page 2, Section 6, Utilities Etc. Mgr. Bickhart stated the only operating costs will be electricity and the power draw will be measured on the handlers. There will be run timers on each system, the library's and the Borough's. There really is no way to calculate the shared spaces other than by determining whose side it is closest to. The majority is split between the major sides of the building, with only some small spaces that are shared. These are shown in the Construction Agreement in Exhibit B to the Lease Agreement – Allocation of Space. C/P Viker stated this will not be a deal breaker. Mgr. Bickhart stated the only issue is the HVAC into these shared spaces. C/P Hendricks stated it is only about 1,200 square feet. Mgr. Bickhart agreed that it is only about 1,200 square feet out of a total of 12,000 square feet and should not be an issue.

**Update on proposed Construction Agreement with Snyder County Libraries, Inc. pertaining to the building project** – C/P Charles stated that he does not see the 375 square feet listed anywhere any more. Since this space was to cost \$57,000 for each entity he asked if the price has come down \$114,000. He stated there was a lot of discussion of the Borough's 375 square feet on the third floor which was listed as renovation even though there was nothing on the third floor to renovate. In reading the minutes, there were about four different opinions as to what that 375 square feet is and now it is not shown at all. Mgr. Bickhart stated he does not know that any of the opinions were correct and C/P Charles stated if it was renovation space they could not be correct because there is nothing of the Borough's on the third floor. However, the Borough and the library were each paying \$57,000 to renovate 375 square feet on the third floor. He stated he did not want to debate this here, but he does want to meet with the architect the next time he is here. Mgr. Bickhart stated that would be this Thursday afternoon. Mgr. Bickhart stated that he is sure that the current tabulation is correct because he did it himself by going back through the plans. He stated he could see changes in the way the architect tabulated their space, our space, shared space, etc. Some of the changes did not make sense so Mgr. Bickhart did the tabulation and gave it to the architect, who then used it to do recalculations. Some of the change is probably the result of an error in the prior tabulation. C/P Charles asked if the price will change and Mgr. Bickhart stated the last one that Council has is the correct one on which the library and Borough both agreed. These correct square footages were used by the architect to generate his last tabulation. If C/P Charles is comparing this tabulation to the previous one and trying to determine where something went, that will not work because it was not correct in the previous one. C/P Viker asked if this has been resolved in the version that is in his hands today and Mgr. Bickhart stated yes. C/P Viker asked if Mgr. Bickhart is confident as an engineer that the Borough is not paying for something they should not be paying for under this most recent documentation, and Mgr. Bickhart replied yes. C/P Charles asked

what the final cost is, noting that the article in the newspaper showed the Borough at \$2.5 million. Pres. Handlan stated that is not correct. Treasurer Badman stated the correct amount is on the back of Resolution 2011-05 which shows the Borough's share at \$2.196 million.

**Consider adoption of Resolution 2011-05 pertaining to the authorization to apply for a \$1,250,000 Redevelopment Assistance Capital Program Grant from the Commonwealth of Pennsylvania –**

Mgr. Bickhart noted this resolution is required to apply for the RACP funding that John Gordner announced and made available. Adoption of this resolution is part of the grant application process.

Motion by C/P Viker to adopt Resolution 2011-05. Seconded by C/P Anderson.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Farrell, Chair – No Report**

**PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair**

**Committee to consider the review of the 18 applications for the Permanent, Part-Time Administrative Assistant Position – C/P Charles stated he will find a meeting time that suits everyone.**

**PUBLIC SAFETY COMMITTEE: C/P Viker, Chair**

**Traffic Signal Improvements at Mill and Market Streets –** C/P Viker reported that the Borough received a notice from PennDOT that its application was not selected for funding. However, the money needed to pay for the renovations has been budgeted. He asked if the traffic light is safe for now and Mgr. Bickhart replied it is. Pres. Handlan asked what the next step is and C/P Viker stated the Borough will have to replace it. Mgr. Bickhart stated the Borough Engineer will have to design the project and then it has to be approved by PennDOT. C/P Viker stated that Corby Bowersox has personally checked this traffic light out and stated it is safe and fine, but the project needs to move along sooner rather than later. Pres. Handlan asked if the replacement will be similar to the traffic lights in the downtown area and Mgr. Bickhart replied it probably will be. Pres. Handlan asked if the Borough can reapply for the funds and Mgr. Bickhart said they could but it could take until this time next year because the grant cycle is a year. Pres. Handlan asked if there is anything to prohibit the Borough from starting the project before reapplying for the grant. Mgr. Bickhart stated he will check into this. He stated RACP grants can be applied for after the fact. C/P Hendricks asked if he is the only one who does not want to spend money on putting a new light at this intersection. Pres. Handlan stated she wanted to put a stop sign there. C/P Viker stated when he talks to people in the community about putting a four-way stop sign there everyone gets upset and wants the traffic light replaced. C/P Hendricks suggested a two-way stop sign going east and west, and C/P Anderson stated people would never be able to get out. C/P Carroll stated he talked to the three businesses on the corners and they prefer the traffic light. Pres. Handlan noted that people get out at every other intersection with Market Street. C/Ps Carroll and Hendricks stated there is more traffic on Mill Street as a side street than on other side streets. C/P Anderson agreed, especially when school is letting out. C/P Viker noted he does not feel there would be community support for anything other than a traffic signal there. Mgr. Bickhart stated he is prepared to do the traffic studies that would be necessary to get permission to remove the traffic light. This is done with Borough people. C/P Charles suggested reapplying for the grant next year and hoping that the lights lasts another year. C/P Viker stated there is no imminent harm, but it is just one of those things that needs to be done sooner rather than later. C/P Carroll stated for the record that because this is a PennDOT roadway the Borough cannot just arbitrarily do whatever they want at the corner. Mgr. Bickhart stated because it is a red light on a state highway the design has to be approved by PennDOT. In order to remove the traffic signal completely, the Borough would have to go through the mandated study process to provide documentation that that would be the best choice. Under Council's direction, Mgr. Bickhart will turn this over to the Borough Engineer to design the project, and he will also check into reapplying for the funds. Mike Moyer asked if Council was aware of how rusty the light pole is underground. C/P Viker stated he has not personally observed it, but the Borough's experts say that everything there is as safe as it needs to be until it can be replaced. Mr. Moyer stated this replacement has been discussed for years. He stated

when he replaced a lens he noticed that the cable clamps at the top were in bad shape. C/P Viker stated that Corby has replaced a lot of the equipment that needed to be done for safety. He stated the Borough has had eyes and hands on this very recently.

**Temporary Traffic Pattern for Building Project** – Pres. Handlan stated since this is such a small work area, there really is not much choice on how to do this. Mr. Wilcox asked for information, stating this temporary pattern will affect the properties he discussed earlier. Mgr. Bickhart stated this has not been shared with anyone beyond the Council yet. In response to some comments from C/P Carroll regarding the lines in the alleyway, C/P Viker stated this temporary traffic pattern is different from the discussion that was held earlier tonight. Mgr. Bickhart stated he is concerned that the general contractor will arrive to start work on the project that Council has authorized and he will need to put up a construction fence and block part of the alley. Therefore, Council needed to come up with a plan for the traffic pattern. Mgr. Bickhart worked with the contractor to find out his minimum requirements. He then looked at what that does regarding access to the properties along the alley. He stated the temporary traffic pattern will exist for a period of two to three months. The alley will be made two-way so the one-way signs will be taken down. The section of Chestnut Street from High Street to the alley will also be made two-way. Because of the width there, parking will be temporarily banned on the south side of Chestnut Street in that half block. Pres. Handlan stated the bottom line is that everyone still has access. Mgr. Bickhart stated he has the addresses of all the property owners and business owners and he will share the plan with them. He does not have copies for anyone tonight. C/P Carroll stated that this is a year-long project and he hopes everyone understands that there will be some inconveniences. However, Council is willing to listen to people's concerns just as they did tonight regarding the planter that caused concern for Mr. Wilcox. Mr. Wilcox stated no one has ever contacted the local businesses regarding this entire project. He stated they learned about it in the legal notices in the Snyder County Times when someone approached him to tell him his name was in the paper. Jacque Reggia stated she knew nothing until about three weeks ago, and then two weeks later ground was being broken. She stated there was a communication breakdown and she is not happy with it. Mgr. Bickhart stated that because of the soils involved, the excavation will go out into the alley. He showed a map with a proposed location of a construction fence to keep people from the construction area. The fence will go out into the alley for two to three months until the excavation can be backfilled. He further clarified that the alley will be two-way from Pine Street to Mr. Wilcox's parking lot, and two-way at the other end from Chestnut Street to Jack Robinson's and Bev Owens' parking lot. After the backfill is completed, the fence will be pulled back for a period of time, but eventually the alley will be closed permanently to build across into the Commons. The plan was for the alleyway from High Street to Union Alley to be done first so that the ultimate traffic pattern could begin sooner. However, because of where the well field is that cannot be done. There will be some standard one-way detour signs to aid people in navigating during the construction. Signs will be placed showing access to the businesses at each end of the alley. Mr. Wilcox stated he understands the need for construction, and the property owners are in favor of the new library. Ms. Reggia stated there was a great communication failure on the part of the Borough. She stated ground is about to be broken and the property owners see it in the newspaper. Pres. Handlan stated it has been in the Borough newsletter and in the Daily Item that the new building is coming. She stated everything is happening quickly now and Council just got the temporary traffic pattern information a few days ago. Ms. Reggia stated that Council knew they were going to vacate the alley, but she got no letter stating that such a thing was pending. She stated they should have been given the courtesy of being informed. Pres. Handlan stated it was posted three weeks ago in the newspaper. Ms. Reggia asked why the property owners could not have received a letter. Pres. Handlan agreed that this should have been done. C/P Viker stated that everyone did get a letter because it was in the Borough newsletter that this was happening. He stated Council did not know for certain they would be vacating the alley until they knew for certain that they could afford the project, and they only knew that one month ago. Mr. Wilcox stated he and the others are not in the Borough so they did not get a newsletter and they had no idea. They were not included in any of the planning. C/P Viker asked if the newsletter does not go to businesses. Mgr. Bickhart stated it goes to all property owners. Pres. Handlan noted the concerns expressed by Ms. Reggia and expressed her appreciation that she brought it to Council's attention. She stated the Borough will do a better job the next time. C/P Anderson stated the vacating of the alley was discussed in the Planning Commission meetings. Ms. Reggia stated her youngest sister, Roxanna Williams who lives in Mechanicsburg, is third owner of the property and she is not at all happy with the vacating of the

alley, the impending issues with the parking lot, and the possible reduction of the value of the property. She asked if anyone would want to buy the property with the configurations at the end of the alley, even with the alleyway straightened out as discussed early. She does not feel there was any regard for the property owners here. C/P Viker stated that he suspects the look of the Commons and the new building will drastically increase the value of properties downtown. Ms. Reggia stated not if the residents are not able to get into the parking lots. Pres. Handlan replied that they would have access. Earl Moyer expressed concerns about the traffic pattern with detour signs down and around to Chestnut Street. He asked what will be done about the pole on the alley at Chestnut Street and Mgr. Bickhart stated people will just have to get around it. Mr. Moyer stated it will be difficult for people to pass. Mgr. Bickhart stated the ends of many alleys are limited by poles and utility lines. Pres. Handlan stated everyone will have to deal with the temporary inconvenience. C/P Viker stated it would not be any different than trying to swing into a garage. Mgr. Bickhart noted that there are some vehicles that use the alley on a regular basis, such as garbage trucks, that are going to have to work a little harder to get in and out. He stated what Earl Moyer is talking about is a definite obstacle. If the Borough could redesign the alleys, the limiting factor would be the location of poles. He stated the same type of situation exists at the alley near the post office. Mr. Moyer asked about moving the pole back and putting an arm on to extend out to hold the wires in the same location. This would allow people to get around the corner better. C/P Anderson stated this would be up to PPL. However, Mgr. Bickhart stated this particular pole is holding Verizon communication cables. Someone would have to initiate a request and there would probably be an expense passed along to the person who wanted the pole moved. C/P Viker stated a good driver should be able to get between the poles. He stated people just need to be patient. Pres. Handlan asked Earl Moyer if he is suggesting leaving Chestnut Street one way and he said yes. He stated any time there was discussion about changing the traffic pattern on Chestnut Street it was decided to leave it one way due to traffic getting out onto Chestnut Street or traffic coming in off Chestnut Street and going over to High Street. One way or the other would be safer for everyone and traffic would not be tied up at all. C/P Carroll stated this will only be temporary for two or three months. In the long range, Council will work with the store owners and business owners on the backs of the properties as part of the façade program. Mgr. Bickhart stated that after the construction period the traffic pattern will go back to the way the Planning Commission had discussed. The alley will be one way the way it is now and Chestnut Street will be one way the way it is now. This change is just temporary in order to get the business people to where they need to be. Otherwise they would have to go down High Street to Snyder Street, out to Market Street and back to Chestnut Street. The temporary two-way portion of Chestnut Street will eliminate this for the convenience of those people. He stressed that this is not the final plan.

**Lighting Issues** – Kim Riegel asked if the streetlight was fixed at the corner of University and High that she brought up to Council previously. C/P Viker stated the Borough informed PPL and they are the ones who have to fix it. Treasurer Badman stated she has given PPL notice twice this month about it. Jerry Inch asked who is responsible for the lights in the Borough parking lot now. Mgr. Bickhart replied that the Borough is. Mr. Inch stated there are some lights that are on and then off for about 20 minutes; then they come on and go back off. Mgr. Bickhart stated it is probably a defective transformer and he will have it looked into.

**PLANNING COMMISSION: Earl Moyer, Chair** – No Report

**ZONING HEARING BOARD: Cyril Runkle, Chair** – Mgr. Bickhart reported he received the resignation of Pat Morris from the Zoning Hearing Board. She and her husband are moving out of the Borough. The Zoning Hearing Board recommends that Council appoint Brenda Fabian, who is currently an alternate, to a permanent position to fill Pat Morris's unexpired term until 12/31/13.

Motion by C/P Hendricks to appoint Brenda Fabian as noted. Seconded by C/P Charles.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**CIVIL SERVICE COMMISSION: Dalton Savidge, Chair** – No Report

**PARKS AND RECREATION BOARD: Shane Hendricks, Chair** – Written report supplied.

C/P Hendricks stated that a flyer was put together for the summer program and there is a full-color poster. Both will be placed around the community. The program begins June 13 and runs for 10 weeks in the mornings only. On Saturday, June 18 at 9:00 A.M. with a rain date of Sunday, June 19 at 5:00 P.M. there will be a stain party at the gazebo. Help is needed. C/P Viker stated there were over a dozen dogs at the dog park the other day. It is getting used even without the addition of Phase II. Pres. Handlan stated donations are still coming in for the dog park.

**SHADE TREE COMMISSION: \_\_\_\_\_, Chair**

**Acknowledge the receipt of resignation of Tom Walker, effective immediately** – Mr. Walker gave no reason for his resignation. Mgr. Bickhart stated Shira Vergauwen will be moving from the Borough so she will no longer be eligible. Mary Hummel has also asked to be replaced as soon as possible. The Shade Tree Commission now consists only of Don Rowe and Dave Faust. Therefore, three more commissioners need to be found.

Motion by C/P Anderson to accept the resignation of Tom Walker, to acknowledge that Shira Vergauwen will no longer be eligible to serve, and to take under advisement that Mary Hummel needs to be replaced. Seconded by C/P Charles.

**AYES: FIVE (5)**

**NAYS: ONE (1) – C/P Carroll**

**MOTION CARRIED**

C/P Carroll stated he had told Tom Walker he would not accept his resignation. Mgr. Bickhart stated the openings could be posted on the Borough's web site, although that is not very effective. The next newsletter does not come out for months. Pres. Handlan suggested something be put in the Daily Item. Mgr. Bickhart stated he is going to task Dave Faust and Don Rowe to think about this as a reorganization effort and look for people who would agree to come together for a specific objective. The Shade Tree Commission planted 23 trees this summer and raised the money to do it. It seemed that it would be a dynamic group and it will be best to find members with a goal or a project to work on rather than people to just serve on a committee to review requests to cut trees. C/P Viker stated this commission is an active, dynamic part of the community. Considering that Selinsgrove used to actually be a grove, it is important to get more trees in the ground and this organization is an important part of the community.

**BOROUGH ADMINISTRATIVE REPORTS:**

**MAYOR: Sean Christine**

**Presentation of Police Report for April 2011** – Mayor Christine noted that crime rates are currently running 17% lower than in 2010, and there are 17% fewer officers in the Borough. Mike Moyer asked if the people who were breaking into vehicles about a month ago were ever caught. Mayor Christine stated he cannot comment on that specifically, but Mr. Moyer could call the chief. Mayor Christine stated that last month C/P Hendricks had a question regarding a high loss number on the March report. Mayor Christine asked Chief Garlock about this, and he said there were no anomalies or no one specific event, but the number was correct. It could be related to the rash of thefts.

**BOROUGH SOLICITOR: Robert Cravitz, Esq.**

**Update on submission to the Pennsylvania Department of Community and Economic Development pertaining to the establishment of a line of credit in the amount of \$4,000,000 for the financing during the construction for the Building Project** – Solicitor Cravitz reported that the Borough has received approval from DCED. All the bank documents are signed and the Borough now has a \$4,000,000 line of credit. The resolution was passed tonight for the sinking fund so whenever the Borough needs to draw on the funds they will be available and will remain so for three years.

**Consider the adoption of Ordinance No. 793, pertaining to the vacation of a portion of North Union Alley** – Action deferred per discussion earlier tonight

**Update on the Pennsylvania Human Relations Commission Complaint filed by Michael Moyer –** No report. Last month's conference was postponed.

**Information pertaining to Public Participation at Selinsgrove Borough Council Public Meetings –** Solicitor Cravitz gave a letter to Council regarding this issue and he will answer any questions that may arise. He stated a resolution was passed in September 1993 and it is still part of the record regarding how to conduct regular meetings and deal with comments from the public. Margaret Siro asked if this information can be shared with the public. Solicitor Cravitz stated it is part of the Borough's Code. His opinions are geared toward Borough Council and not toward the general public, so he cannot advise the public. He has advised Council on the issue and he can tell the public what sections he referred to. Mrs. Siro asked how people are to know what they can and cannot do regarding public meetings. Solicitor Cravitz stated the Borough Code states what is and is not permissible. There is a copy of the resolution from 1993 which indicates what is open as far as public comment periods and what can and cannot be discussed. This information would be available in the Borough office.

**BOROUGH ENGINEER: J. A. Coukart & Associates**

**Update on pending projects –** Information supplied with no additional comments or questions

**BOROUGH TREASURER: Sharon Badman**

**Review Treasurer's Report for May 2011 -** Pres. Handlan asked if there were any questions on the Treasurer's report. Hearing none, she stated that it is on file for audit.

C/P Carroll asked if Mgr. Bickhart and Treasurer Badman are bonded. Treasurer Badman replied that they both are.

**BOROUGH MANAGER / SECRETARY / ZONING OFFICER: Mgr. Bickhart**

**Non-Police Complaint Update –** Mgr. Bickhart noted that with the exit of the college students there are more complaints about landlords at this time of year. C/P Hendricks asked about the last item on 06/06 and whether the Borough is responsible for the wall. Mgr. Bickhart stated he is not sure, but he believes the Borough is responsible. He stated he has never seen anything documenting who built the wall, but his recollection is that it was a WPA project. He does not know for whom the wall was built. The right-of-way documentation in the Borough is crude at best and does not match curved walls. This issue was raised because Sharon Lutheran Church is concerned about people being in the cemetery and then falling over the wall so they wanted to put up a fence along there. This prompted Paul Grimes to ask if it was the church's wall or the Borough's wall. Pres. Handlan stated this wall has been that way since it was put in. Mgr. Bickhart stated he understands the wall is also in need of some repair so it is time to try to find out for sure whose responsibility this is. He stated whoever will pay for the wall will be the person who is the most inconvenienced by whatever damage is going on, and at this point in time that would seem to be the Borough. The street is right up against the wall. C/P Viker stated that anything that falls from the wall would fall into the public right-of-way so it becomes the Borough's responsibility.

**Update of PROPERTY TRANSFERS and BUILDING PERMITS ISSUED, Janet Powers, Deputy Zoning and Permit Officer –** Information only

**Consider placing a sign on the Isle of Que Emergency Access gate –** Mgr. Bickhart supplied a sample of verbiage that would indicate who was responsible for the emergency access construction as well as how and why it would be used. He stated there is no requirement for a sign in the grant agreements. C/P Charles stated that often Penn's Creek floods first and closes the bridge access. He has seen this happen when the river is only half bank full. He suggested the sign reference the closing of Pine Street because the lowest spot is on the Borough/land side of the bridge near the old fire station. Mgr. Bickhart stated he has been told about this but he has never seen it himself. He asked that C/P Charles stop in his office sometime to discuss with him the sequence of flooding and approximate

depths. C/P Charles stated with a lot of local rain Penn's Creek will flood first, but with a lot of rain up north the river will flood before the creek does. In that circumstance the creek usually does not flood until it backs up because of the river flooding. He stated regarding any signage, the emergency access will have to be opened when the Pine Street Bridge is closed no matter where the water is coming from. Mgr. Bickhart stated in anything he has written to the Isle of Que residents over the past couple years, he has tried to get them to understand that they need to be aware of the river gauge reading and the prediction at Sunbury and what happens to the Isle of Que. The 28 feet on the sign draft refers only to that and not to flooding from the creek. The reference to people showing identification is because fire police will be posted and they will check to be sure people are allowed to be on the Isle of Que. C/P Viker stated the idea of the sign is excellent, although the one supplied is a bit wordy. He stated he does not know that the emergency access is the proper place for the sign as people may not go there to see when the access will open and who will be allowed to use it. He suggested tightening up the wording and removing the identification reference, which to him feels draconian and unnecessary. He stated he does not think looters will be deterred by that and it feels unfriendly to the residents. C/P Hendricks stated there are always a lot of sightseers on the Isle following a flood. C/P Viker stated he agrees with having fire police present, but he does not feel the wording needs to be on the sign because it will not change anything. The fire police can still do everything they normally do. C/P Anderson stated people will be using the access while the bridge is being repaired so a sign should not be in place during that time. Pres. Handlan referred this to the Safety Committee.

**PSAB Notice concerning Legislative Contact Network** – For information in case anyone wishes to be a contact.

**Recognition that Katie Kirchner, Junior Councilperson, is attending her high school graduation on our meeting night** – Mgr. Bickhart stated that Katie's service as a Junior Councilperson will be ending. She and two other girls are eligible to attend the FBLA National Competition in Florida. However, Pres. Handlan stated that Katie's father said in an email that she would not be going due to a conflict. C/P Anderson made up a card for the Councilpersons to sign for Katie. C/P Carroll stated Katie was given an award at a Chamber meeting. He and Mayor Christine said a few words of thanks to Katie for the time she has spent sitting on Council. Mgr. Bickhart was at this meeting also. C/P Carroll stated SPI and the Chamber both give a \$500 scholarship for youth to further their education.

**2010 Census Information** – Mgr. Bickhart supplied information. C/P Anderson stated this updated information can go to the Planning Commission for use in the comprehensive planning process. C/P Carroll noted the Borough's population rose a bit. Mgr. Bickhart stated it went up 5%. The age groups have shifted with a 90% increase in the population under 5 years of age and with a decrease in senior citizens. The median age went from 25.5 to 22.9. C/P Anderson stated this could be due to an increase in the college population. Mgr. Bickhart noted an 8% reduction in the number of owner-occupied housing units and a 12% increase in the renter-occupied housing units in the Borough, which is a shift of another 100 units. C/P Viker noted a 16% reduction in vacant housing. Mgr. Bickhart stated some of the numbers show a significant percentage, but if you look at the actual number it is quite small and insignificant. For instance, the number of Other Asians went up 1700% but the actual number is less than 1. Mgr. Bickhart stated when he first became Borough Manager the 2000 census was just being done. He compared that to the 1990 census and was shocked at some of the figures, particularly the decline in the number of owner-occupied dwelling units in the Borough. He stated he was anxious to get this new data and it proves his concern that this is a continuing trend. C/P Viker suggested coming up with a premium to encourage people to actually live in the building they own in the Borough.

**SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman** – No Report

**EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Bob Dagle and George Kinney, Chairmen**

**Update on waste strength at IPR Metering Station** – Mgr. Bickhart reported he did another series of testing and it is the same as the last time. It shows no specific problems and does not pinpoint Ethnogenesis as a specific problem. The same disparity with ESCRA's numbers continues. Mgr. Bickhart stated nothing new was learned except that the more times the Borough gets the same

answer the more likely it is that this answer is the correct one. He will reduce this down to a spreadsheet, compare it with ESCRA's numbers, and share it with Council.

**NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Bill Hetherington and John C. Bickhart**  
– No Report

**NEW BUSINESS:**

**COUNCIL MEMBERS**

**C/P Anderson** stated that she met with Maggie Lemons, who was recommended by Katie Kirchner to replace her as Junior Councilperson. Maggie was in the high school play and is in spring sports so it took a while to set up the meeting. C/P Anderson stated they had a good conversation and Maggie is genuinely interested in the position. She will plan on beginning to attend regularly in September.

Motion by C/P Anderson to approve Maggie Lemons as the next Junior Councilperson. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

C/P Anderson will let Maggie know she was approved. She stated she would have come tonight, but her sister is graduating. Mgr. Bickhart stated Maggie can be sworn in at the September Council meeting.

**C/P Carroll** reported that there will be a show on June 19 at 3:00 P.M. in the Selinsgrove Area Middle School Auditorium about the good times of the Simon Snyder era. It will include music and dance and is part of the project at Susquehanna University that Emily Johnson has been working on. The show is free to the public. **C/P Anderson** noted that the display in the Degenstein Gallery at Susquehanna University is terrific and well worth the time to view.

**ADJOURNMENT:**

Meeting adjourned at 8:56 P.M.

Attachments: None

Respectfully submitted by  
Dawne R. Long, Independent Transcriptionist  
Recording Transcriptionist