

SELINGSGROVE BOROUGH COUNCIL MEETING

MONDAY, JUNE 6, 2016 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Marvin Rudnitsky, V. Pres. Pete Carroll, C/P Brian Farrell, C/P Tim Charles, C/P Rich Mease, and C/P Grant Neff

COUNCIL MEMBERS ABSENT: C/P Hendricks

OTHERS PRESENT: Solicitor Bob Cravitz; Mayor Jeff Reed; Junior C/P Jonah Markle; Borough Treasurer/Assistant Borough Manager Sheri Badman; Selingsgrove Chamber of Commerce Helen Walter; SEDA-COG Bill Seigel and Teri Provost; Parks and Recreation Meg Will; Selingsgrove Projects, Inc. (SPI) Carol Handlan; WKOK Sarah Benek; Isle of Que Brewing Company Mike Salter, Jeremy Boyer, Sean Walburn and Jason Kinney and Selingsgrove resident Vincent Stoops

OTHERS ABSENT: Borough Manager/Secretary Paul A. Williams and Recording Secretary Chele' Weaver

CALL MEETING TO ORDER:

Pres. Rudnitsky called the meeting to order at 7:00 P.M. Treas. Badman called the roll, followed by a moment of silence (please remember Mayor Reed's wife Cheryl Reed who passed away on Wednesday, June 1, 2016) and the Pledge of Allegiance.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF May 2, 2016

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

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

DH&L Fire Company/ DH&L Ambulance League – No Report

Selingsgrove Projects, Inc.

Executive Summary – May 2016 – Copy Provided

President Carol Handlan took the floor and announced that she officially retired on Wednesday, June 1, 2016. SPI has added two (2) new Board members – Bill Burd and Sara Lauver. SPI is also in the process of having the clock repaired in front of First National Bank. It should be done sometime this summer.

The new hanging baskets for flowers have been installed in the downtown. Pres. Handlan would like to thank Chuck and Bobbi Steininger for installing them. Pres. Handlan also stated that the Farmer's Market has had a bit of controversy. The Famer's Market is run by a separate entity that is private and this committee has been struggling the last few years. SPI member Sara Lauver and one (1) of the participating members – Shawn Park – have been expanding and coming up with some great creative ideas for the Farmer's Market.

Pres. Handlan stated that all the tickets have been sold for the Hops, Vines and Wines event to take place on Saturday, July 16, 2016. It only took nine (9) minutes to sell all the tickets (1,700 in all).

Selingsgrove Chamber of Commerce

Meeting Minutes – April 26, 2016 – Copy Provided

Meeting Date: June 6, 2016

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SARI (Pool) – Richard Mease

C/P Mease stated that over the Memorial Day Weekend (which was four (4) days) saw over 1,200 people in attendance. The American Legion was up at the swimming pool handing out Rita's Italian Ice on Memorial Day. C/P Mease publically thanked Vince Stoops from the American Legion for doing this.

C/P Mease stated that over the weekend of June 4, 2016 pots of flowers were placed around the swimming pool and at the entrance.

The pool will also be offering some scuba diving lessons. Contact is being made with emergency service personnel in the area to see if anyone would like to be certified for water rescue. This event is open to the public.

Parks & Recreation Committee – Megan Will

Ms. Will took the floor and stated that she wanted to give a giant salute to Makenzie Stover the new Recreation Coordinator – the Parks & Recreation Committee (PnR) is just thrilled with her and her work. The Supervised Summer Playground Program started on Tuesday, May 30, 2016.

The Day of Action saw PP&L installing a new utility pole (for a new light) down at Little Norway II. PnR is looking the donations of ice skates. Quite a number of the ice skates have been broken due to the skates not being laced properly. The PnR Committee is working on a sign which will be installed explaining the proper way to lace up your skates.

The Pump House Park Summer Concert Series begins on Tuesday, June 7, 2016 starting at 7:30 p.m. Kay Spigelmyer has served the Selinsgrove community for decades in coordinating these concerts and will be recognized tomorrow night – she is stepping down after many years of service. Elaine Herrold will be her successor.

The sign at the Dog Park is deteriorating and needs to be replaced. The folks from AYSO approached the PnR Committee and asked if they could make it an AYSO sign. This sign will be 9 feet wide. The PnR Committee unanimously declined because it is not just an AYSO Park. The PnR Committee discussed bringing the new Anthony Selin Park sign from the Kidsgrove side of the parking lot to inside the Dog Park and providing AYSO an interior space to make a sign of their own. Recreation Coordinator Makenzie Stover suggested putting some information at the bottom of the sign to announce the Selinsgrove Supervised Summer Playground Program and directing parents/guardians where to turn.

The Kidsgrove restrooms should be finished at this point.

Ms. Will stated that Vivian Lenig from High Street Manor attended a Council meeting recently and talked about a concern with the sedimentation on the foot paths at Anthony Selin Park. The PnR Committee is throwing some ideas around and is hoping to come before Council with a recommendation on what to do.

Ms. Will stated that she and her family went for a bike ride down South Market Street. Her daughter had a bike accident because some of the residents have not been trimming their hedges back from the sidewalk. Her daughter had to go onto the street and then go back up. The paint that is used on the curb ramps is really slick. Her daughter's knee received a 2 ½ inch gash. These hedges are well over the sidewalk and can't even be walked by without having to go out into the street.

Pres. Rudnitsky stated that the Borough does react to complaints. He also suggested taking a picture of the problem area to present to the Borough.

Isle of Que Brew

Concur with ESCRA Industrial Waste Permit Approval (draft previously provided)

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Require Grease Trap Installation – Copy Provided

Motion made by C/P Farrell to approve the installation of a grease trap. Motion seconded by V/P Carroll.

Mike Salter stated that the Isle of Que Brew will not be serving any food. If any food would be brought in, it would be from an outside establishment and ordered in by the patrons. The items would be wrapped and just thrown in the garbage can. They would not be washed off in the sink.

C/P Farrell stated that in the Ordinance any restaurant that serves beverages or food must participate. This includes churches, hotels, restaurants, boarding houses, cafeterias, fraternity and sorority houses, non-profits, clubs and other social organizations.

Sol. Cravitz stated that under the definition of restaurant and hotel it is stated that any establishment providing lodging facilities or serving meals or serving beverages, or any combination of two (2) or more of the said services, to the general public will be considered subject to this Ordinance.

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

Others in Attendance

Vincent Stoops

Mr. Stoops took the floor and stated that he was attending tonight's meeting as the Service Officer from the American Legion Post on South Market Street. Mr. Stoops would like to thank Mgr. Williams and Administrative Assistant Chele' Weaver for their help on Memorial Day. It was greatly appreciated.

Mr. Stoops stated that there was a good crowd. There were no complaints about the parade or the ceremony. If anyone would hear of any complaints, please let Mr. Stoop's know.

Mr. Stoops stated that the free admission to the pool went very well on Memorial Day. He was told that there were 645 people who attended. Mr. Stoops would also like to thank Mayor Reed for commenting during the morning ceremony as well as seeing that the bath house at the pool was beautiful (Mayor Reed repainted the interior) when the kids walked in on Memorial Day. Mr. Stoops stated that there were 350 portions of Rita's Italian Ice served in one (1) hour.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE – Tim Charles, Chairman

Payment and Ratification of Bills

C/P Charles stated that during Spring Cleanup in April 2016 there was 55.5 tons collected.

Motion made by C/P Charles to pay the bills as reviewed. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery/Berkheimer – Exoneration Request

Treas. Badman stated that it is for Betsy E. Dunlap. She is deceased and it is effecting the years 2013 and 2014 at \$5.50/year.

Motion made by C/P Charles to accept this exoneration. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve DEP Educational Grant for Ecology Adventure Day - \$3,000.00 – Copy Provided

Motion made by C/P Charles to accept the Grant. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Award Bid for Elevation Project – Copy Provided

C/P Charles stated this is for the raising of two (2) homes on the Isle of Que. The addresses are 215 South Second Street and 108 South Third Street. The low bid was \$174,800.00 for the combined properties.

Motion made by C/P Charles to award the bid to the apparent low bidder D.B. Construction. Motion seconded by V/P Carroll.

Bill Seigel and Teri Provost from SEDA-COG took the floor. Mr. Seigel stated there was a lot of discussion about 108 and the adjacent 106 South Third Street properties. The way the project was bid was for the Contractors to bid the elevation of both homes – both the South Second Street home and the South Third Street home. Within SEDA-COG's bid documents it was included by the Engineer that the Contractor had a responsibility to (the term he used was pin or secure the foundation of the adjacent home – 106 South Third Street). The troubling part of this is the deterioration of the structure – a blighted structure that has been condemned. The Engineer did not define pinning the foundation, he did not write a specification. He left that to the means and methods of the Contractor.

The reason Mr. Seigel wanted to approach Council is two (2) fold. First to reinforce the importance of the Solicitors review of the performance bond and insurance on the project – they are working about five (5) feet from the adjacent structure - the Borough neither owns nor controls this property. SEDA-COG wants to be sure that the Contractor has the adequate protection for the project. Secondly, SEDA-COG wants Council to understand that they are not making any other improvements to the property. The means and methods for pinning or securing the foundation is at the discretion of the Contractor to whom the Borough is going act on this evening.

Mr. Seigel believes that the Contractor is obligated to take photographs, however, SEDA-COG does not have access to the structure because it is private. Mr. Seigel is not sure what the stability of the structure itself is. It may be difficult for the Contractor to enter to take photographs. Photographs can be taken of the exterior, however.

Mr. Seigel wants to raise Council's awareness that on this particular project there is some exposure that goes above and beyond the normal exposure. These bids are markedly less than the next lowest bidder. This does raise concern. From SEDA-COG's experience when they see some of things that they have seen in this whole process – Mr. Seigel felt that it was important to come to Council and make them aware of the concerns that SEDA-COG has.

C/P Charles stated that he would like to amend the motion to read that the award be given to the lowest bidder but an Agreement not be signed by the Borough of Selinsgrove until the Payment and Performance Bonds and Certificate of Insurance are in place and reviewed by the Solicitor. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

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

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT – Pete Carroll, Chairman

V/P Carroll stated that he did receive some estimates on the bus enclosure on South Market Street by Chris Kenawell's office. He is not sure where the funds are going to come from though.

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

Request for Street Closure – University Avenue (Broad to Pine St.) – Antiques on the Avenue, Sunday, July 10, 2016 – Copy Provided

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Waive Vendor Fees for Selinsgrove Stroll Arts, Crafts and Sidewalk Sales – July 8, 9, 15, 16 – Copy Provided

Motion made by C/P Mease to accept the waiver on the fees. Motion seconded by C/P Charles.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Ta-Ta Trot Event on Saturday, July 9, 2016 – Copy Provided

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE – Marvin Rudnitsky, Chairman – No Report

PUBLIC SAFETY COMMITTEE – Grant Neff, Chairman – No Report

PLANNING COMMISSION – Earl Moyer, Chairman – No Report

ZONING HEARING BOARD – Cyril Runkle, Chairman – No Report

CIVIL SERVICES COMMISSION – Dalton Savidge, Chairman – No Report

SHADE TREE COMMISSION – Bo and Joan Fasold

Meeting Minutes – May 19, 2016 – Copy Provided

BOROUGH ADMINISTRATIVE REPORTS

MAYOR – Jeff Reed

Presentation of the Police Reports for March 2016 – Copy Provided

Presentation of the Police Reports for April 2016 – Copy Provided

Mayor Reed stated that as of Sunday, June 5, 2016 the Officers will be working 10 hour shifts.

BOROUGH SOLICITOR – Robert Cravitz, Esq.

Status Conference with Judge Hudock

Sol. Cravitz stated this was in regards to the Francis R. Gelnett Irrevocable Trust. Certain documents were reviewed that were presented by Atty. Swinehart on behalf of the Trust. The tax returns have been provided for the last five (5) years. Monthly reports have been provided and the Borough is just waiting on the accounting for the inception of the Trust. The Judge was pleased to hear this.

Some progress has been made with the appointment. Atty. Swinehart was asked by Judge Hudock to put together a proposed order. It has been reviewed and some comments have been received by Pres. Rudnitsky. Sol. Cravitz stated that the long and short of it is – they are going to (at least on an interim basis) have Fulton Bank as the appointed successor co-trustee to replace Mr. Heintzelman. Mr. Laudenslager will remain as a Trustee also and will provide financial accounting within 14 days.

The compensation for trustees is fixed at 0.85%.

Sol. Cravitz stated that Pres. Rudnitsky came up with another point – a provision can be added to the Trust that the Borough as the sole beneficiary, shall have the authority to remove any Trustee or successor Trustee provided that a successor Trustee has been selected by the Borough who has accepted the appointment as successor Trustee.

Pres. Rudnitsky stated he would like to make a comment on why he proposed this addition. There is a section in the Uniform Trust Act in Pennsylvania that says whenever you have a Trustee of an Irrevocable Trust that is a Corporate Trustee – you cannot remove them unless fault is found. It has to be proven. If someone wants them to resign – you have to go to court. The Trustee serving has to be very responsive to the sole beneficiary by way of proper fees, service and earning their way. This is a perpetual Trust. It will go on when technologies will have changed and banks will have been acquired and merged out of existence. Pres. Rudnitsky does not want to see future Council's go to court to change Trustee's. If the attorney's will agree to this, it will give this Council and all future Council's the right to say to the serving Trustee – you are not doing the job and are not competitive and if you don't do better, we will change Trustee's.

Motion made by V/P Carroll to accept with the amendment of "the Borough of Selinsgrove, sole beneficiary, shall have the authority to remove any Trustee or successor Trustee provided that a successor Trustee has been selected by the Borough of Selinsgrove who has accepted the appointment as successor Trustee." Motion seconded by C/P Mease.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

BOROUGH ENGINEER

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

Treasurer Badman stated that on Thursday, May 5, 2016 the orifice plate at the Middle School had been addressed. The Contractor stated that he understands what the Borough is looking for and what needs to be done. To date, the Borough has had no additional correspondence with the Contractor or School District.

Update on pending projects – Larson Design Group – No Report

BOROUGH TREASURER – Sharon M. Badman

Approve Treasurer's Report for Month of May 2016 – Copy Provided

Motion made by C/P Charles to approve as presented. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

BOROUGH MANAGER / SECRETARY – Paul A. Williams

Manager’s Monthly Activity Report – Copy Provided

Approve Resolution No. 2016-05 Acquiring Easement for Decorative Street Light Project – Copy Provided

Treas. Badman stated that this is required as part of the Decorative Street Light Project with Scott and Melanie Shaffer. It requires a permanent easement for the installation and maintenance of a control panel.

Motion made by C/P Charles approve Resolution 2016-05. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Notice: PSAB 2016 Annual Conference, June 5-8, 2016 at the Hershey Lodge

Treas. Badman stated that herself, Administrative Assistant Chele’ Weaver and Pres. Rudnitsky will be attending the luncheon on Tuesday, June 7, 2016. The Borough Newsletter won 3rd place and herself and the others will be attending to accept the award.

ZONING – Deputy Zoning Officer – Makenzie Stover

Update of ZONING & SIGN PERMITS ISSUED – Copy Provided

PARKS & RECREATION COORDINATOR – Makenzie Stover

May 2016 Report – Copy Provided

Treas. Badman stated that a Discover Scuba Day will be held on Sunday, July 10, 2016 at 6:30 p.m. at the pool.

SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Ed Mann

Meeting Minutes – Copy Provided

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

NEW BUSINESS:

COUNCIL MEMBERS

C/P Charles reminded Council and those attending that Chief Garlock will be holding a public meeting on Tuesday, June 7, 2016 at 7:00 p.m. in the Community Rooms.

ADJOURNMENT

Motion made by C/P Charles to adjourn at 7:58 p.m. Motion seconded by V/P Carroll.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Respectfully submitted by

Chele' Weaver
Recording Secretary