

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, MAY 6, 2013 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Brian Farrell, V. Pres. Peter Carroll, C/P Shane Hendricks, C/P Dorothy Anderson, C/P Richard Mease, and C/P Erik Viker

COUNCIL MEMBERS ABSENT: C/P Timothy Charles

OTHERS PRESENT: Solicitor Robert Cravitz; Mayor Sean Christine; Junior C/P Maggie Lemons; Borough Treasurer/Asst. Borough Manager Sheri Badman; Recording Secretary Chele' Weaver; Borough Engineer John Coukart; Parks & Recreation Rocky Baer; DH&L Representatives – Fire Chief Dawayne Betzer and Gary Griner; Main Street Manager Mary Bannon; T-Biz Representative Kealy Howell; Savidge Rental Group Michael Savidge; Borough Residents Laird & Judy Allen, Richard Norman, Dianne Mengel and Ken Miller.

OTHERS ABSENT: Borough Manager/Secretary Paul A. Williams

CALL MEETING TO ORDER:

Pres. Farrell called the meeting to order at 7:00 P.M. Treasurer Badman called the roll, followed by a moment of silence and the Pledge of Allegiance.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF APRIL 1, 2013:

Motion made by C/P Anderson to approve the minutes as presented. Motion seconded by C/P Hendricks.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

DH&L Fire Company – Fire Chief Dawayne Betzer reported there were 26 incidents in April 2103 and they are as follows: 1 automatic alarm, 3 standby assignments, 3 good intent/service calls, 3 miscellaneous fires, 3 medical assists, 6 MVA's without extrication, 6 structure fires, and 1 vehicle fire. The incidents occurred as follows: 1 in Jackson Township, 1 in Lewis Township, 5 in Monroe Township, 7 in Penn Township, 8 in Selingsgrove Borough, 1 in Shamokin Dam Borough, 1 in Union Township and 2 in Washington Township. Man hours for April 2013 are 432.40.

Chief Betzer stated he has an update on the new piece of fire equipment. The contract has been signed for Pearce. The paperwork has been received from Attorney Cravitz's office. It is under review by Pearce's attorney. Hopefully, by weeks end, the contract will be completely done, the money transferred and the piece will begin construction.

The brush truck has been sold to an Air Force base in Cape Canaveral, Florida. D.H. & L. received \$10,000.00 for the truck and \$4,900.00 for the equipment. The truck left two (2) weeks ago, was delivered on a Monday and fought its first fire on Tuesday.

The utility truck is still for sale and the Fire Co. has received one (1) phone call for it. Chief Betzer stated they purchased a truck. He brought pictures along for Council to view. This truck will replace the 1985 brush truck and the 1997 utility truck. The one purchased is a 2005 Bobcat for \$18,500.00. With the sale of the brush and utility trucks and the minor repairs that need to be done to the 2005 Bobcat, the price should wash itself out.

C/P Anderson asked Chief Betzer what bank the Fire Co. ended up using to purchase the Pearce fire truck. Chief Betzer stated Swineford National Bank.

Chief Betzer also wanted to inform everyone present that the Fire Co. will be holding a chicken barbeque on the third weekend in July. They will have tickets for presale.

Selinsgrove Area Recreation, Inc. – No Report

Selinsgrove Projects, Inc. – Main Street Manager Mary Bannon informed Council that she would like to introduce Kealy Howell and also Maggie Lemons. Ms. Bannon has been working with an organization called T-Biz (Teen Business Innovation Zone) and this comprises all the Main Street Managers in the area. The program works with high school students to teach them entrepreneurship skills coupled with an appreciation of their downtown.

Kealy Howell is representing the group of students who have been working with any ideas they may have. Miss Howell and Miss Lemons represent the Future Business Leaders of America (FBLA)

Miss Howell informed Council that the business they would like to start will be called “Overtime” and will be a used sporting goods shop. There is really nothing else like this in the area. There are a lot of children in the area in AYSO, Little League and midget football so this shop will help parents buy reliable, used equipment. This will be run as a not-for-profit and will be completely youth run. The group has secured some funds but will be looking to the Gelnett Trust for additional funds.

C/P Anderson asked if the group has a location picked out yet. Miss Howell stated the group has two (2) locations in mind. One (1) would be underneath Kinfolks and the other would be in the old “It’s All About Me Boutique” building.

C/P Anderson stated in order to apply for Gelnett funds you need to be a 501 c3 and this could be done through SPI. Mrs. Bannon stated the T-Biz group works through the Greater Susquehanna Chamber of Commerce and they are non-profit.

Treas. Badman stated that Gelnett applications are reviewed in June and December of each year at Borough Council meetings.

Parks & Recreation Commission – Rocky Baer stated the Commission is working on getting the students for the summer kids program. They have received seven (7) applicants. They will be selecting three (3) candidates.

Mr. Baer stated there are a few things in the dog park that need to be finished and these issues will be addressed at the next Parks & Recreation meeting on Tuesday, May 28, 2013.

Others to be Heard –

Laird and Judy Allen concerning the curbing and sidewalk project on the corner of West Penn and 8th Street – Mr. Allen informed Council that he has been a resident of the Borough for 23 years. He stated he received a letter on April 12, 2013 informing him that he would have to make improvements to his curbing and sidewalk and cut down some trees. He has not been able to receive any type of specifications as to what he has to replace. He was told if he did not sign a contract with the selected contractor, which appears to be Shiltz and that he would then have to pay the Borough to have the work done. He would have a lien placed on his house if he could not afford to do it. He believes that the time frame for this is completely inadequate. He has no specifications. He has called the Borough Manager and was told by Mr. Williams that Mr. Allen would be supplied with an Ordinance and specifications and was referred to the Borough Engineer – who has not contacted Mr. Allen. He has not received a copy of the Ordinance.

The next time that the Borough is going to do this consider giving the homeowner one (1) to two (2) years notice to get ready for the project and start saving money. If Council passes an Ordinance to have this done by June 15, 2013, he understands that he needs to replace the sidewalk and he understands that he needs to replace portions of his curb.

Pres. Farrell stated that everyone sitting on Council lives within the Borough and at one point or another they have all received the same thing that Mr. Allen has received. Pres. Farrell has had it happen to him with having to come up with the money within 30 days and he completely relates to what Mr. Allen is saying. This has been done in the Borough for 28 years. .

Treas. Badman stated that the Committee's come up with a budget every year and at that time they look at the streets and what needs to be done for the next year. This changes and Treas. Badman couldn't tell anyone what it will be two (2) years from now. It depends on what condition the streets are in two (2) years from now. The Borough has had Charles Avenue marked for two (2) years and the Borough has had to take it off because of the costs for other streets. The Borough notified everyone in the neighborhood in March of 2013 that Penn Street was being done. The Borough sent a letter out in April of 2013 to give the homeowners notice that it is coming and that Council is going to adopt an Ordinance that the homeowners should take a look at their curb and sidewalks to see if they meet the criteria of the Borough.

Treas. Badman stated that the Borough Engineer walks the project and marks what needs to be replaced. That is for the property owner, the Borough or anyone who is wishing to bid on the project.

Treas. Badman stated that Council has been working with Mr. Coukart on exactly what needs to be replaced and the maximum per property owner. This has been given to Council and the Ordinance has been advertised. Once the Ordinance is adopted (which may be tonight) Treas. Badman will send those affected a certified letter with the copy of the Ordinance itemizing what the homeowner needs to do. The Ordinance does state 30 days.

Treas. Badman stated that the Borough just started adding the sidewalks three (3) years ago. If you do not abut the curb, you still have to have them in compliance. The Borough needs to know how much is done and how much the Borough has to do so the Borough can put it in their bids when they go out to bid for the program. The bidding has not taken place yet. Treas. Badman stated that Shiltz went through the bidding process to replace curb and sidewalk for people who meet the low to moderate income guidelines. Shiltz does have this project. Unless you are low to moderate this has no bearing on you. The Borough does have a current contract with him but not this project. This project has not gone to bid yet.

C/P Viker stated he will have to abstain from voting because his property is affected. C/P Viker asked if homeowners who discover that the project is not going to start by June 15, 2013 and may not till July 2013 come back to Borough Council at the meeting in June 2013 to request a waiver of that component of the Ordinance to give them a little more time to get their project done in a more cost effective way. If they do not get started on this project till the middle of July 2013, this will give the homeowner another 30 days to get done what they are supposed to get done. Essentially, Mr. Allen could come back and request at the June 2013 Council meeting for a waiver on this date to allow it to be closer to when the work is going to be done.

Sol. Cravitz stated that in the past if homeowners came in with a signed contract where they knew they were committed and gave them a copy of the contract, they would exclude them from the project. Where they run into a problem is when they go to the specifications for the project they can give them a certain number of linear feet of concrete and bid on it. If they deviate 10% on this, they have to come back and rebid it. This can delay the project and it needs to be done this summer. The contract can be extended however.

Engineer Coukart stated that what makes it more complicated this year is that there are two (2) contracts taking place – the handicap ramps and the street program. The handicap ramps need to be done first.

This may be where some of the confusion is coming from because Mr. Williams is telling people they need to replace the sidewalk and curbing. Residents don't have to pay for the handicap ramps, it is going to be paid for by the Borough and their contractor.

Mr. Allen stated he also has two (2) trees that are supposed to be affected. C/P Anderson stated that in the Ordinance under Laird R. Allen and Judy E. Allen it is stated that one (1) tree is to be removed. C/P Anderson stated she is not sure which one however.

C/P Viker stated he needs to have one (1) tree removed also and he will fight tooth and nail. He stated he has neighbors that will chain themselves to his trees. He stated that he and Borough will be having some conversations.

C/P Viker stated that it sounds like there is some value in Council looking at the timing of these decisions. Just because it has been done like this before doesn't mean it isn't time to take another look at how to address this.

C/P Hendricks stated the project is identified in the fall and is submitted for the budget process but the Engineer does not walk the project until spring.

Engineer Coukart stated that the project this year was delayed. There have been issues with Grant monies that were not known until March of 2013. This year the process has been slower than usual. This is why we are now in a time crunch.

C/P Viker stated to the Allen's to come back in June of 2013 with a request for a waiver should it turn out that you need more time. Stay in touch with Manager Williams.

Adopt Resolution 2013-11 acknowledging Richard Norman's service to the Selinsgrove Borough Parks & Recreation Board – Copy provided

Motion made by C/P Viker to adopt the Resolution. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Adopt Resolution 2013-12 acknowledging Kenneth Miller's service to the Selinsgrove Borough Parks & Recreation – Copy provided

Motion made by C/P Hendricks to adopt the Resolution. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Mr. Miller stated that this is home because of the people in the community. He has enjoyed the many years of being part of Parks and Recreation but Council and their predecessors made it possible. He would like to say thank you for making Selinsgrove his home and allowing him to help. Thank you each and everyone.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair

Payment and Ratification of Bills

C/P Anderson stated part of the review included the information from Cocolamus on the Borough's spring cleanup. The Borough had a budget of \$10,000.00 and it came in at \$8,400.00. It was interesting to review the tonnage. Back in 2010 it was 64.09 tons, in 2011 it was 49.25 tons, in 2012 it was 54.3 tons and in 2013 it was 49.87 tons.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – C/P Anderson stated there are three (3) exoneration requests as follows: Allan D. Corcoran who is a non-resident for \$5.50 for 2012; Maria Lubert is a non-resident for 2012 in the amount of \$5.50 and James Ludwig who is deceased for 2012 in the amount of \$5.50.

Motion made by C/P Anderson for exoneration of these people. Motion seconded by C/P Viker.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Application for County Aid in the amount of \$4,390.00 – Copy provided – C/P Anderson stated that the project description is as follows: paving, storm sewer, curbing and sidewalks on sections of Penn Street, from High to Broad. Also, paving on Liberty Alley and sidewalks to Kidsgrove.

Motion made by C/P Anderson to move adoption. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Appoint Paul A. Williams as the Applicant's Agent for the FEMA closeout – Copy provided

Motion made by C/P Anderson to move adoption. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Appoint Paul A. Williams to apply for credit card with First National Bank – C/P Anderson stated that the current credit card is still in former manager John Bickhart's name and it needs to be changed.

Motion made by C/P Anderson to move adoption. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Award 2013 Utility Project to G & R Charles Excavating – Copy provided – C/P Anderson stated the bid opening was on April 30, 2013 and G & R Charles Excavating was the low bid.

Motion made by C/P Anderson to accept. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve work order from ThyssenKrupp elevator for security timer \$1,145.00 – Copy provided – C/P Anderson stated this will enable the elevator to operate correctly so when the Library is closed it is really closed. This way the Borough can hopefully use the Community Rooms without endangering the security of the Library.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Request from Gelnett Funds – C/P Anderson asked that the Borough award the pool an additional \$1,700.00. The pool has been awarded \$1,100.00 plus \$500.00 for pool passes and the pool has come up with a bid that will take care of paving their parking lot and handicap parking.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

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

BOROUGH ADMINISTRATION/PROPERTY & EQUIPMENT – Pete Carroll, Chairman – Stated this will need to go into Executive Session pending litigation.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Mease, Chair

Approve Street Closure Permit Request – Gov. Snyder Monument Rededication – Bough Street (from Union Alley to High Street) Monday, May 27, 2013 – Copy provided – C/P Hendricks stated he spoke with Main Street Manager Mary Bannon about this application earlier and they both called Emily Johnson. The application indicated it was Bough Street from Union Alley to High Street and they were also asking for Union Alley behind the Sharon Lutheran Church and the concern was the flow of traffic south of Union Alley from the Post Office off of University Avenue. People would have to turn through Sharon Lutheran's parking lot. There was also no start time. When C/P Hendricks spoke with Mrs. Johnson they were asking for that portion of Bough Street and also Union Alley to be closed from 10:30 A.M. to 12:30 P.M. They came up with a recommendation that they close it from University Avenue all the way down Bough Street with the closure of Union Alley. That way there is no problem with people trying to turn around in Sharon Lutheran's parking lot.

Motion made by C/P Viker to adopt the permit with the adjustment that was suggested by C/P Hendricks. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Street Closure Permit Request – Memorial Day Parade to include closing High Street (from Pine to Chestnut) and Pine Street (from Market to High) on May 27, 2013 – Copy provided – Treas. Badman stated that she has talked with Ron Cowan of the VFW and informed him that the Borough is planning on starting their Utility Project on High Street. The VFW would like to stage their equipment down High Street. If construction is started this may not be possible. It may have to move into the next block.

Motion made by C/P Viker to approve with the condition that the details for the equipment and location be sorted out with Mgr. Williams as the designee. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Banner Placement Request – VFW for Fallen Hero's from May 20, 2013 through June 17, 2013 – Copy provided

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Adopt Resolution 2013-08 agreeing to use the new PennDOT dotGrants on-line reporting system – Copy provided

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve Banner Placement Request – Susquehanna University Graduation from May 9, 2013 through May 14, 2013 – Copy provided

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

**PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair (absent) C/P Anderson filling in
Accept Retirement of Mark Wolfberg effective May 15, 2013 – Copy provided**

Motion made by C/P Anderson to accept. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Adopt Resolution 2013-09 acknowledging Mark Wolfberg's 30 years of service – Copy provided

Motion made by C/P Anderson to adopt Resolution 2013-09. Motion seconded by C/P Hendricks.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve healthcare through May 31, 2013 for Mark Wolfberg – Copy provided – C/P Anderson stated that Mr. Wolfberg's retirement is May 15, 2013. Council needs to approve his remaining healthcare plan through May 31, 2013. Mr. Wolfberg would not be eligible for reimbursement of deductible for any services provided after his May 15, 2013 retirement date.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve part-time employee at \$8.50/per hour to assist with summer projects – Copy provided – C/P Anderson stated that this is at the request of Corby Bowersox to assist with painting of crosswalks, mowing, weeding, etc. through the summer. This person would also be in charge of any PHEAA students or probation employees available throughout the summer. This is a temporary position. Mr. Bowersox is looking for it to cost between \$8.50 – \$9.00/hour.

Motion made by C/P Anderson to approve. Motion seconded by C/P Viker at \$9.00/hour.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

Approve part-time officer wage at \$16.00/per hour – Copy provided – C/P Anderson stated this is being reviewed at the request of the Police Chief. The Borough is having a hard time hiring part-timers at \$11.00/hour. The Committee has reviewed what other municipalities are paying as well what our contract language says for full-time police officers and determined that \$16.00/hour for part-time police officers should be approved.

V/P Carroll definitely feels an increase needed to take place. He would rather see the Borough get closer to \$18.00/hour. This person has a great responsibility. Pres. Farrell agrees with V/P Carroll. The Borough is way behind the times. What is Mifflinburg paying an hour? C/P Anderson stated that Mifflinburg is paying \$15.00/hour, Milton is paying \$20.00/hour and Lewisburg is paying \$20.00/hour. C/P Viker asked if \$18.00/hour would be problematic budgetarily. C/P Anderson explained this is why the Committee chose \$16.00/hour. The Borough's Union Contract with the full-time police officers says that the Borough will not pay a part-timer more than 90% of the equivalent hourly rate of the lowest paid full-time police officer. The Borough is actually engaged in a search for two (2) new police officers. Pres. Farrell stated so the lowest paid police officer will be the one (1) that the Borough hires. The Committee did not want to complicate what the starting salary would be. C/P Viker said so this is where the budget could get broken. C/P Anderson stated exactly. So this is why the Committee chose \$16.00/hour figuring this was a definite improvement from \$11.00/hour. V/P Carroll stated so the lowest paid full-time police officer could be \$40,000.00 and their hourly rate would \$19.23/hour and \$17.31/hour represents 90%. C/P Hendricks said that both \$16.00/hour and \$17.00/hour was discussed so why did the Committee

steer away from \$17.00/hour. C/P Anderson stated the Committee is being conservative. C/P Viker stated he thinks \$16.00/hour sounds better than \$11.00/hour. C/P Viker asked Treas. Badman if going to \$17.00/hour is still okay. A dollar is a dollar. Treas. Badman stated no not really. C/P Viker stated so Treas. Badman who we have trusted for many years, and pass her reports every month is telling us that \$16.00/hour is the number, then so be it.

Motion made by C/P Viker to approve part-time police officer hourly rate at \$16.00/hour. Motion seconded by C/P Anderson.

AYES: C/P Anderson, C/P Mease and C/P Viker NAYS: C/P Hendricks, V/P Carroll and Pres. Farrell

Mayor Christine was asked to vote to break the tie. He replied with an AYE. MOTION CARRIED

C/P Anderson stated there were some questions about Mark Wolfberg working part-time. The Committee needs to be clear that they cannot make any prior arrangements because of PMRS the Borough's retirement system.

New Junior Councilperson Jonah Markle - C/P Anderson stated that Maggie Lemons found two (2) fine applicants for the Jr. Councilperson position and after interviewing both and conferring with the Personnel Committee it is their recommendation to appoint Jonah Markle for the next year with the possibility of a second year. Mr. Markle is currently a freshman. He is the son of Chris and Mary Markle. He is active in soccer and track and field. The thing that impressed them in the interview was his inquiry into whether he would be allowed to have additional students be active in such things as projects for Parks and Recreation.

Motion made by C/P Anderson to appoint Mr. Markle as the Borough's new Jr. C/P. Motion seconded by C/P Mease.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

C/P Anderson thanked Jr. C/P Lemons for serving. She will not be attending the June 2013 Council meeting due to an awards ceremony for graduation. This was followed by applause.

PUBLIC SAFETY COMMITTEE: C/P Viker, Chair – V/P Carroll wanted to bring to Councils attention that the curbing behind the football field will be getting repainted. This will be going beyond the original footage and may need to be advertised. Any other intersections that need to be extended beyond the Ordinance need to be presented and brought to Sol. Cravitz's attention. C/P Anderson stated this sounds like something for the Safety Committee. C/P Viker stated the Safety Committee would be happy to have this addressed. If there is a list, the Safety Committee will look at it and make a recommendation to Council.

PLANNING COMMISSION: Earl Moyer, Chair

Draft Minutes of 4/17/13 Planning Commission – Copy provided

a. Approve Mike Savidge's Land Development – South High Street – Resolution No. 2013-13 – Copy provided – Treas. Badman stated this is the final plan approval with conditions of approval. Pres. Farrell asked if there were any issues with this. Engineer Coukart stated the only issue he has with this is the storm water and Mr. Bob Bickhart provided calculations that he reviewed and he is satisfied with.

Developer Michael Savidge asked to be heard. He stated he is a little disappointed in the process. They purchased the property due to the owner passing away. The intention was to demolish the house and build a multi-family building on the site. They submitted sketch plans to the Borough Manager and the Zoning Officer had no comments. They have since been bombarded with a bunch of what they feel is unnecessary and unjustified comments, concerns and requirements that historically the Borough has never required.

The property that is there is dilapidated, falling down and unfit. What the Borough has asked them to do is financially not feasible for them. If a property is purchased and has to be torn down, the current Ordinance doesn't allow for people to take the existing condition and calculate it in the Borough's storm water. This would be fine if the Borough would have enforced it like this since the Ordinance was created, but the Borough hasn't. The property next door that was done three (3) years ago they built the exact same floor plan and they were allowed to use the existing parking lot that was there. Now three (3) years later you are telling us that that we can't do this. They cannot be held to the same standard as Weis Market.

Mr. Savidge stated if the Borough adopts the Resolution as written he is bagging the project.

Engineer Coukart stated that the Engineer working for Mr. Savidge slightly modified the storm water management design. He did not have infiltration calculated. Mr. Savidge agreed. Engineer Coukart stated to Mr. Savidge's Engineer that the Borough cannot just assume numbers. C/P Viker asked Engineer Coukart if he is satisfied with item A. Engineer Coukart stated he is satisfied with the plan and he reviewed the calculations. C/P Viker stated so there is no additional work that needs to happen. Mr. Savidge stated yes there is because if the Borough accepts the pre-existing condition that would downsize the basin it would cost considerably less than this gigantic basin the size of Wal-Mart. C/P Viker stated so Mr. Savidge you are not happy with your own plan. Mr. Savidge agreed.

V/P Carroll asked Engineer Coukart if this is the up to date plan that was modified and re-submitted. Engineer Coukart stated the calculations that Mr. Savidge presented were satisfactory to him. It is basically the same plan with changes to a couple of dimensions on the storm water retention system. The same storm water retention system involves infiltration, trench and the only other additional thing is a rain garden area.

V/P Carroll stated these are things that have been lacking in the past. He apologizes. Now that the Borough is up to speed and getting more knowledgeable and the Borough Engineer and Borough Solicitor is included they are bringing things to Council and helping us to understand the complexity of the things that have gone on in the past. Some of these things have fallen through the cracks. Mr. Savidge is one (1) of the first ones coming on board with such a large project that the Borough is trying to implement things that were not done in the past. V/P Carroll stated from here on out you can hold us accountable.

Mr. Savidge stated there is an ADA sidewalk section that was placed on the property by the Borough of Selinsgrove for the previous owner on the corner of Sand Hill Road and High Street. The Borough put this in several years ago and now the Borough is saying that the sidewalk they put in doesn't meet the current ADA standards and the Borough is asking Mr. Savidge to hammer it out and put a new one in. This is not fair. Treas. Badman did state that the handicap ramp is not compliant. Treas. Badman stated he has to pay for the sidewalk too. Treas. Badman stated he is going to have to go back farther with the sidewalk in order to get the grade for the handicap ramp. C/P Mease said the Borough takes care of the corners on the street projects so why can't it take care of this one. Treas. Badman stated this is an added expense it is another \$5,000.00. Pres. Farrell stated so what if Mr. Savidge doesn't do it, does the Borough have to do the corner. Sol. Cravitz answered yes. Treas. Badman stated that the sidewalk is the property owner's responsibility.

Mr. Savidge stated he can tear down the house that is there, put up a new ranch house and doesn't have to do any of this. He doesn't have to put sidewalks in, he doesn't have to put the handicap ramp in, he doesn't have to conform to any of the new regulations, and he doesn't have to put a new storm basin in.

C/P Viker asked Mr. Savidge if he doesn't want to put sidewalks in. Mr. Savidge stated he will put the sidewalks in. His concern is wanting to put a four (4) foot sidewalk in up against the curb. To the best of his knowledge no where in the Borough's Zoning Ordinance does it require a one (1) foot grass strip between the curb and the sidewalk. He was told through several letters that he must put in a one (1) foot grass strip. The one (1) foot grass strip is thousands of dollars of additional costs. Treas. Badman said the Borough is up on Penn Street right now and if people look at the street in the second block you will

notice that the sidewalk is up to the curb and the sidewalk has a tendency of pushing the curb. This is in the Ordinance.

Mr. Savidge stated he is just going to cancel the project. He paid his Engineer \$5,000.00 and is going to shred the plan and just let the property deteriorate.

V/P Carroll stated the Planning Committee is an advisory body. The Committee collectively tries to do the best they can to make a recommendation to Council. V/P Carroll has been sitting on the Planning Committee for almost 10 years prior to being on Council just to be knowledgeable about what is going on in the community and hearing Mr. Savidge's frustration and other people's frustration is disturbing, but because of the lack of following the procedure the Borough should have been following, it is now coming to a head.

C/P Viker stated he is perfectly okay with rescinding the entire Ordinance that requires curbing and sidewalks on private property.

Mr. Savidge stated he is leaving because this is going no where.

V/P Carroll stated he knows that Council takes to heart what the Planning Commission brings to the table. He would like to applaud Mgr. Williams for bringing our Engineer on board. With Engineer Coukart being here it makes Planning Commission members more knowledgeable. It took Planning 2 ½ hours to go over all of this and present it in a nutshell.

Sol. Cravitz stated that Mr. Savidge has 10 days to accept it or it is deemed to be denied. Some action needs to be taken to either deny it or accept the final approval as indicated by the Planning Commission. C/P Anderson stated if Council approves it, it will then be in his court whether to do it or not. Sol. Cravitz stated that under ACCEPTANCE on the last page of the Resolution it says that the undersigned states that they are authorized to execute this Acceptance on behalf of the Applicant and the owner of the Subject Property. This is the same situation the Borough had last month with Weis Markets. It was conditionally approved. Mr. Savidge would have to come in and say alright he accepts it. If he doesn't, then it is deemed denied. C/P Viker asked what if Council were to take no action. Sol. Cravitz stated if at the end of 90 days from date of submission as to what Mr. Savidge submitted it is deemed to be approved. C/P Viker asked Sol. Cravitz what happens to this Resolution if it is moved, seconded and not passed. Sol. Cravitz stated then another vote needs to be taken to say up or down.

Motion made by V/P Carroll to accept Resolution 2013-13. Motion seconded by C/P Anderson.

AYES: FOUR (4)

NAYS: C/P Mease and C/P Viker

MOTION CARRIED

Sol. Cravitz stated now Mr. Savidge and his Engineer need to be notified that the plan has been approved conditionally and that he has 10 days from May 6, 2013 to accept. If it is not accepted then it is deemed to be denied.

C/P Viker wanted it stated on the record that his NAY vote was motivated by the obvious preference of property owner to not accept these conditions.

Pres. Farrell stated at this time that he would like to take a 15 minute break.

RECONVENE COUNCIL MEETING – At 9:00 P.M. the Council meeting reconvened.

Pres. Farrell told Council that Dick Norman would like to take the floor. Mr. Norman stated he wanted to talk to Council earlier but he just couldn't do it. He would like to thank Council for the Resolution thanking him. However, he feels that it wasn't him it was the volunteers that helped, Council, the Mayor. These are the people that really did all the activities and got everything going. All the grants that needed filled out to purchase the equipment, etc. Mr. Norman stated that Kidsgrove has approved the purchase of some new equipment and would like to thank Council for the donation from the Gelnett Trust. It helped

Kidsgrove purchase almost \$40,000.00 worth of new equipment. An Eagle Scout project is underway to do this. They may start at the end of May 2013 to install the equipment. This will be their 13th project from an Eagle Scout. This includes not only Kidsgrove but the ice skating rink, the pavilion down at the Life Trail, etc. Eagle Scout number 14 just asked Mr. Norman about another project. Parks & Recreation has been helping scouts and they do appreciate their help.

Mr. Norman stated there was a church group of 80 people that came out on Sunday, May 5, 2013. They did a lot of weeding and repairing down at Kidsgrove. This is a park that is well known and is used not only by many of the Borough residents as a picnic and family area but also the surrounding towns.

Mr. Norman wants to say thank you again and that he hopes in the future that Council will see that the many parks in Selinsgrove will continue to be maintained.

ZONING HEARING BOARD: Cyril Runkle, Chair – No Report

CIVIL SERVICE COMMISSION: Dalton Savidge, Chair

Proposed Chapter 13 Civil Service: Police Department - Copy provided

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

V/P Carroll stated he spent more than an hour looking this over. On page eight (8) Section 13-38 under probationary period, he stated the Borough's police officers are hired with Act 120. The Borough does not send anyone for training. Sol. Cravitz quoted every successful applicant to the position of patrol officer or to a promotional position with the Police Department shall serve a twelve-month probationary period. For newly hired patrol officers, the one-year probationary period shall not commence until after the officer has completed training under Act 120 and receives a certification number. V/P Carroll asked if it will remain this way. He said when he was involved in his police duties there was a probation period and training. C/P Anderson stated they have to have it in order to be on duty. C/P Viker stated that their probationary period cannot begin unless they have it. Either they arrive with it or they go and get it after the Borough has appointed them. C/P Anderson stated that they can't start probation until they have Act 120. Sol. Cravitz stated that what is being said, is prior to the appointment the applicant must have successfully completed training and must be capable of being certified. Sol. Cravitz stated that they can be working for the Borough but they cannot start their probationary period until they get their certification.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Selinsgrove Borough Civil Service Commission Meeting Minutes – April 16, 2013 – Copy provided

Authorize advertisement of Ordinance updating Rules & Regulations – Copy provided – C/P Anderson stated this will begin the process of establishing the eligibility list.

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

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

SHADE TREE COMMISSION: Joan Fasold, Chair – Copy provided – Treas. Badman stated that Mayor Christine has information about Tree City USA. Mayor Christine stated that Selinsgrove has received the Tree City USA honor six (6) years in a row.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Sean Christine

Presentation of Police Report for March 2013 – Copy provided – Mayor Christine said that on the report it states there are 197 total crimes reported. It should read 97. Other than that there are no anomalies.

Mayor Christine stated he was talking with Treas. Badman before the meeting and that a question has been raised about the Emergency Services Banquet. Treas. Badman stated this will be addressed in Executive Session.

V/P Viker asked if everything is wrapped up with the sold police cruiser. Treas. Badman stated it is still sitting in the police parking lot.

Mayor Christine did inform Council that the question that was brought up a few months ago by V/P Carroll about the camera's for the police cars. In past grants the Police Chief indicated that the camera system has been out of service since V/P Carroll was Mayor and Chief Garlock indicated to Council that this was part of his summer grant money that was supposed to be an expenditure two (2) years ago. V/P Carroll had mentioned this to Mayor Christine about two (2) months ago and apparently there is no funding. Mayor Christine stated the grant is a JAG grant administered by the U.S. Dept. of Justice and there is no money in the budget for this to be approved for 2013. The camera's have historically been purchased through grant funds. The Chief is finishing a prior grant and will further this purchase once the other grant is completed. V/P Carroll stated and the question was - the purchase was approved by Council and then never carried through. Chief Garlock had said that this was going to be taken care of and it wasn't. Treas. Badman stated Chief Garlock has grants from 2009. The camera's are one of the grants. Treas. Badman is not sure which year it is. Chief Garlock is trying to closeout 2009. He is then working backwards to do 2010, 2011 and 2012. Treas. Badman stated that Chief Garlock is trying to get the other grants completed before the Borough loses the money at the end of September 2013.

C/P Hendricks asked why has Chief Garlock been carrying these grants for so long. Treas. Badman stated that Chief Garlock has been having a hard time getting the equipment that he has applied for in the grant with everything going on. He has been able to get some things but some of the money went back because the Police Dept. cannot get the equipment that was specified. If Council looks at the 2013 budget under the JAG grant it will show Council what is outstanding on all the grants.

Mayor Christine did inform Council that he got a complaint from a resident who drops their children off at the high school. The crossing guard at the corner of Broad and Mill Streets has traffic backed up all the way to the front of the high school because they will not stop traffic unless there is a pedestrian in the crosswalk. C/P Anderson stated they are not traffic controllers. Mayor Christine said so all he would have to do is swear them in as Fire Police. V/P Carroll stated that can't be done because the Fire Police are an entity that is non-profit and they cannot be paid a salary for working. Mayor Christine said he can play government as well as anyone else – so we'll take a donation from the school district and put the money into the Fire Police. The Fire Police can then distribute it to their volunteers. V/P Carroll asked would Mayor Christine like him to put his school hat on or keep his Council hat on. Parents have a tendency not to utilize bussing and then what happens is they want to drive their kids to school. It has caused a traffic problem. With the green bridge closed everyone has to go out Broad Street, cross Route 522 and go out Route 204. The school district has always, always used 18th and Broad Streets as a main artery. When all those cars want to go out onto Broad Street and are turning left to go towards Penn Township the crossing guard cannot send anymore out because Broad Street is jammed. Everyone is waiting for the traffic light at Route 522 to change. Everyone starts blowing their horns and then parents get stuck in this same pattern going school to school to pick their kids up. She is doing her job diligently and kept her cool and kept the traffic moving and kept the intersection clear. The Police Chief (not in writing to V/P Carroll) has authorized the schools crossing guards to minimize as much traffic control as they can. The green bridge has now caused all of V/P Carroll's crossing guards to actually get out there and stop and move traffic. They are not supposed to be. V/P Carroll stated the school district tries to tell the crossing guards is to use the children as the avenue to get out there and get them across and move the traffic as they can and then step out of the intersection. This has been communicated in the school district newsletters. The crossing guards are not officers of the law. They are there for pedestrian only. People in the community do not understand this. The green bridge is what really compounded the

problem. Hopefully the bridge will be completed before school starts in the fall. School will be starting a week early next year.

C/P Hendricks stated that under the Borough's Ordinance 18-4 it states in the duly adopted resolution with the School Board the Borough Council hereby allows the School Board to hire and oversee such crossing guards as the School Board deems appropriate and necessary. The school crossing guards shall be authorized to help in the management of traffic and pedestrians. C/P Hendricks stated they are authorized to manage traffic. V/P Carroll stated it is a conflict. C/P Viker stated that directing traffic and pedestrians clearly belongs together as a unit and not separated.

V/P Carroll wanted Council to know that Mark Wolfberg has accepted V/P Carroll's job as the Trans. Safety Training Coordinator and Transportation Coordinator at the school district. V/P Carroll attended a training session about crossing guards in Lewisburg and they have finally come into compliance. They talked about the minimum amount of traffic control that crossing guards are allowed to do.

V/P Carroll stated that Chief Garlock has authorized the school district's crossing guards to minimally direct traffic to make it flow but then get out of the intersection.

BOROUGH SOLICITOR: Robert Cravitz, Esq.

Adopt Ordinance No. 807 allowing assessments for 2013 Street Program – Copy provided – Sol. Cravitz stated all work must be done by June 15, 2013. If the residents don't do it then the Borough can proceed to do the work. A lien will be placed on the property until that property is sold or the homeowner needs to borrow money. This is the way it is handled underneath the Improvements Act of the PA Borough Code.

Motion made by C/P Anderson to adopt. Motion seconded by C/P Carroll.

C/P Viker stated he will be abstaining as a property owner who has a property that is directly affected.

Sol. Cravitz stated that since there is a potential conflict and if C/P Viker doesn't do the work and the Borough does it – taxpayer money will be used on C/P Viker's property. Technically C/P Viker could sit here and get the improvement done and benefit from it and somewhere (probably not in his lifetime) will recover the money. There is a potential for financial gain for C/P Viker during his lifetime.

C/P Anderson stated practically speaking don't most people just do it and let the contractor hired by the Borough to just do it. Sol. Cravitz stated yes. C/P Viker stated that what some of the homeowners were saying earlier in the evening was that the Borough's price is good because of the quantity of work to be done. That isn't the case it is almost better to get it done before hand even if it is the same company that comes out to do it right before the start of the Borough's project.

AYES: FIVE (5) ABSTAINING: C/P Viker NAYS: NONE
MOTION CARRIED

Conditional Plan for Weis Markets, Inc. – Sol. Cravitz stated that if Penn Township Municipal Authority would accept Weis Markets sewage connection the Borough would then approve their plan. If Penn Township did not accept it then Weis Markets would have to connect to the Borough. Penn Township had their meeting on Thursday, May 2, 2013 and voted to accept the sewer connection from Weis Markets, Inc. with the provision that Selinsgrove Borough would agree and be told that Weis Markets would be their sewer customer and that Weis Markets would be the Borough's water customer unlike the current system of shared connections with residential users where the Borough resident would be the Borough's sewer customer although conveying the sewage through the Penn Township line. This will be totally Penn Townships show. They will be the one to oversee the connection, they will oversee the pre-treatment facilities, they will use all their rules and regulations and enforcement of any failure of that pre-treatment system with regard to BOD and suspended solids and they will be the one who would be tugged with the capacity that is being taken up in the ESCRA plant. They must be cleaner and if there is

a problem and the system fails they would not have to come to Selinsgrove and say hey your customer gave us a big slug of grease and it blocked ESCRA's line.

C/P Anderson stated she doesn't see a problem with this. Sol. Cravitz stated it puts Weis Markets underneath the gun now. The one thing that will need sorted out is a separate agreement unlike the Borough's other agreement. It is a 40 year agreement that went into affect in 1979. This will be coming up for renewal in 2019.

Sol. Cravitz stated that a committee from the Borough should sit down with Penn Township and hammer out the details on this plan with Weis Markets. There are currently eight (8) EDU's at the current Weis Markets and Weis' was going to take four (4) from the current store and use the four (4) EDU's from OTT Packaging and then apply for two (2) new EDU's. The Borough may choose to say if Weis Markets is not going to be our customer anymore then why does the Borough have to split those four (4) EDU's from the eight (8) EDU's. C/P Anderson stated the current building will still need eight (8) EDU's. Sol. Cravitz stated instead of applying for two (2) EDU's they are applying for ten (10) EDU's. Weis Markets will be given credit for the four (4) that already exist.

C/P Hendricks thought that the Borough had transferred all but two (2) EDU's out of the current Weis Markets. Sol. Cravitz stated that Weis Markets backtracked and then added four (4) EDU's. C/P Hendricks asked if Council had approved this. V/P Carroll stated yes Council did. Sol. Cravitz stated there was a discussion that the Borough would go along with this as part of Weis Markets concept. But now the concept has been changed and Weis Markets is not going to be the Borough's customer so why should the Borough give them EDU's from the old Weis Markets site. C/P Anderson agrees why should the Borough give Weis Markets the EDU's. The Borough doesn't know what Weis Markets is going to do with the building and we have enough problems with ESCRA so why give the EDU's away.

C/P Hendricks said when Weis Markets needed EDU's they came and asked the Borough to transfer them and we did. Sol. Cravitz stated no they are still there. They are still with the current Weis Markets.

Sol. Cravitz stated that three (3) people from Council should get together and go meet with Penn Township to discuss this.

V/P Carroll asked Engineer Coukart and Sol. Cravitz if the Borough has gotten to a point agreement yet above and beyond the sewer hookup. Engineer Coukart stated there has been no activity. He did state that last week he received Traffic Planning and PennDOT's review of Weis Markets HOP. Traffic Planning had 70 issues and PennDOT had 48 issues. V/P Carroll stated he is still getting questions about why the Borough is allowing a left hand lane to go out of the Borough. From V/P Carroll's understanding from Mgr. Williams and Engineer Coukart it still seems to be a dead issue. Engineer Coukart stated the left hand lane is something that PennDOT does not want to see.

Sol. Cravitz stated there will be a problem with the County. The County is not moved at all with granting Weis Markets an easement to come across the County parking lot with regards to the emergency exit. The ambulance league said at their meeting last month that they will not be using this exit because it is too dangerous. The Fire Co. said they may use it. They were not real keen about it but they would use it.

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – Copy provided – Engineer Coukart stated the low bid for the 2013 Utility Program was G&R Charles.

The 2013 Street Program - the design has been done and the final engineering is being put on the plan set and specifications. They hope to have this out to bid in about a week. Engineer Coukart does realize this needs to all be in by the June 3, 2013 Council meeting.

The traffic signal at Mill and Market Streets – comments were finally received by PennDOT and were addressed. The updated costs on this are still under budget.

Isle of Que Boat Launch – last Thursday, May 2, 2013 the Borough office faxed Engineer Coukart General Permit 11. This is the last piece of paper that Engineer Coukart needed to get this out to bid.

Engineer Coukart stated he does have a question. Mgr. Williams may have talked to a few of the Council members. If this is a time crunch thing Engineer Coukart can probably make this happen by September 2013 (90 days). If not, give the contractor some time, when there is low water, and it can be done by November 1, 2013. Pres. Farrell asked will the contractor drag it out realizing they have 150 days compared to 50 days. C/P Hendricks stated after waiting for so long he would rather just give them 150 days and make sure it is done correctly.

C/P Anderson stated do the first bid for 50 days with the possibility of it being extended depending on water levels in the Susquehanna River. Engineer Coukart stated the concrete is supposed to be poured on the land and sliding the underwater panels in. Depending on how high the water is determines how many panels they have to slide in. If they would only need to do one (1) that would be great. V/P Carroll stated so they are not building an actual duct to go out and around. Engineer Coukart stated they will go out in the river and prepare the bed get everything up on shore and then slide it in. This is the way the Fish and Boat Commission wanted it done.

Sol. Cravitz asked if could it not all be precast. Engineer Coukart stated money and cost is an issue.

Engineer Coukart stated this should be to the newspaper the week of May 6, 2013.

Justin Womer Land Development – Engineer Coukart stated that Rocky Baer is his architect. Mr. Womer prepared a plan in the Fall of 2012. It was approved by Engineer Coukart who tried his best to make it work considering the circumstances. Mr. Womer basically took the plan and failed to follow it. There are a couple of issues. Mr. Baer sat Mr. Womer down and tried to explain to him why these things had to be done a certain way. Mr. Womer does have some issues with the COG. These issues are basically common sense things that were on the plan and he chose not to follow them. Mr. Womer is getting close to opening we just don't know when for sure.

Weis Markets Land Development Plan – Engineer Coukart stated that PennDOT's review was sent back to Weis Markets and the application is being returned for revisions.

Susquehanna University – 18th Street Commons Swale Improvements – Engineer Coukart stated S.U. is not going to just detain the water they are actually going to help improve the quality of the water. It will all go into the basin first and capture silt and debris and then it will go into the overflow.

Update on pending projects – Larson Design Group – Copy provided

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for April 2013 – Treas Badman asked if there were any questions on the Treasurer's report. There were none.

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

AYES: SIX (6) NAYS: NONE MOTION CARRIED

BOROUGH MANAGER / SECRETARY: Paul A. Williams (absent)

Manager's Monthly Activity Report – Copy provided

Adopt Resolution 2013-10 acknowledging Karl Rohrbach's term of service on the Planning Commission – Copy provided

Motion made by C/P Viker to adopt Resolution 2013-10. Motion seconded by C/P Hendricks.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Bridge over Penns Creek Memo – Copy provided – Mgr. Williams was advised by Susquehanna Supply that they would like to proceed with some limited nighttime work. It would be either two (2) consecutive nights or two nights interrupted by one day for the northbound and southbound lanes. C/P Anderson stated to go ahead and proceed.

Residential Rental Meeting – April 24, 2013 – Treas. Badman stated there were 20-30 people in attendance. There were some things brought up that Treas. Badman is sure Mgr. Williams will like to discuss with Council.

ZONING: Janet Powers, Deputy Zoning and Permit Officer – No Report

SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Carol Handlan and George Kinney, Chairmen

Monthly Minutes – Copy provided

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Bill Hetherington and Dianne Mengel – No Report

NEW BUSINESS:

COUNCIL MEMBERS – C/P Hendricks asked what is Signature Information Solutions and why are they asking for detailed real estate tax collectors monthly report. Treas. Badman stated she does not know. This is just something they ask for. C/P Anderson stated Signature Information Solutions, Inc. is from New Jersey. She asked Sol. Cravitz if he has ever seen this. He replied yes. They come in and take over for the tax collector. C/P Anderson stated they are another Berkheimer. Sol. Cravitz stated they try to be the elected tax collectors.

C/P Hendricks asked if there is a monthly report generated from the tax collector. Treas. Badman stated no. Mr. Bolig hands her a one (1) sheet report that says this is how much he collected on real estate, this is how much he collected on per capita and this is the total. He does not itemize. Mr. Bolig gives Treas. Badman the receipts.

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 10:10 P.M. for discussion of Personnel Issues and Litigation. Council meeting reconvened at 10:35 P.M. – No action taken.

ADJOURNMENT:

Meeting adjourned at 10:37 P.M.

Attachments: None

Respectfully submitted by

Chele' Weaver
Recording Secretary