

SELINGROVE BOROUGH COUNCIL MEETING

MONDAY, OCTOBER 1, 2012 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. B. Farrell, V. Pres. P. Carroll, C/P D. Anderson, C/P T. Charles, C/P S. Hendricks, C/P R. Mease, and C/P E. Viker

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Borough Manager/Secretary P. Williams; Solicitor R. Cravitz; Mayor S. Christine; Junior C/P Maggie Lemons; Borough Treasurer/Asst. Borough Manager Sheri Badman; Acting Recording Secretary Chele' Weaver; DH & L Gary Greiner; Main St. Manager Tim Musser; Parks & Recreation Rocky Baer; Planning Commission Earl Moyer; Union/Snyder Transportation Alliance (USTA) Louise Spigelmyer; Central Keystone Council of Governments Thomas Sauers; Borough Residents Joseph & Margaret Siro, Joe & Karol Scartelli & Jean Conz and Middleburg Borough resident Honey Hipple

OTHERS ABSENT: None

CALL MEETING TO ORDER:

Pres. Farrell called the meeting to order at 7:00 P.M. Borough Manager/Secretary Williams called the roll, followed by a moment of silence and the Pledge of Allegiance.

V/P Carroll brought to Council's attention that Police Chief Garlock usually does not attend the Council meetings. Mayor Christine has been giving the police report. He would like to see Police Chief Garlocks name removed from the agenda/roster. His name had been removed a while ago and it has somehow shown up again. No one had any issues with having the name removed.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF SEPTEMBER 4, 2012:

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

Recessed to Executive Session with Central Keystone Council of Governments at 7:05 p.m.

The meeting reconvened at 7:25 p.m. with no action taken.

DH&L Fire Company – Gary Greiner reported there were 14 incidents in September as follows: one (1) in Jackson Twsp., one (1) in Middlecreek Twsp., two (2) in Monroe Twsp., two (2) in Penn Twsp., one (1) in Perry Twsp., six (6) in Selinsgrove Borough and one (1) in Shamokin Dam Borough.

There were five (5) automatic alarms, one (1) CO alarm, one (1) stand-by assignment, one (1) motor vehicle accident with extrication, one (1) good intent service call, one (1) pedestrian accident, two (2) medical assists, one (1) motor vehicle accident without extrication and one (1) structure fire.

There was a total of 59.13 man hours.

Mr. Greiner also informed everyone that there was a land search at the end of September for a person that was lost. They were found and it involved 40 man hours.

Mr. Greiner also stated that at the Selinsgrove Street Fair they sold hot sausage for a fundraiser and brought in \$1,500.00.

Selinsgrove Projects, Inc. – Main St. Manager Tim Musser – The Selinsgrove Market St. Festival was held on Saturday, September 22, 2012. We had 142 vendors registered, and the day was highly successful. Mr. Musser would like to thank Selinsgrove Borough Council for allowing us to have the event, also the Borough crew, Selinsgrove Borough Office, Selinsgrove Police Department, DH&L, Borough Manager Paul Williams and Council President Brian Farrell for allowing us to use your lot for vendor parking.

The first Selinsgrove Food Tour was held on Saturday, September 8, 2012. It did sell out. Main St. Manager, Mary Bannon did report that it was very successful. There were about 18 people in attendance. The next two (2) in October and November are also sold out. The next round of food tours will be held in March and May of 2013.

The Selinsgrove Halloween Parade will be held on Tuesday, October 16, 2012, with the rain date on Wednesday, October 17th. That would move the Selinsgrove Projects meeting to Thursday, October 18th.

We have also sold our first few bricks for the chime restoration for the Snyder County Trust clock.

There was also a change to the Design Committee report today per Treasurer Badman. She informed Mr. Musser that she had received three (3) reimbursement checks for three (3) of the businesses downtown. The businesses should be receiving their checks by the end of the week.

C/P Hendricks questioned the \$8,164.55 grant money that is still available. Do we use it or lose it? Mr. Musser informed C/P Hendricks that we have until March 2014 to use it and we also have an additional \$30,000.00 coming from the State, so we actually have about \$38,000.00.

Pres. Farrell asked Mr. Musser if he could have a list of the criteria by which someone would have to abide by in order to get that Grant money. Mr. Musser said he will see that Pres. Farrell receives a copy.

USTA Representative to Discuss New Vanpool and Ride Share Commuter Programs – Louise Spigelmyer – Ms. Spigelmyer informed Council that they currently have two (2) vans running and have a third that will be on the road in about a week. They have two (2) of the vans commuting between Selinsgrove and Harrisburg and the third running from Millmont to State College. Ms. Spigelmyer explained that a vanpool is a group of 7-14 people who drive back and forth to work in a van. Their drive must be 20 or more miles one way and they must otherwise commute alone. The vanpool departs from agreed-upon locations and then arrives at agreed-upon locations. Most folks in this type of vanpool work the same shift every day.

USTA does provide automobile liability with \$1,000,000 combined single limit per occurrence as a result of bodily injury and/or property damage liability from negligent operations. It also provides comprehensive collision.

The driver is someone who has a valid driver's license, must be 25 years of age or older, has had no more than one (1) moving traffic violation within the past 36 months and must be able to pass background checks and be available for safety orientation. The drivers are volunteers and normally are going to work as well.

If you would happen to get sick while at work USTA offers a Guaranteed Ride Home Program. You must preregister for this program and pay a \$10.00 annual fee. You can use this program four (4) times a year and you are returned home via taxi, rental car or USTA.

The costs are based on length of commute, number of people, fixed costs and operational costs. Fares are due the first of the month (collected by the driver and sent to USTA). Fares are adjusted quarterly. Riders get a reduction on their car insurance (call your agent). Riders can set aside up to \$125/month on a pretax basis to be used for commuting.

OTHERS IN ATTENDANCE:

Dog Park – Honey Hipple of Middleburg – She has been coming to the dog park since March 2012 and has been thoroughly enjoying the socializing and meeting new people along with the dogs having a great time. Ms. Hipple has a few concerns, one is possibly having some temporary/timed outdoor lighting to put up during the fall/winter seasons. It will be getting dark by 5:30 p.m. at the end of the month. With it being timed we could have it shutoff at 8:00 p.m. Ms. Hipple also looked into having solar lighting. She realizes it is late in the year to be asking for lighting and having solar you would not have to run wires underground and it would be less expensive.

She also stated a bulletin board would be nice so they could post rules and regulations and notifications of things going on.

Ms. Hipple also wanted to know if a small dog park could be sectioned off. There are issues with the smaller dogs coming in with the big dogs and they don't get along. A 20' x 40' area that is still connected so people and dogs can come in and out, but that way people can also be there and people don't have to leave because it is filled with all larger dogs and the smaller dogs don't get a chance to run around and do their thing.

Joe Scartelli from Selinsgrove stated that he and wife go to the dog park just about every day and they have a small dog. He stated that people from as far away as Berwick and Liverpool have come down and used the dog park. The little dogs really do not have a chance because it is really a "big" dog park. A lot of the small dogs tend to shy away or stay on their owners laps because they are afraid. He stated, "we really need a small dog park". Mr. Scartelli also informed Council that they patrol the park and help to keep it clean of dog droppings that other owners have not cleaned up.

C/P Hendricks said he can certainly include the request for lights in the 2013 budget. As far as doing a smaller section, we have always hoped to expand out on the east side. It is currently not our property. I think everyone knows what the limitations are there. C/P Hendricks asked Ms. Hipple and Mr. Scartelli if they would be available to come down to the dog park on Saturday, October 6, 2012 at 9:30 a.m. to do a walk through. Everyone agreed to meet at that time. C/P Hendricks said it may take just some horse fence and some split rail and another gate to give the small dogs some space.

Mrs. Karol Scartelli has a concern about dogs not being up to date on their shots and possibly the healthy dogs picking up something. Mrs. Scartelli was informed by Council that there are rabies clinics held each year at our local veterinarian offices.

Mayor Christine informed Council that the American Legion was looking into making a donation to the dog park in honor of service dogs.

Maggie Lemons – Wanted Council to know that she is President of Selinsgrove High School's National Honor Society. We have a new mentor who is now requiring that every member perform 10 hrs. of community service. They are looking for opportunities to volunteer. If anyone here knows of anything that needs done in the community, please contact her. C/P Hendricks informed her that they will be having a work party at the dog park on Saturday, October 6 at 10:00 a.m. if anyone would like to come and volunteer.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair

Payment and Ratification of Bills – The committee met today (10/1/12) and reviewed all the bills.

Motion by C/P Anderson to pay the bills with the following provision: some of the things we reviewed were for approval on some of the construction bills and we don't want those to be paid until reviewed by Sol. Cravitz. Seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – None

C/P Anderson stated that the committee reviewed the General Fund, Water Fund and all of the Borough accounts as of the end of September 2012. She informed Council that the Borough is doing fine.

2013 Minimum Municipal Obligation (MMO) for the Borough's Uniformed and Non-Uniformed Pension Plans Revised and Distributed to Council Members 9/14/12 – Notice Received from PMRS informing the state aid allocation is \$3,576.11.

Motion made by C/P Anderson to pass Resolution No. 2012-12. This allows us to pay member contributions to the uniform pension plan from non-uniformed subsidies for the calendar year 2013. Seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Request for Proposals for Auditing Services for Selinsgrove Borough and Selinsgrove Municipal Authority for 2012, 2013 and 2014.

C/P Anderson asked for approval for the Request for Proposals to go out. Motion made by C/P Viker to approve. Seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Capital Projects – C/P Anderson stated that one of the projects listed under "Other" included South Front St. repair and paving. We have a credit with Penn DOT that they are happy to use. This will come under the Agility Project. We will only be paying for the macadam and the trucking and Penn DOT picks up the rest. For the cost of \$10,580.00, we can go ahead and get all this work done in 2012 for South Front St.

Motion made by C/P Anderson to approve the bid by Meckley's for a cost of \$10,580.00. Seconded by C/P Charles.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Hendricks, Chair – The committee did meet last Friday, September 28, 2012 at 10:00 a.m. in the Borough Office. C/P Mease and Charles, Treasurer/Asst. Borough Manager Badman, Public Works Director Corby Bowersox, Water Dept. Supervisor Rick Kline, Borough Engineer John Coukart and C/P Hendricks were in attendance.

The committee was advised that the reservoir was drained the week of 9/17/12 and in conjunction with that, they did the hydrant flushing that is normally done in the fall, so they were able to make use of the water in the reservoir. They have now started sandblasting the concrete at the reservoir and they are starting the removal of the old reservoir cover.

C/P Hendricks also mentioned that the 2013 Capital Projects were discussed. The 2013 Street Project will be Penn St. from Market to Broad St. There are four (4) add-alternates in this order: Liberty Alley from Pine St. to the dead end; sidewalks along Sassafras St. heading up to Anthony Selin Park and Kidsgrove; Charles Ave. from Pine St. to the culvert and the handicap parking at the Selinsgrove Pool.

For water/sewer the Borough has three (3) projects: (1) High and Snyder Sts. from Pine St. to Market St., (2) Market St. will be the tie into Pine St. and (3) South Alley between Strawberry Alley and Water St. There is an add-alternate on Sugar Maple Street from 9th St. to the dead end. The street light project, water line installation at the pool and the boat ramp were also discussed.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: V/P Carroll, Chair

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

– The committee met on Thursday, September 27, 2012 with the idea that this may be the last meeting, however, they are going to have one (1) more. V/P Carroll stated that as of today (10/1/12) we are 490 days into the project. A punch list was done on Friday, September 28, 2012. If everything goes well, the Borough should be moving in over the next few weeks.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Mease, Chair – Informed Council that he received a request over the past week via email (he didn't have time to sit down with the committee to discuss this) and thought it would be appropriate to bring it in front of Borough Council. The Library has requested that prior to opening up they would like to use the Library as a private, invitation only, reception for the major Capital Campaign donors. It would be in the middle of the week for a few hours, sometime in October. They would like to be able to serve wine. Several Council persons responded, "no." We have never allowed alcohol inside a Borough building. C/P Viker asked if this is an Ordinance or a policy? Pres. Farrell stated we have never allowed alcohol on Borough property. C/P Mease said that we do on University Ave. for the Brew Fest and Pres. Farrell stated that it is not the Borough's property. Pres. Farrell stated once we do it one (1) time it leaves it open for other opportunities for people to do it.

C/P Mease asked if we have any objections to allowing them to have their reception, as long as there is no alcohol? C/P Anderson stated we need to have the Occupancy Permit that would allow the public to enter the building. If we don't have the Occupancy Permit, the answer would have to be no. If we do get the permit, then the answer would be yes. Manager Williams stated we are allowed to move items into the building, we are not allowed to occupy the building. C/P Viker suggested that Manager Williams and Pam Ross be in touch with each on the timing of this event.

Pres. Farrell suggested that the food and alcohol be served out at Susquehanna in the President's area and then finish up at the Library. C/P Viker suggested the back room at BJ's, then moving across the street to the Library. Pres. Farrell stated again that the Occupancy Permit must be issued first.

PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair

Proposed Amendments to Non-Uniformed Employee Handbook – Motion by C/P Charles to propose that this be approved for the Non-uniform Employee Handbook. Seconded by C/P Viker.

C/P Hendricks stated that his only problem was under the 2nd paragraph, in Administration, he feels that we should actually identify the Police Clerk, to make sure that their quarterly review is done. C/P Charles said that they have that included in Administrative Assistant and/or Receptionist. C/P Charles stated that he has no problem specifying the position. C/P Hendricks then asked if the Borough Manager or the Police Chief would be giving the review? C/P Viker stated that he thought the Borough Manager would be in consultation with the Chief. Mayor Christine corrected Council and stated that the position should be called Records Clerk. C/P Viker asked if Records Clerk should be included as one of the positions listed? This was answered with a yes by C/P Anderson. C/P Viker also stated that the Borough Manager is the person who ultimately is the Supervisor of all Borough positions. He does the hiring and the firing.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

The meeting recessed at 8:20 p.m. for a 10 minute break. The meeting reconvened at 8:30 p.m.

PUBLIC SAFETY COMMITTEE: C/P Viker, Chair – The Public Safety Committee meeting was held on September 24, 2012. It was felt that we need to meet again. We covered a few things and gathered some information, but didn't take any action. There should be more information coming. Regarding the S.U. parking study we agreed as a Committee to consider recommending an adjustment to our Parking Ordinance that would be appropriate for institutions. Institutions are very different from a business

downtown. We are waiting for information that Manager Williams is going to gather from the University and parking formulas used by other college towns.

The entrance to Anthony Selin Park was also discussed. The Committee would like to make a recommendation on whether it makes more sense from a safety standpoint to run the sidewalk on the north side of Sassafras and cross with a well-done crosswalk at the park entrance, or run the sidewalk down the south side. Running them on the south side would allow people to actually cross on High St. The concern is if we can afford to fill in the ditch. Mgr. Williams is going to come up with a rough estimate for the Committee to look at and coordinate with other Committee's about moving forward on this.

Manager Williams informed Council that the probable cost was done by Director of Public Works, Corby Bowersox. The working number right is \$25,000.00. C/P Hendricks suggested walking it at the next Safety meeting and determine the logical place to put the sidewalk.

C/P Viker reminded Council that the Red Cross asked to bring a van to the Commons for a hot dog give away. No action was taken because there wasn't enough information presented.

C/P Viker also stated that a citizen had raised concerns about some speed issues on Water St. With the new paving, people seem to drive more quickly. This has been referred to the Chief of Police for consideration of possible directed patrols. We also had a request to look at the parking close to the corner of Bough St. – between Third and Second Sts. It looks like people are parking too close to that corner. The Committee asked the Director of Public Works, Corby Bowersox to take a look at this.

Borough Resident, Earl Moyer, expressed concern about the crosswalk on Sassafras St. in front of the new dorms at S.U., that would take you across Sassafras Street to the baseball & soccer fields. This crosswalk has not been painted since the highway was redone. He stated that there would be one (1) car length to where the sign is posted and where the crosswalk should be. This crosswalk needs to be repainted. Someone is going to get hit crossing here. V/P Carroll suggested calling Susquehanna University and speaking with Director of Public Safety, Tom Rambo. C/P Viker said we will be having Tom Rambo here tomorrow night for our Town & Gown meeting and this could be addressed at that time. This section of highway is owned by Penn DOT all the way to Market Street.

Pres. Farrell expressed a concern about vehicles being parked on Front St. He almost got hit there because of the cars parked on the right hand side and he was trying to turn off of Pine St. onto Front St. C/P Hendricks said this is not uncommon for most of the streets in Selinsgrove. People can park their cars on either side of the street, this causes problems with people going either direction

PLANNING COMMISSION: Earl Moyer, Chair – No Report

ZONING HEARING BOARD: Cyril Runkle, Chair – No Report

CIVIL SERVICE COMMISSION: Dalton Savidge, Chair – No Report

PARKS AND RECREATION BOARD: Rocky Baer, Chair – The Summer Kids Program was very well received. A report will be put together shortly on how many children attended per day, etc. A suggestion was made for next year to have a handbook for the supervisors, and that we establish a selection process and criteria for next years supervisors. There were a few incidences this past year where the supervisors did not know what they were supposed to be doing. We are looking into remedying that since they are employees and do have board supervision.

Dog Park – There is an apple tree in the park and it has been suggested that it be removed. Some apples are poisonous to dogs, the seeds, etc. There are also issues with bees and hornets because of the fruit laying on the ground and rotting. It was suggested by Council that a new tree be planted that does not bear fruit.

A donation has arrived from Mr. Fleming. He would like a sign erected that would say in memory of Wolfer and Shadow. It will cost about \$50 to have a permanent sign made. It will be put on the fence. There will be a work party on Saturday, October 6, 2012 at 10 a.m. to install the agility course.

There is a bench by the drinking fountain and it is very close to the garbage can. The odors tend to be very heavy in that location. There has been a request to move the bench into the shade. C/P Hendricks stated he would rather purchase a few more benches to sit around and leave that one there because it has concrete sides and is sitting on a concrete pad.

Major Anthony Park – Mr. Baer informed Council that a new hose and nozzle is needed for the Summer Kids Program.

Environmental Center – Selinsgrove Projects scheduled a fundraising clambake for June 2013. They plan to have a blues band, vendor stands, boat rides, etc. The Committee wants to know how much of the funds will go to support the Environmental Center? Parks and Rec. will contact Selinsgrove Projects to find out what they are planning on doing.

Creek Access and Gazebo – The sign is run down and needs to be refurbished. Parks and Rec. would like to put on the schedule for next year and have it fixed prior to the summer concert series.

Mr. Baer said that there have been three (3) organized cleanups. Special thanks to members of the community, Christ United Methodist Church and S.U. students. We need one (1) more day to finish the remainder.

Ice Rink – The committee is looking for possible grants to improve this facility through Selinsgrove Projects. The American Legion said they are willing to donate money to help with some of the improvements.

Moose Playground – The piece of playground equipment that has been damaged has had a piece of plywood put over both ends so no one would enter the tube. For about a month now it has been without the plywood because someone has removed it. Kids can now get into the broken, damaged piece. We have had the piece to fix it and have not had the time to take the old one off and put the new one on. It is starting to become a safety hazard at this point.

Kidsgrove – Saturday, October 20, 2012 is the Kidsgrove Fall Festival. Donations will be accepted and funds raised to help support Kidsgrove at the Festival. They would like to place a sign at the Commons. Mr. Baer understands there could be a possible conflict with it. Mr. Baer asked Council what is the best way to get a sign placed here or is it out of the picture? C/P Charles answered that the Commons belongs to Selinsgrove Projects, Inc., we usually have nothing to do with that. C/P Anderson said that Bruce Johnson would be the person to speak with. Treasurer Badman stated that SPI is looking into possibly putting up a kiosk on the property for announcements, etc. However, they do not want signs posted on the property.

Mr. Baer informed Council that Kidsgrove is still looking to raise funds for the interactive playground apparatus. They would like to have it purchased and installed by November 2012. They are hoping to have an Eagle Scout help with the project.

Kidsgrove would like to ask Council to provide suggestions on cutting down on vandalism. Kidsgrove has a camera system setup and several incidents have been recorded. However, it is difficult to get the police involved. The money has been spent on the cameras and it would be nice to have some action taken to prosecute. C/P Anderson asked who monitors the tapes? Mayor Christine said it goes to a central facility. They can then pull up video's to view whenever there is an incident. C/P Viker said if there is a call for service, then someone should be answering it. From a public safety standpoint, he suspect that unless you can identify the person, it will be considered a low level investigation because there is not an immediate threat.

Kayak Access – Mr. Baer explained that new gravel is needed leading to the launch from Water Street.

Other Items – Jenny Wagner from the North Central Tobacco Control Coalition, representing Young Lungs at Play, presented a program. They are a national organization that have metal signs they handout to participants free of charge. The quantity is unlimited. The signs state, “ this is a non-smoking area.” The North Central Tobacco Control Coalition needs a policy. The Borough has a policy with Teens Against Tobacco. If we are willing to participate in this program, we would submit the policy we are already using and they will review it to see that it is sufficient.

Mr. Baer said as a representative for the Parks and Rec. Committee he would recommend that we move forward on this. Mr. Baer asked for the Council’s opinion and thoughts on this matter as well. C/P Carroll reminded everyone that this is only a policy. There is no enforcement of this policy. Just because this is a policy and we have signs posted, it does not mean that the Police can enforce it. Mr. Baer said he understands that these signs are just to make people aware.

Treasurer Badman reminded Mr. Baer to have all the criteria to her by January or February 2013 for the PHEAA Summer Work-Study Program students.

SHADE TREE COMMISSION: Joan Fasold, Chair – Mgr. Williams said he did attend their meeting. They are planning on a tree planting program this year. He doesn’t remember the number of trees, but there is going to be a combination of bare root trees. They are out soliciting for bids in order to plant these. There will also be the normal balled trees. They are hoping to have volunteers to help plant. They are looking at South Market St. between the Lutheran Church and University Ave. They would like to extend the tree program farther south on Market St. over the next couple of years. They have prepared a budget for submittal. They spoke about adding two (2) additional line items – one (1) for spraying in the event that this is needed – they must be registered with the Dept. of Agriculture, and two (2), if there is a need for tree cutting related to safety. There is one (1) incident where we have a vacant home that is in foreclosure or perhaps owned by the bank that we have not been successful in doing anything about, it is a maintenance problem/nuisance for us. The issue will be addressed, hopefully we will be reimbursed.

There is some tree trimming taking place adjacent to the reservoir on University Ave. They have also removed some Maple trees along the alley by the Gazebo. They intend to replant some of them with Sycamore trees.

POLICE CONTRACT NEGOTIATIONS COMMITTEE: C/P Anderson, Chair – Informed Council that she needs approval for George R. Hludzik, Esq. to be the Act 111 Arbitrator for the Borough, should it come to needing him for the Police negotiations.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Anderson informed Council that there is another meeting scheduled for October 4, 2012.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Sean Christine

Presentation of Police Report for August 2012 – Mayor Christine said there does not appear to be any anomalies on the report. There were no questions from Council.

Mayor Christine informed Council that he is performing a wedding on Saturday, October 13, 2012.

The Emergency Services Banquet is Saturday, October 20, 2012 at the Susquehanna Valley Country Club in honor of our Emergency Service providers, firefighters, EMT's and Police Officers. The banquet starts at 5:30 p.m. and there will be a Casino fundraiser starting at 8:00 p.m.

BOROUGH SOLICITOR: Robert Cravitz, Esq.

Adopt Ordinance No. 801 Revised – MOU with Snyder County Conservation for the review of erosion and sediment control plans – Solicitor Cravitz stated that we took the provisions that were under Standards and took four (4) sections. For clarification that became six (6). If you look at Section 123-22.A., Erosion and Sediment Control, Standards, Subdivision and Land Development Ordinance, Chapter 123. The Standards have been clarified and put out in much more detail.

Standard #1 – No changes shall be made in the contour of the land; no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until such time that a plan for minimizing erosion and sedimentation has been processed with and reviewed by the Snyder County Soil Conservation District, or there has been a determination by the Soil Conservation District that such plans are not necessary, all as provided in this Section.

Standard #2 – Where earth disturbance exceeds one (1) acre, a National Pollutant Discharge Elimination System (“NPDES”) permit shall be required prior to any earth moving activities and any and all other appropriate earth-moving permits from the Pennsylvania Department of Environmental Protection shall be acquired. All applicable Borough, Soil Conservation, and State fees shall be paid.

Standard #3 – Based upon Chapter 102, Erosion and Sediment Control Requirements, of the Pennsylvania Code, Section 102.4, a Developer shall provide documentation of approval of an Erosion and Sedimentation Control Plan from the Snyder County Conservation District if there is an earth disturbance of 5,000 square feet or more, as part of land development or subdivision plan.

Standard #4 – An earth disturbance of less than 5,000 square feet shall require both an erosion and sedimentation control Best Management Practices (“BMP”) and a Small Projects Erosion and Sedimentation Control Plan (“SPESCP”) as part of any land development plan to be approved by the Borough Engineer and if no land development plan is required then both the BMP and the SPESCP shall be filed with the Borough with an application for a zoning permit.

Standard #5 – No subdivision or land development plan shall be approved unless there has been a plan approved by the Borough Council that provides for minimizing erosion and sedimentation consistent with this Section, and an improvement bond or other acceptable securities are deposited with the Borough in the form of an escrow guarantee which shall ensure installation and completion of the required improvements; or there has been a determination by the Borough Council that a plan for minimizing erosion and sedimentation is not necessary.

Standard #6 – Measures used to control erosion and reduce sedimentation shall as a minimum meet the standards and specifications of the Snyder County Soil Conservation District. The Borough Engineer and the Soil Conservation District shall ensure compliance with the applicable specifications and standards, copies of which are available from the District or the Borough.

Solicitor Cravitz stated that the Soil Conservation District is willing to accept responsibility and liability for proper Soil Erosion and Sediment Control elevating our administration of that burden..

C/P Anderson asked Solicitor Cravitz if Standard #5 applies to the project if it is over or under 5,000 feet? Solicitor Cravitz said that with a subdivision or land development, it would apply.

C/P Hendricks stated he has a problem with Standard #4. Less than 5,000 square feet. If I want to put in a 20' by 50' garden and I till that up, I've got to have this erosion and sediment control Best Management Practices and a Small Projects Erosion and Sedimentation Control Plan. I went to the counties Soil Conservation District website today to see what it looked like. There is nothing on their website that I

could find, other than an agricultural BMP. I could find nothing on the Small Projects Erosion and Sedimentation Control Plan. When I check the State code 102.4 Erosion and Sediment Control requirements, it talks about the implementation and maintenance of erosion and sedimentation BMP's, but nowhere do they talk about Small Projects Erosion and Sedimentation Control Plan. Solicitor Cravitz stated those came from the Engineer, John Coukart. Pres. Farrell stated that you would think if there is less than 5,000 square feet, we wouldn't have to do anything. This makes it sound like anytime anyone touches anything they would need to have a Best Management Practices Plan and a Small Projects Erosion and Sedimentation Control Plan.

C/P Hendricks said that he does not feel good adopting this. Solicitor Cravitz stated that he got this from the Engineer, John Coukart. It has to be in the code if we are referencing the code and saying this is required. C/P Charles stated that we have been here before and every time there was a discussion if it was less than 5,000 square feet, we weren't bothered with it. Now, all of a sudden, we are paying attention. It says "as part of any land development plan", so the normal things people do around their home aren't anything that would require a Land Development Plan? Pres. Farrell said 5,000 square feet is about 1/8 of an acre, so that would mean if you would do a tiny little addition on your house, you would have to go through this process? Solicitor Cravitz stated only if you are required. As part of any Land Development Plan approved by the Borough Engineer, you need those things. Or if no Land Development Plan is required, then both the BMP and the Small Projects Erosion and Sedimentation Control Plan should be filed with the Borough along with an application for a Zoning Permit.

Solicitor Cravitz suggested sending this Ordinance back to the Planning Commission and have them take a look at it.

Motion by C/P Viker to send Ordinance back to the Planning Commission. Seconded by C/P Anderson.

C/P Charles said that his only hang up in this whole thing is Standard #4. He was wondering if we can put something in that is worded to sound like "at the discretion of the Borough Zoning Officer, an earth disturbance of less than 5,000 square feet **could** require both an Erosion.....and put the that discretion on administrative staff. Otherwise, we are going to have the everyday person having to hire an Engineer to draw up the plans for them for some simple little job.

AYES: SIX (6)

NAYS: ONE (1) – C/P CARROLL

MOTION CARRIED

Right of Way for West Spruce St. – Solicitor Cravitz stated while doing some research at the Courthouse he discovered that the Borough actually owns the land on which W. Spruce St. extends. We actually received a deed for 31 feet from the school district and 12 feet on the south end from Wesley United Methodist Church. We own that property same as we own the property on which the Pump House stands. If we are going to open that street and have it be part of the Borough street system for Penn DOT reimbursement for Liquid Fuels Funds, we would have to adopt an Ordinance accepting the dedication of that street and have a Deed from the school district for work they did and they would not look to us for any type of reimbursement.

C/P Viker asked what would happen if we go forward? Would the school then vacate it? Solicitor Cravitz responded it would be our street, it would be a public road. If we don't do that, then it remains a private street. We get to use it, we can do what we want with it. C/P Viker asked what Solicitor Cravitz's recommendation would be? Solicitor Cravitz stated it is our land. If we are going to do this, we would have to pass an Ordinance and get the school district to give us a Deed of Dedication if you want to have it as a public street. If not, you just leave it the way it is and just control it and tell them this is what you can and cannot do. .

C/P Viker asked then they can use it as a private driveway? Solicitor Cravitz stated with our permission. If you go back to the additional paperwork that we signed with them, where we agreed that if they went through and did that improvement with Penn DOT, with authorization, we are pretty much saying, go ahead and spend Penn DOT money. If the school district opened this up for the Safe Routes to School Program we agreed that we would maintain it once it was built. C/P Viker said so we have an agreement

saying we would do that? Solicitor Cravitz answered yes, that is part of the Grant. C/P Viker said so if we, as the Borough Council, don't follow the path of action you just described, we are going back on our agreement? So what action do we have to take to honor the agreement you just described? Solicitor Cravitz said the school district has to give us a Deed of Dedication for our construction. Once they do that, we would have to pass an Ordinance that this is acceptable.

C/P Charles said that the Borough agreed to a Resolution. Did the Council know that this street was part of it? Was it spelled out and did everyone know when they agreed on it that this section of Spruce St. was going to be open? Manager Williams said that the best that he can tell is that schematically it was a sheet that dealt specifically with that street section. It looked like a road improvement. Because the title of the Grant was called Safe Routes to School, I think perhaps the focus was on crosswalks and sidewalks. This piece apparently was attached and records indicate that it was attached. There wasn't really any discussion on it.

C/P Viker stated that we should ask the school for the Deed and prepare the Ordinance. We have an agreement. We also need to maintain this road.

Solicitor Cravitz stated that back in 1966 the Borough Council took land from the school district and also from Wesley United Methodist Church. We now have a 43' wide by 106' long piece of land. C/P Viker asked the plan was to create a road there? Solicitor Cravitz answered yes. In fact, we opened up a good portion of that right up to the Parsonage and then it stopped.

C/P Charles stated basically what we are going to do then is to accept this as a public road. Do we normally require sidewalks on both sides? How do we try to tell people that they must put in sidewalks and then we turn around and as the Borough do not comply by putting sidewalks on both sides? I'm concerned about this.

Solicitor Cravitz stated that if sidewalks were put on the side of the football stadium, the fencing for the stadium would have to be moved.

C/P Carroll explained that under Penn DOT guidelines they have decided to put the sidewalk on the south side of Spruce St. because the mounding and the fence from the football field is on the north side.

Solicitor Cravitz stated when they changed the Borough Code and brought it all to one (1) place, there is a statute that says "no Borough shall acquire any right in or any responsibility for any street privately constructed until dedication of such street shall have been presented to and accepted by the Borough until such dedication shall have been reported to the County office for recording of these."

Motion by C/P Viker to have Solicitor Cravitz contact the Solicitor for the high school to get the Deed. Seconded by C/P Anderson.

AYES: SIX (6) NAYS: ONE (1) – C/P HENDRICKS MOTION CARRIED

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – A written report was supplied.

Traffic Signal – Mill and Market Streets - Manager Williams stated that the traffic signal at Mill & Market Sts. requires some additional engineering.

Salt Storage Shed - Manager Williams stated he saw lumber being delivered there this morning at 7:00 a.m. Hopefully, the construction will recommence today 10/1/12.

Susquehanna University – 18th Street Commons – Phase II – Manager Williams stated that there was a meeting last week, Wednesday, September 26, 2012 with regard to the fencing along Susquehanna University.

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for September 2012 - Pres. Farrell asked if there were any questions on the Treasurer's report. Hearing none, he stated that it is on file for audit.

Motion by C/P Viker to approve. Seconded by V/P Carroll.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGER/SECRETARY: Paul Williams – Report presented.

Manager Williams expressed his thanks to Council for allowing him to have off over the past week. He does appreciate Council's expression of sympathy. The Borough was in good hands and we are blessed with an excellent staff.

Sanitary sewer backup - On September 21, 2012 we had another sewer backup. It was a block of grease. This particular section of the sewer line is fed from Penn Township. The newsletter was just circulated in September with an article on how to properly dispose of your grease. We are hoping to hit their next newsletter in the Spring of 2013 with a similar article.

Another property that runs into this line is the school district. Manager Williams understands that the schools do have grease traps. He would also like to contact Susquehanna University because this line is also fed from the 18th Street Commons. This material may have been in the lines and was pre-existing from Pine Meadows. He is sure they will educate the tenants as to the proper disposal of grease.

Borough resident Margaret Siro expressed her concern about the different products that get put down the drain – body wash, soap, hair products, etc. She is very concerned with the Susquehanna kids at the 18th Street Commons, really not caring what they are putting down their drains. Joe Siro asked if the 18th Street Commons has to have grease traps? Pres. Farrell replied, no, only places that are cooking for the public are required to have grease traps. It is not individual apartments or residents. Mr. & Mrs. Siro want Council to be aware of the people who live in this section. They may not be good stewards of their rental properties. How do we get the word to them? Pres. Farrell stated it will be put in the Borough's newsletters. Pres. Farrell stated he does appreciate the Siro's input.

V/P Carroll stated that the Borough crew does check for blockages periodically and they do try to be proactive. However, sometimes these things are going to happen.

ZONING: Janet Powers, Deputy Zoning and Permit Officer

Update of PROPERTY TRANSFERS and BUILDING PERMITS ISSUED - A written report was supplied.

SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Carol Handlan and George Kinney, Chairmen – No Report

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

NEW BUSINESS:

COUNCIL MEMBERS – Pres. Farrell wanted to touch base on the opening of the new Borough Office. How would Council feel about having a ribbon cutting ceremony with Mayor Christine? It would not have to be anything gigantic, just a basic ribbon cutting ceremony. Pres. Farrell stated he knows the Library will

want to hold one also. He would like to see Mayor Christine do something. Everyone who has been involved will be invited. Treasurer Badman thought it would be good to do both the Borough Office and the Library together. Pres. Farrell was in agreement.

OTHERS – Manager Williams informed Council that Charlie Benner who is the Borough Representative to the airport stopped in and extended an invitation to any Borough Council members who would like to have a tour of the airport. They are to give Charlie or Jim Taylor a phone call to arrange the setup and time. Manager Williams took some time recently to go up to the airport with Charlie and he had a very informative one (1) hour tour.

Borough Resident Margaret Siro – Asked Council why no one has been to the meetings from ESCRA? C/P Viker stated that they usually will submit meeting minutes, but they did not receive any this month. The minutes are certainly comparable to having someone attend the Council meeting. We cannot compel them to come to every meeting. Mrs. Siro stated that she thought it was C/P Viker who suggested that they come to all the Council meetings. C/P Viker stated not every month, I wouldn't ask anyone to come to these meetings every month unless they are elected to and have to.

Mrs. Siro also wanted to know why Mr. Abromitis was not sending the monthly meeting minutes for a long time, since Mr. Bickhart was Borough Manager. Did the Council get them? Pres. Farrell said that Carol Handlan would have to answer that, because she was the President of Council back then. We do get them now. We just happened not to get this months. Mrs. Siro said you did get them before that, they were apparently sent through the Borough Manager and he was supposed to see that you got them. Manager Williams said he does not think that they were available. C/P Viker stated that no one was hiding them from anybody. Mrs. Siro stated that is not what she is suggesting.

EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 10:03 P.M. for discussion of pending litigation. Council meeting reconvened at 11:00 P.M. No action taken.

ADJOURNMENT:

Motion by C/P Anderson to adjourn meeting at 11:00 P.M. Seconded by C/P Viker.

Attachments: None

Respectfully submitted by
Chele' Weaver
Acting Recording Secretary