

SELINGSGROVE BOROUGH COUNCIL MEETING

MONDAY, OCTOBER 7, 2013 - 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Brian Farrell, V. Pres. Pete Carroll, C/P Dottie Anderson, C/P Tim Charles, C/P Shane Hendricks, C/P Rich Mease, and C/P Erik Viker

COUNCIL MEMBERS ABSENT: None

OTHERS PRESENT: Borough Manager/Secretary Paul Williams; Solicitor Bob Cravitz; Mayor Sean Christine; Borough Treasurer Sheri Badman; Recording Secretary Chele' Weaver; Shade Tree Commission Joan & Bo Fasold; Snyder County Library Pam Ross and Jennifer Johnston; DH&L Fire Co. Dawayne Betzer; Weis Markets David Gill; Tim Maro and Rusty Graber; Daily Item Reporter Marcia Moore; Borough Residents Margaret Siro, Jeff Reed, Vincent Stoops, Jim Black, Marv Rudnitsky, Denny Keller, Bobbie Owens and Jeff Ries and Monroe Township Resident Beth Winger.

OTHERS ABSENT: Jr. C/P Jonah Markle

CALL MEETING TO ORDER:

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

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETINGS OF September 3, 2013 and September 16, 2013:

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PERSONS TO BE HEARD:

DH&L Fire Company – Chief Betzer reported there were 16 incidents by Municipality in September 2013 as follows: One (1) in Jackson Township; three (3) in Monroe Township; seven (7) in Penn Township; three (3) in Selingsgrove Borough; one (1) in Shamokin Dam Borough and one (1) in Union Township. There were four (4) automatic alarms; three (3) stand-by assignments; two (2) motor vehicle accidents with extrication; two (2) medical assists; two (2) motor vehicle accidents without extrication; one (1) odor investigation; one (1) rescue call and one (1) structure fire. September 2013 man hours total was 267.86.

Chief Betzer informed Council that the budget for the fire company for 2014 is done. He gave a copy to Treasurer Badman.

The fire company sold 250 pounds of sausage at the Street Fair and sold out. They made between \$1,700.00 and \$1,800.00 dollars. The fire company also sold pork barbeque at the Selingsgrove Speedway and made almost \$700.00.

Update on the new fire truck – the completion date will be October 18, 2013. There will be three (3) members from DH&L flying out to Appleton, Wisconsin on October 20, 21, 22 and 23, 2013 to do the final inspection of the piece. It should be at the fire company by mid-November.

Chief Betzer also stated that in March of 2013 he did present an application for some money from the Gelnett Trust Fund. Everything will remain the same on the application. If Council would like some updated numbers he can provide them.

Selinsgrove Area Recreation, Inc. – No Report

Selinsgrove Projects, Inc. - Mgr. Williams informed Council that the Borough's Public Works Department installed the bricks at the Snyder County Trust clock. There is a program scheduled for Saturday, October 19, 2013 to thank those who have contributed to the project. The chimes will be made active at that time.

SPI meeting minutes of August 20, 2013 – Copy Provided

Parks & Recreation Commission – Rocky Baer – C/P Hendricks stated that there are still several vacancies on the Board. The Committee is recommending Brad Buch to serve on the Board for the term ending 12/31/13.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Leah Shiley, Andrew Blaton & Mark Barnhardt from E.I. Associates – Presentation of LEED Plaque – Copy Provided – Mr. Barnhardt reported that in August of 2013 it was five (5) years since E.I. Assoc. had been asked to start this project. It has been a long project with some stops and starts along the way, but the LEED Certification has been achieved. E.I. Associates is very proud of the Borough's building.

C/P Viker stated that LEED stands for Leadership in Energy and Environmental Design which signifies the extent to which the building is green, sustainable and environmentally friendly.

SHADE TREE COMMISSION – Bo and Joan Fasold

Committee Update – Copy provided - Mrs. Fasold informed Council that there had been an emergency of a broken limb in front of Dustin Kline's salon. There was a bid received for \$39.00 from Matt Cook to remove the limb (part of which is broken and part of which obscures the streetlight). The Tree Commission did approve this.

The Commission also asked Ron Conrad to shape 10 trees on Market Street. He estimated a price of \$1,200.00 maximum. He stated he can do the job in mid-October.

The Commission is planning on buying 24 new trees this fall with the help of the DCNR forest rangers. They should be planted between November 1 and 15, 2013. Some will be planted by volunteers and some will be planted by Hawk's Landscaping due to the fact that where the soil is so bad it needs to be fully removed and new soil brought in. This is way too much to ask of the volunteers, so Hawk's will do the trees at \$75 per tree including the soil.

Request for Additional Funding for drainage project – Copy Provided - Mrs. Fasold stated that the drainage project between the Borough Shed and Kidsgrove needs to proceed. For the past three (3) years the Commission has put \$1,000.00 into their budget as an estimate to get the drainage system installed to Weiser Run. This year the Public Works Department and the Borough Engineer determined that the drainage needs to run south. The cost of the pipe is \$2,300.00. The Commission has \$500 budgeted for the Police Station for the planting of trees that was not used, \$500.00 from spraying that was not done, \$1,000.00 from Market Street for the planting of trees and \$1,000.00 for blacktop and stone. They are asking Council to let them use the \$2,000.00 that was set aside for other purposes.

C/P Anderson stated Mrs. Fasold can proceed. Mgr. Williams stated that the drainage project will benefit two (2) items – the tree museum and help to alleviate the ponding conditions behind the new salt shed.

Motion made by V/P Carroll to approve. Motion seconded by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Others to be heard –

Weis Markets – Mgr. Williams identified the Weis Markets Representatives as Rusty Graber from Real Estate and Development, David Gill from the Architectural Department and Tim Maro, Construction Project Manager.

Mgr. Williams stated that Borough Council granted a Conditional Final Approval to this plan. There were about 20 or so conditions that needed to be met. Some of the conditions included sign off from the Pennsylvania Dept. of Transportation (PennDOT). Following the Conditional Approval, there were two (2) letters issued one (1) by Sol. Cravitz and one (1) by Mgr. Williams. Sol. Cravitz's letter - at the request of Borough Council – laid out the limitations of what site improvements could take place, pending Weis Markets meeting all other conditions of approval including PennDOT. Mgr. Williams' letter was addressed to CK COG and this was for partial release of a Building Permit limiting Weis Markets construction to: poured foundation, under slab plumbing and some clearing of the site. It is important to recognize that there is an approved construction sequence by the Snyder County Conservation District.

Mgr. Williams asked, so how do you commence with sight improvements? One of the things that Mgr. Williams' letter and Sol. Cravitz's letter did not address was the removal of top soil and the stock pile of top soil. Weis Markets was given permission to establish the pad and the elevation at which the first floor will be established. Another important element to discuss is Penn Township Municipal Authority. They are going to be the receiver of the waste from the store. Sol. Cravitz also represents this Authority. Mgr. Williams stated this agreement has been approved and has been signed off by Weis Markets, Selinsgrove Borough Council and Penn Township. The fees have been paid, the Engineer has been satisfied and Weis Markets is in good standing.

This past Thursday, October 3, 2013 was the second job conference. Mgr. Williams and Engineer Coukart attended. Mgr. Williams stated that construction at the site is going so well, they are at the point where they are going to ask about going beyond the partial release

Weis Markets is now more than two (2) weeks out and steel needs to be delivered to the site. This means that Weis Markets will be starting the building. The idea of walls going up has been mentioned and also mentioned was that they need to start the permanent storm water retention facility. Following the construction sequence would have included a temporary sediment basin which is located on the northeast part of the site which borders Bridge Street. There are two (2) rather large basins that are a part of this project that are going to be constructed beneath the parking lot. Mgr. Williams spoke with Engineer Coukart today seeking his input, asking what he would be comfortable with. Engineer Coukart would like it if Borough Council chose to allow Weis Markets to commence with construction of these basins while the weather is still favorable. Ultimately there has to be excavation, and a liner that is sensitive to temperature. There will be an underground pipe habitat that is interconnected, covered with stone and asphalt. It is collected through inlets and pipes and ultimately discharged off site into Penns Creek.

Part of the project is taking some water from the adjoining State highways onto the site from Routes 522 and 204. The reason PennDOT is involved in looking at Storm Water Management at all is because there are inlets that are tied to the interior Storm Water Management System. A submission to PennDOT has been made. Alex Ororbia stated it may take up to three (3) weeks for PennDOT to respond and that does seem to be the case. PennDOT pointed out that the application was deficient and it was amended within one (1) hour of the notice coming out. It dealt with three (3) relatively easy items that were easily corrected. There was a reference to Cumberland County rather than Snyder County, they also included a copy of the Land Development Plan and thirdly a copy of the NPDES Permit. Mgr. Williams feels that the application is administratively complete and the review by PennDOT can now commence. This does not mean that there is an approved HOP nor a traffic signal permit plan. Meanwhile Sol. Cravitz has been working on documents and Council has had the benefit of seeing and reviewing the Development Agreement and the Storm Water Management Facilities Agreement - which is going to be needed post-

construction. Weis Markets knows they have the continued burden of maintaining the Storm Water Management System.

Tonight on the agenda as an action item Council will be discussing and considering the Easement Agreement that is a five (5) party agreement between Weis Markets, Snyder County, Selinsgrove Borough, DH&L Fire Co. and the Ambulance League. Can Weis Markets go beyond what has been laid out to be the limits of construction or the Building Permit as released, in part?

Weis Markets representative David Gill took the floor and informed Council that Weis Markets is making very good progress. Weis Markets has been able to proceed under the approval knowing that there are outstanding issues. All the issues have been taken care of with the exception of the PennDOT issue.

As Mgr. Williams had stated the last outstanding item is the PennDOT approval. There have been comments that have come back to Weis Markets after their first review and Weis Markets had turned in a few comments about 10 days ago. This will most likely be a two (2) week process before Weis Markets gets PennDOT's final approval. Weis Markets is here tonight pending the last final approval, they would like to continue with construction at their own risk. Mr. Gill stated that winter is coming, this is why we would like to get the building closed in. We would like to receive approval to continue the on-site work.

Mr. Gill stated that most important is all the underground work – the storm water work and the piping, especially with the type of rain storm that the Borough received today it puts a burden on a site that is torn up and exposed. The sooner it gets stabilized the better off it will be.

Sol. Cravitz stated in regards to Penn Township, Weis Markets has applied for a Connection Permit and paid in excess of \$30,000.00 for their connection fee. They will proceed with the connection provided that the agreement is signed here in Selinsgrove and that they get their drawings to the Engineer at Penn Township and get their HOP from PennDOT to go down Route 204 to the manhole for Penn Township Municipal Authority. Everything from Penn Township's standpoint is done. Snyder County signed the Mutual Right-Of-Way Agreement and it passed at their last meeting on Tuesday, October 1, 2013 and they are ready to go. This has been submitted to the Borough for its consideration. Mgr. Williams has reviewed it and made comments. It is setup that Weis Markets will be doing a number of things that the Borough has required of them including at some time in the future taking a look at the fourth crosswalk across Route 522. The Construction Agreement is in proper form and ready to be signed. The Maintenance Agreement is also ready to be signed. For Weis Markets this is as good as it gets except for PennDOT.

Mr. Gill stated that they think this will be good for the community and would like to get this brand new state of the art facility (it is being designed to meet LEED standards) open next spring. If this window is missed going into winter, the store will be delayed in opening.

Mgr. Williams stated that Weis Markets is looking for permission to continue with site work and this would include basin, liner, infrastructure and pipe. He stated he did not hear anything about starting the building. Mr. Gill did state that they do have steel coming in and they will be stockpiling it.

C/P Viker asked Mgr. Williams if there is any Borough management recommendations as to why Weis Markets couldn't go as far as they are asking. Mgr. Williams stated that based upon his conversation today with Engineer Coukart, he can recommend doing the Storm Water Management basin, liner, piping and some other onsite work that will require a cement mixture for things other than the foundation wall.

Motion made by C/P Viker that Weis Markets be permitted to proceed at their own risk based on PennDOT approval, other contingencies and documents getting approved as they have been described tonight. Motion seconded by C/P Anderson.

Sol. Cravitz stated that if Weis Markets does not get PennDOT approval the store will not be able to open.

C/P Hendricks stated he has a problem with the Right-Of-Way Agreement until he hears comments from PennDOT. If Council feels the answers are going to be here in two (2) weeks, why not recess the meeting and act on the Right-Of-Way Agreement in two (2) weeks.

C/P Viker stated that his motion is offered in such a way that if this Right-Of-Way Agreement does not pass then Weis Markets does not get what C/P Viker is asking them to get. C/P Viker does not want to wait another two (2) weeks.

C/P Charles asked what the limits to this motion are. Mgr. Williams stated it will be the delivery of steel, not the erection of steel.

**AYES: THREE (3) NAYS: FOUR (4) – C/P HENDRICKS, V/P CARROLL, PRES.
FARRELL & C/P CHARLES
MOTION FAILED**

Motion made by C/P Hendricks to let Weis Markets proceed with the construction short of the Right-Of-Way Agreement until they receive PennDOT approval. Motion seconded by C/P Viker.

**AYES: FIVE (5) NAYS: TWO (2) – C/P CARROLL & C/P CHARLES
MOTION CARRIED**

Approve Mutual Right-of-Way Agreement with Weis Markets, Snyder County and Selinsgrove Borough – Copy Provided – Sol. Cravitz stated that Exhibit A is the land that the Borough would have to give the right-of-way to in order to make the access way into the new Weis Markets – Exhibit B is the right-of-way that nips a little bit of the Borough's land and it goes in and out of the County land - mainly just an egress coming out onto Route 522. This is one way going out. Exhibit C show where the crosswalks will be on the eastern end of the Route 522 & Route 204 intersection.

Sol. Cravitz stated that in paragraph two (2) on page three (3) of the Mutual Right-of-Way Agreement it is stated that Weis will submit plans to PennDOT for a fourth pedestrian crosswalk at the southeast corner of the intersection of S.R. 522 and S.R. 204, as represented on Exhibit C attached hereto and incorporated herein by this reference, and, if approved by PennDOT, installing, at its sole expenses, such crosswalk together with all signage, traffic control devices, and lines associated therewith at such time as mutually agreed upon by Weis and the Borough. Everything else is discussed on Weis Markets Land Development Plan as to which ingress and egress right-of-way is off of Route 522 and also the emergency access coming out of the County land but also going across a portion of Borough land. This is where DH&L Fire Company and the Ambulance League come into play, they hold the lease. Their main concern is that the existing right-of-way going out onto Route 522 is going to be adversely affected by this Grant to Weis Markets because the Borough has been told by Engineer Coukart and also by Weis Markets on two (2) occasions that they are not going to allow two (2) access ways to exist side by side onto a state highway. By giving this right-of-way to Weis Markets the Borough would be curtailing any further access off of Route 522. This would be the southwest corner of land owned by the Borough. This is the main thing that the Right-of-Way Agreement provides.

C/P Charles asked if there will be a separate turning lane on Route 522 for traffic turning into Weis Markets. Mr. Gill answered no. C/P Charles stated, so if someone stops and they are rear ended it is this persons fault. The Borough is creating a hazard – there is a bank there and people cannot see out onto Route 522 real well and all of a sudden a fire truck is coming out the in lane, somebody is going to hit the fire truck or jam on their brakes and cause an accident on Route 522. C/P Charles feels that Council should wait until this is approved by PennDOT.

Mgr. Williams stated there was an assumption months ago that this driveway access could benefit DH&L Fire Company. Weis Markets does have an alternative access plan that would move their access driveway further west to Route 522 which would mean that DH&L Fire Company would not get an access ramp. Unless PennDOT approves the HOP, it is still on the table.

C/P Anderson stated so if Council says no to the right-of-way then Weis Markets has no choice but to go with their alternate plan which then denies DH&L Fire Co. the opportunity to use it. Mgr. Williams stated that is correct.

Mr. Rusty Graber from Weis Markets stated that they can work with the alternative entrance. The easement that sits before Council is the result of a request made by the fire company about having a ingress and egress available to them in case of an emergency.

Mayor Christine stated that he had not heard that DH&L Fire Company wants the easement. The traffic pattern at DH&L goes counter clockwise which is opposite in direction of the easement. DH&L would have to go all the way around the building to get to this entrance.

Mr. Graber stated that Weis Markets has never been denied a PennDOT permit in the 25 years that he has worked for Weis Markets and the Borough in his view has no risk in continuing with this project. All we are doing is trying to get this store open by summer of 2014 rather than late fall of 2014.

Mr. Gill stated that Council had already approved the plans and they were contingent upon the signage of all these different conditions. The plan that Council sees in front of them is what Council had approved. PennDOT will be putting their final stamp on it. There is nothing that substantially changes the plan that Council sees in front of them.

Mgr. Williams stated that he would personally like to see the PennDOT approval come first. What PennDOT has from the Borough in the meantime is that the Borough has remitted a the letter to them as part of the application that says something to the effect that the Borough has granted conditional final approval of the Land Development Plan and the Borough is aware that the granting of this easement may preclude another entrance onto Borough owned property.

Motion made by C/P Viker to approve and to let Pres. Farrell and Mgr. Williams speak on behalf of Council pending approval. Motion seconded by C/P Mease.

**AYES: FOUR (4) NAYS: C/P HENDRICKS, PRES. FARRELL & C/P CHARLES
MOTION CARRIED**

Pres. Farrell stated that he would like to take a 10 minute break.

RECONVENE COUNCIL MEETING – At 8:22 P.M. the Council meeting reconvened.

COMMITTEE / COMMISSION / BOARD REPORTS:

FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair

Payment and Ratification of Bills

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Statewide Tax Recovery, Inc. - Exoneration Requests – Mgr. Williams stated there is one (1) in the name of Crystal Boyer she is a non-resident and it totals \$5.50 for the year 2012.

Motion made by C/P Viker for exoneration of this person. Motion seconded by C/P Charles.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Quarterly Report for Borough Funds – Copy Provided

C/P Viker stated to C/P Anderson that since budgets were being discussed he wanted to know if the per capita tax has been discussed. C/P Anderson stated the motion would have to come up again.

Motion made by C/P Viker to abolish the per capita tax and that Sol. Cravitz draft an Ordinance for the 2014 budget. Motion seconded by C/P Hendricks.

C/P Charles asked Treas. Badman how much the Borough receives per year for this tax and she answered \$9,000.00. C/P Charles stated so the Borough has to pay for a \$2.2 million dollar building and the Borough is looking at cutting income. Treas. Badman stated in 2014 the tax collector will receive \$1.40 per bill and the Borough will pay him \$3,500.00 to collect only the real estate taxes rather than \$10,000.00 paid in 2013.

**AYES: FOUR (4) NAYS: V/P CARROLL, PRES. FARRELL & C/P CHARLES
MOTION CARRIED**

Borough resident Margaret Siro asked Council how the Borough is paying for the building. C/P Charles stated that the Borough borrowed the money to build the building. C/P Anderson stated that the construction loan will begin to be paid in May of 2014. C/P Viker stated that we could pay for the building outright but that means the Borough's reserves would be much smaller. C/P Anderson stated that during the 2014 budget process it will be discussed as to which is the wisest way to pay this loan back.

Purchase of TV Camera for the Sewer – C/P Anderson stated that as part of the budget process for 2013, Finance & Budget had authorized Corby Bowersox to purchase a TV camera for the sewer from the Water Fund. This way the Borough can do their own investigations on the sewer lines. There was a budget for \$10,000.00. Mr. Bowersox had obtained all the information and in addition to a camera there is a monitor, locator and camera can be purchased for a total of \$11,900.00 from L/B Water Services.

Motion made by C/P Anderson to approve an expenditure above the \$10,000.00 to obtain the sewer camera and locator. Motion seconded by V/P Carroll.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Hendricks, Chair – C/P Hendricks informed Council that there is a tentative meeting set for Tuesday, October 22, 2013 at 10:00 A.M. in the Keystone Room. There will be discussion about the 2014 infrastructure projects. This is pending receipt of the estimates from Engineer Coukart.

V/P Carroll stated that he has been receiving phone calls about the amount of leaves that are falling in the Borough. He did indicate that street cleaning ends on the October 18, 2013. He thought that maybe the street cleaning could be curtailed and just go right into leaf pickup, but his understanding is that there is an Ordinance that set this in motion and this is not something the Borough can change on a whim.

BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Carroll, Chair – No Report

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

Approve Street Closure Request – University Avenue (from Broad Street to Pine Street) for Halloween on the Avenue October 31, 2013 - Copy Provided

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Approve Street Closure Request – Market Street (from Bridge to Sassafras Street) for Halloween Parade on October 15, 2013 – Copy Provided

Motion made by C/P Mease to approve contingent upon approval by PennDOT. Motion seconded by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Borough resident Jeff Reed asked when the rain date is. V/P Carroll stated it is the next night, Wednesday, October 16, 2013. If it does get cancelled there is no makeup date.

Main Street Manager Program – C/P Mease stated that he spoke with Bill Burd the Treasurer of SPI and that they have enough money in reserve to continue the Main Street Program for another two (2) years.

PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair

Approve Non-Uniformed Employee Handbook Changes – Copy provided – C/P Charles stated that at the request of Insurance Agent Christine Kinney that should an employee receive reimbursement from another source and also from the Borough, then the employee should return the monies paid by the Borough.

There is also a change under Medical Insurance (Health, Prescription, Dental, Vision). This will delete the last line in paragraph one: This plan does not provide Health or Prescription Insurance for an employee age 65 and older or for an employee's spouse age 65 and older.

The committee will also be adding cell phone reimbursement which was approved by Borough Council on 2/4/13. The Borough will also be adding training so employees can be sent to training classes. Employees shall not be compensated for any overtime spent at training sessions held outside of the employee's regular working hours unless approved by the Borough Manager.

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

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Charles informed Council that Mgr. Williams and Treas. Badman have drafted a job description for a part-time person to be the Recreation Coordinator. This was budgeted for last year and it has not been filled.

PUBLIC SAFETY COMMITTEE: C/P Viker, Chair – No Report

PLANNING COMMISSION: Earl Moyer, Chair – No Report

ZONING HEARING BOARD: Cyril Runkle, Chair – No Report

CIVIL SERVICE COMMISSION: Dalton Savidge, Chair

Meeting Notes from July 2, 2013 – Copy Provided – Mgr. Williams stated there are plans to have a meeting later this month – most likely the week of October 21, 2013 to establish the eligibility list of the police applicants.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR: Sean Christine

Presentation of Police Report for August 2013 – Copy Provided – Mayor Christine reported there are no anomalies.

Proclamation for "Kingsgrove Day" – Copy Provided – Mayor Christine reported this was a special event in September 2013 for Kingsgrove and it included the dedication of the new NEOS System. This

was held on Saturday, September 21, 2013. This was also the 16th anniversary of the dedication of Kidsgrove.

Approve Application for Part-Time Officer Nathan W. Fisher

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

BOROUGH SOLICITOR: Robert Cravitz, Esq.

Adopt Ordinance No. 811 Vacating a Portion of Union Alley – Copy provided – Sol. Cravitz stated that this ordinance will vacate a portion of Union Alley from the northern right-of-way line of Sand Hill Road north to the southern right-of-way line of Stauffer Avenue. This will be a private right-of-way and no longer a public road. He stated that talking with Borough officials that this has never been maintained or opened in the past and it just remains a paper alley. The advertisement has been done in preparation for the Ordinance being charged and kept separate. This would be Mr. Savidge's responsibility to pay for. The next step after this Ordinance is passed is that it would not go into effect for 40 days and within 10 days of tonight's meeting the affected parties will be notified by certified mail and they will be given the remaining time in the 40 days to get a petition to Council to prevent this from going into effect.

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

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Approve Easement Agreement at Boat Launch from Charles & Bobbie Steininger for terrace encroachment – Copy provided – Sol. Cravitz stated that the Steininger's would like some time to study this and will be getting back with Sol. Cravitz. Mayor Christine asked Sol. Cravitz if this was a design flaw on the original plans. Sol. Cravitz stated yes and when it was built at 449 square feet with four (4) concrete pads it went across a little too far.

Mgr. Williams stated this was part of the original boat launch design. Sol. Cravitz stated that the Fish & Boat Commission felt that the length of the concrete walls would help to support the boat ramp as proposed. This would help to prevent it from shifting.

BOROUGH ENGINEER: J. A. Coukart & Associates

Update on pending projects – Copy provided – Mgr. Williams informed Council that Engineer Coukart provided a letter dated October 2, 2013. He reported on the 2013 Utility Program – the Contractor is G & R Charles and the work was completed taking 111 days of a 110 day contract. They added a manhole on Sugar Maple Street. This was the reason the contract days exceeded the 110 days. On Wednesday, October 2, 2013 the final walk through was conducted with very minor exceptions. The work has been accepted.

Motion made by C/P Viker to approve the one (1) day extension. Motion seconded by C/P Charles.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

The Street Program had a walk performed and the contract with HRI was completed taking only 42 days of a 60 days contract. This work entailed the paving of West Penn Street, the sidewalk along Sassafraas and Liberty Alley (which is by the Police Department). West Penn Street is now minus an unnatural speed hump at the Eighth Street intersection. There is a defined crown to the road.

C/P Viker asked if the punch list includes the removal of spray paint on private property. Mgr. Williams stated it does not. C/P Viker stated it probably should. Mgr. Williams stated that the utility paint that has been used is a temporary paint. C/P Viker stated, so it is going to go away and you have checked on

this. Mgr. Williams stated, yes sir and this paint has been used to mark elevation and is fluorescent pink in color. It is placed every so many linear feet. C/P Viker would like it if the contractors would be encouraged to find other ways to mark on people's private property.

Mayor Christine stated that he noticed that there are sections of curbing that are not regulation height. There are two (2) blocks on the east side of Eighth Street that always seem to have low curbs and almost seem to touch the street. He mentioned this before and was told that the streets were going to be grated for drainage so it would take care of itself.

Mgr. Williams stated that he cannot disagree with him and that there are some cases where curb reveal is eight (8) to nine (9) inches. There was a walk conducted at the project prior to the onset and there certainly were features that were identified that needed to be replaced. Perhaps there could have been some curbing that could have been replaced but the benefit is to the abutting property owners. The Borough did replace the items that were failing – cracked curbs, broken sidewalks, etc. In hindsight, yes there probably are some areas that the Borough could have put the financial burden on the property owner. It may not be 100% in compliance and is not perfect, yet it's a major improvement in drainage and elevations.

The Isle of Que Boat Launch is nearing completion. The contractor has used 92 days of the 155 day contract. The Borough is working with Ross Charles of G & R Charles on the required signage. The boat launch will not be able to be open for use by the public until the Fish and Boat Commission conducts a final inspection.

Curb Ramps & Sidewalks – these were completed by G & R Charles.

Construction of Downtown Streetscape – Phase III – They are looking at any right-of-way acquisitions and preliminary designs.

Weis Markets Land Development Plan – Engineer Coukart has been involved in the review.

Traffic Signal – Mill and Market Streets – A pre-bid meeting is scheduled for Thursday, October 10, 2013 at 10:00 A.M. and bids will be open for the project on Thursday, October 17, 2013 at 10:00 A.M. The Borough would like to have this project completed by years end.

Update on pending projects – Larson Design Group – Copy provided – Mgr. Williams stated that Alan Zeigler is not yet satisfied with the preparation and painting of the concrete on the reservoir. It is peeling again. The next step is ask for a site visit by a professional painter to get an opinion. Mgr. Williams advised that Sol. Cravitz put their Bonding Company on notice and the Borough is still holding \$21,000.00. Whether or not the Borough has to pay Atlantic any portion of the \$21,000.00 for the work that they have completed or whether or not the Borough can hold it because it is unsatisfactory, is yet to be determined.

BOROUGH TREASURER: Sharon Badman

Review Treasurer's Report for September 2013

Motion made by C/P Viker to approve. Motion seconded by V/P Carroll.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGER / SECRETARY – Paul A. Williams

Manager's Monthly Activity Report – Copy Provided – Mgr. Williams stated that on September 10, 2013 Water Department employees Rick Kline and Roger Feltman pressure washed the elevated water tank on University Avenue.

On September 13, 2013 Palmer Construction was provided with deficiencies of their close out documents. They are still attempting to address these deficiencies. Mgr. Williams has had communication with Darren Cassidy of Palmer Construction concerning this and he has been on the phone with Jim Martin and Mark Barnhardt. Mgr. Williams does feel it is moving forward, however on some of the items we agree to disagree. He feels they are addressing all of the issues and will be remitted as soon as they get the paperwork together.

There was an Administration Committee meeting on September 17, 2013 and the Borough met with Consultant Ken Rotz, Esq. The codification is underway.

On September 27, 2013 Mgr. Williams spoke with Natausha Horton of the Cohen Law Group who is representing the Borough with our Franchise Renewal Agreement with Service Electric Cable Vision. A draft of the Borough's agreement has been provided to SEC for their review in accordance with the Public Facilities and Services Committee comments.

Under on-going projects, ECI Service completed the outside work on Friday, October 4, 2013. They have now moved to the inside for the drywall repair. Still pending are the cast iron boots that they will install.

Mayor Christine noted that on September 30, 2013 that Mgr. Williams and DZO Powers attended the Local Emergency Management Coordinators meeting at Bloomsburg University. He was curious if there were any developments on the flood wall up at Bloomsburg and the impacts it would have downstream. Was there any discussion? Mgr. Williams replied no. Mayor Christine would like to ask Borough Council that if there is discussion about this in the near future that they would consider it closely as it could ultimately affect the Isle of Que and the Borough of Selinsgrove.

C/P Viker asked that Mgr. Williams talk with the Shade Tree Commission and have them take a look at the tree that has been installed outside the building in front of the Borough Building sign. This tree will eventually crown and cover a portion of the sign. It may make sense to move the sign or move the tree.

ZONING: Janet Powers, Deputy Zoning and Permit Officer

Update of ZONING, SIGN & DEMOLITION PERMITS ISSUED & REAL ESTATE TRANSFERS – Copy Provided

SELINGSGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – George Kinney, Chairman – Copy Provided

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

ADJOURNMENT:

Meeting adjourned at 9:13 P.M.

Attachments: None

Respectfully submitted by

Chele' Weaver
Recording Secretary