

**SELINSGROVE BOROUGH COUNCIL MEETING**

**TUESDAY, SEPTEMBER 3, 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 Robert Cravitz; Mayor Sean Christine; Junior C/P Jonah Markle; Borough Treasurer/Asst. Borough Manager Sheri Badman; Recording Secretary Chele' Weaver; Daily Item Reporter Marcia Moore; Main Street Manager Mary Bannon; Shamokin Dam Borough Ed Hovenstine; Borough Residents Margaret Siro, Karen Teisher, and Mary Markle; Paul Farnham, Herb Dressler and other unidentified Isle of Que Residents and Radio Station WKOK.

**OTHERS ABSENT:** None

**CALL MEETING TO ORDER:**

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

**Oath of Office Administered to New Junior Council Person Jonah Markle (Oath of Office form provided)** - Mayor Christine performed the Oath with Jr. C/P Markle repeating after him. Council and members of the audience applauded.

**REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETINGS OF AUGUST 5, 2013 AND AUGUST 19, 2013:**

C/P Charles stated there is a correction to be made to August 19, 2013 on page 3 of 3 under New Business – (it reads) C/P Anderson stated that she and C/P Hendricks met at the airport today and learned about the airports future plans and why they would like.....C/P Charles attended also.

Motion made by C/P Charles to approve the minutes with correction. Motion seconded by C/P Hendricks.

**AYES: SEVEN (7)**

**NAYS: NONE**

**MOTION CARRIED**

**PERSONS TO BE HEARD:**

**DH&L Fire Company** – Mayor Christine reported there were 27 incidents in August of 2013 and they are as follows: 12 automatic alarms, 7 good intent service calls, 1 medical assist, 5 motor vehicle accidents without extrication, 1 training session and 1 structure fire. The incidents by township occurred as follows: 9 in Monroe Township, 6 in Penn Township, 1 in Point Township, 8 in Selinsgrove Borough, 2 in Shamokin Dam Borough and 1 in Union Township. August 2013 man hours total 242.

Mayor Christine informed Council that the new apparatus, the engine rescue truck, is on track to be completed 11/17/13.

**Selinsgrove Area Recreation, Inc.** - No Report

**Selinsgrove Projects, Inc.** - Main Street Manager Mary Bannon stated that the Rudy Gelnett Concert Series was a huge success. She would like to thank the Borough for funding this and also for participating in Welcome to the Grove. This was also very successful. MSM Bannon estimates that

between 150-200 people from Susquehanna University attended and got to meet the Borough's business owners. Mayor Sean Christine did a wonderful job.

On Tuesday, October 22, 2013 at 6:30 P.M. the KIZ Director (Keystone Innovation Zone) will be giving an informational session in the Borough Office Community Rooms for property owners. On Thursday, November 7, 2013 at 6:30 P.M. she will give the same session to the general public. Downtown Selinsgrove is now in a KIZ zone.

**Parks & Recreation Commission - Rocky Baer** - C/P Hendricks informed Council that the next meeting will be on Tuesday, September 24, 2013. They did not meet in August 2013 so there will be no report this month.

**Others in Attendance** - Paul Farnham from 2 North Second Street on the Isle of Que took the microphone. He stated that he and his neighbors on Blackberry Alley have a neighbor Phil Varney who keeps a lot of debris in his yard. He has a lot of dogs also that do not seem to be taken care of. Mr. Farnham has contacted the Police. He stated that one (1) night last week when it was raining one of the dogs was chained outside on a clothesline pole without shelter and the Police Officer he spoke with said it was not against the law. The SPCA had been contacted and may have taken the dog away because it is no longer there. Mr. Farnham's main concern is all the debris that is outside his kitchen window - would this not do something to Mr. Farnham's property value? Pres. Farrell stated that he is sure it does. Mgr. Williams stated that he and DZO Powers have been involved and are trying to correct some of the problems. There has been a follow-up to the PA SPCA as well as the PA Dog Law Enforcement Officer. Mr. Varney has recently relocated to the rear part of the property - Blackberry Alley. Mgr. Williams thinks the front double may be a rental property - the Borough is working with Central Keystone Council of Governments to have the property inspected prior to rental. The question is - is it rented today? Mgr. Williams is not sure. The Borough is also trying to get an understanding of what the use of the now single recreation vehicle on the property is. Mr. Farnham stated there are two (2) of them. The Borough understands that it has electric run to it and it does have some daytime use - such as a TV being used. The Borough is trying to approach it in different ways by getting some outside help from different agencies.

Pres. Farrell stated this has been an ongoing problem with this property. They cleanup the property when a complaint is filed and then within 2-3 days there is more stuff outside and then the Borough has to deal with another complaint. Mr. Farnham stated that his main concern is the welfare of the dogs.

C/P Viker stated that it is important to respond specifically to the question that Mr. Farnham asked about property values. A municipal government doesn't actually have legal responsibility to manage property values. The Borough does not have an economic responsibility at all but they do have a responsibility to public safety. The Borough has to be careful not to intrude upon peoples property rights. There are ways in which the Borough Ordinances can be applied to help homeowners understand that there are some expectations to community living. C/P Viker stated that whether we all agree or not there is a Property Maintenance Code and a Rental Ordinance that governs to some extent how these properties must be managed.

Sol. Cravitz stated that nothing in the Borough prevents any of the neighbors from bringing a private nuisance action against Mr. Varney and seeking their own regress through the Courts and seeking an injunction against him. It would have to go before the Court of Common Pleas. A lawyer would have to be hired.

A neighbor of 214 East Blackberry Alley asked to speak. There is concern for the children that are living there plus the dogs that are in the yard and in the house that never come out of the house - what does the house look like on the inside. There is also a small child that most of the neighbors were not even aware of that appeared about two (2) months ago. The husband and wife were arguing and she was running down the alley with a baby carriage and they were both throwing things at each other and fighting in the street. There is also a teenage son living there that has been witnessed smashing a TV set at 10:30 P.M. in the backyard and throwing things. It is a big mess. This neighbor does believe that the

teenager and his girlfriend are living out back in the recreation vehicle and is concerned with the community tax dollars that are being spent on taking care of these kids and then when these kids have kids.

Pres. Farrell stated that the Borough has to follow the Ordinances. C/P Anderson stated that if the neighbors are concerned with the well being of the child they should call Children and Youth. Pres. Farrell stated that if no one calls to complain nothing is going to happen. Sol. Cravitz stated that the complaints will be anonymous.

One of the residents asked how bad does a property have to get in order for it to be condemned. Sol. Cravitz answered that CK COG being involved they have adopted standards to enforce. They are not to shy about condemning properties of landlords who do not comply. Pres. Farrell asked if the Borough has ever condemned a property. Sol. Cravitz stated that there was a property at the corner of Orange Street and Sherman Street years ago that was condemned.

One concerned neighbor stated he has put \$2,000.00 worth of shrubs up to protect his rental property from the debris in the Varney yard. Their garbage was constantly over in his yard. They still get some of the Varney stuff in their yard - but not as much. He stated he found a dead chicken in the tree line a few weeks ago. Mr. Farnham stated that this chicken had been walking around in his yard previously.

Another concerned neighbor asked if there were dog leash laws in Selinsgrove. Pres. Farrell stated that the dog catcher can be called. One resident stated they have no respect for you, me, the law or anybody. They could be sent fines everyday. C/P Viker stated the accumulation of complaints can ultimately lead to improvement. A leash law violation is a minor citation - police will respond. Residents need to be persistent with the list of concerns so they can be addressed. This is a matter of letting the squeaky wheel get grease as long as it squeaks and those accumulations can lead to improvement.

Tim Boyer from 214 E. Pine Street lives on the second floor and gets a good view of what goes on at the Varney's. One thing that really bothers him is their disrespect for other people's property. If the neighbors ask them to stay off their property they will say "well, why don't you just call the cops because they aren't going to do anything." Mr. Boyer has a garden and they just walk right through it. Mr. Varney told him to put up No Trespassing signs. Mr. Boyer asked if this going to stop them. Sol. Cravitz stated no but it would raise the bar - it goes from being a summary offense to a defiant trespasser. This is more stringent with the laws and penalties. If Mr. Varney would keep doing it - it could lead to jail time.

One of the residents stated that when it was hot the stench coming from the property because of the dogs was terrible. C/P Viker stated this would be a public safety issue.

**Floride in Water - Borough Resident Karen Teisher** - Ms. Teisher asked Council if the Borough does have floride in its water. Mgr. Williams answered yes. Ms. Teisher proceeded to ask who decides to use it or stop using it. Pres. Farrell replied Borough Council would make the decision. Ms. Teisher has evidence that adding floride to water is detrimental to people's health - it can cause thyroid disease. In the 1950's it was used for people with overactive thyroids to suppress thyroid function until people started to realize how toxic it was. From what Ms. Teisher has read, the floride that is put in our water supply is more like industrial waste.

Ms. Teisher did some research on the internet and there are thousands and thousands of articles on this subject. She did provide Council with a few of the articles.

C/P Viker stated he had just looked very quickly on the internet and there is just as much science supporting the value of floride in water as there are conspiracy theories opposing it. Ms. Teisher stated that C/P Viker is correct and that there is science on both sides, but there is enough concern that Ms. Teisher would ask Council to take a look at and consider it.

Pres. Farrell thanked her for coming and bringing this matter to Councils attention.

**Shamokin Dam Borough - Ed Hovenstine** - Wanted to thank everyone who attended the Water and Sewer Committee meeting pertaining to inconsistencies in laboratory results of BOD. He feels this meeting backed up some things that they have been discussing for a few months.

**Recessed to Executive Session at 7:37 P.M. to discuss pending litigation. The meeting reconvened at 8:07 P.M.** - No action taken.

**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 was one (1) for Timothy Metzger for the years 2007-2008 - \$5.50 for each year. Mr. Metzger is deceased.

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

**AYES: SEVEN (7)                      NAYS: NONE                      MOTION CARRIED**

**2014 Budget Requests - Copy Provided** - C/P Anderson stated to Council to please note the various committee's and make sure the committee's deal with the issues that are put on the table and also take note of the schedule of budget related activities.

**Approve Cohen Law Group Proposal to Review AT&T Cellular Agreement (NTE \$1,000) - Copy Provided**

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

**AYES: SEVEN (7)                      NAYS: NONE                      MOTION CARRIED**

**Borough Office/Shed Computers** - C/P Anderson informed Council that the Finance Committee has approved the replacement of computers and monitors in the Borough Office and shed at a cost not to exceed \$4,500.00. This will replace four (4) office computers and one (1) computer in the shed. Mgr. Williams stated that the Borough is currently on Windows XP 2003 Office and this will give the Borough an upgrade to Windows 7.

**2014 Minimum Municipal Obligation (MMO) for the Selinsgrove Borough Uniformed & Non-Uniformed Pension Plans - Copy Provided**

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

**AYES: SEVEN (7)                      NAYS: NONE                      MOTION CARRIED**

**PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Hendricks, Chair** – C/P Hendricks stated there will be an early October meeting to discuss the 2014 infrastructure projects.

**BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: V/P Carroll, Chair** - No Report

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

**Approve Banner Placement Request - Fallen Hero's Banners 11/1/13 to 11/26/13 - Copy Provided -**  
C/P Mease stated that this will conflict with the White Christmas Banners being hung. He suggested hanging the banners up till the time that the White Christmas Banners need to go up - this would be around Thursday, November 21, 2013.

Motion made by Rich Mease to approve with the adjustment of one (1) week. Motion seconded by C/P Anderson.

**AYES: SEVEN (7)                      NAYS: NONE                      MOTION CARRIED**

**Approve Street Closure Request - Union Alley for Potteiger House Auction 9/21/13 - Copy Provided**

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

**AYES: SEVEN (7)                      NAYS: NONE                      MOTION CARRIED**

**PERSONNEL MANAGEMENT COMMITTEE: C/P Charles, Chair – No Report**

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

**PLANNING COMMISSION: Earl Moyer, Chair**

**Approve Subdivision Plan of Tim & Heather Weikel - 200 E. Pine Street - Copy Provided -** Mgr. Williams stated that the Planning Commission considered this plan. A motion was passed. Present at this meeting was the surveyor - the applicant was not present. There are two (2) lots that will be used for single family residential purposes and will be served by public sewer and water. These lots consist of about 0.6 acres - it would be subject to approval divided into two (2) lots of almost equal size - just greater than 14,000 square feet each. The Surveyor was Gene Kreamer from Kreamer Survey Associates. Mgr. Williams is asking Council to consider approval of the plan. This would be conditional in that it would comply with the Engineers letters from August 21, 2013 and August 30, 2013, reflecting a change in the curb radius and curb return. The curb radius should be at the alley and east of Pine Street.

Mgr. Williams continued with letter B. of the proposed resolution under Conditions of Approval - Compliance with all comments and conditions set forth.....he would like to make a revision and he would change this in the final copy - except comment #2 - remember the Counties comments are advisory - the County suggested that the Borough call out the right of way for the utilities. The overhead wires on this property are parallel to Third Street, cross Pine Street and then run up Blackberry Alley. Mgr. Williams stated the Borough is dealing with an existing lot with existing conditions.

The County Planning Commission letter - except for #2 and as modified under Section E - would be included in this conditional approval. Under Section D the applicant must confirm that the available EDU's are approved by ESCRA. The Borough would also like to have the existing sewer laterals photographed to make sure they can be used due to the previous fire at that location.

When the Weikel's submit for a building permit they will also have to submit a site plan for Lot #1 and Lot #2 in order for them to show how they will comply with such things as storm water management.

Mgr. Williams stated there are no waivers that were requested. The applicant will be informed after they are issued a copy of the Resolution they will have 10 days to accept the conditions with this approval.

Under Section E the owner will be responsible for the construction of a concrete sidewalk ramp that would be in compliance with the Americans with Disability Act (ADA). The sidewalk is actually in good condition along East Pine Street with the exception where it intersects with Blackberry Alley. There is no curb return radius there.

Mgr. Williams would like Council to consider the adoption of Resolution No. 2013-19, with the highlighted revisions.

Motion made by C/P Viker to approve Resolution No. 2013-19. Motion seconded by C/P Hendricks.

**AYES: SEVEN (7)**

**NAYS: NONE**

**MOTION CARRIED**

**Weis Markets Store #226-Update-Copy Provided** - Mgr. Williams informed Council that the letter provided was hand delivered to Sol. Cravitz's office on Thursday, August 29, 2013 from Weis Markets Counsel Jack O'Hara with a copy of the Maintenance Agreement, Construction Agreement and Sewer Connection and Service Agreement. The last one pertains to Penn Township Municipal Authority. The Maintenance Agreement deals with post construction storm water management facilities.

The Construction Agreement needs to coincide with whatever form of security Weis Markets chooses to use - be it a letter of credit, cash or whatever they would like to use. What was delivered today to the Borough is a letter of credit issued by Susquehanna Bank. The letter is dated September 4, 2013 in the amount of just over 1.5 million dollars. There was a tabulation of the estimate of probable costs provided by First Capital Engineers that was reviewed by Borough Engineer John Coukart who found it to be acceptable.

Mgr. Williams stated that in the cover letter Mr. O'Hara mentioned that should Council consider these agreements tonight and approve them, they would also like the Borough to allow them to get started with construction in a limited way - Weis Markets would like to start footers, foundations, retaining walls and under slab infrastructure. They also need to bring in fill material because they need to raise up the first floor elevation of the store.

Mgr. Williams stated what the normal process is. The sewer connection service agreement needs to be approved by the Penn Township Municipal Authority - they will meet Thursday, September 5, 2013. The Borough has not received this yet. This is really an addendum to the Borough's agreement that we have with Weis Markets.

As far as the format is concerned with the Maintenance Agreement and the Construction Agreement, Weis Markets has followed the format that the Borough typically uses. Mr. O'Hara has been working with Sol. Cravitz over the past 30 days to get the language satisfied. Mgr. Williams has reviewed the information and he is sure Sol. Cravitz has as well. The letter of credit just arrived this afternoon. There is still some outstanding information. The minutes from the Sewer Authority stated that Weis Markets has not yet submitted the Nutrient Asset Administration Fee for the new store and Penn Township Municipal Authority which needs \$3,800.00 for an engineering review and another \$6,000.00 to replenish their escrow account.

Mgr. Williams stated in reference to the easement - when Borough Council granted the conditional approval of the Weis Development they stated they would consider granting an easement so that the Borough could have access to Route 522.

Mgr. Williams is asking that Council consider granting a partial approval, or perhaps what Council might consider is allowing them to proceed with limited site work since the Borough does have security. The reason that the Borough requires security is if Weis Markets would go belly up or they left the sight after disturbing the earth - it would place the burden upon the Borough to establish a vegetative cover on the property.

Mgr. Williams does understand that there are still some items outstanding and this is near and dear to Council members - the issue with PennDOT and the Highway Occupancy Permit (HOP). One of the requirements of PennDOT is that the Borough has acknowledged, by the granting of the easement, that any potential access or new request of the parcel that is owned by the Borough on Route 522 could be hampered because the Borough is granting an easement over the property - there may not be another access permitted along that frontage. So this goes hand-in-hand with the granting of an easement.

PennDOT would also like the Borough to acknowledge that they have received and reviewed a Land Development Plan. This is necessary for the Traffic Signal Permit Plan. A discussion has taken place with Weis Markets about the fourth crossing at the intersection. They were quoted as saying, "promise - I will do that for you, but please do not make that requirement and comment upon us now because it will cost us approximately another 90 days." It will have to go through the PennDOT review process again.

Mgr. Williams asked Sol. Cravitz what the Borough's legal standing is.

Sol. Cravitz stated that Council could say, "unless you're done, you're not done - don't go any further until you get all your submissions into the Borough Office, we will see you next month." The Borough can hold Weis Markets feet to the fire if they are so inclined. Sol. Cravitz proceeded to say the Borough is within the last 90 yards of a 100 yard dash and Weis Markets is asking the Borough to sign and approve the Maintenance Agreement with regard to the site and also the Construction Agreement tonight - these two (2) items definitely need to be decided upon tonight as part of the Borough's obligation.

Sol. Cravitz stated that the land that the Borough leases to DH&L Ambulance League, the County has resolved the right-of-way to access Route 522. This will be cut off and PennDOT is making it known that once they put their access there - this easement for the County will not happen - they will never issue a HOP to put a driveway in on that corner. The Borough is also telling them that they are cutting up a portion of land to grant an easement across it for their benefit. Council should submit this over to Engineer Coukart and have him review it.

Sol. Cravitz stated a motion is needed tonight at the minimum without going further to approve the Sewer Transportation Agreement for Weis Markets and Penn Township Municipal Authority so they would then take the sewage as per the agreement between Penn Township Municipal Authority and Weis Markets. This condition is upon Penn Township approving the Borough's Maintenance Agreement and also the Borough's Construction Agreement. The easement can come later.

Weis Markets is looking for permission to start moving dirt for the building only. Sol. Cravitz told Weis Markets if they don't have final plan approval it will end up like Mr. Womer. The Borough will be sending Weis Markets a letter saying that the Borough has signed these documents and the Borough wants Weis Markets to have the full compliance with their permit and their application. If Weis Markets proceeds any further, they do so at their own risk.

Sol. Cravitz stated that these Engineers are like cats on a hot tin roof. They need this time frame to get things running so they can meet their deadline to open Weis Markets in the middle of winter - sometime in February/March 2014. They are trying to push this along. The main problem is PennDOT - the applicant does not have the PennDOT approvals.

C/P Anderson asked so Council should approve a limited start. Sol. Cravitz stated just with regard to the site work. If Weis can get this under roof they can do inside work during inclement weather.

Pres. Farrell stated that the decision that Council makes sends a message to everyone else, we should be holding Weis Markets to the same standards as other developers.

V/P Carroll agrees with Pres. Farrell. Weis Markets is always coming in at the 11<sup>th</sup> hour and have failed to accommodate. The Borough had even extended last months meeting to be a good neighbor.

Mgr. Williams stated to Council that his recommendation is to allow Weis Markets to get started. He is comfortable having the Developers Agreement in a form that is satisfactory to the Solicitor. The Borough has security. One of the conditions is to get a copy of their insurance certificate and a true copy of a final plan. Weis Markets is proceeding at their own risk.

C/P Mease stated to just remember that if we give Weis Markets the opportunity to start without all the approvals - without things in place - Council has to do the same thing for EVERYBODY else that comes

in with a plan. C/P Viker stated that no ones rights are violated and they are taking the risk that they may do something wrong. The Borough loses nothing and the people of Selinsgrove lose nothing.

Mgr. Williams stated they are not asking for full blown site work or the parking lot. Weis Markets would like for the next 30 days to be able to get to that point and establish the pad of the store.

C/P Charles asked if we have everything in writing. Mgr. Williams stated yes in Mr. O'Hara's letter dated August 29, 2013. C/P Charles asked if they have all their permits - zoning and building. Mgr. Williams stated that it is his understanding that the Building Permit has been approved by Central Keystone COG. With the Land Development approval, they have zoning approval. All the permits are here except for PennDOT.

C/P Charles is tired of getting everything at the last minute and having Weis Markets put pressure on Council right before a meeting. Two (2) weeks ago Council had a special meeting and Weis Markets didn't show up, now they want to expedite things. The night Council gave conditional approval there were pages of conditions because Weis wanted approval that night. They are no closer to starting construction than they were months ago. When he receives these agreements he reads them and he highlights areas he questions. Now he is being asked to approve something that he hasn't even seen yet. He doesn't feel he can approve it without having seen it.

C/P Anderson stated that Council is not approving any agreements.

Motion made by C/P Anderson to approve what is spelled out at their own risk, with all other items to be complete by Monday, October 7, 2013 and in time for Council to read what has to be read or the project stops. Motion seconded by C/P Viker.

Mgr. Williams stated this is subject to receipt of the Certificate of Insurance. Sol. Cravitz stated it must be received by Monday, September 30, 2013 which is the Monday before the next Council meeting. It will be 26 days from tonight.

**AYES: FOUR (4)      NAYS: THREE (3)-C/P Charles, V/P Carroll and Pres. Farrell  
MOTION CARRIED**

Sol. Cravitz stated a letter will be sent out tomorrow to Mr. O'Hara that this is subject upon the limitation of Weis Markets ability to proceed and also their strict necessity that should they not meet the deadline of September 30, 2013 with their initial submittal they are to cease all work from that day forward until they would comply with the requirements of their permit for conditional approval. This will not be a friendly letter, it will in fact be very commanding. The Borough will not be extending any more breaks to them.

**ZONING HEARING BOARD: Cyril Runkle, Chair – No Report**

**CIVIL SERVICE COMMISSION: Dalton Savidge, Chair –** Mgr. Williams stated that the Commission will probably meet the last week of September 2013. They will be certifying the eligibility list.

**SHADE TREE COMMISSION: Joan Fasold, Chair – No Report**

**BOROUGH ADMINISTRATIVE REPORTS:**

**MAYOR: Sean Christine**

**Presentation of Police Report for July 2013 – Copy Provided -** Mayor Christine reported there were no anomalies. He did want to inform Council that there were two (2) strong arm robberies in July. Both were believed to be drug related.

Mayor Christine did receive an e-mail about issues on Orange Street. In years past there were foot patrols performed but with the staffing this year he didn't feel it was appropriate or that the Police Dept.

had the manpower to complete continue this. There are a lot of parties on this street. This will go away as the weather gets colder. Mayor Christine is suggesting that perhaps a Town & Gown Meeting be held with Susquehanna University or Mgr. Williams' looking into the building codes.

Mayor Christine stated when he had his inspection completed on his rental, the form asks how many people are allowed in the building at one time. These places have close to 100 people in a double.

Mayor Christine stated that he knows that Susquehanna University busses students downtown. He feels this is a good idea. One thing that he wasn't aware of is that they actually drop students off on Orange Street. He feels the Borough should request that they don't drop students off in residential areas.

C/P Viker stated there is no law that the Borough can apply that suggests that peaceful students can't get a ride from the University and go anywhere in town. It's when they begin to violate the Ordinance or State Law that it can then be addressed. Mayor Christine agreed.

C/P Charles stated it may not hurt to ask the University if they are aware and if it is their intent to bus students to Orange Street where all the parties take place. C/P Mease stated that they know and will not patrol it. They will not go off campus to patrol.

Pres. Farrell stated if they get three (3) violations on the property they can be tossed off the property. C/P Viker stated if the Director of Public Safety gets the address of the problem home he will have a conversation with the students who live there.

Mayor Christine did state that the local police they are outnumbered. There are 100's of students and only two (2) police officers on duty.

Sol. Cravitz asked if the bus stops back on Orange Street to take them back to campus. Mayor Christine stated he is not sure. C/P Viker stated that Mayor Christine may want to ask the Director of Resident Life or the Director of Student Activities about the bus. Is it an official formal drop off or does some student work there? Mayor Christine stated he spoke with Public Safety and they said that they are aware of the drop off and as far as dealing with complaints, they said to call the police.

C/P Mease stated that back during spring weekend his wife called the State Police and the State Police's response to her was "you know it is spring weekend." The State Police would not come because it was "spring weekend." They just allow them to party.

Pres. Farrell stated that again people need to keep reporting these incidents. If they get three (3) violations they can be removed and the landlord can be notified. Pres. Farrell is sure that the landlord doesn't want to lose their tenants.

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

**Adopt Ordinance No. 809 updating Chapter 70: Curfew - Copy Provided** - Sol. Cravitz stated this Ordinance is resolving the issues brought up by District Magistrate Hackenberg. It addresses minors under the age of 18 who are out past curfew hours.

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

**AYES: SIX (6)                      NAYS: ONE (1) - C/P Viker                      MOTION CARRIED**

**New Business in Area** - Sol. Cravitz stated that County Commissioner Joe Kantz has been trying to get a new business to come into the Penn Lyon complex or to be approved by the Keystone Innovation Zone that has the PP&L plant in Shamokin Dam, Monroe Township. As part of the application they are seeking to obtain the contract for Colt Firearms to move from the Connecticut/Massachusetts area - they are looking at Snyder County and Bedford County in Pennsylvania and other places outside the state. The Borough may want to direct Mgr. Williams to assist Commissioner Kantz in putting a letter of support



Atlantic has returned to complete the work at the reservoir. They prepared and repainted the concrete.

The SCADA System has been completed.

**BOROUGH TREASURER: Sharon Badman**

**Review Treasurer's Report for August 2013 - Copy Provided**

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

**AYES: SEVEN (7)**

**NAYS: NONE**

**MOTION CARRIED**

**Approve September 2013 Newsletter - Copy Provided** - Treasurer Badman told everyone to please let her know by the end of the week if there are any comments or changes that need to be made. C/P Charles asked to double check the Permits Required for Excavation on Page 5. Anybody doing anything under 5,000 square feet needs a Sedimentation Control Plan from DEP? Is this misstated? Mgr. Williams stated yes - the words "from DEP" will be deleted - it is meant to be an internal process.

**Purdy Insurance Statement regarding insurance liability at Dog Park - Copy Provided**

**BOROUGH MANAGER / SECRETARY: Paul A. Williams**

**Manager's Monthly Activity Report - Copy Provided** - Mgr. Williams informed Council that on August 12, 2013 while ECI was finishing up their air infiltration project in the Borough Building the Borough had them expose a wall that is in the lower level of the Library in what is called the pre-adult room or the teen room. There were some signs of water infiltration. ECI exposed a 4x8 section of wall and determined that the Borough needed to go a little bit further than 4x8. ECI exposed the wall a little bit more toward High Street to reveal an area that was closed in by a former outside entrance. At one time a ramp that led to outside doors that went into the former Community Room. There were some moisture issues in this area that were penetrating through what had been the door entrance. The Borough has gone further and has done an excavation of the courtyard. The wall was exposed to show the area of where the doorway had been to see how the Contractor waterproofed and treated this area prior to backfilling. There is still some excavation being done. The Borough has learned some things that could have had more attention paid to the closure of the doorway. The Architect, Jim Martin, was here last Wednesday, August 28, 2013 for a site visit. The Borough is working under his guidance along with ECI Service Contractors. The Borough is documenting and making a report of observations and will be coming up with a course of action to remediate this problem.

Mrs. Siro asked if this is the Borough's responsibility. Mgr. Williams stated that the Borough is undertaking this work at the present time. It is work that should have been done by the General Contractor - Palmer. Mrs. Siro asked will the General Contractor have to do it for nothing. Mgr. Williams stated that this is yet to be seen. Right now, the Borough is incurring the costs of this work until we resolve the issue with the General Contractor.

Mgr. Williams stated that under other comments he did make some observations of the work under progress that was previously recorded under Engineer Coukart's report.

The Borough is making some headway with the Dan Cohen Law Group. There are two (2) projects underway: the renegotiation of the Franchise Agreement with Service Electric Cablevision - there is an appointed committee from Borough Council that is involved with this process. They are also looking at the AT&T Cellular Agreement due to the fact that AT&T wants to do some upgrades on the Borough's water tower and where the existing antenna is located.

Mgr. Williams informed Council that Kristina Sherman has started working with the Borough Office as an unpaid intern from Susquehanna University. She is a senior and is double-majoring in History/Political

Science. Mgr. Williams feels that an environment can be created for her to experience local government. The Borough will benefit from this also.

The bricks that have been sold (92 of them) will be delivered to the Borough Shed in the near future for installation by the Borough crew. Last Thursday, August 29, 2013 the installation of the speakers and the chimes were tentatively scheduled - it did not take place.

Mgr. Williams stated that during the last month he and Treas. Badman have been thinking about the warranty period expiring for the building on October 5, 2013. Treas. Badman and Mgr. Williams have been actively pursuing service contracts - at least five (5) of them. This includes the Lutron lighting system, elevator, heating & air conditioning, fire alarm system for monitoring and the fire suppression system for the sprinkler system. This information will be made available for budgetary purposes. The Borough had set aside some money knowing that this expense would occur in the last quarter of 2013.

**Thank-you from Maggie Lemons - Copy Provided** - Mgr. Williams stated that Maggie has now started her college career as a freshman. She is in California.

**Unofficial Election Ballot - Copy Provided**

**ZONING: Janet Powers, Deputy Zoning and Permit Officer**

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

Mgr. Williams stated that CK COG has been helping the Borough with Rental Registration and we are down to just two (2) property owners that have not complied with the August 31, 2013 deadline. The Borough is ramping up and getting more stern and forceful. Postings went out about one (1) week ago and this has gotten the attention of the tenants of these rental properties who in turn will speak to the landlords. These were landlords that were initially not compliant from the year 2008.

Pres. Farrell asked if Mr. Varney was one of these people. Mgr. Williams stated he didn't own the property back in 2008.

**SELINGSGROVE 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**

**EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 9:50 P.M. to discuss pending litigation. Council meeting reconvened at 10:00 P.M.**

Motion made by C/P Anderson to authorize Mgr. Williams and Pres. Farrell to sign the Settlement Agreement with Palmer. Motion seconded by C/P Charles.

**AYES: SIX (6)                      NAYS: ONE (1) - C/P Hendricks                      MOTION CARRIED**

Pres. Farrell also stated that in the newsletter, long time Borough resident Ken Mease who used to be Mayor and President of Borough Council passed away on August 7, 2013. He graduated from Selingsgrove Area High School and Susquehanna University. He was the founder of Selmax Corp. which makes injection molds. He served on Council with distinction and great dedication. He will be missed in the community.

Meeting recessed to Monday, September 16, 2013 at 7:00 P.M.

Attachments: None

Respectfully submitted by

Chele' Weaver  
Recording Secretary