

SELINGROVE BOROUGH COUNCIL MEETING

Monday, June 5, 2023 – 7:00PM

COUNCIL MEMBERS PRESENT: President Richard Mease, Vice President Bobbie J. Owens, C/P Sara Maul, C/P Mary Bannon, C/P Erik Viker, C/P Shane Hendricks

COUNCIL MEMBERS VIA ZOOM/TELEPHONE: N/A

COUNCIL MEMBERS ABSENT: President Pro Tempore Scott M. Frost

OTHERS PRESENT: Mayor Jeff Reed, Solicitor Robert Cravitz, Borough Manager/Secretary Lauren A. Martz, Assistant Borough Manager/Treasurer Sharon Badman, Administrative Assistant Carrie Briggs, Selingsgrove Police Chief Shanee Mitchell, Grant Manager for Snyder County Shannon Rudy, SEDA-COG HDC CDBG Leslie Osgood, Daily Item Marcia Moore, DH&L Ambulance Brian Hipple, All Saints Episcopal Church Reverend Canon Paul Donecker, Residents: Marv Rudnitsky, Raven Rudnitsky, Joshua Rowen, Kelly Feiler, Steve Feiler, Others: Catie Hipple, Bob Geipel

OTHER PERSONS VIA ZOOM: Brenda Stewart

CALL MEETING TO ORDER: President Mease called the meeting to order at 7:00PM. Borough Manager/Secretary Martz called the roll and acknowledged a quorum, followed by a moment of silence and the Pledge of Allegiance.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM COUNCIL MEETINGS ON May 1, 2023:

C/P Hendricks made a motion to approve the minutes from May 1, 2023 as written. C/P Maul seconded the motion. **AYES: SIX (6)** **NAYS: NONE** **MOTION CARRIED**

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM COUNCIL MEETINGS ON May 22, 2023:

C/P Hendricks made a motion to approve the minutes from May 22, 2023 as written. C/P Maul seconded the motion. **AYES: SIX (6)** **NAYS: NONE** **MOTION CARRIED**

RECESS MEETING TO PUBLIC HEARING AT 7:00PM TO HOLD THE FIRST PUBLIC HEARING FOR APPLICATION OF 2023 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING.

Shannon Rudy the Grant Manager for Snyder County called the Public Hearing to order at 7:03PM and presented an overview of the CDBG Program which was created through an act of Congress and funds are provided by the U.S. Department of Housing and Urban Development (HUD). PA Act 179 under the program created an entitlement grant program for municipalities which is administered through the PA Department of Community and Economic Development (PADCED). Through this program Snyder County reports to PADCED who reports to HUD. Selingsgrove Borough receives their CDBG allocation via funds designated to Snyder County.

The purpose of the program is to assist municipalities by enhancing the viability of non-entitlement communities to target and fund projects that provide decent housing, a suitable living environment, and expanded economic opportunities specifically for low to moderate income persons.

The goals of this hearing are to discuss the regulatory requirements and to discuss any proposed projects for the 2023 application fund. The allocation amount provided for Selingsgrove Borough for 2023 is \$113,627.00 of which \$94,879.00 will be for project money and \$18,748.00 will go toward administrative fees which would be 16.5% of the grant funds.

Shannon referred to the provided packet which shows important follow up dates:

1. Commissioners' Review of Projects – Tuesday, July 18, 2023 at 9:30AM in the Commissioners' Board Room, 9 W. Market Street, Middleburg.

2. Selinsgrove Borough Project Selection/Certification Approval – Monday, August 7, 2023 at 7:00PM in the Selinsgrove Borough Council Chambers, 1 N. High Street, Selinsgrove.
3. Commissioners’ Project Selection – Tuesday, August 15, 2023 at 9:30AM in the Commissioners’ Board Room, 9 W. Market Street, Middleburg.
4. Final Public Hearing – Tuesday, August 29, 2023 at 9:30AM in the Commissioners’ Board Room, 9 W. Market Street, Middleburg.
5. Approval of Resolution to Submit Application for funds - Tuesday, August 29, 2023 at 9:45AM in the Commissioners’ Board Room, 9 W. Market Street, Middleburg.

The application deadline for 2023 CDBG funding is October 27, 2023.

There is a list of eligible activities attached to the provided agenda for anyone to review.

There are three (3) National Objectives required for CDBG program:

1. 51% of people that are benefiting from the project must meet the low to moderate income threshold. There are two (2) ways to qualify the low to moderate income threshold: 1. National census or 2. survey(s) in Selinsgrove Borough, there are already two (2) blocks which are already designated Low to Moderate Income (LMI) and can be considered for projects. Any project in that LMI block group must only benefit that LMI block group. 70% of all CDBG funds must be used to meet the low to moderate income objective.
2. The next objective is to eliminate slum or blight properties, which is what the Borough of Selinsgrove has been using for the past several years. It requires a municipal declaration used occasionally for demolition and a maximum of 30% of the county’s CDBG funds may be used to help meet that objective.
3. The third is Urgent Need: This is a very specific use which requires formal declaration of a disaster or emergency. The emergency must have happened within the last eighteen (18) months and the emergency must not be able to be paid through the local budget. A maximum of 15% of CDBG funds can be used to meet that objective.

Shannon pointed out the regulatory requirements which are attached to the provided agenda. There is the Fair Housing Notice which was adopted by Snyder County on behalf of Selinsgrove Borough. This publishes a Fair Housing Analysis and establishes a plan to further assure fair housing within the Borough of Selinsgrove and the county itself. The notice is to advise residents of discriminatory actions that are prohibited as well as provide directions to residents with notifying the appropriate agency should discriminatory action occur. A list of discriminatory actions is provided in the provided packet. Tony Phillips is the County Fair Housing Officer. Also attached is the county’s residential anti-displacement and relocation assistance plan. It is the intent of Selinsgrove Borough to not undertake any projects that will displace residents; however, the plan is in place to protect residents should displacement occur. Displacement has not occurred in 100+ years and is not anticipated but it is there to protect the residents.

On page 2 of the agenda is the Section 3 Preference Statement that is required by CDBG regulation and that is for preference to Section 3 business or employ Section 3 residents on CDBG funded projects. Those residents would meet the threshold of \$42,400.00. Example: If there is a project going on in Selinsgrove Borough and there is an employee working for a contractor on the project who makes less than \$42,400.00 (just the employee, not the family) and lives within one (1) mile of the project area, then that employee is considered a targeted Section 3 worker. That would count toward the Section 3 plan.

Also attached to the agenda is the annual Section 5 Review and that includes input solicited from

residents on accessibility of Borough-owned buildings or buildings where Borough managed programs services are offered. Shannon asked the public for any comments or questions on any accessibility issues in the Borough. There were no comments. The section 504 Officer is the County's Chief Clerk, Tony Phillips. If residents have any grievances or issues, Tony can be contacted at the Snyder County Office.

Shannon mentioned the community development plan, a 3-year plan, which is created by the county on behalf of Selinsgrove Borough. That gets adopted as a part of the CDBG application process. The plan includes priorities for project funding. This plan will happen in September 2023.

For FFY 2023 CDBG Project Proposals there is a continuation of the 100-year floodplain reinvestment slum, blight area. Walnut Street will be paved as a part of this proposed funding application.

Shannon asked residents in attendance if they had any comments or questions about the proposed projects for CDBG FFY 2023.

Previously projects have been ongoing with the 100-year floodplain reinvestment, so Shannon offered the public and Council an opportunity to ask questions or provide comment on any previously funded projects.

Shannon invited public comment on any concerns regarding potential historical or environmental impacts associated with any projects under consideration.

Selinsgrove Borough cannot commit any CDBG activity funds until the requirements are satisfied for conducting an environmental review, maintaining an environmental review record, provide public comment opportunities, comply with all environmental laws, and certifying any environmental findings and records to DCED.

Shannon concluded the hearing at 7:17PM.

GOVERNMENT AND NON-GOVERNMENTAL AGENCIES TO BE HEARD:

DH&L Fire Company: Meeting minutes from April 10, 2023 were provided.

DH&L Ambulance League: The DH&L Ambulance League Monthly Report for May 2023 was provided. Brian Hipple reported there were 55 emergency calls in the Borough with a total of 212 calls for the month. Brian reported there are two (2) new EMT's and three (3) awaiting testing dates. A new EMT class started June 5, 2023. DH&L Ambulance participated in Susquehanna University's Graduation as a standby EMT unit and partnered with the Selinsgrove Area High School for a mock accident prior to prom. C/P Owens asked if Penn Township has committed to any help with assisting in funding the Life Paks. Chief Hipple stated he has not heard anything back from Penn Township but plans to attend their Supervisors Meeting on June 7, 2023.

Selinsgrove Projects Inc: No minutes were provided.

Selinsgrove Chamber of Commerce: No minutes were provided.

Selinsgrove Area Recreation Inc: No report. The pool opened Memorial Day weekend and there were over 600 people on the free Monday of Memorial Day.

The REC: Meeting minutes from June 5, 2023 were provided.

Selinsgrove Flood Task Force: No report.

Parks & Recreation Committee: No report.

OTHER PERSONS TO BE HEARD:

1. Leslie Osgood of Seda Cog HDC spoke to Council to consider using up to \$30,000.00 of the 2024 fiscal

year CDBG funding to go toward renovating two low to moderate income elderly housing properties in the Borough. Market Street Manor (est. 2001) and High Street Manor (est. 1998) are both in need of major repairs to include the HVAC system, plumbing, and other projects. These properties are on the tax rolls and apply for other grants and funding through the Pennsylvania Housing Finance Agency which is not always granted. A packet of site plans was provided. The taxes for the two properties are currently around \$30,000.00 for 2023. The goal is to keep the properties in operation for another 20-30 years. Solicitor Cravitz asked Shannon Rudy from the County if these properties qualify for the funding. Shannon confirmed the properties qualify but part of the process would have to be approval from County Commissioners and Penn Township Supervisors due to Fair Share. The starting point is the Borough first stating their interest in using CDBG funds for this project.

2. Marvin Rudnitsky spoke to address the importance of Borough recreation programs especially as it pertains to the REC. He stated providing recreational activities for the residents is the right thing to do and it has been done for years. In Borough history back in the 1970's there was a recreation space in the basement of the Borough building. The Borough had a summer recreation program which was operated with the help of the Degenstein Foundation and the Pennsylvania Higher Education Assistance Agency known as PHEAA. Marvin stated the program was handed over to Kelly Feiler with guidance and supplies from the Borough Management at the time with a promise of financial help which the Borough Council has provided for many years. The REC program provided an enriching and fun summer experience. Marvin stated this is what Rudy Gelnett would have wanted. Marvin stated the Council has supported the REC and its programs for years and asked what has changed. He stated providing funding for the operations of the REC is the right thing to do.

3. Kelly Feiler stated the REC has provided complete and accurate information for the request for grant funding from the Gelnett fund and has been responsive to multiple requests for revisions. The REC Board asks that the Borough Council render a decision on funding for the REC Summer Program and Drop-In Program.

4. Bob Geipel spoke of the importance of the Senior exercise program at the REC which was provided five days a week. He asked to continue funding to keep the REC going.

5. Joshua Rowen spoke about the importance of the REC to his children.

COMMITTEE/COMMISSION/BOARD REPORTS:

A. ADMINISTRATION/FINANCE COMMITTEE – BOBBIE OWENS, CHAIR

1. C/P Owens made a motion to pay the bills. C/P Hendricks seconded the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

2. C/P Owens made a motion to adopt Resolution 2023-09 revising the schedule of fees for water and sewer rates which will take effect July 1, 2023. C/P Viker seconded the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

3. The Community Giving Foundation provided an informational letter about local participation and awarded grants in Selinsgrove Borough to non-profit organizations.

4. C/P Owens made a motion to send a letter of denial to the REC for requested Gelnett funds for the Summer Camp Program. C/P Hendricks seconded the motion.

Discussion: C/P Bannon asked for more information on the reason why the request is being denied. C/P Viker added he would like to know the amount requested.

C/P Owens explained there were two (2) requests of \$30,000.00 each, one for the Drop-In Program and one for the Summer Camp Program. She explained that C/P Frost, also on the Finance Committee, found some inconsistencies on the 990 and in the monies reported on the application.

C/P Viker asked to state for the record how clear on the paperwork/application is the information being requested of the applicant. C/P Owens stated one example is the request for an audit and/or tax form 990. The REC provided a 990 which is not audited as requested. The application also states the money provided cannot be used for organizational operating budgets which the REC's application includes. C/P Viker stated the money entrusted to the Borough Council by Rudy Gelnett's generous donation is in fact public money and Council is, for good or ill, charged with distributing however much of the revenue from the fund that Council decides is best. He stated he understands the spirit and emotional response of the residents in attendance as well as the great things the program at the REC does for the students of Selinsgrove Borough who attend. However, the decision is made by the Borough Council. C/P Owens stated Council has always asked for matching funds when any request is made. She stated that any time there is a matching fund component those applications are more desirable but still does not guarantee awarding of the grant. On grants from the REC, the mention of a grant is designated with an estimate from three or four different entities but there is not an entity with a specific dollar amount. The Finance Committee is asking to see the numbers via an acceptance letter or a history of receiving the funds. C/P Owens went on to say that there were several things coming out of the May meeting and the meeting with the REC's treasurer, Tyler Shields (who has since left the program), that were going to be provided in the third application submission and were not. She mentioned C/P Frost also presented inconsistencies in the application itself and with the submitted 990. Kelly Feiler of the REC stated the exact numbers from Degenstein as well as the amount applied for from EITC, which isn't granted until the end of the year, were provided on the third submission of the application. She stated the exact number received from EITC can be found on the 990 from the previous year. She stated the 2021 990 did not require an audit by law so that was not done.

C/P Viker made a motion to amend the first motion of denial to allow the organization to gain the funding should it meet the deficits identified specifically by the finance committee up to a specified date.

C/P Hendricks and C/P Owens would not agree to add this amendment to the original motion, so C/P Bannon seconded the motion made by C/P Viker to allow for the REC to have an opportunity to address the deficits on the application.

Discussion: President Mease recommended that since C/P Frost was involved in identifying the deficits that he should be included in the review of the new submission. C/P Viker suggested, but did not add to his motion, that the Solicitor be involved in the review due to the concern by Raven Rudnitsky that the REC was being treated differently than other Gelnett applicants. C/P Hendricks asked about the timeline for this information to be provided as this is the third submission and the process has currently taken six months at this point. Kelly Feiler stated if she has the items identified by C/P Frost tomorrow, June 6th, she could have it back to Council by Friday, June 9th. C/P Viker suggested 30 days and it was stated by C/P Maul that the REC needs the money now.

It was decided to take a roll call vote as the motion by C/P Viker was stated.

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| 1. C/P Viker – AYE | 4. C/P Maul – AYE |
| 2. C/P Bannon – AYE | 5. C/P Hendricks – NAY |
| 3. C/P Owens – NAY | 6. C/P Mease – NAY |

Since the vote was a tie: 3 AYE – 3 NAY

Mayor Reed was the deciding vote – AYE

The vote allowing the REC the opportunity to amend the deficits in the Gelnett grant applications has passed.

The next vote is to address the original motion by C/P Owens to deny the application with the addition of the amendment by C/P Viker to provide an opportunity within 30 days to address the deficits found by the Finance Committee.

The motion as amended would be: The REC will be sent a letter of denial for the requested Gelnett funds for the Summer Camp Program with the opportunity to address the deficits if corrected within 30 days.

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|---------------------|------------------------|
| 1. C/P Viker – NAY | 4. C/P Maul – NAY |
| 2. C/P Bannon – NAY | 5. C/P Hendricks – AYE |
| 3. C/P Owens – AYE | 6. C/P Mease – NAY |

The vote is: 2 AYE – 4 NAY, so a letter of denial will not be sent at this time.

C/P Viker made a motion to approve the requested \$30,000.00 funding be released by the Borough Manager to the REC for the 2023 Summer Camp Program provided the deficits clearly identified by the Finance Committee are met within 30 days with a strong recommendation that the Solicitor review the deficits to assuage any sort of discriminatory practice going on in the decision-making process. C/P Bannon seconded the motion.

Discussion: Kelly Feiler asked if she could have the list of deficiencies in writing. C/P Viker stated the deficiencies should be provided in writing with no delay. Solicitor Cravitz stated he will look over the list of deficiencies and questions developed by the Finance Committee prior to sending to Kelly Feiler to address.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

C/P Viker made a motion to approve the requested \$30,000.00 funding be released by the Borough Manager to the REC for the 2023 Spring and Fall Drop-In Program provided the deficits clearly identified by the Finance Committee are met within 30 days with a strong recommendation that the Solicitor review the deficits to assuage any sort of discriminatory practice going on in the decision-making process. The list of deficiencies will be provided to Kelly Feiler in writing. C/P Bannon seconded the motion.

AYES: SIX (6) NAYS: NONE MOTION CARRIED

B. PUBLIC FACILITIES, SERVICES & SAFETY COMMITTEE – SARA MAUL, CHAIR

1. Committee meeting notes provided and discussed from the May 24, 2023, meeting. Next meeting June 21, 2023 at 1:30 PM in Borough Council Chambers.
2. A copy of the Cable Franchise Fee Agreement was provided for Council review. This is to be adopted in early 2024. C/P Owens asked about addressing the single point of failure systems coming into the Borough. When the fire happened last year at the vault building on Market Street, it took out a Service Electric line which was blocks away and impacted many areas of town. With so many people working from home and the local businesses in town, this should be addressed so as not to impact so many in the event of another incident. Borough Manager/Secretary Martz stated this was brought up with the Cohen Law Group and was told the cable agreement does not cover internet service. Mike Roberts of Cohen Law Group will be speaking with the Planning Commission at their next meeting to discuss the wireless agreement so these questions could be asked of him at that point for more clarification as to where, when, and with whom to address the internet service lines.

3. C/P Viker asked about the status of dog park growth. Borough Manager/Secretary Martz stated she spoke to Malcolm Derk at Susquehanna University, and they are working on the map review for allowed use. There are plans to create a large dog and small dog divided space to accommodate the dogs/owners and to use during times of mud to close one and open the other if necessary to save the grass. The ground is currently staked out for the proposed location of the new space.

C. COMMUNITY DEVELOPMENT/CONSTITUENT OMBUDSMAN – RICHARD MEASE, CHAIR: No meeting.

D. PLANNING COMMISSION – JANET POWERS, CHAIR: No meeting.

E. ZONING HEARING BOARD – CYRIL RUNKLE, CHAIR: No meeting.

F. CIVIL SERVICES COMMISSION – DALTON SAVIDGE, CHAIR: No meeting.

G. SHADE TREE COMMISSION – VACANT, CHAIR: No meeting. Next meeting is June 21, 2023 at 5:30PM.

BOROUGH ADMINISTRATIVE REPORTS:

A. MAYOR – JEFF REED:

1. April 2023 police report presented.

B. BOROUGH SOLICITOR – ROBERT CRAVITZ, ESQ.

1. Requested Executive Session regarding litigation and a new Right to Know.

C. BOROUGH ENGINEERS

1. Stahl Sheaffer Engineering

a. Report provided dated May 31, 2023.

b. Walnut Street will have to be rebid this upcoming month. If there are no bids after the second bid request, Solicitor Cravitz stated the Borough can go with whichever company they choose. Borough Manager Martz stated that would also need to be confirmed under the CDBG regulations.

2. Larson Design Group–

a. Currently helping with DEP permit pumping rate establishment and cyber security items for the wells.

b. Treasurer Badman asked that everyone complete the Lead and Copper Water Survey which was mailed to all residents.

3. CES Engineering –

a. Borough Manager/Secretary Martz stated they had the final walkthrough and there is a punch list of items to address.

b. There is an issue with light shining in a few residents homes but that is being worked on with the contractor.

c. The first grant closeout will be complete by June 30th. The reimbursement to pay the contractor continues to be delayed so there is continued follow-up. The next step, if necessary, will be to reach out to a Legislative Representative to find out what the delay is for payment.

D. BOROUGH TREASURER – SHARON BADMAN

1. Treasurer's report presented for May 2023.

E. BOROUGH MANAGER/SECRETARY – LAUREN MARTZ

1. The monthly Manager Report was provided.

2. C/P Viker made a motion to approve providing a letter of support for Seda-Cog Joint Rail Authority (JRA) to apply for funding to complete bank restoration along the rail corridor in the Borough. C/P Hendricks seconded the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

3. Treasurer Sharon Badman will be recognized at the PSAB conference dinner on June 6th to receive a Distinguished Service Award.

4. A service notice was provided noting an upcoming rate increase for Service Electric Cable TV.

5. C/P Hendricks made a motion to move the next Council meeting from July 3, 2023 to July 10, 2023. C/P Owens seconded the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

F. ZONING – LINDSEY MULL: Report provided.

G. EASTERN SNYDER COUNTY REGIONAL AUTHORITY (ESCRA)– SHANE HENDRICKS & RICHARD P. MEASE, BOROUGH DELEGATES

1. Meeting minutes provided from April 19, 2023 and draft minutes from May 17, 2023.

H. NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – SHANE HENDRICKS AND DIANNE MENGEL

I. SELINGSGROVE MUNICIPAL AUTHORITY – TIM CHARLES, CHAIR: No report but a meeting needs to be scheduled in the next month.

NEW BUSINESS:

A. COUNCIL MEMBERS: none

B. MAYOR: none

C. OTHERS: Reverend Canon Paul Donecker stated the veteran banners, flowers along Market Street, and the downtown look great.

Recess to Executive Session at 8:34PM to discuss pending litigation.

Reconvene to public session at 8:57PM. No action taken.

C/P Viker made a motion to adjourn the meeting. C/P Bannon seconded the motion.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

Respectfully submitted by Carrie Briggs