

**Towanda Borough
Regular Council Meeting Minutes
November 7, 2016**

The NOVEMBER 2016 regular meeting of the Towanda Borough Council was held on Monday, NOVEMBER 7, 2016, at the Municipal Building. Council Vice-President Mark Christini called the meeting to order at 7:00 PM, with a moment of silence followed by the Pledge of Allegiance.

ROLL CALL

PRESENT: Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mrs. Miller, Mr. Taylor

ABSENT: Mr. Long, Mr. Roof, Mr. Sweitzer

CITIZENS TO BE HEARD: Florence Joyce of 113 Ward Avenue was present to voice her concerns about a large dead tree on the property next to hers. She stated that a branch from this tree fell on her 2 cars during a recent storm, and caused damage. She also stated that she is afraid that the tree will fall down toward one side of her house, and it is a safety hazard for people walking on the sidewalk. It was noted that retired forester Jim Lacek inspected that tree and stated that it needed to come down, as it is a great hazard. After some discussion, Mr. Christini told Ms. Joyce that council will get it resolved and that she will hear from someone before the end of the week.

Ms. Joyce mentioned that there is a sinkhole on that property also, and about a year ago, the property owners told her it was fixed. However, the fill has dropped down and the sinkhole is once again in her opinion, a hazard. She stated that she put a snow fence around this sinkhole. Mr. Haight will inspect the hole and report his findings on it.

In addition, Martha Cole of 312 York Avenue was a Citizen to be Heard via a letter to council concerning burning in the borough. She feels that her right to burn should not be taken away because of a few of those that are burning trash. The town has "free" recycling (every other week) and a "free" spring clean-up program (each spring). Mr. Christini stated that her letter is a data point in ongoing discussions on open burning in the Borough.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

There were 3 minor corrections to be made to October's minutes. Motion to approve the October 3rd, 2016 regular meeting minutes after the minor corrections, was made by Mr. Taylor and seconded by Mr. Klinger. Motion passed.

FIRE CHIEF REPORT:

Chief Roof was absent, but report is in packets.

FIRE BOARD REPORT:

Mr. Klinger was unable to attend the meeting, but there was nothing new to report.

MAYOR'S REPORT:

Mayor Miller stated that he signed a proclamation for "White Cane Days". He also talked about the plaque with a certificate he presented to Mike & Kelly Flynn, to honor their son Colin on behalf of the local YMCA for his passion and dedication to the "2015 Share Your Heart Project," which he volunteered his time. Mike & Kelly Flynn also had a wooden bench made for the front of the YMCA building in memory of their son Colin.

Mayor Miller also thanked the fire department for the nice job done on the Halloween parade, which he was a judge. He also thanked the police and firemen for being present on Trick-or-Treat night. He said the bonfire and smores treat at Riverfront Park after the parade was more well attended than last year (the first year), therefore a success.

POLICE CHIEF REPORT:

Chief Epler handed out

Officer Hennessy attended ALICE (means: Alert-Lockdown-Inform-Counter-Evacuate) - Active Shooter Response Training in Harrisburg, Towanda Area Schools covered the cost of the training and Hotel stay.

Sergeant Lantz talked with High School students for the SADD program.

Officer Hennessy attended training with Edo in Vestal, NY.

Officer Werner was off of work for 4 days due to a minor injury he sustained while on the job.

Chief Epler put on 2 extra Officers for Trick-or- treat night, no major problems were reported.

October 2016

267	COMPLAINTS RECEIVED	0	JUVENILE PETITIONS
71	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
10	NON-TRAFFIC CITATIONS	10	THEFT REPORTS
3	DUI ARRESTS	7	ANIMAL COMPLAINTS
38	DISTURBANCE CALLS	3	VEHICLE DOORS OPENED
6	VEHICLE ACCIDENTS	8	WARNINGS ISSUED
1	OUT OF TOWN ASSISTS	0	K-9 SERVICES
15	CRIMINAL ARRESTS – Note: There were 5 in 1 night on Oct 29th.		

POLICE COMMITTEE REPORT:

Mrs. Miller stated there were no meetings in October.

CODE ENFORCEMENT / PUBLIC WORKS REPORT:

Mr. Haight stated that we are in need of an Alternate Zoning Hearing Board. The volunteer came forward – Ryan Eberlin of 610 Third Street, has expressed interest in this position. Mrs. Lacek made the motion to appoint Mr. Eberlin to the Zoning Hearing Board as an Alternate. This was seconded by Mr. Klinger, and motion passed. Manager Lane will get in touch with Mr. Eberlin to inform him of his acceptance to this board.

Mr. Haight also stated there will be a Planning Commission meeting on November 15, 2016, at 7 PM, to hear and consider (Special Exception) the request of Terrie Scarboro of 308 York Avenue, for special exception to allow an in-home occupation along with an Air Bed & Breakfast (airbnb). This has been advertised in the local paper to invite the public to attend (who may not want this and prove why it should not be allowed).

Mr. Haight reviewed the report. There were 19 permits issued in October 2016, with a work value of \$136,961. The value of the work for permits issued in the borough year-to-date is \$2,843,248. Permit fees paid in October 2016 is \$1,154. Towanda Borough Year to date permits total \$12,494. Year to date Code Inspections charges are \$5,850, and the UCC reportable permits amount year-to-date is \$176.

Mrs. Lacek commented about the the burning issue and what the next step would be on this issue. Solicitor Smith said that there is no referendum ballot allowed on this type of issue. He said to address the existing ordinance that has “ceremonial burning” included in it. He stated that it may not be constitutional to have a complete ban on burning because we may need to allow for ceremonial burning because of religious reasons. Solicitor Smith will review other local ordinances, including PSAB (PA State Association of Boroughs) on outdoor burning within Boroughs. This issue will be tabled for now and will be addressed in the future months.

PARKING REPORT: Due to all the construction about town there is no report for October 2016.

# Green Tickets Issued:	-
# Yellow Tickets Issued:	-
# Green Tickets Forgiven	-
# Yellow Tickets Forgiven	-
# Green Tickets Excused	-
# Yellow Tickets Forgiven	-
# Paid W/N 48 Hrs @ ½ Cost	-
\$ Amount Paid w/n 48 Hrs	-
# Paid After 48 Hrs	-
\$ Amount Paid After 48 Hrs	-
# Tickets to Magistrate as Citations	-
Amount Received from Magistrate	-
Delinquent Tickets before Citations	-
Revenue from Reserved Parking Spaces	-
Hours on Parking per Month	-
Police # of Tickets Written	-
\$ Amount Paid W/N 48 Hours	-
\$ Amount Paid After 48 Hours	-
TOTAL MONTHLY REVENUE	-

BOROUGH MANAGER’S REPORT -

Manager Lane addressed Council to hold a meeting on the 2017 Budget. This will take place on November 15th at 5:00 PM. This will be advertised.

Manager Lane reviewed his monthly report for Council.

1. College Run –

Manager Lane stated that College Run is progressing nicely. The 60” plastic pipe has been installed from the River to the existing College Run Culvert on Second Street. The sanitary sewer was relocated during the same time as installation of the 60” pipe. They have crossed the Parkway, CBPA’s parking lot and Main Street. As of now, the contractor plans to stop forward progress, clean up the area where they have dug, pave, and call it in for the winter. They will return in the spring to finish the rest of the project. Manager Lane also stated that the “railroad” part of the project went smoothly.

Manager Lane stated that these funds are 25% PEMA, and 75% FEMA. They withhold “X” amount of dollars until they audit the work to make sure it is done properly. The Borough may have to take an interim loan to pay the contractor until we get more funds released. This should not be a problem.

2. Downtown Revitalization Project-

The Flying cow construction has begun. The footers and utilities are currently being installed.

The final design for the parking garage is anticipated to be complete in February 2017 with the intentions of advertising for bids in March 2017.

The easement for the relocation of the electric wires on the property was recorded and mailed to Penelec. He is awaiting the invoice from Penelec, (which he did receive today - \$58,000) once received they will schedule the relocation.

Also, he stated that the “Special Conditions” to the grant agreement that was submitted 2 years ago, for “Phase I” came back with just 4 questions to be answered (not bad).

The advertisement to install one ADA compliant sidewalk ramp at the corner of State Street and the Parkway was advertised 11/3/16. Bids will be opened on November 18, 2016. This is paid for with CDBG funds. The Davis-Bacon Act (prevailing wage provisions) requires sealed bids for federally funded or assisted contracts in excess of \$2,000 for the construction of the ramp.

3. PennDOT Projects–

a. Main Street ADA Ramps –

Manager Lane was advised PennDOT’ s contractor was finished for the year on the ADA ramps. The area around the catch basins will be patched before winter. A hole was found in a pipe on the Parkway (100 feet, 48” pipe). This only lasted 10 years, but will have to be fixed before the project is complete.

b. Bridge Street –

Manager Lane commented that the contractor had some difficulty shutting some sections down. The new water main is installed, pressure tested and sanitized. They will begin connecting houses to the new water main today. They plan to start at Mechanic Street and work their way down to Main Street. They will be tapping the new main into the side streets as they go. Residents were notified they might experience water service interruptions from time to time during the hours of 7:00 AM to 5:00 PM. They plan on being done by Thanksgiving.

4. 2017 Budget -

The first cut of the 2017 budget is complete. As stated earlier, a budget work session will be held on November 15th at 5:00 PM. This will be advertised for the date of November 15th (and 22nd if needed).

Manager Lane – Miscellaneous:

Manager Lane also added that he would like to keep the auditor we used last year. He is very comfortable with them and their professionalism. He will keep them on for the next audit. This was agreed.

He also added that an historical marker will be placed and unveiled at the YMCA building in honor of Dr. Alice Evans, a pioneer scientist who established that humans contract the once common, painful disease brucellosis from raw cow and goat milk. She was one of the lobbyists for pasteurization of all milk and lived to see the disease disappear. She attended the institute for 3 years when the building housed Susquehanna Collegiate Institute (SCI) from the years 1854 to 1905. The below site in Encyclopedia.com is an excellent source for reading her biography.

<http://www.encyclopedia.com/people/history/historians-miscellaneous-biographies/alice-evans>

There was a question on the parking garage design, as a parking garage in Pottstown is getting tore down due to dilapidation. Manger Lane did not know the age of this parking garage, or the architect, or materials of its construction.

Manager Lane also discussed a question about paving streets that are not on the scheduled list for next year. There are few houses on some of these other streets versus other streets that have high volume traffic. He felt the need to focus and prioritize these high-volume streets first.

At 8:17 PM, Mr. Christini called for and Executive Session to discuss contract and personnel issues.

Executive Session ended and the meeting was back in session at 8:58 PM. Potential contract and personnel issue.

BOROUGH SOLICITOR'S REPORT:

Solicitor Smith commented on the tree issue and referred to Chapter 195 in the Code concerning Nuisances. This seems to fall under public nuisances affecting safety. Motion was made to have the Shade Tree Committee review / investigate the complaint by Ms. Joyce, the citizen to be heard of the dead tree next door. Motion was made by Mr. Klinger and seconded by Mr. Kovalcin. Once an investigation has taken place and the tree is determined a safety hazard, a note from the Committee will be written and given to the Borough Secretary, and a registered letter will be sent to the property owner by the Borough Secretary. This letter would state that they will have 5 days to have the tree taken down (Chapter 195-3 Enforcement).

Solicitor Smith presented **Resolution 2016-14** to Council. This resolution concerns the PA Commonwealth grant provisions, for the borough's Towanda Downtown Revitalization project, to acquire the Flying Cow Property. In order to carry out the borough project involving construction of a municipal parking garage, it is necessary for Towanda Borough to acquire title in fee simple the land and improvements of the Flying Cow Bakery.

[Motion to approve the resolution was made by Mrs. Lacek and seconded by Mr. Klinger. The vote was as follows:](#)

[Aye/Yes:](#) Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mrs. Miller and Mr. Taylor

[Nay/No:](#) None.

[Absent:](#) Mr. Long, Mr. Roof & President Sweitzer

Resolution No. 2016-14 carried.

Solicitor Smith had a Cooperation Agreement to be executed by the Borough between Towanda Terrace, The Flying Cow and Trehab, in their capacity as sub grantee of the Commonwealth grant to agree to subject and terms and conditions of this RACP grant. Motion was made by Mr. Klinger and seconded by Mrs. Lacek. Motion passed.

BOROUGH SECRETARY REPORT: Nothing to report.

ADMINISTRATIVE REPORT - In packet.

UNION SUB-COMMITTEE REPORT – Nothing to report. No meeting.

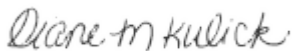
FINANCIAL REPORT – Motion was made by Mr. Taylor and seconded by Mr. Klinger to pay the bills. Motion passed.

PLANNING COMMISSION REPORT – Mr. Haight discussed Council in his report of a meeting on November 15, 2016, at 7 PM, to hear and consider (Special Exception) the request of Terrie Scarborough of 308 York Avenue, for special exception to allow an in-home occupation along with an Air Bed & Breakfast (Airbnb).

RECREATION REPORT – Bonfire went well with the smores snack, and they plan on having this again next year.

TMA/WMA/CBPA REPORTS – Included in packets.

ADJOURNMENT - Motion to adjourn was made by Mrs. Lacek and seconded by Mrs. Miller. Meeting adjourned at 9:15 PM.



Towanda Borough Secretary