

## **Towanda Borough Regular Council Meeting Minutes February 5, 2018**

The **FEBRUARY 2018**, regular meeting of the Towanda Borough Council was held on Monday, February 5, 2018, at the Municipal Building. Council President Paul Sweitzer called the meeting to order at 7 PM, with a moment of silence followed by the Pledge of Allegiance.

**ROLL CALL:**

**PRESENT:** Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mr. Long, Mrs. Miller, Mr. Roof, Mr. Sweitzer, and Mr. Taylor

**ABSENT:** None

**CITIZENS TO BE HEARD:** Ms. Chloe Lantzy, Sabrina Taylor, Billy Kolbeck and Heidi Kump representing "You Too Animal Rescue" were present. Ms. Lantzy spoke about stray cats including unneutered males that roam around, spray, fight and bother other domestic cats, and are a menace to citizens as well. They also have noticed in the last year an increase in diseases such as FIV (Feline Immunodeficiency) & Feline Leukemia Virus (FELV), and the vet bills to treat them is expensive. They have treated 300 plus cats, dogs and other animals. They would like to hold a trap-neuter-return program in Towanda, and Ms. Lantzy asked if there might be grants or financial aid that Towanda Borough could help them obtain. Mr. Sweitzer told her the status of our budget with greatly increased expenses is tight. He stated that we are not aware of any grant programs currently available. He invited Mrs. Lantzy to come to the next Towanda Borough Finance Administration meeting that will be held on Thursday, March 1st, 2018 at 7 PM in this (Municipal) building, to discuss it further with her.

Next, Mr. Jack Coats of 331 York Avenue commented on the step-down house that is being set up at 104 York Avenue. The Bradford County Commissioners rented this home for a program that accommodates up to 5 people to stay there after they leave jail (for no longer than 4 months). Also, these people are said to be under constant supervision by probation and the sheriff's office.

Solicitor Smith commented by stating that the word came down that Bradford County was using this home for a step-down house, and they feel (Bradford County) that according to the current ordinance that this type of use is permitted. However, going forward we are considering an ordinance to amend tonight and this will address and tighten up the definition. He stated that we normally do not grant this type of usage in this district, but there is disagreement with that. Whether or not action is taken with respect to what is now occurring, we don't know. We have not been provided with a written statement from the County as to what is occurring at this house. Therefore, Solicitor Smith cannot answer questions about what is going on until he has a clear understanding of what is taking place there.

Mrs. Julie Larnard of 102 York Avenue is next door to this house and shares a driveway. She stated that she met a couple of the people staying there and they were not "scary," and it is very quiet. She observed for 2 to 3 days, and noticed that they put cameras outside around the house.

Mrs. Janice Campbell of 101 York Avenue (across the street) commented that she has 3 children that play in the neighborhood, and it is a family neighborhood. Her children walk to school and cross the street right there to go to a neighbor's house, and she feels we are going

in the wrong direction if social services programs take up our family neighborhood. She feels it will affect the tax base.

Mrs. Deneen Lantz of 120 York Avenue stated that she is worried about "what we don't know". The constant turnover of people living there means different personalities, and one group might not be the same as the other. She is concerned with her property values also and extra taxes that may be imposed due to more police officers being hired to cover the area. President Sweitzer stated that there is not going to be an increase in the police force because that house is there (for this usage).

Mrs. Mary Krill of 214 York Avenue is on the Zoning Hearing Board and stated that the committee worked on the Restrictions for R4 for years to not have this sort of thing happen.

Mr. Ronald Ludlow, introduced himself as the owner of the property. He stated that he also lives in the neighborhood (He currently rents an apartment down the street). He stated that he has rented the property for the past 5 years, mostly to the natural gas industry workers. Many of these renters left behind bills and damage. He stated the usage of the home now is a bridge for individuals who may be in a bad living situation, and this is a better place for them to be. He keeps an eye on his home and feels that it is safe.

Mrs. Lantz spoke again that Beacon Light, a residential facility is empty, as well as the old part of Crystal Springs Motel, and it is not in use at this time (not in the middle of families). She feels that this could have been presented to the public in a better way, and feels that it was slipped under the rug.

Mrs. Erin Groves of 208 York Avenue stated that she is on the Planning Commission and is very well aware of the definition. She addressed Mr. Ludlow and talked on how there was not anything known about the step-down home (it was not publicized and was not known). Being it has cameras around it, you cannot look at it as a house that is the same as her home or Mrs. Krill's home. She feels that if you are dictating who can live there, and you need cameras outside, then she does not feel that it is the spirit of what the home is intended to be. Mr. Ludlow disagreed.

Jeffrey Ryck of 215 York Avenue stated that he was a former correctional worker who did referrals of parolees to go from prison life to this type of facility. He said that sometimes people put together in this type of situation might not always get along with one another. He said he is worried about the safety of his children as well as his property value.

President Paul Sweitzer, who volunteers at the Bradford County Correctional Facility, said there are many people who need a place like this. He also stated that we could go on and on about this, but it is being handled by the lawyers and we are dealing with it as we go forward.

Mr. Kevin Doupe, who is on the Planning Commission felt that the purpose of this house is to help people who are trying to get their lives together.

Solicitor Smith stated that the issue is, "Does this fit this type of use"? He said the purpose of zoning is to provide orderliness to the particular areas of the borough making provision for land uses in the best interest of the people. The issue is does the ordinance permit this type of use? It may well fit in some other area of the borough where it is provided for clearly under the ordinance. The issue is NOT to exclude this type of use. The issue is does the step-down house belong in an R-4 district"?

Solicitor Smith also stated that there is provision for 5 unrelated individuals, but what we hear tonight is that the 5 unrelated individuals are people who are voluntarily getting together and

decide to live as a family. The issue from the borough's standpoint is, "Does this fit within the usage permitted for the R-4 district"?

Solicitor Smith stated we are going to see whether the existing use that is now there fits. He said he has heard more tonight about that plan and how it works than anything anyone else has shared with us. Thus far, we have not had that clarification from anyone, and he would like to get it. Going forward, we are going to clarify the definition so that people who are buying property in the R-4 district is in fact true to the terms of the ordinance.

Lastly, Mr. Mike Getz, who owns 15 and 16 York Avenue, stated that he has been in real estate business for 43 years as a commercial real estate broker. He stated that the step-down house would definitely lower home values on the Avenue.

President Sweitzer stated that we have given this subject about all we can do for now, but there will be more to follow about this public issue.

**APPROVAL OF PREVIOUS MONTH'S MINUTES:**

Motion to approve the January 2, 2017, Reorganizational & Regular meeting minutes was made by Mr. Taylor and seconded by Mrs. Lacek. Motion passed.

**FIRE CHIEF REPORT:**

Chief Roof reported that they have had 23 calls this month, and between the three departments, there have been 74 calls this year already. Some are nuisance calls but the majority is necessary.

He stated that things are in good working order right now. The tower worked well at the local fire that happened at the Endless Supply store on Route 6 in Wysox. However, on the way back from the fire it was leaking hydraulic oil. A seal blew in the hydraulic pump that connects between the transmission of the truck to the pump and the borough Mechanic (Dalton Maynard) fixed it for the Fire Department. He did a very good job and Chief Roof told him (Mr. Maynard) thank you. Everything is in good working order for now.

Manager Lane stated that in the Finance meeting they have talked about the ladder truck (tower) and the need for a plan to replace it. He called the Fire Commissioner in Harrisburg to ask how the process works and for ideas he may have to consider our options to replace the tower, (it is a 1980 truck - 37 years old). Chief Roof stated that they have been looking around at the cost of a truck newer than 1980, like a 2005, or in that range, used of course. He said that trucks do come back from a lease program and they are reconditioned like brand new. The price range is between \$300,000 and \$400,000. There are some good trucks out there, but they need to see them and drive them too. In the future, he plans to look at some more trucks with a few of the other fire department members.

**FIRE BOARD REPORT:**

Mr. Klinger missed the Fire Board Meeting but it was brought to his attention that the board would like to approve Brett Kinney (Wysox Fire Dept Chief) as able to run all of the Towanda Fire Company trucks and equipment. Mr. Klinger made the motion and Mr. Taylor seconded it. Motion passed.

**MAYOR'S REPORT:**

Mayor Miller was not present.

**POLICE CHIEF REPORT:**

Chief Epler stated he attended a 4-hour SFST (Standardized Field Sobriety Testing) refresher training class held at the Wysox Fire Hall.

He also conducted an ARIDE (Advanced Roadside Impaired Driving Enforcement) class at that facility for DUID (Driving Under the Influence of Drugs) enforcement.

The 2006 Crown Victoria is in the garage for maintenance.

Lee Ann and Ray Sanders (Mrs. Miller's sister) donated 100 dollars to the K-9 fund. He would like to send a thank you card to them.

The Borough crew has just started work on the Borough Hall in the last few days for some badly needed cosmetic repairs.

Officer Werner has been on sick leave and he is recovering at home. He has appointments with several doctors and is hopeful that they will clear him to return to work soon.

**JANUARY 2018 – Monthly Report**

304	COMPLAINTS RECEIVED	0	JUVENILE PETITIONS
9	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
15	NON-TRAFFIC CITATIONS	10	THEFT REPORTS
0	DUI ARRESTS	4	ANIMAL COMPLAINTS
40	DISTURBANCE CALLS	10	VEHICLE DOORS OPENED
2	VEHICLE ACCIDENTS	5	WARNINGS ISSUED
1	OUT OF TOWN ASSISTS	0	K-9 SERVICES
7	CRIMINAL ARRESTS		

**POLICE COMMITTEE REPORT:**

Mr. Taylor stated there was nothing to report.

**CODE ENFORCEMENT / PUBLIC WORKS REPORT:**

Mr. Haight reviewed the code enforcement report.

There were 6 permits issued in January 2018

Permit fees paid in January were \$247.00, YTD - \$247.00

Code Inspections charges in January were \$0 and YTD - \$0

The value of permits issued work in the borough YTD - \$15,558.00

Mr. Haight reviewed the compliance actions, permits issued and rental inspections.

Mr. Haight also told Council that most of the problems we are having lately in compliance action are with property maintenance and snow removal. According to the ordinance, homeowners should have their sidewalks shoveled within 24 hours after the storm. There were 17 notices sent in 1 day for snow removal. There were 16 citations taken to the magistrate in January.

Mr. Haight told Council that the **Planning Commission** has a public hearing at their next meeting on February 20th, to hear the first part of the use of a building in a C2 district. The party is asking for a variance to use the first floor of their building as an apartment which is in the C-2 central business district, which by ordinance §325-17c (3) allows apartments on the second and higher floors as a Special Exception.

**PARKING REPORT – JANUARY 2018**

# Green Tickets Issued:	-	6
# Yellow Tickets Issued:	-	0
# Green Tickets Forgiven	-	0
# Yellow Tickets Forgiven	-	0
# Green Tickets Excused	-	0
# Yellow Tickets Forgiven	-	0
# Paid W/N 48 Hrs @ ½ Cost	-	2
\$ Amount Paid w/n 48 Hrs	-	\$0
# Paid After 48 Hrs	-	0
\$ Amount Paid After 48 Hrs	-	\$0
# Tickets to Magistrate as Citations	-	0
Amount Received from Magistrate	-	
Delinquent Tickets before Citation	-	3
\$		\$60
Revenue from Reserved Parking Spaces	-	\$3,000
Hours on Parking per Month	-	50
Police - # of Tickets Written	-	6
\$ Amount Paid W/N 48 Hours	-	\$10
\$ Amount Paid After 48 Hours	-	\$40
<b><u>TOTAL MONTHLY REVENUE</u></b>	<b>-</b>	<b><u>\$3,110</u></b>

**BOROUGH MANAGER’S REPORT:**

**1. Downtown Revitalization Project-**

Manager Lane stated that the progress is continuing, but slowly, as the contractor is working around the weather as best as they can.

The Office of the Budget rescheduled the next monitoring visit until sometime in March. It was originally scheduled for next week.

The Office of the Budget informed Manager Lane that they are currently reviewing our drawdown requests and we should hear from them shortly.

Also, Manager Lane said the single audit that Lochen & Chase did is complete.

2. **College Run –**  
Patiently waiting for FEMA’s final audit, closure, and reimbursement.
3. **USDA GRANT/LOAN – BACKHOE –**  
Manager Lane has no new information regarding the grant/loan. Hopefully, we will hear something soon, possibly by the 8th of February.
4. **SR 3020 Turn back – Poplar Street**  
Manager Lane provided last month’s resolution to PennDOT. He contacted Hunt Engineering to provide us with a proposal for permitting, design, and construction administrative services. The engineering costs are included in the turn back agreement.
5. **2018 Paving –**  
Due to the snow, Municipal Services and Manager Lane decided to reschedule for later in the month. As of right now, the only definite paving will be Washington Street.
6. **Ladder Truck –**  
Manager Lane has started to make inquiries regarding the replacement of the tower. The current truck is certified, however; it is 38 years old and becoming very expensive to maintain. We are just looking to see what is out there and have no plans as of yet. The tower is still currently operational.
7. **2018 Bridge Work –**  
Manager Lane spoke with PennDOT’s contractor regarding his schedule for the bridge maintenance this coming summer. They plan to begin as soon as the weather permits. They will be begin the project starting underneath the bridge.

**BOROUGH SOLICITOR’S REPORT:**

Solicitor Smith prepared for Council an amended ordinance to delete and replace the definitions of “Dwelling Structure” and “Single Housekeeping Unit” in Chapter §325, Article XI, Section 325-1 of the Towanda Borough Code (included in your packet).

The voting results are as follows:

**ORDINANCE 2018-1**

**Amend Chapter §325, Article XI, Section 325-1 of the Towanda Borough Code**

**Mr. Christini made a motion seconded by Mr. Kovalcin to adopt the Ordinance.**

**The roll was called and recorded as follows:**

**AYE/YES: Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mr. Long, Mrs. Miller, Mr. Roof, Mr. Sweitzer, and Mr. Taylor**

**NAY/NO:**

**ABSTAIN:**

**ABSENT:**

**Ordinance 2018-1 carried unanimously.**

*At 8:32 PM, Solicitor Smith called for an **Executive Session** to discuss potential litigation. At 8:57 PM, the Executive Session ended.*

**BOROUGH SECRETARY REPORT:**

Secretary Kulick shared with Council that the YMCA and Rape Crisis Center will be holding their annual Shamrock 5K run/walk event on Saturday, March 24th.

Also, the Towanda Little League Opening Day Parade is scheduled to be held on Saturday, April 29th beginning at 9 AM.

**ADMINISTRATIVE REPORT:**

*At 8:58 PM, Manager Lane called for an **Executive Session** to discuss a personnel issue. At 9:24 PM, the Executive Session ended.*

**UNION SUB-COMMITTEE REPORT:**

This year the Public Works union employees will be negotiating for a new contract that should start in June.

**FINANCIAL REPORT** – A motion was made by Mr.Klinger and seconded by Mrs. Miller to pay the bills. Motion passed.

**PLANNING COMMISSION REPORT:**

Mr. Christini stated the meeting that was to be held on January 16th was cancelled due to weather conditions that night.

**MISC:**

**RECREATION REPORT:**

Mr. Kovalcin stated they had a meeting, but there was nothing to bring to the board tonight.

**TMA/WMA/CBPA REPORTS:**

Included in packet.

**ADJOURNMENT:**

Motion to adjourn was made by Mrs. Lacek and seconded by Mr. Kovalcin. Meeting adjourned at 9:28 PM.



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Towanda Borough Secretary