

Towanda Borough Regular Council Meeting Minutes February 4, 2019

The FEBRUARY regular meeting of the Towanda Borough Council was held on Monday, February 4, 2019, at the Municipal Building. Council President Sweitzer 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, Mr. Long, Mrs. Miller, Mr. Roof, Mr. Sweitzer (7:35 PM – James B. Lacek arrived and was sworn in by Mayor Miller.)

ABSENT: n/a

President Sweitzer spoke to council members.

In the January 2019 meeting, council regretfully accepted Patrick Taylor's resignation (in writing effective December 31, 2018) as 2nd Ward council member. Mr. Taylor is moving out of Towanda.

Manager Lane stated Mr. James B. Lacek is a resident and registered voter, and the only person who contacted him to be considered for the position. "Jimmy" lives at 309 Poplar Street, and Manager Lane noted that he is also on the Planning Commission board. "Jimmy" is well known and somewhat familiar with the workings of the borough government.

[At this time, President Sweitzer asked if anyone would like to nominate Mr. Lacek to fulfill the council seat for 2nd Ward. Mr. Kovalcin made the motion and Mrs. Miller seconded it. Motion passed.](#)

Note: In addition, according to Renee Smithkors (BC Election Office) we will have a two-year term on the ballot this year due to the resignation of Mr. Taylor. If Mr. Lacek wishes to hold the position after the new year (2020), he must run this year.

CITIZENS TO BE HEARD: None present.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve the January 7, 2019, Regular meeting minutes was made by Mr. Long and seconded by Mr. Klinger. Motion passed.

FIRE CHIEF REPORT:

Chief Roof stated that it was a good month, there are no problems with equipment so far this year.

Mr. Sweitzer stated that the Super Bowl ad honoring first responders and the example of aid they give to victims in emergency situations was really amazing. He said that was a great ad and the firemen in our area are all volunteers who don't get paid, but devote many hours. They deserve to be recognized.

In addition, Mr. Long stated that he saw the pellet stove fire in Chief Roof's fire-incident report. He stated that pellet stoves would need to be cleaned the same as wood stoves. Chief Roof responded that creosote can build up in the exhaust venting. This buildup of residue material in the

pipe can catch fire as the venting is not designed to handle high temperatures. Regular inspection and cleaning can prevent a fire from happening. President Sweitzer asked the Daily Review Representative Coy if he would put a safety bulletin in the paper to remind people to clean their wood or pellet stoves of which he complied.

FIRE BOARD REPORT:

Mr. Klinger had nothing to report.

MAYOR'S REPORT:

Mayor Miller thanked the Universalist Church of Towanda for their generous donation of \$2,000 to the K-9 fund in memory of Frank Lindsey.

Also, the interior of the police station is being painted by some of our public works department employees.

POLICE CHIEF REPORT:

Chief Epler stated the new video system from WatchGuard is being installed and they estimate that it will be up and running by Thursday the 7th. The department has purchased lots of data storage to manage the amount of data that will be downloaded from their cameras.

Chief Epler said that he is concerned about coverage in the police department, while Officer Jack Werner is out on sick leave (after today). Therefore, at 7:15 PM, President Sweitzer called for an **Executive Session** to discuss personnel issues. **Executive Session** ended and the regular meeting was resumed at 7:30 PM.

Officer Hennessy and K-9 Hades trained in Vestal on January 29, 2019.

Chief Epler also thanked the Towanda Unitarian Universalist Fellowship for their donation of \$2000 dollars to the K-9 program in memory of Frank Lindsey.

JANUARY 2019 – Monthly Report

440	COMPLAINTS RECEIVED	0	JUVENILE PETITIONS
19	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
16	NON-TRAFFIC CITATIONS	5	THEFT REPORTS
1	DUI ARRESTS	6	ANIMAL COMPLAINTS
56	DISTURBANCE CALLS	5	VEHICLE DOORS OPENED
9	VEHICLE ACCIDENTS	12	WARNINGS ISSUED
2	OUT OF TOWN ASSISTS	0	K-9 SERVICES
7	CRIMINAL ARRESTS		

Mr. Lacek arrived at the meeting at 7:35 PM, therefore; Mayor Miller had him take the “Official Oath of Office” (sworn in) to become the 2nd Ward council person behind Pat Taylor. Secretary Kulick attested to it.

POLICE COMMITTEE REPORT:

There was no meeting, however Mr. Sweitzer stated that Mrs. Miller will take over as Chairman of the Police Committee for a year, and Mr. Lacek has volunteered to be a member of the committee taking Mr. Taylor’s place.

CODE ENFORCEMENT / PUBLIC WORKS REPORT:

Mr. Sluyter, Code Enforcement Officer, presented the report to Council.

JANUARY 2019 SUMMARY

PERMITS & CONTRACTORS	Month	YTD
Permits Issued	20	20
Permit Fees Paid	\$1,109	\$1,109
Code Inspections Fees	\$520	\$520
Borough Total after Code Inspections Fees	\$589	\$589
Permit Work Value	\$91,218	\$91,218
Contractors Registered	6	6
Contractors Registrations Amount	\$400	\$400

UCC Reportable Permits

	Month	YTD	Fees	Fees YTD
#1 Residential – New				
#2 Residential – Other	4	4	\$18.00	\$18.00
#3 Commercial – New				
#4 Commercial – New	1	1	\$4.50	\$4.50
TOTALS	5	5	\$22.50	\$22.50

COMPLAINTS

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	30	30	30	30	0	0
1 & 2 Family Rentals	25	25	25	25	0	0
Commercial Rental Units	7	5	5	5	0	0

Commercial Non-Rental	0	0	0	0	0	0
TOTALS	62	60	60	60	0	0

Rental Dwelling Unit Inspections	Month	YTD
1st Inspection	10	10
2nd Inspection	1	1
3rd Inspection	0	0
FEES PAID	\$0	\$0

PERMITS ISSUED		YTD
8	Building	8
4	Plumbing	4
4	Electrical	4
1	Mechanical	1
1	Accessibility	1
2	Administrative	2
20	Total Month	20

Compliance Action

8	New Violations in January 2019	
5	Unresolved	
3	Resolved	

Status of **PAST** Compliance Action

19	Prior Violations Unresolved from 2018	
16	Unresolved	
3	Resolved	

Rental Inspections Status

10	Total Inspections in January 2019	
3	Passed 1st Time	
7	Failed 1st Time	
1	Failed 2nd Time	

Status of **PAST** Rental Inspections

1	Still on Failed list for 2016	
1	Still on Failed list for 2017	
6	Still on Failed list for 2018	
1	Still on Failed list for the 2nd Time in 2018	

PARKING REPORT – JANUARY 2019		YEAR-TO-DATE
# Green Tickets Issued:	- 3	3
# Yellow Tickets Issued:	- 3	3
# Green Tickets Forgiven	- 0	0
# Yellow Tickets Forgiven	- 0	0
# Green Tickets Excused	- 0	0
# Yellow Tickets Forgiven	- 0	0
# Paid W/N 48 Hrs @ ½ Cost	- 1	1
\$ Amount Paid w/n 48 Hrs	- \$20	\$20
# Paid After 48 Hrs	- 0	0
\$ Amount Paid After 48 Hrs	- \$0	\$0
# Tickets to Magistrate as Citations	- 0	0
Amount Received from Magistrate	- \$0	\$0
Delinquent Tickets before Citation	- 200	200
\$		\$0
Revenue from Reserved Parking Spaces	- \$3,020	\$3,020
Hours on Parking per Month	- 40	40
Police - # of Tickets Written	- 26	26
\$ Amount Paid W/N 48 Hours	- \$80	\$80
\$ Amount Paid After 48 Hours	- \$200	\$200
TOTAL MONTHLY REVENUE	- \$300	YTD \$300

BOROUGH MANAGER’S REPORT:

1. Downtown Revitalization Project-

This is currently on hold for warmer weather. The only remaining items are the concrete sealer, line painting, pavement and seeding.

We submitted Pay app # 17 to RACP last week. All Pay apps with RACP are paid up to date, besides the new one we just sent.

Mr. Christini asked about the Parking Garage, and what the status is of the 3 drains that were not installed properly? Manager Lane stated that he went through this with the architect and he said that short of jackhammering holes and replumbing, we are essentially going to make grooves. Manager Lane stated all that is, is a curb. It’s just to block cars from clipping the last car as they go around the turn.

He said they planned to cut a groove in, let it drain out and fall the rest of the way down, and there will be a small main inside the groove. President Sweitzer stated that for such a common thing, why didn’t they see it. Manager Lane stated they made a guess on where they

thought the low spot would be once the concrete was poured and formed, and it was a couple feet off. He went on to say the contractor points the blame at the architect and the architect points the blame at the contractor. Manager Lane said that the water will drain out of there but we will have to clean it out occasionally.

Mr. Christini stated that he is not happy about this and he thinks there are more serious issues because there is water leaking down through the metal flooring. Manager Lane stated there are certain spots that the drains were not covering yet, but they have uncovered them all. Mr. Christini said he was there this past Sunday, and Manager Lane stated they should have been done. Mr. Christini said he would take some pictures next time. He stated that he wanted the council meeting minutes to reflect that if the water problem is not dealt with properly it will cause rusting as the decking will rust, the rebar will rust, and 20 years from now we will have a disaster. Mr. Christini stated that he would not have a problem telling them they have to jack-hammer drains if that was the way it was architected and it can be done. Mr. Christini said you would have to drill holes, re-plumb it, and it is the contractor's mistake and they should fix it.

Manager Lane stated that he thinks he and Mr. Christini are looking at 2 different things, because he didn't see water dripping anywhere. Mr. Christini stated that he went underneath and looked under those 3 locations where there is no drain and looked up at the corrugated metal, and there was water in all of it, places where water shouldn't be, and that was Sunday. Manager Lane stated he will have another look at it.

Manager Lane then stated there are curbs that protect the last car, and when the water is done with its velocity, it does not quite make it there. Mr. Christini stated that if there is a mistake in the way it was built, which is the way it was designed, then the contractor should be held accountable to the architect's plan. The fact that they would have to drill in the concrete and it could cost \$20,000 (grand) to do it, then there should be no reason why we would not ask them to fix it, unless the architect finds that it will cause the garage to become unstable. The hole was in the plan and it's not like the contractors are going to go through rebar. Mr. Christini stands by his feeling that they should make it right.

2. PennDOT Turnback SR 3020 –

Manager Lane executed the turn-back agreement for Poplar Street and mailed all the copies to Montoursville. Once they sign off it goes to Harrisburg for payment. He is in the process of setting up the design.

3. PennDOT Building – York Ave. (R-4 District)-

No new information regarding their plans. Manager Lane will keep everyone updated as he is provided information.

4. Trail Feasibility Study

Manager Lane submitted the draft report to DCNR for their review. DCNR officials came back with several comments. The consultant will address the comments by February 11th, and is planning the final public meeting.

5. Flood Insurance Rate Maps –

The Bradford County GIS and Mapping Department distributed a spreadsheet with all the addresses that will be added to the flood zone. The majority of the properties are located in the Downtown Central Business District.

Towanda Borough is tasked with informing the property owners and Manager Lane plans to send a letter with information regarding the NFIP, the FIRM, and also who the property owner can contact. There was a total of 74 properties that will be added to the flood zone. Manager Lane stated that Towanda Borough has no control over this matter. "We are only messengers".

6. Street Sweeper – USDA/CBPA –

Manager Lane is still in the process of finding a street sweeper. He and the borough Mechanic are scheduled to demo a different make of sweeper that is sold by a local business. He will continue to work with USDA and will keep everyone updated.

7. Flooding August 2018 –

On Friday, January 26th, Manager Lane attended training on the new Online Portal for FEMA Disaster 4408DR. Towanda Borough will be assigned a "Program Delivery Manager" to work with during the restoration of the damage. All the submittals for the project will be uploaded into the portal versus mailing them to FEMA.

Manager Lane feels like this is just another layer of bureaucracy. He will be submitting all the paper work in the FEMA portal, as well as paper copies to PEMA.

BOROUGH SOLICITOR'S REPORT:

Solicitor Smith presented the 3 amended ordinances to be voted on tonight. There were no visitors from the public for comment on any of the proposed amended ordinances. These were previously advertised (in accordance with Borough Code legal advertising requirements before enactment).

Mr. Long proposed the motion that we vote (approve) for all three amended ordinances at this time. Mr. Christini seconded the motion.

ORDINANCE 2019-1

Amending Chapter 88 – III. "Other Animals", Defining "Fowl" and Prohibiting the Keeping of MALE FOWL.

Mr. Long made a motion seconded by Mr. Christini to adopt, Ordinance 2019-1 as presented.

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 & Mr. Lacek

NAY/NO:

ABSTAIN:

ABSENT:

Ordinance 2019-1 carried unanimously.

ORDINANCE 2019-2

Amending Chapter 298 – Section 298-1 of the Borough code to delete and replace the Definition of “Abandoned” and Adding Definitions of “Abandoned Motor Vehicle” and “Abandoned Motor Vehicle Trailer” and Amending Sections 298-2 and 298-3 to add provisions for Abandoned Motor Vehicles and Abandoned Motor Vehicle Trailers

Mr. Long made a motion seconded by Mr. Christini to adopt, Ordinance 2019-2 as presented.

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 & Mr. Lacek

NAY/NO:

ABSTAIN:

ABSENT:

Ordinance 2019-2 carried unanimously.

ORDINANCE 2019-3

Amending Chapter 305 – Article VII, Section 305-57B.(II) to Prohibit the Parking or Storage of any Trailer, Motor Home, Recreational Vehicle, or Recreational Vehicle Park Trailer on Streets in Residential Zoning Districts.

Mr. Long made a motion seconded by Mr. Christini to adopt, Ordinance 2019-3 as presented.

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 & Mr. Lacek

NAY/NO:

ABSTAIN:

ABSENT:

Ordinance 2019-3 carried unanimously.

BOROUGH SECRETARY REPORT:

Secretary Kulick informed Council about the following:

ARCC / YMCA Shamrock 5K Run/Walk to be held on Saturday, March 23rd. Registration begins at 9 AM at the YMCA, 9 College Ave, Towanda.

North Rome Christian School's Annual Eagle Run that will be held on April 13th. This will be a 5K/10K/Spirit Walk that includes a cardio workout, fun time, a Pancake Breakfast, and several auctions. They will use Route #2 along the Merrill Parkway.

Also, the Towanda Little League Opening Day parade will be held on April 27th at 9 to approximately 9:20 AM. They will use Route #2, but start from Park Street (the Courthouse), to south on Main Street, up Elizabeth Street to Memorial Park.

ADMINISTRATIVE REPORT:

Included in packet.

UNION SUB-COMMITTEE REPORT:

Nothing new to report.

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

PLANNING COMMISSION REPORT:

The planning commission drafted minutes for the January 15th meeting are included in the packet.

RECREATION REPORT:

Mr. Kovalcin stated they are now working on the programs for this summer and will have a presentation of the progress for improvements at the 3rd Ward Playground on York Avenue.

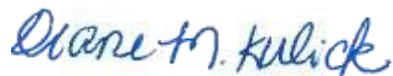
TMA/WMA/CBPA REPORTS:

The latest minutes are included in the packets and Manager Lane stated that the PennVest loan has been approved. He also stated that Stiffler-McGraw will be advertising the project for bids on the new water system and improvements in North Towanda.

MISC:

ADJOURNMENT:

Motion to adjourn was made by Mrs. Lacek and seconded by Mr. Roof. Meeting adjourned at 7:35 PM.



Diane M. Kulick
Towanda Borough Secretary