

Towanda Borough Regular Council Meeting Minutes January 7, 2019

The **JANUARY** regular meeting of the Towanda Borough Council was held on Monday, January 7, 2019, at the Municipal Building. Council President Sweitzer called the meeting to order at 7:03 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, Mr. Roof, Mr. Sweitzer

ABSENT: Mrs. Miller

CITIZENS TO BE HEARD: None present.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve the **December 3rd, 2018 Regular meeting minutes**, and the **December 27th, 2018 Special meeting minutes** was made by Mr. Klinger and seconded by Mrs. Lacek. Motion passed.

FIRE CHIEF REPORT:

Chief Roof had around 192 calls for the year, and around 12 for the month of December 2018. He stated that everything is in good working order and there were no call outs so far in January 2019.

FIRE BOARD REPORT:

Mr. Klinger had nothing to report.

MAYOR'S REPORT:

Mayor Miller thanked all the fire department and the fire police members for helping out with the Christmas parade and he thanked all the volunteers of the Recreation board who helped out during the year.

POLICE CHIEF REPORT:

Chief Epler was absent therefore Mayor Miller reviewed his report.

- We finished the year with only about 45 hours over the allowable carryover. That is down from last year's est. 550 hrs. over.
- The new video system from WatchGuard has been ordered, they estimate about 5 weeks before install of the car video and body cam system.
- Officer Hennessy and K-9 Hades trained in Vestal on 12/11/18.
- Operation Blue Santa gifts were distributed and we received some nice PR in the paper.

DECEMBER 2018 – Monthly Report

364	COMPLAINTS RECEIVED	0	JUVENILE PETITIONS
7	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
12	NON-TRAFFIC CITATIONS	7	THEFT REPORTS

0	DUI ARRESTS	7	ANIMAL COMPLAINTS
74	DISTURBANCE CALLS	5	VEHICLE DOORS OPENED
4	VEHICLE ACCIDENTS	10	WARNINGS ISSUED
7	OUT OF TOWN ASSISTS	0	K-9 SERVICES
8	CRIMINAL ARRESTS		

Mayor Miller also stated that he talked to the officers about some things they may want to have available to them in order to help them be more efficient. For one, they would like to see improvements done on the bathroom, cosmetic work done inside of the building, and they would like to have computers placed in the police vehicles.

He also said they have been doing some walking patrols on all shifts and they still do lock checks of downtown businesses.

Also, Officer Lake has been studying the impact of the weight of the equipment on the officers' duty belts (that go around the waist). Research has found that this increases the stress on the officers' backs and hips. Officer Lake is looking into a suitable load carrying vest that the officers may find more comfortable and easier on their backs.

Note: Chief Roof stated that he would like to see downtown businesses use a "KnockBox" System. A KnoxBox is a small, wall-mounted safe that holds building keys for fire departments, emergency medical services, and sometimes police to retrieve in emergency situations. Local fire departments can hold master keys to all boxes in their response area, so that they can quickly enter a building without having to force entry or find individual keys held in deposit at the station. A KnoxBox can also cut fire losses for building owners since firefighters can enter buildings without breaking doors or windows. It can also reduce the potential of a firefighter being injured forcing entry. Chief Roof stated that the fire department receives alarm calls for merchants' buildings downtown and sometimes have to wait an hour or two for someone to arrive to unlock the door. Also, if they have a knockbox system and it is in the basement, they can't get to it anyway. They can't leave the scene, as they have to wait to silence the alarm, therefore, they need a key. Chief Roof stated that after three false alarms, the owner may be fined. In addition, there is a tool they can use to take a lock off to get in the building if needed, and the fire department does not want to break down a door unnecessarily either. After discussion, it was suggested that the fire department send a certified letter to the owners of these boxes asking them to contact the fire department to discuss the preferred installation/location of the boxes. President Sweitzer stated that volunteer people should not have to wait for an hour or more for a property owner to arrive to unlock a place in order to turn off the alarm. Chief Roof stated that he will send a letter out to the owners who have this type of box system.

POLICE COMMITTEE REPORT:

There was no meeting.

CODE ENFORCEMENT / PUBLIC WORKS REPORT: December 2018

Mr. Sluyter, the new Code Enforcement Officer spoke to Council and thanked them for giving him a shot at this position. He stated that he certainly does not have the years of knowledge (27 years) that Mr. Haight had by any stretch, but he will have something to offer that may be different and technologically newer.

He stated the last couple years as far as permits, etc. and fees, we are staying in a trend of yearly growth. As far as violations, many are the same repeat offenders month after month.

A council member stated that maybe the fines need tightening up because the minimum amount may be too low. It was stated that as far as paying the citation fines, if the violator cannot pay within 30 days, the District Judge can set up a monthly payment plan.

DECEMBER 2018 SUMMARY:

- Compliance Action 7 New Violations in December 2018 & not resolved
 Status of past: 9 Prior Violations not resolved in 2018
- Rental Inspections 6 Total inspections in December 2018
 5 Passed the 1st time in December 2018
 1 Failed the 1st time & passed the second time in December 2018
 Status of past: 8 Prior inspections
 0 Passed
 8 Failed the 1st time & 1 Failed the 2nd time
 The remaining 7 do not show a 2nd Inspection to date
- Zoning Permits 0 Issued for December 2018
 16 Issued YTD
 1 Issued YTD for a Sign
- Complaints - 10 Investigated, 5 Resolved
- 16 Permits Issued; 242 YTD
- \$1,158.00 Permit Fees Paid; \$17,373 YTD (Sub-Total before "Code Inspections" Fees)
- Actual amount Permit fees paid in December were \$488; YTD - \$10,563 (after paying "Code Inspections" Fees)
- \$670 Code Inspections Charges; \$6,810 YTD
- \$29,629.47 = Value of Permit Work; \$3,760,223.91 = YTD Value of Permit Issued Work
- \$550 Contractors Registrations; \$13,100 YTD
- 7 Contractors Registered; 179 YTD

PARKING REPORT – DECEMBER 2018 YEAR-TO-DATE

# Green Tickets Issued:	-	4	63
# Yellow Tickets Issued:	-	6	23
# Green Tickets Forgiven	-	1	3
# Yellow Tickets Forgiven	-	0	3
# Green Tickets Excused	-	1	0
# Yellow Tickets Forgiven	-	1	1
# Paid W/N 48 Hrs @ ½ Cost	-	2	20
\$ Amount Paid w/n 48 Hrs	-	\$20	\$200
# Paid After 48 Hrs	-	3	25
\$ Amount Paid After 48 Hrs	-	\$60	\$500
# Tickets to Magistrate as Citations	-	0	0
Amount Received from Magistrate	-	\$0	\$0

Delinquent Tickets before Citation	-	7	61
\$		\$140	\$1,140
Revenue from Reserved Parking Spaces	-	\$3,040	\$36,160
Hours on Parking per Month	-	40	490
Police - # of Tickets Written	-	15	194
\$ Amount Paid W/N 48 Hours	-	\$40	\$630
\$ Amount Paid After 48 Hours	-	\$40	\$670
TOTAL MONTHLY REVENUE	-	\$3,380	YTD \$39,300

BOROUGH MANAGER’S REPORT:

1. Downtown Revitalization Project-

The electrical contractor is finishing, the screens on the West and South elevations are up, the cabling is installed on the North and East elevations, and the curbing inside the garage is complete. The weather-related items will still remain in limbo for warmer days.

2. PennDOT Turnback SR 3020 -

The turn-back agreement is enclosed and ready for council’s final decision. This will make SR 3020 the responsibility of Towanda Borough the day we receive funds. If council agrees to the turn-back, Manager Lane will execute an agreement with an engineering firm to begin design for the reconstruction of the road. **Manager Lane asked that Council agree to go forward with the turn-back and to have Solicitor Smith review it. A motion to do this was made by Mrs. Lacek and seconded by Mr. Klinger. Motion passed.**

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

The draft report is complete. Manager Lane stated that the report notes that Bradford County is extremely void of trails. He said if anyone is interested in a copy to let him know, but to keep in mind it is still a draft. There will be two public meetings held to complete the feasibility study. The dates for the meetings have not been set by the consultant as of yet.

5. Flood Insurance Rate Maps –

Manager Lane attended the Community Coordination and Outreach Meeting on December 12th, 2018. The new maps are available for comments at <https://arcg.is/1SCriH>. He is also in the process of identifying the estimated 39 structures newly mapped in. Comments (not appeals) are due to FEMA on January 11th, 2019.

6. **Street Sweeper – USDA/CBPA –**

Manager Lane is waiting for a quote on the sweeper and then he will finish the USDA application when the federal government goes back to work. In addition, there may be a quote from a local equipment business.

7. **Flooding August 2018 – PEMA-DAP-1 Designation of Agent for Towanda Borough**

FEMA has declared the flooding in August 2018 a disaster and will be offering flood damage reimbursement. Manager Lane will focus on the damage that was done to Cash Creek mainly through 2nd Ward. There are a few areas that sink holes have opened up similar to College Run after the 2011 flood. Manager Lane presented **Resolution (2019-1)** for Council to appoint him as the “Applicant’s Agent”. He registered the Borough in the new FEMA online portal and filed initial paperwork. Once this resolution is complete, he will set up a meeting with a FEMA rep to go over the damage that was caused by the constant heavy rain during the mid-August event. The borough’s role will be to contact the affected homeowners’

RESOLUTION 2019-1

PEMA-DAP-1 Designation of Agent for Towanda Borough

Mr. Christini made a motion seconded by Mr. Sweitzer to adopt, Resolution #2019-1 as presented.

The roll was called and recorded as follows:

AYE/YES: Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mr. Long, Mr. Roof, Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT: Mrs. Miller

Resolution 2019-1 carried unanimously by those present.

BOROUGH SOLICITOR’S REPORT:

Solicitor Smith stated that council will have to accept the resignation of Patrick Taylor, 2nd Ward council member. Mr. Taylor is moving out of town and relocating to Dushore, PA. He presented a letter of resignation from Council, the Shade Tree Commission, and as Chairman of the Police Committee to Mr. Sweitzer with an effective date of December 31, 2018.

A motion to “regretfully” accept Mr. Taylor’s resignation was made by Mr. Long and seconded by Mr. Sweitzer. Motion passed.

Solicitor Smith stated that we have 30 days from today to fill the spot behind Mr. Taylor in the 2nd Ward. A qualified candidate will be a registered voter in the 2nd Ward and a resident for at least a year. President Sweitzer stated that there is interest from a couple people to fill this opening. It will be mentioned in the paper, as it has been mentioned prior to tonight. Whoever is chosen will have to complete an Affidavit of Residency.

Solicitor Smith stated there is some progress on the legal issue of the step-down house on York Avenue. There was a briefing scheduled, from the court as the Appellant’s attorney raised 2 matters and wanted to provide additional evidence to the court on one where the court would read a transcript. However, this was withdrawn due to an incorrect date of the timing for the 30-day appeal period. Therefore, he withdrew that part, and the other part he is asking the court to stop any action from the Borough until the court decides.

Solicitor Smith and Attorney Sheets have 10 days to file their briefs on behalf of the Borough, which they will do.

Solicitor Smith presented the three ordinance amendments that are ready to be advertised in the paper. They are the following:

1. An Ordinance amending Chapter 88 of the Towanda Borough Code regarding animals by adding Article III – OTHER ANIMALS. The proposed amendment defines the term “fowl”, makes it unlawful to keep, harbor or allow to be present on property owned, leased or controlled by any person any male fowl, and establishing fines and penalties for violations of the Ordinance.
2. An Ordinance amending Chapter 305, Article VII, Section 305-57B.(2) of the Towanda Borough Code regarding parking in residential zoning districts. The proposed amendment defines the terms “trailer”, “motor home”, “recreational vehicle” and “recreational vehicle park trailer” and prohibits the parking or storing, in whole or in part, of any trailer, motor home, recreational vehicle or recreational vehicle park trailer on any street located within a R-1, R-2, R-3 or R-4 residential zoning district.
3. An Ordinance amending Chapter 298, Sections 298-1, 298-2 and 298-3, regarding abandoned vehicles, removal and impounding, and notice of removal and impounding. The proposed Ordinance deletes Section 298-1 – Definitions in its entirety, adds definitions of “abandoned motor vehicle”, “abandoned motor vehicle trailer” and “illegally parked motor vehicles or motor vehicle trailers”, and reduces the prohibited standing or parking time of such motor vehicles or motor vehicle trailers on streets, highways, parking lots or other public property within the Borough, or on private property without the consent of the property owner, occupant or lessee thereof, from seven days to two days. The proposed Ordinance also amends Section 298-2 – Removal and Impounding, and Section 298-3 - Notice of Removal and Impounding, by replacing the terms “abandoned” and “illegally parked vehicles” with the newly defined terms “abandoned motor vehicle”, “abandoned motor vehicle trailer” and “illegally parked motor vehicle or motor vehicle trailer”, and, as to each section, making the provisions thereof applicable to abandoned motor vehicles, abandoned motor vehicle trailers, and illegally parked motor vehicles or motor vehicle trailers.

Solicitor Smith asked for permission to advertise these amended ordinances in the local paper for public viewing and public comment before Council votes on enactment at the February 4, 2019 regular Borough Council meeting. A motion to advertise the amendments was made by Mr. Long and seconded by Mr. Christini. Motion passed.

BOROUGH SECRETARY REPORT:

Secretary Kulick had 2 Resolutions:

RESOLUTION 2019-2

Bradford County Collection Committee Delegate Appointments - Act 32 § 505(b)

Mrs. Lacek made a motion seconded by Mr. Klinger to adopt, Resolution #2019-2 to appoint the Borough Manager as Primary Delegate; the Borough Secretary as First Alternate, and the Towanda School District Business Manager as Second Alternate on the Tax Collection Committee for 2019.

The roll was called and recorded as follows:

AYE/YES: Mr. Christini, Mr. Klinger, Mr. Kovalcin, Mrs. Lacek, Mr. Long, Mr. Roof, Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT: Mrs. Miller

Resolution 2019-2 carried unanimously by those present.

RESOLUTION 2019-3

Appoint Ellen Lacek to the TMA BOARD for 5 Year Term, Expiring 01/01/2023

Mr. Klingler made a motion seconded by Mr. Long to adopt, Resolution #2019-3 as presented.

The roll was called and recorded as follows:

AYE/YES: Mr. Christini, Mr. Klingler, Mr. Kovalcin, Mrs. Lacek, Mr. Long, Mr. Roof, Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT: Mrs. Miller

Resolution 2019-3 carried unanimously by those present.

ADMINISTRATIVE REPORT:

Included in packet.

UNION SUB-COMMITTEE REPORT:

Nothing new to report.

FINANCIAL REPORT – There were no bills to pay in January, as bills were paid at the Special Meeting held on December 27, 2018.

PLANNING COMMISSION REPORT:

The planning commission will need a new Chairman due to Mr. Larry Kacyon's resignation from the board after volunteering for 25+ years. We appreciate and thank him for volunteering his time and contributions to the Borough over the years

Note: When the Commission met on January 15, 2019, the position as President was tabled until the February 19th meeting. Vice-President Karen Johnson declined taking the position due to being so new to the board, however she presided at this meeting.

RECREATION REPORT:

Mr. Kovalcin stated that there was nothing new as they did not have a meeting.

TMA/WMA/CBPA REPORTS:

The latest minutes are included in the packets, and Manager Lane reviewed some of the things that are happening with the new well project in North Towanda.

MISC:

ADJOURNMENT:

Motion to adjourn was made by Mrs. Lacek and seconded by Mr. Roof. Meeting adjourned at 8:06 PM.



Diane M. Kulick
Towanda Borough Secretary