

## **Towanda Borough Reorganization & Regular Council Meeting Minutes January 6, 2020**

A **Reorganizational Meeting** of the Towanda Borough Council was held on Monday, January 6, 2020, at the Borough Municipal Building, 724 Main Street, Towanda, PA.

**Present were Councilmembers:** Mr. Rex Klinger, Mr. William Kovalcin and Mr. Keith Long  
**and;**

**Councilmembers Elect:** Mr. Mark Christini, Mr. Jimmy Lacek, Mrs. Ellen Lacek, Mr. William (Chili) Roof, Mr. Paul Sweitzer and Mr. Ryan Eberlin.

**Call to Order:** Mayor Garrett Miller called the meeting to order at 7:00 PM, followed by a silent prayer and the Pledge of Allegiance.

**OATH OF OFFICE (COUNCIL):** Mayor Miller administered the Oath of Office to: Mr. William (Chili) Roof & Mr. Ryan Eberlin representing 1st Ward, 4-year terms; Mr. Paul Sweitzer representing 2nd Ward, 4-year term; Mr. Jimmy Lacek, representing 2nd Ward, 2-year term; and Mr. Mark Christini & Mrs. Lacek representing 3rd Ward, 4-year terms. Mayor Miller congratulated the newly elected Councilmembers and welcomed the returning Council members.

### **NOMINATIONS & ELECTION OF COUNCIL OFFICERS**

1. Mayor Miller opened the nominations for Council President. Mr. Sweitzer made motion to nominate Mr. Christini for President of Council, seconded by Mr. Kovalcin. There were no other nominations; nominations were closed. Mayor Miller called for a vote of Council; all were in favor unanimously. Motion carried.

2. Mayor Miller asked for nominations for Vice-President. Mr. Kovalcin made motion to nominate Mr. Long for Vice-President of Council, seconded by Mr. Sweitzer. There were no other nominations; nominations were closed. Mayor Miller called for a vote of Council; all were in favor unanimously. Motion carried.

3. Mayor Miller asked for nominations for President Pro Tempore of Council. Mr. Roof made a motion to nominate Mr. Klinger for President Pro Tempore of Council, seconded by Mr. Long. There were no other nominations; nominations were closed. Mayor Miller called for a vote of Council; all were in favor unanimously. Motion carried.

Mayor Miller congratulated the elected officers and turned the gavel to Council President Christini to officiate the remainder of the reorganization meeting.

**CITIZENS TO BE HEARD:** None.

President Christini on behalf of Council welcomed Mr. Ryan Eberlin as a new Council member (representing 1st Ward).

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

Motion to approve the December 2, 2019, Regular Council meeting minutes was made by Mrs. Lacek and seconded by Mr. Klinger. Motion carried.

Motion to approve the December 26, 2019, Special Council meeting minutes was made by Mr. Long and seconded by Mr. Klinger. Motion carried.

**FIRE CHIEF REPORT:**

Chief Roof reported the Tower Truck was still in Horseheads, New York being worked on. Chief Roof told the company officials that after the new hydraulic pump is installed to stop working on the truck, as he is currently working with brokers to sell the Tower Truck after the new hydraulic pump is installed. Also, he stated that Engine 4's primer pump had a problem, but has since been repaired.

Chief Roof also stated that Towanda Township was very receptive and has agreed to help the fire company fund the new tower truck. President Christini applauded the cooperation of Towanda Township and all the neighboring municipalities.

**FIRE BOARD REPORT:**

Mr. Klinger stated Chief Roof covered everything.

**MAYOR'S REPORT:**

Mayor Miller welcomed Mr. Eberlin to Council and they also held a Police Committee meeting tonight, and Mr. Lacek will cover the meeting contents. Mr. Lacek stated that the Bradford County (BC) Sheriff's Office announced they will no longer transport prisoners from the BC jail to the magistrate's office for their hearings. In other words, all police officers (beginning February 1st) will be responsible for transporting individuals they originally arrested, from the Bradford County Correctional facility to their preliminary hearings in the magisterial district court. The Police Committee feels that financially it may cost the Borough quite a bit of money over time, and he stated this will also be a requirement for all local police forces including the state police.

**POLICE CHIEF REPORT:**

Chief Epler reviewed his report to Council and discussed the BC Sheriff's announcement above.

**CHIEF EPLER REPORTED THE FOLLOWING:**

A DUI rove was conducted this month.

Officer Hennessy and Bellows did Blue Santa with success once again.

Officer Bellows drove a patrol car in the Christmas Parade

Officer Lake took a Patrol Car to the Valley to participate in the funeral procession for Erin Covey, she was an EMT / dispatcher who passed earlier this month.

Chief Epler attended the Police Chief's meeting held at the Guthrie Hospital. It was a dual meeting for problem solving between the local police departments and Robert Packer Hospital officials in addition to the monthly Chiefs of Police meeting. The BC Sheriff's department announced at this meeting that they will no longer be transporting prisoners from jail to the magistrate hearing and that duty will become the responsibility of the police department who arrested the defendant. This will put further burden on our already taxed manpower problem. The local Police Chiefs have since requested a meeting with Judge Beirne and the BC Commissioners about this problem.

**Mr. Sweitzer made a motion that we will not put forth any resources to this until we receive more information. The motion was seconded by Mrs. Lacek and motion carried unanimously. Solicitor Smith was asked to write a letter to Bradford County stating Council's position on this subject and request more information, plus set up a meeting with them.**

Chief Epler also stated that during the that meeting, the new District Attorney spoke of his new procedures in which the DA's Office will require more information immediately after the arrest of a defendant.

Also, the new patrol car is done and they are trying to arrange a day to go pick it up. The Tahoe will be going down at the same time to be fitted for a K-9 cage and hot pop. This work is being donated/financed by the same woman who donated the money for K9 Hades and she wishes to be anonymous.

In addition, the 2014 patrol car has been out of service for a water pump failure.

**DECEMBER 2019 – Monthly Report**

286	COMPLAINTS RECEIVED	0	JUVENILE PETITIONS
17	TRAFFIC CITATIONS	1	K-9 SERVICE (BORO)
12	NON-TRAFFIC CITATIONS	13	THEFT REPORTS
1	DUI ARRESTS	3	ANIMAL COMPLAINTS
59	DISTURBANCE CALLS	5	VEHICLE DOORS OPENED
7	VEHICLE ACCIDENTS	10	WARNINGS ISSUED
1	OUT OF TOWN ASSISTS	0	K-9 SERVICES
5	CRIMINAL ARRESTS		

**POLICE COMMITTEE REPORT:**

See the statements under Mayor and Police Chief's reports.

**CODE ENFORCEMENT / PUBLIC WORKS REPORT:**

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

**DECEMBER 2019 SUMMARY**

<b>PERMITS &amp; CONTRACTORS</b>	Month	YTD
Permits Issued	3	193
Permit Fees Paid	\$10	\$18,580.14
Code Inspections Fees	\$0	\$4,682.14
Borough Total after Code Inspections Fees	\$10	\$13,898
Permit Work Value	\$8,100	\$855,521.18
Contractors Registered	3	114
Contractors Registrations Amount	\$250	\$8,800

**UCC Reportable Permits**

	Month	YTD	Fees	Fees YTD
#1 Residential – New				
#2 Residential – Other	1	38	\$4.50	\$171.00
#3 Commercial – New				
#4 Commercial – Other	0	14		\$63.00
<b>TOTALS</b>	<b>1</b>	<b>52</b>	<b>\$4.50</b>	<b>\$234.00</b>

**COMPLAINTS**

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	4	146	2	143	2	52
1 & 2 Family Rentals	8	135	6	137	4	70
Commercial Rental Units	6	58	6	57	2	26
Commercial Non-Rental	3	25	3	42	2	13
<b>TOTALS</b>	<b>21</b>	<b>364</b>	<b>17</b>	<b>379</b>	<b>10</b>	<b>161</b>

President Christini stated that concerning violations of repeat offenders of the borough code, we need a better way to approach this problem. He asked that Council members think about this and offer suggestions.

**Rental Dwelling Unit Inspections**

	Month	YTD
1st Inspection	8	80
2nd Inspection	2	23
3rd Inspection	0	9
<b>FEES PAID</b>	<b>\$0.00</b>	<b>\$112.00</b>

**ZONING CODES**

PERMITS	Number Issued		Number Denied		Fees Paid	
	Month	YTD	Month	YTD	Month	YTD
RESIDENTIAL		4		10		\$40
COMMERCIAL						
MANUFACTURING						
SIGN		4		1		\$160
OCCUPANCY						
OTHER						
<b>TOTAL</b>		<b>8</b>		<b>11</b>		<b>\$200</b>

Sign Permits Total:		2				\$160
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**ZONING APPEALS**

Name	Hearing Date	Address	Type	Fees Paid
Year-to-Date				\$0.00

**PARKING** (Started in mid-August)

**Tickets by Status (Last 30 Days)**

Issued	32
Paid	43
Dismissed	14
Abandoned	10
Warning	17

**Tickets by Violation (Last 30 Days)**

3 Hour Limit	88
Expired Meter	10
Over Night Parking	0
Non-Space	0
Parking Outside of Lines	0
Permit Required	7
Non-Space	0

**Tickets by Street Location (Last 30 Days)**

Main	41
Bridge	18
Park	14
Pine	8
Towanda	10
State	2
Court	8
Washington	5
Parking Garage	55
John B. Merrill Pkwy	0

**2019 PARKING STATISTICS**

	Number of	%
Paid	240	37
Warning	252	39
Citation	2	2
Open	140	22

**BOROUGH MANAGER'S REPORT:**

1. **Downtown Revitalization Project-**

Manager Lane submitted the final payment to the Parking Garage Contractor. The architect signed off on the punch list items and advised we final out the contract.

The final step with RACP will be an audit conducted by the Office of the Budget and they will release our final reimbursement.

Agreement with County will be forthcoming.

2. **PennDOT Turnback SR 3020 –**

We advertised seeking bids for the SR 3020 turnback project. A pre-bid conference will be held on January 7th at 10:00 am for potential bidders to ask questions or raise any concerns with the bid documents. The bid opening will be on January 29th at 1:00 pm. Council will accept or reject the bids at the February 3rd, 2020 meeting.

3. **Flooding August 2018 –**

Manager Lane will continue to work with FEMA regarding Cash Creek. Stiffler and McGraw provided a report to satisfy FEMA. The status of the project is sitting with FEMA's "Consolidated Resource Center" to verify costs.

4. **Police Pension Fund –**

During the 4th quarter we had a meeting with C&N Bank regarding the police pension fund. We discussed the possibility of changing the allocation on the account from 65% equities/35% fixed to 70% equities/30% fixed, should a market pullback occur.

We thought we would wait for a 15% drop. C&N calculated this drop on the S&P closing to be approximately 2,555.71.

**Manager Lane asked Council to approve this change and he will forward the letter of approval to C&N Bank. A motion to approve this change was made by Mr. Long and seconded by Mr. Kovalcin. Motion carried - 8 ayes and 1 nay.**

**Executive session was called at 8:05 PM to discuss a contract dispute.**

**Executive session ended and Council meeting was back in session at 8:35 PM.**

5. **NTSWA –**

Due to the language in the contract with NTSWA and a recent customer complaint, NTSWA has requested Council approve the enclosed "Non-Credit Application" for dumpster service customers within the Borough. This is specifically for customers that NTSWA will not service on credit. Manager Lane recommended Council approve the application. **A motion to approve the Non-Credit Rear Load Agreement of NTSWA was made by Mr. Sweitzer and seconded by Mr. Klinger. Motion carried unanimously.**

**BOROUGH SOLICITOR'S REPORT:**

Solicitor Smith discussed one item in the Executive Session.

Also, he stated that Mr. Sluyter had an ADA issue come up due to the Parking Attendant giving a parking ticket to someone with handicap status, and this moved on to the magistrate level. Solicitor Smith made it clear that at such a hearing, Mr. Sluyter, as an enforcement officer is allowed to ask questions, for example, of our Parking Attendant, who would have written the ticket.

**BOROUGH SECRETARY REPORT:**

Secretary Kulick presented the following resolution:

**RESOLUTION 2020-1**

Re-Appoint Paul Sweitzer to TMA (Towanda Municipal Authority) Board for another 5-year term.

Motion was made by Mr. Lacek and seconded by Mrs. Lacek

The roll was called and recorded as follows:

AYE/YES: President Christini, Mr. Eberlin, Mr. Klinger, Mr. Kovalcin, Mr. Lacek, Mrs. Lacek, Vice-President Mr. Long and Mr. Roof

NAY/NO:

ABSTAIN: Mr. Sweitzer

ABSENT:

**Resolution 2020-1 – Carried**

**ADMINISTRATIVE REPORT:**

Mr. Christini presented Mr. Sweitzer with an engraved gavel and block set for serving 5 years as President of Borough Council. He also had a list of major accomplishments of the Borough Council over the last 10 years (attached), and a couple future projects and goals for the next decade. Also, he thanked Council for their endeavors during this time period. He surprised Mr. Sweitzer with a cake in his honor that was shared at the end of the meeting.

**UNION SUB-COMMITTEE REPORT:**

The Police union contract will be ending on December 31, 2020.

**FINANCIAL REPORT:**

There were no bills to pay at this meeting, as they were paid at the 2019 year-end Special Meeting on December 26, 2019.

**PLANNING COMMISSION REPORT:**

The Planning Commission by motion, was instructed to discuss at their next meeting, potential code revisions to Towanda Borough Code Sections §221-2 and §325-81. Council feels that we need to encourage and promote families in order to preserve and enhance the quality of life in Towanda Borough.

**There are 3 specific items: 1) Definition of Family. 2) Possibly reduce Family Unit in R1 and R4 districts. 3) Possibly eliminate Special Exception.**

**A motion was made by Mr. Klinger and seconded by Mrs. Lacek to have the Planning Commission discuss those 3 items. Motion carried unanimously.**

**MISC:**

To Extend Manager Lane's Employment Motion:

**Mrs. Lacek made the motion to extend Manager Kyle Lane's employment with the Borough for another two years, seconded by Mr. Sweitzer. Motion carried unanimously.**

**President Christini, on behalf of Council, thanked Manager Lane for his "dedication and hard work".**

**RECREATION REPORT:**

Nothing new yet.

**TMA/WMA/CBPA REPORTS:**

Included in packet.

**ADJOURNMENT:**

Motion to adjourn was made by Mr. Klinger and seconded by Mr. Kovalcin. Meeting adjourned at 9:00 PM.