

Towanda Borough Regular Council Meeting Minutes Monday, October 5, 2020

The Regular Meeting of the Towanda Borough Council was held on Monday, October 5, 2020, at the Borough Municipal Building, 724 Main Street, Towanda, PA. The meeting was called to order at 7:00 PM by President Mark Christini with a moment of silence followed by the Pledge of Allegiance.

Present: Mr. Christini, Mr. Eberlin, Mr. Klinger, Mr. Kovalcin, Mr. Lacek (7:15 pm), Mrs. Lacek, Mr. Roof, Ms. Saxon (7:08 pm) & Mr. Sweitzer

Absent:

CITIZENS TO BE HEARD: Beatrice Elliott of 114 Spruce Street spoke on behalf of her and a group of her neighbors about the deplorable condition of the apartment building at 333 William Street. Their concern is for the "market value" of their own properties and the piles of trash that impact the health and safety of the neighborhood.

She inquired and asked questions about a number of issues with this rental property that is owned by a person who lives out of town. As far as asking the landlord to come here to check the interior of the home with the borough manager and code enforcement, it would be up to him. Ms. Elliott indicated that when she talked to the owner she asked if he had a rental inspection of the property, he kind of hesitated in answering her. Also, regarding handicap accessible, the property does not have to be handicap accessible as a person can choose to live there or not. As far as condemning the property, this would go through the magistrate level and we would need a search warrant to get inside the property (if the tenant doesn't answer the door willingly).

Also, Ms. Elliott asked about occupancy numbers per apartment, and Mr. Sluyter gave the minimum area in square feet. Mr. Sluyter stated that living rooms shall be not less than 120 square feet and bedrooms shall contain not less than 70 square feet, and every bedroom occupied by more than one-person shall contain not less than 50 square feet of floor area for each related occupant. For unrelated people it's a different rule.

Also, it was explained that as far as the existing code violations and penalties ordinance for violations of the uniform construction codes of the Borough, Council is planning to amend (vote on) tonight the minimum fine and increase it from \$0 to not less than \$200 or more than \$1,000 plus costs. Also, Manager Lane stated that tonight the Borough is planning to amend the current code as it pertains to the definition of "Family" being 2 or more persons related by blood or marriage, or a group of NOT MORE than 3 persons who are NOT related by blood or marriage, living together as a single housekeeping unit in a dwelling unit.

Mrs. Patricia Coleman of 331 William Street asked about fire regulations and if Code Enforcement was required to go into the rental to check for smoke alarms. Mr. Sluyter told her that it is part of the rental inspection process. She then asked for the date 333 William Street was last inspected. Mr. Sluyter stated that he did inspect it several times (with the newest owner) but did not have that specific data in front of him and he could get that information for Mrs. Coleman. She then asked if he did inspection on bed bugs, lice, roaches, mice, etc., which Mr. Sluyter stated he does not have pesticide certification; however, if he sees them, he would address them.

Mrs. Coleman asked about increasing the amounts of fines each time there is a violation, and Manager Lane stated what was said earlier in the meeting about amending the existing code violations and penalties ordinance which Council is planning to amend (vote on) tonight. The minimum fine will increase from \$0, to not less than \$200 or more than \$1,000 plus costs. Mr. Sluyter stated that he sent 3 citations to the owner in the last 2 weeks for garbage. President stated that the fines are set by the Magistrate and we only set the range, but the Magistrate is the only one that can hammer down on violations. He can set up a payment plan for violators that could be a payment of \$1.00 a week or month until the fine is paid. We can't control how he resolves violations.

Mrs. Coleman asked about the problem with suspected drug sales and use at 333 William Street with out of state plates (New York) and bicycle traffic coming and going at all hours of the night. Chief Epler responded by stating that there have been multiple arrests at this building. However, they can only get a delivery or manufacturing charge at most on these people. It's difficult to get someone on the inside (infiltrate) of these groups to enable hitting them with more serious charges.

Mrs. Coleman stated that she would like to see more interest from their neighborhood council people that represents their ward. President Christini stated that the borough website lists the council members and contact information, plus a resident can call any of the members with concerns. She also asked about the difficulty in finding perhaps a retired handyman that could register and be allowed to do small jobs. President Christini stated that we cannot recommend anyone on our registered contractors list because of liability reasons, but suggested volunteer organizations like Hezekiah's Hands, Boy Scouts, or other ecumenical groups that may be able to help her.

Gary and Charlotte Parks were present to review "Kali's Mission", and Mr. Parks stated that they did get a late start this year because the veterinary centers were closed (except for emergencies) due to COVID-19. They did have several events planned for this year to raise money and were only able to have donation jars at local established businesses.

They are doing a fundraiser called "gotsneakers?". This program is a sneaker recycling program set up for an organization to do a collection of wearable, reusable athletic sneakers and then send these sneakers to GotSneakers (Miami, FL) through UPS (free shipping) in bags from a kit they provide. The organization pays from \$.50 to \$3.00 for every pair of wearable sneakers that is collected through this fundraiser, and they have barrels for the sneakers at various local businesses.

Also stated by the Parks': If you are a new customer and order from Chewy.com you can redeem a \$20 coupon that will go to "Kali's Mission". They also have a GoFundMe page on Facebook. Mrs. Parks stated that they have collected over \$2,000 in donations.

They have had requests for doing their program from other townships and boroughs, but they told them no because Towanda Borough is currently funding them to work on the Borough's feral cat population. They recently took care of a colony of about 25 cats in East Smithfield, however, Dr. Alice Moyer, a chiropractor, paid them to do this.

Mr. Parks also stated that they are currently working on a big colony on Poplar Street and Western Avenue where someone dropped off 20 cats. They have done 10 of the 20 there. Also, William Street, North Main Street and Fourth Street have colonies.

Mrs. Parks stated that this year they received \$2,000 from Towanda Borough and raised \$2,011 for a total of \$4,011.00. They expensed the Towanda Borough portion of \$2,000 and used donations of \$823.50. Their total expenses were \$2,823.50, leaving a balance of \$1,187.50. They plan on trapping again on October 21st, working on the colony of the 20+ cats in the Poplar Street area, plus a colony on North Main Street, and another on the lower end of Fourth Street. They will not have enough funds to cover the costs of spaying/neutering these colonies of cats.

For 2020 to date, they have 38 cats spayed/neutered which prevented approximately 152 new litters or a total of about 680 new kittens from being born. In 2019 they had 75 cats spayed/neutered, which prevented approximately 1,200 new kittens from being born. In conclusion, over the 8 months of 2019 and 2020, there has been 113 cats spayed/neutered in Towanda Borough, and if you times that by 4 litters per year per cat, times a litter of 4 to 5 cats per litter, we have prevented 1,808 new kittens from being born without homes.

If we add 25 cats for E. Smithfield, 2 cats from Dushore, the total would be 138 cats spayed/neutered times 4 litters per year, times 4 to 5 cats per litter, equals a grand total of 2,208 kittens not born homeless.

For 2021 the projected budget is \$6,500 and \$500 miscellaneous expenses like wet food containers. Mr. & Mrs. Parks themselves house the captures in their garage and provide comfort care with heat for them. She stated that they also work with You Too Animal Rescue in taking the kittens after they are fixed, but their facility is full with 90+ cats. She said Animal Care Sanctuary and Stray Haven are both filling up too.

Mrs. Parks asked Council for an additional \$500 to enable them to capture, spay/neuter the 20 cats currently on their list in the Borough. Mrs. Parks stated that they feel their program has been good and is working.

Mr. Parks also stated that at 6 to 7 weeks old the cat will be feral unless you play with them everyday, as the window of opportunity is narrow, and they have to wait until a kitten is 3 pounds or 3 months old before it can be fixed.

He stated that the vet can do a maximum of 10 cats at a time, and the vet and the vet technician donate their own time to do this. Also, the vet center is not making any money only payment for supplies. The cost is \$65 for a male and \$81 for females.

Mrs. Parks asked if Council if they would consider donating \$3,000 for year 2021 for them to further Kali's Mission goals. Mr. Christini thanked Mr. and Mrs. Parks for their time and commitment to this program as he feels the are making a big difference, and their request will be discussed and considered and we will get back to them with an answer.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve the September 7, 2020, Regular Council meeting minutes was made by Mr. Sweitzer and seconded by Mr. Kovalcin. Motion passed.

FIRE CHIEF REPORT:

Monthly report of incidents was included in packet.

Chief Roof stated that the Spartan (brand of fire truck) people visited last week to train the firemen on the new fire truck's operation and components.

Training will be slowing down.

In addition, he stated the Firemen's Annual Halloween Parade will be on Saturday, October 31st (on Merrill Parkway) beginning at 7:00 PM.

FIRE BOARD REPORT:

Mr. Klinger stated that there was no meeting, as there was no quorum.

MAYOR'S REPORT:

Mayor Miller stated that he signed a proclamation recognizing the Towanda Lions Club's annual White Cane Days. Due to COVID-19 they will have canisters inside at several local businesses.

Mayor Miller thanked Kevin Doupe' for starting the "Towanda Goes Blue to Support Law Enforcement" initiative asking citizens to use BLUE lightbulbs as their porchlights to support our local police Chief Epler and his officers, plus all other law-abiding officers.

Also, Mayor Miller stated that he started his annual search for unlit street lights in the Borough. There is one that is unlit at the corner of Elizabeth and Fifth Street.

Mayor Miller also personally thanked Manager Lane for waiting with him and his mother (Jean Miller) after she had a nasty fall at the school last Saturday. Manager Lane waited with him for an ambulance (did not arrive), and then he helped Mayor Miller get her to their vehicle to take her home.

POLICE CHIEF REPORT:

Chief Epler's monthly report was included in the packets and he reported the following:

He attended a meeting with the other Chiefs of Bradford County and the DA. There were several topics covered, one of which was getting up and running with the new Drug Task Force under the DA's Office.

Sgt. Lantz and Officer Bellows are looking into options for taser style weapons. Two new body armor vests were ordered for vest that are about to become outdated. Lead time for the vests is approximately 60 to 90 days.

The 2016 SUV was damaged in a pursuit that ended with the suspect crashing into our stopped patrol vehicle with a scooter. The suspect was arrested and was found to have 2 grams of methamphetamine on him, as well as \$966 dollars.

In addition, Officer LaManna received a cut to his finger today while helping an elderly lady by removing her car's exhaust pipe that was hitting the road.

Also, Chief Epler stated he and each of the officers received a gift of an Igloo mug cooler with their names on them with a "Blue Lives Matter" logo plus a flag with a blue line on it. They were donated by Ms. Donna Esposito of Strope's Tax Service. Chief Epler stated that his department really appreciates the support they receive from the community.

SEPTEMBER 2020 – Monthly Report

320	COMPLAINTS RECEIVED	2	JUVENILE PETITIONS
17	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
8	NON-TRAFFIC CITATIONS	6	THEFT REPORTS
2	DUI ARRESTS	9	ANIMAL COMPLAINTS
83	DISTURBANCE CALLS	3	VEHICLE DOORS OPENED
5	VEHICLE ACCIDENTS	8	WARNINGS ISSUED
4	OUT OF TOWN ASSISTS	0	K-9 SERVICES
6	CRIMINAL ARRESTS		

POLICE COMMITTEE REPORT:

Mr. Lacek stated the Committee did not have a meeting this month, but he will follow up with Chief Epler on the items they have been working on.

CODE ENFORCEMENT / PUBLIC WORKS REPORT:

Mr. Sluyter, Code Enforcement Officer, was present and reviewed the written report for September 2020.

Mr. Sluyter stated that he is on track, fees are up about \$3,000, and we had 85 rental inspections last year, and 46 so far this year. It could be COVID-19 related as renters may be staying put and people may not be moving in to places; or landlords are not calling.

Re: Compliance Issues:

Mr. Swietzer asked about 309 Pine Street, stating the roof seems to be in bad shape. Mr. Sluyter said there is currently no one living in at this address, and nothing has been done with cleaning up the garbage inside (unfit living conditions).

Mr. Sluyter stated that 307 Pine Street passed rental inspection on 9/25/2020, for apartment #1 and #2, as compliance items were completed. However, the owner signed a "letter of intent" (for the Borough's leverage) at the magistrate's office that states he will "fix the header piece on the porch within 10 days".

Mr. Sluyter also reported that at 219 North Fourth Street was found to have someone living there. This property's owner is deceased and the property is in the hands of USDA which could take up to 3 years to settle it. There are structure issues and rubbish on this property.

Mr. Sluyter stated that 619 Second Street is again back on the list for rubbish and structure issues.

Mr. Christini stated that the Borough is looking into "Fast Track" ticketing for solving issues in a timelier manner (Quality of Life Ticketing ordinance). This way, tickets will accelerate to a higher rate faster. Mr. Sluyter stated he has 2 court hearings next week for garbage and for vehicle citations.

SEPTEMBER 2020 SUMMARY – CODE ENFORCEMENT STATS

PERMITS & CONTRACTORS	Month	YTD
Permits Issued	30	117- missed adding last month's 24 permits
Permit Fees Paid	\$3,055	\$10,837.80
Code Inspections Fees	\$1,005	\$3,457.80
Borough Total after Code Inspections Fees	\$2,050	\$7,380
Permit Work Value	\$134,638	\$741,398
Contractors Registered	8	83
Contractors Registrations Amount	\$500	\$6,400

UCC Reportable Permits

	Month	YTD	Fees	Fees YTD
#1 Residential – New	0	1		\$4.50
#2 Residential – Other	5	22	\$22.50	\$99.00
#3 Commercial – New	0	0		
#4 Commercial – Other	0	1		\$4.50
TOTALS	5	24	\$22.50	\$108.00

COMPLAINTS

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	6	95	4	65	2	30
1 & 2 Family Rentals	23	119	20	104	15	41
Commercial Rental Units	5	48	44	39	2	10
Commercial Non-Rental	2	20	1	17	1	6
TOTALS	36	282	29	225	20	87

Rental Dwelling Unit Inspections

	Month	YTD
1st Inspection	6	39
2nd Inspection	1	7
3rd Inspection	0	0

FEES PAID	\$0	\$0

ZONING CODES

PERMITS	Number Issued		Number Denied		Fees Paid	
	Month	YTD	Month	YTD	Month	YTD
RESIDENTIAL						
COMMERCIAL						
MANUFACTURING						
SIGN						
OCCUPANCY						
OTHER						
TOTAL						
Sign Permits Total:						

ZONING APPEALS

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

PARKING

Mr. Sluyter stated that Park Street parking on the north side of the street has been changed back to parallel making it wider for emergency vehicles such as the fire truck to pass through more easily.

Tickets by Status (Last 30 Days)

Issued	20
Paid	17
Dismissed	4
Abandoned	
Warning	3

Tickets by Violation (Last 30 Days)

3 Hour Limit	43
Expired Meter	
Parking Outside of Lines	
Permit Required	1
Non-Space	

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Tickets by Street Location (Last 30 Days)

Main Street	23
Bridge Street	9
Park Street	1
Court Street	2
Towanda	
State Street	
Washington Street	2
Pine Street	1
Parking Garage	
John B. Merrill Pkwy	
Second Street	

BOROUGH MANAGER'S REPORT - SEPTEMBER 2020

Manager Lane reported on the following:

1. **PennDOT Turnback SR 3020 –**

Manager Lane stated the race to the finish line has begun. Valley Energy finished their work and the remaining stormwater and curb installations are in the process of being complete. Once the curbs and stormwater are finished the road work will start. We are hoping to have the paving completed by the end of the month.

2. **Flooding August 2018 –**

Manager Lane stated that 360 feet of the 48-inch stormwater pipe work on Third Street, which aligned with the Poplar Street turnback project is done and there are just some small things to finish up. They were able to manage cutting 10 feet off the 29 feet depth of the old piping system. He submitted a payment request of \$351,715.01 to PEMA for the Cash Creek repair work and the inspection services rendered thus far. The bulk of work for this section of the project is about 90% complete. There are still some clean up items; however, the pipe is installed and tied into the existing Cash Creek basin on Second Street. The contractor Sikora Brothers also replaced a section of sanitary sewer main included in the overall price. He is very pleased at this point with the project and the timing of these projects could not have worked out better.

3. **2020 COVID -19 Supplemental COPS grant**

Manager Lane stated during last month's meeting, the Borough was approved for the \$17,600 from the Police Cares Act funding. Probation Department Chief Popovich anticipates the funds to arrive before the end of the year.

4. **COVID-19 Fire and EMS Funding -**

The application was submitted however Manager Lane has not heard any news. He thinks it will be before the end of the year.

There is also a Fire Protection Grant to supplement the FD's lack of fund-raising ability this year. Chief Roof and his team submitted the application.

5. **Redevelopment Authority**

Manager Lane stated that work continues regarding the Land bank. He plans to meet with Bradford County Planning and develop a blight survey that will be sent to municipalities in the next few weeks. As a starting point, we would like to get a feel for how prevalent blight is throughout the county and gauge other municipalities commitment to the fight.

6. **Trail Project/Park Master Plan**

The grant is submitted and Manager Lane awaits a response from DCNR. However, he stated that the YMCA received a DCNR Grant in the amount \$70,000 for work to include renovation of their gymnasium floor, ADA access, project sign and other related site improvements. Manager Lane stated they have a kick-off call from DCNR tomorrow at 2 PM.

7. **2020 Towanda Police Pension MMO –**

Manager Lane stated on September 29th we received the Borough's 2020 Act 205 aid payment. The MMO will be satisfied before the end of October in line with parameters of the Act. We will also be adding the additional \$45,000 of Act 13 money by the end of the year. Next year, he will reach out to the actuary and determine if we still need to continue kicking in the extra payment.

8. **Towanda Downtown Revitalization – RACP –**

Manager Lane hired Milnes Engineering, Construction and Surveying to complete an as-built survey in order to finalize the Bradford County Land Development plan. The cost is \$2,500 which he felt was very reasonable.

In addition to wrapping up the grant, construction, and permits, Solicitor Smith will be drafting an agreement for the 105 parking spaces the County is using. This agreement will cover the remainder of the construction spent on the parking garage.

9. **NTSWA – Inter-Municipal Agreement –**

The agreement was emailed to council last month for review. Additionally, Manager Lane emailed the agreement to Solicitor Smith for his review and comments. ***He asked Council to make a motion to agree to the amendments provide by NTWSA. The agreement is for 2 years. A motion to accept the agreement was made by Mrs. Lacek and seconded by Mr. Klinger. Motion passed.***

10. **Truck #3 Replacement –**

Manager Lane stated the new truck has been ordered with the delivery date of 4 to 8 weeks. Hopefully it will arrive before we have to plow snow. We will manage to work around in the event it does not arrive before that time.

11. **2021 Budget –**

Manager Lane is about finished with personnel budget for 2021. He will start the rest of the budget this week and would like to plan a council budget work session in November. That will give him a month to have a 1st draft for that meeting.

Budget workshop meeting will be held November 18th, 2020 at 5 PM, and Mrs. Kulick will advertise the meeting.

Manager Lane listed a few capital items that need to be considered:

- New network server – Quote is \$22,000 split with TMA.
- Police tasers
- AC unit for Borough Hall
- LED lighting for Borough Hall and Municipal Building
- Municipal Building pavement and (raising) the garage door
- Also, Chief Epler reported today that the Boro Hall roof has sprung a new leak.

MISCELLANEOUS:

Manager Lane added: The Chamber of Commerce has started planning their annual Hometown Christmas. It will be a scaled down event compared to last year. He said the idea of a reverse parade where floats stay stationary and people drive by is being considered.

SOLICITOR'S REPORT:

Solicitor Smith stated that the properties at 307 and 309 Pine Street which both had fines levied against them had originally been sold on a land contract and Solicitor Smith obtained a copy of the contract. The fines were the responsibility of the person in "control of" managing the properties (which does not include the "owner of recent"), who did plead guilty of all charges.

Also, Solicitor Smith stated that the mortgage holder of Mr. Cook's property that has a vacant lot behind his home which is part of the Cash Creek ravine has sent paperwork to release the vacant lot from the mortgage. This opens the door for Towanda Borough purchasing this lot.

Solicitor Smith stated regarding the NTSWA contract, they can set their own policy resolutions for collection at any time, and in the future, if this happens, they will let us know when this happens.

ORDINANCE 2020-2

Amend Chapter 298, Section 298-4, of the Towanda Borough Code to Change the Approved Lot, as a Pound, for the Storage of such Impounded Vehicles.

A motion was made by Mr. Sweitzer 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, Ms. Saxon
Mr. Roof & Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT:

ORDINANCE 2020-2 - Carried unanimously.

ORDINANCE 2020-3

Amend Chapter 221, Section 221-2 of Code of the Borough as it pertains to Definition of "Family" to Replace the Current Definition with a New Definition of "Family".

A motion was made by Mrs. Lacek and seconded by Mr. Lacek.

The roll was called and recorded as follows:

AYE/YES: President Christini, Mr. Eberlin, Mr. Klinger, Mr. Kovalcin, Mr. Lacek, Mrs. Lacek, Ms. Saxon
Mr. Roof & Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT:

ORDINANCE 2020-3 - Carried unanimously.

ORDINANCE 2020-4

Amend Chapter 112, Section 112-30 of the Code of the Borough Pertaining to Violations & Penalties for Violations of the UCC of the Borough to Increase the Minimum Fine for any such Violation to Two Hundred Dollars (\$200)

A motion was made by Mr. Lacek and seconded by Mr. Kovalcin.

The roll was called and recorded as follows:

AYE/YES: President Christini, Mr. Eberlin, Mr. Klinger, Mr. Kovalcin, Mr. Lacek, Mrs. Lacek, Ms. Saxon
Mr. Roof & Mr. Sweitzer

NAY/NO:

ABSTAIN:

ABSENT:

ORDINANCE 2020-4 - Carried unanimously.

Solicitor Smith also stated that President Christini emailed him about the inspection fees for rental properties that were proposed but missed. However, there were a couple changes that were made in finalizing it. The solicitor will prepare and deal with this next month.

BOROUGH SECRETARY:

Secretary Kulick was absent due to illness and Laurie McGuire was the note-taker. Nothing to report.

ADMINISTRATIVE:

There was no meeting this month.

UNION SUB-COMMITTEE REPORT:

Nothing to report.

FINANCIAL REPORT:

Motion to pay the bills was made by Mr. Sweitzer and seconded by Mr. Kovalcin. Motion passed.

PLANNING COMMISSION REPORT:

The commission met again on September 15, 2020 and are making progress on penning a Vacant Property Ordinance for Council.

RECREATION REPORT:

Mr. Kovalcin stated that the Pumpkin Roll contest is being cancelled due to lack of interest probably due to COVID-19.

TMA/WMA/CBPA REPORTS:

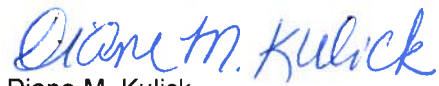
Included in packet.

8:30 PM an Executive Session was called for by Mr. Sweitzer concerning a legal issue. The Executive Session ended at 9:05 PM.

There were no further discussions in the meeting.

ADJOURNMENT:

Motion to adjourn was made by Mrs. Lacek and seconded by Mr. Christini. Meeting adjourned at 9:10 PM.


Diane M. Kulick
Towanda Borough Secretary
Notetaking at meeting by Laurie McGuire