

**Towanda Borough
Regular Council Meeting Minutes
Monday, April 5, 2021**

The Regular Meeting of the Towanda Borough Council was held on Monday, April 5, 2021, 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, Mrs. Miller, Mr. Kovalcin

Absent: Mr. Lacek, Mr. Roof

Recognition of Councilman Paul Sweitzer's passing on March 30, 2021

President Christini, speaking for council, had a few words of remembrance to say about fellow Council member Paul Sweitzer. He stated that "Paul was an elected member of Borough Council for the past 23 years. During his tenure he was appointed as President and Vice-President multiple times and served on the Finance & Admin, Police Pension Committees and Union Subcommittees. He was an appointed Borough representative on the Central Bradford Progress Authority since 2013 and the Towanda Municipal Authority since 2001".

President Christini went on to say, "Paul was always one to stand-up for Towanda Borough residents and downtown businesses. He respected all viewpoints but was also a firm voice when necessary. In particular, he wanted to make sure that the less fortunate in our community were always taken care of. And as a personal friend, I know that Paul's very strong faith and commitment to the Lord guided his decisions. His lifelong service and dedication to Towanda and the Borough Council was inspirational to me personally. Paul, we will miss you greatly. Thank you for your leadership and a job well-done."

Borough Council Resignation & Appointments

President Christini stated that we received a resignation letter dated March 5, 2021, from Rex Klinger that we need to accept. A motion was made by Mr. Kovalcin and seconded by Mrs. Miller. Motion passed.

He stated that we now have 2 council seat vacancies in the 3rd Ward and did request "letters of interest" at the last meeting in March. We received a letter from Mr. Gary Parks and Mrs. Michelle Hatch, and both were in attendance, and the letters were included in the meeting packet. We did not receive any other notices of interest. Therefore, Mr. Christini stated that we needed to appoint them to Council with a Resolution.

RESOLUTION #2021-5

Appoint Michelle Hatch and Gary Parks for each of the two (2) current vacant 3rd Ward Council Member positions.

A motion was made by Mr. Kovalcin and seconded by Mrs. Miller

The roll was called and recorded as follows:

AYE/YES: Mr. Eberlin, Mrs. Miller, Mr. Kovalcin & Mr. Christini

NAY/NO:

ABSTAIN:

ABSENT: Mr. Roof, Mr. Lacek

RESOLUTION #2021-5 - Carried

Swearing in Ceremony for Michelle Hatch and Gary Parks:

Mayor Miller swore in (Oath of Office) Mrs. Hatch and Mr. Parks as new Council members.

Appoint New Vice-President (behind Rex Klinger):

President Christini asked for a motion to open nominations for Vice President and Mr. Kovalcin made that motion to open them. Next Mr. Christini asked for candidates to be nominated, and Mr. Kovalcin made the motion to nominate Ryan Eberlin. There were no further nominations made and Mr. Kovalcin made the motion to close the nominations and Mrs. Miller seconded it. Mr. Eberlin is now the new Vice-President.

Borough Council 2nd Ward Open Council Seat:

President Christini stated that we need to advertise the open 2nd Ward Council seat that is vacant due to Paul Sweitzer passing away. Matt from the Daily Review will put a notice in the paper with his meeting article that states anyone living in the 2nd Ward who has been a resident for at least 12 months and is a registered voter per the PA Election Code, to send a letter of interest to the Towanda Borough Council by Thursday, April 29th. Council will then appoint that seat at the May 3, 2021, meeting.

PUBLIC VISITORS-CITIZENS TO BE HEARD:

Mayor Miller welcomed members of local Girl Scout Troop 40406 with their co-leaders Janette May and Jennifer Lane. The scouts were present to learn about local government and to earn their Inside Government badges. Mayor Miller presented them with a proclamation that recognized their efforts to fulfill the requirements of the badge by attending this meeting.

Kali's Mission Update:

Mrs. Charlotte Parks was present to report on Kali's Mission. She stated that they are soon to start the trap spay/neuter release program in Towanda again. They were also able to purchase a 2007 Kia Entourage as a shared vehicle with You Too Animal Rescue thanks to anonymous donations. She said they have received requests for service from several residents of the borough that are seeing stray cats or kittens. Since the start of 2021, they have raised around \$500 through a pasta dinner at Beeman's Restaurant and an easter egg hunt and craft fair held by Building Outreach Opportunities (BOO, Inc.) at the Wysox Haunted House grounds. They are starting another fundraiser called Got Sneakers where they are paid for gently used sneakers that are sent to foreign countries. Mrs. Parks, on behalf of Kali's Mission donated treats for the treat box on Merrill Parkway (which is for dogs). She also stated that the organization would be hosting a rabies clinic at You Too Animal Rescue on May 22nd. The cost is \$10 per animal and there will be baked goods, wearable items and masks for sale.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve the March 1, 2021, Regular Council meeting minutes was made Mr. Eberlin and seconded by Mrs. Miller. Motion passed.

FIRE CHIEF REPORT:

Chief Roof was not present; however, the monthly report of incidents was included in packet.

FIRE BOARD REPORT:

With Mr. Klinger resigning from the board, President Christini stated he will be looking for a new person to attend the fire board meetings.

MAYOR'S REPORT:

Mayor Miller echoed President Christini's sentiments for Paul Sweitzer and how we are going to miss him and how much he loved this town and serving on the board. He would also like to add Paul's name with Ellen Lacek's name to the same community service memorial award that will be established by the borough and presented once or twice yearly.

Also, Mayor Miller stated that TASD (Towanda Area School District) is hosting an Auction Bash, and they want to auction him for a day, and he will set up the winner with a tour of the Water & Sewer Plant and the Police Station (probably a Saturday).

POLICE CHIEF REPORT:

- Chief Epler stated that maintenance on the station is continuing and the Officers Patrol room has received a new coat of paint.
- The Mayor and Chief Epler met with Superintendent Mr. Peachy and Business Manager Mrs. Secor from the Towanda Area School District about the SRO (School Resources Officer) program discussed some changes in procedures that they want implemented.
- Also, the Mayor and Chief Epler met with an officer and a union rep about some corrective actions that will be required on the officer's behalf.
- In addition, Chief Epler stated that Mrs. Bumbaco of Second Street made a donation to the Police Department, and many thanks to her.
- Lastly, the Chief stated that he feels the Parking Ordinance has some items that he feels need to be addressed: 1) the fee structure for the towing company that has not been changed since 1972; 2) the Chief's (police dept) duties in this ordinance which he feels should be more in line with how we operate today. Manager Lane and Solicitor Smith have talked about it and will work on these concerns.

MARCH 2021 – Monthly Report

325	COMPLAINTS RECEIVED	4	JUVENILE PETITIONS
41	TRAFFIC CITATIONS	0	K-9 SERVICE (BORO)
9	NON-TRAFFIC CITATIONS	7	THEFT REPORTS
4	DUI ARRESTS	3	ANIMAL COMPLAINTS
53	DISTURBANCE CALLS	2	VEHICLE DOORS OPENED
4	VEHICLE ACCIDENTS	8	WARNINGS ISSUED
2	OUT OF TOWN ASSISTS	0	K-9 SERVICES
10	CRIMINAL ARRESTS		

POLICE COMMITTEE REPORT:

Mayor Miller stated the committee did not have a meeting this month.

CODE ENFORCEMENT / PUBLIC WORKS REPORT:

Mr. Sluyter, Code Enforcement Officer, was present and reviewed the written report for March 2021.

- May 14th and 15th will be Borough Spring Clean-Up days, and it will be in the paper as an article plus it will be on our website.
- In addition, there will be a Planning Commission hearing at the regular meeting on April 20, 2021 concerning a "Conditional Use" in C-2 at 846 South Main Street property applied for by Allied Services for supported housing residence for 6 individuals with mental needs with first floor living/meeting rooms. The Planning Commission will afterwards send this on to Council for decision at the May 3rd Council Meeting.

- Also, Manager Lane stated that Darin Rathbun, PE, Lead Structural Engineer and Director of HUNT's Towanda office, inspected 305-307 Third Street (double home) and he and Solicitor Smith are working on a notice for a "Dangerous Structure," to inform the property owner they have so many days to either fix or demolish it.

MARCH 2021 SUMMARY – CODE ENFORCEMENT STATS

PERMITS & CONTRACTORS		MONTH	YTD
Permits Issued		22	60
Permit Fees Paid		\$2,095	\$6,626.80
Code Inspections Fees		\$745.00	\$3,551.80
Borough Total after Code Inspections Fees		\$1,350	\$3,075
Permit Work Value		\$76,520	\$424,288
Contractors Registered		11	27
Contractors Registrations Amount		\$900	\$2,700

UCC Reportable Permits

	Month	YTD	Fees	Fees YTD
#1 Residential – New				
#2 Residential – Other	4	12	\$18	\$54
#3 Commercial – New				
#4 Commercial – Other	1	3	\$4.50	\$13.50
TOTALS	5	15	\$22.50	\$67.50

COMPLAINTS

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	10	55	7	52	4	28
1 & 2 Family Rentals	8	48	6	41	3	21
Commercial Rental Units	5	23	5	22	1	8
Commercial Non-Rental	4	12	2	10	2	6
TOTALS	27	138	20	125	10	63

Rental Dwelling Unit Inspections	Month	YTD
1st Inspection	9	17
2nd Inspection	0	0
3rd Inspection	0	0
FEES PAID	\$0	\$100

PARKING:

Tickets by Status

	Month	Year-to-Date
Issued	41	83
Paid	25	80
Dismissed	5	14
Warning	0	3
Abandoned	1	1

Tickets by Violation

	Month	Year-to-Date
Expired Meter		
3 Hour Limit	71	177
Expired Meter		
Parking Outside of Lines		
Permit Required		
Non-Space		

Tickets by Street Location

	Month	Year-to-Date
Main Street	23	80
Court Street	17	24
Bridge Street	17	42
Park Street	8	16
Pine Street	5	10
Washington Street		5
State Street	1	1
Parking Garage		
John B. Merrill Pkwy		
Second Street		
Mix Avenue		1

BOROUGH MANAGER'S REPORT – APRIL 5, 2021

1. **PennDOT Turnback SR 3020 –**

Manager Lane stated the remaining punch list items and additional driveway work has been complete. He will work with the contractor on the final invoice and this project will be in the history books.

The overall infrastructure improvements included over a half mile of full depth road reconstruction, almost 2,500' of various size stormwater pipe, 1,300' of sewer main, 10 new precast concrete manholes, 1400' of water main, 4,800' of full depth concrete curbing. The total cost was approximately \$2,000,000 and was funded by both PennDOT and FEMA.

2. **Flooding August 2018 –**

Work has begun on Mulberry and Fifth Streets (Cash Creek). In addition to the 370' of stormwater damage covered by FEMA, we are using Borough funds to extend the stormwater the full length of Mulberry St. The area is well-known to be always wet. Once the stormwater is finished, Manager Lane plans to pave the street either late this summer or next. He stated the enhancements should make a development in the area much easier in the future.

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

The CFA (Commonwealth Financing Authority) meeting that was scheduled for March 23rd was cancelled. Manager Lane has not been notified of a rescheduled date. The April CFA calendar did not show another meeting scheduled yet.

4. **YMCA – New Floor**

Manager Lane stated the engineering work is currently being done with the anticipation of the new flooring to be installed this summer. With the savings from using the cooperative purchasing agreement the YMCA has decided to replacing the old HPSV lighting fixtures in the gym with new LED fixtures and replace the ceiling tiles.

5. **American Rescue Plan Act (ARPA) –**

As you may or may not have heard the ARPA Act has allocated funding for municipalities. Manager Lane attended an informational webinar put on by PSAB and they provided as much information as they have gathered so far. They do not anticipate any guidance from the state on the who, what, when, where and why's for several months. There are reports of approximate distribution amounts to municipalities and the amount we receive will be one-half this year and one-half next year; however, nothing is official. There will be more to come as he receives information from the state.

6. **2021 Parkway Sealcoat Bid**

Manager Lane would like to kindly request a motion from Council to move forward with advertising a joint bid with North Towanda Township to sealcoat the John B. Merrill Parkway. The PennDOT municipal services department has put together the bid documents. He anticipates the work to be finished before Riverfest. He asked for Council's permission to advertise for bids. ***Mr. Kovalcin made that motion to have him advertise sealcoating of the Parkway, seconded by Mrs. Miller. Motion passed.*** Manager Lane also stated that they plan on filling in the Parkway walkway cracks by first trying the Craftco machine using some very fine asphalt.

7. **Union negotiations public works agreement –**

It's that time of year to begin negotiations with the Teamsters Local 118. They have requested preliminary information that Diane is preparing. I will summon the Union Sub Committee within the next two months. Also, we need someone to take Paul's place on the Committee. The current members of the committee are Jean Miller and Rick Lewis and Manager Lane.

8. **Curb Appeal Program**

Council budgeted \$50,000 to make small interest loans to Borough residents. Manager Lane updated the sidewalk loan program to include house painting and siding, and set the limit of a loan to \$7,500 at 1.75% interest and up to 5 years amortization. Special exceptions can be made for terms with Council approval. The documents are currently being reviewed by the Borough Solicitor.

9. **2020 Borough Audit –**

The 2020 Borough audit and DCED report is complete. Please let him know if you would like a copy. The report was delivered to the Bradford County Courthouse and submitted to DCED via the municipal statistics e-filing website. No findings were presented by the auditor Hallock/Shannon, PC.

Also, the 3 pension plans' last 3 years are being be audited by the PA Auditor General's office starting this month.

10. **2021 FIRM-**

We received notification that the new Floodplain maps are currently being advertised and on public display for any comments or rebuttals. Property owners may file an appeal; however, the appeal needs to be based on science and engineering. The appeal would need to come to the Borough Manager to file with FEMA.

SOLICITOR'S REPORT:

Solicitor Smith stated that Chief Epler is correct with his concerns on the parking ordinance and he will clean it up with some recommendations for us.

The zoning issue for Allied for "conditional use" does not have explicate criteria to follow, therefore Council will make the decision to allow this use.

He stated the Guthrie tax appeal is coming up with a pre-trial conference next week (not a full hearing yet).

He is working on a couple dangerous structures issues and Manager Lane had some questions on 305-307 Third Street, "If we tear it down, do we have a municipal lien to enforce against the property or can we go after the owner for any excess costs because when it is torn down the lot is not going to be worth what it costs to demolish the home"? The Solicitor stated, "Yes, we can sue the owner and we can get a general judgement that becomes a lien on any other property the owner owns in the county to help recoup any excess loss the Borough may have in dealing with the property."

Solicitor Smith is working on the Curb Appeal Program documents and will let us know on them.

He stated there are a couple other deteriorated properties that Mr. Sluyter has coming up for hearing at the magistrate's office.

Manager Lane has a municipal lien that is coming up for judicial sale that Solicitor Smith feels is defective and not served properly, therefore, he is going to be in contact with the solicitor for the County Treasurer's office to discuss. He stated that he also feels they should do a property title search before they list any properties for sale.

BOROUGH SECRETARY:

Secretary Kulick did not have anything to bring before Council.

ADMINISTRATIVE:

President Christini stated they had a finance and administration meeting and they reviewed the audit and he is working on the subcommittee list that needs updating.

Executive Session – Began, Personnel issue at 8:21 PM.

Executive Session – Ended, Council back in session at 8:33 PM.

UNION SUB-COMMITTEE REPORT:

Contract negotiations will probably start in April.

FINANCIAL REPORT:

Motion to pay the March 2021 bills was made by Mrs. Miller and seconded by Mr. Eberlin. Motion passed.

PLANNING COMMISSION REPORT:

Mr. Christini stated there was no quorum on March 16th, but they had a discussion. There is currently 1 opening on the commission, and they are still working on vacant storefront ordinance. An ordinance that is used in Massachusetts where-by you pay to register the storefront – but, if you keep the windows clean and display artwork, the fee is waived. This is something to consider for Towanda. The next meeting will be on April 20th, which will be a public hearing for the Allied “conditional use” application and afterward we will continue to work on the vacant storefront ordinance.

RECREATION REPORT:

Mr. Kovalcin stated that he will have information on the bands for “Concerts in the Park” next month.

TMA/WMA/CBPA REPORTS:

Included in packet. Manager Lane stated that we need 2 appointees for TMA that Council appoints through a resolution.

MISC:

The Committee is working on the fireworks show, and the vendor for Riverfest this year will give us 3 small shows prior to the main event.

ADJOURNMENT:

Motion to adjourn was made by Mr. Kovalcin and seconded by Mrs. Miller. Meeting adjourned at 8:50 PM.



Diane M. Kulick
Towanda Borough Secretary