

**Towanda Borough  
Regular Council Meeting Minutes  
Monday, January 4, 2021**

The Regular Meeting of the Towanda Borough Council was held on Monday, January 4, 2021, at the Borough Municipal Building, 724 Main Street, Towanda, PA. The meeting was called to order at 7:04 PM by President Mark Christini with a moment of silence followed by the Pledge of Allegiance.

**Present:** Mr. Christini, Mr. Eberlin, Mr. Kovalcin, Ms. Saxon & Mr. Roof, Mr. Sweitzer

**Absent:** Mr. Klinger, Mrs. Lacek, Mr. Lacek

**CITIZENS TO BE HEARD:**

None present.

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

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

**FIRE CHIEF REPORT:**

Monthly report of incidents was included in packet. The number of incidents for the year was 153. Chief Roof stated that they only received 3 calls in the new year and they were non-emergent. He said that they also put both Engine #1 and the old Tower Truck for sale on a site on Facebook.

**FIRE BOARD REPORT:**

*Mr. Klinger was absent, however Chief Roof stated that there are 2 firemen that are now CERTIFIED drivers. They are: Brandon McLinko on the Engine and the New Fire Truck; and Nate Sheets on the Tanker Truck. He asked Council for its approval. Motion was made by Mr. Sweitzer and seconded by Mr. Kovalcin. Motion passed.*

**MAYOR'S REPORT:**

Mayor Miller stated that he wishes the Firemen and Fire Chief, the Police and Chief, and the Council members a safe, and healthy New Year.

**POLICE CHIEF REPORT:**

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

Operation Blue Santa was completed and went well. Some extra items were donated at the last minute and we in turn donated them to a Fire Department that was doing a similar present give away.

He stated that they had a number of problems due to power outages with the computer that acts as storage for the "Watchguard Video System". Therefore, with Manager Lane's approval, he purchased a battery backup unit to help alleviate some of these type issues.

Chief Epler stated that concerning the recent service of a search warrant on a legal office next to the Towanda Police station, reporter James Lowenstein (Wyalusing Rocket-Courier newspaper) published a quote that I did not say on the Rocket Courier's social media page. The Chief stated he became aware of it when he was called later that day by the Attorney General's Office. After talking to them and setting them straight on the quote, Chief Epler called Keeler's (Rocket-Courier's owners) and had it removed.

The Chief also stated that the snowstorm damaged (folded) the gutters in the back of the station, and also took out part of the handrail. The Public Works department will take care of this soon.

*Chief Epler requested Council approve a low rollover total of 86 vacation hours for his department personnel. A motion was made by Mr. Kovalcin and seconded by Mr. Eberlin. Motion passed with the comment that this is not a lot, and Chief Epler was commended for his efforts in getting the vacation rollover hours down.*

**DECEMBER 2021 – Monthly Report**

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

**POLICE COMMITTEE REPORT:**

Mr. Lacek 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 December 2020.

He also provided the Code Totals “Year to Year” from 2013 through 2020.

Mr. Christini stated that the year-to-date parking ticketing status that has 178 issued and not resolved is lopsided. Mr. Sluyter stated that this is partly his fault and partly due to the changes in the Parking Code, ticket holders were pleading “not guilty”; and from there it goes to the Magistrate’s office. Mr. Sluyter stated that the Parking data system will be updated soon.

In addition, Mr. Sluyter included a copy of Chapter 264. Streets and Sidewalks, Article II. Removal of Grass, Snow, Etc. § 264-2. Duty of owners and occupants. B. Snow and/or ice removal states that the owner or owner’s agent has 24 hours to remove the snow and/or ice. Mr. Sluyter stated that he gave \$5 fines out, but feels that \$0 to \$25 is too much of a variable. Most of the properties that are in violation are rentals.

After discussion Council voted to have the solicitor change ordinance section § 264-2 Duty of owners and occupants. B. to “48 hours to remove snow and/or ice from the sidewalk.” And also, change § 264-3. Violations and penalties -to change the minimum fine amount from time to time by Resolution. The property owner would be sent a letter (warning) the first time, and then the citation would follow if they fail to comply.

*Mr. Kovalcin made the motion to amend § 264-2 and § 264-3 (Council will set fine after the ordinance is advertised) with these terms, and have Solicitor Smith write the ordinance and advertise in the local paper.*

*Mr. Eberlin seconded the motion. Motion passed.*

**DECEMBER 2020 SUMMARY – CODE ENFORCEMENT STATS**

<b>PERMITS &amp; CONTRACTORS</b>		<b>MONTH</b>	<b>YTD</b>
Permits Issued		7	147
Permit Fees Paid		\$640	\$15,192.80
Code Inspections Fees		\$275	\$4,032.80
Borough Total after Code Inspections Fees		\$365	\$11,160.00
Permit Work Value		\$21,110	\$886,145.28
Contractors Registered		5	100
Contractors Registrations Amount		\$350	\$7,700

**UCC Reportable Permits**

	<b>Month</b>	<b>YTD</b>	<b>Fees</b>	<b>Fees YTD</b>
#1 Residential – New	0	1		\$4.50
#2 Residential – Other	1	26	\$4.50	\$117.00
#3 Commercial – New	0	0		
#4 Commercial – Other	1	4	\$4.50	\$18.00
<b>TOTALS</b>	<b>2</b>	<b>31</b>	<b>\$9.00</b>	<b>\$139.50</b>

**COMPLAINTS**

	<b>Received</b>		<b>Investigated</b>		<b>Resolved</b>	
	<b>Month</b>	<b>YTD</b>	<b>Month</b>	<b>YTD</b>	<b>Month</b>	<b>YTD</b>
Single Family Non-Rental	20	133	18	98	10	48
1 & 2 Family Rentals	12	157169	10	144	8	63
Commercial Rental Units	6	67	6	56	4	18
Commercial Non-Rental	3	27	3	21	2	10
<b>TOTALS</b>	<b>41</b>	<b>396</b>	<b>37</b>	<b>319</b>	<b>24</b>	<b>139</b>

**Rental Dwelling Unit Inspections**

	<b>Month</b>	<b>YTD</b>
1st Inspection	5	69
2nd Inspection	0	8
3rd Inspection	0	0
<b>FEES PAID</b>	<b>\$0</b>	<b>\$0</b>

**ZONING PERMITS – DECEMBER 2020**

PERMITS	Number Issued		Fees Paid		Number Denied	
	Month	YTD	Month	YTD	Month	YTD
TOTAL	1	15	40.00	\$1,420		

**PARKING:**

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

Issued	28
Paid	11
Dismissed	2
Abandoned	
Warning	1

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

3 Hour Limit	42
Expired Meter	
Parking Outside of Lines	
Permit Required	
Non-Space	

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

Main Street	15
Bridge Street	10
Park Street	
Court Street	9
Towanda	
State Street	2
Washington Street	3
Pine Street	3
Parking Garage	
John B. Merrill Pkwy	
Second Street	

**BOROUGH MANAGER'S REPORT – JANUARY 4, 2021**

1. **PennDOT Turnback SR 3020**

The project has reached substantial completion. The final walk though is currently being scheduled. There are some minor items that need addressed, however it is all but complete.

Manager Lane was scheduled to meet with Steve Kehoe (Municipal Services Rep) from PennDOT the week before Christmas, however due to the snow storm they are planning to schedule in the next week or two. Once they acknowledge the project is complete, he will begin closing out the final paperwork.

2. **Flooding August 2018**

The Mulberry St. repairs are on the schedule to be repaired in house come spring 2021. This will be funded through the FEMA/PEMA disaster relief program.

Manager Lane submitted the second payment request for the repair of Cash Creek (most was by Teeter's Garage) on December 7th, 2020. He anticipates payment soon.

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

The Borough is still waiting for funds to be received from County Probation Department. Chief Popovich told him the money has not been received as of yet.

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

Manager Lane is still currently waiting for these funds to be distributed. The OSFC (Office of the State Fire Commissioner) does not have a deposit date, however they are "sending contracts to comptroller daily". He stated that we are patiently waiting.

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

Manager Lane spoke to the grant reviewer (DCED), and answered some additional questions. This person stated he has reviewed the application and will forward it to the program manager, but he did not speculate on an award date.

6. **SNOVID-2020**

Manager Lane stated the 30" snow storm we received on December 17th was one for the record books. Towanda Borough deployed a total of 15 employees for 692.50 hours, 15 pieces of equipment. It took probably 8 working days to get a good share of the snow cleaned up. We need a plan that puts some of the work on the residents and property owners to work together on these streets in moving their cars so that it can be plowed better. He is very proud of the work the crews did and he is grateful to have the dedication we do from our employees. He sent out numbers for state aid to Bradford County but we probably will not get any.

7. **December 26th Flooding**

The Borough has very minimal flooding issues. The river crested at 19.74 ft and was roughly 5 ft. away from breaching the WWTP (Waste Water Treatment Plant) and onto the Parkway. He stated that we did dodge a bullet with the flooding except for "Tommy Fairchild Park", which was fully flooded. The crew will be scraping mud over there. Manager Lane also stated that the new well field in North Towanda was inundated under water and everything operated fine like the engineers told them. He and Chad figure that it would take a 25-foot flood to render the wells useless, and this was a good experience for

him and Chad to see. The history proves that the water has only reached 25 feet 3 times in the last 130 years.

8. **New Server**

Manager Lane stated Ridge Support will be installing our new server on January 7th and 8th. The server will replace the current one that is no longer supported by our accounting and billing software. The cost of the server is \$10,210 for the physical server, \$7,840 for the installation and \$4,592 for the software license. The majority of the cost will be paid for by TMA as the largest cost is the Utility Billing service.

Note: There will be a water plant tour for board members and employees on Saturday, at 10:00 AM, January 9th.

**SOLICITOR'S REPORT:**

Solicitor Smith stated that the R-1 One Family Residential District and the R-4 Two Family Residential District Zoning codes have been drafted to be removed, and we should be able to have a public meeting in February to vote on changing it.

*Council voted to have Solicitor Smith advertise the drafts above - Removing § 325-13 C. (7), and removing § 325-16 C. (1). Motion was made by Ms. Saxon and seconded by Mr. Kovalcin. Motion passed.*

Solicitor Smith is also working on an agreement between the Borough and the Bradford County Commissioners for forgiveness on the balance of the bridge loan (approx. \$241,000 & change) that the Borough received from the county when building the parking garage. The county decided that they would like to have free parking for 105 spaces (for about 5 years) in exchange to settle the debt. Manager Lane has the draft to review and if it is ok, Solicitor Smith will send it on to the BC Solicitor and on to agreement by the Commissioners.

Also, he stated there was a tax appeal from the Guthrie Health Systems that was denied. It is for the Personal Care Home and Rainbow's End. This would be a huge loss to us, the school district and the county, and Solicitor Smith will file a motion to intervene as a party in interest. The appeal hearing will probably take place sometime in February 2021.

Solicitor Smith also stated that the Liquor License transfer that was on the agenda but not voted on last month was put on the back burner by the applicant.

*In addition, Mr. Christini stated that the December 7, 2020 meeting minutes contained a motion passed by Council to rescind Towanda Borough Ordinance No. 2013-4 (added 7-18-2013), plus editor's notes found within them. He asked Solicitor Smith to rescind and advertise it.*

**BOROUGH SECRETARY:**

Secretary Kulick did not have anything to bring before Council.

**ADMINISTRATIVE:**

Police Pension Plan Summary for November 2020, included in packet.

Regarding Mary Ann Harris' letter of resignation received last month, Council voted to accept Mary Ann Harris' resignation effective January 11, 2021. The motion was made by Mr. Sweitzer and seconded by Mr. Kovalcin. Motion passed.

Mr. Christini stated on behalf of Council that we commend her and appreciate her commitment for being the tax collector. Mary Ann also served as the Borough Secretary for many, many years.

After the December 7th meeting where Manager Lane presented Mrs. Harris' resignation letter, there was an article in the paper that asked for "letters of interest" for the tax collector position. We only received 2 letters of interest and one of them did not live in the borough and they were not eligible. The requirement is that the tax collector lives within the borough and a registered voter. The other letter of interest was received from Kara Eberlin of 610 Third Street, Towanda. Manager Lane read her letter of interest to Council which included her resume which each member had a copy. Mrs. Eberlin has 15 years of administrative support as well as financial and customer service experience. She also has technical knowledge with data entry applications that will allow a smooth transition of responsibilities. A motion was made by Mr. Sweitzer and seconded by Mr. Kovalcin to appoint Mrs. Eberlin as the new tax collector.

The Resolution is as follows:

**RESOLUTION #2021-1**

Appoint Tax Collector to replace Mary Ann Harris, who resigned effective January 11, 2021. The appointee will finish out Mrs. Harris' term that ends the first Monday in January 2022. The appointee's name is Kara Eberlin of 610 Third Street, Towanda.

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

The roll was called and recorded as follows:

AYE/YES: President Christini, Mr. Kovalcin, Ms. Saxon, Mr. Roof, Mr. Sweitzer

NAY/NO:

ABSTAIN: Mr. Eberlin

ABSENT: Mr. Klinger, Mr. Lacek and Mrs. Lacek

**RESOLUTION #2021-1 - Carried**

**UNION SUB-COMMITTEE REPORT:**

There was nothing to report this month.

**FINANCIAL REPORT:**

There were no bills to be paid this month (they were paid after approval at the Special Council Meeting on December 30th, 2020).

**PLANNING COMMISSION REPORT:**

Mr. Christini updated Council on what work that Planning Commission has done on the proposed Vacant Properties Ordinance (approximately 6 months work so far). There were questions that the Planning board asked for Council to review and Mr. Christini asked Council to think about answers.

They are as follows:

- 1) Is a downtown building with both a commercial space and apartments vacant if one or the other is rented? Or if a two or more-apartment house has 1 unit rented, is it vacant with only 1 unit occupied? Therefore, these would not be vacant and the building would not need to be registered and pay a fee?

This was discussed and Council leaned toward if any part of the building is rented then it would not need to be registered as vacant.

- 2) Does Council want to charge registration fee: (1) NONE; (2) fixed or (3) yearly escalating? Sample ordinances were: \$100/yr., \$200/yr., and some increasing each year to as much as \$400, \$800 and \$2,000/yr. to provide incentive and force owner to rent the building.

Council is open to some sort of fee. Also, Mr. Christini suggested that if the owner of the property pays a registration fee on January 1st, and they rent it out a couple months later, they do not get a refund.

- 3) Should the ordinance include/duplicate sections already covered in Towanda Borough Code or IPMC (International Property Maintenance Code 301.3,....) such as: 8. Maintenance and 9. Security Requirements?

Mr. Christini stated that we may not want to duplicate any part of the IPMC code. Solicitor Smith said that he would like to review the draft before giving his recommendation.

Mr. Sluyter stated that the ordinance could be a waste of time and feels that Property Maintenance already takes care of all of these issues.

Manager Lane stated this ordinance is trying to discourage people from collecting properties and just letting them sit empty (and deteriorate). He feels that if there are buildings or apartments that the owners cannot seem to rent, then they may not be in very good shape for renters to want to occupy.

In conclusion, Mr. Christini asked Council to think about these questions, read what has been composed so far (included in packet) regarding the Vacant Property Ordinance, stay focused on what we are trying to accomplish, and offer suggestions.

**RECREATION REPORT:**

Mr. Kovalcin had nothing to report.

**TMA/WMA/CBPA REPORTS:**

Included in packet.

**MISC:**

Mr. Christini read a "letter of resignation" from First Ward Councilperson Kayla Saxon. Ms. Saxon resigned effective immediately because although she still resides in the Borough, she has moved to the Third Ward. Ms. Saxon stated that she will miss working with Council members, however she is currently on the Recreation Board and is a member of the Planning Commission for the Borough. She stated that she hopes to represent the Third Ward when the opportunity comes forth in the future. Ms. Saxon's resignation was "regretfully" accepted with a motion by Mr. Kovalcin and seconded by Mr. Roof. Motion passed.

Mr. Christini asked the Daily Review reporter who was present to mention in his article that the borough is accepting letters of interest from its First Ward residents who would like to take Ms. Saxon's place. Letters must be submitted to the borough before the next council meeting on February 1st.

**ADJOURNMENT:**

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



Diane M. Kulick  
Towanda Borough Secretary