

**Towanda Borough
Council Meeting Minutes
Tuesday, July 6, 2021**

The Regular Meeting of the Towanda Borough Council was held on Tuesday, July 6, 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: Mrs. Miller, Mr. Roof, Mr. Lacek, Mr. Kovalcin, Mr. Schulze, Mr. Christini, Mrs. Hatch, Mr. Parks

Absent: Mr. Eberlin

CITIZENS TO BE HEARD:

Charlotte Parks gave the latest report for Kali's Mission.

- She stated they have trapped 8 cats and 4 kittens (which are too young to spay/neuter). The kittens went to You Too Animal Rescue.
- United Way gave them a \$1,000 grant for 2022 (\$250 per quarter), but they cannot do fundraisers from September through December during the United Way Campaign.
- The "Got Sneakers" Program is continuing.
- The Dandy Mini-Marts Dandy Canes program will be held from November thru December 2021.
- Mrs. Parks also stated that several areas outside of Towanda Borough have been asking Kali's Mission for assistance, and they are using the money from these events to purchase more traps.
- Mr. Christini praised the group for its efforts in controlling the cat population.

Mrs. Rosemary Hoffman and her son Jacob Hoffman of 211 Chestnut Street are concerned about the fire pits in the Borough. She read a letter that her son Jacob composed which was sent to several Borough officials. The letter asked for a ban on burning fire pits because houses in town are close together and the smoke from burning bothers him and makes him sick. It comes through their open windows at night when it is hot when he is trying to sleep.

He stated this burning goes on from early evening throughout the night. "He and others suffer from chemical sensitivities and/or asthma." He did receive a response from several council members and a copy of the open burning ordinance, which raised more questions for him. The definition of recreational fire reads, "A fire, set with an approved starter fuel, no more than three feet in height, contained within a recreational fire site: **using dry, clean wood; producing little detectable smoke, odor, or soot beyond the property line;** conducted with an **adult tending the fire at all times;** for recreational, ceremonial, or social purposes or food preparation; **extinguished completely before quitting the occasion;** and **respecting weather conditions, neighbors, burning bans, and air quality requirements so that nuisance, health, or safety hazards will not be created.** A campfire is a type of recreational fire. No more than one recreational fire is allowed on any property at one time."

Mrs. Hoffman stated that Jacob feels that past fires have affected him and not complied with the ordinance. She asked, "Who defines the requirements?" She stated maybe it would be better to ban burning or limit burning to gel fuel, propane, or even charcoal is better than wood to compromise. She felt that it would be better to have a code that is more enforceable as it is not always easy to call the police on a neighbor, and sometimes it is difficult for the police to track the smoke once the sun goes down.

Mr. Christini stated that the ordinance (§253-7. Open burning.) was updated in 1996, 2000, 2010, and 2017, and he agrees that it is not perfect and maybe we need to take a fresh look at doing what Mrs. Hoffman suggested. Ordinances are not always black and white in enforcing them. He stated these concerns and suggestions may be referred back to the Planning Commission for comment. It does take time to make ordinance changes, and the health, safety, and welfare of our citizens is number one and is taken seriously. We also don't want to put an undue hardship on every resident who lives in Towanda and has an occasional campfire. He said we try to find a balance which is why there have been four (4) changes in the ordinance over the years.

Mrs. Hoffman concluded that "When you get ready to go to bed, and you have a fan in the window sucking in the smoky air, as a homeowner, what can you do?" That is really what she wants the council to discuss. There were additional comments and it was stated that **educating the residents** to be aware of the ordinance would help a lot.

On the law enforcement side, Chief Epler stated that the last ordinance amendment helped some but he does get occasional calls about burning.

Mr. Christini pointed out that the in the current **§253-7. Open burning. A. Definitions. Recreational Fire Site** states the following: "Burning barrels including fifty-five-gallon drums and similar containers are not a

recreational fire site, and if anyone sees one, they should let Jeremy Sluyter know, and he can write a letter to them to remove it."

Solicitor Smith, who drafted the ordinance stated that properties are so close in the borough that open burning should be eliminated. To keep the smoke from leaving a property, it has to be a "perfect day with perfect conditions, no wind, perfect fuel" to be able to comply with the ordinance. He feels the language is there and enforcement will eliminate open burning.

Mr. Christini stated that the council will talk about this at next month's meeting and decide what action to take.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve June 7, 2021, Regular Council meeting minutes was made by Mr. Roof and seconded by Mr. Kovalcin. Motion passed.

FIRE CHIEF REPORT:

The monthly report of incidents was included in the packet.

- Chief Roof stated that the Fire Company has sold the Yellow Tower Truck for \$7,200. They have 1 more Yellow Fire Truck they are going to sell also.

FIRE BOARD REPORT:

Mr. Parks attended the meeting but had nothing to report.

MAYOR'S REPORT:

- Mayor Miller stated that Joe Dority passed away last week. He will be remembered as the Founder of the Bradford County Veterans Memorial Park. He was instrumental in getting the park accomplished from start to finish (for over 8 years) through many obstacles.
- Mayor Miller reminded all of "Concerts in the Park" this coming Thursday.
- Mayor Miller talked a little about the "Rent a Mayor" plan he is planning on starting.
- The Mayor has been busy. He officiated 15 weddings this year and has about 25 more to do. Normally, he does 12 to 16 a year.

POLICE CHIEF REPORT:

- Chief Epler stated Officer Hennessy is out of the schools for the summer and we are taking advantage of lots of vacation time being taken.
- Officer Hennessy did a K-9 presentation for the Wyalusing Summer Reading Program.
- An Aggressive Driving patrol was conducted this month.
- New flooring has been ordered for the Police Station to replace the old carpet.
- Chief Epler and several officers met with Albert Ondrey, the newly appointed District Attorney for Bradford County. It was a Q & A about policies and procedures and any changes that we may want in the future.
- Also, Chief Epler asked for 2 "Do Not Enter" signed on Part Street. The Borough Manager complied.

JUNE 2021 – Monthly Report

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

POLICE COMMITTEE REPORT:

The committee did not have a meeting this month and Jim Lacey stated the committee may change the meeting day and time.

CODE ENFORCEMENT / PUBLIC WORKS REPORT:

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

JUNE 2021 SUMMARY – CODE ENFORCEMENT STATS

PERMITS & CONTRACTORS	MONTH	YTD
Permits Issued	20	140
Permit Fees Paid	\$2,550.00	\$16,163.00
Code Inspections Fees	\$125	\$6,680.28
Borough Total after Code Inspections Fees	\$2,425.00	\$9,482.72
Permit Work Value	\$132,310.48	\$842,957.26
Contractors Registered	8	67
Contractors Registrations Amount	\$800	\$4,800

UCC Reportable Permits

	Month	YTD	Fees	Fees YTD
#1 Residential – New	0	0	0	0
#2 Residential – Other	2	21	\$9.00	\$94.50
#3 Commercial – New	0	0	0	0
#4 Commercial – Other	0	6	0	\$27.00
TOTALS	2	27	\$9.00	\$112.50

COMPLAINTS

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	12	83	10	76	8	43
1 & 2 Family Rentals	20	84	20	74	10	40
Commercial Rental Units	10	42	8	38	6	17
Commercial Non-Rental	5	26	5	20	3	13
TOTALS	47	235	43	208	27	113

Rental Dwelling Unit Inspections

	Month	YTD
1st Inspection	7	41
2nd Inspection	0	4
3rd Inspection	0	0
FEES PAID	\$0.00	\$300

PARKING:

Tickets by Status

	Month	Year-to-Date
Issued	79	92
Paid	40	188
Dismissed	10	35
Warning	0	4
Abandoned	2	5
Citation	2	88

Tickets by Violation

	Month	Year-to-Date
Expired Meter		
3 Hour Limit	126	398
Expired Meter		
Parking Outside of Lines	0	1
Permit Required	3	3
Handicap/Disabled	1	1
Non-Space		2
Loading Zone		1

Tickets by Street Location

	Month	Year-to-Date
Main Street	60	179
Court Street	13	42
Bridge Street	28	90
Park Street	12	36
Pine Street	10	31
Washington Street	3	12
State Street	1	4
Parking Garage		
John B. Merrill Pkwy	1	1
Second Street		
Mix Avenue		1
C&N Lot	1	4

BOROUGH MANAGER'S REPORT – JUNE 6, 2021

1. **Flooding August 2018 –**

Once the Borough crew is finished installing base asphalt Manager Lane will submit the final DAP-9 payment request, administrative cost reimbursement, and closeout DAP – 12. He would like to see

all payments received and the project closed out before the end of July, however, PEMA employees are still working from home and things are going slower than normal.

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

Manager Lane left this item on the report as a future reminder to Council.

The executed Grant agreement arrived along with the conditions set forth for the project. Even though this is a "Planning" grant and not construction, the conditions require a public bid for "Professional Services." DCNR's Christine Dettore has offered to assist in putting together the RFP (Request for Proposal) for the consultants to ensure all the bullet points are in there for the Park Master Plan to meet the requirements for future applications to DCNR (for construction). (Very Critical, they are a good funding source for recreation construction grants).

3. **YMCA – New Floor**

We advertised for bids to replace the ceiling tiles and lighting fixtures in the gym. The bid opening is scheduled for July 14th at 1:00 PM at the YMCA.

Manager Lane submitted a request from DCNR for the down payment of \$30,000 for the gym floor. The contractor was chosen using the Sourcwell cooperative purchasing program. This allowed us to bypass the bidding process. This work will not start until the lighting and ceiling tiles are done.

4. **2021 Parkway Sealcoat Bid**

The seal coating is almost finished. The initial oil and chipping are complete. The fog seal and line painting will be done within the next week. (weather pending)

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

We have a tentative agreement with the Teamsters. The highlights are as follows:

1. Wage increase - 2022 = \$0.75, 2023 = \$0.70, 2024 = \$0.70
2. Insurance increase - 2022 = 4%, 2023= 2%, 2024 = 1%
3. Pension Contribution Increase – 3% each year

Manager Lane recommended that the council pass a motion to ratify the agreement. Towanda Borough has a great working relationship with our Teamster employees and he feels this contract is fair to both parties. ***Mr. Kovalcin made the motion to do this, seconded by Mrs. Miller. Motion passed.***

6. **Curb Appeal Program**

Manager Lane stated that we have all the required documents in place and the first loan should be closing very soon. Mr. Sluyter is working with the homeowner and contractor.

7. **WALKWORKS Program –**

Manager Lane stated there is no new news but keeping this item on the report as a future reminder to Council.

The application was submitted in early May. At this point, we are just waiting. Manager Lane thinks this will tie in perfectly with the Parks Master Plan.

8. **305 & 307 Third Street-**

Manager Lane stated the owner of the property has signed a deed conveying the property to the Borough. Solicitor Smith thinks that this is the best possible solution for this property as the owner has had many letters and citations from the Borough with no resolution. The Borough plans to demo the building and will have to make a case to the School District and County for them to forgive the back taxes.

RESOLUTION #2021-12

Council's Approval for Towanda Borough to Accept Executed Deed to 305-307 Third Street from the current owner, Lisa M. Bell.

Motion made by Mr. Kovalcin and seconded by Mr. Roof.

The roll was called and votes were recorded as follows:

AYE: Mrs. Miller, Mr. Roof, Mr. Lacek, Mr. Kovalcin, Mr. Schulze, Mr. Christini, Mrs. Hatch, Mr. Parks
NO:

ABSTAIN:

ABSENT: Mr. Eberlin

RESOLUTION #2021-12 – Carried

Also, Manager Lane has submitted the CDBG application for this property's demolition. We should know by October if awarded. If the application is not awarded, he recommends using capital reserve funding to raze the building.

9. TMA Bond Issue -

TMA is in the process of refinancing the RT 220 sewer district loan with the USDA. The refinance will come via a bond issue. We have retained Dave Unkovic and Ryan Hottenstein to ready the documents. Towanda Borough is a Guarantor on the loan and will also need to be on the bond. Manager Lane should have the resolution at the August 2nd Council meeting.

10. Truck 14 Replacement –

Manager Lane stated that we recently sold equipment we no longer use on **Municipibid**, and he plans to use the revenue from the sale to order a new Truck #14. This is the Borough Crew truck. The total is \$47,399. The truck is white, includes rhino lining in the utility box and an 8' plow. We sold roughly \$35,000 of old equipment. There is approximately a 7 to 9-month wait for a new truck.

Manager Lane asked for permission to order the truck at this point. A motion to enable him to do so was made by Mr. Kovalcin and seconded by Mrs. Hatch. Motion passed.

11. Reserved Handicap Parking Space Fee

Manager Lane asked the council to vote on a resolution to add a fee for Reserved Handicap Parking space in the Central Business District at \$75 per month.

RESOLUTION #2021-13

Add Fee for Reserved Handicap Parking Space in the Central Business District at \$75 per month.

Motion made by Mr. Parks and seconded by Mr. Kovalcin.

The roll was called and votes were recorded as follows:

AYE: Mrs. Miller, Mr. Roof, Mr. Lacek, Mr. Kovalcin, Mr. Schulze, Mr. Christini, Mrs. Hatch, Mr. Parks
NO:

ABSTAIN:

ABSENT: Mr. Eberlin

RESOLUTION #2021-13 – Carried

SOLICITOR SMITH:

- Solicitor Smith stated that he has prepared the written decision paperwork for the "conditional use" application that was submitted by Allied Health Services and denied by Council at a continuation meeting held on May 26, 2021.
- Mr. Christini asked Solicitor Smith about the Act 13 Gas Ordinance amendment. Solicitor Smith stated that Jonathan Foster (Zoning Solicitor) is doing the work on the Act 13 Gas Ordinance and was to contact Manager Lane after he "edits" the parts Council voted to have removed. Manager Lane stated he would follow up with Solicitor Foster.

BOROUGH SECRETARY:

Mrs. Kulick reminded everyone about the upcoming Borough Picnic and Farewell for Kyle on Friday, July 30th.

Manager Lane stated that on July 14th at 10:30 AM, there will be an open house hosted by Stifler-McGraw at the new water plant in North Towanda. Everyone will be getting an invitation.

ADMINISTRATIVE:

President Christini asked the council for approval to accept Manager Lane's request to have his last physical day in the office by July 30th, with permission to use vacation days from August 2nd through August 6th. Therefore, his official last day as a Borough Manager will be Friday, August 6th. This will make the total of 13 vacation days he will have used in 2021.

A motion to accept Manager Lane's request was made by Mr. Kovalcin and seconded by Mrs. Miller. Motion passed.

Also, President Christini stated that Manager Lane has been working on a to-do list for the new Manager, plus the search committee will be receiving resumes up until the deadline on July 16th.

UNION SUB-COMMITTEE REPORT:

Mrs. Miller stated that they had the first and only meeting with the union and union stewards, and the agreement was made for the next contract period.

FINANCIAL REPORT:

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

PLANNING COMMISSION REPORT: Meeting held on June 15th

- President Christini stated again that they now have 2 open seats on the Planning Commission.
- Also, the request of Vicki Wells for Borough LED signage is still being discussed.
- Mr. Doupe' will provide a copy of the town of Vestal's sign ordinance at the meeting on July 20th.
- Concerning the Property Maintenance Ordinance draft there were 2 motions passed:
 1. A waiver of the annual registration fee as an incentive if the owner of the property agrees in writing to display public art in their storefront.
 2. The scope of the ordinance is to address Commercial property in C2 and C3 districts (and not include residential and industrial at this time).
- At the next meeting on August 17th, we will review what we have this far to prepare the ordinance for presentation to Council.

RECREATION REPORT:

Mr. Kovalcin stated that the "Concerts in the Park" is moving along and they plan to have another "Pumpkin Roll" contest in October.

TMA/WMA/CBPA REPORTS:

Included in the packet.

ADJOURNMENT:

Motion to adjourn was made by Mr. Roof and seconded by Mrs. Miller. Meeting adjourned at 9:12 PM.



Diane M. Kulick
Towanda Borough Secretary