

**Towanda Borough
Public Hearing & Regular Council Meeting Minutes
Monday, May 3, 2021**

A Public Hearing and the Regular Meeting of the Towanda Borough Council was held on Monday, May 3, 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. Eberlin, Mrs. Miller, Mr. Roof, Mr. Kovalcin, Mr. Christini, Mrs. Hatch, Mr. Parks

Absent: Mr. Lacek

2nd Ward - Borough Council Appointment:

President Christini stated that we received 2 letters of interest for the 2nd Ward open council seat. The first letter we received was on April 22nd from Mr. Joe Saring, a business owner in the 2nd Ward. The second letter we received on April 23rd from Mr. Jon Schulze, who is also a business owner in the 2nd Ward.

RESOLUTION #2021-7

Appoint Mr. Joe Saring or Mr. Jon Schulze to the current vacant 2nd Ward Council member position.

Nominations opened by: Motion made by Mr. Roof and seconded by Mr. Kovalcin.

Motion made by: Mr. Kovalcin nominated Mr. Joe Saring; Mr. Roof seconded it.

Motion made by: Mr. Eberlin nominated Mr. Jon Schulze; Mrs. Miller seconded it.

Nominations closed by: Motion made by Mr. Roof and 2nd by Mrs. Miller

The roll was called and votes recorded as follows:

Mr. Joe Saring votes: Mr. Roof and Mr. Kovalcin – 2 votes

Mr. Jon Schulze votes: Mr. Eberlin, Mrs. Miller, Mr. Christini, Mrs. Hatch, and Mr. Parks – 5 votes

ABSTAIN:

ABSENT: Mr. Lacek

RESOLUTION #2021-7 - Carried with Mr. Jon Schulze receiving the majority vote of Council to be selected to fill the current vacancy, and serve until the first Monday in January 2022.

Swearing-in Ceremony of Mr. Jon Schulze:

Mayor Miller swore in (Oath of Office) Mr. Schulze as the new 2nd Ward Council member.

PUBLIC HEARING:

Allied Health Services is proposing a "Supported Living Residence" for six (6) people with mental health needs in the former Northern Tier Counseling building at 846 South Main Street which is a C-2 Commercial Zone (Central Business District). Mr. Christini stated that there was a Planning Commission meeting held on April 20th, and the Planning Commission made the motion in favor of "conditional use", and this was sent to Council for consideration. If the use is granted by Council, the Planning Commission suggests fencing be installed between the parking area and Main Street. Damian Rossetti, Esq. (Allied's attorney), presented Allied's case and Stenographer, Elizabeth I. Brucie, RPR, was present to duly swear in witnesses and transcribe depositions for this meeting.

Please see the attached transcript of the hearing.

President Christini called for any public comments to which he read a letter from a resident who resides on Second Street above the location of the proposed Allied building. Amanda Romanger's

(724 Second Street) letter stated that she lives in the neighborhood and she is opposed to the Allied request for supported housing at 846 South Main Street. Also, Chief Epler stated that he is concerned because of the number of calls that this residence could have, and the impact on the police department. He stated that Allied's 12 Mix Avenue home is probably the highest call ratio for any address in Towanda Borough. And if there is a problem with a 302 (In PA, an order to initiate an involuntary mental health assessment.) or an ambulance call, his officers sometimes end up doing the transport to the Robert Packer Hospital BSU. If that officer is the only one on duty, it leaves Towanda unguarded while the person is being transported.

President Christini stated that this request by Allied has been one of the most complicated requests that he has ever seen since he has been on Council. Also, he stated that we have several new Council members, and even he did not feel well-versed in making a decision tonight. Solicitor Smith stated that we have to have a written decision made in 45 days, and at that time it has to be publicly announced.

President Christini then asked for a motion to close the hearing and continue with another hearing date for a decision to be announced. Mr. Roof made the motion seconded by Mr. Kovalcin to continue the meeting at a later date in May. Motion passed. The meeting is scheduled for Wednesday, May 26th, at 7 PM, to continue the hearing and for Council to vote on a decision. Solicitor Smith will then write up the findings for the decision.

CITIZENS TO BE HEARD:

There were no citizens to be heard.

BID OPENING:

Manager Lane started the bid opening for seal coating the Merrill Parkway this summer. There were 4 bids total.

- Suit-Kote - \$66,647.54
- Vestal Asphalt, Inc. - \$78,092.77
- Midland Asphalt Materials, Inc. - \$79,523.43
- Russell Standard - \$82,000.90

The lowest bid was Suit-Kote at \$66,647.54.

Manager Lane asked for Council's approval to accept Suit-Kote as the lowest acceptable bid. Mr. Kovalcin made the motion, seconded by Mrs. Miller to accept Suit-Kote's bid. Motion passed.

APPROVAL OF PREVIOUS MONTH'S MINUTES:

Motion to approve the April 5, 2021, Regular Council meeting minutes was made by Mr. Parks and seconded by Mrs. Hatch. Motion passed.

FIRE CHIEF REPORT:

The monthly report of incidents was included in the packet.

- Chief Roof stated that a company is coming to do pump testing, and the new ladder fire truck will be getting certified next week.
- Also, the tanker truck is back as there was a hole in the housing that needed to be fixed and Chief Roof also had them check the valves and seals.

FIRE BOARD REPORT:

Mr. Parks volunteered to be the attendee at the Fire Board Meetings (2nd Tuesday Monthly).

MAYOR'S REPORT:

- Mayor Miller congratulated Mr. Schulze on being on Council.
- He also announced that on Sunday, May 2nd, the Pennsylvania State Mayors' Association of which Mayor Miller is a member promoted "Bells Across Pennsylvania," a municipal event to recognize first responders and other public servants who have enabled Pennsylvania to prevail against the pandemic.
- Mayor Miller also thanked Mr. Parks for the dog biscuits from Kali's Mission that go in the dispenser at Merrill Parkway. He has received a lot of positive comments on it.
- The Little League Parade was this past weekend and the Concerts in the Park will start next month.

POLICE CHIEF REPORT:

- Chief Epler stated all officers were recertified on CPR and First Aid this month and certification lasts 2 years and is a requirement by the state for all officers.
- Chief Epler instructed SFST (Standardized Field Sobriety Testing) at Mansfield College for 2 days this month. He stated he is required to have teaching hours to maintain his DRE (Drug Recognition Expert) certification.
- Officer Hennessey led the Little League Opening Day Parade on Saturday, April 24th.
- Concerts in the Park will start next month.

APRIL 2021 – Monthly Report

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

POLICE COMMITTEE REPORT:

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 April 2021. July 13th is the target date for online citations (automatic e-mail to Magistrate's Office).

APRIL 2021 SUMMARY – CODE ENFORCEMENT STATS

PERMITS & CONTRACTORS		MONTH	YTD
Permits Issued		29	89
Permit Fees Paid		\$2,623.28	\$9,250.08

Public Hearing & Regular Borough Council Meeting Minutes
 May 3, 2021

Code Inspections Fees		\$996.28	\$4,548.08
Borough Total after Code Inspections Fees		\$1,627.00	\$4,702.00
Permit Work Value		\$81,176.24	\$505,464.24
Contractors Registered		20	47
Contractors Registrations Amount		\$2,000	\$3,500

UCC Reportable Permits

	Month	YTD	Fees	Fees YTD
#1 Residential – New	0	0	0	0
#2 Residential – Other	4	16	\$18	\$72
#3 Commercial – New	0	0	0	0
#4 Commercial – Other	2	5	\$9	\$22.50
TOTALS	6	21	\$27	\$94.50

COMPLAINTS

	Received		Investigated		Resolved	
	Month	YTD	Month	YTD	Month	YTD
Single Family Non-Rental	6	61	4	56	3	31
1 & 2 Family Rentals	10	58	8	49	5	26
Commercial Rental Units	3	26	3	25	1	9
Commercial Non-Rental	4	16	2	12	2	8
TOTALS	23	161	17	142	11	74

Rental Dwelling Unit Inspections

	Month	YTD
1st Inspection	9	26
2nd Inspection	0	0
3rd Inspection	0	0
FEES PAID	\$200	\$300

PARKING:

Tickets by Status

	Month	Year-to-Date
Issued	36	107
Paid	12	104
Dismissed	1	15
Warning	0	3
Abandoned	0	1

Tickets by Violation

	Month	Year-to-Date
Expired Meter		
3 Hour Limit	49	226
Expired Meter		
Parking Outside of Lines		
Permit Required		
Non-Space		

Tickets by Street Location

	Month	Year-to-Date
Main Street	19	99
Court Street	3	27
Bridge Street	13	55
Park Street	5	21
Pine Street	6	16
Washington Street	3	8
State Street	0	1
Parking Garage	0	0
John B. Merrill Pkwy	0	0
Second Street	0	0
Mix Avenue	0	1

BOROUGH MANAGER'S REPORT – MAY 3, 2021

1. **Flooding August 2018**

Materials are in the process of being procured and excavation should begin shortly. Manager Lane submitted and received all FEMA funds up to this point for a total of \$409,849. The remaining funds are for Fifth and Mulberry streets, and the administrative cost portion of the project.

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

Manager Lane is very pleased to announce at the CFA (Commonwealth Financing Authority) meeting on April 21st, Towanda Borough's application was awarded to complete a "Parks Master Plan". Once the grant agreement is in place, he will send out an RFP (Request for Proposal) to potential consultants for the project.

3. **YMCA – New Floor**

The project is moving forward. The plan to replace the outdated lighting fixtures and broken ceiling tiles will also become part of the project as mentioned at last month's council meeting. We plan to adjust the "scope of work" with DCNR and will need a **Motion** from the council to bid out ceiling and lighting work as well as the scope change.

Mr. Roof made the motion and Mr. Kovalcin seconded it to give Manager Lane permission to bid out the ceiling & lighting work with Source Well Procurement company (a co-operative) of which we are now a member.

4. **2021 Parkway Sealcoat Bid**

Manager Lane opened the bids earlier tonight and Council voted to accept the low bidder. **As stated earlier in these minutes, the motion was approved with the lowest bidder being Suit-Kote at \$66,647.54.**

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

We have provided all the requested information to the Teamsters and Manager Lane anticipates a letter soon asking to begin negotiations. Fred Johnson (retired Public Works Superintendent), of Third Ward and a TMA board member volunteered to be on the Union Subcommittee.

6. **Curb Appeal Program**

The Curb Appeal Program is ready to go and Manager Lane will start the market campaign in the coming weeks. The purpose is for exterior home improvements.

7. **WALKWORKS Program –**

NTRPD and Manager Lane is working to submit an application to the WalkWorks Program, which is funded by the PA Department of Health and the Pennsylvania Downtown Center. He stated that this ties in nicely with our planning efforts to extend trails and make the downtown a more pedestrian-friendly area.

"WalkWorks is funding to assist municipal entities with the development of active transportation plans and policies. By helping to fund these efforts, WalkWorks continues its aim to establish new or improved pedestrian, bicycle and public transit transportation systems, thereby, furthering its objective of increasing activity-friendly routes and connectivity to everyday destinations."

8. **Police Pension Audit –**

The Pennsylvania Auditor General's office started their audit of the Act 205 pension plan funding we receive from the state. Susan and Diane have been providing them with all the requested documents. Due to COVID, the audit is being done remotely via email and telephone.

9. **305 & 307 Third Street-**

Manager Lane stated that the structure at 305 & 307 Third Street needs to be addressed sooner rather than later. We have discussed the condition of the property in the recent past, and the building now is starting to litter roofing material to neighboring properties. He requested from the council that after all the proper notifications are in place and Solicitor Smith is satisfied, and we have exhausted all other efforts with the owner to remedy the situation.

He asked for a **Motion** to reallocate funds from the Special Capital Reserve account to demolish the building and to have Mayor Miller instruct Solicitor Smith to try to contact the owner via registered mail and inform them what is going on with their property, and the steps the borough is taking. He thinks they have so many days to act and then we can "knock it down". Council can then take all legal actions necessary to recover the cost from the property owner. A **Motion** to do both was made by Mr. Eberlin and seconded by Mr. Parks. Motion passed.

10. **CBPA Appointment & Guthrie Bond Reissue**

Manager Lane requested council appoint Councilman Ryan Eberlin to the Central Bradford Progress Authority to replace Mr. Sweitzer. **Resolution 2021-8.**

RESOLUTION #2021-8

Appoint Ryan Eberlin to CBPA (Central Bradford Progress Authority) as a board member.

Motion made by Mr. Kovalcin and seconded by Mrs. Miller.

The roll was called and votes recorded as follows:

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

ABSTAIN: Mr. Eberlin

ABSENT: Mr. Lacek

RESOLUTION #2021-8 - Carried

Guthrie Health Care decided to take advantage of the low-interest rates that are currently available. When Guthrie built their new hospital in Corning, NY, they did so by issuing bonds through the Central Bradford Progress Authority. The bond issue is for \$51M. Manager Lane requested Council approve **Resolution 2021-9** provided by the Progress Authority.

RESOLUTION #2021-9

Approval Authorizing Central Bradford Progress Authority (CBPA) issue Revenue Bonds as a loan to the Guthrie Clinic, a PA nonprofit corporation in an approximate principal amount not to exceed \$51,000,000.

Motion made by Mr. Roof and seconded by Mrs. Miller.

The roll was called and votes recorded as follows:

AYE: Mr. Eberlin, Mrs. Miller, Mr. Roof, Mr. Kovalcin, Mr. Schulze, Mr. Christini, Mrs. Hatch, Mr. Parks

NO:

ABSTAIN:

ABSENT: Mr. Lacek

RESOLUTION #2021-9 - Carried

MISC:

Manager Lane stated that the light at Elizabeth and Merrill Parkway keeps malfunctioning and he is going to research possibly flipping the switch so that it flashes yellow on both sides of Merrill Parkway and stationary red for Elizabeth Street (to turn onto the Parkway). Council agreed.

SOLICITOR SMITH:

- Solicitor Smith thanked the board for their patience during tonight's Public Meeting with Allied. The continued hearing will be held on May 26th at 7 PM. He stated that if anyone has specific questions before the meeting, he will address them.
- He is working on the Third Street property maintenance issue.
- He stated that he is working on tweaking the promissory note for the "Curb Appeal" program.
- Regarding the 101 North Main Street property, he received a callback and there are 3 surviving children, so a notice will go out to all the children.

BOROUGH SECRETARY:

Secretary Kulick reminded Council of the Spring Clean-up being held on May 14th (Sat) and 15th (Sun).

ADMINISTRATIVE:

President Christini had a meeting and reviewed the bills. He is still working on finalizing the Committees.

UNION SUB-COMMITTEE REPORT:

Manager Lane stated that contract negotiations will be starting very soon.

FINANCIAL REPORT:

Motion to pay the April 2021 bills was made by Mr. Eberlin and seconded by Mr. Kovalcin. Motion passed.

PLANNING COMMISSION REPORT:

Mr. Christini stated that we had a meeting with Allied. It was requested that Vicki Wells provide more information and suggestions on signage across the street from the Borough building. Maybe it could have a light shine on the lettering in the kiosk.

RECREATION REPORT:

Mr. Kovalcin stated there are 8 events, 1 of which is a magician starting on Thursday, June 10th.

TMA/WMA/CBPA REPORTS:

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

Mr. Christini welcomed Jon Schulze to the board.

ADJOURNMENT:

Motion to adjourn was made by Mr. Roof and seconded by Mr. Parks. Meeting adjourned at 9:30 PM.


Diane M. Kulick
Towanda Borough Secretary