

**TYRONE BOROUGH COUNCIL  
MINUTES OF REGULAR COUNCIL MEETING**

**APRIL 8, 2019 @ 7:00PM**

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, April 8, 2019 @ 7:00PM at the Tyrone Borough Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Latchford led the group in the Pledge of Allegiance and Pastor Karen Ward gave the Invocation.

**CALL TO ORDER:**

Mayor Latchford called the meeting to order and requested roll call. Present: Council members Robert Dollar, Sarah Jane Miller, Charlie Mills, David Snyder, Thad Graham, and Mayor Latchford. Absent: Councilmembers Michelle Miller and Terry Richardson. Also present were Borough Manager Ardean Latchford; Solicitor Dan Stants; Police Chief John Romeo; Sewer Superintendent Tim Nulton; Water Superintendent Mike Ashcroft; Highway Superintendent Jim Bywater; Finance Director Shannon Wilson; Consulting Engineer Kevin Nester; Code Enforcement Officer Marvin Frazell; and Administrative Assistant Kimberly Gurekovich.

**EXECUTIVE SESSION:** Council held an Executive Session prior to the meeting to discuss personnel and real estate.

**PRESENTATIONS:**

**Presentation of Certificates of Compliance**

Two industries were presented Certificates of Compliance for achieving total compliance of EPA parameters for the year 2018. Mayor Latchford and Sewer Superintendent, Tim Nulton presented Certificates to Albemarle Corporation and Kunzler & Company. Mr. Nulton thanked them for their hard work to obtain this compliance.

**PUBLIC COMMENT:**

**Kurt Braun, 415 W. 18<sup>th</sup> Street**

Mr. Braun addressed Council regarding a citation he received earlier today for feeding cats. Mr. Braun stated that a year ago he had a problem with cats, he contacted the Central Pennsylvania Humane Society and the Borough Code Enforcement Officer, to no avail. Mr. Braun was advised by a veterinarian that not feeding the cats will not solve the problem. Mr. Braun then started working with a group of ladies in town who were trapping cats. Mr. Braun stated this process helped reduce the number of cats from 12-14 down to 4. Mr. Braun was not happy about the citation and stated someone

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must prove that he fed them.

**Deb Soellner, Tyrone Cat Advocates**

Ms. Soellner was present at the meeting advising their group (TCA) was upset that nobody from the Borough advised them there was a change in the Ordinance. Mrs. Soellner gave statistics on the number of cats they have taken care of. Ms. Soellner asked the Borough to reconsider Mr. Braun's citation because they thought they were helping.

**Robert Smith, Bellwood (brother of Borough resident Jackie Rhoades)**

Mr. Smith addressed Borough Council regarding the cat issue that has spiraled out of control at his sister's residence on 16<sup>th</sup> Street. Mr. Smith advised there are 5 stray cats living under a neighboring house, the house is vacant, and the cats were fed as recently as yesterday. His sister's yard is being used for a litter box and cats lay all over her porch furniture. His sister, Jackie Rhoades, has been the subject of harassment from the Cat Advocate Group. Mr. Smith stated this is no longer about the cats, this is about the way they are treating his sister. Mr. Smith also advised he has attempted to work with the Cat Advocate Group and his efforts have been criticized.

**Ronnie Garbinski, Tyrone Sports Association**

Mr. Garbinski, representative of the Tyrone Sports Association addressed Borough Council requesting a matching grant letter of support for the Tyrone Sports Association. Mr. Garbinski advised of improvements they are planning for the basketball court at Reservoir Park. They have an estimate of \$74,000 which includes resurfacing the basketball court, scoreboard, conduit, new fencing and a 10% contingency for bleachers. This estimate also includes 20% for prevailing wage. It was moved and seconded Borough Council approve a match of 50% or a maximum \$35,000 towards this project. This item was not on the Agenda, Mayor Latchford called for public comment. There being none, Council unanimously approved said motion.

**Michelle Miller, Tyrone**

Mrs. Miller addressed Borough Council requesting they approve a traffic and speed study on Clay Avenue. Mrs. Miller advised she requested the same from Snyder Township and they granted permission. Mrs. Miller also advised she recently spoke with PennDOT Representative John Ambrosini and he advised the last traffic study done on Clay Avenue was in 1989. Mrs. Miller requested the Borough submit paperwork to PennDOT to have this taken care of. This item was not on the Agenda,

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Mayor Latchford called for public comment. There being none, it was moved and seconded that Borough Council approve a traffic/speed study for Clay Avenue. Council unanimously approved said motion.

**Jen Powell, Director of the Tyrone Snyder Public Library**

Ms. Powell advised this week is National Library Week. The Library has increased their STEM (science, technology, engineering and mathematics) supplies thanks in part to a generous donation from Albemarle.

**Traci Hunter, 1205 Lincoln Avenue**

Ms. Hunter addressed Borough Council regarding traffic issues in her neighborhood. She stated she has 3 children and witnesses people going thru the 4 way stop intersection every day. Ms. Hunter requested police presence in this neighborhood.

There was no further public comment.

**APPROVAL OF MINUTES**

It was moved and seconded the Minutes of the March 11, 2019 Council meeting be approved. Council unanimously approved said motion.

**APPROVAL OF MONTHLY FINANCIAL REPORTS**

It was moved and seconded the financial reports for the monthly accounting period ending March 31, 2019 be approved: (1) Statement of Revenues and Expenses; and (2) Cash Disbursement Journal. Council unanimously approved said motion.

**BOROUGH MANAGER'S MONTHLY REPORT**

**Approval of Lease Agreement - Tyrone Youth Athletic Association**

Council was in receipt of a new lease with Tyrone Youth Athletic Association. The Tyrone Youth Athletic Association contacted the Borough several months ago asking to lease the Ferner Field Complex. Once the improvements are completed this will be the home of many youth sporting events. It was moved and seconded that Council approve said Lease. Council unanimously approved said motion.

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**Request to Renew Shea Field Lease**

For many years, the Borough has leased Shea Field from the American Eagle Paper Mill. This Lease was last renewed in March, 2009, with the option to extend for additional one year terms. Since it has been 10 years, American Eagle Paper Mill contacted the Borough about renewing this Lease. Council was in receipt of a copy of the Lease. It was moved and second that Council approve the Lease with American Eagle Paper Mill for Shea Field. Council unanimously approved said motion. Council member Snyder requested to view a copy of the original Lease.

**Update Feral Cat Issue**

As Council is aware, the Borough continues to have a feral cat problem. Attempts to remedy this situation have been relatively futile. Council has tried to alleviate the residential burden imposed by the growing number of feral cats in the best ways possible. However, things have spiraled a bit out of control to the point that some of our residents are feeling threatened for trying to protect their properties from the dangers the feral cat population creates. While the effort Council has made is admirable, Borough staff feels it is time actively enforce Ordinance #1425, enacted December 10, 2018. Additionally, it was recommended that Council appoint the Central Pennsylvania Humane Society as the Borough sole TNR program. It was moved and seconded that Council appoint the Central Pennsylvania Humane Society as the official organization to act on behalf of the Borough in addressing this issue. A roll call vote was taken. Ayes: Council members Snyder, Dollar, Miller and Mayor Latchford. Nays: Council member Graham. Council member Mills abstained.

**Tammy Wills, 1500 Logan Avenue**

Tammy Wills, Board member of the Central Pennsylvania Humane Society, wanted Council to be aware that the CPHS does not do as much testing to the cats as the Tyrone Cat Advocates have been doing.

**Bill Wiser, 1501 Logan Avenue**

Bill Wiser commented that he felt the Borough was handcuffing themselves by going strictly with the CPHS.

**Rick Rhoades, 2553 Adams Avenue**

Mr. Rhoades, Borough resident and the son of Jackie Rhoades, addressed Council stating the main issue isn't what this group is doing to the cats it's what they are doing

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to the people. His mother is being bullied and the acts against her are intentional and malicious. She is 67 and a lifelong resident of Tyrone who does not presently feel safe in her own home. Mr. Rhoades urged Council members to continue with appointing the CPHS and encouraged them not to let the Tyrone Cat Advocates continue to operate in the manner they have.

**Bid Award - Logan Avenue Resurfacing Project**

Three bids were received on April 1<sup>st</sup> for the resurfacing of Logan Avenue, from Herald Street to 16<sup>th</sup> Street. They are listed below:

Grannas Bros. Stone & Asphalt	\$ 160,446.40
New Enterprise S&L Co.	\$ 166,347.25
Glenn O. Hawbaker	\$ 169,997.77

It was moved and seconded that Council award the bid to the low bidder, Grannas Bros. Stone & Asphalt at their bid price of \$160,446.40. Council unanimously approved said motion.

**Request from Grace Baptist Church**

Council was in receipt of a request from Grace Baptist Church for the use of the Amphitheater and Pavilions for a week long revival service August 5, 6, 7 and 8. Since this event is open to the public, their request was also to waive the rental fees. It was moved and seconded that Council approve the use of Reservoir Park by Grace Baptist Church. Council unanimously approve said motion.

**Bids Award - Sale of 1989 Ford Aerostar Van**

The Borough accepted informal bids for the sale of a *1989 Ford Aerostar Van* on Monday, April 2<sup>nd</sup>. This vehicle was the former Fire Police Vehicle. One bid was received from Mike Hazlett in the amount of \$210. It was moved and seconded that Council accept the sole bid of \$210 from Michael Hazlett. Council unanimously approved said motion.

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**Bid Award - Widening of Reservoir Drive**

The Borough accepted bids for the *Widening of Reservoir Drive* and are listed below:

Grannas Bros.	\$ 50,690.00
Duey Paving	\$ 42,240.00
Hawbaker	\$ 73,623.00

It was moved and seconded that Council award the bid to the low bidder, Duey Paving at their bid price of \$ 42,240. Council unanimously approved said motion.

**Information:**

- Spring Clean Up is April 9, 10 and 11
- Shredding Event for Borough residents is April 12, 10a-1p at Reservoir Park
- Statement of Financial Interest Forms are due May 1, 2019
- Senior Citizen Fishing Day is May 10 @ 8am

**SOLICITOR'S RERORT:** Solicitor Stants had to following to report:

**Resolution No. 2019-04**

It was moved and seconded that Council approve Resolution No. 2019-04, appointing Valerie Bates to fill the remainder of Sue Griep's term on the Civil Service Commission. Council unanimously approved said motion.

**Resolution No. 2019-05**

It was moved and seconded that Council approve Resolution No. 2019-05, Lifting the Prohibition of Alcohol at Reservoir Park for the Women's Club fundraiser for the Tyrone Hospital. The date for the waiver is June 21<sup>st</sup>. Council unanimously approved said motion.

**Resolution No. 2019-06**

Consulting Engineer, Kevin Nester, advised Council that GHD would be applying for funding for repairs to the 9<sup>th</sup> Street Pedestrian Bridge. The Borough would be responsible for a 30% match, approximately \$75,000. It was moved and seconded that Council approve Resolution No. 2019-06, designating Borough officials to execute any and all documents pertaining to a Multimodal Transportation Fund grant for the 9<sup>th</sup> Street Pedestrian Bridge. A roll call vote was taken. Ayes: Council members Mills,

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Snyder, Graham, Dollar and Mayor Latchford. Nays: Council member Sarah Jane Miller.

**CONSULTING ENGINEER:** Council was in receipt of Mr. Kevin Nester's report.

Mr. Nester advised DEP has approved the Borough's proposal for repair to the Gabion Baskets. It was moved and seconded that Council approve engineering costs not to exceed \$85,000 for said repairs. This item was not on the Agenda, Mayor Latchford called for public comment; there being none, Council unanimously approved said motion.

**CODE ENFORCEMENT:** Council was in receipt of Mr. Frazell's report.

**Request for Subdivision Approval – Christine**

Mr. Frazell presented a Subdivision for approval. The property is owned by Fred Christine. Mr. Christine owns 3 tracts of land that all border each other. He would like to sell the house in Deed Book Volume 1271, Page 630 with a limited amount of land and add land behind the house to his other property. The existing house has access to public sewer but still has a septic tank and drain field. The existing house has public water. Lot fronts on the street for access. The back of the property will have access from lot that it is being added as well. This project is a no-build subdivision. It was moved and seconded that Council approve the said subdivision. Council unanimously approved said motion.

**POLICE DEPARTMENT:** Council was in receipt of Chief Romeo's report. In reference to Ms. Hunter's complaint earlier in the meeting, this was the first Chief had heard of this and advised it will be addressed.

Chief Romeo requested Council appoint Aaron Leyo as part time police officer for the Borough. It was moved and seconded that Council approve Aaron Leyo as a part time officer for the Borough. Council unanimously approved said motion.

Chief also provided Council with copies of Ride Along forms. Members of the 911 Center have asked to do ride alongs with the Police Department. It was moved and seconded that Council approve these ride alongs. This item was not on the Agenda, Mayor Latchford called for public comment. There being none, the motion was unanimously approved.

PennDOT is sponsoring a "Buckle Up" initiative. The Police Department will receive a grant of \$1,600 to be used on State roads in the Borough for spend enforcement and

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safety. The grant funds should be distributed around May 20.

**SEWER DEPARTMENT:** Council was in receipt of Mr. Nulton's monthly report.

**WATER DEPARTMENT:** Council was in receipt of Mr. Ashcroft's monthly report.

**HIGHWAY DEPARTMENT:** Council was in receipt of Mr. Bywater's report.

**MISCELLANEOUS**

Council member David Snyder inquired about the siren on the Municipal Building. Highway Superintendent advised is hasn't been working and they will be looking into this.

Council member Thad Graham would like to establish a fishing supply drive. This would entail people dropping off gently used and/or new fishing equipment to be used for kids in the Community. Mr. Graham also suggested a Fishing Derby later in the year for kids. The drop off location for the equipment could be the Municipal Building.

The Meeting Adjourned at 8:50pm.

Respectfully Submitted,

Ardean C. Latchford/kdg  
Borough Manager