

**TYRONE BOROUGH COUNCIL
MINUTES OF REGULAR COUNCIL MEETING
MARCH 14, 2022 @ 7:00PM**

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, March 14, 2022 @ 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 Ken Patterson, Bible Baptist Church, gave the Invocation.

CALL TO ORDER:

Mayor Latchford called the meeting to order and requested roll call. Present: Council members Robert Dollar, Sarah Hunter, Rob Poust, Ken Patterson, Charles Mills, David Snyder and Mayor Latchford. Absent: Council member William Wiser.

Also, present were Borough Manager Ardean Latchford; Solicitor Dan Stants; Chief of Police Jessica Walk; Water Superintendent Mike Ashcroft; Code Enforcement Officer Marvin Frazell; Rettew Consulting Engineer Steve Siegfried; and Administrative Assistant Kimberly Gurekovich.

PUBLIC COMMENT:

Presentation of Proclamation

Mayor Latchford presented a Proclamation to the Irish Heritage Committee commemorating the annual Irish Heritage Celebration being held March 14-20, 2022.

Richard McNelis, Knights of Columbus

Mr. McNelis was present to request use of Fireman's Field for a First Responder's Fair, where first responders would have their equipment on site and use this opportunity to educate the community on how they operate and respond when called to incidences. It was the consensus of Council to permit this activity. There was some concerned raised of placing heavy equipment on the field in the event of rain. The Borough will plan to close that portion of Lincoln Avenue along with the alley behind the Neptune fire hall. Council gave their consensus for this activity. Mr. McNelis will advise the Borough once the date is firm and will provide a Certificate of Insurance.

Jen Powell, Tyrone-Snyder Library

Ms. Powell was present to request use of the Amphitheatre at Reservoir Park for their summer Story time program. They would like this program to start end of May or June and would be held every Thursday at 10:30am. The library would also like to use the Amphitheatre on June 11 at 1pm for an exotic animal show. The library had this animal show last year and was very successful. Council gave their consensus for these

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activities. It was moved and seconded that Council waive the amphitheatre rental fees for these activities. Council unanimously approve said motion.

Donna Reese, Pickleball Ambassador

Ms. Reese was present at the meeting to introduce the sport of Pickleball to the Borough. Ms. Reese is an ambassador in our area for introducing pickleball and setting areas up for this ever-growing sport. Ms. Reese has set up pickleball in State College, Altoona, Philipsburg, Houtzdale, and Ebensburg. Pickleball is the fastest growing sport in the United States with a growth rate of 39% in 2021. Ms. Reese asked Council to consider an area for this activity. Several Council members asked Ms. Reese if she would consider doing some clinics at some temporary areas within the Borough to see if the interest is there. She provided handouts that will be distributed to Council.

Rhonda Holland, Blair County Tea Party President

Ms. Holland, President of the Blair County Tea Party, was present to request Borough Council approve the Tea Party's draft resolution as opposed to any Municipal Attorney's draft Resolution. Ms. Holland stated that Council had already received a draft resolution from the county solicitor, Nathan Karn. Ms. Holland's group felt that version was sent out prematurely as it had no input from the citizens of Blair County. Nor were the Blair County Tea Party and Blair County 2nd Amendment Coalition, the groups which organized the petition drive, consulted. Ms. Holland further stated that while that draft was a good start it did not go far enough to ensure the intent of the voters who went to the polls and voted overwhelmingly to protect their 2nd amendment rights.

The Blair County Tea Party and the Blair County Second Amendment Coalition have consulted various attorneys as well as law enforcement officials and have drafted what they feel is a far better agreement. They ask that this agreement be the one voted on and agreed to by all parties involved. Council was previously provided with a copy of this agreement.

Ms. Holland's correspondence further stated that members of both groups have worked long and hard on this matter. We held several information sessions prior to collecting signatures to put this issue on the ballot. We also did numerous media interviews (radio, tv and newspaper). We feel the voters were very informed and it showed by the overwhelming number of votes cast on election day. Not only did the measure pass in each municipality and countywide, every single precinct in Blair County voted in favor of it. They are asking that the voters of Blair County be respected by passing this version

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of the intergovernmental agreement as it gives each citizen standing.

APPROVAL OF MINUTES

It was moved and seconded the Minutes of the February 14, 2022 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 February 28, 2022 be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council unanimously approved said motion.

BOROUGH MANAGER'S MONTHLY REPORT

Election Polling Place Agreement

Council was in receipt of a Municipal/Federal Government Election Polling Place Agreement for housing two polling places at the Municipal Building. It was moved and seconded that Council approve this Agreement. Council unanimously approved said motion.

Seeking Quote - General Code Updates

Several years ago, the Borough undertook the tedious task of updating the Borough's Code book. At that time Water and Sewer were not included. Borough staff would like to move forward with including water and sewer chapters to the Borough's Code Book. It was the consensus of Borough Council to seek a quote for this addition.

American Rescue Plan Funding - Update

At last month's meeting, Borough Council discussed the possibility of using a portion of the American Rescue Plan funds to help the Fire Companies with equipment replacement. Per Council's request, I have corresponded with Chief Joe Gault of the Hookies Fire Company and he advises that they are in the process of building specifications for the truck. These prices are changing every quarter and once ordered the truck will take approximately 2 years until it would be delivered. Chief Gault will keep the Borough informed as this process moves along.

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EMA- Smart 911

Blair County Emergency Management has a Smart 911 program (formerly known as the "People with Disability" program) where County residents can register vital information that may aid in time of an emergency at their residence. The County has recently updated this program and we have included information for your review. We will add this information to the Borough's website.

TAHS – Community Service Day

Each year, Cummins McNitt, TASD, has a Community Service Day with approximately 400 students who will do community service jobs within the Borough. April 14, TASD Students will be throughout town cleaning up various parks, cemeteries, etc.

MISCELLANEOUS:

- Burgmeier's Hauling Spring Cleanup – April 5, 6 & 7
- Irish Heritage Festivities – March 18 and 19

SOLICITOR'S RERORT: The Solicitor had the following to report:

Resolution No. 2022-02 – Sanctuary Cities

To provide Council with some background information, Solicitor Stants advised the following: Last November there was a referendum on the ballot that asked the voters whether they wanted the Borough to enter into an agreement with Blair County that forbid the Borough to use any public funds or resources to enforce any new gun control legislation passed after November 2, 2021. The referendum was authorized by the Intergovernmental Cooperation Act. After the referendum was passed, the solicitors for all the municipalities in the County got together and agreed on a standardized agreement that met the requirements of the referendum, but which also complied with the limitations imposed on local governments by State law. The group that was responsible for getting the referendum on the ballot objected to the standardized agreement because it did not include the enforcement and penalty petitions that they wanted and because the municipalities did not coordinate with the District Attorney or their group in its preparation. However, the District Attorney does not play any role in the drafting or enforcement of an intergovernmental cooperation agreement, as it is a civil/municipal law matter and is not within his jurisdiction. Additionally, the referendum did not require that the municipalities meet with anyone to draft the

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agreement. It was drafted by the solicitors because they are appointed public officials and the chief legal authorities for the municipalities they represent. There is no provision in the statute which authorized the passage of the referendum which permits such agreements to be enforced through summary criminal penalties, rather, they can only be enforced by lawsuits between the municipalities that are party to it. Local governments are creations of state law and may only exercise the powers granted to them by the legislature. As a result, what the group supporting the referendum was asking the municipalities to do went beyond the powers granted to them by the state and would be pre-empted by the Pennsylvania Uniform Firearms Act which is the sole authority for the regulation of firearms in the state. If the Borough were to include the provisions that the group was demanding, they would not be enforceable and anyone charged with such an offense would be able to claim that the penalty was illegal, resulting in their being found not guilty of the offense.

It was then moved and seconded that Council approve Resolution No. 2022-02. A roll call vote was taken. Ayes: Council members Snyder, Dollar, Mills and Mayor Latchford. Abstentions: Council members Patterson, Poust and Hunter. The motion carried.

Resolution No. 2022-03 – Blair County Enterprise Zone

Council was in receipt of Resolution No. 2022-03, expressing the Borough's support of the Five-Year Strategy of ABCD's proposed Enterprise Zone, which aligns with the Borough's economic goals and objectives. It was moved and seconded that Council approve Resolution No. 2022-03. Council unanimously approved said motion.

Borough Manager Latchford gave a presentation on how simple it is for Tyrone business owners to apply for a low interest loan/grant thru ABCD Corporation. Tyrone Borough and the City of Altoona are the only 2 municipalities that have taken advantage of this program. Mr. Latchford encouraged Council to run any loan or grant programs thru this already established program. This would take the burden off the Chamber. This would also prevent any misperceptions of misgivings with these funds. Council members Poust and Hunter are seeking additional information from other municipalities.

Resolution No. 2022-04 – PA One Call Safety Month (April)

Council was in receipt of Resolution No. 2022-04, acknowledging PA One Call Safety Month for April. It was moved and seconded that Council approve

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Resolution No. 2022-04. Council unanimously approved said motion.

Ordinance No. 1459 – Prohibit Parking in Alley F

Council was in receipt of Ordinance No. 1459 prohibiting parking in Alley F from 11th Street to 12th Street. This was discussed at the February 14 Council meeting and is now before Council for approval. It was moved and seconded that Council approve Ordinance No. 1459. Council unanimously approved said motion.

Ordinance No. 1460 – Amendment of Compensation Ordinance

Council was in receipt of Ordinance No. 1460, amending the 2022 compensation ordinance since the AFSCME Union contract was settled. It was moved and seconded that Council approve Ordinance No. 1460. Council unanimously approved said motion.

CONSULTING ENGINEER: Council was in receipt of GHD's update on their remaining contracts with the Borough.

Consulting Engineer Steve Siegfried, Rettew Engineering, introduced himself as the Borough's new Engineer.

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

POLICE DEPARTMENT: Council was in receipt of Chief Walk's report.

SEWER DEPARTMENT: Council was in receipt of Mr. Harris'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 Poust asked for the Borough to look into the intersection of Alley F & Alley A between 12th and 13th Streets. There is no stop sign in any direction. Mr. Latchford will ask the Highway Superintendent to look into this.

Mayor Latchford also asked if the Borough could remove a parking space from each corner at 18th Street and Adams Avenue. He feels it is a sight distance issue. Borough

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staff will look into this also.

The Meeting Adjourned at 8:05pm.

Respectfully Submitted,

Ardean C. Latchford/kdg
Borough Manager