

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

APRIL 8, 2013 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, April 8, 2013 @ 7:00PM at the Tyrone Borough Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Fink led the group in the Pledge of Allegiance and Ardean Latchford gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Mark Black, Raymond Detwiler, William Latchford, Christy Ray, Courtney Rhoades and Mayor Fink. Absent: Council Members Mark Kosoglow and Terry Richardson. Also present were Interim Borough Manager/Finance Director Phyllis Garhart; Solicitor Larry Clapper; Sewer Superintendent Tim Nulton; Highway Superintendent Jim Bywater; Water Superintendent Ardean Latchford; Chief of Police John Romeo; Code Enforcement Officer Patrick Rabits; Consulting Engineer Kevin Nester; and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION: Mayor Fink announced that an Executive Session was held prior to the Council meeting to discuss personnel.

PUBLIC COMMENT:

Jim Roseberry, 915 Jefferson Avenue

Mr. Roseberry was present at the meeting to check on the status of the Agreement for drainage near his residence. Mr. Roseberry stated the Agreement he received from the Borough's Solicitor stated residents would pay for pipe, backfill, etc. Mr. Roseberry stated this was not what was agreed to when he attended the last Council meeting. Council was in agreement the residents would pay for the pipe, all other costs to be borne by the Borough. Future maintenance and upkeep is to be the responsibility of the property owners. Mr. Roseberry will obtain signatures of all parties involved, once Agreement is corrected and returned to him.

Mr. Roseberry also asked if the Borough could look at his curbing, stating the street is higher than the curbing.

Brit Mingle, 1308 Lincoln Avenue

Mr. Mingle, 1308 Lincoln Avenue, was present at the meeting regarding changes in the traffic and parking patterns due to PennDOT's construction project. Mr. Mingle stated he is handicap, doesn't feel he should have to park a block away from his house. Mr.

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Mingle stated he read about this in the paper and was not otherwise notified. Interim Manager Garhart advised that all property owners were sent letters on March 7th explaining the change in detail. It was noted that Mr. Mingle is a tenant. Council member Ray stated that while the Borough empathizes with the residents, this is a PennDOT project and for the safety of the residents the traffic and parking patterns were changed. This project is to run from April to October. Mayor Fink advised the truck route is across Clay Avenue which was suggested to PennDOT, however, this was not done. Mr. Mingle also inquired about the possibility of crosswalks in this vicinity.

Marcia Fink, 1356 Lincoln Avenue

Mrs. Fink, 1356 Lincoln Avenue, was in attendance at the meeting regarding the change in parking and traffic. Mrs. Fink stated that she works third shift and this will be a hardship on her. Mrs. Fink also asked if something could be done about the speed of traffic that currently traverses Lincoln Avenue.

Chief Romeo suggested getting a speed limit sign from PennDOT to have during the duration of the project.

Simon Wilson, Eagle Scout

Simon Wilson, Troop #300, was present to ask Council about an Eagle Scout Project. Mr. Wilson would like to do repairs to Pavilion A at a cost of \$2,000. If he has money left over he will work at replacing the existing concrete pads.

Council was in agreement to move forward with this.

There was no further public comment.

APPROVAL OF MINUTES

It was moved and seconded the minutes of the March 11, 2013 Borough 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, 2013, be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council unanimously

approved said motion.

INTERIM BOROUGH MANAGER'S MONTHLY REPORT

Replacement of 1996 Ford Pick-Up – WWTP

Council is in receipt of quotations from Mr. Nulton for replacement of a 1996 Ford Pick-Up Truck. The new truck would be a 2013 Ford Super Duty F-350 in the amount of \$30,039.81. This purchase will utilize pricing from the co-stars contract. It was moved and seconded that Council approve moving forward with this purchase. Council unanimously approved said motion.

Purchase of Gate Opener – WWTP

Council was in receipt of quotes for a gate opener for the Wastewater Treatment Plant in the amount of \$4,000, from Craig Fencing. It was moved and seconded that Council approve the purchase. Council unanimously approved said motion.

Ratification of Sewer Manhole Relocation to DC Ventre

The Borough had previously accepted quotes for the 14th Street and Logan Avenue Manhole Relocation project. The quotes came in over the state threshold for quoting, thus forcing a formal bid procedure. Council previously gave the Interim Manager administrative authority to award the manhole relocation work due to time constraints. Bid packets were prepared by CET Engineering and bids were accepted on March 27, 2013 and are as follows:

Gordon Delozier	\$ 31,976
DC Ventre and Sons, Inc.	\$ 31,550
BCS Construction	\$ 46,630

It was moved and seconded that Council ratify the Interim Manager's award of this bid to the low bidder, DC Ventre and Sons, Inc., at their bid price of \$31,550. Council member Detwiler questioned why we rejected a cost of \$22,000 to now approve a cost of \$31,550. Consulting Engineer Kevin Nester advised since the Borough had to go to a formal bidding procedure, more costs are involved in preparing a bid package. (i.e. bonding and liquidated damages) Council unanimously approved said motion.

CDBG FY 2012 Administrative Agreement

It was moved and seconded that Council approve the Administrative Agreement for the Borough's Community Development Block Grant FY 2012 Program, between the Borough and Improved Dwellings of Altoona. Council unanimously approved said motion. Mrs. Garhart advised she will be attending a seminar regarding CDBG Funding. The state is considering turning this funding over to county agencies to run this program. Currently Tyrone is an entitlement community whereby our annual check is sent directly to the Borough.

Clay Avenue – Underdrainage Storm Sewer System

Council had previously been made aware of a collapsed storm drain on Clay Avenue. The Borough has had numerous meetings with PennDOT regarding the responsibility for this repair. Three alternates were presented for repair of this storm drain. It was moved and seconded that Council accept Alternate #3, as it is the most cost effective for the Borough. The Borough will partner with PennDOT on this project. The cost to the Borough is \$284,185; cost to PennDOT is \$352,496. Council unanimously approved said motion.

Memorandum of Understanding

Council was presented with a Memorandum of Understanding from Honeywell to do evaluations for the UV System at the Wastewater Treatment Plant and the HVAC system at the Municipal Building. It was moved and seconded that Council approve said Memorandum of Understanding. It was noted that there is no cost for the evaluations. Council unanimously approved said motion.

Parking Issues – Downtown

At a previous meeting, Council was given several options for possible resolution to the downtown parking situation. One suggestion was for the Borough to remove parking meters on the North side of the Municipal Lot and place them along Logan Avenue in front of the former YMCA, thus allowing the Borough more spaces to rent. It was the consensus of Council to move forward with this. Solicitor Clapper will have an Ordinance for Council at their May meeting making these changes.

Fluoride Removal

Council discussed the removal of fluoride at their March meeting. The Interim Manager and Consulting Engineer outlined the process the Borough has to go through in order to cease use of fluoride. The process is outlined as follows:

1. Obtain an amended Water Supply permit from DEP Regulations as per Section 109.503(b)(1). The cost to modify the Borough's permit will be \$750.
2. As this is an operation permit modification, the cessation of fluoridation should include a special condition to require notification before fluoridation is stopped. A DEP approved public notice should be issued, following the distribution requirement for Tier 2 Public Notice found in Title 25 Pa.Code to all consumers and medical professionals in the affected service area 30 days prior to discontinuation of fluoridation. Notification must be supplied to DEP within 10 day of issuance.
3. The Borough currently has in place the requirements for a Tier 2 public notice, this procedure would be followed for notification of cessation of fluoridation. The Tier 2 public notice is accomplished by including the necessary information on the monthly water/sewer bills. In addition to the billing notice, separate notices would need to be sent to all local medical professionals. We would also recommend that a block display advertisement be placed in *The Daily Herald* to provide additional information along with posting information on the Borough's website.

Mrs. Garhart advised this process will most likely take us into July or August. Council requested a public comment session, possibly at a regular Council meeting. Mayor Fink advised that he has MSDS sheets for Fluoride and Caustic Soda if anyone is interested.

Request for Borough to Take Ownership of Dixon Drive

Mr. William Dixon, owner of Dixon Tool & Die, previously requested the Borough take over ownership of Dixon Drive, to which Council advised they were not interested. However, Council did request the Interim Manager gather some additional information. Mrs. Garhart advised the road would only provide the Borough with \$220 in Liquid Fuels funds.

Girl Scout Project – Plantings @ Community Pool

Council was provided with a drawing of plantings that will be done at the Tyrone pool. This will be done by Girl Scout Troop 41201 and should be completed by Memorial Day.

SOLICITOR’S RERORT: Solicitor Clapper had the following for Council:

Ordinance No. 1340 – Grant of Police Specific Jurisdiction Agreement

An Ordinance Of The Borough Of Tyrone (Borough) Approving An Intergovernmental Agreement Between The Borough And Snyder Township (Township) Wherein The Purpose Of The Agreement Is To Grant Jurisdiction To The Borough Police In Those Areas Of Snyder Township In Which Tyrone Hospital And Tyrone Area School District Operate Together With The Means Over Township Streets For Ingress, Egress And Regress To Such Areas; In Addition, Said Agreement: 1. Remains In Effect Until Terminated Upon Thirty Days Notice By Either Party; 2. Reaffirms That The Police Officers In The Township Remain Borough Police Officers And That The Borough Continue To Pay All Cost Associated With The Police; 3. Requires The Borough To Hold The Township Harmless For Liability Arising Under The Agreement; 4. Sets Forth That The Police Remain Under The Authority Of The Borough And Subject To The Chief Of Police Of The Borough Police Department; 5. Does Not Authorize The Procurement Of Real Estate To Effectuate The Said Agreement; And 6. Establishes An Effective Date.

It was moved and seconded that Council approve Ordinance No. 1340. A roll call vote was taken. Ayes: Council members Black, Ray, Latchford, Rhoades and Mayor Fink. Nays: Council member Detwiler. The motion carried. Chief requested that a letter be sent to Snyder Township and State Police advising them of the same.

CONSULTING ENGINEER: Council was in receipt of the Engineer’s report. Mr. Nester advised that the installation of flap gates has started.

ZONING/CODE ENFORCEMENT: Council was in receipt of the Code Enforcement Report. Mr. Rabits advised the next Hearing for Mr. Aaron Hamer is scheduled for April 29 @ 3pm. Mr. Rabits also advised that Mr. D’Ottavio has secured a permit for fixing the exterior wall.

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POLICE DEPARTMENT: Council was in receipt of Chief Romeo's report. Chief advised the Audio Video Recorder equipment has been installed in one car. This will record audio and video and 2 cameras monitor all aspects of the police car. Chief has provided Solicitor Oswalt and Interim Manager Garhart a copy of a draft Agreement. Said Agreement also has to be approved by the Police Union.

SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton noted that the State will be paying for half the cost of the manhole relocation.

WATER DEPARTMENT: Council was in receipt of Mr. Latchford's monthly report. Mr. Latchford advised the HVAC work would now be done in-house by Borough staff.

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report. Tyrone Area School District has requested the Borough sweep the parking lot. If Council is in Agreement, this would be done on a Saturday morning and would take approximately 4 hours. The school will pay for labor and fuel. Council agreed to this request.

The Meeting Adjourned at 8:15PM.

Respectfully Submitted,



Phyllis J. Garhart/kdg
Interim Borough Manager