

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

AUGUST 10, 2015 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, August 10, 2015 @ 7:00PM at the Tyrone Borough Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Fink led the group in the Pledge of Allegiance and Pastor Sharon Erb, First English Lutheran Church gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Courtney Rhoades, Ray Detwiler, Mark Black, Terry Richardson, Christy Ray, William Latchford, and Mayor Fink. Absent: Councilmember Kosoglow. Also present were Borough Manager Phyllis Garhart; Solicitor Daniel Stants; Highway Superintendent Jim Bywater; Water Superintendent Ardean Latchford; Chief of Police John Romeo; Consulting Engineer Kevin Nester; and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION:

Mayor announced the Personnel Committee held a Meeting on July 31, 2015. Council also held an Executive Session Meeting prior to the meeting tonight to discuss personnel and real estate.

PUBLIC COMMENT:

Hillside Community Church-Use of Amphitheatre

Pastor Zitterbart of Hillside Community Church was present to ask Council for use and waiver of fees for the Amphitheatre at Reservoir Park. Pastor Zitterbart would like to hold a community movie night on Saturday, August 29th from 8-10:30pm. The movie will be "*When the Game Stands Tall*". This will be a free event to the community. It was moved and seconded that Council approved said request. Council unanimously approved said motion.

William Maines, Maines Engineering, 952 Washington Avenue

Mr. Maines was present at the meeting advising Council of his issues he feels is from the Big Spring. Mr. Maines had 4-5 feet of water in his basement as well as two neighboring properties for over a week. Mr. Maines has spoken with Borough staff and previous owners of properties regarding this issue. Mr. Maines previously would get a few inches of water in his basement which was taken care of by the use of a sump

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pump. Since the Streetscape Project was done he now gets feet of water. Mr. Maines did thank the Borough Sewer Department for use of a pump for a few days. Mr. Maines further stated that Searer Funeral Home and the Joshua House used to always get water in their basements and after this last rain event they got none. Mr. Maines would like the Borough to check into this area again. The Borough crews were out and ran the camera and hit an obstruction after 40' in the pipe, once going through the same pipe from the other direction, they were able to get in 100' until hitting an obstruction. Mr. Maines stated there were prior deeds that stated the Big Spring was not to be filled in. There is also a manhole cover in this area that has Tyrone Sewer on the lid.

Attorney Stants stated that in 1961 the Borough conveyed away all rights when the property was sold. Mr. Maines again stated he is only looking for some help from the Borough by opening up the pipe to get some relief. Mr. Maines inquired as to who owned the drainage ditch and why it has not been maintained. Borough Manager Phyllis Garhart stated that Maines owned it. Council member Courtney Rhoades advised the Borough is not saying they will not help but that some additional research needed to be done on the Borough's behalf.

Brandi Miller, 441 W. 15th Street

Ms. Brandi Miller addressed Borough Council regarding her recent dismissal.

There was no further public comment.

APPROVAL OF MINUTES

It was moved and seconded the Minutes of the July 13, 2015 Borough Council meeting be approved. A roll call vote was taken. Ayes: Council members Black, Ray, Richardson, Latchford, Detwiler and Mayor Fink. Councilmember Rhoades abstained from voting. The motion carried.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded the financial reports for the monthly accounting period ending July 31, 2015 be tabled until the September 14, 2015 Council Meeting. Council unanimously approved said motion.

BOROUGH MANAGER’S MONTHLY REPORT

2014 Annual Audit

Council was in receipt of the Borough’s 2014 Audit. Mr. Bradley was at the meeting to review the report with Council. Mr. Bradley thanked the Council, Borough Manager and remaining staff for their assistance during the audit process. One controlled deficiency was noted and was due to incorrect withholding. Additional deficiencies were identified during the audit which were caught by the Borough’s internal controls. Mr. Bradley informed Council of the GASB changes that will go into effect for the year 2015 whereby the unfunded liabilities within the Borough Pension Plans would now be included on the Borough’s balance sheet for the first time. He estimated the amount to be approximately \$500,000. There were no questions of Mr. Bradley. It was then moved and seconded that Council approve the Borough’s 2014 Annual Audit. Council unanimously approved said motion.

Request for Use of Amphitheatre

The Borough was in receipt of a request for use of the Amphitheatre at Reservoir Park. Earlier in the meeting Pastor Zitterbart of Hillside Community Church made this request to hold a free community movie night. It was moved and seconded that Council approve said request for use as well as waiving the \$50 rental fee for the same. Council unanimously approved said motion.

Dead Tree Removal – Route 453 Watershed Property

The Borough is in receipt of notice from PennDOT regarding a substantial number of dead trees on watershed property that are causing a potential danger to the motoring public. Water Superintendent Ardean Latchford requested quotes from four entities, however only one was received. SAJAK’S Tree Service submitted a quote of \$6,000. Councilmember Ray was not in favor of paying this and asked if our water department could complete this task. Mr. Latchford advise they lack the manpower at this time and would like professionals to do this due to liability issues. It was noted the Borough was first notified of this in 2012. PennDOT has advised that if the Borough does not remedy this situation, they will take care of it and send us a bill. There are 40 trees which amount to \$150/tree.

It was moved and seconded that Council approve SAJAK’s Tree Service at their cost of \$6,000 for the removal of 40 trees along State Route 453 (watershed property). Council unanimously approved said motion.

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Reappointment of Part Time Police Officer

Chief Romeo has expressed his concern for the current lack of part-time officers due to part-time officers taking full-time positions with other departments. Chief is requesting to reappoint Scott Beall as a part-time officer. It was moved and seconded that Council approve said request. Council unanimously approved said motion.

Change Order Park Avenue Drainage Project

Council was in receipt of Change Order No.1 for the Park Avenue Drainage Project, as well as a request for a time extension. The change order is in the amount of \$1,484 and represents costs associated with the ADA Ramps at River Avenue. The time extension requested is through September 11, 2015 due to the gas services needing lowered throughout the project area. It was moved and seconded that Council approve said change order and time extension.

Logan Avenue Proposed Streetscape Project

Council was in receipt of a proposal from Lehman Engineering for engineering services for the proposed Logan Avenue Streetscape Project. The cost for engineering services is \$139,555. This expenditure was not included in the 2015 Budget however, Mrs. Garhart stated that funding was available within the Highway Capital and the Capital Expenditure Fund line items. Upon discussion of this project, it was moved and seconded that Council approve the proposal from Lehman Engineering for Logan Avenue Streetscape using the Capital Expenditure Fund Line Item. Council unanimously approved said motion.

SOLICITOR'S REPORT: Solicitor Stants had nothing for Borough Council.

CONSULTING ENGINEER: Council was in receipt of Mr. Nester's report. Mr. Nester advised GHD is working with the Borough's Highway and Sewer Department's regarding flooding in the 21st Street and Lincoln Avenue areas. The railroad is also involved in this issue.

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

POLICE DEPARTMENT: Council was in receipt of Chief Romeo's report. Chief thanked Council for reappointing Officer Scott Beall. Chief also advised with the current poll of officers they are in need of additional weapons. Chief requested the Borough purchase 3 additional weapons matching the ones donated earlier this year. The cost of this would be \$1,923. It was moved and seconded that Council approve said

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purchase of additional weapons. Council unanimously approved said motion. The Firearms Policy is in the process of being finalized. It was noted that once the policy was finalized Mrs. Garhart would schedule a special meeting of Borough Council for approval of the policy.

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

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

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

MISCELLANEOUS:

- Mayor Fink advised that Officers Fry, Hollis and Walk as well as Firefighters Dave Lynch, Todd Weakland and Bill McElwain will be recognized at the Annual District Firemen's Convention in Saxton for their water rescue of an individual who had a medical emergency and drove her car into the paper mill dam in November of 2014. Officer Fry will represent the police officers at this award ceremony.
- Councilmember Ray suggest the Borough revisit how Hoopsfest closes down street and parking lots for their 3 on 3 tournament.
- A public meeting is scheduled for August 18, 2015 at 7pm at the Municipal Building to inform the public of the repair/rehab of the 10th Street Railroad Bridge, the impact the project will have on traffic and parking.
- Karl Gurekovich, 1413 Cameron Avenue, inquired as to the \$20,000 the Gas Company offered the Borough as an exchange for disrupting town during the gas line replacement project. Staff can check into this.

The Meeting Adjourned at 8:20pm.

Respectfully Submitted,

Phyllis J. Garhart/kdg
Borough Manager