

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

August 16, 2010 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on August 16, 2010 at 7:00PM at the Municipal Building, 1100 Logan Avenue, Tyrone, PA. This meeting was rescheduled due to the lack of a quorum at the Meeting previously scheduled for August 9, 2010. Mayor Fink led the group in the Pledge of Allegiance and gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Jennifer Bryan, Mark Kosoglow, William Latchford, Courtney Rhoades, Pat Stoner and Mayor Fink. Absent: Council Members Stephen Hanzir and Christy Ray. Also present were Interim Borough Manager Phyllis Garhart; Borough Solicitor Larry Clapper; Sewer Superintendent Tim Nulton; Highway Superintendent Jim Bywater; Interim Chief of Police Jessica Walk; and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION:

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

PUBLIC COMMENT:

Linda Daniels, Washington Avenue

Mrs. Linda Daniels of Washington Avenue addressed Borough Council regarding no Code Officer being hired as of this date. Council member Mark Kosoglow advised that he is also tire of the waiting strategy and advised that Council will be doing that in the very near future.

SEDA- COG Joint Rail Authority

Mayor Fink advised that representatives from SEDA-COG were not able to attend tonight's meeting, however, would like to meet with Council regarding the Marcellus Shale issue.

There was no further public comment.

**Minutes-Regular Council Meeting
Tyrone Borough Council – August 16, 2010
Page Two (2)**

APPROVAL OF MINUTES

It was moved and seconded that the minutes of the June 7 and July 12, 2010 meetings be approved. Council unanimously approved said motion.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting period ending July 31, 2010 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

2009 Borough Audit – Young Oakes, Brown & Co.

Council was in receipt of the Borough's 2009 Audit. Mr. Scott Vinglass, of YOB was present and thanked Borough Council and staff for their continued working relationship. Mr. Vinglass reviewed a few items with Borough Council. It was moved and seconded that Council approve the 2009 Audit as presented by YOB. Council unanimously approved said motion.

Gamesa – Amendment Option & Lease and Easement Agreement

Mr. Josh Framel, Senior Project Developer for Gamesa, was present at the meeting to advise Council that Gamesa will be exercising their "*Option to Lease*" the property that is described in Exhibit "A" of the Lease Agreement with the Borough. Mr. Framel also presented the Borough with a check in the amount of \$64,000, representing the annual fee due the Borough during the construction phase of the lease. It was moved and seconded that Council approve said Lease Option. A roll call vote was taken. Ayes: Council members Bryan, Rhoades, Stoner, Kosoglow and Mayor Fink. Council member Latchford abstained. The motion carried. Council requested that this be placed in the capital expenditure fund and to be tracked separately.

Mr. Framel advised that this project has been separated into two phases; Phase One being the Taylor Township portion of the project and Phase Two will be the Snyder Township portion. Phase Two is set to begin in spring 2011.

**Minutes-Regular Council Meeting
Tyrone Borough Council – August 16, 2010
Page Three (3)**

Emergency Management Office Equipment

It was moved and seconded that Council approve several requests for the new EMA office. The EMA Coordinator is requesting a cellular phone for EMA business as opposed to using his personal cell, as they have done in the past. Also, Council has been provided a quote for a laptop. This request was previously brought to Council and at that time felt that the estimated cost was too high. Councilmember Latchford has reviewed the specifications required and feels that this is a fair quote. Mr. Young has also requested an email address. Council unanimously approved said motion.

Traffic Noise – Jake Brakes – Interstate 99

The Interim Manager's Report referred to a petition signed by property owners that live near the exit ramp of I-99. Petitioners are requesting a noise barrier be placed in this vicinity. This petition has been passed along the Representative Fleck's office. It was noted that this particular area is not in the Borough.

Approval of Amendment to Tripartite Agreement – Housing Rehab Program

Council had previously moved funds from the clearance activity to the housing rehabilitation activity. It was moved and seconded that Council approve the amendment to the Tripartite Agreement. Council unanimously approved said motion.

LED Traffic Signal Conversion

It was moved and seconded that Council approve the Agreement between the Borough and Southern Alleghenies Planning and Development Commission for the conversion of traffic signal equipment. The total cost for this conversion is \$12,579.60. The Borough is responsible for \$6,000 of this total, which will be in "in-kind" contributions. The Borough's Highway Department will be doing the installation. Council unanimously approved said motion.

Ratification of Requests for Street Closure, Vendor Fees-Dog Days of Summer

It was moved and seconded that Council ratify their consensus for approval of the Merchant's Association for the Dog Days of Summer Event. The Association is requesting waiver of vendor fees and street closings. Council unanimously approved said motion.

**Minutes-Regular Council Meeting
Tyrone Borough Council – August 16, 2010
Page Four (4)**

Marcellus Shale – Request for Meeting

The Borough is in receipt of a request for a meeting from Mr. Tim Hall, Representative of the Northern Blair County Property Owners Association to discuss Marcellus Shale. Council member Kosoglow advised that he is not opposed to meeting with them, however, he wants to know, before meeting with them, what the Borough expects of them. Mr. Kosoglow feels strongly about having an agreement with them. Council would like to meet with them in Executive Session and would like a few minutes to discuss it among themselves first.

Donation for Park Avenue Playground

Mrs. Garhart advised that the Borough was in receipt of a donation in the amount of \$35.05, from the First English Church for the Park Avenue Playground.

Acceptance of Retirement – Water Superintendent Gary Barr

Council is in receipt of a letter of retirement from Water Superintendent Gary Barr. Mr. Barr's retirement will be effective August 22, 2010. It was moved and seconded that Council accept this letter of retirement. Council unanimously approved said motion.

Approval of URA Electrical Rates

Council was in receipt of an analysis for electric rates provided by Utility Rate Analysis. The quotes are as follows:

Hess Energy	\$ 6.08/KW
FES (Penelec/MetEd Sister companies)	\$ 6.04/KW
Constellation	\$ 6.99/KW

This quote is for the Wastewater Treatment Plant, as they are the biggest user. Council member Kosoglow asked for Mr. Nulton's opinion, however, he was unaware of the quotes. After being able to review them at the meeting, Mr. Nulton was in agreement to go with the lowest quote. It was moved and seconded that Council accept the quote from FES for a 24 month period, contingent upon Solicitor Clapper's review and the maximum being \$6.04. Council unanimously approved said motion.

**Minutes-Regular Council Meeting
Tyrone Borough Council – August 16, 2010
Page Five (5)**

SOLICITOR’S REPORT: The Solicitor had the following to report:

Proposed Ordinance No. 1301 – Revised Parking for Trailers, Buses, Etc.

It was moved and seconded that Council approve proposed Ordinance No. 1301, amending the Borough’s Parking Ordinance for commercial vehicles. Title of said Ordinance is set forth below:

“An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Amending Ordinance No. 629 As Amended By Ordinances No. 1139 And 1291 To Prohibit Parking Of Box Panel Trucks, Tow Trucks, Low Boy Trucks, Trailers, Mobile Homes, Buses And Other Similar Vehicles, At All Times, Upon The Streets Of The Borough; And Establishing An Effective Date.”

Council unanimously approved said motion.

Resolution No. 2010-09 – Amendment to Tax Collection Delegates

At their July 12, 2010 Council Meeting, Council Member Jen Bryan resigned as Delegate of the Tax Collection Committee and at that time suggested that Phyllis Garhart be named as Delegate. It was moved and seconded that Council approve Resolution No. 2010-09 appointing Phyllis Garhart as the Tax Committee Delegate and Brandi Berry as the Alternate. A roll call vote was taken. Ayes: Council members Rhoades, Latchford, Stoner, Kosoglow and Mayor Fink. Council member Bryan abstained. The motion carried.

Resolution No. 2010-10 – Opposition to Local Government

It was moved and seconded that Council approve Resolution No. 2010-10, opposing the consolidation and merger of local governments. Council unanimously approved said motion.

Minutes-Work Session Meeting
Tyrone Borough Council – August 16, 2010
Page Six (6)

CONSULTING ENGINEER: The Consulting Engineer provided a report, however, was not at the rescheduled meeting..

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

SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton provided Council with a Memo outlining several requests for revised capital items. Mr. Nulton's requests were approved as they were part of his 2010 Budget. Council member Kosoglow commended Mr. Nulton on a job well done and appreciates his financial diligence with his department.

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report. Council member Bryan thanked Mr. Bywater for the parks looking so nice and stated that the new playground equipment looks great.

WATER DEPARTMENT: Council was in receipt of Mr. Barr's monthly report; however Mr. Barr was not present at the rescheduled meeting.

MISCELLANEOUS:

- Ms. Beth Lutes and Mr. Sam Cannistraci, previously attended a council meeting regarding a portion of property near their residences that they felt the Borough should maintain. After research from the Attorney's office, it is his opinion that the Borough does not and has not owned, nor maintained this portion of street. It was the consensus of Borough Council not to do anything further with this request. The residents will be notified of the same.
- Mayor Fink has spoken with the Neptune Fire Co., and will speak with Hookies regarding pumping water into the pond at Reservoir Park. Due to the lack of rain, the pond is very low and needs some aeration for sludge and the life of the fish.
- Council member Kosoglow requested that the Borough move ahead with advertising for the Code Enforcement Officer as well as interviews for the Chief of Police. The Code Officer advertisement is to run for 4 weeks from the start date. Mr. Kosoglow would like for Chief of Police interviews to begin within the month and then second round interviews to immediately follow. Council was in agreement to this.

**Minutes-Work Session Meeting
Tyrone Borough Council – August 16, 2010
Page Seven (7)**

The Meeting Adjourned at 8:15PM.

Respectfully Submitted,

William C. Fink/kdg
Mayor