

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

February 8, 2010 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on February 8, 2010 at 7:00PM at the Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Fink led the group in the Pledge of Allegiance and Pastor William Jones gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Jennifer Bryan, Stephen Hanzir, Mark Kosoglow, William Latchford, Christy Ray, Courtney Rhoades, Pat Stoner and Mayor Fink. Also present were Borough Manager Sharon Dannaway; Borough Solicitor Larry Clapper; Consulting Engineer Kevin Nester; Sewer Superintendent Tim Nulton; Water Superintendent Gary Barr; Highway Superintendent Jim Bywater; Chief of Police Joe Beachem; Code Enforcement Officer Jim Metzgar; Finance Director Phyllis Garhart; and Executive Secretary Kimberly Gurekovich.

EXECUTIVE SESSION

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

PUBLIC COMMENT

Thomas Rumberger, 907 Park Avenue, was present at the meeting to request help with the VFW Teener League Field. Mr. Rumberger stated that the league will be hosting the State Championships in August and they need to raise money. Mr. Rumberger asked if the Borough could help with the repairs to the parking lot. It was noted that the Borough owns the field. After much discussion, Mr. Rumberger was advised to bring a "*wish list*" to Council for their next meeting. Mr. Rumberger also inquired about grants and stated that they are unable to apply for them since the organization does not own the field. Mr. Rumberger was advised to contact the Borough for assistance in completing any grant applications.

There was no further public comment.

SWEARING-IN OF FIRE CHIEFS

Jeffrey Watson, of Blazing Arrow Hook & Ladder Volunteer Fire Company and Tim Weston, of Neptune Volunteer Fire Company, were sworn in as Fire Chiefs.

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UPDATE - EMA DIRECTOR

Mrs. Dannaway asked the Borough's EMA Coordinator, Jeffrey Watson, to provide Council with an update regarding the recent snow emergency. Mr. Watson advised that the Governor declared a State of Emergency for the February 5th snowfall. This would allow for services to be done without the bidding process in the event they are needed. Mr. Watson thanked the Borough personnel and the community for their efforts in keeping fire hydrants cleaned out.

Mayor Fink stated that the Borough personnel did a stellar job plowing and cleaning up the snow during the recent snow storm.

APPROVAL OF MINUTES

It was moved and seconded that Council approve minutes from Council Meeting of January 11, 2010. A roll call vote was taken. Ayes: Council members Bryan, Ray, Hanzir, Latchford, Stoner, Rhoades and Mayor Fink. Council member Kosoglow abstained from voting. The motion carried.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting period ending January 31, 2010 be approved: (1) The Account Balance Report, (2) Statement of Revenues and Expenses, and (3) Cash Disbursement Journal. Several questions were asked regarding Bressler's, which was for no heat in the Borough Building; Radio Shack for postage for packages for soldiers mailed over seas; mileage for Phyllis Garhart (Ms. Bryan would like the description shown on the financials). Council member Ray requested that the Borough look into having one carrier for phone services as opposed to the four that the Borough currently has. Mrs. Garhart advised that because of the location of the various Borough facilities, different carriers are needed. Council member Ray also inquired as to the separate vendors for office supplies. She was advised that we shop for the cheapest prices.

Council member Stoner inquired as to the \$11,000 that is in the parking authority fund. Mrs. Garhart advised that this Authority will dissolve at the end of 2010 and the funds must be spent on like expenditures. Council member Stoner requested that Council discuss this in the future.

Council unanimously approved said motion.

BOROUGH MANAGER'S MONTHLY REPORT

Gamesa Update

Josh Framel from Gamesa was present at the meeting to provide Council with an update on the progress on Ice Mountain. Mr. Framel presented a slide show which reviewed their progress thus far. Mr. Framel advised that they will begin soil testing, weather pending, in February or March. They will also be timbering some ground. Gamesa will compensate the Borough for cost of a timber evaluation for said areas.

Request for Closure of 10th Street - Irish Heritage Committee

It was moved and seconded that Council approve a request for the closure of 10th Street for the Irish Heritage Day Celebration, being held on March 20, 2010. Since this is a State Highway, the request to PennDOT must come from the Municipality. A roll call vote was taken. Ayes: Council members Ray, Hanzir, Kosoglow, Latchford, Stoner, Rhoades and Mayor Fink. Council member Jen Bryan abstained from voting. The motion carried.

Appointment of Fire Marshal

It was moved and seconded that Council appoint Mr. Austin Lynn as the Borough's new Fire Marshal. Mr. Lynn will replace Mr. Jeffrey Watson, who resigned at the end of 2009. Council unanimously approved said motion. Mr. Lynn will take over his new position after completing the proper paper work and being sworn in.

Request for Use of Reservoir Pond - Albemarle

It was moved and seconded that Council approve a request from Albemarle to hold their annual Fish Rodeo on Saturday, April 17th. Council unanimously approved said motion.

Request for Use of BBQ Pit & Chicken Racks - Reservoir Park

It was moved and seconded that Council approve the use of the BBQ pit and chicken racks at Reservoir Park, for Rotary to cook chicken dinners for the Irish Heritage Celebration on March 20, 2010. Council unanimously approved said motion.

Request for Use of Reservoir Pond - TACO

It was moved and seconded that Council approve a request from TACO to hold their annual Fish Rodeo on Saturday, May 1, 2010 and for placement of a portable toilet for the day. Council unanimously approved said motion.

Request for Use of Reservoir Park & Amphitheatre - Colonel Crowther

It was moved and seconded that Council approve a request from the Colonel Crowther Foundation for the use of the upper end of Reservoir Park as well as the Amphitheatre for the Colonel Crowther Weekend, scheduled for July 31 and August 1st. Council unanimously approved said motion.

Request for Use of Reservoir Park & Pavilion No. 1- Senior Stroll in Park

It was moved and seconded that Council approve the use of Reservoir Park and Pavilion No. 1 for the annual Senior Stroll in the Park, scheduled for June 10, 2010. Council unanimously approved said motion.

Proposed Street Improvement Program

It was moved and seconded that Council approve the proposed Street Paving Improvement list as submitted by the Highway Superintendent. Council unanimously approved said motion. Council noted that this could change before the project is let.

City Hotel Park Balusters

Council was presented with information on replacement of balusters for the City Hotel Park. Currently, there are 45 broken and/or missing balusters. There are 205 total balusters on the bottom and the cost to replace all 205 with a square design is \$493. The cost to replace the 45 broken balusters with what is currently in place is \$432. Mr. Bywater also stated that Lowe's carries a baluster that is similar to what is currently in the park. Council requested that Mr. Bywater bring one of each to the next meeting so they can see them. Council member Stoner stated that the park was designed to replicate the old park and square balusters would take away from that look. This item was tabled until the March meeting.

Fire Service Agreements

It was moved and seconded that Council permit Mrs. Dannaway to move forward with renewing the current Fire Service Agreements that the Borough has with Snyder Township, Grier Foundation and Birmingham Borough. Council unanimously approved said motion.

Letter of Intent - Fire Company Review by DCED

Council was in receipt of a request from Mrs. Dannaway to submit a Letter of Intent to DCED to conduct a study on the Borough's two fire companies to determine if a merger/consolidation would be beneficial. Mr. Watson, Chief of Blazing Arrow Hook & Ladder was present and was asked for his comments on the matter. Mr. Watson advised that the official word from his Board is that they are not interested. Council member Ray asked Solicitor Clapper if there is a guarantee that if the study reveals that it would be beneficial for a merger, and the Borough does not merge, could this be held against the Borough for state funding in the future. Solicitor Clapper advised that there is no guarantee for this.

Mrs. Ray also stated that the bar at Hookies supports the purchase of equipment, training, apparatus, etc. If the companies were to merge, the Charter would change and they would lose the bar. It was also noted that if the Charter changes, the Borough would have to provide funds for these purchases.

Fire Marshal Jeffrey Watson advised that there is a huge push at the state level to consolidate fire companies.

It was moved and seconded that Council not proceed with the proposed Letter of Intent to DCED as presented by the Borough Manager. A roll call vote was taken. Ayes: Council members Ray, Hanzir, Latchford and Mayor Fink. Abstentions: Council members Bryan, Kosoglow, Stoner and Rhoades. The vote was 4-4. Council member Kosoglow stated that the reason he abstained is that he is unclear of the benefits of a consolidation.

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URA - Electrical Procurement

It was moved and seconded that Council approve Utility Rate Analysis (URA) to perform a pricing service from service providers for electric service. This is being requested since the rate caps come off effective December 31, 2010. There is no charge for this service. Council unanimously approved said motion.

Request for Sign Placement - 911

It was moved and seconded that Council approve placement of a sign for Sawmill Road at the end of Burley Avenue. There are no other cross streets that a street sign could be placed at. This would be at no expense to the Borough. Council unanimously approved said motion.

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

Proposed Resolution No. 2010-01 - Signatories for PennDOT

It was moved and seconded that Council approve proposed Resolution No. 2010-01, authorizing certain Borough officials to sign PennDOT documents. Council unanimously approved said Resolution.

CONSULTING ENGINEER: The Consulting Engineer provided a report for Borough Council. Mr. Nester had nothing additional to report.

CODE ENFORCEMENT DEPARTMENT: Code Enforcement Officer Jim Metzgar reviewed his report with Borough Council. Mr. Metzgar also advised that demolition at 978-980 Pennsylvania Avenue has been completed and inspected. The former Peanut Factory is not quite ready for inspection.

Mr. D'Ottavio, owner of 1302 Pennsylvania Avenue, has requested the release of funds from the Borough, which we are holding in escrow from a fire that occurred at the former Pizza Shop. Mr. D'Ottavio was instructed to clean out the restaurant and provide the Borough with receipts. Mr. Metzgar advised that the Borough will keep enough funds to raze the building if necessary.

Mr. Metzgar also stated that there is a hearing scheduled for the boiler room for the YMCA in the near future.

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POLICE DEPARTMENT: Chief Beachem requested that Council take a look at Ordinance No. 1139 regarding parking. There is currently a provision for parking of buses, box trailers, trucks, etc., that allow parking for 6 hours in a 72 hour period. This causes problems while switching shifts. Other Council members also wanted box trucks and other like vehicles included. Solicitor Clapper will prepare a draft Ordinance for Council's review.

Chief Beachem also informed Council as to the proposed improvements for the holding cell. They propose to add benches (donated from Logan Township) and change the entrance to and from the new cell.

Chief Beachem asked Council to consider the purchase of tasers for the Police Department if he is unable to obtain grants for purchase of the same. Council member Ray is against the tasers, stating lack of protocol for use of the taser. Chief Beachem assured Council that there is mandated training for use of the tasers. Mayor Fink asked if Chief Beachem could provide Council with a list of pros and cons on the use of tasers.

Chief Beachem advised that cars on 15th Street are being ticketed this evening for not removing them during the recent odd/even parking.

SEWER DEPARTMENT:

Council was in receipt of a memo from Sewer Superintendent Tim Nulton regarding an electrical program called PJM Demand Response Program. This program would generate approximately \$37,800 in revenue for the Borough for the first year by using our generator. It was the consensus of Council for Mr. Nulton to proceed with this program.

WATER DEPARTMENT:

Water Superintendent Gary Barr reported that the Water Department had a water main break about two weeks ago. They are also working on the electrical for the pump station and have been helping the Highway Department with snow plowing.

HIGHWAY DEPARTMENT:

Highway Superintendent Jim Bywater advised that he is working with PennDOT on the replacement of the guide rail on Third Street and running behind Pizza Hut. PennDOT will do this work as part of the Borough's Agility program. The Borough will, in turn, sweep the Tyrone, I-99 ramps. It was moved and seconded that

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Council renew their Agility Agreement with PennDOT. This item was not on the Agenda, therefore, Mayor Fink called for public comment and there was none. Council unanimously approved said motion. Council member Steve Hanzir stepped out and was not available for the vote on this item.

Mr. Bywater also requested permission to purchase a new truck, this will replace the 1999 Chevy Dump truck. It was moved and seconded that Council approve the purchase of the new truck. Council unanimously approved said motion.

MISCELLANEOUS:

- JR Watson, EMA Director, advised that there is a push at the County level to establish a county-wide return call system. Mr. Watson will be attending a meeting in the future regarding the same.
- Mayor Fink advised that he and Council member Ray had met with Congressman Shuster's office to discuss flood control. Mayor Fink and Council member Stoner also met with officials from PennDOT regarding runoff problems. It is and has been apparent that Tyrone's water runoff issues stem from construction in the southern end of the county. Mayor Fink distributed pictures of the recent rain storm that occurred in our area.
- Mayor Fink advised that he was in receipt of a letter from a professor at Penn State, which was distributed to Council, about Penn State students coming to the area for a project. This project is intended to teach the students a respect for heritage. Once their project is complete, they will return to the area for an Exhibition. Mayor Fink has also received correspondence regarding a landscape architecture class looking to do "pro-bono" work in the Community.
- Council member Ray asked, that as a new Council person, she would like for the Borough to consider an Independent Audit. Mrs. Ray wants to be accountable to the taxpayers and would like a clear understanding as well as a "fresh set of eyes" on the Borough's finances. Council member Latchford advised that this would cost additional money. Mayor Fink then suggested that Mrs. Ray be allowed to meet with the Borough auditors. They will be at the Municipal Building on Friday, February 12th. Mrs. Garhart will advise Mrs. Ray of a time that they could meet with her.
- Mayor Fink suggested that the Borough look into the snow removal ordinance and suggested that the Borough consider removing cars from streets until the plows go by.

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The meeting was adjourned at 9:35PM.

Respectfully Submitted,

Sharon Dannaway/kdg
Borough Manager