

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

**July 12, 2010 @ 7:00PM**

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on July 12, 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 Glunt 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, Pat Stoner and Mayor Fink. Absent: Council Member Courtney Rhoades. Also present were Interim Borough Manager Phyllis Garhart; Borough Solicitor Lee Oswald; Consulting Engineer Kevin Nester; 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 possible litigation and personnel.

**PRESENTATION OF PROCLAMATION**

Mayor Fink presented a Proclamation to Mr. Bob Hileman, President of the Colonel Crowther Foundation. Colonel Crowther Days will be held on August 1 and 2, 2010 at Reservoir Park.

**PUBLIC COMMENT**

**MariBeth Lutes, 532 W. 22<sup>nd</sup> Street**

Ms. Lutes, 532 W. 22<sup>nd</sup> Street, was present to request that Council maintain a portion of a roadway near her home. Ms. Lutes stated that this property belongs to the Borough and the Borough should maintain it. Council was in receipt of a memo from the Interim Manager showing the location of the street in reference. Solicitor Oswald will have this researched at the Court House to see who does own this portion of said street.

**Mr. Samuel Cannistraci, 520 W. 22<sup>nd</sup> Street**

Mr. Cannistraci, 520 W. 22<sup>nd</sup> Street, also addressed Council regarding the same portion

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of Street, as Ms. Lutes referenced.

**Misty Rhoades, 1461 Logan Avenue**

Mrs. Rhoades, 1461 Logan Avenue, was present to inquire if she could start a program for the Senior Citizens of the community, such as a Christmas program. Ms. Rhoades stated that there are many seniors in our community with no family and, at times, have no communication with others. Council member Pat Stoner suggested that she contact the elderly in which she is referring to and let them know about the Senior Center and their offerings of community service. Ms. Stoner also suggested that she contact local churches.

Ms. Rhoades also commented on the police department and code department. Ms. Rhoades was advised that the Borough will be advertising for the position of Code Enforcement.

**Connie Muir, 2119 Lincoln Avenue**

Ms. Muir, 2119 Lincoln Avenue, was present to thank Mayor Fink and Jim Bywater for their efforts in getting the weeds along Lincoln Avenue cut back.

Mrs. Muir also commented on the recent tractor and trailer that was stuck at the 10<sup>th</sup> Street underpass. Mrs. Muir felt that the officer on duty was not helpful in redirecting traffic.

**Mary Michaels, Columbia Avenue**

Mrs. Michaels, Columbia Avenue, was present to thank the Tyrone Police Department for setting up speed traps along Columbia Avenue. Mrs. Michaels said that she has lived there since 1968 and in that time frame she has lost two vehicles to accidents occurring along that stretch of roadway.

There was no further public comment.

**APPROVAL OF MINUTES**

The June 7, 2010 minutes were not available and will be provided at next month's meeting.

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**APPROVAL OF MONTHLY FINANCIAL REPORTS**

It was moved and seconded that the financial reports for the monthly accounting period ending June 30, 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**

**Request for Donations – Tyrone Community Days**

Council was in receipt of a request from the Tyrone Community Day Committee for donations for the Annual Tyrone Community Day scheduled for August 6, 2010 at DelGrosso's Park. The Borough had previously donated \$100 and a Family Swim Pass. It was moved and seconded that the Borough donate the same as in years past. Council unanimously approved said motion.

**Ratification of Coordinator – Washington Avenue Improvement Project**

It was moved and seconded that Council ratify their previous action of appointing Council member Patricia Stoner as Coordinator for the Washington Avenue Improvement Project. A roll call vote was taken. Ayes: Council members Bryan, Ray, Hanzir, Kosoglow, Latchford and Mayor Fink. Council member Stoner abstained from voting. The motion carried.

**Request for One-Way Traffic – 7<sup>th</sup> Street**

Council was in receipt of a request from Jeff Loose, a resident along Park Avenue, to have 7<sup>th</sup> Street made into one way, coming from Washington Avenue to Park Avenue. It was moved and seconded that Council approve said request contingent upon Solicitor Clapper's review for a traffic study. Council unanimously approved said motion.

**Disposal of Old and Unused Equipment**

Council was provided a list of old and unused equipment. It was moved and seconded that Council approve the disposal of said equipment. Council unanimously approved said motion. It was noted that most of this equipment will go to Reclamere.

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**Requests from Joshua House**

Council was in receipt of two requests from the Joshua House. The first request is to paint lines on Logan Avenue for Hoopsfest. The paint is a chalk like substance that will wash off during rains or street sweeping. It was moved and seconded that Council approve the painting on Logan Avenue. A roll call vote was taken. Ayes: Council members Bryan, Ray, Hanzir, Latchford, Stoner and Mayor Fink. Council member Kosoglow abstained from the vote. The second request is to take over the lease of Shea Field. Council member Stoner was not in favor of turning the field over because so many other organizations use this facility. Council member Kosoglow stated that it is not so much of having control over the facility; it is having another place to hold sporting events. Mr. Kosoglow stated that they would work around the schedules of the groups that already use Shea Field and would not charge unless they would form a league that would play there. Mr. Kosoglow stated that they have contacts that would bring in heavy equipment and make field improvements as well. This item was tabled until the August meeting. Borough staff is to meet with the Paper Mill and coaches of the ball teams that utilize this facility.

Linda Daniels questioned why have leases if anyone can use this field at any time and felt that this should be available for Borough wide use.

**Assistant EMA Director**

Council was in receipt of a request from the Borough's EMA Director, Jay Young, for an Assistant. Mr. Young is suggesting Michael Beckwith for the position. It was moved and seconded that Council approve said motion. Council unanimously approved said motion.

**Code Appeals Board Insurance**

Council was in receipt of a notification from the Appeals Board that they do not have insurance. The Borough's share for this would be \$142/year. It was moved and seconded that Council approve the payment of \$142 for the Code Appeals Board. Council unanimously approved said motion.

**Engineering Services – North Avenue & Hamilton Avenue**

Council was in receipt of a proposal from CET Engineering for design and permitting for the replacement of water mains that cross under Sink Run in North Avenue and

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Hamilton Avenue between 14<sup>th</sup> and 15<sup>th</sup> Streets. It was moved and seconded that Council approved said proposal. Council unanimously approved said motion. It was noted that this cost was budgeted for 2010.

**Acknowledgement of FEMA Funds**

The Borough is in receipt FEMA funds in the amount of \$8,513 from the February, 2010 snowstorm. The amount is 75% of the total that was submitted. Dan Boyles, Blair County EMA stated that it is very unlikely that we will see the remaining 25%. It was moved and seconded that Council acknowledge receipt of the funds and close out the subgrant. Council unanimously approved said motion.

**Blair County Tax Collection Committee – Delegate Resignation**

Council was in receipt of a resignation letter from Jen Bryan as Delegate for the Blair County Tax Collection Committee. Ms. Bryan thanked Council for the opportunity to serve and suggested that Phyllis Garhart be appointed as Delegate and Brandi Berry, as the Alternate. It was moved and seconded that Council make said appointments. A roll call vote was taken. Ayes: Council members Ray, Hanzir, Kosoglow, Latchford, Stoner and Mayor Fink. Council member Bryan abstained from voting.

**Wireless Services-Employee Phones**

Council was in receipt of a memo regarding the Borough's wireless service. Mrs. Garhart has secured quotes through Nextel at a monthly charge of \$682.46. There are also 17 phones that are eligible for upgrades, as well as a blackberry for the Borough Manager. It was moved and seconded that Council approve the proposed wireless service. This item was not on the Agenda. Mayor Fink called for public comment and there was none. Council unanimously approved said motion.

**Award of Bids - Street Resurfacing**

On Wednesday, July 7, 2010, Tyrone Borough accepted bids for the 2010 Street Resurfacing Program. Two bids were received and they are as follows:

|                        |             |
|------------------------|-------------|
| Glenn O. Hawbaker      | \$90,767.00 |
| New Enterprise S&L Co. | \$84,175.70 |

It was moved and seconded that Council award the bid to the low bidder, New

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Enterprise Stone & Lime Company at their bid price of \$84,175.70. Council unanimously approved said motion.

**Award of Bids – Unleaded Gasoline and Diesel Fuel**

On Wednesday, July 7, 2010, Tyrone Borough accepted bids for gasoline and diesel fuel. Two bids were received and they are as follows:

**Unleaded Gasoline**

|           |                            |
|-----------|----------------------------|
| Sheetz    | 2% discount off pump price |
| Kwik Fill | \$2.113/gallon             |

**Diesel Fuel**

|           |                |
|-----------|----------------|
| Kwik Fill | \$ 2.34/gallon |
|-----------|----------------|

It was moved and seconded that Council award the Unleaded Gasoline Bid to Sheetz and the Diesel Fuel bid to Kwik Fill. It was noted that Sheetz is open 24/7 and Kwik Fill is not, thus the reasoning for awarding unleaded gasoline to Sheetz. Council unanimously approved said motion.

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

**Proposed Ordinance No. 1297 – Amendment to Solid Waste Ordinance**

It was moved and seconded that Council approve proposed Ordinance No. 1297 amending the Borough's Solid Waste Ordinance. Title of said Ordinance is set forth below:

*“An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Amending The Code Of The Borough Of Tyrone Chapter 170 Entitled “Solid Waste”, Article II “Waste Management And Recycling”, To: 1. Amend Section 170-31 “Bulky Waste/White Goods” To Allow The Borough More Flexibility To Determine When Bulky Wastes/White Goods Will Be Collected; 2. Amend Section 170-32 “Exclusions” To Make Clear That The Article II Applies To Recyclable Materials Only; 3. Amend Section 170-34, 170-35 And 170-36 To Permit The Types Of Recyclables To Be Recycled, The Placement Of Recyclables And All Other Aspects Of*

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*Preparation And Collection Of Recyclables To Be Governed By Regulations to Be Adopted By The Borough; 4. Amend Section 170-44 To Allow The Borough More Flexibility In The Manner The Contracted Hauler May Bill Customers For Collection Of Municipal Waste And Recyclables; And 3. Establish An Effective Date.”*

Council unanimously approved said motion.

**Proposed Ordinance No. 1298 – Canine Policy – Amendment to Police Manual**

It was moved and seconded that Council approve proposed Ordinance No. 1298 amending Ordinance No. 1052, Police Manual, by adding a Canine Policy. Title of said Ordinance is set forth below:

*“An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Specifically Amending Ordinance No. 1052 To: Include A Canine Policy To Be Added As Article XIII Thereof; Reaffirm Ordinance No. 1052 As Amended; And Establish An Effective Date.”*

Council unanimously approved said motion.

**Proposed Ordinance No. 1299 – Sewer Use Ordinance**

It was moved and seconded that Council approve Ordinance No. 1299, amending Ordinance No. 1267, Known as the Tyrone Borough Sewer Department Code. Title of said Ordinance is set forth below:

*“An Ordinance of the Borough of Tyrone, Blair County, Pennsylvania, Repealing Section 29 of Article VI, of the Tyrone Borough Code, Being Ordinance No. 1267, Known as the Tyrone Borough Sewer Department Code Enacted July 14, 2008, By Providing and Establishing Rules and Regulations For The Discharge of Wastewater into the publicly owned treatment works of the Borough of Tyrone.”*

Council unanimously approved said motion.

**Proposed Ordinance No. 1300 – Amendment to Snow Ordinance**

It was moved and seconded that Council approve Ordinance No. 1300, amending the

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Snow Removal Ordinance. Title of said Ordinance is set for the below:

*“An Ordinance of The Borough Of Tyrone, A Home Rule Municipality, Rescinding Ordinance No. 1224 And Providing Regulations For Snow And Ice Emergencies Within The Borough Of Tyrone To: Require All Vehicles To Be Removed Completely From Both Sides Of The Street During A Snow And Ice Emergency; Include All State Routes Located In The Borough As Snow Emergency Routes; Require All Owners Of Vehicles Towed In Violation Of The Ordinance To Pay The Cost Of Such Towing; Increase The Fine For Violation Of The Ordinance From A Minimum Of \$25 And A Maximum Of \$50 To A Minimum Of \$50 And A Maximum Of \$100; And Establish An Effective Date.”*

Council unanimously approved said motion.

**Resolution No. 2010-05 – Recycling Rules and Regulations**

It was moved and seconded that Council approve Resolution No. 2010-05 Updating Recycling Rules and Regulations for the Borough. Council unanimously approved said motion.

**Resolution No. 2010-06 – PennDOT Signatories**

It was moved and seconded that Council approve Resolution No. 2010-06 authorizing certain Borough Officials to sign PennDOT documents. A roll call vote was taken. Ayes: Council members Bryan, Ray, Hanzir, Kosoglow, Stoner and Mayor Fink. Council member Latchford abstained.

**Resolution No. 2010-07 – Donation of Unclaimed Bicycles**

It was moved and seconded that Council approve Resolution No. 2010-07 ratifying the donation of unclaimed bicycles by the Police Department. Council unanimously approved said motion.

**Resolution No. 2010-08 – Addendum to MDIA Agreement**

It was moved and seconded that Council approve Resolution No. 2010-08 approving an Addendum to the MDIA Agreement for Property Maintenance Issues in the absence of a Code Enforcement Officer. Council unanimously

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approved said motion.

**CONSULTING ENGINEER:** The Consulting Engineer provided and reviewed his report for Borough Council.

**POLICE DEPARTMENT:** Council was in receipt of Mrs. Walk's monthly report. Interim Chief Walk is requesting to hire 3 new part time police officers. Their names are Bradley Tuskovich, Mathew J. McMurray and Chad Weaver. Council unanimously approved this request.

Interim Chief Walk also requested to purchase mounting brackets for the laptops to be used in the police vehicles. The laptops were purchased through a grant; however, the Borough was responsible for the mounting hardware. Council unanimously approved this request.

Council was in receipt of a request for a private handicap parking space to be located across the street from 460 Park Avenue. The police department reviewed this request. The request meets the Borough's criteria and it was the recommendation of Interim Chief Walk to grant this request. Council unanimously approved said request.

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

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

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

**MISCELLANEOUS:**

- Council member Ray asked if there was something better than the huge rocks that are placed at Railroad Park. Mrs. Ray was advised that this was the best case scenario at the time of discussion. Also, a bus and tractor and trailer were also part of the design of that radius. Driver error is the cause of most of the damage in this area.
- Council was in receipt of a request from Ms. Michelle Baughman for an "Autistic Child" sign to be placed near her residence at 1558 Pennsylvania Avenue. It was noted that this request is along a State Highway and would need the approval of PennDOT. The signs are available through US Municipal Supply. Borough staff is to advise Mrs. Baughman of the same.
- Council was in receipt of a request from Nittany Eye Associates to purchase

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meter bags for a few days a week for their newly acquired office. After discussion, it was moved and seconded to deny this request based on the lack of parking in the downtown area. Council unanimously approved said motion.

- Council was provided with information regarding ceiling fans for the Council Chambers. It was moved and seconded that Council approve the purchase and installation of 4 fans at a cost of \$2,300. This item was not on the Agenda. Mayor Fink called for public comment; however, there was none. A roll call vote was taken. Ayes: Council members Bryan, Latchford, Stoner and Mayor Fink. Nays: Council members Ray, Hanzir and Kosoglow. The motion carried.
- It was moved and seconded that Council appoint Ms. Trudy Lynch to assist with filing in the Police Department. This is a part time position at \$15/hour. This item was not on the Agenda, Mayor Fink called for public comment and one comment was made. Mrs. Daniels inquired as to whether this was a part-time or full-time. Again, it was stated that this is a part time position. There being no further public comment, Council unanimously approved said motion.
- Council member Stoner was asked to give an update on the Washington Avenue Improvement project. Ms. Stoner advised that bids are tentatively scheduled to be taken on March 31, 2011, with construction starting by May, 2011. Ms. Stoner also advised that she is applying for additional funding under a separate contract for new lighting along this area.

The Meeting Adjourned at 8:50PM.

Respectfully Submitted,

William C. Fink/kdg  
Mayor