

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

JULY 9, 2012 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on July 9, 2012 at 7:00PM at the Tyrone 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, Terry Richardson and Mayor Fink. Absent: Council Member Mark Kosoglow. Also present were Borough 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 Tom Ozechoski; Consulting Engineer Kevin Nester and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION

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

PUBLIC COMMENT:

Jim Roseberry, 915 Jefferson Avenue

Mr. Roseberry was in attendance at the meeting to inquire if Council had an answer for him regarding his request from the last several months, regarding a street drain at the rear of his property. Council deferred to Solicitor Clapper. Mr. Clapper advised that since the Borough did not install the drains, the Borough has no responsibility for the drains. Mr. Roseberry feels that it would be better to reroute the drain across the street rather than to go through four other properties. Solicitor Clapper advised that you cannot change the natural flow of water. Council member Ray asked if the homeowners would be interested in purchasing the required pipe and Borough personnel would install it. Mr. Roseberry stated that he would have to check with the neighboring property owners.

There was no further public comment.

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APPROVAL OF MINUTES

The minutes from the June 11, 2012 meeting were not available and will be presented for approval at the August 13, 2012 meeting.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting period ending July 30, 2012 approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council member Ray inquired as to payments to Steven Stoner and TelCove. Council unanimously approved said motion.

INTERIM BOROUGH MANAGER'S MONTHLY REPORT

Award of Bid – Spillway Rehabilitation-WTP

The Borough received bids for the Spillway Rehabilitation on June 8, 2012. Two bids were received and are as follows:

Site & Stream, LLC	\$ 136,660.00
New Enterprise	\$ 292,330.00

It was moved and seconded that Council award this project to the low bidder, Site & Stream, LLC. Council unanimously approved said motion.

Award of Bid - Pennsylvania Avenue Streetscape

PennDOT accepted bids on June 21, 2012 for the Pennsylvania Avenue Streetscape Project. Five bids were received and they are as follows:

M & B Services, LLC	\$ 709,388.82
Francis Palo, Inc.	\$ 786,220.00
Tony Baiano Construction	\$ 861,200.00
Glenn Hawbaker	\$ 934,473.00
Bruse-Merrilees Electric Co.	\$1,063,630.01

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On June 27, 2012, the Borough was notified by PennDOT that the project has been completely funded. It was moved and seconded that Council approve the low bidder, M & B Services, LLC at their bid price of \$709,388.82 and the Supplemental Reimbursement Agreement 098929-B. Council unanimously approved said motion.

Award of Bid – Lime – WWTP

The Borough received bids for Lime for the Wastewater Treatment Plant on July 5, 2012. Two bids were received and are as follows:

Graymont	\$ 146.85/ton
Greer Lime Company	\$ 165.80/ton

It was moved and seconded that Council award the bid to the low bidder, Graymont at their bid price of \$146.85/ton. Council unanimously approved said motion.

Approval of Settlement Agreement - Team Ten LLC

Council was provided with a copy of a Settlement Agreement between Tyrone Borough, Tyrone Borough Authority and Team Ten. Said agreement attached hereto and incorporated by reference herewith. It was moved and seconded that Council approve said Agreement. Council unanimously approved said motion.

Police Negotiating Committee

It was moved and seconded that Council appoint Mayor William Fink and Council member William Latchford to the police negotiating committee. This item was not on the Agenda. Mayor Fink called for public comment; however, no comments were made. Council unanimously approved said motion.

SOLICITOR'S RERORT: Solicitor Clapper presented Resolution No. 2012-11 for Council's approval. Said Resolution is for the disposal of old and valueless electronics, uniforms and computer equipment of the Tyrone Police Department. It was moved and seconded that Council approve said motion. Council unanimously approved Resolution No. 2012-11.

Solicitor Clapper also requested approval of transfer of the Borough's Healthcare contingent upon the following: (1) vote by the Union; (2) transfer terms with union are non-precedential; and (3) subject to approval of Solicitor. It was moved and seconded

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that Council approve the transfer of the Borough's Healthcare, contingent upon the Solicitor's approval. This item was not on the Agenda. Mayor Fink called for public comment; no comments were made. Council unanimously approved said motion

CONSULTING ENGINEER: Council was in receipt of the Engineer's report. Councilmember Richardson inquired as to how much longer it would be until the HVAC system work was to begin. Mr. Nester advised that it would be in the foreseeable future.

CODE ENFORCEMENT DEPARTMENT: The Code Enforcement report was received by Council.

POLICE DEPARTMENT: Council was in receipt of Chief Romeo's report. New legislation had been approved since the Borough had last done an engineering study, thus allowing local law enforcement to make a determination as to the necessity of a traffic control devices, as opposed to the requirement for an engineering study as was required in the past. Solicitor Clapper will review documentation provided to him with regard to the new regulations. Council member Rhoades asked that the study be done closer to the school year, as that is when the traffic is at its highest. All parties were in agreement to this.

Chief Romeo also advised that the fourth part time officer is Caleb Clouse.

SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's report. Mr. Nulton advised that he has recently been asked for curtailment from the electric companies.

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

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

The Meeting Adjourned at 7:55PM.

Respectfully Submitted,

Phyllis J. Garhart/kdg
Interim Borough Manager