

TYRONE BOROUGH COUNCIL MINUTES OF REGULAR COUNCIL MEETING

June 7, 2010 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on June 7, 2010, at 7:10PM at the Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Fink led the group in the Pledge of Allegiance and Pastor Ardean Latchford 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, Christy Ray, Courtney Rhoades, Pat Stoner and Mayor Fink. Absent: Stephen Hanzir. Also present were Borough Manager Sharon Dannaway; Borough Solicitor Larry Clapper; Sewer Superintendent Tim Nulton; Water Superintendent Gary Barr; Highway Superintendent Jim Bywater; Interim Chief of Police Jessica Walk; Finance Director Phyllis Garhart; 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

VFW Teener League

Council was in receipt of a packet of information from the VFW Teener League, showing additional funds that have been donated. Mr. Dick gave Council an update as to what has been done to date and what still needs done. Council member Kosoglow advised that Council had previously decided to match the Teener League funding as it came in so they did not have to come to Council every month for approval.

Tom Beebe, Logan Avenue

Mr. Beebe is employed by Russell's Towing and addressed Council as to the recent Ordinance that was passed regarding parking commercial vehicles on Borough streets. Mr. Beebe said that he is on call with his towing company and needs to keep his truck with him; his truck was parked on 12th Street. Mr. Beebe advised that since the Ordinance was passed he has been parking in the former Bi-Lo parking lot; however that is only a temporary fix. Mr. Beebe advised that he is conscious of where he parks

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when using 12th Street, so as not to impede traffic. Mr. Beebe was asking Council for reconsideration of the Ordinance. Council member Ray advised that the Ordinance does not cover his tow truck. Interim Police Chief Walk had brought this to Mrs. Ray's attention. The new Ordinance does not state "commercial vehicles". Solicitor Clapper will look at the current Ordinance and Mayor Fink will let Mr. Beebe know what comes of it.

Mr. Beebe also addressed the Borough crosswalks and asked if they could be painted. Now that school is out for the summer, kids are everywhere and Mr. Beebe feels that it is a dangerous situation not to have them painted. Highway Superintendent Jim Bywater advised that the Highway Department paints crosswalks every year.

Connie Muir, Lincoln Avenue

Mrs. Muir advised that she had previously spoken to Council member Latchford regarding water from the railroad bed coming across the road at her house. Mrs. Muir also requested that the Gas Company fix the alley behind her house where they had previously dug; and also requested that someone contact the rail company or Snyder Township and have the weeds trimmed along Lincoln Avenue. Mrs. Muir advised that cars ride the middle of the street because of the over growth. Mayor Fink will check on this.

Bill Maines, Maines Engineering

Mr. Maines addressed Council regarding the recent firing of Borough Code Enforcement Officer James Metzgar. Mr. Maines stated that he has had his business in the Borough for 23 years and has worked with code officers going back to Hope Snyder and Mr. Metzgar was doing a good job. He was getting the town cleaned up. Mr. Maines stated that the Mayor had advised him that it was not because of Mr. Metzgar's job performance. Mr. Maines wanted to know is filling in for Mr. Metzgar, he supports Metzgar and feels that the Borough made a mistake. Mr. Metzgar worked with people to get their buildings fixed. Mr. Maines has also spoken to Diane Babe and Todd Lewis, both Borough property & business owners, and they also support Mr. Metzgar. Mr. Maines further stated that Mr. Metzgar may have been a little over zealous at times, but whatever he enforced was in the code books. Mr. Maines also stated that Mr. Metzgar was fair when it came to enforcing the code, it didn't matter who you were, Mr. Metzgar enforced the code equally to everyone. Mr. Maines advised Council that they need to look at replacing him or bring him back.

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Jesse Bailey, 217 Trail Ridge Lane

Mr. Bailey addressed Council regarding the turning lane at Logan Avenue and 10th Street. Mr. Bailey feels that this configuration should be changed. Council member Pat Stoner advised that PennDOT configured that portion of the road because if the far right lane allows traffic to go straight on 10th Street, that traffic would run into the parked cars that are in front of the former Radio Shack building. Mr. Bailey also requested that Council consider a stop light at Clay Avenue and 15th Street. Mr. Bailey was advised that these issues are all on PennDOT streets.

John Steinbugl, Maines Engineering

Mr. Steinbugl echoed Mr. Maines' statements regarding the firing of Borough Code Enforcement Officer Jim Metzgar. Mr. Steinbugl inquired as to the status of a candidate for the position. Mayor Fink advised that the Council as a whole will make a decision on how to move forward. Borough Manager Sharon Dannaway advised that Middle Department Inspection Agency is helping the Borough with permitting. Mr. Steinbugl asked if anyone was filling in during the interim and Council said no.

Misty Rhoades, 1461 Logan Avenue

Misty Rhoades thanked Mayor Fink for information that he provided her with respect to the American Flag. Mrs. Rhoades also requested more police patrol in her neighborhood between the hours of 4PM and 7PM. Mrs. Rhoades advised that she was part of the "Neighbor to Neighbor" organization to help clean up Tyrone and asked if the crosswalks were something their group could do. Council advised no, due to liability issues. Mrs. Rhoades also spoke in support of Mr. Metzgar, she advised that she had a run-in with him, but grew to respect him in his position; stated that he was getting town cleaned up. Her 7 year old son had recently fallen on a sidewalk that was in disrepair and asked who is going to take care of all this code stuff. Mrs. Rhoades stated that she stepped up for former officer Greg Ray and she is doing the same in supporting Metzgar.

Angela Glinskie, Blair Avenue

Mrs. Glinskie advised that Mr. Metzgar was a great guy and doing the job he was hired to do. Her daughter is handicap and she too would like to see the sidewalks in town fixed so that she can safely take her daughter for a walk and get her out of the house.

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She called on Mr. Metzgar because of high grass and weeds behind her house. Mr. Metzgar had this all cleaned up within days of her complaint. Mrs. Glinskie said the Borough needs him back and it is unacceptable to wait until fall to do something. Mrs. Glinskie also stated the if the police have to be called more than 3 times to a rental, the landlords need to be fined. Mrs. Glinskie also stated that we need to take care of our town for the future of our children. Mrs. Glinskie and her husband tried to refinance their house and could not because of the condition of a neighboring house. Mr. Metzgar was able to get the house fixed up and the Glinskie's were able to go through with their refinance.

Council member Patricia Stoner advised those in attendance that some members of Council respected Mr. Metzgar and not everyone voted to let him go.

Jennifer Irons, Schell Run Lane

Mrs. Irons was in attendance at the meeting regarding a recent incident that happened at 112 Schell Run Lane. The grass is high and she wants to know who they go to. There are 24 children in her development and the high grass harbors varmint. Mrs. Irons advised that the neighbors will be back if this property is not taken care of.

Mayor Fink advised that Council will be discussing replacement in the future, however, there are other replacements that have come up and they have to be taken care of first. Mayor also advised that they will have people around to address issues.

There was no further public comment.

APPROVAL OF MINUTES

It was moved and seconded that Council approve Minutes from the Council meetings of April 12 and May 10, 2010. Council unanimously approved said motion. Council member Jen Bryan inquired as to the status of the fans that she has been asking about. She was advised that the Borough is waiting to hear from the electrician.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting period ending May 31, 2010 be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Councilmember Bryan asked several questions: Garden Club plaque at City Hotel Park, this was in recognition

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of the work the Garden Club did there; fencing at swimming pool, was replaced due to the age of the fence; flag station, was flags ordered for entire borough; sewer department fire extinguishers was for inspection; and sonotube for new playground equipment. Council member Bryan also asked Mrs. Dannaway to get a quote for installing central air in the Borough building. Council member Ray inquired as to why the Borough is using Lakemont Veterinary for our K-9 and not a local veterinarian.

Council unanimously approved said motion.

BOROUGH MANAGER'S MONTHLY REPORT

Mayor Fink announced that this would be Sharon's last Council meeting as she is retiring June 11, 2010.

IRC – Changes to Waste & Recycling Ordinance

Council was provided with information from Mr. John Frederick, Director of the Intermunicipal Relations Committee, regarding updating the Borough's current municipal waste and recycling ordinance. Mr. Frederick thanks Sharon and the Borough staff for working with them. Mr. Frederick advised that they have been in town doing some inspections at residential and commercial facilities. Mr. Frederick also advised that they will be holding a recycling bin distribution event in mid-July, probably at Reservoir Park. The Borough's current waste and recycling ordinance was passed in 1991 and some of the rules and regulations need updated. Mr. Frederick's hope is to have uniform regulations within the four municipalities that make up the IRC. One of the biggest changes is that commercial entities will now be required to have a recycling program. Mr. Frederick asked that if nobody had any questions, Council could consider passing the new guidelines at their July meeting.

Resignation of Borough EMA Director JR Watson

Council was in receipt of a letter of resignation from Borough EMA Director JR Watson. It was moved and seconded to regrettably accept JR Watson's resignation as EMA Director. Council unanimously approved said motion. Mayor Fink commented that Mr. Watson was an asset to the Borough and a pleasure to work with. Mr. Jay Young has expressed interest in filling the vacancy and has provided Council with a resume. Mr. Dan Boyles, Blair County EMA Director, has also expressed that he would support Mr. Young's appointment. It was moved and seconded that Council approve the appointment of Mr. Jay Young as the Borough's EMA Director, effective June 15, 2010.

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Council unanimously approved said motion.

Abatement of Unpaid 2009 Drug Task Force Funds

It was moved and seconded that Council approve the abatement of 2009 Drug Task Force balance of \$1,818.02, as uncollectable. Mrs. Garhart advised that when she inquires with the DTF as to the balance, her questions go unanswered. It was suggested that Mrs. Garhart work with Interim Chief of Police Walk to try and track these different way. Council unanimously approved said motion.

Police Canine Policy

At their request, Council was in receipt of a revised Canine Policy. After reviewing the proposed changes, it was the consensus of Borough Council to move forward with adoption of the policy and asked Solicitor Clapper to have it prepared for adoption at the July 12th Council meeting.

P. Joseph Lehman, Technical and Price Proposal

It was moved and seconded that Council approve P. Joseph Lehman's Technical and Price Proposal for the Washington Avenue Improvement project, subject to appropriate agreement being received and reviewed by the Solicitor. Council unanimously approved said motion.

Abatement of Unpaid Drug Task Force Reimbursements

It was moved and seconded that Council approve the abatement of unpaid Drug Task Force funds for 2009. Council unanimously approved said motion.

Appointment of EMA Director

Council was in receipt of a letter of interest from Mr. Jay Young expressing interest in the position of Emergency Management Director. After review of Mr. Young's credentials, it was moved and seconded that Council appoint Jay Young as the Borough's EMA Director. Council unanimously approved said motion.

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Reallocation of 2008 Demolition/Clearance Funds to Housing Rehab

It was moved and seconded that the Borough reallocate is 2008 CDBG funds to Clearance for spot demolition of blighted properties to be used for Housing Rehabilitation. The amount to be reallocated is \$30,212. Council unanimously approved said motion.

Award of Bids – Wastewater Treatment Plant

The Borough held a bid openings on June 87, 2010 for various items for the Wastewater Treatment Plant. The results are as follows:

Phosphorus Removal:

DC Ventre & Son, Inc., Duncansville, PA	\$ 49,070
Hickes Associates, Alexandria, PA	\$ 57,850
4-M Construction Services, LLC, Mifflintown, PA	\$ 62,520
BCS Construction, Inc., Altoona, PA	\$ 92,202

The Engineer recommends award to the lowest bidder, DC Ventre & Son, Inc., contingent upon review of the Sewer Superintendent, Solicitor and Consulting Engineer.

Transportation and Removal of Sludge Cake:

Waste Management, North Huntingdon, PA	\$ 41.77/ton – Option #1
Burgmeier Hauling, Altoona, PA	\$ 44.31/ton – Option #1
Veolia	\$ 50.76/ton – Option #1
Interstate Waste Services	\$ 60.00/ton – Option #1

The Sewer Superintendent reviewed the bids and recommends award to the low bidder, Waste Management.

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Miscellaneous Used Borough Equipment:

Brad Peterman/Myers Salt Spreader	\$ 105.00
Jim Detwiler/2- 10 HP Trash Pump	\$ 10.00/ea.
Jim Detwiler/2 - 5 Ton Chain Hoist	\$ 10.00/ea.
Jim Detwiler/20 gal air compressor	\$ 10.00/ea

These were the only bids received for these miscellaneous items. Sewer Superintendent recommends award to the sole bidders.

It was moved and seconded that Council award the bids as outlined above. Council unanimously approved said motion.

Proposed Ordinance No. 1294 – Appointment of Interim Chief of Police

It was moved and seconded that Council approve proposed Ordinance No. 1294, appointing Jessica Walk as the interim Chief of Police effective June 2, 2010. Council unanimously approved said motion.

Interim Chief of Police Jessica Walk, was then sworn in by Mayor Fink.

Proposed Ordinance No. 1295 – Appointment of Interim Borough Manager

It was moved and seconded that Council approve proposed Ordinance No. 1295, appointing Phyllis Garhart as Interim Borough Manager. A roll call vote was taken. Ayes: Council members Ray, Kosoglow, Latchford, Rhoades and Mayor Fink. Nays: Council members Bryan and Stoner. The motion carried.

Proposed Ordinance No. 1296 – Chief Administrative Officer – Pension Plans

In the absence of a Borough Manager, it was moved and seconded that Council appoint Interim Borough Manager Phyllis Garhart as Chief Administrative Officer of the Pension Plans. A roll call vote was taken. Ayes: Council members Bryan, Ray, Kosoglow, Latchford, Rhoades and Mayor Fink. Nays: Council member Stoner. The motion carried.

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

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POLICE DEPARTMENT:

It was moved and seconded that Council accept a letter of resignation from part time police officer Rob Archey. Council unanimously approved said motion.

It was moved and seconded that Council reinstate part time officer Adam Bonsell. This item was not on the Agenda, Mayor Fink called for public comment. Mrs. Linda Daniels wanted to know if the charges against Mr. Bonsell were dropped. Mrs. Daniels was advised that the only charge was for that of reckless driving. A roll call vote was taken. Ayes: Council members

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

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report. Council member Ray thanked the Borough guys for their work at Ferner Field.

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

MISCELLANEOUS:

- Mayor Fink and Sharon Dannaway met with Dan Boyles earlier this week. Mr. Boyles has offered his assistance to the Borough to seek FEMA funding that could go toward studies for the Borough's flood management
- Council members wished Sharon well on her retirement.

The Meeting Adjourned at 8:50PM.

Respectfully Submitted,

William C. Fink/kdg
Mayor