

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

**March 12, 2012 @ 7:00PM**

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on March 12, 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 Pastor Mark Liller of the Presbyterian Church, gave the Invocation.

**CALL TO ORDER:**

Mayor Fink called the meeting to order and requested roll call. Present: Council members Mark Black, Raymond Detwiler, Mark Kosoglow, William Latchford, Christy Ray, Courtney Rhoades, Terry Richardson and Mayor Fink. Also present were Borough Interim Borough Manager & Finance Director Phyllis Garhart; Solicitor Larry Clapper; Sewer Superintendent Tim Nulton; Highway Superintendent Jim Bywater; Water Department Supervisor, Dave Lynch; Chief of Police John Romeo; Consulting Engineer Kevin Nester and Administrative Assistant Kimberly Gurekovich.

**EXECUTIVE SESSION**

Mayor Fink advised that Council held an Executive Session Meetings on March 8 and prior to tonight's meeting to discuss personnel and litigation.

**PUBLIC COMMENT:**

**Josh Framel, GAMESA**

Mr. Framel was in attendance to update Council on the wind farm project. Mr. Framel advised that Gamesa had recently sold the wind farm to Algonquin Power. This will help the project move forward. Any and all agreements made with Gamesa will be honored by Algonquin Power. One wind mill had to recently be shut down for major repair. The Borough should also be receiving the remaining \$125,000 Community funds and the first installment for the wind mills.

Mr. Framel also advised that Gamesa would be forwarding an Estoppel Agreement to Solicitor Clapper soon for his review.

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There was no further public comment.

**APPROVAL OF MINUTES**

It was moved and seconded that the minutes of the February 13, 2012 Borough Council meeting 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 February 29, 2012 be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council unanimously approved said motion.

**PROCLAMATION**

President of the Tyrone Merchant's Association, Sue Griep, accepted a Proclamation, read by Mayor Fink acknowledging Tyrone Irish Heritage Month.

**INTERIM BOROUGH MANAGER'S MONTHLY REPORT**

**Work Orders – Washington Avenue Streetscape**

It was moved and seconded that Council approve Work Order Nos. 1-8, in the amount of \$87,987.24, for the Washington Avenue Streetscape project. PennDOT has already approved said Work Orders. Council unanimously approved said motion.

**Light Shields – Washington Avenue Streetscape**

Several residents have complained about the new street lights on Washington Avenue being too bright. Visibly some lights are in very close proximity to porches, windows, etc. The suggested number of shields to purchase is 13. The total cost is \$4,032.01 or \$310.15/unit. The cost would be funded from the remaining project funds. It was moved and seconded that Council approve said addition to project. Council unanimously approved said motion.

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**Flap Gates Project – Flood Control**

The 2012 Budget contained \$200,000 for design and installation of 14 to 16 flap gates. In order to move forward, Council must authorize CET Engineering to proceed. It was moved and seconded that Council authorize CET to move forward with the design for this project. Council unanimously approved said motion.

Mayor Fink also advised that earlier this day, he received a phone call from the Army Corps of Engineers stating that they received \$50,000 on behalf of the Borough for the Flood Risk Assessment Process.

**Advertisement for Borough Manager Position**

Council was provided with a copy of the previous advertisement for the Manager's position. Several members of Council inquired as to the costs associated with the last advertising. Mrs. Garhart will gather this information and report back to Council.

**Pennsylvania Avenue Streetscape**

Council was in receipt of a memo from Mrs. Garhart regarding funding for the Pennsylvania Avenue Streetscape project. Mrs. Garhart's memo outlining a shortage of \$361,348.74 is attached hereto and incorporated by reference herein. Mrs. Garhart turned the meeting over to Mr. Ken Szala, of P. Joseph Lehman Engineers. Mr. Szala explained that the current project is over budget. Mr. Szala discussed with Borough Council the possibility of cutting certain items out to get the project within budget. Some items that were discussed for removal are benches, trees, new poles, trash cans, and not using the colored, stamped concrete.

Ms. Tracy Farabaugh, PennDOT expressed that the Borough does not want to return funds to PennDOT. Ms. Farabaugh advised that the current let date is May 24, 60-90 day approval process and construction time of two to three months. After a lengthy discussion, it was suggested that Mrs. Garhart prepare a priority list of items for Council to rate. Further discussion would be held at a later time. Council member Kosoglow suggested using in house manpower as well to save on some of the costs.

**Peoples Gas Community Contribution**

Council was previously advised that People's Gas Company would be making a \$20,000 donation to the Borough for use within the Community. Some suggestions that

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were made by Borough staff were benches around Reservoir Park Pond, replacement of picnic tables and additional lounge chairs at the Community pool, portable speed limit sign, portable security camera and portable sound system to be used for community events.

**Electric Rates**

It was moved and seconded that Council approve locking in electric rates with PPL Energy Plus, based on information provided by Mrs. Garhart. This will be for a 24 month period. Council unanimously approved said motion.

**SOLICITOR'S RERORT:** The Solicitor has several items for Council's review.

**Ordinance No. 1325 – Appointment of Interim Borough Manager Phyllis Garhart**

It was moved and seconded that Council approve Ordinance No. 1325 Appointing Phyllis Garhart as Interim Manager at a salary of \$68, 624, until appointment of a Borough Manager is made, at which time Mrs. Garhart will return to her current position of Finance Director. Council unanimously approved said motion.

**Ordinance No. 1326 – Designating Phyllis Garhart Chief Administrative Officer of the Borough's Police and Non-Uniform Pension Plans**

It was moved and seconded that Council approve Ordinance No. 1326, Designation Phyllis Garhart as Chief Administrative Officer of the Borough's Police and Non-Union Pension Plans. Council unanimously approved said motion.

**Ordinance No. 1327 – Eliminating Residency Requirement for the Chief of Police**

It was moved and seconded that Council approve Ordinance No. 1327, Eliminating the Residency Requirement for the Chief of Police. A roll call vote was taken. Ayes: Council members Black, Richardson, Kosoglow, Latchford, Detwiler, Rhoades & Mayor Fink. Nays Council member Ray.

**Resolution No. 2012-06 – Signatories for PennDOT**

It was moved and seconded that Council approve Borough signatories for PennDOT documentation. Borough officials authorized to sign PennDOT documents are William Fink, Mayor/President of Council; Christy Ray, Vice President of Council; and/or Phyllis

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Garhart, Interim Borough Manager. Council unanimously approved said motion.

**Civil Service Commission – Request for Letters to Non Compliant Candidates**

Solicitor Clapper requested that Council make a motion that the police Civil Service Commission be contacted by the Interim Borough Manager to review whether all candidates whose names the said Commission forwarded to Council meet the basic qualifications required by the Borough and that any that were found to be non compliant be notified of the same with a new list to be supplied by the Commission to the Council of qualified candidates. This item was not on the Agenda and 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. Mr. Nester reviewed the report with Borough Council and advised that bids for the Water Plant Filtration Rehabilitation will be accepted on March 16, 2012 @ 11AM.

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

**POLICE DEPARTMENT:** Council was in receipt of Chief Romeo's report. Chief Romeo is requesting to advertise for three part time officers. Chief advised that the only expense to the Borough is to provide uniforms. Part time officers are not guaranteed hours.

**SEWER DEPARTMENT:** Council was in receipt of Mr. Nulton's report. Mr. Nulton also advised that he is working with an additional energy company and would provide Council an update when available. No interest in the sale of the nutrients as of this date.

**WATER DEPARTMENT:** Council was in receipt of Mr. Lynch's monthly report. Additionally, Council was provided with a copy of an article written by local resident Matt Genchur about the history of the Borough's water system. Mr. Genchur is employed by Pennsylvania Rural Water and interviewed several employees of the borough for the article.

**HIGHWAY DEPARTMENT:** Council was in receipt of Mr. Bywater's monthly report. Mr. Bywater checked on the complaint made during last month's meeting regarding a

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sinkhole on Park Avenue. Nothing was in disrepair, however, the storm drain did need to be cleared.

**MISCELLANEOUS:**

- Community Shredding Event, April 25<sup>th</sup>, 1-3PM @ Reservoir Park
- Yard Waste Drop Off now available at Highway Garage, Monday thru Friday, 7am to 2:30pm and the first and third Saturday from 8am to 12 noon
- April 21<sup>st</sup> Community Wide Cleanup, anyone interested, contact Joshua House
- Council Member Detwiler suggested that the Borough solicit to the community to plant a tree or buy a bench, waste can, etc. for the Pennsylvania Avenue Streetscape project
- Council Member Richardson would like the no parking at yellow curbs enforced at 16<sup>th</sup> Street and Columbia Avenue as he feels this creates a sight visibility and safety issue

The Meeting Adjourned at 8:35PM

Respectfully Submitted,

Phyllis J. Garhart/kdg  
Interim Borough Manager