

# TYRONE BOROUGH COUNCIL MINUTES OF REGULAR COUNCIL MEETING

MARCH 12, 2018 @ 6:30PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, March 12, 2018 @ 6:30PM at the Tyrone Borough Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Latchford led the group in the Pledge of Allegiance and Pastor Eric Shaffer, Church of the Good Shepherd offered the Invocation.

## **CALL TO ORDER:**

Mayor Latchford called the meeting to order and requested roll call. Present: Council members Sarah Jane Miller, Robert Dollar, Charlie Mills, David Snyder, Terry Richardson and Mayor Latchford. Absent: Council member Michelle Miller. Also present were Borough Manager Ardean Latchford; Solicitor Dan Stants; Police Chief John Romeo; Sewer Superintendent Tim Nulton; Water Superintendent Mike Ashcroft; Highway Superintendent Jim Bywater; Consulting Engineer Kevin Nester; Code Enforcement Officer Marvin Frazell; Finance Director Shannon Wilson; and Administrative Assistant Kimberly Gurekovich.

Mayor Latchford announced Borough Council would be interviewing 6 candidates for the vacant council seat. Candidates were brought into the Council Chambers for their interviews, one at a time. The candidates interviewed were Heather Alexander, Shirley Dawson, Thadeus Graham, Kenneth Patterson, Whitney Preston and Bonnie Richardson. After all candidates were interviewed, a ballot vote was taken and read aloud. Alexander – 0; Dawson – 1; Graham – 2; Patterson – 1; Preston – 1 and Richardson – 1. Mr. Thadeus Graham won with 2 votes. It was moved and seconded that Council approve Mr. Graham's appointment. Council unanimously approved said motion. Mr. Graham was sworn in by Attorney Stants and took his seat on Borough Council.

## **PUBLIC COMMENT:**

### **Cummins McNitt, Boy Scout Leader**

Mr. McNitt introduced his scout troops, they were from Troop #103, Bald Eagle, Troop #20 at Church of Good Shepherd; and Troop #104 Warriors Mark. The scouts were working on their Citizenship in the Community badge.

### **Jim Patterson, Logan Township Supervisor/IRC Member**

Mr. Patterson, Logan Township Supervisor and member of the IRC shared his opinion on the Borough withdrawing from the IRC.

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Mr. Patterson stated while he appreciates our responsibility to our taxpayers, he too is responsible to his taxpayers and if Tyrone withdraws, there is more of a burden to the three remaining municipalities. The IRC welcomed Tyrone into the IRC in 1993 with no questions asked and doesn't feel Tyrone Borough is being fair. Mr. Patterson advised it was the County's decision to place the compost site on the mountain and not a decision of the IRC.

Mr. Patterson advised the tub grinder alone is 18 years old and is in need of replacement. Funds have not been allocated for this equipment as they are just not available, hence the need for the larger allocation request this year.

**John Frederick, Director of IRC**

Mr. Frederick referred to correspondence he had delivered to Borough Council members over the prior weekend. Mr. Frederick said he understands the \$55,000 was a substantial increase, however as everyone is aware the funding that used to filter into the IRC has substantially decreased over the years. Mr. Frederick advised the Borough that removing ourselves from the IRC will not be as simple as we think because we do not have the technical expertise, do not have staff with enough knowledge, impossible to tackle all the requirements, we may lose grant funding and will have no hauler contract administration. Mr. Frederick also stated that no entities paid money to the IRC until last year and that amounts to ¼ of a century of service without charge. Mr. Frederick feels the Borough has not considered all the facts.

Mr. Frederick advised that Altoona and Logan take up more of the allotment but they are also the reason for the biggest part of the grant monies received.

The struggles the IRC is facing is due to unfunded state mandates. Mr. Frederick continued that if Tyrone pulls out of the IRC, this will place a tremendous burden on the remaining municipalities. Mr. Frederick urged the Borough to remain a partner.

Mr. Frederick stated the IRC board would be open to further discussions with the Borough in hopes to work out a solution that is amicable for all parties.

Mayor Latchford noted the 2 compost sites operated by the IRC are not convenient to the residents of Tyrone; one being located on the Buckhorn and one in Duncansville. Mr. Frederick stated if that was a hot point, perhaps a compost location closer to Tyrone could be worked out.

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**Mr. James Gehret, Former Tyrone Resident**

Mr. Gehret stated he was a former resident of Tyrone and wanted to thank the people of Tyrone for helping to raise his son, Tyrone is a great Community. Mr. Gehret advised that his son was a graduate of Tyrone, was involved in sports and went on to college and is now working as an Athletic Trainer for University of Maryland Baltimore County, who will be playing on national television.

**Presentation of Proclamations/Appreciation**

Mayor Latchford advised he would be presenting a Proclamation for Irish Heritage Days at festivities on Friday, March 16 at City Hotel Park.

Mayor Latchford also presented a *Letter of Appreciation* to the First English Lutheran Church for their generous donation of \$10,000 to the Tyrone Borough Police Department. Several members of the Church were on hand to accept this Appreciation.

There was no further public comment.

**APPROVAL OF MINUTES**

It was moved and seconded the Minutes of the February 20, 2018 Council Meeting and the February 22, 2018 Work Session Meeting be approved. A roll call vote was taken. Ayes: Council members Sarah Jane Miller, Snyder, Dollar, Mills, Richardson and Mayor Latchford. Council member Thad Graham abstained.

**APPROVAL OF MONTHLY FINANCIAL REPORTS**

It was moved and seconded the financial reports for the monthly accounting period ending February 28, 2018 be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. A roll call vote was taken. Ayes: Council members Sarah Jane Miller, Snyder, Dollar, Mills, Richardson and Mayor Latchford. Council member Thad Graham abstained.

**BOROUGH MANAGER'S MONTHLY REPORT**

**Farmer's Market – Reservoir Park**

The Borough is in receipt of a request from TACO to hold a Farmer's Market at Reservoir Park on the 2<sup>nd</sup> Saturday of each month from June to September. TACO has been in contact with the Department of Agriculture and will continue to work with them if

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Council grants permission for a Farmer's Market. Borough staff suggested using Pavilion Nos. 13-16, which are located above the pedestrian bridge. Jennifer Woomer, a representative of TACO, was present to address any questions. One question was why have this at Reservoir Park vs. downtown? Ms. Woomer stated the family atmosphere at the park was the draw for having this at the park. Ms. Woomer felt that while people are attending the market, their kids could be playing in the park and would make for an opportunity for families to spend time together in the outdoors. It was moved and seconded that Council approve the use of Reservoir Park for this purpose. Council unanimously approved said motion.

**Paving Dirt & Gravel Roads**

The Borough is in receipt of grant application information for dirt and gravel roads. One qualification for applying for the grant is that someone must be certified in "Environmentally Sensitive Road Maintenance". Mike Hazlett and Borough Manager Ardean Latchford will be attending this training on April 3 and 4 in State College.

Borough Manager Latchford also advised Council that a meeting with the Corps of Engineers is scheduled for Monday, April 16 at 6pm. Craig Thomas of the Corps will be in attendance. Seven houses will be removed from the current flood zone.

**SOLICITOR'S REPORT:** Solicitor Dan Stants presented the following for Council's approval:

**Ordinance No. 1411 – Floodplain Ordinance**

*An Ordinance Requiring All Persons, Partnerships, Businesses, And Corporations To Obtain A Permit For Any Construction Or Development; Providing For The Issuance Of Such Permits; Setting Forth Certain Minimum Requirements For New Construction And Development Within Areas Of The Borough Of Tyrone Which Are Subject To Flooding; And Establishing Penalties For Any Persons Who Fail, Or Refuse To Comply With, The Requirements Or Provisions Of This Ordinance.*

It was moved and seconded that Council approve Ordinance No. 1411. Council unanimously approved said motion.

**Ordinance No. 1412 – Additions to Police Personnel Policy**

*An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Specifically Amending Ordinance No. 1052 To Change The Job Description For The Position Of Patrol Sergeant In Article I-15, Add Body Worn Camera And Conducted Electrical Weapon To Article Vi-9, Add Article Vi-10 Establishing A Body Worn Camera Policy, Article Vi-11 Establishing A Mobile Data Terminal Policy And Add Article Vi-12 Establishing A Conducted Electrical Weapon Policy Thereto; Reaffirm Ordinance No. 1052 As Amended; And Establish An Effective Date.*

It was moved and seconded that Council approve Ordinance No. 1412. Council unanimously approved said motion.

**Resolution No. 2018-05 – Digester Clean Energy Grant**

Consulting Engineer Kevin Nester is applying for a Clean and Green Grant for the Digester project. It was moved and seconded that Council approve Resolution No. 2018-05. Council unanimously approved said motion.

**Memorandum of Agreement**

With the recent appointment of a Sergeant for the Police Department, Council was in receipt of a Memorandum of Agreement outlining wage and start date for newly appointed Sergeant Jason Hollis. It was moved and seconded that Council approve the Memorandum of Agreement. Council unanimously approved said motion.

Attorney Stants also advised Borough Council that he was in receipt of a letter from Attorney David Pertile, Attorney for Tyrone Hospital, regarding a Deed of Correction that was discussed a while back, however nothing was ever resolved. This will be on Council's Agenda for the April Meeting.

**CONSULTING ENGINEER:** Mr. Nester reviewed his report with Borough Council.

**CODE ENFORCEMENT:** Council was in receipt of Mr. Frazell's report. Mr. Frazell reported that a Zoning Hearing was held on February 28<sup>th</sup> for a Variance request for Joseph Hagg, Jr., owner of 771 5<sup>th</sup> Street. The Variance was to permit farm animals on this property. The Hearing was continued until the type of farm animals can be determined.

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**POLICE DEPARTMENT:** Council was in receipt of Chief Romeo's report. Chief advised all officers have been trained on the new tasers.

**SEWER DEPARTMENT:** Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton advised his department would soon be conducting Whole Effluent Toxicity (WET) Testing. This will be advertised in *The Daily Herald*.

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

**HIGHWAY DEPARTMENT:** Mr. Bywater was absent, however, Council was in receipt of his report. Mr. Bywater inquired about the request for the stop sign at 8<sup>th</sup> and Park. Councilmember Mills stated this is a very dangerous intersection. Mr. Bywater advised he would be working on traffic studies for 8<sup>th</sup> and Park, Park and Meadow and 13<sup>th</sup> and Cameron.

**MISCELLANEOUS:**

- Council member Richardson suggested a Fish Rodeo for Seniors age 65 and over, at Reservoir Park. Mr. Richardson suggested a Friday night in mid-May and advised he would be willing to help. It was the consensus of Borough Council to approve this activity.
- Council member Charlie Mills inquired about the constant empty seat of a current Council member.

The Meeting Adjourned at 8:40pm.

Respectfully Submitted,

Ardean C. Latchford  
Borough Manager