

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

March 8, 2010 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on March 8, 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 Ellenberger 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: Council member Stephen Hanzir. Also present were Borough Manager Sharon Dannaway; Borough Solicitor Larry Clapper; Consulting Engineer Kevin Nester; Sewer Superintendent Tim Nulton; Highway Superintendent Jim Bywater; Code Enforcement Officer Jim Metzgar; Finance Director Phyllis Garhart; and Executive Secretary Kimberly Gurekovich.

PUBLIC COMMENT

Matthew Briggs

Mr. Briggs, member of Troop #300, was at the meeting to request permission to do an Eagle Scout project near the Railroad Station on Pennsylvania Avenue. Mr. Briggs plans to reconstruct the fence and install a sign with the name of the park. Mr. Briggs would also like to install a piece of children's equipment; however, this will depend on the cost. Mrs. Dannaway advised Mr. Briggs to meet with Code Enforcement Officer Jim Metzgar. Mr. Briggs will bring back a plan to Council for their approval at their April meeting.

There was no further public comment.

APPROVAL OF MINUTES

It was moved and seconded that Council approve minutes from the Council Meeting of February 8, 2010. Council unanimously approved said motion.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting

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period ending February 28, 2010 be approved: (1) The Account Balance Report, (2) Statement of Revenues and Expenses, and (3) Cash Disbursement Journal. Questions were asked regarding bills for the *Meter Guy*, which was for the water meter gun; *Dean Patterson*, which was for a rim for the newest truck at the Highway Department; and the *Renovators*, which was for repair to the Council room floor.

Council unanimously approved said motion.

BOROUGH MANAGER'S MONTHLY REPORT

PJM Demand Response Program – Water Department

At last month's Council meeting, Council approved the Sewer Department taking part in the PJM Demand Response Plan. This plan will generate revenue for the Borough for making our generators available in the event of a need. Earlier in the month Council gave their consensus for the Water Department to participate in the same program. It was moved and seconded that Council approve their consensus to permit the Water Department to participate in the same program. Council unanimously approved said motion.

Request for Waiver of Fee – Grace Baptist Church

Council is in receipt of a request from Grace Baptist Church to waive the rental fee for the Amphitheatre for a community wide patriotic concert on July 4, 2010. It was moved and seconded that Council waive the \$50 rental fee for Grace Baptist Church. Council unanimously approved said motion.

Request from VFW Teener League

It was moved and seconded that Council approve the annual donation of \$300 for the VFW Teener League. Council unanimously approved said motion. Teener league representatives were in attendance at last month's meeting to request financial help from the Borough for repairs to the field in order to prepare for the upcoming State Tournament being held in August, 2010. At that time, they were asked to come back to Council with a "wish list" of sorts that the Borough could review. Teener League President Ernie Dick addressed Council and advised of what they are doing and what they would like to have done before the tournament. Council member Mark Kosoglow suggested that the Borough match private funds that the league would raise. Council requested that the league come back to them with a bottom line cost of items on their

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list. It was the consensus of Borough Council that once the league provides a figure, Council will decide up to what amount will be matched.

Approval of Joint Articles of Agreement – Blair County UCC Appeals Board

Council was in receipt of a request from the Blair County UCC Appeals Board to revise their 2006 Agreement. The revision would allow for Board of Appeals members to automatically renew for a five year term. It was moved and seconded that Council approve said Amendment to the Joint Articles of Agreement. Council unanimously approved said motion.

Request for Donation – Labor Day Picnic

Council was in receipt of a request for a donation for the Tyrone Labor Day Picnic. Council hasn't donated for the Labor Day Picnic since 2005. It was moved and seconded that Council donate two family season passes for the 2011 pool season. Council unanimously approved said motion.

Use of Reservoir Park – TACO's Easter Egg Hunt

Council was in receipt of a request from TACO for use of Reservoir Park for their annual Easter Egg Hunt scheduled for Saturday, April 3rd, with a rain date of April 10th. Council unanimously approved said motion. It was moved and seconded to approve said request. Council unanimously approved said motion.

Replacement of Balusters – City Hotel Park

At last month's meeting, Borough Council was presented with costs to replace balusters at City Hotel Park, that have been kicked out due to vandalism. Council requested that Mr. Bywater bring the three choices of balusters to the meeting for Council to look at. Council member Stoner advised Council that the Park was created to replicate the original City Hotel that once occupied that corner. Ms. Stoner also advised that there was a maintenance fund at the time of the construction of the park that was to be used for strictly maintenance. Council members Ray and Rhoades voice opposition to replacing the 45 balusters with the existing design due to the cost. At this time, Borough resident, Mrs. Donna Weaver, voiced her opposition to replacing with plain square balusters. Mrs. Weaver felt that Council should approve the purchase of what is currently in place. Mrs. Weaver stated that this is the only time since the park has been built that Council is replacing the balusters. It was moved and seconded that

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Council replaces all balusters with the plain square balusters. A roll call vote was taken. Ayes: Council members Ray and Rhoades. Nays: Council members Bryan, Kosoglow, Latchford, Stoner and Mayor Fink. The motion did not pass. It was then moved and seconded that Council replace the missing balusters with the original design to keep the aesthetic look of the park. It was also suggested that a few extras be purchased. A roll call vote was taken. Ayes: Council members Bryan, Kosoglow, Latchford, Stoner and Mayor Fink. Nays: Council members Ray and Rhoades. The motion carried.

Annual Insurance Quotes

It was moved and seconded that Council approve the proposed insurance quotes for renewal. Council unanimously approved said motion.

FY 2010 CDBG Allocations

Council was presented with a memo from the Finance Director regarding 2010 CDBG Allocations. The proposed use of funds was presented as follows:

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|--------------------------------------|-----------|
| Administration | \$ 14,000 |
| Economic Development-Enterprise Zone | \$ 5,610 |
| Demolition/Clearance | \$ 28,228 |
| Housing Rehab | \$ 64,887 |
| Total | \$112,725 |

It was moved and seconded that Council approve the 2010 allocations, with the understanding that these amounts could be reallocated at a later time. Council unanimously approved said motion.

Discussion – Snow Removal, Plowing, Etc.

Mayor Fink asked Council to review and discuss the current snow removal rules and regulations, stating issues with the current system of odd/even parking. Mayor Fink suggested Council think of having all cars removed until the plow goes by. Council member Kosoglow feels that it is not realistic to ask elderly to move their car, park it and then walk 3 blocks back to their residence. Some Council members suggested using the automatic call system that the Borough is investing in. Mayor Fink also has been in

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contact with PennDOT regarding snow emergency routes through the Borough and signage for the same. PennDOT approved placement of snow emergency signage. The cost for 75 signs, posts and bolts is \$3,063. Council tabled this discussion.

SOLICITOR’S REPORT: The Solicitor had the following to report:

Proposed Ordinance No. 1291 – Prohibiting Parking of Trailers, Buses, Etc.

It was moved and seconded that Council approve proposed Ordinance No. 1291 prohibiting parking of trailers, mobile homes, etc. Title of said Ordinance is set forth below:

“AN ORDINANCE OF THE BOROUGH OF TYRONE, A HOME RULE MUNICIPALITY, AMENDING ORDINANCE NO. 629 AS AMENDED BY ORDINANCE NO. 1139 TO PROHIBIT PARKING OF TRAILERS, MOBILE HOMES, BUSES AND OTHER SIMILAR VEHICLES, AT ALL TIMES, UPON THE STREETS OF THE BOROUGH; AND ESTABLISHING AN EFFECTIVE DATE.”

Council unanimously approved said motion.

Proposed Ordinance No. 1292 – Amendment to Personnel Manual – Mileage

It was moved and seconded that Council approve proposed Ordinance No. 1292, to amend the personnel manual requiring Borough vehicles to be used when possible for all Borough business, reimbursement for mileage and regulations for the same. Title of said Ordinance is set forth below:

“AN ORDINANCE OF THE BOROUGH OF TYRONE, A HOME RULE MUNICIPALITY, SPECIFICALLY FURTHER AMENDING ORDINANCE NO. 1028 (WHICH ADOPTED THE “PERSONNEL MANUAL”) TO: REQUIRE BOROUGH VEHICLES TO BE USED WHEN POSSIBLE FOR ALL BOROUGH BUSINESS; REIMBURSE AT THE RATE PERMITTED BY THE IRS FOR USE OF PERSONAL VEHICLE ONLY WHEN MILEAGE SHALL EXCEED 25 MILES FOR ANY GIVEN MONDAY THROUGH FRIDAY WORK WEEK; TO REAFFIRM ORDINANCE NO. 1028 AS AMENDED; AND ESTABLISH AN EFFECTIVE DATE.”

Council unanimously approved said motion.

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CONSULTING ENGINEER: The Consulting Engineer provided a report for Borough Council. Mr. Nester advised Council that they had to submit a letter to DEP requesting an extension to file the Borough's Chapter 94 report, due to Northern Blair not filing the necessary data in a timely fashion. CET will also be sending a letter to Northern Blair regarding the tardiness of this information.

CODE ENFORCEMENT DEPARTMENT: Code Enforcement Officer Jim Metzgar reviewed his report with Borough Council. Mr. Metzgar also advised that the YMCA issue is waiting on a decision from the Judge.

D'Ottavio's building (formerly Mario's) is being cleaned out. Mr. D'Ottavio has brought in a dumpster and will submit receipts to Code Enforcement to get some of the escrow monies returned to him.

Mr. Metzgar inquired as to how he should proceed with the plans for the holding cell. The current plans will cut into the wall and replace with a steel door as well as closing off the kitchen area from the holding cell. It was moved and seconded that Council move forward with the plans as recommended by the Borough's Insurance Company. This item was not on the Agenda. Mayor Fink called for public comment and there was none. A roll call vote was taken. Ayes: Council members Bryan, Kosoglow, Latchford, Stoner, Rhoades and Mayor Fink. Council member Ray abstained.

Council was also advised that the Borough Manager was in receipt of an Appeal letter for 974 Pennsylvania Avenue, however, the letter was not in the proper format for an Appeal. Mr. D'Ottavio has been made aware of this and the Borough is awaiting for the Appeal in the proper format.

POLICE DEPARTMENT: Chief Beachem was not available; however, Officer Jim Dawes was available to explain the taser training. Mr. Dawes stated that tasers have been proven to be a preventative step for police departments to protect both the officer and the assailant. The tasers are 50,000 volts of electricity that freezes your muscles for approximately five seconds at a time, which gives an officer enough time to place cuffs on the individual. Persons having authorized use of the tasers have initial training and then annual training as well. Workers Compensation companies have stated that the use of tasers actually lowers the risk of injury. Council member Rhoades presented an article that she got online regarding health issues from a victim being tased. Ms. Rhoades feels that this will open the Borough up to more lawsuits. Council member Ray feels that we should do more research. Council member Stoner noted that we put a

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gun on the officers hip and a rifle in their cars. Council also asked for some sample training information.

SEWER DEPARTMENT: Council was in receipt of a report from Sewer Superintendent Tim Nulton. Mr. Nulton is requesting permission to place bids for a chemical storage tank and to request approval for CET to draw up plans for new manholes along Washington Avenue. It was moved and seconded that Council approve Mr. Nulton's requests. Council unanimously approved said motion.

HIGHWAY DEPARTMENT: Mr. Bywater reported that the sweeper has been out cleaning up anti-skid.

MISCELLANEOUS:

- Mrs. Dannaway advised that she, Mayor Fink and Jim Metzgar had met with DCED and ABCD Corp. about sites for redevelopment. ABCD Corp. would like a meeting of community members to discuss future development in Tyrone.
- Mrs. Dannaway advised that she and Mayor Fink attended a seminar regarding grant submissions for DCNR. Mrs. Dannaway advised that a site development drawing by a licensed architect is required to go along with the grant submission for Phase II of the Reservoir Park Improvement project. Council member Kosoglow feels that if it costs \$2 or \$3,000 to get \$110,000, there should be no question. It was noted that projects that are "*shovel ready*" have a better chance of approval. Mrs. Dannaway asked Kevin Nester of CET if the time frame would be a problem and he advised that they could have it to Sharon by April 20th. Council member Latchford suggested that the Borough also contact Hughes Engineering, which did the engineering work on Phase I. It was moved and seconded that Mrs. Dannaway move forward with this work. Council unanimously approved said motion.
- Council would like for the police to be more visible in the downtown area. Bicycles are not permitted on the sidewalks in the downtown as well as in City Hotel Park.

EXECUTIVE SESSION

Mayor Fink announced that Council held Executive Session meetings prior to this evening's Council Meeting and on February 23, 2010 to discuss personnel matters.

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The meeting was adjourned at 8:55PM.

Respectfully Submitted,

Sharon Dannaway/kdg
Borough Manager