

TYRONE BOROUGH COUNCIL MINUTES OF REGULAR COUNCIL MEETING

May 10, 2010 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on May 10, 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 Roy Garthwaite gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Jennifer Bryan, Stephen Hanzir, Mark Kosoglow, William Latchford, Christy Ray, Courtney Rhoades, Pat Stoner and Mayor Fink. Also present were Borough Manager Sharon Dannaway; Borough Solicitor Larry Clapper; Consulting Engineer Kevin Nester; Sewer Superintendent Tim Nulton; Water Superintendent Gary Barr; Highway Superintendent Jim Bywater; and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION

Mayor Fink announced that Council had Executive Session meetings on May 4 and prior to tonight's Council meeting to discuss possible litigation and personnel.

PUBLIC COMMENT

Dave Grazier/Rodney Shultz, Kunzler

Mr. Grazier was in attendance to voice his objection to the amount of the recent increase in the water rates. Mr. Grazier stated that Kunzler appreciates the working relationship that they have with the Borough and are grateful for the improvements that the Borough has made to the Borough's water system, which they benefit from. Kunzler presently employs 200 people and is the Borough's largest water customer. Mr. Grazier stated that their large customers get a better price on their product. Mr. Schultz stated that they received their letter regarding the increase on April 23rd, advising that the increase was effective April 1st. Mr. Shultz's main complaint was that they were billed at the higher rate for water that was already used in March, thus costing them an additional \$3,000. Mr. Grazier would like for the Borough to consider the amount of the increase, especially to their larger customers. Kunzler was advised to attend the Authority meeting, scheduled for June 8, 2010 and present their case to the Authority.

**Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Two (2)**

Mr. Shultz further advised that he has budget responsibilities as does the Borough and this is a 64% increase or \$36,000/year that they were not able to budget for. The more water they use, the more they are penalized. Kunzler stated that they may have no other resource than to seek other alternatives.

Council member Stoner asked why they would have been billed at the higher rate in April, for water that was already used in March. Mrs. Dannaway advised that the water is as billed, not as used.

Ron Powell, Cub Master Pack 320

Mr. Ron Powell, Cub Master Pack 320, presented Council with a letter requesting use of Pavilion #1, free of charge, for a family fun night for all local scouts, in hopes of recruiting new scouts. The date is August 18, 2010. It was moved and seconded that Council approve said request. This item was not on the Agenda, Mayor Fink called for public comment and there was none. Council unanimously approved said motion.

Jessica Ford Cameron, Director, Tyrone-Snyder Public Library

Ms. Cameron, Director of the Public Library, was present to advise Council of their services both present and future. They are now offering career link services, GED classes, exam proctoring, free internet and wireless internet. They also hosted a VITA program this year and were able to help 138 people with their tax returns. Ms. Cameron advised that funding from the State is determined by local funding. Ms. Cameron introduced her Board members and thanked Council for their continued support.

Misty Rhoades, 1461 Logan Avenue

Mrs. Rhoades, 1461 Logan Avenue, thanked the Police Department and Code Enforcement for the “stepped up” enforcement around their neighborhood. Mrs. Rhoades also requested gloves, vests, trash bags and pick up locations for their community wide clean up. Mrs. Rhoades also made comments regarding respect for the American Flag. Mayor Fink will address her flag issues.

Ernie Dick, President, VFW Teener League

Mr. Dick thanked the Highway Department for leveling the parking lot at the Teener League Field. Mr. Dick advised that there is a work party scheduled for the field on May 22nd, however, the 15 and 16 year olds start play that day as well.

**Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Three (3)**

There was no further public comment.

APPROVAL OF MINUTES

Minutes were unavailable due to Kim's computer malfunctioning and were provided at the meeting. Council tabled approval of minutes until the June meeting.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded that the financial reports for the monthly accounting period ending April 30, 2010 be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council unanimously approved said motion.

BOROUGH MANAGER'S MONTHLY REPORT

Memorandum of Understanding – Killed in Service Benefit

It was moved and seconded that Council approve the Memorandum of Understanding, between the police union and the Borough, pertaining to Act 51 of 2009, removing the responsibility for municipal police pensions. Council unanimously approved said motion.

Hockey Rink Resurfacing

Council was in receipt of an inquiry letter from Theron Glenny regarding the status of the resurfacing of the hockey rink. Council would like for the Borough to see what grant funds are available. Mrs. Ray advised that she visited the site and saw no visible cracks. There is \$20,000 in the budget for this improvement project. Mrs. Dannaway suggested that the Borough contact DCNR, however, it would probably be a two year process. Council member Hanzir stated that he did not want to spend a lot of money when only a few people use it. Council member Stoner advised that the surface breaks down and causes the skate wheels to do the same. Council would like to have more discussion on this matter. The Finance Director is to see what grant funds are available.

Emergency Management Office Equipment

PEMA has recently mandated that all Emergency Management Directors maintain an office as well as office equipment for record keeping purposes. Council was presented

**Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Four (4)**

with a quote for a laptop and a printer. Council member Latchford felt that this was a “high-end” laptop for all that it was going to be used for. Mr. Latchford suggested that we look at an Inspiron model, which would be less expensive and serve the purpose.

Advertising for Borough Manager

Mrs. Dannaway presented Council with quotes for advertising for the Borough Manager’s position. It was moved and seconded to advertise using the following resources: PSAB Magazine - \$202.50; PSATS Magazine - \$287; PA League of Cities - \$150; Altoona Mirror - \$576.16 and Centre Daily Times \$668.72. Council unanimously approved said motion. It was noted that the deadline for returning résumés is July 15th.

Draft Flood Risk Assessment

Council was presented with a Draft Flood Risk Assessment for their review. It was moved and seconded that Council approve said Draft. Council unanimously approved said motion. Mayor Fink will follow up with Congressman Shuster’s office to solicit funding to complete the assessment.

Approval of Health Insurance Rate Increase

Council was presented with a spreadsheet from JJAN Financial Group, outlining health insurance renewals. It was moved and seconded that Council approve the renewal with Highmark at an increase of 6.52%. Council unanimously approved said motion.

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

VFW Teener League Lease

Solicitor Clapper advised that the VFW Teener League wishes to discontinue their Lease with the Tri -County Softball League. This action has to be approved by Borough Council. It was then moved and seconded that Council approve terminating the Lease and re-establishing the same solely with the VFW Teener League. Council unanimously approved said motion.

Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Five (5)

Proposed Ordinance No. 1293 – Police Pension – Killed in Service Benefit

It was moved and seconded that Council approve proposed Ordinance No. 1293, repealing the Killed in Service Benefit for the Municipality and thus making the Commonwealth of Pennsylvania responsible for the survivor benefit. Council unanimously approved said motion.

Proposed Ordinance No. 1294 – Canine Policy

Council member Ray had several questions regarding this Ordinance and requested that it be tabled until the June meeting for further discussion.

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

CODE ENFORCEMENT DEPARTMENT: Code Enforcement Officer Jim Metzgar was at training for the week and unavailable for the meeting.

POLICE DEPARTMENT: Chief Beachem was not available for the meeting, however, Mrs. Dannaway advised that the investigation into part time police officer Adam Bonsell is complete and the suspension has been lifted.

Mrs. Dannaway also advised that part time police officer Billy Mayes will return to work on May 12th.

Discussion of Tasers

Discussion on the tasers was tabled until a new Chief is appointed.

SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton advised that their new chemical tank was scheduled to arrive this week.

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report. Council member Bryan inquired as to the sidewalk that the Borough had dug up last year and hadn't replaced. Mr. Bywater advised that PennDOT has told the Borough to hold off because their plans for this area are not scheduled until 2012. Ms. Bryan request that we request correspondence from PennDOT stating the same because we are making residents repair their sidewalks.

Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Six (6)

WATER DEPARTMENT: Council was in receipt of Mr. Barr's monthly report. Mr. Barr also advised that the new Swiftreach program is up and running and they have recently used it during the hydrant flushing. Mayor Fink inquired as to the fire hydrants that the City of Altoona has taken out of service. Mr. Barr will check with the City and see when they will be removed.

MISCELLANEOUS:

- Mrs. Dannaway was in receipt of a request from Alice's Garden for the Borough to purchase approximately two truck loads of mulch for the Railroad Park. Alice Mulhollen has been maintaining this area for several years. It was moved and seconded that Council approve the request. This item was not on the Agenda. Mayor Fink called for public comment and there was none. Council unanimously approved said motion.
- Council was in receipt of a letter from CET advising of the top three candidates for engineering services for the Washington Avenue Improvement project. Mr. Myers recommends that the Borough start with the first company on the list and to also request a copy of their most recent financial statements. The top three candidates are P. Joseph Lehman, Inc.; Stiffler, McGraw & Associates, Inc.; and Dewberry-Goodkind, Inc. It was moved and seconded that the Borough proceeds with CET's recommendation. This item was not on the Agenda. Mayor Fink called for public comment and there was none. Council unanimously approved said motion.
- Ms. Bryan inquired as to the status of the ceiling fans that she requested last month. It was suggested that the Borough price 2-4 fans with 52" blades.
- Ms. Bryan also inquired as to her request last month for Council to consider meeting twice per month. It was suggested that since Council will be looking for a Borough Manager, there will probably need to be more meetings. The consensus was to let the meeting schedule as is for now.
- It was moved and seconded that Council appoint Finance Director Phyllis Garhart as Interim Borough Manager. A roll call vote was taken: Ayes: Council members Ray, Hanzir, Kosoglow, Rhoades and Mayor Fink. Nays: Council members Bryan, Latchford and Stoner. It was then brought to the Mayor's attention that he did not call for public comment. Mayor called for public comment and comments were made regarding her lack of qualifications and the fact that she was removed from personnel by Ordinance years ago. Mayor Fink advised that she would not be involved in personnel and that those issues would come to him and/or the Solicitor. A second roll call vote was taken: Ayes: Council members Ray, Hanzir, Kosoglow, Rhoades and Mayor Fink.

**Minutes-Work Session Meeting
Tyrone Borough Council – May 10, 2010
Page Seven (7)**

Nayes: Council members Bryan, Latchford and Stoner. The motion carried.

- Karl Gurekovich, sewer department employee, inquired as to why the AFSCME healthcare committee was not notified of the renewal that was voted on previously in the meeting. Mrs. Dannaway advised that it was just received by the office today. Council members agreed that if there is a health care committee this information should be provided to them in a timely manner.
- Mayor Fink advised that the local fire companies are sponsoring a “Save a Life” program, offering free smoke detectors. Anyone interested in this should contact Kim at the Borough office.

The Meeting Adjourned at 9:10PM.

Respectfully Submitted,

Sharon Dannaway/kdg
Borough Manager