

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

MAY 13, 2013 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, May 13, 2013 @ 7:00PM at the Tyrone Borough Municipal Building, 1100 Logan Avenue, Tyrone, PA. Mayor Fink led the group in the Pledge of Allegiance and Pastor Bookhammer gave the Invocation.

CALL TO ORDER:

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

EXECUTIVE SESSION: Mayor Fink announced that an Executive Session was held prior to the Council meeting to discuss personnel.

PUBLIC COMMENT:

Jennifer Leister, Port Matilda

Ms. Leister owns 3 properties in the Borough as was present to address Council and encourage them to adopt an ordinance regarding controlling dogs. Ms. Leister stated a few instances wherein dogs were running at large while they are working on their apartments as well as her concern for the children.

Chief Romeo advised that Pennsylvania does not have a leash law. Chief is not aware of many complaints of dogs running at large although one particular family has been cited three times.

Solicitor Clapper advised that Pennsylvania is considered a "one bite" State. However, after the one bite, it is considered a dangerous dog. The Police can cite dog owners for allowing them to run at large.

Cody Eckels, Eagle for Freedom Project

Cody Eckels, Eagle Scout working at Soldier's Park was present to update Council on his Eagle for Freedom Project. Cody has requested that as the project is turned over,

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that the Borough keep the integrity of the design as it is currently laid out. They recently had to remove an engraved block and it loosened four other blocks. Mr. Eckels is requesting that future bricks be laid in a different area of the park.

There was no further public comment.

APPROVAL OF MINUTES

It was moved and seconded that the minutes of the April 8, 2013 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 April 30, 2013, be approved: (1) The Account Balance Report; (2) Statement of Revenues and Expenses; and (3) Cash Disbursement Journal. Council unanimously approved said motion.

INTERIM BOROUGH MANAGER'S MONTHLY REPORT

Electric Rates

The Borough currently has two contracts in place with PPL to provide electricity to the Water and Sewer plants. The Borough was recently contacted by Utility Rate Analysis (URA) advising the Borough would benefit by locking in a rate for a 24 month period. The current rate would be .06394. It was moved and seconded that Council approve a 24 month contract at the above rate. Council unanimously approved said motion.

Computer Replacements

It was moved and seconded that Council approve the purchase of 2 laptop computers; 1 for the Administrative Assistant Office and 1 for the Borough Manager's office, in the amount of \$2,277.92. Council unanimously approved said motion.

Donation of Family Swim Pass-Adam Fink Day

It was moved and seconded that Council approve the donation of a Family Swim Pass for Adam Fink Day to be held on May 18, 2013. Council unanimously approved said motion.

Policing Issues – Snyder Township

Council was in receipt of a request from the Interim Manager to clarify the Borough Policing issue in Snyder Township. Chief Romeo advised that the non-incident calls for Snyder Township have dropped off significantly. After some additional discussion, it was moved and seconded that Borough police may assist in Snyder Township if PSP is on scene or have given an indication they are in route to the scene. Council unanimously approved said motion.

Miscellaneous Information

- Worker's Compensation Dividends have been received
- Clay Avenue Storm Drain work will not be done until 2014
- Housing Rehabilitation Funds are available; anyone interested should contact the Borough.
- Duey Paving is repairing the street cuts from the Gas Company project. Grannas Brothers will be doing a complete overlay on Washington Avenue.

SOLICITOR'S REPORT: Solicitor Clapper had the following for Council:

Revised Job Description- Borough Manager

It was moved and seconded that Council approve the revised job description for the Borough Manager's position. The revised job description includes experience with water and sewer systems and acknowledges a combination of education and/or experience. Council unanimously approved said motion.

Ordinance No. 1341 – Appointment of Borough Manager

It was moved and seconded that Council approve Ordinance No. 134, Appointing Phyllis Garhart as the Borough Manager. Council unanimously approved said motion.

Ordinance No. 1342 – Establishing the Department of Administration

It was moved and seconded that Council approve Ordinance No. 1342, Establishing the Department of Administration. Council unanimously approved said motion.

Resolution No. 2013-05 – Enactment of Ordinance No. 825

It was moved and seconded that Council approve Resolution No. 2013-05, Enacting Ordinance No. 825, which referred to an Alley Vacation done in 1980. Said document was never recorded. Council unanimously approved said motion.

CONSULTING ENGINEER: Council was in receipt of the Engineer's report. Mr. Nester advised the flap gate project is complete. Also, the 14th Street and Logan Avenue manhole replacement has been completed, and final payment request has been mailed to the Borough.

ZONING/CODE ENFORCEMENT: Council was in receipt of the Code Enforcement Report. Mr. Rabits advised the Zoning Hearing Board did not require a fence, however, is requiring that Mr. Hamer place a barrier of greenery along the property. Mr. Hamer is to submit a plan to the Code Office, and then has 6 months to complete the work.

Mr. Rabits also presented two Subdivisions for approval. The first subdivision is for GEC Real Estate (Epworth Manor). Epworth is subdividing a parcel from their total acreage. The newly created lot will encompass the existing physician's office that is situate in front of Epworth Manor. The second subdivision is for Tithonus Tyrone, LF (Colonial Courtyard). Tithonus will be creating a new lot that encompasses the existing assisted living facility.

Both plans meet CET's approval, contingent upon conditions being met and Solicitor's review. It was moved and seconded that Council approve both subdivisions as stated above. Council unanimously approved said motion.

POLICE DEPARTMENT: Council was in receipt of Chief Romeo's report.

Chief Romeo's report included requests to purchase two additional tasers and a new Remington 12 gauge shotgun to replace a 17+ year old Mossberg 12 gauge. Chief's 2013 Budget included funds to purchase both of these items. It was moved and seconded that Chief moved forward with the purchase of 2 tasers and put them into the rotation with the current tasers. It was noted the current tasers were purchased in 2011.

Council inquired as to how many times a year the current shotgun is fired. Chief advised 200-300 rounds go through it every year. This is the oldest shotgun in the police department. Council member Ray inquired as to the need for it. Chief advised it is a stabilizing factor during an incident, all three shotguns are used for training, and the barrel on it is stainless, which Chief explained that if you are the officer using it and a light hits it, your coverage is blown. It was moved and seconded that Council approve

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the purchase of a new Remington 12 gauge shotgun. A roll call vote was taken. Ayes: Council members Black, Ray, Latchford Rhoades and Mayor Fink. Nays: Council member Richardson.

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

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

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report.

MISCELLANEOUS:

- Council Member Richardson inquired as to the status of the walking path for Reservoir Park. Mrs. Garhart advised the RFP is near completion and will be turned over to the Engineers.
- Council member Rhoades inquired as to the parking at the Hockey Rink area on Sundays. Ms. Rhoades advised that it is creating a dangerous situation.
- Council also suggested the Borough look in to possible leases with organizations using the Borough facilities and/or contacting them regarding the \$15/hour rental fee that is currently established.

The Meeting Adjourned at 8:15PM.

Respectfully Submitted,


Phyllis J. Garhart/kdg
Interim Borough Manager