

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

**MAY 14, 2012 @ 7:00PM**

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on May 14, 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 Ardean Latchford 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, Courtney Rhoades, Terry Richardson and Mayor Fink. Absent: Council Member Christy Ray. Also present were Borough Interim Borough Manager/Finance Director Phyllis Garhart; Solicitor Terry Goldstein; Sewer Superintendent Tim Nulton; Highway Superintendent Jim Bywater; Water Department Supervisor Ardean Latchford; Chief of Police John Romeo; Code Enforcement Officer Tom Ozechoski; Consulting Engineer Kevin Nester and Administrative Assistant Kimberly Gurekovich.

**EXECUTIVE SESSION**

Mayor Fink announced that Council held an Executive Session Meeting prior to the Council meeting to discuss personnel.

**PUBLIC COMMENT:**

**Karen Owens, 763 Washington Avenue**

Ms. Owens was in attendance at the meeting to again address Council regarding one of the new street lights that was placed along Washington Avenue. This light is inches away from her spouting and she is concerned about the safety of the situation. Ms. Owens wants the light moved. Mayor Fink advised that he will speak to PennDOT and will get back to her.

**Jim Roseberry, 915 Jefferson Avenue**

Mr. Roseberry was in attendance at the meeting to inquire if Council had an answer for him regarding his request from last month regarding a street drain at the rear of his property. Mr. Roseberry stated that he has been fighting this for five or six years. Mr. Bywater advised that he did check it out. Since this is on private property, Solicitor Clapper will have to be consulted.

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Two (2)**

**Lashawn Ames, 1356 PA Avenue**

Mr. Ames expressed concern about the condition of the restoration from the road construction in town. Mr. Ames was advised that the restoration is temporary and a more permanent layer would be in place when total project is complete.

**Samy Masry, Samy's Pizzeria**

Mr. Masry was in attendance at the Council meeting to discuss his potential business going into the former Joybeans location on 10<sup>th</sup> Street. Mr. Masry was advised by the former Borough Manager and Code Officer Tom Ozechoski that he could move into that particular building without plans because it was already a restaurant. Since then, the former tenant had removed most equipment, now making Mr. Masry start over. Mr. Masry stated that he is trying to bring business to Tyrone and is looking for help from Borough Council. Mayor Fink suggested that Mr. Masry meet with Mayor Fink, Councilmembers Rhoades and Detwiler and Code Enforcement, after the meeting.

**Mr. Charles Hunter, American Legion**

Mr. Hunter advised that the Legion was interested in purchasing ground from the Borough located at the corner of Lincoln Avenue and W. 15<sup>th</sup> Street, (being the corner of their parking lot). Mr. Hunter was advised to submit a letter requesting the same to the Borough. It was noted that if the Borough was to sell this, it would have to go thru a public bidding process.

**Kera Walk, 524 W. 18<sup>th</sup> Street**

Ms. Kera Walk and neighbors presented Borough Council with a petition for a 4-way stop intersection at Hamilton Avenue and W. 18<sup>th</sup> Street. Residents were advised that this had been requested several years ago and there was no accident history at the time, which did not merit a traffic study. Consulting Engineer, Kevin Nester stated that the Borough follows PennDOT standards for traffic studies, thus the Borough has to meet that criteria. Council member Kosoglow stated that he was all for this however, the Borough has to do what PennDOT says. Borough staff will look further into this.

**John Frederick, IRC**

Mr. Frederick was present at the meeting and advised that recently a very successful electronics collection was held, a special collection is scheduled for June 30<sup>th</sup> at Blair

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Three (3)**

County Ballpark and an annual household waste disposal will be held July 14<sup>th</sup>.

Mr. Frederick then provided Council with a list of questions/comments regarding the upcoming Refuse/Recycling contract. Councilmember Rhoades would like to review the current contract with Solicitor Clapper before committing to any changes.

There was no further public comment.

**POLICE DEPARTMENT:** Mayor Fink moved a portion of Chief Romeo's report to the beginning of the meeting. Last year, Council had agreed to hire three full time police officers. Since that time, applicants have gone through the Civil Service process and three names have been recommended to Borough Council. All testing has been completed and Mayor Fink introduced the Borough's newest full time police officers, Officer Dustin Rhoades, Officer Chad Weaver and Officer Mathew McMurray. The officers start dates are May 15, 16 and 17 respectively.

**APPROVAL OF MINUTES**

It was moved and seconded that the minutes of the April 9, 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 April 30, 2012 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**

**Wen-Brooke Contracting Inc. – Approval of Lease Agreement**

Council was provided a copy of a Lease Agreement with Wen-Brooke Contracting. Wen-Brooke will be leasing a portion of ground for placement of a job trailer. The trailer will be placed at the upper end of Reservoir Drive. It was moved and seconded that Council approved said Lease Agreement. Council unanimously approved said motion.

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Four (4)**

**Repairs – Salt Storage Shed**

The Borough's salt storage shed has fallen in to disrepair. The Highway Superintendent has secured quotes for said repairs. It was moved and seconded that Council approve the quote from Maines Engineering in the amount of \$14,000. Council unanimously approved said motion.

**Approval of Supplemental Engineering Agreement**

The Borough was in receipt of the technical and price proposal supplement to the Agreement for engineering services for the Pennsylvania Avenue Streetscape Project. It was moved and seconded that Council approve the P. Joseph Lehman transfers along with the Markosky Engineering Group, technical and price proposal as presented by the Interim Manager. Council unanimously approved said motion.

It was noted that the time line for the Pennsylvania Avenue Streetscape project is bid opening on June 21<sup>st</sup>, Council approval at the July 9<sup>th</sup> Meeting and Notice to Proceed issued on or before August 20<sup>th</sup>.

Council was also informed that the request for transfer of funds from the Washington Avenue Streetscape project to the Pennsylvania Avenue Streetscape project has been approved.

**Approval of Revised Rules & Regulations – Civil Service Commission**

Council was in receipt of a request from the Civil Service Commission and Chief Romeo to approve the revisions to the Civil Service Rules and Regulations. The recommended changes are outlined below:

- Chapter 3. Applications and Qualifications

Section 3.5 General Qualifications – All Applicants

Replace the 1,000 hours as a Municipal Police Officer requirement to 500 hours. Chief feels this is a sufficient amount of time in order to start someone)

Section 3.6 General Qualifications – Applicants for Promotion

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Five (5)**

(b) Replace *continuous* with *full time service*

- Chapter 4. Examination and Grading Procedure

Section 4.2 General Examination Requirements for Promotion

Add “To be eligible for promotion to a higher rank, an Applicant must have a combined Oral/Written Score of at least 70% to be promoted.”

Section 4.7 Physical Fitness Testing

(e) 30 second trigger pull-remove from physical fitness testing, per Chief this is obsolete and not required by MOPTC

**Cost Sharing Request – Tyrone Sink Run Culvert No. 1 Replacement**

The Borough is in receipt of Notice from PennDOT that the sewer department will need to relocate the current manhole, located at W 14<sup>th</sup> Street and Logan Avenue due to the replacement of the Culvert. The Borough has made a request to PennDOT to share in the cost of this project. All documentation has been completed and submitted to PennDOT. It was moved and seconded that Council approve execution of any documents relating to the same. Council unanimously approved said motion.

**Award – Sale of Schwing Pump – WWTP**

It was moved and seconded that Council approve the sale of a Schwing Pump from the Wastewater Treatment plant. The sole bidder was Jim Detwiler at a bid price of \$501. Council unanimously approved said motion.

**Transfer of the K-9 & Equipment**

Council was in receipt of a request from Operation Ourtown regarding the transfer of the K-9 and the equipment to Logan Township, since the Borough’s K-9 Officer, Matt Lutz, has taken a position with Logan Township. It was moved and seconded that Council approve the transfer of the K-9 and all K-9 equipment to Logan Township. Council unanimously approved said motion.

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Six (6)**

**FY2012 CDBG Application**

It was moved and seconded that Council approve the proposed use of funds for the FY2012 as follows: \$80,000 for Housing Rehabilitation; \$11,000 for General Administration for a total of \$91,000, this to coincide with approval of submission of the FY2012 Application to DCED and Administrative Agreement with IDA of Altoona. Council unanimously approved said motion. It was noted that the Borough received a 13% decrease in funding.

**DISCUSSION ITEMS:**

**Refuse/Recycling Contract**

The Borough's Waste Hauling contract expires September 30, 2012. Council tabled this discussion until the June meeting.

**Reservoir Park – Hours of Operation**

At a previous Council meeting the hours of the park were discussed. After reviewing the park rules and regulations, park hours are from 6am to 9pm. Borough staff will have signs made to reflect those hours.

**Shredding Event**

The Borough held their first ever shredding event on Wednesday, April 25<sup>th</sup>. The total amount shredded between the Municipal offices and the public was 6,521 lbs.

**Holding Cell-Police Department**

Since the Police Department will remain in the Municipal Building, the plans for the holding cell can move forward. Mrs. Garhart will meet with Maines Engineering and the Chief to determine if any further changes are required. Once that is done, plans can be resubmitted to MDIA.

**Flood Risk Assessment**

The Borough is in receipt of the revised Flood Risk Assessment Report, provided by the Army Corps of Engineers. The Borough has had several residents contact us regarding the new flood zone maps. Representatives from FEMA will be assessing said

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Seven (7)**

properties and file a report with the Borough.

**Tax Appeal – Epworth Manor**

The Borough is in receipt of an approved tax appeal from the County regarding the Epworth Manor property. It was moved and seconded that Council approve the new assessment set by the Courts. Council unanimously approved said motion.

**Withdrawal from Purchase of Armory**

It was moved and seconded that Tyrone Borough withdrawal from the purchase of the Tyrone Armory. This item was not on the Agenda. Mayor Fink called for public comment, with no comments being made, Council unanimously approved said motion.

**Concerts in the Park Contribution**

As part of the 2012 budget, \$1,500 was included for the Arts Council towards Concerts in the Park. It was moved and seconded that Council approve the disbursement of the \$1,500. Council unanimously approved said motion.

**SOLICITOR'S RERORT:** Solicitor Goldstein had two Resolutions for Council, they are as follows:

**Resolution No. 2012-09 – Cost Share Sewer Manhole Replacement**

It was moved and seconded that Council approve Resolution No. 2012-09, requesting a cost share from PennDOT for the required manhole replacement project scheduled for 2013 and located at 14<sup>th</sup> Street and Logan Avenue. Council unanimously approved said motion.

**Resolution No. 2012-10 – Authorizing Application Submission - 2012 CDBG**

It was moved and seconded that Council approve Resolution No. 2012-10, approving the Borough's 2012 CDBG Application and Program. Council unanimously approved said motion.

**CONSULTING ENGINEER:** Council was in receipt of the Engineer's report. Mr. Nester advised that a pre bid meeting for the Spillway Gabion Basket project will be held on May 25<sup>th</sup> @ 10am, with a bid opening on June 8<sup>th</sup>.

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Eight (8)**

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

**POLICE DEPARTMENT:** Council was in receipt of Chief Romeo's report. Chief presented Council with two resignations. Full time K-9 officer Matt Lutz and Vilo and Part time officer Corey Roland both submitted letters of resignation, as they have both accepted positions with Logan Township. It was moved and seconded that Council accept the resignations. Council unanimously approved said motion.

Chief requested appointing four part time police officers. It was moved and seconded that Council approve said request. Council unanimously approved said motion.

Officers McMurray and Weaver will be attending bike class. Chief is anxious to re-implement the bicycle patrol.

**SEWER DEPARTMENT:** Council was in receipt of Mr. Nulton's report. Mr. Nulton advised that they have sold some nutrients and as of this date a total of \$35,000. Mr. Nulton feels the Borough should have \$100,000 by the end of 2012.

**WATER DEPARTMENT:** Council was in receipt of Mr. Latchford's monthly report. Mr. Latchford advised that Mayor Fink and Interim Manager Garhart had discussed the removal of fluoride from the water. Mr. Latchford advised that it would be a cost savings to the Borough because by removing fluoride, he can eliminate another chemical. This would also be a more pleasing taste to the palette. A \$750 modification permit would be necessary. Council member Rhoades would like more information on this before making a decision. Mr. Latchford stated that they have been lowering it for the past year and a half.

**HIGHWAY DEPARTMENT:** Council was in receipt of Mr. Bywater's monthly report. Council member Richardson inquired as to when the department would begin line painting.

**Minutes-Regular Council Meeting  
Tyrone Borough Council – May 14, 2012  
Page Nine (9)**

**MISCELLANEOUS:**

Mayor Fink was in receipt of a letter from a resident about speeding cars on Reservoir Drive. Chief Romeo advised that he will take a look at this area.

The Meeting Adjourned at 8:50PM

Respectfully Submitted,

Phyllis J. Garhart/kdg  
Interim Borough Manager