

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

OCTOBER 10, 2016 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Monday, October 10, 2016 @ 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 Sharon Erb, First English Lutheran Church gave the Invocation.

CALL TO ORDER:

Mayor Fink called the meeting to order and requested roll call. Present: Council members Courtney Rhoades, Nate Verilla, Bob Dollar, Bill Latchford, Charlie Mills, Michelle Miller and Mayor Fink. Absent: Council member Christy Ray. Also present were Borough Manager Phyllis Garhart; Solicitor Dan Stants; Sewer Superintendent Tim Nulton; Water Superintendent Ardean Latchford; Highway Superintendent Jim Bywater; Consulting Engineer Kevin Nester; Chief of Police John Romeo; Code Enforcement Officer Marvin Frazell; and Administrative Assistant Kimberly Gurekovich.

EXECUTIVE SESSION: Mayor Fink announced that Council held an Executive Session prior to tonight's meeting to discuss personnel and possible litigation.

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES

It was moved and seconded the Minutes of the September 12, 2016 Council Meeting be approved. Council unanimously approved said motion.

APPROVAL OF MONTHLY FINANCIAL REPORTS

It was moved and seconded the financial reports for the monthly accounting period ending September 30, 2016 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

Community Development Block Grant FY 2016

Borough Council was advised they need to identify program activity for the Borough's 2016 CDBG. Total funds available are \$77,948. The Borough has previously applied

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CDBG funds to housing rehab and has provided assistance to 87 low to moderate incomes households over the years.

As of this date, the Borough has not been notified of the status of the TAP funding for the Logan Avenue Streetscape Project. Borough Manager Phyllis Garhart recommended using 2016 CDBG funds towards the Logan Avenue Streetscape Project. Mrs. Garhart advised the Borough has also submitted an application to Blair County for funding from their Competitive Community Development Block Grant in the amount of \$750,000.

Several Council members voiced opposition to this and wish to help Borough residents first. They suggested the new media run an article as well as the Borough distributing pamphlets to Churches, Libraries, etc.

It was moved and seconded that Council approve said program activity for the Logan Avenue Streetscape, with the understanding that if the Borough receives applicants for the Borough's Home Program, this money be reprogrammed for Housing Rehabilitation. Council unanimously approved said motion.

Tyrone WWTP UV Disinfection System Upgrade – Payment Application #9

Council was in receipt of Payment Application #9 for final payment in the amount of \$2,500 for the Wastewater Treatment Plant UV Disinfection System Upgrade. It was moved and seconded Council approve the Payment Application. Council unanimously approved said motion.

Wastewater System Cost of Services Studies

Council was in receipt of a proposal to update the Borough's Cost of Service Study (COS). This study is required to be updated on an annual basis. This Cost of Service Study incorporates studies for 3 separate years. Costs are \$15,000 for years 1 and 3 and \$5,000 for year 3. Council member Latchford inquired as to the necessity for this again. Mrs. Garhart and Consulting Engineer Kevin Nester stated this is to ensure that Borough residents are paying their fair share. It was moved and seconded that Council approve said proposal for COS at a total cost for 3 years of \$35,000. Council unanimously approved said motion.

Small Water and Sewer Grant Program

The Borough has been advised the Commonwealth Financing Authority is accepting applications for eligible water/sewer projects with cost estimates of \$30,000-\$500,000.

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Said projects would be to construct, improve, expand, repair or rehabilitate a water supply or sanitary sewer system owned and operated by a Municipality.

The Borough currently has two projects that would be eligible; Meadow Street Sewer Main Replacement Project and 23rd Street Water Storage Tank/Pump Rehab. Council was in receipt of proposals from GHD for the grant application (\$3,000 each for water and sewer grant) and engineering cost for the 23rd Street Rehabilitation (\$16,500). It was moved and seconded that Council approve said engineering costs and grant application preparation. Council unanimously approved said motion.

Appointment of Full-Time Police Officers

The Civil Service Commission met on October 5, 2016 to certify the List of Eligible Candidates. It was moved and seconded that Council appoint Scott Beall and Jason Hollis as full time officers. It was noted the placement on the List of Eligible Candidates is determined by testing procedures and military time. Effective dates of employment will be October 17 for Scott Beall and October 18 for Jason Hollis. Council

Municipal Building Masonry Repairs

Council was provided with a quote from Raimondo Inc. in the amount of \$9,840 for masonry brick repairs to the Municipal Building from the elevator tower to the rear corner of the building. It was moved and seconded that Council approve said proposal. Council unanimously approved said motion.

Tyrone Fire Police

The Fire Committee recently met to discuss the ongoing Fire Police situation. The Fire Chief's have requested that Council terminate all fire police members and revise the Fire Police Ordinance to allow one year to obtain the necessary training in addition to placing the Fire Police under the direction of the Fire Companies. It was moved and seconded that Council approve said requests of the Fire Chiefs. Council unanimously approved said motion.

Anaerobic Digestion Feasibility Study

A separate memo was provided to Borough Council regard the Anaerobic Digestion Feasibility Study. A special meeting of Borough Council was requested. Council was in agreement. A meeting will be scheduled in the near future.

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Snyder Township Police Jurisdiction Parking Enforcement

Council was in receipt of a separate memo regarding the Police Specific Jurisdiction Agreement between Snyder Township, Tyrone Borough and the Tyrone Area School District. This Agreement would allow for parking enforcement, by Borough personnel along Clay Avenue only. It was noted that Workers Compensation would be covered if Borough was to execute the Agreement. Councilmembers Miller and Latchford stated they were at the school every day and see no issues since they have stepped up the parking enforcement. It was the consensus of Borough Council to move forward with this Agreement contingent upon the final Agreement being approved by Solicitors.

Public Meeting – Logan Avenue Streetscape Project

On October 5th, the Borough held two public meetings for residents/business that will be affected by the Logan Avenue Streetscape. Items of concern for residents in attendance were trees, street lighting, water/sewer lines, brick sidewalks.

The Borough has met with Penelec regarding their street lights located within the project. While Penelec will not permit the Borough to paint the light poles, they did advise they can be replaced, however at the Borough's expense. Discussion of the light poles will continue.

Open House – Municipal Building

The Borough's Municipal Building is 100 years old. We will be holding an Open House on Thursday, November 3, 2016, 9am-3pm. The day will include light refreshments, giveaways, tours of the building and some of the Borough's equipment will also be on display.

Upcoming Events

- October 22 @ 4pm - Halloween Parade
- October 27, 6-8 pm – Trick or Treat
- November 3, 8am-3pm – Open House @ Municipal Building
- November 11, Veteran's Day Parade @ 5pm

SOLICITOR’S RERORT: Solicitor Stants had the following to report:

Ordinance No. 1376 – *An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Amending Article II Of Chapter 20 Of The Code Of The Borough Of Tyrone, Said Article Being Entitled “Fire Police,” To Delete Said Article And Replace Same, Which Shall Now Provide For: Nominations, Qualifications (Including Requiring Certain Borough Approved Training Courses For All Newly Appointed Fire Police And To Require Such Training For All Current Fire Police Within One Year Of Appointment; And Penalties For Violating Said Article Ii; And To Establish An Effective Date.*

It was moved and seconded that Council approve Ordinance No. 1376, Council unanimously approved said motion.

Ordinance No. 1377 – *An Ordinance Of The Borough Of Tyrone (Borough) Approving An Intergovernmental Agreement Between The Borough And Snyder Township (Township) Wherein The Purpose Of The Agreement Is To Grant Jurisdiction To The Borough Police In Those Areas Of Snyder Township Constituting The Right Of Way For Hospital Drive From Its Intersection With Clay Avenue To Its Terminus And Along Portions Of Clay Avenue Which Border Land Owned Or Occupied By The Tyrone Area School District, Egress And Regress To Such Areas; In Addition, Said Agreement: 1. Remains In Effect Until Terminated Upon Thirty Days’ Notice By Either Party; 2. Reaffirms That The Police Officers In The Township Remain Borough Police Officers And That The Borough Continue To Pay All Cost Associated With The Police; 3. Requires The Borough To Hold The Township Harmless For Liability Arising Under The Agreement; 4. Sets Forth That The Police Remain Under The Authority Of The Borough And Subject To The Chief Of Police Of The Borough Police Department; 5. Does Not Authorize The Procurement Of Real Estate To Effectuate The Said Agreement; And 6. Establishes An Effective Date.*

It was moved and seconded that Council approve Ordinance No. 1377, contingent upon final Agreement being approved by Solicitors. Council unanimously approved said motion.

Resolution No. 2016-11 – Authorization for Grant Funds Water Storage Tank

It was moved and seconded that Council approve Resolution No. 2016-11, authorizing Borough officials to execute all documents between the Borough and the

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Commonwealth Financing Authority to assist in obtaining the requested grant. Council unanimously approved said motion.

Resolution No. 2016-12 – Authorization for Grant Funds Sewer Main Replacement

It was moved and seconded that Council approve Resolution No. 2016-13, authorizing Borough officials to execute all documents between the Borough and the Commonwealth Financing Authority to assist in obtaining the requested grant. Council unanimously approved said motion.

CONSULTING ENGINEER: Council was in receipt of Mr. Nester's report. Mr. Nester advised of upcoming training for Wastewater Treatment Plant operators scheduled for October 12 and 19. Council member Latchford inquired as to the cost and if there was a benefit using someone from the State vs. GHD. Mr. Nulton advised this was previously approved by Council and GHD will not certify his operators but will focus them on what they need to be studying to get certified. Mr. Nulton also advised that DEP does not provide the detailed training he is seeking for his employees. Mr. Latchford requested to see the cost of this training/testing.

CODE ENFORCEMENT: Council was in receipt of Mr. Frazell's report.

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

Chief Romeo and Highway Department Superintendent are working on getting the speed devices operational. The devices will then be placed in different locations in the Borough.

Chief Romeo inquired as to the safety factor at the intersection of Pennsylvania Avenue and 14th Street. Chief recalled this being discussed a few years ago and at that time a letter was to have been sent to PennDOT. Borough Manager Phyllis Garhart advised a letter was sent to Mr. Thomas Prestash, PennDOT, approximately 2 years ago and PennDOT advised there would be nothing done at this intersection, the stop lights, walk and do not walk signals would not be changed. Chief advised the way the lights are set up now, cars have a green light to turn while the walk light is also flashing. Chief has witnessed a few near misses and is concerned for the safety of pedestrians at this location.

Chief Romeo advised Council the Borough was in receipt of a private handicap parking request. The address of the applicant is 1321 Cameron Avenue, however, due to this address not having street parking, the applicant requested this to be placed in front of another residence located at 1315 Cameron Avenue. Chief is denying this request at this time.

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SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton advised the operator training previously discussed in tonight's meeting was included in the budget. The cost is approximately \$3,500. Mr. Nulton further advised the Sewer Department performed smoke testing which was done with only 2 resident concerns.

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

HIGHWAY DEPARTMENT: Council was in receipt of Mr. Bywater's monthly report. Mr. Bywater agreed with Chief Romeo's concerns regarding the intersection of Pennsylvania Avenue and 14th Street. Mr. Bywater asked Borough Council for permission to make a few calls to PennDOT to see if anything else can be done. Council granted his request.

MISCELLANEOUS: None

The Meeting Adjourned at 8:15pm.

Respectfully Submitted,

Phyllis J. Garhart/kdg
Borough Manager