

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

SEPTEMBER 17, 2015 @ 7:00PM

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The Regular Monthly Council Meeting of the Tyrone Borough Council was held on Thursday, September 17, 2015 @ 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 David Keyworth, Wesley United Methodist Church gave the Invocation.

CALL TO ORDER:

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

EXECUTIVE SESSION:

Mayor announced Council held an Executive Session prior to tonight's meeting to discuss personnel, real estate and possible litigation.

PUBLIC COMMENT:

Richard Bishop, Events & Promotions Committee

Mr. Bishop was present at the meeting to address Council regarding the Committee's upcoming *Tyrone Brewfest 2015*. This event is scheduled for October 17th, from 4-8pm and will be held at the Bull Pen Restaurant. The Committee is requesting a waiver of Section 2 and 3 of the Open Container Ordinance No. 1331.

The Brewfest will be conducted inside and outside on the covered walkways directly in front the *the Bull Pen* and *New Pig offices*.

Chief Romeo feels the committee has their issues worked out and have met with the appropriate people. It was then moved and seconded that Council approve said waiver. Council unanimously approved said motion.

Mr. Bishop also thanked Council for the Firearms Policy that is on the Agenda for approval, he stated, on behalf of the Committee they are glad to see this coming to fruition.

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APPROVAL OF MINUTES

It was moved and seconded the Minutes of the August 10, 2015 Borough Council meeting be approved. Council unanimously approved said motion.

APPROVAL OF MONTHLY FINANCIAL REPORTS

There were no financials.

BOROUGH MANAGER'S MONTHLY REPORT

2015 Police Pension Plan Actuarial Valuation

It was moved and seconded that Council accept the 2015 Police Pension Plan Actuarial Valuation Report. Council unanimously approved said motion.

Pension Plans – 2016 MMO'S

It was moved and seconded that Council approve the 2016 MMO's in the amount of \$81,378 for Police and \$146,299 for Non Uniform. Council unanimously approved said motion.

Park Avenue Drainage Improvements

It was moved and seconded that Council approve Payment Application No. 1 in the amount of \$113,538.60. This amount reflects \$68,913.60 from Liquid Fuels and \$44,624 from General Fund. This application has been reviewed by GHD. Council unanimously approved said motion.

Council was in receipt of Change Order No. 2 for the Park Avenue Drainage Improvement Project in the amount of \$53,903. This amount represents costs associated with issues related to the reconstruction of the roadway.

This Change Order will be charged to the Borough's Liquid Fuels Funds and has been approved by the Borough's PennDOT Representative. It was moved and seconded that Council approve said Change Order No. 2 in the amount of \$53,903. Council unanimously approved said motion.

4th Street Drainage and Pavement Improvements

During construction of this project an additional inlet was found at 4th Street, which was

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not included on the original plan. A meeting was held on September 15th with the Borough's PennDOT representative, Mike Bowser and Ann Reynolds, GHD. Mr. Bowser advised that Liquid Fuels monies could not be used for this addition to the project. Consulting Engineer, Kevin Nester advised there was no mapping for this inlet. He further explained that it has been leaking for some time causing the lower end of 4th Street to sag and if not corrected now, it will continue to deteriorate and have to be done in the near future. It was moved and seconded that Council approve the amount of \$27,130.40 to correct the missed inlet at 4th Street. Council unanimously approved said motion.

Sale of Old Sensus Water Meters

Council accepted bids on September 9th for the Borough's Used Sensus Water Meters. One bid was received from United Industries of Petersburg, VA in the amount of \$7,858.50. It was moved and seconded that Council award said bid to United Industries. Council unanimously approved said motion.

Water Treatment Plant Valve Replacement

Council was in receipt of Change Order No. 1 in the amount of \$2,159.22. This Change Order is to replace the original pneumatically operated valves with an electric actuated solenoid valve. It was moved and seconded that Council approved said Change Order. Council unanimously approved said motion.

Municipal Benefits Services Joinder Agreement

It was moved and seconded that Council approve the MBS Joinder Agreement to continue dental and vision coverage for Borough employees. Council unanimously approved said motion.

Informational/Discussion Items

2015 CDBG Allocation

The Borough is in receipt of a letter from the Blair County Commissioners advising the Borough of a meeting to discuss the handling of CDBG funding as well as advising the Department of Social Services will be handling the Borough's 2015 CDBG Grant funds.

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Digester Feasibility Study

In April of this year, Stan Chilson, GHD, gave a presentation to Borough Council about an Anaerobic Digester at the WWTP. Since then several digester vendors have expressed interest in a digester project at the WWTP. If Council wishes to proceed with this project, it is the Borough's recommendation that an RFP be put out for a feasibility study. The feasibility study would outline vendors best qualifications and best approach and pricing for evaluation. Several Council members felt the Borough needs to have to study done. Sewer Superintendent advised he has been informing Council for the last several years of the need to do something as the landfills are filling up and will be closed in a few years. Councilmember Detwiler is not in favor of this while Council member Latchford is as long as we are not putting the burden on the taxpayers. It was noted that if Tyrone runs the Digester, Tyrone makes the money. There is a potential for a lot of cash flow to be made with this project but money has to be spent upfront initially. GHD will put the RFP together if Council desires. Council was advised there is absolutely no obligation once the RFP's come in to move forward if Council chooses not to. It was moved and second the Borough prepare RFP's for the Anaerobic Digester at the WWTP. A roll call vote was taken. Ayes: Council members Rhoades, Black, Richardson, Latchford and Mayor Fink. Nays: Councilmember Detwiler.

MISCELLANEOUS:

- The Halloween Parade is scheduled for Saturday, October 24th at 4pm.
- Trick-or-Treat is scheduled in Blair County for Thursday, October 29th, 6pm-8pm

SOLICITOR'S RERORT: Solicitor Oswald had the following for Borough Council:

Ordinance No. 1364 – Amending Borough Code-Fire Police

“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 Six Months Of The Adoption Of This Ordinance), Election Of Officers And Powers Of Fire Police; And Penalties For Violating Said Article II; And To Establish An Effective Date.”

It was moved and seconded that Council approve said Ordinance No. 1364.

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Council unanimously approved said motion.

Ordinance No. 1365 – Firearms Policy-Police Department

“An Ordinance Of The Borough Of Tyrone, A Home Rule Municipality, Specifically Amending Ordinance No. 1052, Titled Borough Of Tyrone Police Department Personnel Policies And Procedures Manual, To Replace Portions Of Article V-1, Article VI-7 And Article VII-1 Thereof; Reaffirm Ordinance No. 1052 As Amended; And Establish An Effective Date.”

It was moved and seconded that Council approve said Ordinance No. 1365. Council unanimously approved said motion.

Resolution No. 2015-07 – Procedures for Sale of Small Value Items

It was moved and seconded that Council approve Resolution No. 2015-07, adopting procedures for the sale of small value items of personal property owned by the Borough. The monetary limit for this Resolution is a value less than \$1,000. Council unanimously approved said motion.

Adam Bonsell Grievance

It was moved and seconded that Borough Council deny Mr. Bonsell's Grievance, as discussed in Executive Session. This item was not on the Agenda, Mayor called for public comment and there was none. A roll call vote was taken. Ayes: Council members Richardson, Latchford, Rhoades, Black and Mayor Fink. Council member Detwiler abstained from voting.

CONSULTING ENGINEER: Council was in receipt of Mr. Nester's report.

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

POLICE DEPARTMENT: Council was in receipt of Chief Romeo's report. Chief thanked Council for approval of the Firearms Policy. Officers will be using the new weapons to qualify on September 21st. Chief also had 2 requests for Private Handicap Parking Spaces. The locations are as follows:

Grassmyer – 1409 Bald Eagle Avenue
Marroquin – 903 Park Avenue

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Chief interviewed both requestors and it is his recommendation that Council approved said requests. Council unanimously approved said motion.

Councilmember Detwiler inquired as to the Borough's Bicycle Police. Chief advised officer have to be certified. Hollis, Reese and Weaver are certified on the bikes however, with 2 of these officers being part time it is difficult to get them out and if Officer Weaver is working alone he cannot be on the bike.

SEWER DEPARTMENT: Council was in receipt of Mr. Nulton's monthly report. Mr. Nulton requested permission to purchase diffusers. The cost is \$32,000 and was included in his 2015 Budget. It was moved and seconded that Council approve the purchase of the diffusers. Council unanimously approved said motion.

WATER DEPARTMENT: Council was in receipt of Mr. Latchford's monthly report. Mr. Latchford also advised the pool is closed and has been winterized.

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

The Meeting Adjourned at 7:55pm.

Respectfully Submitted,

Phyllis J. Garhart/kdg
Borough Manager