

**Watsonstown Borough
Council Meeting
August 4, 2014**

OPENING: The August 4, 2014 Watsonstown Borough Council Meeting was called to order by President Harriet Miller at 7:30 PM. The meeting was held at the First Lutheran Church, 400 Main Street, Watsonstown. Pastor James Ritter gave the opening prayer and the Pledge to the American Flag.

MEMBERS PRESENT: President Harriett Miller, Vice President Ralph Young, Jack Marshall, Janet Rump, Dan Folk, Solicitor Ryan Tira, Mayor Dave Hontz, Borough Manager Edie Moser and Secretary/Treasurer Brendi Brooke. Harry Hefty arrived late and Chief of Police Dennis Derr was absent.

OTHERS PRESENT: Jim Ritter, Buzz Reynolds, Judy Marshall, Vera Young, Diane W. Dawson, Kevin Mertz, Mary Phillips, Ken Hollenbach, Ron Miller, Bridgette Snyder, Jacob Snyder, Eugene Kline, Michael M. Apfelbaum, Esq., Deb Wolfe, William West, Terry Kirchner, Kelly Erb, Shane Erb, Bob Frey, Sarah Laubach, Cory Laubach, Carolyn Powell, David Powell, Virginia Wirth, Jeff Rachau, Barb Pick, Liz Folk, Roxanne Foresman and Michael Foresman.

APPROVAL of MINUTES: Janet Rump made a motion, seconded by Jack Marshall to approve the Council Meeting minutes from July 7, 2014, the Special Meeting minutes from July 14, 2014 and the Committee Meeting minutes from July 28, 2014. A roll call vote was taken as follows:

Rump	- yes	Folk	- yes
Marshall	- yes	Young	- yes
Miller	- yes		

All in favor. Motion carried.

BILLS & TRANSFERS: A motion was made by Dan Folk, seconded by Jack Marshall to approve bills & transfers in the amount of \$573,830.57. A roll call vote was taken as follows:

Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes
Folk	- yes		

All in favor. Motion carried.

**JACOB
SNYDER –**
(Eagle Scout
Project)

Gene Kline spoke on behalf of the Watsonstown American Legion. Jacob Snyder approached Gene looking for an Eagle project. Gene had in mind a project involving the Watsonstown Cemetery. Gene asked Council for permission to proceed with the project. Veteran markers are in need of repair or replacement. The Watsonstown Legion will be supporting Jacob in this effort and it will not cost the Borough anything. Gene said there are 500-700 veteran graves based on the number of flags used. He said Jacob has 2 years to complete the project. No invasive equipment is necessary for the project and Legion will cover the liability insurance. Jacob asked Council permission to move forward with the project. The project is for the community as well as the Legion. His plan for his future includes law enforcement through military enlistment and holds the highest regards for veterans. He said Council's permission to proceed with the project will help Jacob gain his rank as Eagle Scout and would be greatly appreciated. Solicitor Tira suggested Jacob coordinate his efforts with the Borough office. Gene Kline said the markers are owned by the county commissioner's office and in order to get replacements the old ones need returned to their office. A motion was made by Dan Folk, seconded by Janet Rump to grant Jacob Snyder permission to complete his Eagle Scout project at the cemetery. A roll call vote was taken as follows:

Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes

All in favor. Motion carried.

**DIANE
DAWSON :**
(Race)

Diane Dawson spoke of her vision for the Labor Day Liberty Downs is one of responsible individuals. She said she thought about Mayor Hontz's suggestion of going to the banks to sponsor the race, however they just sponsored Cowabanga days for the library and she felt that was not a good idea. Diane stated she has several age categories lined up. She provided in writing to Council her ideas of how she would like the race to proceed. The race would be to raise money for the Sharon Budd family and to instill a responsible, future citizen in children. The race would be held on September 1, 2014 with a rain date September 6, 2014. Diane also told the Council she will pay for the necessary liability insurance. She assigned certain Council members to committees. She asked Council to find someone to serve in their place if they are unavailable. Harry Hefty told Diane she should simplify this as much as possible. He also suggested no prizes be given; any money raised would be given to Mrs. Budd. Diane said she is also interested in including the residents at the nursing home. She said she would also like to open up her gardens at her home. She would take five people at a time and give them a tour. Jack Marshall said he has plenty of things to do; he does not appreciate other people volunteering him for things. He felt the Mayor had a good idea at the last meeting with placing donation cans in the banks and

merchants in town. Jack felt this would be a better idea, he stated the people in Watson town are very generous. Jack felt Diane was confusing the race with raising kids and getting people out of the nursing home. Mayor Hontz asked if the traffic would be diverted on Frederick Drive. President Miller said if this were the case the traffic would need to come down 1st Street. An unidentified person asked why the location is set for Liberty Street; there is a beautiful spot down near the bridge and park area. Diane responded by saying she picked Liberty Street because it is a nice, straight street and she started the idea. Diane then spoke that she felt cars travel too fast on Liberty Street. At this point Mayor Hontz asked Diane if she wanted to do a fundraiser or not. Diane stated she does. Mayor Hontz then asked her to stick to the point. President Miller asked if the Borough was sponsoring this or Diane. Solicitor Tira said in the past when Council has granted permits to allow special events and individuals who sponsor them, this Council does not get involved in them. They do however need to provide Council with what they plan on doing, street closures, police assistance, etc. Harry said he likes the idea of having it at the park. There would be no traffic to stop; it would be safer, etc. Harry and Janet will get together with Diane and discuss the plans. President Miller said if Council does approve something like this it may have to be later than September.

**ATTORNEY
MICHAEL
APFELBAUM:**

At this time Mayor Hontz introduced Attorney Michael Apfelbaum. Attorney Apfelbaum stated Mayor Hontz has asked him to serve as his Solicitor for his work as Mayor. Attorney Apfelbaum said he spoke with Ryan this morning and he said this was a very appropriate and good step. Attorney Apfelbaum said he will treat this as a very congenial relationship where it is not adversarial. Attorney Apfelbaum said he has done this type of work since 1988.

An unidentified member of the audience asked who was paying for this. Solicitor Tira stated pursuant to the rules governing Boroughs, the Mayor is entitled to employ separate legal counsel when there is a conflict of opinion or interest between himself and Council. The Borough pays up to \$4,000.00 in a 12 month period. Attorney Apfelbaum said he will be glad to provide a detailed invoice. If at any time anyone has a question he will be glad to answer it.

**BARB
PICK:
(Tannery Run)**

Barb Pick lives at 206 East 9th Street. She referred to the May 5, 2014 meeting minutes. The minutes state the street supervisor had started to work with the conservation district discussing maintenance and house-keeping on the east side of Tannery Run which is the street that causes flooding. She stated when Moran did some work on the west side of Tannery Run there has been improvement. She stated she feels the Borough's role for the citizens of that side of town is to maintain the east side of the stream. From reading the minutes she understood Mr. Winters had discussed with Chip Grose from DEP what could be done to clean the

stream up. Barb said she was up the other day and it is like a jungle. She also stated at the May 5, 2014 meeting President Miller said she would discuss this with Edie and place it on the agenda. Barb asked where we stood with this. Edie said she has spoken with Chip Grose through email and on the telephone. The dirt in the middle of the stream was not too much of a concern. Edie said she will speak with Chip again.

BILL WEST:
(Pickle Ball Courts)

Bill West lives at 703 Main Street. Bill passed out information on pickle ball courts. He said at the last meeting he had suggested the possibility of pickle ball courts where the old swimming pool was. He said pickle ball is very user friendly not a strenuous sport. He also stated when he moved here 42 years ago, there were tennis courts, ball fields, swimming pool, etc. Nothing is here anymore. He feels this would be a very nice location since it has restrooms and concession capabilities. He would like Council to look at the possibility of this. If the edges were to be curved it could be flooded in the winter for ice skating, teen dances in the summer, etc. He feels from the time you graduate from a swing set until you are ready for a porch swing there is nothing in this town for the in between. President Miller said this will be on the Agenda for the August 25, 2014 meeting.

MIKE FORESMAN:
(Attorney fees for the Mayor)

Mike Foresman lives at 122 E 8th Street. He asked Solicitor Tira if he understood correctly in that the Borough is paying for the Mayor's attorney fees. Solicitor Tira stated it is for matters where there is a conflict between the Council and the Mayor. Mr. Foresman asked if this is afforded to any other officers of the Borough be it the board or employees. Solicitor Tira stated the statue is specifically related to the Mayor. He said for instance the Zoning Hearing Board has their own attorney. President Miller stated Ryan represents the Council. Mr. Foresman stated he felt this was strange and it was coming out of his and every taxpayer's pocket.

Harry Hefty stated there are times the Solicitor tells him things he does not want to hear. The good news is Dave may get advice sometimes he doesn't want to hear and it is very useful for both people to get someone they trust to give them advice. Harry said when the Solicitor tells him to keep quiet it is good advice. He believes this will be good for Dave.

An unidentified member of the audience said it is already in the budget right? President Miller stated it is not in the budget but the Borough is required to pay it. Another unidentified member of the audience stated she didn't think Mr. Foresman meant it actually the way it came out. It would be nice if no lawyer was needed and everyone could just get along. President Miller said she understood, that is what Council wishes also however it is what it is.

**SHANE &
KELLY ERB:**
(Liquor License)

Mr. and Mrs. Erb recently purchased the Watson Theatre. What they are proposing for the theatre is to use it as a multi-purpose venue. It would be on the same lines as what they have done at the Campus Theatre. It would include things like comedy shows, bands, private parties, etc. Mr. Erb said movie theatres are now going digital. Everything was supposed to be done by 2014. As of right now, the Pike Drive-In can still get movies. At this point, it will take some time to get the inside fixed up. A lot has been destroyed. He is hoping that sometime in the future they will be able to show movies. They would like to have a liquor license for certain venues. Solicitor Tira said the Liquor Control Board would need to be involved in that. He also stated Mr. Erb would need to submit a formal application for Council to approve. Solicitor Tira stated at this point, if Council approves, the only thing to do would be to show their support in starting the process for a liquor license.

A motion was made by Harry Hefty, seconded by Dan Folk to allow Shane and Kelly Erb to begin the process of obtaining a liquor license for the former Watson Theatre property. A roll call vote was taken as follows:

Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes

All in favor. Motion carried.

**STORM WATER
MANAGEMENT
PLAN**

Pat Ward from Uni-Tec presented Council with a proposal for a Storm Water Management Plan for the Borough. The cost for the engineer to conduct the study is \$15,900.00. A motion was made by Jack Marshall, seconded by Harry Hefty approving Uni-Tec to conduct this study. A roll call vote was taken as follows:

Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes
Rump	- yes	Miller	- yes

All in favor. Motion carried.

**CLEANING
CATCH
BASINS &
CULVERTS:**

Mike Foresman asked if there was a schedule for cleaning catch basins in the Borough. Edie stated after storms the guys go out and clean them. Mike said at the corner of Matthew and 8th Streets there is a catch basin that probably has not been cleaned in years and appears to be completely full. Edie and the Street Committee will look at this. Mike also said he had been promised that Penn Dot would be called concerning cleaning out the culvert on 8th Street by the east and west side of the railroad tracks.

That still has not been done. Edie said she has called Penn Dot several times but will call again.

**1990 ELECTRIC
BUCKET
TRUCK:**

A motion was made by Janet Rump, seconded by Dan Folk to authorize Edie to advertise the 1990 electric bucket truck on Municibid. The truck will be advertised "AS IS". A roll call vote was taken as follows:

Young	- yes	Marshall	- yes
Rump	- yes	Miller	- yes
Hefty	- yes	Folk	- yes

All in favor. Motion carried.

**NEW
BUCKET
TRUCK:**

Edie and Dan said the new bucket truck has just a few minor items that will be addressed. VersaLift will be coming the week of August 11th to go over the truck with the guys.

**ARTICULATING
BOOM
MOWER -
ROVENDALE
SUPPLY:**

Edie said the Council members who had seen the mower asked for a price for a rear mower also instead of just a belly mower. The tractor with the articulating boom mower and rear mower would be \$21,898.00, to include the belly mower it would be \$25,935.80. The trade in for the John Deere 855 tractor would be \$4,500.00. These prices are under the state contract and through Rovendale Supply.

**VALLEY
AG & TURF**

Edie told Council this afternoon she had a call from Al Reeves at Valley Ag & Turf. He had gone by and seen the demonstration and asked if he could possibly have a chance to demonstrate a boom mower and submit a price. Edie told him she would ask Council. Council asked Edie to contact Al and ask him to demonstrate his. This will be on the Agenda for the August 25, 2014 Committee Meeting.

**BOROUGH
BUILDING
REPAIRS:**

President Miller said Council had talked last week about getting a price to make repairs to the Borough building from JE Meyers, the same man who repaired the cemetery wall. A motion was made by Jack Marshall, seconded by Dan Folk to approve the repairs to the Borough building by JE Meyers in the amount of \$7,500.00. A roll call vote was taken as follows:

Rump	- yes	Miller	- yes
Hefty	- yes	Folk	- yes
Marshall	- yes	Young	- yes

All in favor. Motion carried.

**PAVING
& CRACK
SEAL:**

Only one bid was received for the paving bids. It was from Mid-State Paving in Paxtonville. The amount for the paving is \$19,092.00 and for crack sealing, \$8,000.00

A motion was made by Harry Hefty, seconded by Dan Folk to approve the bid received from Mid-State Paving for the above amounts. A roll call vote was taken as follows:

Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes

All in favor. Motion carried.

**THIRD
STREET:**

Pat Yeager stated according to the street opening ordinance if a utility tears up the street they are responsible to resurface the street. Solicitor Tira stated there is an ordinance which states when they open a street they are to return it to its previous condition. Pat asked that Third Street be looked at. Mayor Hontz said he thought the ordinance says the entire street needs overlaid. Solicitor Tira will check the ordinance and President Miller said it will be looked into.

**COMMUNITY
CHRISTIAN
CHURCH:**

A request was received from the Community Christian Church in Allenwood asking to reserve the Canal Boat pavilion on August 17th for a picnic and a baptism. The rain date is August 24th. Harry Hefty asked if Council needed to make a motion since last week they approved the reserving of the pavilion. From now on when someone wants to reserve the pavilion they will do it through the office just as the other pavilions are reserved. A motion was made by Harry Hefty, seconded by Janet Rump to approve the request of the Community Christian Church. A roll call vote was taken as follows:

Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes

All in favor. Motion carried.

**CIVIL SERVICE
COMMISSION:**

Mayor Hontz stated he believes there is a need for Council to contact the Civil Service Commission to have them there is no current list of available candidates for police officers and rumor has it a decision will need to be made on Chief of Police before the end of the year. Mayor Hontz would like to see this updated. He is not sure what the legal steps are. Solicitor Tira said Council would request the Civil Service Commission provide a certified list and there may need to be testing to do this. He is not sure. It is possible the list is outdated. A motion was

made by Harry Hefty, seconded by Jack Marshall requesting the Civil Service Commission certify a list of eligible candidates and conduct any/all necessary testing. A roll call vote was taken as follows:

Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes
Rump	- yes	Miller	- yes

All in favor. Motion carried.

**ELM
STREET:**

Mayor Hontz stated he received communication from a resident on Elm Street of standing water on the sidewalk. He asked about the Elm Street drainage basins. He said they were surveyed a year ago or more and were going to be repaired. He asked if that repair was still on the Borough's list of maintenance items. Edie stated she was not aware that that they were going to be repaired but we can put them on the list. She stated one catch basin was just repaired on Oak Lane and poured cement. Mayor Hontz said there was quite a discussion a year ago. Jack stated he believes there were several that needed attention. Mayor Hontz stated it is not a matter of replacing them, just repairing them. The report was made by Scott Winters. Edie said the Street Committee will take a look. Pat Yeager stated there is some cracking and crumbling of the cement. Mayor Hontz stated there is actually subsidence. He also said Mr. Kline sent him a photo. Pat said she and Scott Winters walked the entire length of Elm Street and looked at all of them and there were several in need of repair.

**SAFETY
POLICIES
& PRACTICES:**

Mayor Hontz asked if the safety policies and practices have changed since Mr. Winters left. President Miller asked in regards to what. Mayor Hontz responded in use of power equipment by part time employees. Edie said not that she is aware of. Mayor Hontz asked why there was over \$6,900 in damage to a dump truck that was incurred at the hands of a part time worker while pulling a wood chipper. You're worried about money being spent. President Miller said it was reported..... Mayor Hontz interrupted President Miller and said "this is your insurance money; a well kept Secret!" Edie said it is not a well-kept secret. Council was informed. Mayor Hontz said "Rocky did you know about that?" Rocky responded he did not. Mayor Hontz said "nobody else did either". Edie asked if she should place such things in the paper. President Miller stated Council was informed and the Street Committee was informed. She also stated Mrs. Moser handled it with the employee.

**EQUIPMENT
TO BE USED
BY PART TIME
EMPLOYEES:**

Jack Marshall said the Personnel Committee recently met to work on a list of Borough equipment that part time employees can use. The list will be given to full time employees as well as part time employees eliminating full time employees telling part time employees to do something they

should not do. Also, the part timers will then know enough to refuse doing something they should not do.

**POLICE
DEPARTMENT:** written

**POLICE
CRUISER:** Corporal Danley said the new police car has arrived.

**FIRE &
AMBULANCE:** none

**EMERGENCY
MANAGEMENT:** none

**CODE
ENFORCEMENT:** written

Edie told Council that she and Jeff Kanezo went out and looked at several areas in town. A tree at 605 Rear Main Street and Pennsylvania Avenue, some properties with junk accumulating, properties the police department had sent letters concerning grass, etc.

**BOROUGH
SOLICITOR:** none

**BOROUGH
MANAGER:** written

**BOROUGH
SECRETARY:** none

**MAYOR
HONTZ:** Mayor Hontz said tomorrow is National Night Out from 6 – 8 pm.

**CORY
LAUBACH -
(Exactor)** Cory Laubach lives on South Main Street. He asked about the Exactor which was the piece of equipment that was mounted in a vehicle and the electric lines were scanned for any potential problems. Edie said they had the final scan on Friday. Seven areas were determined to be areas of interest. The field tech will be coming next week to look at the areas and give a full written report.

**SALE OF
OLD ELECTRIC
BUCKET
TRUCK:** Cory also asked if the old electric bucket truck is sold where will the money go. Edie said it will be deposited back into the electric account. He asked if a motion could be made to allocate it to go someplace else. His question was answered with “no”.

**BUZZ
REYNOLDS -
ELECTRIC:**

Buzz asked if there were any plans for relief of electric for businesses or did he just hear more spending. He referred to spending for a new tractor with a boom arm. He asked why not contact Delaware Township to borrow theirs. Buzz asked if anyone around here knows how to run an articulating boom. Mayor Hontz said it is a sickle bar rather than a mower. Buzz said "and then a new tractor.... Ugh! Bad idea". He asked if electric bills are going to pay for this and will the bills keep going up. President Miller said no. He said his electric bill last month was over \$800 and this month \$1,200. He said he is getting madder and madder. President Miller assured him the Electric Committee and Council will be looking at this. Council is concerned and would like the residents to get some relief.

An unidentified member of the audience asked if the Borough stopped being the distributor of electricity, what the cost would be to provide the service and the maintenance of the lines themselves? In his opinion, those costs would go away. What would it be? President Miller said the full-time police department, full-time crew. He asked if the police department works on the electric budget. President Miller said no, but it all helps pay for it. He asked "what is the cost for the Borough to provide electric to its residents?" Everyone started to talk at once. President Miller said .69 cents out of every dollar goes to running the electric system and about .31 cents is available to be transferred to the general account to pay for other services in town.

**BOAT
RAMP:**

Jack Marshall asked Edie if she has heard anything concerning the boat ramp. Edie said when she had spoken with the Fish and Boat Commission this spring they said it would probably be late summer until they would come. Edie said she will call them again.

RAILROAD:

Jack also asked if Light-Heigel has heard anything back from Norfolk Southern. Edie said she does not think so but will check.

**WEEDS/
SPRAYING:**

Mayor Hontz said he noticed Norfolk Southern was busy spraying weeds along the intersection curbs and sidewalks on Route 44. He asked if we planned on spraying this summer. Edie said every time Mike has some free time it is either too windy or raining. Diane Dawson said not to spray her property. President Miller asked if spraying was on the schedule. Edie said yes, hopefully soon.

**OLD
BUSINESS:**

An unidentified member of the audience asked why on the Agenda under "Old Business" there is never anything listed. She said the only thing that has been listed the last seven or eight months is the Employee Handbook. It appears that some things have been forgotten. President Miller said we will do much better to keep the "Old business" updated.

THISTLES: Edie said all summer long we have struggled with the thistles at the 8th Street Playground. She and Janet have discussed it. The thistles have been pulled out by hand a few times by the part time help. Mike Weaver has been in contact with the Penn State extension office. He spoke to them about a natural remedy but was told it really does not do anything. They asked Mike to send pictures of the thistles. This way they would know what kind of thistles they are and provide information as to how to handle them.

ADJOURNMENT: There being no further business to come before the Council, a motion was made by Harry Hefty, seconded by Jack Marshall to adjourn at 9:00 PM.

Respectfully submitted,

Brendi L. Brooke
Secretary/Treasurer