

**Watsonstown Borough Council
Committee Meeting
September 30, 2013**

OPENING: The September 30, 2013 Watsonstown Borough Committee Meeting was called to order by Council President Harriet Miller at 7:30 PM.

MEMBERS PRESENT: Members present: President Harriet Miller, Vice President Harry Hefty, Jack Marshall, Ralph Young, Mary Phillips, Pat Yeager, Mayor David Hontz, Solicitor Ryan Tira, Chief Dennis Derr, Borough Manager Edie Moser, Public Works Supervisor Scott Winters and Secretary/Treasurer Brendi Brooke.

VISITORS: Jerry Brooke, Ursula Harmon, Janet Rump, Sandy Hendricks, Vera Young, James Plotts, Kevin Mertz, Cindy Crozier, Hal Crozier, Becky Hontz, Shannon Smedley, Crista Confair, Linda Merrill, Dave Powell, Dale Chomas, Crystal Moyer

HAL CROZIER - LIBRARY BOARD DONATION: Hal Crozier spoke on behalf of the library. He said his term as library president and his position on the library board will end as of December 31, 2013. He asked Council to consider Todd Moyer as his replacement for Watsonstown's library board representative. He also asked Council to approve an increase in Watsonstown's contribution to the library, possibly up to \$10,000.00. After much discussion, the nomination of Todd Moyer and the library donation were both tabled for the Council Meeting on October 7, 2013.

TOM GREBNICK SUSQUEHANNA GREENWAYS PROJECT: Tom Grebnick presented Council with drawings for the planned riverfront. He hopes to have his report to Council sometime next week. He spoke extensively about the Susquehanna Greenways Project and the 3 phases for the project. He explained the drawing in detail, including the planting of trees, parking and potential uses of the "new" riverfront park. The project will increase the Borough's "green". This would be a \$700,000.00 plus project over several years. He encouraged Council to keep the project a priority and use the Planning Commission and other groups to move forward with the plan.

MARTY SOWERS- LIGHT HEIGEL: Marty Sowers spoke on behalf of Light Heigel regarding property maintenance codes and nuisance property issues within the Borough. He said there is a trend for Boroughs to adopt the International Property Maintenance Code, as published the International Code Council. He said Council should review the code and make changes where necessary. Adoption of the entire plan is not necessary. He said the most common way of handling maintenance code issues is a complaint driven system,

rather than code enforcement patrol. By paying the fee of approx. \$35, the Borough then adopts the plan and it becomes Watsonstown's Property Maintenance Code. Cindy Crozier asked if the public would be involved in the refining of the code. Solicitor Tira said the code would be subject to the typical ordinance process, which would include the advertisement and open sessions to talk about the code changes before adoption.

**CODE
COMPLAINTS:**

President Miller encouraged the audience to ask questions of Marty Sowers, while available. Jack Marshall asked that the corner of 4th & Liberty Street be checked into. Scott had made a list earlier in the year with a list of trees and bushes throughout the Borough that needed trimmed. The list was given to Edie and forwarded to Chief Derr. Ursula Harmon spoke regarding pine trees at her mother's property that were to be trimmed and never were. She also said her neighbor's property continues to be a problem. She asked why there was a need to adopt a new property maintenance code when the current property maintenance code is never enforced. Janet Rump asked why Borough meter readers can't report property code violations. Solicitor Tira said our Borough employees are not currently trained in code enforcement. Marty Sowers spoke of the time and money involved in a patrol driven property code maintenance program. It wouldn't be a program most communities could afford. Many residents spoke about the need for pride in property ownership and the current lack thereof in the Borough.

**INTERNATIONAL
PROPERTY
MAINTENANCE
CODE:**

The International Property Maintenance Code was tabled. Pat Yeager asked for a timeframe on addressing and adopting the code. President Miller said she's like to see something in place by January 1, 2014, if not sooner.

**CEMETERY
WALL & STEPS:**

Scott Winters said he has someone coming to quote the repair work to the cemetery steps on Liberty Street and the cemetery wall.

**BANNERS IN
CEMETERY:**

Janet Rump asked if banners were permitted in the cemetery. She said she thought that only American flags for Veterans were allowed but has noticed other types of banners on graves. President Miller said Edie would check in the cemetery rules and advise.

**ELECTRIC
RATE ISSUES:**

Harry said he continues to check into shifting some of the electric rate taxes from small business owners to property owners. He said it would be take effect next year. Harry said the debt service tax will be gone next year but it could be kept in place and shifted the tax to the electric to give relief to the small business man. Similarly, property taxes are low in the Borough because the cost of the Borough was shifted to the electric program. Crista Confair of 38 East 8th Street asked if she could see her monthly usage on her electric bill. Edie said kilowatts used are on every

bill but also she would have a electric usage history sent to Crista tomorrow. Crista spoke of the extremely high bill for July usage and said she needs to make adjustments where possible to keep this utility cost down. Harry Hefty said the Borough has an electric consultant that can provide advice on electric usage of appliances and equipment. Shannon Smedley asked for clarification on the debt service tax (Elm/Ash Street) that Harry spoke of earlier. She said she supports the small business owners in the Borough but residents alike could use relief with electric rates. She also said, though she understood that electric rates are high to cover the cost of running the Borough, her property taxes were not low but were actually higher than other areas. Members of Council clarified they were talking of Borough property taxes only, not the school taxes. Max Foust said everyone in the Borough should benefit from electric rate reductions, not just business owners. This relief is needed by everyone in the Borough, not just a select group. Harry said the problem is with the demand meters and business owners are bearing the brunt. Watsontown needs small businesses to stay in the Borough. President Miller said Council is seeking a way to be fair to everyone.

**AMP-OHIO
RENEWABLE
ENERGY CREDIT:**

Edie said the Borough was in receipts of the renewable energy credit from AMP-Ohio in the amount of \$1,461.57.

**WABA YARD
SALE
CONCERNS:**

Harry said the Borough may want to help WABA with trash collection and portable toilets during their annual yard sales. He received comments and complaints regarding both, trash and toilets. It has become such a large, successful event and the Borough does have the capability to help WABA in these two areas. Other groups in the Borough have stepped up to help support the event. Pat Yeager and President Miller both said these concerns need directed to WABA. Edie said she would ask at the WABA meeting on Wednesday.

**SUMMER
COOL OFF
FOR CHILDREN/
MINIATURE
GOLF COURSE:**

Pat Yeager said her neighbor mentioned the park in Sunbury that has sprinkler systems for children to run through to cool off during the summer. Pat said it would be great to have a similar setup for area children to enjoy. Jack Marshall said a possible miniature golf course would also be a great activity for Borough families to enjoy. There was further discussion on possible requirements and ideas.

**EXECUTIVE
SESSION:**

President Miller announced there would be an Executive Session following tonight's meeting for labor and personnel issues. Brent Frey asked if Council would re-convene to a Public Session. He didn't want to wait for a long period of time only to be told the meeting was over. President Miller said the only need to re-convene to a Public Session would be if a vote was necessary, if no vote was necessary, they would not

re-convene. She said Council could not answer whether they will or not re-convene after tonight's Executive Session.

**ELM STREET
REPAIRS:**

Pat Yeager said she was out with Scott a week or so ago and the storm drains on Elm Street are crumbling due to storm water. She said they all need repaired and some places, the streets look as though they could cave in because they are in that bad of shape. Scott Winters said the inlet boxes weren't properly finished when the Elm/Ash Street project was done. The asphalt is settling around the boxes and his guess would be that they only backfilled them and didn't compact them. He thought approx. 6 residents have called with concern that the water is not able to get to the box because of the asphalt that's settled around them. There are issues with the curbs settling and cracking and the sidewalks are settling as well. Pat said she took a lot of pictures with her Ipad but you can't see the drains clearly. There is a lot of stagnant water and leaves and the drains stink. There was discussion as to whether this was from the 1999 Elm Street project or whether it was from the recent Elm Street Project. President Miller mentioned speaking with Joe Yeager about Elm Street. The Mayor mentioned Gene Kline has problems with the catch basin in front of his property, which is between 4th and 5th Streets. Scott said he'd like to have the repairs completed before winter at a cost of \$4,078.00. Solicitor Tira said the costs couldn't come from the Sewer Capital Improvement Fund because the repairs were to storm drains, not sewer drains. President Miller said the matter would be on next week's agenda, allowing Council time to go down and look at the drains. Harry Hefty again said, this is from the 1999 Elm/Ash Street Project.

**MRSA PUMP
STATION
TOUR:**

Jack Marshall asked, on behalf of Council, a thank you card be sent to MRSA for the tour of the new pump station on Wednesday night, September 25, 2013. Council is pleased with the pump station's appearance and was amazed at how it works, a great job.

**CHANGE TO
AGENDA:**

Mayor Hontz asked for EMA to be added to the agenda. President Miller said normally EMA is included in the Mayor's Report but it was the Mayor's choice. He said he would give it further thought.

**9/11
MEMORIAL
SERVICE:**

The Mayor spoke regarding the EMA sponsored 9/11 Memorial Service. The event was a success and held to honor military, first responders, the fire company and all those who put their lives on the line when the fire bell rings, not knowing if you're coming back or possibly with injuries. The Mayor thanked those that attended the service and said the churches are interested in making the service an annual event.

**ELECTRIC
TRUCK
PURCHASE:**

Harry said the Borough is ready to order the new electric truck. Edie provided information on the following tax exempt loans from West Milton State Bank for approximately \$103,000.00:

- 3 year fixed - 2.90%
- 5 year fixed – 3.45%

Solicitor Tira said there may be paperwork to be filed with the DCED for any money the Borough borrows. Edie said 1 mil of tax equals approx. \$15,000.00. Harry said the truck would take 6 months and asked said it needs ordered now. President Miller said there was \$90,000.00 available in the budget if needed for a down payment. Pat Yeager made a motion to order the new electric bucket truck. A second was made by Jack Marshall. A roll call vote was taken as follows:

Yeager	- yes	Miller	- yes
Hefty	- yes	Phillips	- yes
Marshall	- yes	Young	- yes

All in favor. Motion carried.

**BACKHOE
REPAIRS
VERSUS
PURCHASE:**

Scott provided Council with a list of costs to repair the Backhoe. The list totaled \$10,168.00. President Miller asked if some of the repairs listed were more important than others. Scott said the 5000 hour service was due now and the front bucket cylinder is leaking badly. Pat Yeager said 1 mil of tax would cover the new backhoe. The Borough’s backhoe has a current trade in value of \$19,000.00. A new backhoe would be a once a year payment of \$19,000.00 for five years, then the Borough would own it. Harry asked what percent of the backhoe would be used for the cemetery because the cemetery has money. He then proceeded to clarify how the cemetery has money. Scott said 50 % of its use would be at the cemetery. Harry said the cemetery fund could pick up ½ of the cost each year for 5 years. President Miller said the backhoe would be put on next week’s agenda.

**CONES &
SIGN STANDS:**

Cones and sign stands were listed on the agenda but it was determined the issue was already taken care of.

**APPROVAL OF
MINUTES –
AUGUST 5, 2013**

President Miller asked if the Minutes of August 5th and August 26th were correct to the best of the secretary’s knowledge and if there were corrections to be made. The Mayor said there were to be emails submitted to refute his claim as to when Council was “polled”. Pat Yeager said she was fine with the minutes of August 5, 2013. There was discussion on

whether that was a motion and Solicitor Tira advised Council to approve the each of the minutes separately. Becky Hontz asked Mary Phillips why she voted “no” for the adoption of the Work Place Violence Policy at the August 5th Council Meeting. Mary said she voted “no” because she had two different policies. Harry Hefty said Mary didn’t have to legally explain why she voted the way she voted, according to what he had read in the Borough code. Becky Hontz said Harry was to let Mary speak for herself on why she voted “no” and that Mary was her representative and she was asking Mary a question. Becky referenced the unfortunate incident in Ross Township, where 3 people were killed at a municipal meeting. Becky asked Mary if she re-thought her decision and maybe wanted to change it. Mary said she didn’t understand why she had 2 different policies and didn’t know which one was the correct policy. She was given the policy then a week or two later was given another one. She wasn’t clear on what changes Scott made to the policy. She was not interested in changing her vote. President Miller commended Mary for voting her conscience on what she had in front of her. Pat Yeager made a motion to approve the minutes of August 5, 2013 as re-written. A second was given by Jack Marshall. A roll call vote was taken as follows:

Hefty	- yes	Phillips	- yes
Marshall	- yes	Young	- yes
Miller	- yes	Yeager	- yes

All in favor. Motion carried.

AUGUST 26, 2013: Edie spoke regarding questions on the August 26, 2013 Minutes. She said she went back through her emails and also listened to the tape in question concerning the use of the word “polled”. The minutes were not changed. She proceeded to explain the events that took place in making the paving decision. She confirmed Mayor Hontz had in his possession the correct August 10, 2013 sent at 2:09 p.m., polling Council. President Miller said she and Edie agreed with the decision to pave, which was made on the recommendation of the Public Works Supervisor. It was the best decision for the Borough. Pat Yeager asked to table the minutes of August 26, 2013 for next week’s meeting.

**MIKE
SUDERS:**

Pat asked if Mike Suders had been taken care of, to which Edie replied yes.

**CANAL
BOAT:**

Pat asked if the Canal Boat had been turned over to the Borough yet. She said Council had given permission to use of the Canal Boat for the hymn sing along on October 13, 2013. Edie said she had spoken to Bob Stoudt and a little more work was needed on the side walk. According to Curtis at Light Heigel, the grade of the side walk was still of approx. a ¼ inch off. Pat asked if we could give permission for someone to use it before

it's turned over to the Borough. Solicitor Tira advised something should be signed by the group currently in charge of the Canal Boat and the sidewalk in question should be taped off. Edie said she would make a few phone calls regarding the Canal Boat and advise Council.

**POLLY
KEEFER'S
TREE:**

Pat asked for an update on the status of Polly Keefer's tree. Solicitor Tira asked Council's desire for the land in question. Council's answer will determine to what lengths research is done. He said if it's not open land, the land may never have been Borough land. He asked if Council wanted to spend the time to find out whether the Borough owns it so it can be vacated or would Council prefer to engage the land owner to see if they desire to possess it. It is Solicitor Tira's understand that the land in question is in an area that has no use for the Borough. He asked if Council wanted Solicitor Tira to prove the Borough's ownership. Solicitor Tira said there is no record of the Borough ever accepting it though it's not been researched back to the beginning of time. The alley is not maintained nor plowed by the Borough. Council asked Solicitor Tira to have a conversation with the property owners involved and advise Council.

**ATTORNEY
FEES FOR
SEWER:**

Pat asked if Edie had checked into the attorney fees for the sewer. Edie said she would have the information at the Council Meeting on Monday, October 7, 2013.

Edie said she was in receipt of a request from Harry Johnson of 94 Vincent Avenue for permission to switch his electric supplier from the Borough to PPL. She said he is in Delaware Township and PPL does require proof. Solicitor Tira said within Borough limits, Borough electric can enforced but not outside the Borough limits. Harry Hefty made a motion to approve Mr. Johnson's request. A second was made by Jack Marshall. A roll call vote was taken as follows:

Marshall	- yes	Young	- yes
Miller	- yes	Yeager	- abstain
Phillips	- yes		(conflict of interest - ex-brother in-law)
		Hefty	- yes

All in favor. Motion carried.

**UNIFORMED
& NON -
UNIFORMED
PENSION:**

Edie spoke regarding the 2014 Minimum Municipal Obligation (MMO) for police and non-uniformed. She said \$69,900.00 is expected in state aid. The amounts due September 2014 and to be included in next year's budget are as follows:

Police Retirement Plan - \$61,359.00

Non-Uniformed Pension Plan - \$95,001.00

The MMO's are dated as of the last day of September, 2013, she asked President Miller to sign them and they will become a part of the minutes and sent to Principal.

KRYSTAL ROBBINS REQUEST:

Council was in receipt of a request from Krystal Robbins of 900 Main Street, requesting permission to have the alleyway from 9th to 10th Street blocked from 5 to 10 p.m. on October 19, 2013. They will be having a block party with food and family friendly music played from 5 to 8 p.m.. Chief Derr said such requests have been granted in the past. Jack Marshall made a motion to approve the request, with a second given by Pat Yeager. A roll call vote was taken as follows:

Miller	- yes	Hefty	- yes
Phillips	- yes	Yeager	- yes
Young	- yes	Marshall	- yes

All in favor. Motion carried.

PLANNING COMMISSION:

Dale Chomas spoke on behalf of the Planning Commission. He had previously sent an email to Edie, which she provided to Council. He asked for Council's direction on the following 3 issues currently before the Planning Commission: updated zoning ordinances, the Susquehanna Gateway Project and building code improvements. He asked Council to consider the funds and the expertise necessary for the Planning Commission to move forward, if Council so chooses.

DOLI CHANGE ORDER #6:

Edie said Delaware Township provided more information for Council's review of Change Order #6 from HRG. Pat Yeager said she was not happy with the work done on Elm Street and advised not to pay Change Order #6. Solicitor Tira said the work done on Change Order #6 was within the original scope of work and there shouldn't be a change order for this work. No change order should have been issued. Edie said Bill Michael provided the additional information because the Borough hadn't paid Change Order #6. She wanted Council to have it. Solicitor Tira said the change order was rejected at the September 10, 2013 meeting, nothing has changed. Delaware Township provided the information for further consideration by Council. Solicitor Tira advised Council to stay with their previously stated position on the change order, it was within Doli's original scope of work. No additional action is required.

DELAWARE TOWNSHIP MUNICIPAL MEETING:

Solicitor Tira advised Council of the Delaware Township Municipal Meeting at 4 pm on Tuesday, October 1, 2013. Jim Ranck has requested Solicitor Tira and Borough representatives attend the meeting to discuss issues on Elm Street and Third and Fourth Streets. There will be

**THANK YOU
FROM
TURBOTVILLE
BOROUGH:**

discussion and a possible proposal for the contractor and what should be done with the streets. The meeting is open to the public.

Edie said the Borough was in receipt of a thank you from the Turbotville Borough for supplying our flush truck for a sewer line problem. They also thanked Greg Brouse for his expertise and guidance in resolving their sewer problem.

**BOAT
RAMP:**

The Pennsylvania Fish Commission's head maintenance engineer will be coming to the Borough to look at the boat ramp. Edie said the Borough owns the site but the Fish Commission is responsible for its structural integrity. Though no firm date was given, they will be here as soon as they can.

**ELM/ASH
STREET LOAN:**

Edie said she called the bank and the balance on the Elm/Ash Street loan is \$54,974.85. She will obtain a payoff for Tuesday, October 8, 2013 and have it for Council at next week's meeting.

**SOLICITOR'S
INVOICE:**

The Mayor posed a question to Harry Hefty. As of August 31st, the Borough had exceeded the budgeted amount for legal services. In reading the Solicitor's bill, the Mayor highlighted the fees charged to the Borough to "silence the Mayor". Harry explained the reasoning and events that lead to asking the Solicitor's assistance. The Mayor said he wanted the public to know that approx. \$584.00 was spent to keep their Mayor out of Executive Sessions. Cindy Crozier asked if the Borough actually paid the Solicitor to research how to censure the Mayor. Solicitor Tira said there was research done by an associate in his office. He and President Miller advised they wouldn't get into personnel matters with the public.

**SCOUT
REQUESTS:**

Shannon Smedley requested a work project to for her scout troop to complete. She also requested permission for her scout troop to camp out somewhere within the Borough. There would be no open fires. President Miller asked Shannon to put her request in writing and submit it to Edie. The request will be put on the agenda for next Monday's Council Meeting.

**FIRE
RINGS:**

Sandy Hendricks asked if fire rings were legal in the Borough. President Miller advised Sandy to stop by the Borough office for the ordinance pertaining to fire rings.

**ARCHERY
TARGET
SHOOTING:**

Pat Yeager asked Chief Derr if archery target shooting was permissible in the Borough. Residents say people are archery target shooting is taking place on the tow path. Chief Derr advised the only ordinance is against firearms.

**GRANT
WRITING:**

Sandy Hendricks stated she'd like Council to consider setting money aside for grant writing. There was conversation about the previous grant attempts by the Borough. Tom Grebnick said Milton is an entitlement

community which automatically gets money every year from the federal government. Watsontown is a smaller community and doesn't qualify for money automatically every year, they must apply.

ADJOURNMENT: There being no further business to come before Council, at 9:58 p.m .a motion to adjourn was made by Jack Marshall, seconded by Mary Phillips.

Sincerely submitted,

Brendi L. Brooke
Secretary/Treasurer