

**Watsonstown Borough Council
Committee Meeting
April 29, 2013**

- OPENING:** The April 29, 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, Police Chief Dennis Derr, Borough Manager Edie Moser, Public Works Supervisor Scott Winters and Secretary/Treasurer Brendi Brooke.
- VISITORS:** Bill Michael, Jim Ranck and Dave Powell
- CLOSED RAILROAD WALK WAYS:** Dave Powell asked for information regarding the closed railroad walk ways. Scott Winters stated Norfolk Southern has concluded the walk ways are too much of a liability and in need of repair. Norfolk Southern owns them and closed them.
- ELECTRIC BUCKET TRUCK:** Pat Yeager asked for an update on the search for a “new/used” electric bucket truck for the Borough. Scott Winters said currently Altec has nothing of interest to us. He has checked other websites and will continue to work with Greg Brouse in finding a bucket truck for the Borough.
- AMP RENEWABLE ENERGY CREDIT:** Edie Moser stated the Borough was in receipt of the AMP Renewable Energy Credit in the amount of \$2,381.98, which was deposited into the electric account.
- STAGE AT THE PARK:** Harry Hefty spoke regarding the condition of the stage at the park. It is used by the Borough on the 4th of July and by the Warrior Run Fire Department during carnival week. Harry said the roof needs replaced because it leaks and there is electric throughout the trailer. This combination could lead to a real disaster. He said the “co-op” of the Borough and the fire department should look at sharing the cost of replacement of the roof or tarping of the roof.
- CANAL BOAT STATUS:** Pat Yeager asked for a status on the canal boat. Mayor Hontz said the work is progressing. The floor is the next issue that will be addressed. A Boy Scout was originally supposed to work on the garden area, but it will not fall into his timeline to become an Eagle Scout. He will now work on 2 picnic tables for his Eagle Project. The garden area will be started once the concrete is complete. Harry Hefty mentioned

contacting the Garden Guild for the garden area. Jim Ranck also mentioned Warrior Run Honor Students look for community service projects and completing the garden area might be something for them as well. The Borough would have to provide supervision. The Mayor said he would present the honor student idea to the Pathways group.

**SKATE
PARK
STATUS:**

Pat Yeager asked for an update on the skate park. Harry Hefty said Code Enforcement requires the skate park to be engineered and with the latest laws, it has almost become impossible to build anything with volunteers. It is not a “dead” issue. There is no money associated with this project yet but an engineer’s study is required. Edie said Bob Stoudt has said it is more than he is willing to get involved in. Harry said the skate park is not a simple project.

**STREET
CONDITIONS -
JOB
CONFERENCE:**

Edie said there is a job conference tomorrow. Edie and Scott have met with Bill Michael and Jim Ranck. Bill Michael said he spoke with Fred Bower at Doli and Fred will not be at the job conference. Doli anticipates paving to begin the 2nd or 3rd week of May. Bill said a Notice for Corrective Action was issued a month ago regarding the conditions on Elm Street. Doli hasn’t responded to the notice yet. Jim asked Council to continue being patient. He said he has asked Doli to start paving at Matchum, Canal and Elm Streets, in consideration of the upcoming Memorial holiday and carnival week. After much discussion on the poor conditions of our streets, the end result needs to be a quality paving job done by Doli. Kevin from HRG will be the inspector on the Doli paving project. Edie said Scott will also be involved in overseeing the project. Bill Michael said we have a 2 year bond and warranty on Vincent, Elm and Brimmer up to Fourth Street. This bond is effective until the Borough goes two full years without incident. Each incident will extend the bond and warranty another two full years.

**POLITICAL
SIGN
ORDINANCE:**

Harry Hefty said he recently found out that political signs are not permitted on Borough property. Solicitor Tira said there are concerns about regulating political signs versus other types of signs because it is a first amendment issue. Solicitor Tira said Borough’s sign ordinances are outdated. He also said he wanted to talk of a possible specific litigation claim that needs to be discussed in an Executive Session.

**EXECUTIVE
SESSION:**

Solicitor Tira said there would be an executive session after tonight’s meeting for possible litigation.

**REPAIRS OF
OVERHEAD
RAILROAD
BRIDGE AT
FIRST STREET:**

Edie said every other year the overhead railroad bridge at First Street is inspected by Larson Design. Edie received a call from Larson Design stating there were two issues at the bridge. Larson Design also sent pictures. Scott came up with a repair plan and it has been approved by Larson Design and Penn Dot. As soon as the weather breaks and town clean-up is over, Scott will personally be involved in the repair project. Once the repair is complete, Larson Design will come back to inspect it.

**STOP SIGN
DAMAGED
ON SOUTH
MAIN STREET:**

Jack Marshall said last Friday a truck driver from Tennessee struck a stop sign down on South Main Street. The driver had no idea the street was a dead end. She was using a GPS trying to find Watsontown Brick Company. Jack said he straightened the sign as best he could, but asked Scott to go by and check it.

**DITCH NEAR
CARWASH &
OLD MILL
APARTMENTS:**

Scott said Mike Foresman called inquiring about the ditch that runs along the car wash bordering the railroad tracks. The ditch is his property and carries storm water for the Borough, the railroad and Moran. He wants to install piping from 8th Street down to the Moran parking lot and close the ditch entirely. Mike has spoken with the railroad regarding his intent. They are okay with his plan but will not pay any portion of the project. Mike asked if the Borough would help pay for a portion of the project, which in total is \$4800.00 for pipe and labor. Scott advised Mike the issue would be brought before Council. Solicitor Tira advised Mr. Foresman needs to make sure he is in compliance with the storm water ordinance and he'll also need to talk with the Borough's engineer. Council concluded they are not interested in helping with the project.

**RESOLUTION
2013-04 R
CONNECTION
TO MILTON
REGIONAL
AUTHORITY:**

Solicitor Tira said a temporary connection to the Milton Regional Sewer Authority (MRSA) is set for May 8, 2013. Once the flow is transferred to MRSA, something formal should be done to authorize sewage treatment by MRSA, allow MRSA to bill the residents of Watsontown and allow the Borough to adopt the rate schedule of the Milton Regional Sewer Authority. Therefore, he presented Resolution 2013-04 R for Council's adoption. Pat Yeager asked that a notice be prepared and sent with this month's electric bills to notify residents of the upcoming changes with their sewer service. They will begin receiving invoices from MRSA starting in June. Edie agreed to contact MRSA for the notification information. Bill Michael said the starting rate will be approximately \$40.40 plus \$3.50 per 1000 gallons. The Watsontown Borough will add Milton Regional Sewer Authority as "an additional insured" to their insurance policy. After much discussion, Harry Hefty made a motion

to approve Resolution 2013-04 R. A second motion was given by Pat Yeager. A roll call vote is taken as follows:

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

All in favor. Motion carried.

**SEWER
ISSUE AT
124 MAPLE
LANE:**

On March 27, 2013, Bill Klinger at 124 Maple Lane, thought he had a lateral sewer issue and hired a plumber to excavate the line. It was discovered the problem was actually the main line. The main line collapsed on the south end of his lateral line. The following day, the Borough fixed the main line. Scott said the main sewer line runs through the front yard of each of the properties in that area of town. Mr. Klinger incurred \$985.52 in costs associated with this main line sewer issue. Scott recommends the Borough split the costs with Mr. Klinger. Solicitor Tira reminded Council that residents need to contact the Borough regarding sewer issues. Pat Yeager made a motion to pay \$492.76 to Bill Klinger for ½ of his costs associated with this issue as a “good faith gesture” and not a liability. A second motion was made by Ralph Young. 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.

**GREENWAYS
GRANT
PROJECT:**

The Mayor invited Council to a meeting on April 30, 2013 at 7:00 pm regarding the Greenways Grant Project. The meeting will be conducted by Tom Grebenik and will provide an opportunity to see the design and ask questions of the designer of the project.

**BIKE
RODEO:**

Chief Derr said Corporal Danley will be in charge of the Bike Rodeo, being held at the Watsontown Park on May 4, 2013 from 9 to 11 am.

**PILL
COLLECTION:**

Chief Derr said the Borough hosted the “DEA Prescription Drug Take Back Day” this past Saturday. The Borough collected 9 pounds of prescription drugs.

**STREET
PAVING:**

Edie spoke regarding a paving list provided to Council. She asked Council to review the list and make note of any changes and/or additions for the Council Meeting on May 6, 2013. Edie said she and Scott would get clarification on street names for Council. The paving list will be eventually put out for bid.

**TAX
COLLECTOR
RATE:**

Edie said in 2012, the General Tax Revenue and the Debt Services Tax Revenue collected was approximately \$253,512.00. The rate paid to Corolla Anderson was 5%, approximately \$12,675.60. This 5% rate pertained only to the "Joint Tax Collector Agreement". The Borough's current tax collection ordinance is equal to \$1.25 per tax notice. Council agreed to have Solicitor Tira prepare a resolution to increase the Borough's tax collection rate to 5%.

**EXCHANGE
POOL
DONATION:**

Harry Hefty made a motion to make a \$500.00 donation to the Exchange Pool from the Parks and Recreation Fund. A second motion was given by Ralph Young. A roll call vote was taken as follows:

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

All in favor. Motion carried.

**RESOLUTION
2013-03 R
CHANGE TO
PENSION
FUND:**

Edie said the Borough recently had a pension audit from the Department of the Auditor General. The auditor "found" the Borough needs to appoint a Chief Administrative Officer. Edie contacted Solicitor Tira to draw up Resolution 2013-03 R for the appointment. Per the auditor, the finding will not be removed but at the state level, they are aware the resolution is being passed tonight. Pat Yeager made a motion to adopt Resolution 2013-03 R. A second motion was made by Jack Marshall. A roll call was taken as follows:

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

All in favor. Motion carried.

**DR.
YANNACCONE'S
RESIGNATION
FROM THE
PLANNING
COMMISSION:**

President Miller called Council attention to an email received from Dr. Chamos regarding Dr. Yannaccone's resignation from the Planning Commission. Mayor Hontz agreed to take care of a Years of Service award for Dr. Yannaccone. Pat Yeager made a motion to accept Dr. Yannaccone's resignation from the Planning Commission. Mary Phillips gave a second. A roll call vote was taken as follows:

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

All in favor. Motion carried.

**THOMAS
HETHERINGTON
APPOINTED TO
PLANNING
COMMISSION:**

Jack Marshall made a motion to appoint Thomas Hetherington to the Planning Commission to fulfill the remainder of Dr. Yannaconne's appointment. Mary Phillips gave a second. A roll call vote was taken as follows:

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

All in favor. Motion carried.

**CHANGES/
UPDATE OF
STREET
OPENING
ORDINANCE:**

Edie spoke regarding the Street Opening Ordinance that was provided in Council's packet. These rules and regulations are outdated and Scott recommends changes and updates. Solicitor Tira will be involved in the update, advertisement and adoption of said changes. Per President Miller, the Street Opening Ordinance will be tabled for Council Meeting on May 6, 2013 to allow members of Council time to review the changes and updates.

**BOROUGH
SOLICITOR:**

Solicitor Tira said he had two items for Executive Session tonight. One item is pending litigation and the other is potential pending litigation.

**DONATION
FROM
LIONESS
CLUB:**

Edie said the Borough was in receipt of a \$100.00 donation from the Watsontown Lioness Club towards the Borough's annual fireworks at the July 4th Celebration. A thank you was sent.

**CLEAN-UP
COLLECTION:**

This week is Watsontown's annual clean-up. Edie was able to sign the Borough up for the "Great American Clean-Up", thus the landfill is free. B&W is working with the Borough in providing this program to our residents and will be paid for their services.

**SIDE
WALK
CONDITIONS:**

Mayor Hontz spoke regarding a recent incident regarding a resident using a wheel chair directly on Main Street, instead of the sidewalk. This was an extremely dangerous situation and the resident could have been killed. Once confronted, the resident said Borough sidewalks are not in usable condition for his wheel chair, forcing him to use our streets. Vice President Hefty also spoke of a recent conversation with another resident who is a paraplegic and cannot use Borough sidewalks either. Scott mentioned the poor condition of sidewalks at the south end of Main Street as well. Solicitor Tira said the sidewalks are the homeowner's responsibility and they must meet all sidewalk specifications. Scott thought possibly our State Representative could help the Borough with possible funding or grant money for the improvement of our sidewalks. Edie said she has been in contact with Linda Culver's office. Her office is researching the sidewalk matter for us.

**BLOCKING
BOROUGH
STREETS:**

Pat Yeager mentioned a recent street closing due to a public auction on Third Street. She said a car was parked across the street and actually blocked off the street. It was decided this particular auction was held at a property in Delaware Township. Solicitor Tira said permits are required for blocking streets in the Borough.

**PERSONNEL
ISSUE FOR
EXECUTIVE
SESSION:**

Edie said she and Scott have a personnel issue for tonight's Executive Session.

**BOROUGH
TOW MOTOR:**

Scott spoke regarding the condition of the tow motor at the garage. A recent incident at the garage could have resulted in serious injuries. Scott has taken the tow motor out of service. The tow motor is from the 1960's and has many things that can no longer be fixed. He has looked into pricing for a used tow motor, which ranged from \$12,900.00 to \$17,900.00. A tow motor is generally used at the garage to unload deliveries. He mentioned a skid loader might make more sense, as it could be used throughout the Borough for various things. Solicitor Tira said money could be transferred from the Bucket Truck Fund to allow for the purchase of a skid loader. President Miller asked Scott to get prices on new and used skid loaders. Jim Ranck has offered to help Scott in his search for a Borough skid loader. Scott will check with Moran Industries for help until the skid loader issue is resolved. If Moran Industries declines to help, Scott was given permission to rent one if necessary.

**RE-LOCATION
OF PUMP TWO
STATIONS:**

Bill Michael said as soon as DEP receives a letter from Delaware Township, they will waive their 50 foot requirement and will give their approval for the relocation of two pump stations, one located at

Matthew Street and one located at the end of Ash and Tenth Streets. The placement of these two pump stations is key to the function of the other pump stations right up until it's time to transfer directional flow. Both pump stations will have generators that will automatically kick on during a possible power failure. Shredder or grinder pumps will be installed to alleviate clogs and the frequent necessity of cleaning the pumps. Solicitor Tira said easements need prepared to allow the transfer of the new pump stations to Milton Regional Sewer Authority. Per Bill and Jim, HRG has drawings of the new pump station locations.

**SEWER AT
LIBERTY &
HAUCK AREAS**

Jim Ranck told Council that use of Penn-Vest Funding is not permitted in the Liberty and Hauck areas of the Borough. Penn-Vest Funding is only able to be used in areas with sewer failures and cannot be used solely for the extension of sewer lines. There were not sewer failures in the Liberty and Hauck areas, therefore these areas will not be included in the sewer project at this time.

**SEWER
FAILURES
AT TRENT
ROAD &
SUSQUEHANNA
TRAIL:**

Jim Ranck spoke of three known sewer failures at Trent Road and Susquehanna Trail. There are 13 homes affected and unfortunately these residents were from the Lewis Township bid package. DEP says these areas must be addressed. He asked Council, as part of Northern Neighbors to agree with Delaware Township to allocate a portion of the H2O Grant money towards helping the residents at Trent Road and Susquehanna Trail connect to Lewis Township's sewer, It is not feasible to connect them to Delaware Township sewer lines. Penn-Vest Funds cannot be used in this because the easements were not obtained yet nor is the flow going south. Bill Michael said the paperwork is being processed by HRG. Bill Michael said the approximate cost could possibly be in the \$200,000.00 range. After much discussion, President Miller said the decision would be tabled until Council Meeting on May 6, 2013.

**ADJOURN:
TO EXECUTIVE
SESSION:**

There being no further business to come before Council, there was a motion made by Pat Yeager to adjourn to Executive Session at 9:30 pm. A second was given by Harry Hefty.

RE-CONVENE:

The meeting was re-convened at 10:20 p.m.

**SEWER:
(H2O GRANT)**

Pat asked if using H2O money would be legal and acceptable to use on the Susquehanna Trail as Jim Ranck spoke to Council about. Solicitor Tira said originally the H2O Grant was to bring wastewater treatment plants into compliance with the Chesapeake Bay regulations. This way he stated if Council does approve this request by Delaware Township they should make it contingent on DCED approval.

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MOU: Solicitor Tira asked Council if they would like him to draw up a memorandum of understanding with Milton Regional Sewer Authority as to exactly what Watsonstown Borough and Milton Regional Sewer Authority are responsible for. Council instructed Solicitor Tira to draw up a MOU.

ADJOURNMENT: There being no further business to come before the Council, there was a motion by Harry Hefty, seconded by Ralph Young to adjourn at 10:30 pm.

Respectfully Submitted,

Brendi L. Brooke
Secretary/Treasurer