

SELINGROVE BOROUGH COUNCIL MEETING

Monday, August 5, 2019 – 7:00 P.M.

COUNCIL MEMBERS PRESENT: Pres. Marvin Rudnitsky, V/P Shane Hendricks, C/P Sara Lauver, C/P Bobbie Owens, C/P Richard Mease, C/P Erik Viker (entered at 7:11 P.M.), and C/P Grant Neff

OTHERS PRESENT: Borough Manager/Secretary Paul Williams; Borough Treasurer Sheri Badman; Solicitor Bob Cravitz; Mayor Jeff Reed; Recording Secretary Lindsey Brouse; DH&L Fire Jason Kaufman and Monty Anders; DH&L Ambulance Brian Barto; CK-COG Rebecca Kilps and Jim Emery; SEDA-COG Geralee Zeigler; Jim Grose; Christopher Katchich

CALL MEETING TO ORDER: Pres. Rudnitsky called the meeting to order at 7:00 P.M. Mgr. Williams called roll and acknowledged a quorum, followed by a moment of silence and the Pledge of Allegiance.

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF July 1, 2019:

C/P Neff made a motion to approve the minutes as written. Seconded by C/P Mease.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF July 24, 2019:

C/P Hendricks thanked the rest of Council for their time in attending the special meeting on July 24th. While there was no action taken, he still believes that a lot of good discussion came out of that meeting. Pres. Rudnitsky agreed.

C/P Hendricks made a motion to approve the minutes as written. Seconded by C/P Owens.

AYES: SIX (6)

NAYS: NONE

MOTION CARRIED

PUBLIC HEARING TO RECEIVE PUBLIC INPUT INTO ADOPTING ORDINANCE NO. 840 ADOPTING THE CENTRAL KEYSTONE COUNCIL OF GOVERNMENTS MAINTENANCE CODE, PROPERTY, FIRE SAFETY, AND BUILDING (CMC).

Mgr. Williams stated that he asked Rebecca Kilps and Jim Emery, both employed by the Central Keystone Council of Governments (CK-COG) to come and answer any questions about the CMC. Ms. Kilps gave a brief background on the CK-COG and the Borough's current Property Maintenance Code. She explained that the codes are based upon the International Property Maintenance Code (IPMC) and that the CMC takes all the updates from the most recent IPMC and expands them to address local issues and needs. Ms. Kilps added that the CMC can be altered to fit the Borough's needs while still meeting the standards set forth by the IPMC.

Monty Anders asked whether there will be residential and commercial inspections put in place due to this update. Ms. Kilps stated that the fire inspections were completely taken out for the Borough, so the only inspections that would be taking place are the Residential Rental Unit inspections which are already taking place.

Pres. Rudnitsky asked what the Council, as elected officials, should know about the update. Mr. Emery stated that the 2003 version of the IPMC (which the Borough's current code is based upon) did not require Carbon Monoxide detectors to be installed in rental units, but the most recent version does require them. He also added that the newest code addresses sidewalk issues and tree issues as well.

C/P Viker joined the meeting at 7:11 P.M.

Pres. Rudnitsky noted about the recent storms bringing down trees and that the large branches overhanging the streets and sidewalks can be an issue. Mr. Emery stated that this code would allow some of that to be taken care of with violation notices. He added that the CK-COG would work with the property owners to resolve the issues within the given time period on the violation notice. He also stated that the entire code is designed around life safety.

Ms. Kilps pointed out that the CK-COG can be as involved or as hands-off as the Borough needs. They have municipalities where they drive around to spot the issues, and they also have municipalities where they respond to calls from municipal employees. C/P Owens asked whether the Borough would be billed if the CK-COG responded to a request. Ms. Kilps stated that the Borough would be billed.

C/P Hendricks stated that he has been through the Residential Rental Unit inspection process with his properties and that they are focused on life safety. They are not outrageously priced, and they are quick. He added that he takes issue with the proposed Ordinance No. 840 in that it seems to create a separate class of citizen. He noted that he believes all residential properties should be treated equally, rental or not. He takes issue with the sections on Disruptive Conduct since there are state laws that can help to deal with that. If an owner-occupied property is being noisy or disruptive, the neighbors will call the cops. The same can happen with rental properties. Ms. Kilps stated that the section on Disruptive Conduct was added to their CMC by request from the Borough and that it comes right out of our current Property Maintenance Code.

Mgr. Williams stated that in 2007, when the issue of Disruptive Conduct first came into play, it was created as a way to handle the disruptions caused by the University students who were living off campus at the time. He added that this is a different time and it may no longer be necessary to include it.

C/P Hendricks noted that he is fine with the update, as long as the provisions are applied evenly across all residential properties. C/P Viker stated that he was a Council member at the time when the Disruptive Conduct matter was first brought up. He stated that even then, there was a debate about applying policy evenly, but that in the end it was decided that an owner-occupied property was private property and that since a rental property is a kind of business, it entered into the public sphere and was able to be regulated differently.

Public hearing closed at 7:24 P.M.

Mgr. Williams asked Solicitor Cravitz about the specificity of the Disruptive Conduct section and applying the code evenly. Solicitor Cravitz stated that it is a question of policy and how the Council wants to dictate that.

C/P Owens asked about the rental registration requirement of submitting a blank lease, noting that some of her own properties don't currently have a signed lease because the tenants have been living there for so long. Ms. Kilps responded that it depends on the municipality, but she has seen some accept a letter acknowledging that there is a tenant in the building as sufficient evidence of a rental unit. She added that the lease would be blank and could be used for multiple units if the same one is used throughout the landlord's properties.

C/P Hendricks asked about the list of tenants being furnished to the Police Department. Ms. Kilps stated that the only time they would need the names is if the Police requested them for reasonable cause. Otherwise, the landlord would just have to maintain the list themselves.

C/P Neff asked what would have to be taken out for C/P Hendricks to be on board with the update. C/P Hendricks stated that he would like to see the Disruptive Conduct sections removed. C/P Viker asked Solicitor Cravitz whether the Ordinance would have to be advertised again if they took that section out. Sol. Cravitz stated that they can remove what they want without advertising again, but they could not add anything.

Motion by C/P Neff to adopt Ordinance No. 840, removing Chapter 8, Section 810, numbers 6 and 7. Second by C/P Owens.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

GOVERNMENT / NON-GOVERNMENTAL AGENCIES TO BE HEARD:

DH&L Fire Company:

Jason Kaufman reported that there were 23 incidents in the month of June with no fire loss. In July there were 50 incidents, 19 of which were in the Borough, and that the only fire loss was a toaster oven.

Mr. Kaufman stated that the new utility is here and the bid for the lighting and lettering has been awarded. They have received 2 bids for the boat, but that is still open until their meeting on Monday. He stated that Monty Anders is going through the audit and that the report will be provided directly to the Borough by the Auditor General.

C/P Neff asked if there was a reserve for the boat so that they don't get hit with extremely low bids. Mr. Kaufman stated that there is currently, but the membership could change that at their meeting after seeing the bids that have been received.

Mr. Kaufman stated that the next fundraiser is the bus trip which sold out. They are in the works of preparing a gun raffle, which tickets will be available to purchase soon. They are also participating in the Street Fair again this year.

C/P Hendricks asked whether they have considered using Municibid, noting that the Borough has seen success since using it. Mr. Anders explained that they used a specific process for their bids to receive a targeted audience. Mr. Kaufman stated that they posted the announcement on the door at the Fire Company, in a post on Facebook, and also in an email to PEMA which went out to first responders throughout the State. C/P Hendricks noted that the targeted audience will likely get them appropriate bids.

DH&L Ambulance League:

Brian Barto reported that the Ambulance League responded to 37 calls in the Borough in the month of July. He also stated that he provided the minutes from their last meeting.

Pres. Rudnitsky asked whether that number of calls was typical for a month. Mr. Barto stated that it was fairly typical and that they see a rise in call volume when the heat is up. He added that there really is no typical number of calls and it can change from month to month.

Mayor Reed thanked Mr. Barto for the Ambulance League's presence at the BrewFest and also at the 5K for the pool. Mr. Barto stated that they try to be as involved in those types of events as they can, but that calls sometimes keep them away. He thanked Council for allowing them to continue to serve as the Ambulance League.

Selinsgrove Projects, Inc.:

Minutes from 6/18/19 were provided.

Selinsgrove Chamber of Commerce:

Minutes from 6/25/19 were provided.

SARI (Pool) – Richard Mease:

C/P Mease stated that August 18th is the last day for business at the pool. He noted that the water aerobics classes are in full swing and that they are free and being taught by Maria from 360 Unique Fitness. The classes run on Fridays from 11:00 – 11:45 A.M.

Pres. Rudnitsky asked whether Maria was teaching these classes as a volunteer. C/P Mease stated that she is.

Selinsgrove Borough Floodplain Task Force – Paul Williams:

Treasurer Badman stated that the elevation projects for 310 and 320 S Front Street that were submitted to PEMA had not been selected solely because there weren't enough funds available to use toward them. She added that SEDA-COG would like to know if the Borough would like to reapply for funds because there may be funds available.

Motion by C/P Mease to reapply for funds for the elevation projects. Second by C/P Hendricks.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

PUBLIC COMMENT PERIOD:

Monty Anders came to address the condition of Bridge Street between Market Street and 522, particularly at the intersection with High Street. He noted that the road was terrible. Treasurer Badman stated that the road was in Penn Township, not the Borough. Mr. Anders thanked Council and stated that he would bring it up to them.

COMMITTEE/COMMISSION/BOARD REPORTS:

FINANCE & BUDGET COMMITTEE – Shane Hendricks, Chairman

Payment and Ratification of Bills:

Invoices Paid Since Last Meeting:

FNB General Account - \$25,735.39	Check No. 115440 through 115462
FNB Payroll Account - \$4,914.24	Check No. 905226 through 905230
Community Acq. & Improve - \$4,800.00	Check No. 820 through 836

Invoices Reviewed for Approval by Finance Committee:

FNB General Account - \$55,042.61	Check No. 115463 through 115510
Com. Acq. & Improvement - \$10,000.00	Check No. 837

Motion by C/P Hendricks to ratify payment of the bills. Second by C/P Neff.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Statewide Tax Recovery, Inc. – Exoneration Request: none.

Approve 2019 CDBG Project Selection:

Mgr. Williams stated that Geralee Zeigler from SEDA-COG is present.

Motion by C/P Hendricks to approve the 2019 CDBG Project selection. Second by C/P Neff.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Award 2019 Street Program:

Motion by C/P Hendricks to award the 2019 Street Program to New Enterprise in the total amount of \$112,342.53. Second by C/P Neff.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Award CDBG Chestnut Street Program:

Motion by C/P Hendricks to award the CDBG Chestnut Street Program to G & R Charles in the total amount \$277,991.23. Second by C/P Neff.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Reaffirm use of Gelnett Funds for Multimodal Transportation Fund Project:

Motion by C/P Hendricks to reaffirm use of Gelnett Funds for Multimodal Transportation Fund Project. Second by C/P Mease.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Sub-recipient Agreement with Snyder County for CDBG Funds:

Motion by C/P Hendricks to approve and sign the sub-recipient agreement with Snyder County for CDBG funds. Second by C/P Neff.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PUBLIC FACILITIES & SERVICES COMMITTEE – Erik Viker, Chairman – no report.

BOROUGH ADMINISTRATION/PROPERTY & EQUIPMENT COMMITTEE – Bobbie Owens, Chairwoman – no report.

COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS COMMITTEE – Richard P. Mease, Chairman:

Approve Banner Placement – SU Welcome Home:

Motion by C/P Mease to approve the banner placement for the SU Welcome Home banner. Second by C/P Neff.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Approve Alley Closure – Union Alley (from Mill to Penn Streets) – St. Paul’s UCC Block Party:

Motion by C/P Mease to approve the alley closure of Union Alley between Mill Street and Penn Street for St. Paul’s UCC Block Party. Second by C/P Viker.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

PERSONNEL MANAGEMENT COMMITTEE – Sara Lauver, Chairwoman

Recommendation for Borough Office Administrative Assistant Position:

Motion by C/P Lauver to recommend Carrie Briggs for the Borough Office Administrative Assistant position at a rate of \$16.00. Second by C/P Mease.

AYES: SIX (6) NAYS: ONE (1) – C/P Hendricks MOTION CARRIED

Recommend Amendment of Job Description – DZO Administrative Assistant:

Motion by C/P Lauver to approve the update to the job description for Deputy Zoning Officer Administrative Assistant. Second by C/P Viker.

C/P Owens asked whether the education requirement of 3 years minimum in code enforcement was changed. C/P Lauver stated that it wasn’t.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

Recommend Wage Increase of DZO:

Motion by C/P Lauver to approve an hourly increase in salary wage from \$15.45 to \$16.45 for the administrative assistant in zoning position. Second by C/P Viker.

C/P Hendricks asked what the pay for the new Administrative Assistant was set at. C/P Lauver stated that it was set at \$16.00. C/P Hendricks asked how long Lindsey had been employed. Mgr. Williams answered one year.

AYES: SEVEN (7) NAYS: NONE MOTION CARRIED

C/P Viker asked to what extent the Police Department Administrative Assistant was still coming to the Borough Office to help. Treasurer Badman stated that she is only coming over for a few hours every other Monday to teach payroll. C/P Viker asked if the amount of time Chele’ spends in the Office is going down. Treasurer Badman stated that it is. C/P Viker asked when that would decrease to zero hours. Mgr. Williams said maybe eight weeks, which is four more pay periods.

PUBLIC SAFETY COMMITTEE – Grant Neff, Chairman:

C/P Neff stated that he noticed that the crosswalks have been painted. He asked whether there would be crosswalks at Snyder Street, Chestnut Street, and at the Hotel. Mgr. Williams stated that he doesn’t believe enough material had been ordered to do the additional crosswalks, but that more could be ordered.

C/P Owens asked whether the Borough has one-way stencils that could be used on the alleys. Mayor Reed noted that if people aren't following the one-way signs, they likely won't follow the paint on the road. Mgr. Williams stated that he doesn't believe that the Borough owns one.

PLANNING COMMISSION – Pete Carroll, Chairman:

Mgr. Williams stated that he has not yet completed the minutes, but that Planning Commission has begun discussing a historic district.

ZONING HEARING BOARD – Cyril Runkle, Chairman – no meeting.

CIVIL SERVICE COMMISSION – Dalton Savidge, Chairperson - no report.

SHADE TREE COMMISSION – Joan and “Bo” Fasold:

Minutes from the 7/18/19 meeting were provided.

PARKS AND RECREATION BOARD – Shane Hendricks, Chairman – no report.

BOROUGH ADMINISTRATIVE REPORTS:

MAYOR – Jeff Reed:

Presentation of the Police Reports for May and June 2019.

BOROUGH SOLICITOR – Robert Cravitz, Esq.

Adoption of Ordinance No. 839 Amending the Zoning Ordinance Regarding the Boundary Lines Between CBD, C-1, R-C:

Motion by C/P Neff to adopt Ordinance 839 amending the Zoning Ordinance regarding the boundary lines between CBD, C-1, and R-C. Second by C/P Viker.

C/P Hendricks stated that he is against the ordinance because it limits the permitted uses within the area proposed. He added that he believes it is only going to create more red tape.

Pres. Rudnitsky noted that he believes the ordinance goes too far. He has concerns about the vacant property next to the Inn creating a visibility problem when they will be able to build right up to the sidewalk. He also stated that at the last meeting Michael Savidge spoke about the number of nonconforming uses that would be created by the proposed change. Mayor Reed asked whether the property next to the Inn could be made to comply with more restrictive setbacks when someone came in about developing it. Mgr. Williams stated that was not possible because of the ordinance.

C/P Owens stated that during Planning Commission, there was a lot of talk about the language of the Zoning Ordinance being outdated, and that the language should be updated. C/P Viker asked C/P Owens if she felt the Planning Commission had a change of heart about the rezoning. C/P Owens stated that the majority were in favor of it, and that hadn't seemed to change.

C/P Hendricks asked whether the proposed Ordinance No. 839 was the best it could be. C/P Owens stated that it's a map change, but the language needs to be updated too. C/P Hendricks asked why the language couldn't be updated first.

C/P Mease asked whether the ordinance could be approved contingent upon the update of the language of the Zoning Ordinance. Solicitor Cravitz said that could not be done. The two are separate matters and should be dealt with accordingly.

Mgr. Williams stated that the Council has heard his testimony before. He added that to him, the map and the CBD expansion is just about a label. He added that the real issue at hand is the permitted uses and that those should be updated before any expansion is considered.

C/P Viker stated that this is a map change and that the other stuff can be dealt with later. He called himself a curmudgeon.

**AYES: FIVE (5)
MOTION CARRIED**

NAYS: TWO (2) – Pres. Rudnitsky & C/P Hendricks

BOROUGH ENGINEERS

Coukart & Associates, Inc.:

Update on Industrial Park Road water line replacement
DEP Permit GP-11 for Industrial Park Road
SASD Campus Improvements – added parking and tennis court facility pending compliance with resolution
Assistance with Multimodal Transportation Fund Grant Application

Larson Design Group:

Emergency Backup Generator – Well #4 – Construction details
Industrial Waste Permit – Distillery Review

C/P Neff inquired about the Multimodal Transportation Fund Grant Application and whether it would involve lights on University Avenue. Mgr. Williams noted that this would only go from the railroad tracks to the intersection where Pine Street and University Ave merge into University Ave. He noted that they did ask for an updated crosswalk across Sassafra Street, but that there were not enough funds to add this to the grant application.

C/P Hendricks asked whether this phase of streetlights would cost less in manpower and maintenance than the ones that were already installed. C/P Neff stated that these would not have individual photocells to trigger them to turn on and off. C/P Hendricks asked whether the completed streetlights could be retrofitted to be the same way. C/P Neff replied that he believed they could but he would have to check into it.

BOROUGH TREASURER – Sharon Badman:

Review Treasurer’s Report of Account Balances for the Month of July 2019:

Motion by C/P Viker to accept the treasurer’s report of account balances for June 2019. Second by C/P Neff.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

BOROUGH MANAGER/SECRETARY – Paul A. Williams:

Manager’s Monthly Activity Report:

Mgr. Williams noted a few dates from his monthly report, including his follow up about the fence between Chris Reiland’s property and the 18th Street Commons, the FEMA Community Outreach meeting, and his Industrial Park Road walk with Larissa Bailey (from Sen. Toomey’s office) and Rob Grayston.

Application for Sewer Connections - SU:

Motion by C/P Hendricks to approve the application for sewer connections for Susquehanna University. Second by C/P Mease.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

Approve Participation with Monroe Township Traffic Signal:

Mgr. Williams stated that he realizes that Council has already told Monroe Township that they are not interested in participation with Monroe Township’s proposed Traffic Signal. He noted that there was a special meeting in regard to it. He added that the Borough will benefit by reduced truck traffic. Mgr. Williams also added that he realizes that support of this would set a precedence.

C/P Hendricks did the math and asked whether the Borough would be paying the \$500 annually or 1/6 of the cost as it is submitted to the Borough annually. C/P Viker asked whether there would be legal protection in the case of regime change at the County level.

Pres. Rudnitsky stated that the truck problem was awful before the last bypass project and could be even worse if this light doesn’t go in in the coming years. He also stated that the County has hundreds of thousands of dollars in reserves of their liquid fuels funds.

C/P Neff asked if the light would be put in if there is no participation. Mgr. Williams stated that it would not.

Motion by C/P Hendricks to offer Monroe Township 1/6 of the cost per year. Second by C/P Viker.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

C/P Hendricks brought up the topic of food trucks, referencing the letters provided by Mgr. Williams denying the applications on two different occasions. C/P Viker asked what needed to be done for the Borough to get out of the way of people trying to do what they want with their private property. C/P Owens stated that Carlisle Borough dealt with the issue of food trucks last week and that they voted to allow them. C/P Viker stated that food trucks have been around for a while now; they are not a new idea. Mgr. Williams stated that the denial was based upon the Zoning Ordinance not providing for the use and that the applicants could go for a variance via the Zoning Hearing Board. C/P Viker asked if Council could overturn the decision of the Zoning Officer. Solicitor Cravitz said no because the decision was made in accordance with the Zoning Ordinance.

Motion by C/P Viker to direct the Solicitor to prepare an amendment to the Zoning Ordinance to allow food trucks for a period of up to 24 hours on private property or commercial parking lots. Second by C/P Neff.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

ZONING:

Update of Zoning, Sign, and Demolition Permits Issued.

EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Dan Kiesinger, Borough Representative:

Solicitor Cravitz detailed the draft changes to the ESCRA agreement. He explained that he drafted a memo to start the ball rolling, but that it has not gone anywhere yet and he has given it for review. He went over Attorney Potter’s comments about the original six points that the solicitors came up with. He also went over Penn Township Municipal Authority’s response to the six points.

Solicitor Cravitz explained that there are two versions of the resolution for consideration. Version A is the version provided by ESCRA. Version B is the same, minus the section about the financial responsibility and the PennVest loan.

Motion by C/P Hendricks to adopt resolution 2019-05 B. Second by C/P Neff.

AYES: SEVEN (7)

NAYS: NONE

MOTION CARRIED

NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Dianne Mengel – no report.

SELINGROVE MUNICIPAL AUTHORITY – Tim Charles, Chairman – no report.

NEW BUSINESS:

Mayor Reed stated that police on school campuses no longer have the authority to make arrests beginning on August 31, 2019.

ADJOURNMENT:

Motion by C/P Viker to adjourn. Second by C/P Neff. Adjourned 9:21 P.M.

Respectfully submitted by
Lindsey Brouse