

**HOLLIDAYSBURG BOROUGH COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
THURSDAY, MARCH 11, 2010 7 P.M.**

This meeting was called to order at 7 P.M. by Council President John P. Stultz, Jr. A quorum was present including Council Members: Amy Webster Sill, Joseph Pompa, John Brenner, Harold Burket, Timothy Baranik, and Michael McLanahan. Borough Manager John P. Little, Attorney Nathan Karn, Mayor Joseph Dodson, Director of Community Development Ethan Imhoff, Main Street Manager Sarah Piper, Jr. Council Member Olivia Pompa and Patti Duron were present as well. Borough Secretary Ann Andrews, Kaitlyn Felty, and Lindsay Sill were absent. Attorney Sean Burk was there to conduct the Public Hearing.

President Stultz led the Pledge of Allegiance followed by a moment of silence for our men and women in the military.

The minutes, dated February 11, 2010 were presented for review. A motion was then made by Joseph Pompa and was seconded by John Brenner with all members in favor.

A **Public Hearing** was held to hear a request from the McLanahan Corporation, who had submitted a petition to request the vacation of Good Lane, beginning at the northerly intersection with Wall Street, and continuing south 180 feet to the intersection with Porter Alley. The petitioner also requested the vacation of Porter Alley, from the easterly intersection with Jackson Street, continuing 135 feet to the western boundary of tax parcel 11.6.6-27.

This hearing was conducted by Attorney Sean Burk as Borough Solicitor Nathan Karn cited a conflict of interest; and, although present; did not participate in the proceedings. Attorney Jackie Bernard was there to represent the petitioner. As to the record; the Public Hearing Notice as published in the *Altoona Mirror*, a copy of the petition and a copy of the public notice as presented to the adjacent owners, were all noted. Attorney Bernard explained the petition. No one from the public offered comment.

This hearing was closed at 7:06 PM. At this time, President Stultz moved to the discussion of the Petition to Vacate under New Business on the agenda. Councilman Michael McLanahan cited a conflict of interest and recused himself and did not participate in the discussion. Mrs. Webster Sill made a motion that Borough Council approve the Petition to Vacate Porter Alley and Good Lane. This motion was seconded by Mr. Pompa, and the motion carried, 6-0 with one abstention.

STAFF REPORTS AND SPECIAL BUSINESS

Ethan Imhoff gave an update on the Rails to Trails and the Lower Trail Extension. Next, Mr. Imhoff discussed the HARB and HPC membership. He advised Council that according to the state laws, they may increase the HARB Membership, as the law dictates a minimum of five members.

Representatives of the Hollidaysburg Area Public Library were there to present an update on Borough the new library project and to discuss their grant application and Council's responsibilities. Discussion was conducted about the execution of the grant for funding the library's building project. Joe Keller presented an overview of the project and a status report on the grant application. At this time, a list of questions and answers from the State had been provided for Council's information.

The Borough Solicitor advised that if Borough Council agrees to sign the application, they will have an ongoing responsibility in the "running" of the library in the future. Councilman Brenner asked that the library provide three years of their operating budget for Council's information. Bob Teeter was there to provide fund-raising status. A concern was voiced from Council that the fund-raising may run short and that even with the grant monies in place, there would not be sufficient monies to complete the project. Mr. Keller explained that if 100% of the funds for the project were not raised that they would not draw down any of the grant funds. Mr. McLanahan felt that it was a tight situation for the Borough to be in. Solicitor Karn advised that if the Borough does not enter into an agreement with the contractor for the construction, then, they will not be financially responsible.

Mrs. Webster Sill made a motion that the Borough should sign the grant agreement; contingent on the award of \$575,000.00. Mr. Joseph Pompa seconded this motion. A vote was taken with the motion carrying unanimously, 7-0.

Borough Manager John Little advised that a busy construction season is planned including additional capitol projects.

Sarah Piper, Main Street Manager, reported that the Partnership is in the midst of its membership drive and has sixteen returning members and four new ones so far. She also reported that four benches have been sold.

MAYOR'S REPORT

Mayor Dodson made his report:

- Received an Our Town Grant for the Police Department
- Patriot Park on schedule
- Veteran of the Year Award
- Holliday Hills/Golden Lane Residents - Discussion with Mr. Imhoff about the developer and the lack of Borough services to these residents. Mr. Imhoff advised that he will contact the developer.

JUNIOR COUNCIL COMMENTS

Olivia Pompa invited everyone to the Our Town play at Penn State.

PUBLIC COMMENT

President Stultz asked that anyone in the audience who wished to offer **Public Comment** to come forward at this time. The following persons were there to speak:

Ray Buzzard, 412 Holliday Hills Drive, thanked the Public Works crews for the great job of plowing the snow over the winter, he also said that the 25 mph speed limit in his neighborhood is too fast.

George Stossel, 512 Holliday Hills Drive, said that there are no speed limit signs on his street. He was advised that the signs are the developer's responsibility.

Kerry Leydig, 315 Bedford Street, would like to see two additional stop signs installed on Bedford Street near the Stuff Store and the Knights of Columbus building. He also said that when cars are parked on Bedford Street, you cannot see when you are driving and looking down towards the BCO. He would also like to see a stop sign on Newry Street (above) near Holliday Hills.

Steve Albright, 421 Bedford Street, talked about speeding on Bedford Street, the width of Bedford Street near his home, and the BCO's parking lot. President Stultz asked if Mr. Imhoff would look into the matter, and Borough Manager John Little advised that he would have a supervisor from Public Works meet with Mr. Albright to discuss the matter further.

OPEN AGENDA

President Stultz recognized members of Council to introduce issues that they would like to have placed on a future agenda. Councilman McLanahan, who was out of the country recently, expressed his disappointment about the termination of Finance Director Robert Kuntz by Borough Council. He also said that he would like the pedestrian signs moved to the side of the streets, and, are they legal? Councilman McLanahan also inquired about the use of police vehicles when Hollidaysburg Policemen work for another municipality. In addition, he is concerned about insurance coverage of officers working for other municipalities. No other councilman had anything to add to Open Agenda.

CONSENT AGENDA

President Stultz introduced Resolution No. 2010-15 to approve the **Consent Agenda**. As part of the Consent Agenda, Council needed to appoint a voting delegate and alternate to the PSAB Annual Business Meeting. At this time, Harold Burket was appointed as the voting delegate and as alternate, John Brenner. President Stultz approved Resolution No. 2010-15 to approve the Consent Agenda.

RESOLUTION NO. 2010-15 A RESOLUTION APPROVING CONSENT AGENDA

BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that:

- 1) Bill List No. 3 dated March 11, 2010, authorizes payment of expenses totaling \$380,315.87 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated monies, is hereby approved.
- 2) Young, Oakes, Brown & Company of Altoona, Pennsylvania, is hereby appointed to serve as the auditors for the Hollidaysburg Borough Authority and the Hollidaysburg Sewer Authority for fiscal year ending December 31, 2009.
- 3) Harold D. Burket is hereby designated as the Voting Delegate representing the Borough of Hollidaysburg at the Annual Convention of the Pennsylvania State Association of Boroughs to be held at the Omni William Penn from April 25-28, 2010, and John W. Brenner is designated as the Alternate.
- 4) The Geographic Information Systems (GIS) Maintenance Agreement with ESRI is hereby renewed through March 17, 2011, at a cost of \$1,900 and the officers of the Borough are authorized to execute said Agreement.

DULY adopted by the Council of the Borough of Hollidaysburg this 11th day of March, 2010.

ATTEST:

(s) John P. Stultz, Jr.
President of Council

(s) Ann M. Andrews
Secretary

UNFINISHED BUSINESS

President Stultz introduced Item 11, **Unfinished Business**.

Item 11.a, remained tabled.

Item 11.b, continued until April's meeting.

Item 11.c, discussion for the 175th Anniversary of the McLanahan Corporation, was conducted by Mayor Dodson. Mayor Dodson reported that he will work towards raising money to purchase signs to be erected at the entrances to the Borough to acknowledge the anniversary. Mr. McLanahan advised that the Mayor should contact Sean McLanahan and work with him.

Item 11d, the 175th Anniversary of the Borough, was introduced. This anniversary is next year and the committee will be led by John Brenner to organize a celebration.

Item 11.e, discussion of the Assistant Chief position. The Mayor asked that Council create an Assistant Chief position. Councilman Michael McLanahan said that this was not in the budget that was approved for this year. Mrs. Webster Sill advised that money would be saved as an Assistant Chief will not be able to earn overtime pay. A motion was made by Harold Burket to create an Assistant Chief position. This motion was seconded by Amy Webster Sill.

At this time, Attorney Karn advised that Council should set a salary for the position as well create it. Mr. Burket amended his motion to say that he recommended that Council create an Assistant Chief position at a salary of \$58,000. Mr. Webster Sill seconded this amended motion. A vote was taken and the motion carried 6 to 1 with Mr. McLanahan voting nay.

NEW BUSINESS

Resolution No. 2010-16, approving final land development plans for the McLanahan Corporation was introduced. Councilman McLanahan advised that as he had a conflict of interest, he would abstain from discussion and voting on this resolution. A motion was made by Harold Burket to recommend approval of the resolution and was seconded by Timothy Baranik. A vote was taken and the motion carried, 6-0, with Mr. McLanahan abstaining.

RESOLUTION NO. 2010-16
A RESOLUTION APPROVING THE FINAL PLANS FOR THE McLANAHAN CORPORATION

WHEREAS, an application for a land development project has been filed with the Borough of Hollidaysburg by the McLanahan Corporation (hereinafter referred to as the "DEVELOPER"); and

WHEREAS, the DEVELOPER desires to construct a new manufacturing facility at the corner of Lowe and Wall Streets (hereinafter referred to as the "PROJECT") to be located in the Borough of Hollidaysburg; and

WHEREAS, the DEVELOPER's APPLICATION for ZONING VARIANCES was approved by the HOLLIDAYSBURG ZONING HEARING BOARD on February 25, 2010; and

WHEREAS, the ZONING HEARING BOARD granted the DEVELOPER zoning variances to setback and impervious surface coverage requirements for the PROJECT; and

WHEREAS, the DEVELOPER has filed a submission for FINAL PLAN approval; and

WHEREAS, Borough staff has reviewed the FINAL PLAN and has found it to be in compliance, as a FINAL PLAN with all applicable provisions of the Borough's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the Hollidaysburg Planning Commission reviewed the FINAL PLAN at its March 2, 2010 meeting, and has forwarded a recommendation for APPROVAL to Borough Council; and

WHEREAS, BOROUGH COUNCIL has determined that this FINAL PLAN constitutes a FINAL PLAN in full compliance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the BOROUGH has the power to APPROVE a FINAL PLAN deemed to be in conformance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the DEVELOPER must comply with the Pennsylvania Uniform Construction Code and meet the following three conditions prior to commencement of the PROJECT:

1. A pavement replacement detail shall be added to the final plan for work within Borough roadway.
2. Storm sewer constructed within the Borough rights-of-way on the final plan shall have a minimum diameter of 15 inches.
3. A note addressing Borough access shall be added to the Maintenance Plan, contained within the final plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the FINAL PLAN, as filed by the Developer, is hereby approved.

RESOLVED by the Council of the Borough of Hollidaysburg this 11th day of March, 2010.

ATTEST:

(s) John P. Stultz, Jr.

President of Council

(s) Ann M. Andrews

Secretary

Next on the agenda, Resolution No. 2010-17, appointing a fair housing officer. It was recommended that Ethan Imhoff serve as the Fair Housing Officer for 2010. A motion was made that Council approve Resolution No. 2010-17 by Joseph Pompa and was seconded by John Brenner. A vote was taken and the motion carried, 7-0.

**RESOLUTION NO. 2010-17
RESOLUTION APPOINTING A FAIR HOUSING OFFICER**

WHEREAS, the Borough of Hollidaysburg has adopted a public policy that it will not discriminate in the provision of housing and related facilities; and

WHEREAS, the Borough of Hollidaysburg has determined that it is necessary to appoint a Fair Housing Officer to further its commitment to affirmatively further fair housing in the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that Ethan Imhoff is hereby appointed as the Fair Housing Officer for the Borough of Hollidaysburg.

DULY adopted by the Council of the Borough of Hollidaysburg this 11th day of March, 2010.

ATTEST: (s) John P. Stultz, Jr.
President of Council

(s) Ann M. Andrews
Secretary

Resolution No. 2010-18 designating April as Fair Housing Month was introduced. A motion was made by Amy Webster Sill and seconded by Harold Burket to adopt Resolution No. 2010-18. A vote was taken and the motion carried, 7-0.

**RESOLUTION NO. 2010-18
DESIGNATION OF APRIL 2010 AS FAIR HOUSING MONTH**

WHEREAS, the Federal Fair Housing Law, Title VIII, passed by the United States Congress in 1968 and amended in 1988, encourages states and their municipalities to endorse the principal and activities related to housing and housing development that is affirmative to furthering fair access to housing opportunities; and

WHEREAS, the Housing & Community Development Act of 1974 required all Community Development Block Grant recipients to take positive steps to recognize and affirmatively further fair housing access opportunities in their communities; and

WHEREAS, revised Community Development Block Grant Program Guidelines require recipients of CDBG funds to:

1. Conduct an analysis of fair housing impediments in their community, and
2. Take action designed to address the conditions identified as limiting to fair housing choice; and

WHEREAS, the Borough of Hollidaysburg, in conjunction with other Blair County municipalities, conducted an assessment of impediments to fair access to housing opportunities, in 1991, and updated in 1995, which concluded, in part, that the lack of awareness and education of housing opportunities are the most significant impediments to fair housing choice in these communities; and

WHEREAS, the concept and principal of fair access to housing opportunities is consistent with the community development goals and objectives of the Borough of Hollidaysburg; and

WHEREAS, Fair Housing Month is now observed throughout the nation during the month of April.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the month of April, 2010, is hereby declared **FAIR HOUSING MONTH IN THE BOROUGH OF HOLLIDAYSBURG**.

BE IT FURTHER RESOLVED that all citizens are urged to practice and support all activities intended to encourage fair housing opportunities in the Borough of Hollidaysburg.

DULY adopted by the Council of the Borough of Hollidaysburg this 11th day of March, 2010.

ATTEST:

(s) John P. Stultz, Jr.

President of Council

(s) Ann M. Andrews

Secretary

Item No. 12.d. was introduced to appoint a member to the Enterprise Committee. This position was formerly held by Councilwoman Elda Brown. At this time it was recommended that John P. Stultz, Jr. fill that position. A motion was made by Harold Burket to that effect, and was seconded by Amy Webster Sill. A vote was taken and the motion carried unanimously, 7-0.

Item 12.e. had been moved to the front of the agenda earlier in the meeting.

Item 12.f., a discussion of street signs in the Borough, was conducted by Ethan Imhoff. Mr. Imhoff advised the members of Council that new street signs to comply with state standards will be necessary on Borough streets intersect with Routes 22 and 36 by 2012. He also advised that the Public Works department can manufacture these signs at the garage. Council will need to budget the monies for this.

Parking issues at Holliday Hills Drive Circle was introduced by Timothy Baranik. Mr. Baranik stated that there are some problems with parking and dropping off and picking up at the Daycare located here. Mr. Imhoff advised that he would speak with the operator of the Daycare to see if they could resolve the problems.

EXECUTIVE SESSION

Council President Stultz announced that members of Council were moving to an Executive Session to discuss personnel and would not be returning at 9:35 P.M.