

**HOLLIDAYSBURG BOROUGH COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
THURSDAY, APRIL 14, 2011, AT 7:00 P.M.**

The meeting was called to order at 7:00 p.m. by President John P. Stultz, Jr., who presided. Present: Council members Joseph A. Pompa, Harold D. Burket, John W. Brenner, Michael W. McLanahan, Timothy M. Baranik and Amy Webster Sill. Also present: Borough Manager Mark G. Schroyer, Solicitor Nathan W. Karn, Sr., Community Development Director Ethan Imhoff, Finance Director James Gehret, Chief Jeffrey J. Ketner, Main Street Manager Jamie Baser, Director of Community Facilities Dave Zeek, Director of Water Operations Rick Pope and Borough Secretary Ann M. Andrews. Absent: Mayor Joseph R. Dodson and Jr. Council Members Lindsay Sill and Daniel Harshberger.

President Stultz led the Pledge of Allegiance to the Flag followed by a few moments of silence in honor of the men and women serving in the military.

It was moved by Mr. Baranik and seconded by Mr. Burket to approve the Minutes from the March 10, 2011 meeting. There being no objection, motion carried, 7-0.

At this time, President Stultz turned the meeting over to Community Development Director Ethan Imhoff and Solicitor Nathan Karn who conducted a conditional use hearing. Joseph Oricko, on behalf of J. R. Brown, who was present at the meeting, submitted a conditional use application for property at 118 Broad Street located in the Residential/Business (RB) Zoning District. Mr. Brown is proposing to use the property for his professional office and showroom for his remodeling business.

Mr. Imhoff stated the Planning Commission reviewed the application at its meeting on April 5th and recommended the application be approved.

Attorney Karn called for any public comments. There being none, the hearing was closed at 7:12 p.m. President Stultz stated this item will be discussed later on the Agenda and at that time, Council should direct Attorney Karn on what course of action it wishes to take.

President Stultz recognized Ethan Imhoff to conduct the first Community Development Block Grant (CDBG) hearing for the purpose of receiving citizen input into the preparation of a Community Needs Assessment and a Three Year Community Development Plan as part of the Hollidaysburg Borough 2011 Community Development Block Grant (CDBG) Entitlement Program. Mr. Imhoff stated that until the federal budget has been completed, the Borough will not know what its allocation will be. The funding may be cut by 50% or increased by 5%. Depending on the allocation, at least 70% of the funds must be used to benefit low and moderate income residents. . A second hearing will be held once the allocation is known.

Mr. Imhoff stated CDBG funds have been allocated to the Blair Street streetscape project that is currently underway and the Borough does have some left over funding from years 2007, 2008 and 2009 that could be allocated to other projects, such as: continue the Blair Street project to include the 200 and 300 blocks; sidewalk repairs and curb ramps; updating the Borough's comprehensive plan which was adopted in 1982 and Bedford Street.

Mr. Imhoff reported, per Council's direction last year, the 400 block of Bedford Street was surveyed to determine if the incomes of the residents who live there make it eligible for the use of CDBG Funds. Mr. Imhoff reported that all residents were surveyed and the block does qualify for the use of CDBG Funds.

Mr. Imhoff also reported that all projects must meet at least one (1) of three (3) objectives, which include:

- 1) Benefit low and moderate income families and persons.
- 2) Prevention or elimination of slums and blight.
- 3) Elimination or resolution of immediate situations which pose a threat to the health and safety of the community.

At this time, public comments were received.

Mrs. Elda Brown, 128 Bedford Street, stated that the Minnie Ditch project has not been satisfactorily completed and the \$25,000 should be spent where the funds were allocated for.

Mr. Brenner suggested replacing the sidewalks on the 100 block of Wayne Street.

Mr. Steve Albright, 421 Bedford Street, requested Bedford Street be considered for sidewalk repairs and traffic control improvements especially with the increase in traffic associated with the McLanahan building project and suggested a traffic study be done once the McLanahan building project is completed. Mr. Albright also expressed concerns with the sewers.

Mrs. Webster Sill suggested applying some of the excess funds for sidewalks on N. Montgomery Street. She also suggested repairing the sidewalks, putting in new electric and benches in the Business District from the Court House to below the Diamond. She also stated that an engineering study should be done.

There being no additional public comments, the hearing was closed at 7:25 p.m. A second CDBG hearing will be held once the Borough hears from DCED advising of the 2011 allocations.

At this time, President Stultz introduced Tyler Zeiders, a Hollidaysburg sophomore who recently completed an Eagle Scout project at the Canal Basin Park. Mr. Zeiders described his Eagle Scout project which consisted of installing two LED lights in front of the stage at the amphitheater and installing shelving to store band instruments and equipment. On behalf of Council, the Mayor and Staff, President Stultz thanked Mr. Zeiders on his Eagle Scout project and presented him a plaque.

Borough Manager Mark Schroyer stated that he had been approached about a possible internship with the Police Department and introduced Chris Jubeck. Mr. Jubeck, who will graduate in December from Penn State Altoona, is majoring in Criminal Justice and presented an overview of the internship program, the requirements placed on the students and the requests made to the hosting agencies. Mr. Schroyer stated that there is an issue regarding liability, but he is working with Penn Street to resolve that issue.

It was moved by Mr. Burket and seconded by Mrs. Webster Sill to authorize staff to move forward on this internship program. Motion carried 7-0.

President Stultz stated that the Financial Report as of February 28, 2011, had been included in the Council packet. Finance Director Jim Gehret had nothing additional to add to the Finance Report, but did apprise Council on a new electric cost program. He stated that this program has a residential side and employees and Council would be eligible to participate in this savings program. Mr. Gehret will see that the information on this savings program is distributed to Council.

President Stultz stated that the Building Permits issued for the month of March had been included in the packets for Council's information.

President Stultz then called on Borough Manager Mark Schroyer for additional **Staff Reports and Special Business**.

Mr. Schroyer reported on the following:

- 1) He and Solicitor Karn met with representatives from Mending Hearts Animal Rescue and they are working with Mending Hearts on some liability issues.
- 2) He had received a letter from Connie Hurd of C&G Savings wherein Ms. Hurd was proposing to donate four pet waste dispensers along the Allegheny Street Diamond District at a cost of \$160 each which comes with a 400 bag supply per unit. The Borough would need to provide a pole to set the unit on and a trash receptacle next to the unit. Ms. Hurd also mentioned in her letter that the more units purchased, the less expensive the cost and suggested the Borough may be interested in purchasing units for its parks.

Mr. Burket thought it would be a good idea and suggested using the back of the parking meters posts to house the units. Mr. Brenner suggested this could be a pilot program and why not try it. Mr. Pompa also liked the idea, but wanted to know the cost to refill the units. It was the consensus of Council to have staff move forward on this and check pricing.

Mr. Schroyer requested an Executive Session at the conclusion of the meeting to discuss the Police contract.

Mr. Schroyer asked Community Development Director Ethan Imhoff to update Council on Borough traffic projects. Mr. Imhoff updated Council on the following:

- 1) The Blair Street (Route 22) Bridge project should have the detours in place within the next week.
- 2) The Blair Street Streetscape project on the 500-700 blocks of Blair Street will begin on Monday.
- 3) A final inspection is scheduled for the Bedford Street Bridge project tomorrow, April 15th, and will be reopened to traffic.

Main Street Manager Jamie Baser was recognized by President Stultz. Ms. Baser reported on the following:

- 1) She is currently updating the Partnership data base of businesses
- 2) Continuing to work on membership and is linking data to website so that people can sign up on line for sponsorships/membership
- 3) Working on a Welcome to Hollidaysburg coupon page with map to distribute at the Court House. Will be especially useful during jury duty selection.
- 4) Facade improvement project is moving forward.

President Stultz stated that due to a family illness, Mayor Dodson was absent, but he recognized Police Chief Jeffrey Ketner. Chief Ketner reported on the funds received by Mayor Dodson for the 175th Anniversary of the Borough. He also stated that Poof Industries is donating 1,000 Slinky's with the Borough's logo and 175th anniversary embossed on them that the Borough can use as a fund raiser.

Since both Jr. Council members Lindsay Sill and Daniel Harshberger were absent, there was no report.

President Stultz called for **Public Comments.**

Attorney David Consiglio, representing John Young, the Ports and the Bundys who reside on Summit Drive in Blair Township, came before Council in opposition to the proposed construction of a tower the Borough Water Authority is considering in connection with the Flex Net System.

Mr. John Young, 119 Summit Drive and Mr. Neil Port, 125 Summit Drive both spoke in opposition to the tower site.

Rick Pope, Director of Water Operations highlighted the proposed project and answered questions regarding the project. He stated the Borough Authority owns the ground that the Authority is looking to install the tower, though the ground is located in Blair Township.

Lengthy discussion followed. Understanding that Council did not have a vote that this was the decision of the Borough Authority, staff was asked to provide Council with costs and alternative locations for the May Council meeting.

Mr. Paul Plummer, 905 Penn Street came before Council stating an ethics violation had occurred involving Council member McLanahan at the January 11th meeting. He stated that Mr. McLanahan had a conflict of interest and should not have voted on any issues with respect to the Hollidaysburg Community Partnership and Main Street Manager since he was a member of the Partnership.

Mr. Mike Rader, 125 Bedford Street came before Council with respect to Porter Alley Bridge. Mr. Rader talked with the owner of the property next to his and both would like the alley to remain open.

To follow up on Mr. Rader's comments, Mr. Schroyer stated that a bridge study had been conducted and in discussions with residents in the area of Porter Alley, half of the residents wanted the alley to remain open and the other half wanted it closed. Just this past week, a large vehicle drove over the bridge and damaged the culvert so the bridge is now closed. To not open the bridge would create problems for the Public Works Department when plowing snow, so it was staff's recommendation to use Borough forces and materials to fix the culvert to bring the bridge up to acceptable standards. It was moved by Mr. Burket and seconded by Mr. Baranik to accept the staff recommendation to repair the bridge and culvert. Motion carried 7-0.

Mr. Robert Schaefer, 606 Blair Street discussed the Blair Street Streetscape project and the use of decorative vinyl inlay crosswalks. Mr. Schroyer stated that when Community Development Director Ethan Imhoff met with the residents, one of the biggest concerns was traffic. It was suggested that decorative inlays be installed. Mr. Schroyer and Mr. Imhoff have discussed the vinyl inlays and have made modifications to the project. The crosswalks will be painted with crosshatching design and the Borough will not use the vinyl inlay.

Mr. Schaefer also asked if the Route 36 bridge could be posted regarding the use of jake brakes. Mr. Schaefer was informed that Route 36 bridge does not meet the PennDOT standards and nothing can be posted.

Mr. Steve Albright, 421 Bedford Street stated that with the new Bedford Street bridge, he has concerns with traffic and speeding and who should he call regarding traffic issues. Mr. Schroyer advised Mr. Albright to contact the Police Department.

Mr. Tim Beresnyak, 505 Mulberry Street came before Council regarding the Blair Street Streetscape project and expressed concern about the lighting. President Stultz advised Mr. Beresnyak to contact Community Development Director Ethan Imhoff to review the proposed plans for the project.

There being no additional public comment, President Stultz recognized Council for **Open Agenda items, which are items to be included on a future agenda.**

Mr. Burket reported on the Annual PA State Association of Boroughs (PSAB) Conference he recently attended and the resolution package he was going to present at the next South Central Counties Boroughs Association (SCCBA) meeting. He also suggested the Jr. Council program be placed on a future meeting.

Mr. Baranik asked to discuss a Code of Ethics at the May meeting. Mr. Baranik will get information to Borough Secretary Ann Andrews for the meeting.

Mr. Brenner asked about using CDBG Funds to replace the sidewalk and curbing on the 100 block of Wayne Street and in particular, George Zeek's property at 109 Wayne Street. He also stated the alley is crushed from garbage trucks, causing flooding to Mr. Zeek's basement and wanted to know if the Borough could fix this. Mr. Schroyer stated many areas in the Borough need sidewalks and curbing and it should be the responsibility of each property owner to install/repair. With respect to the alley, Mr. Schroyer stated that Public Works would look into this.

Mr. McLanahan stated that he would not be able to attend the May 5th meeting of the Public Access Channel Committee meeting and asked if another member of Council could attend in his place. Both Mr. Brenner and Mrs. Webster Sill volunteered. Mrs. Webster Sill to attend and in the event Mrs. Sill is unable, Mr. Brenner will be the alternate and will attend.

Mr. McLanahan addressed Mr. Plummer's perceived accusation that he (Mr. McLanahan) had violated the Ethics Law. Mr. McLanahan stated that it is true he is a member of the Hollidaysburg Community Partnership, but is not a Board Member and he has never received any "in kind" services. He further stated that this issue is not any different than Council members voting on Library issues if they have a library card.

Mrs. Webster Sill stated that she, too, had attended the PSAB Conference. She further stated that one of the issues dealt with negative effect of increasing taxes and she suggested that the budget process be started much earlier this year than in past years so as to avoid a tax increase.

President Stultz asked that a letter of support be sent to keep the 814 area code here and not given to Erie. It was moved by Mr. Burket and seconded by Mr. Brenner that a letter of support be sent. Motion carried 7-0. Mr. Burket stated he would discuss this at the SCCBA meeting, as well.

At this time, President Stultz recognized Manager Mark Schroyer to present the **Consent Agenda**. The following items were presented:

- 10.a.) Approve Bill List 4**
- 10.b.) Bedford Street Bridge Project**
 - i. Approve Pay Estimate No. 4 - DeLozier Construction**
- 10.d.) Approve Certificates of Appropriateness**

It was moved by Mr. Pompa and seconded by Mr. Burket to approved Consent Agenda items 10.a, 10.b, and 10.d. There being no objection, motion carried 7-0.

Consent Agenda item 10.c. - Blair Street Streetscape Project -

- 10.c. (i.) Award Construction Contract - M&B Construction**
- 10.c. (ii.) Award Inspection Contract - Stiffler-McGraw**

Mr. Imhoff presented an overview of the Blair Street Streetscape and following little discussion, it was moved by Mr. Pompa and seconded by Mr. Burket to approve Consent Agenda item 10.c. Motion carried unanimously, 7-0.

Since there was no **Unfinished Business**, the following **New Business** was presented:

RESOLUTION NO. 2011-12 - DESIGNATING HISTORIC PRESERVATION MONTH

It was moved by Mr. Brenner and seconded by Mrs. Webster Sill to adopt Resolution No. 2011-12 designating May as Historic Preservation Month in the Borough.

RESOLUTION NO. 2011-12

A RESOLUTION DESIGNATING HISTORIC PRESERVATION MONTH

WHEREAS, the Borough of Hollidaysburg contains an area of such significant architectural style and character as to be recognized and designated by the United States Department of the Interior, to the National Register of Historic Places and Sites; and

WHEREAS, such national recognition attests to the heritage and historical significance of the role Hollidaysburg has played in the growth and development of America and this region; and

WHEREAS, the Borough of Hollidaysburg has established its dedication to the preservation of the historical character and style represented in Hollidaysburg by designating the Hollidaysburg Historic District, the Hollidaysburg Historic Preservation Commission and Historic Architectural Review Board as a community resource for the protection of these historic assets; and

WHEREAS, the Borough of Hollidaysburg wishes to inform and advise the population of the importance of preserving and protecting these valuable historic assets of Hollidaysburg; and

WHEREAS, the month of May has been widely proclaimed as Historic Preservation Month.

NOW, THEREFORE, the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, hereby designates May as “**Historic Preservation Month**,” and encourages all citizens to become aware of their heritage and benefits thereof.

DULY adopted by the Council of the Borough of Hollidaysburg, this 14th day of April, 2011.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary

There being no objection to the motion, Resolution No. 2011-12 designating Historic Preservation Month was adopted, 7-0.

RESOLUTION NO. 2011-13 - APPROVING FINAL PLANS - HUNT CLUB APARTMENTS

Mr. Imhoff stated that Keystone Custom Homes has submitted final land development plans for a new residential land development in Holliday Hills development. The project consists of four apartment units that will contain four dwelling units each. The Planning Commission reviewed the plans at the April 5th meeting and recommended approval with the six conditions noted in the resolution.

It was moved by Mr. McLanahan and seconded by Mrs. Webster Sill to adopt Resolution No. 2011-13 approving final plans for Hunt Club Apartments.

RESOLUTION NO. 2011-13

**APPROVING FINAL LAND DEVELOPMENT PLANS FOR
KEYSTONE CUSTOM HOMES**

WHEREAS, an application for a land development project has been filed with the Borough of Hollidaysburg by Young Engineers, on behalf of Keystone Custom Homes, (hereinafter referred to as the "DEVELOPER"); and

WHEREAS, the DEVELOPER desires to construct four new townhouse units along Holliday Hills Drive (hereinafter referred to as the "PROJECT"), to be located in the Borough of Hollidaysburg; and

WHEREAS, the DEVELOPER was granted PRELIMINARY PLAN APPROVAL for the PROJECT by BOROUGH COUNCIL at their January 13, 2011 meeting; 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 April 5, 2011 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 shall be in possession of an approved erosion and sedimentation control plan or NPDES permit from the Blair County Conservation District prior to the issuance of any permits; and

WHEREAS, the DEVELOPER must comply with the Pennsylvania Uniform Construction Code and obtain all applicable permits prior to commencement of the PROJECT.

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, with the following conditions to be satisfied prior to the issuance of any permits:

1. Stormwater management plan is based off of 0.14 acres of new impervious area. The roof area is estimated at 8,064 square feet, or 0.19 acres. Also, the parking area and sidewalk do not appear to be accounted for in the stormwater design. The stormwater management plan shall be revised accordingly. Also, a curve number of 98 needs to be used for impervious areas.
2. The existing water line and service lines shall be shown on the plans.
3. Any proposed lighting shall be shown on the plan, including specifications, pole height and illumination data. Consideration should be given to glare for traffic on Holliday Hills Drive as well as the residential properties on Quince Court.
4. The infiltration area shall be shown on the landscaping plan.
5. Plans shall be reviewed by the Blair County Planning Commission.

RESOLVED by the Council of the Borough of Hollidaysburg this 14th day of April, 2011.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary

There being no objection to the motion, Resolution No. 2011-13 approving final plans for Hunt Club Apartments was adopted, 7-0.

President Stultz stated that **New Business Agenda Item 12.c. Flex Net System - Cow Hill Tower Site and 12.d. - Porter Alley** have both been discussed earlier on the Agenda.

AUTHORIZE SALE OF POLICE VEHICLES

Mr. Schroyer asked Council to authorize the advertisement to accept sealed bids for the sale of two police vehicles; a 1997 Ford Crown Victoria and a 2003 Ford Crown Victoria. It was moved by Mr. Pompa and seconded by Mr. Burket to authorize the advertisement of bids. There being no objection, motion carried 7-0.

ON-LINE CREDIT CARD PAYMENT OPTION

Finance Director Jim Gehret presented information and a spreadsheet to Council with respect to accepting water and sewer payments via credit cards online. This service would be provided to customers wishing to make their payment online and the customer would be charged a convenience charge for the service. Mr. Gehret stated that he was looking at PLGIT and the Borough's software company, Harris. Following discussion, it was moved by Mrs. Webster Sill and seconded by Mr. Baranik that staff contract with PLGIT. Motion carried, 7-0.

DISCUSSION - TRAFFIC CODE

Mr. Schroyer stated he had been contacted by The Allegheny Club requesting the possibility of installing an additional handicapped parking space in front of their establishment located at 317 Front Street. It was moved by Mr. Burket and seconded by Mr. Brenner to move forward on this request for an additional handicapped parking space. Motion carried 7-0.

DISCUSSION - CONDITIONAL USE - 118 BROAD STREET

It was moved by Mr. Pompa and seconded by Mr. Brenner to direct Attorney Karn to prepare Findings of Fact, Conclusions of Law and Decision to approve the conditional use application. There being no objection, motion carried 7-0.

DISCUSSION - STOWELL FARM ZONING CHANGES

Mr. Imhoff stated that due to airport delays, the architect was unable to make the meeting. Mr. Imhoff reported that the owner of the Stowell Farm, Tim, Albright, requests a special meeting with Council before the May meeting to discuss this item. It was moved by Mr. Pompa and seconded by Mrs. Webster Sill that no special meeting be held that this item be tabled until the May 12th meeting. Motion carried unanimously, 7-0.

President Stultz stated that Council would hold an Executive Session for the purpose of discussing labor negotiations/personnel. He then adjourned the meeting at 9:55 p.m.