

**HOLLIDAYSBURG BOROUGH COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
TUESDAY, JUNE 29, 2010, AT 7:00 P.M.**

The meeting from June 17, 2010, was reconvened 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 J. Michael Dorezas, Finance Director James Gehret, Chief Jeffrey J. Ketner, Jr. Council members Lindsay Sill and Olivia Pompa (8:15 p.m) and Borough Secretary Ann M. Andrews. Absent: Community Development Director Ethan Imhoff.

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.

President Stultz introduced Borough Manager Mark Schroyer.

Under **Staff Reports and Special Business**, President Stultz called on Joe Keller. Mr. Keller reported on the status and fund raising efforts too date on the Hollidaysburg Library. Mr. Keller stated that, with the monies raised to date; the Keystone Grant in the amount of \$575,000, the ongoing fund raising efforts and the sale of the existing library, the project is moving forward. The advertisement of bids is expected to take place in mid-July with bids to be opened in August and contract award in September.

Mr. McLanahan stated that he is in favor of the library, but he is not in favor of the Borough accepting the Keystone Grant, as there are too many restrictions attached to the acceptance and urged the library to find other funding sources. Although Mr. Brenner was also in support of the library, he, too, expressed concerns that the burden would be placed on the Borough and the taxpayers.

President Stultz thanked Mr. Keller for his report.

Under **Staff Reports and Special Business**, President Stultz stated that the Zoning Permit report would be filed. He then called on Finance Director Jim Gehret for a report. Mr. Gehret reported that Council had received budgetary status reports for several funds along with summary sheets and detailed quarterly reports and responded to questions.

President Stultz recognized Mayor Dodson for his report. Mayor Dodson stated that since Holliday Hills Drive was paved, he has received complaints about the speed. Mayor Dodson stated that a study had been done previously which allowed for the installation of 25 mph signs and perhaps the upper end of Holliday Hills Drive could be posted and the crosswalk painted at Baldwin Lane. Mayor Dodson thanked the Police and Fire Company, as well as Dave Zeek, Rick Pope and the Public Works crews for all their help at Patriot Park. The Park will be dedicated on August 14th at 2:00 p.m. Mayor Dodson encouraged Council to support the Library.

President Stultz called for **Public Comments** at this time.

Mr. Stephen Martz, 420 Penn Street came before Council to discuss the Hollidaysburg Community Partnership and the Main Street Manager Program. Mr. Martz presented history on Main Street Manager program beginning with its inception and continuing forward. Mr. Martz stated he could not say enough about the importance and how valuable the Main Street Program is.

Mr. Rich Reimer, 420 E. Fir Street, discussed the importance of the \$575,000 grant for the library and asked for Council's support, including the support of Mr. McLanahan. Mr. McLanahan stated that he wanted to see the library built as it would be a great asset, but, again, expressed concern over the strings being attached by the State which obligates the Borough should the library default.

Mr. J. T. Tidd, 506 Allegheny Street, Chairman of the Hollidaysburg Community Partnership, echoed Mr. Martz' comments. While Mr. Martz gave historical data, Mr. Tidd reported on how the Main Street Manager Program is funded in other communities.

Mrs. Janet Eldred, 413 Bella Street, Library Director, and Miss Melanie Ramsay, Director of the Children's programs, asked Council to support the library expansion and accept the \$575,000 grant.

Mrs. Astride McLanahan, 1111 Pine Street, read the exit letter prepared by former Main Street Manager Sarah Piper summarizing some of the Community Partnership's most notable accomplishments during her tenure. Mrs. McLanahan noted that Hollidaysburg has a very active Business District and urged Council to support the Main Street Manager program.

Mrs. McLanahan also spoke in support of the library expansion. She suggested instead of utilizing state funds, that a "community build" project be undertaken. Other communities have undertaken such a project and felt that Hollidaysburg could do this, as well.

Mr. Jamie VanBuren, 155 Stratford Court, partner in the Downtown Development Corporation, stated that without the Hollidaysburg Community Partnership and Main Street Manager, his corporation would not have made the investments in Hollidaysburg. Mr. VanBuren asked Council to support the Main Street program and the Downtown Development Corporation will support the Borough.

Mr. Keith Eldred, 413 Bella Street, stated that trying to raise the necessary funds to construct the new library is a challenge and wished Council well in making its decision.

Mr. Pat Baechle, 408 Union Street, came in support of the Main Street program and urged Council to support the Main Street Manager program and not dilute it with part time or outside consultants. He questioned whether Council was aware of how much effort goes into raising monies for the festivals, Pumpkinfest, concerts, Winterfest, not to mention begging people to volunteer for the events.

Mr. Paul Plummer, 905 Penn Street, stated that the Main Street Program is fine, the issue is the deceit and it's criminal. He stated that the funding of the Main Street Program was not made known to Council by a previous manager nor the previous finance director.

Mr. Joe Keller, 420 Allegheny Street, stated that he has been involved with the Community Partnership for 10-15 years and for several years had been a past President of the Board. He further stated that the Board has a good core of volunteers with Dave Zeek, Rick Pope, the Fire Company, etc., but the Board feels a manager is needed to organize the events. Mr. Keller further stated that the Partnership did discuss the debt with previous managers and did not feel there was any deception.

President Stultz moved to **New Business Item 12.h - Discussion on the Main Street Program**. Mr. Burket stated there is a deficit of \$158,000 and Council was not informed. He also stated that the Manager/Council were not involved in the hiring of the new Main Street Manager. Although Mr. Pompa felt the Main Street Manager Program was needed, he was concerned about how to make up the shortfall as well as accountability of the funds. Mr. Baranik expressed disappointment in how the Partnership Board could hire a new Main Street Manager knowing of the concerns Council previously expressed over the funding. Mr. Brenner stated that the Borough must balance the budget this year and there are issues as to whether there will be enough money to fund the Main Street Program or not. Mr. Brenner further stated that Council must make a decision for all the residents. Mr. McLanahan concurred with Mr. Brenner's comments and stated that he is in favor of the program. Mrs. Webster Sill, although enjoys the Main Street Program, stated that there has been false information supplied to Council in the past. She has come to learn that the Borough has been paying the salary of the Main Street Manager, benefits, taxes, etc. and that the manager is an employee of the Borough. Mrs. Webster Sill stated she had found out earlier in the week that there was a new Main Street Manager, hired by the Partnership and that the Borough Manager was not involved in the process.

Following 45 minutes of discussion, President Stultz suggested getting the officers of the Hollidaysburg Community Partnership Board, the Borough Manager and the Finance Director together to discuss the Program and report back to Council. Community Board President J.T. Tidd stated that nothing has changed in the way things have been done over the past 20 years and also stated that the Borough Manager had been involved in the interviews and hiring process. Mr. Tidd also stated that former Finance Director Bob Kuntz advised members of the Partnership Board as well as former Borough Manager John Little about the funding deficit and that Mr. Little was to discuss the deficit with Council.

It was moved by Mr. Pompa and seconded by Mrs. Webster Sill that the program continue until the Partnership Board, the Borough Manager and Finance Director get together to discuss the Main Street Program and to report their findings back to Council at the August meeting. As part of the motion, Council is to be informed of the date and time of the meeting should any of the Council members wish to attend. Motion carried 7-0.

President Stultz recognized Jr. Council members Olivia Pompa and Lindsay Sill. Miss Pompa and Miss Sill reported on a program, Safe Routes to School, wherein sidewalks will be constructed on Montgomery Street to the Senior High School. The School and the Borough have been working together on this program. Miss Sill welcomed the new Borough Manager. Miss Pompa, whose term as Jr. Council member ended with her graduating, thanked Council for the opportunity to serve. At this time, Mrs. Webster Sill presented Miss Pompa with a plaque in appreciation for her service as Jr. Council Member. Mrs. Webster Sill announced that Miss Pompa had received a scholarship from the PA State Association of Boroughs (PSAB) in the amount of \$1,000.

President Stultz recognized Council for **Open Agenda items, which are items to be included on a future agenda.**

Mr. McLanahan reported on his recent Cable Review Committee meeting and the Public Access Channel. Mr. McLanahan will keep Council apprised on any future meetings or activities of the Review Committee.

Mr. McLanahan asked to have a discussion regarding regulating bee hives placed on the next agenda.

Mr. McLahan stated the need to have trash containers on Allegheny emptied more often.

Mrs. Webster Sill requested a stop sign at Beech Street and Maple Avenue or paint crosswalks.

Mr. Baranik welcomed new Borough Manager Mark Schroyer and congratulated Miss Pompa on graduating high school and her acceptance to Drexel University.

Mr. Baranik presented a petition with 144 signatures from Kerry Leydig who owns the True Value Hardware Store on Bedford Street. The petitioners are requesting the installation of stop signs on Bedford and Basin Streets.

Mr. Baranik also presented a letter from Rich & Joyce Lowe, 102 Quince Court, thanking Council for the completion of Patriot Park; recognizing Rick Pope and the Water Department in locating a water leak in their neighborhood and thanking Council for the recent improvements in Holliday Hills.

With respect to the paving improvements on Holliday Hills, speed has become an issue and Mr. & Mrs. Lowe were requesting the installation of speed limit signs on Holliday Hills Drive; no outlet sign at Jackson Farm Drive at the Circle; dead end sign at the end of Jackson Farm Drive; paint crosswalks at intersections at Holliday Hills Circle and the installation of stop signs at Jackson Farm Drive at the second intersection at Quince Court.

It was moved by Mr. Baranik and seconded by Mr. Burket to install speed limit signs and look to the developer for reimbursement. Motion carried 7-0.

The following **Unfinished Business** was presented:

LIGHTING, LANDSCAPING & SIGNAGE ORDINANCE AMENDMENTS

Remained tabled.

ORDINANCE AMENDING CHAPTER 26, PART 20 - ACT 2 RELEASE OF LIABILITY UNDERGROUND STORAGE TANK REMEDIATION

Attorney Dorezas updated Council regarding whether DEP would be issue an Act 2 release with respect to the underground storage tanks and well monitoring. Attorney Dorezas stated that DEP has put a further stipulation on the Borough requiring the one final reading of each of the ten wells be taken. No active monitoring has been done on the wells for the past two years. Mountain Research would undertake the final monitoring of the ten wells at a cost of approximately \$1,200. It was moved by Mr. Burket and seconded by Mr. McLanahan to authorize Mountain Research to undertake the final monitoring of the ten well. Motion carried 7-0.

CLOCK ON THE DIAMOND

President Stultz reported that he had talked with Diane Osgood, owner of the clock, and she is planning to have the clock repaired at a cost of approximately \$1,000 and after the repairs have been made and the clock is working, Mrs. Osgood would like to donate the clock to the Borough.

New Business was presented as follows:

RESOLUTION NO. 2010-30 - ACCEPTING A DEED OF EASEMENT WITH PENELEC

Penelec has requested an easement from the Borough across Vista Alley in Holliday Hills development in order to accommodate an existing utility box which Penelec would like to relocate across Vista Alley. It was moved by Mrs. Webster Sill and seconded by Mr. Burket to adopt Resolution No. 2010-30 accepting Deed of Easement with Penelec.

RESOLUTION NO. 2010-30

**A RESOLUTION AUTHORIZING A DEED OF EASEMENT WITH PENELEC AT
VISTA ALLEY**

BE IT RESOLVED by the Council of the Borough of Hollidaysburg, that the deed of easement across Vista Alley, attached hereto as Exhibit A, is hereby approved.

BE IT FURTHER RESOLVED that the officers of the Borough, including the Borough Manager, are hereby authorized to execute any and all documents necessary for the recordation of the deed of easement.

DULY approved by the Council of the Borough of Hollidaysburg this 29th day of June, 2010.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary

There being no objection to the motion, Resolution No. 2010-30 accepting a deed of easement with Penelec was unanimously adopted, 7-0.

RESOLUTION NO. 2010-31 - RESTATING & AMENDING THE IRC GUIDELINES

Mr. John Frederick, Director of the Intermunicipal Relations Committee (IRC) and his assistant Ms. Katrina Pope were in attendance to discuss amendments to the IRC guidelines. Mr. Frederick highlighted the proposed changes and also informed Council that additional recycling bins had been ordered at no cost to any of the recycling communities (Altoona, Logan Township, Tyrone and Hollidaysburg Boroughs) and a new packer truck was ordered using funds obtained by a performance grant.

Following discussion, it was moved by Mr. Pompa and seconded by Mr. Brenner to adopt Resolution No. 2010-31 Restating & Amending the IRC Guidelines.

RESOLUTION NO. 2010-31

Proposed March 2010

Draft of 4/28/10

**RESTATING AND AMENDING THE RECYCLING GUIDELINES FOR
THE BOROUGH OF HOLLIDAYSBURG**

WHEREAS, the Borough of Hollidaysburg adopted certain Recycling Guidelines pursuant to Chapter 20 Part 2 Section 204 of the Borough of Hollidaysburg Code of Ordinances; and

WHEREAS, numerous amendments have been made to said Recycling Guidelines since the time of their adoption; and

WHEREAS, for purposes of clarity the Borough of Hollidaysburg desires to restate said Recycling Guidelines as amended into one document; and

WHEREAS, the Borough of Hollidaysburg also desires to amend said Recycling Guidelines, as restated, to update them with regard to certain changes in state law and Municipality ordinances, all as hereinafter set forth.

NOW THEREFORE, be it resolved and the same is hereby resolved, by the Borough Council of Hollidaysburg that the Recycling Guidelines attached hereto as Exhibit "A" , which Exhibit "A" is hereby incorporated into this Resolution, are hereby adopted and shall replace in its entirety the Borough of Hollidaysburg Resolution R 90-96 and the amendments thereto.

DULY adopted by the Council of the Borough of Hollidaysburg this 29th day of June, 2010.

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

ATTEST:

(s) Ann M. Andrews
Secretary

There being no objection to the motion, Resolution No. 2010-31 restating and amending the IRC Guidelines was unanimously adopted, 7-0.

RESOLUTION NO. 2010-32 - AUTHORIZING SOLICITOR TO EXECUTE STIPULATION OF COUNCIL - TAX EXEMPT STATUS - KEYSTONE SERVICE SYSTEM, INC.

Keystone Service System, Inc. (KSS) filed a request with the Blair County Board of Assessment, Appeals and Revisions asking that they be grant tax exempt status for the property at 914 Edgar Street which provides a group home for individuals with disabilities.

It was moved by Mr. McLanahan and seconded by Mr. Pompa to table this item under staff checks into whether the property is zoned for group homes and to also determine the amount of taxes that would be lost on granting the tax exempt status. Motion carried, 7-0 to table this item.

DISCUSSION - BOROUGH SOLICITOR POSITION

A letter had been received from Attorney Michael Dorezas of Evey Black Law Firm resigning his position as Borough Solicitor effective June 30, 2010. Attorney Dorezas has indicated that Evey Black would like to continue serving as Borough Solicitor and Nathan Karn would be the partner to act as Solicitor should Council so desire.

Following discussion, it was moved by Mr. McLanahan and seconded by Mr. Pompa to retain Nathan Karn as Solicitor until the end of the year and direct the Manager to develop Requests for Proposal for the Solicitor position for a three year term. Motion carried, 7-0. Attorney Dorezas was thanked for his many years of service to the Borough.

DISCUSSION - REQUEST FOR STOP SIGN AT ALLEGHENY & BELLA STREETS

Staff had been contacted by a resident reporting excessive speed on Allegheny Street and asked to have a stop sign installed at Allegheny and Bella Streets. Chief Ketner stated that stop signs should not be used to deter speeding and was not in favor of the installation of 4-way stop signs.

This request will be placed on the next agenda, along with the Beech Street request; the Bedford Street petition and the request Mr. & Mrs. Lowe from Holliday Hills.

DISCUSSION - APPOINTMENT TO HISTORIC PRESERVATION COMMISSION (HPC)

In light of the earlier discussions regarding the Main Street Manager program, it was moved by Mrs. Webster Sill and seconded by Mr. Baranik to table this issue. Motion carried 7-0.

DISCUSSION - FLEX NET PROGRAM

President Stultz recognized Rick Pope, Director of Water Operations, at this time. Mr. Pope reported that over the past two years, the Borough Authority has been looking into ways to improve the quality and service being provided to its water customers. The Authority has decided to upgrade its meter reading techniques from a "touch pad" system to a "radio-read" system. By installing such a system would increase customer service, improve leak detection, etc. Mr. Pope stated that the Borough Authority would pay for 60% of the cost and the Sewer Authority has agreed to pay 40%. The current staffing position (meter reader) would remain unchanged for years one and two and reduced to part time in year three, after which time, the position could be eliminated.

Following discussion, it was the consensus of Council to allow the Borough Authority and its staff to move forward and authorize the Borough Manager execute the necessary purchase orders or requisitions.

DISCUSSION - AMBULANCE SITE - LEGION PARK

At the June 17th Council meeting, Mr. Pompa had questioned where the new ambulance building would be erected at Legion Park and where traffic would enter and exit and requested a representative from the Ambulance Service attend this meeting.

Attorney Sean Burke, representing the Ambulance Service, stated that architect drawings had just been received and would need to be reviewed. Attorney Burke stated that both the Planning Commission and Council would need to review the plans and make any recommendations prior to any final plan approval.

There being no further business to be presented, President Stultz announced Council would hold an Executive Session to discuss pending litigation and adjourned the meeting at 10:12 p.m.