

**HOLLIDAYSBURG BOROUGH COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING
THURSDAY, JUNE 9, 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 J. Michael Dorezas, Finance Director James Gehret, Sgt. Rodney Estep, Main Street Manager Jamie Baser, Director of Water Operations Rick Pope, Jr. Council Members Lindsay Sill and Borough Secretary Ann M. Andrews. Absent: Mayor Joseph R. Dodson, Chief Jeffrey J. Ketner and Jr. Council Member 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. Pompa and seconded by Mr. Brenner to approve the Minutes from the May 12, 2011, meeting. Mr. McLanahan stated that since he was absent from the May 12th meeting, he would not vote on the approval. Motion carried (6) with one abstention.

President Stultz stated that the Building Permits issued for the month had been included in the packets for Council's information. A copy of the Finance Report for the month of May had also been included. Finance Director Jim Gehret reported that John Brenner just gave him a check from the Hollidaysburg Area Recreation Commission (HARC) reimbursing the Borough for its share of contributions to the HARC which has dissolved.

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

Mr. Schroyer briefed Council on the following:

- 1) Brush Mountain Waterline Project
- 2) Blair Street Streetscape Project - Completion date is scheduled for August 11th, but is ahead of schedule and may be complete by mid-July.
- 3) 175th Anniversary Committee meeting - June 22nd at 5:00 p.m.

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

- 1) Downtown LIVE! scheduled for June 23rd at 6:00 p.m. with the band, Half Tempted.
- 2) Farmers' Market begins on Friday, July 8th from 10:00 a.m. until 1:00 p.m. She stated that this year, the Partnership will be having a Farmers' Market on Tuesday evenings beginning July 12th from 4:00 p.m. until 7:00 p.m. Businesses will be encouraged to stay open. Craft vendors are being asked to come in, as well.
- 3) July 9th will be the Sloppy Socks Run

In the absence of Mayor Dodson, Manager Schroyer reported that the Mayor reminded everyone that the next 175th Anniversary meeting would be held June 22nd in the Council Chambers at 5:00 p.m. and he is still working on sponsorships. Approximate total raised to date is \$10,000. Mr. Schroyer stated that the Mayor also asked everyone to support our service organizations.

President Stultz called upon Jr. Council member Lindsay Sill for any report. Miss Sill thanked the Police Department for the great job they did at the prom and at Monday evening's graduation.

President Stultz thanked Miss Sill for her service as Jr. Council member and congratulated her on her graduation.

President Stultz called for **Public Comments.**

J. T. Tidd, President of the Hollidaysburg Community Partnership and business owner at 506 Allegheny Street, came before Council to express the appreciation of the officers and Board Members of the Partnership on the good working relationship with the Board and the Borough Council and staff.

Mr. Steve Albright, 421 Bedford Street asked if CDBG funds would be used on Bedford Street; if there was anything the Borough Police could do regarding the excessive speeding on Bedford Street and what percentage of the tax base of the Borough is or what the Borough may be gaining in the tax base in the future. President Stultz stated that staff will look into Mr. Albright's concerns.

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

Mrs. Webster Sill asked to discuss additional funding to complete sidewalks on N. Montgomery Street.

Mr. Burket thanked the residents at Graystone for watering the flowers at Patriot Park. Mr. Burket expressed concern regarding trees at Highland Hall leaning out onto the streets.

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

- a) Approve Bill List No. 5
- b) Approve Bedford Street Pay Estimate No. 6 - DeLozier Construction
- c) Approve Blair Street Streetscape Pay Estimate No. 2 - M&B Construction
- d) Award Bid - Surplus Equipment - Police Cars
- e) Approve Certificates of Appropriateness

It was moved by Mr. Pompa and seconded by Mr. Burket to adopt Resolution No. 2011-23 approving the Consent Agenda.

RESOLUTION NO. 2011-23

A RESOLUTION APPROVING CONSENT AGENDA

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

- A) Bill List No. 6 dated June 9, 2011, authorizes payment of expenses totaling \$606,560.11 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated monies, is hereby approved.
- B) Payments and change orders in connection with the Bedford Street Bridge Project are hereby approved, as follows:
 - i) Pay Estimate No. 6 for DeLozier Construction - \$3,969.83
- C) Payments and change orders in connection with the Blair Street Streetscape Project are hereby approved, as follows:
 - i) Pay Estimate No. 2 for M & B Construction - \$124,517.95
- D) Sealed bids were received on June 1, 2011, for two (2) Ford Crown Victoria police vehicles. Staff recommends that the bids for the 1997 Ford Crown Victoria be rejected and the bid for the 2003 Ford Crown Victoria be awarded to Chicago Motors, LLC of Chicago, Illinois in the amount of \$407.00.
- E) The following Certificates of Appropriateness are hereby approved and the Zoning Officer is authorized to issue a Certificate of Appropriateness:
 - i) 211 Allegheny Street - Business Signage

DULY adopted by the Council of the Borough of Hollidaysburg this 9th day of June , 2011.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary
Council Minutes

There being no objection to the motion, Resolution No. 2011-14 approving the Consent Agenda was adopted, 7-0.

The following **Unfinished Business** was presented:

ETHICS CODE

Mr. Schroyer stated that this issue had been brought up by Council member Baranik. Mr. Schroyer further stated that Solicitor Karn had researched Ebensburg's Ethics Code and made several recommendations, and it is up to Council as to what they wish to do.

Mr. Baranik stated that the PA State Association of Boroughs recommended that municipalities adopt an Ethics Code so he requested a copy of Ebensburg's. Mr. Baranik stated he had no problems with making the corrections Solicitor Karn suggested. Mr. McLanahan stated that the State Ethics Code is concise and Council has not had any problems, so why waste money. Mr. Brenner and Mr. Pompa concurred that Council would fall under the State Ethics Code which is stricter than Ebensburg's Ethics Code. Solicitor Dorezas suggested conducting a work session on the Ethics Law, etc. such as what had been done in prior years when new Council members were sworn in. Finance Director Jim Gehret attended a seminar recently and brought back a copy of the Ethics pamphlet and would request copies for Council. Mr. Gehret was asked, to get the booklets for distribution at the next meeting, if possible.

STOWELL FARM ZONING CHANGES

Mr. Schroyer stated that developer Tim Albright submitted a letter requesting a zoning amendment to change the zoning classification from a Traditional Neighborhood District to a different classification, such as an R-2 (General Residential) in order to develop the Stowell Farm into a residential neighborhood geared to age 55 and older with a mix of commercial and light industrial.

Attorney Dorezas stated that the first step would be for Mr. Albright to present a petition stating what the current zoning classification is, why the current zoning won't work and what zoning classification the developer is requesting. The Planning Commission would review the request and submit its recommendations to Council. Council would then advertise and hold a public hearing on the petition for a zoning change.

Mr. Pompa questioned the infrastructure and suggested a meeting with staff from water and sewer, fire, police and ambulance and the developer be held. Mr. Schroyer will schedule said meeting. Mr. Albright is to present a petition requesting the zoning change.

The following items were presented under **New Business**:

**RESOLUTION NO. 2011-24 - APPROVING A FINAL SUBDIVISION PLAN -
KEYSTONE CUSTOM HOMES - HOLLIDAY HILLS DRIVE**

Mr. Schroyer stated that this is the second phase and that the Planning Commission met and reviewed the final plans and recommended approval.

It was moved by Mrs. Webster Sill and seconded by Mr. Brenner to adopt Resolution No. 2011-24 approving a final subdivision plan for Keystone Custom Homes - Holliday Hills Drive.

RESOLUTION NO. 2011-24

**APPROVING A FINAL SUBDIVISION PLAN
FOR KEYSTONE CUSTOM HOMES**

WHEREAS, an application for subdivision has been filed with the Borough of Hollidaysburg by Keystone Custom Homes, owner of tax parcel #11.6-15-7-3-1A, along Holliday Hills Drive in the Holliday Hills development (hereinafter referred to as the DEVELOPER); and

WHEREAS, the DEVELOPER previously Subdivided tax parcel # 11.6-15-7-3-1A into two parcels, Lot 1 consisting of 1.11 acres, and Lot 2 consisting of 2.28 acres (hereinafter referred to as the PROJECT); and

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

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

WHEREAS, the Hollidaysburg Planning Commission reviewed the proposed FINAL SUBDIVISION PLAN at its June 7, 2011 meeting; and

WHEREAS, BOROUGH COUNCIL has determined that the FINAL SUBDIVISION PLAN constitutes a SUBDIVISION 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 SUBDIVISION PLAN deemed to be in conformance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances.

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

DULY approved by the Council of the Borough of Hollidaysburg this 9th day of June, 2011.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary

There being no objection to the motion, Resolution No. 2011-24 approving a final subdivision plan for Keystone Custom Homes - Holliday Hills Drive was adopted, 7-0.

RESOLUTION NO. 2011-25 - AUTHORIZING CHANGE OF RECIPIENT OF HOUSING AND REDEVELOPMENT ASSISTANCE FROM RADD DEVELOPMENT TO HOLLIDAYSBURG DOWNTOWN DEVELOPMENT LLC

Mr. Schroyer stated that the Borough and the State needed a minor clarification to the original resolution (Resolution No. 2011-17) and Resolution No. 2011-25 was prepared and presented for Council action.

Mr. Brenner disclosed a conflict of interest, as he is employed with Blair Sign who is a party to the RADD Agreement.

It was then moved by Mrs. Webster Sill and seconded by Mr. McLanahan to adopt Resolution No. 2011-25.

RESOLUTION NO. 2011-25

AUTHORIZING THE CHANGE OF RECIPIENT OF HOUSING & REDEVELOPMENT ASSISTANCE FROM THE RADD DEVELOPMENT CORPORATION TO HOLLIDAYSBURG DOWNTOWN DEVELOPMENT

WHEREAS, the Borough of Hollidaysburg obtained funds from the Department of Community & Economic Development (DCED) in the amount of \$350,000 for prevention and elimination of blight under Section 4 (c) of the Housing & Redevelopment Assistance law, as amended.

WHEREAS, the Borough of Hollidaysburg previously entered into an agreement with The RADD Development Corporation for use of these funds for the intended purpose of the renovation and remodeling of Highland Hall; and

WHEREAS, The RADD Development Corporation is now unable to utilize the funds, and formally notified the Borough of Hollidaysburg of its desire to abandon its use of the HRA funding to renovate Highland Hall; and

WHEREAS, Borough staff met with representatives from the Pennsylvania Department of Community and Economic Development, who informed the Borough it would be permissible to transfer the HRA funding to another entity who would be able to utilize the funding for the intended purpose; and

WHEREAS, Borough staff and representatives from the Pennsylvania Department Community and Economic Development met with members of the Hollidaysburg Downtown Development LLC, who own several buildings in downtown Hollidaysburg; and

WHEREAS, members of Hollidaysburg Downtown Development LLC presented a project for which the HRA funding could be utilized in several of Hollidaysburg Downtown Development LLC's buildings along the 200 block of Allegheny Street, in accordance with the terms of the HRA program; and

WHEREAS, the Borough of Hollidaysburg, in order to continue investment in the Borough's downtown, and with the approval of the Pennsylvania Department of Community and Economic Development, desires to redirect the HRA funding in its entirety from The RADD Development Corporation to the Hollidaysburg Downtown Development LLC; and

WHEREAS, the local share for this project is being provided by the Hollidaysburg Downtown Development LLC.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Hollidaysburg that a blighting influence exists because of existing condition of the semi vacant Weirman Furniture and Blair Theater buildings and grounds and the proposed project will prevent further blight and/or eliminate the existing influences by providing some of the necessary financing to the developers, Hollidaysburg Downtown Development LLC, to convert the building into a mixed-use commercial/residential development. In addition, the repayment of the loan back to the Borough of Hollidaysburg will allow the Borough to establish a revolving loan pool of funds to support other such redevelopment projects in the Borough.

BE IT FURTHER RESOLVED that the Borough of Hollidaysburg will reimburse the Commonwealth for the DCED's share of any expenditures found by DCED to be ineligible.

BE IT FURTHER RESOLVED that the Secretary of the Borough of Hollidaysburg is directed to execute a certificate attesting to the adoption of this resolution and to furnish a copy of this resolution to DCED.

DULY adopted by the Council of the Borough of Hollidaysburg this 9th day of June, 2011.

(s) John P. Stultz, Jr.

President of Council

ATTEST:

(s) Ann M. Andrews

Secretary

With the exception of Mr. Brenner, who abstained, Resolution No. 2011-25 authorizing the change of recipient of Housing & Redevelopment Assistance from The RADD Development Corporation to Hollidaysburg Downtown Development LLC was adopted with six in favor and one abstention.

It was then moved by Mr. Baranik and seconded by Mr. Burket to rescind the original Resolution No. 2011-17. With the exception of Mr. Brenner, who again noted his conflict and abstained, motion carried.

There being no further business to come before Council, President Stultz adjourned the meeting at 8:20 p.m.