

**HOLLIDAYSBURG BOROUGH COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING  
THURSDAY, AUGUST 12, 2010, AT 7:00 P.M.**

The meeting was called to order at 7:07 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, Mayor Joseph R. Dodson, Solicitor Nathan W. Karn, Sr., Community Development Director Ethan Imhoff, Finance Director James Gehret, Police Chief Jeffrey J. Ketner, Main Street Manager Jamie Baser and Borough Secretary Ann M. Andrews. Absent: Jr. Council member Lindsay Sill.

President Stultz announced that Council had met in Executive Session at 6:30 p.m. for the purpose of discussing personnel and pending litigation.

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 June 17 and 29 and July 8, 2010 meetings. There being no objection, motion carried, 7-0.

President Stultz called for **Staff Reports and Special Business.**

Borough Manager Mark Schroyer reported it would be necessary for Council members and the Hollidaysburg Library Board to meet. All Council members were agreeable to meet on Tuesday, August 31<sup>st</sup> at 7:00 p.m. in the Council Chambers. It was moved by Mr. Burket and seconded by Mr. Pompa that staff be directed to advertise the meeting. There being no objection, motion carried 7-0.

David Zeek, President of the Phoenix Volunteer Fire Company reported on Fire Company activities and apparatus. Mr. Zeek reported that a 2010 engine/rescue vehicle was ordered which would eliminate the tower truck and one additional engine.

Mr. Zeek, as Public Works Director, reported that the Borough's paving program had been completed earlier in the day and that the water line project on Allegheny Street would be completed shortly with paving to be done next year.

Finance Director Jim Gehret reported that the Financial Report for July had been included in the packets for Council's information. There being no questions, the report was filed.

Mr. Schroyer updated Council on his attendance at the Earned Income Tax (EIT) meeting. As opposed to a County tax system, all municipalities decided to start their own consortium and advertise for a director with the hope of having someone on board by fall. The tax committee will be known as the Blair County Tax Committee and should be in full force by January 1, 2012.

President Stultz stated that the Zoning/Building Permit Report had been included in the packets and would be filed.

Manager Schroyer reported that Mayor Joseph Dodson was not able to be in attendance, but reported that the Mayor would like to invite everyone to the Dedication of Patriot Park on Saturday, August 14<sup>th</sup>. The 28<sup>th</sup> Division Band will begin playing at 1:15 with the Dedication Ceremony beginning at 2:00 p.m. followed by refreshments in the Graystone Court Apartments.

There being no Jr. Council Report, President Stultz called for **Public Comments**.

Mr. J. T. Tidd, President of the Hollidaysburg Community Partnership and business owner of 506 Allegheny Street discussed the merits of the Main Street Manager Program. Mr. Tidd urged Council to continue to fund the Program as it has in the past several years. He asked Council to contemplate the value of the Partnership compared to the investment.

Mr. Don Beerbower, business owner of 315 Allegheny Street, stated that Hollidaysburg is vibrant because of the Partnership. He stated he hears from customers how much they appreciate the festivals, concerts, etc. Mr. Beerbower supports the Partnership as the community asset that it is and asked Council to continue to fund the Partnership and Main Street Program.

Ms. Connie Hurd, Branch Manager of C&G Savings fully supports the Partnership and urged Council to not take away something that is so important to the community. People come to socialize.

Mr. Sam Britz, business owner of 319 Allegheny Street and a partner in the Downtown Development LLC, asked Council to look at the finances - that the \$30,000 the Borough spends on the Main Street Manager Program, the Partnership gives back and the Borough will lose the support of the businesses and residents.

Mr. Pat Baechle, 408 Allegheny Street stated that he, along with the other business people, are of high integrity and they did not steal money as had been stated in earlier Council meetings. Mr. Baechle further stated there are many volunteers that help the Partnership with community events. He further stated the Partnership is trying to make the community better and all the business people are asking Council is to fund one staff person.

Mrs. Diane Osgood, owner of Town Square, stated that the value given by the Partnership is immeasurable and Council must decide whether to invest in the program or not. By not investing in the program would be a loss to the community.

Mr. Joe Keller, business owner of 420 Allegheny Street stated that many of the businesses do not see a lot of results from the various functions, but it is the socializing and pride in the community. He concurred with Mr. Tidd and Mrs. Osgood that the Partnership does bring a value to the Borough and he thought the Main Street Program is worth \$30,000.

Ms. Lynn Mondock of 715 Mulberry Street spoke in support of the Partnership.

Mr. Paul Plummer, 905 Penn Street stated that no one is against the Partnership. The concern is the \$158,000 that is not in the Borough treasury and also that a new Main Street Manager was hired without the knowledge of Council.

Mr. Sam Britz spoke again stating that there is no money missing that the Program has been funded for the past (20) years and felt that the dollars lost to the community would be more than the Borough's contribution.

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

Though not for a future agenda, Mr. Brenner questioned the traffic counters in Rose Alley. Rick Pope, Director of Water Operations, reported that the Borough had received complaints from residents in that area of drivers using the alley as a short cut during construction at Penn and Blair Streets. This item is scheduled to be discussed later on the agenda.

Although the Minutes are not official until Council adopts them, Mr. Burket asked about putting the Minutes on line. Mr. Schroyer will look into this issue and report at the next meeting.

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

- 1) Approve Bill List 8
- 2) Award Bid for Sludge Hauling & Removal
- 3) Award Contract for CDBG-R - Handicap Ramp Upgrade
- 4) Approve Certificates of Appropriateness

It was moved by Mr. McLanahan and seconded by Mr. Burket to adopt Resolution No. 2010-39 approving the Consent Agenda.

**RESOLUTION NO. 2010-39**

**A RESOLUTION APPROVING CONSENT AGENDA**

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

- 1) Bill List No. 8 dated August 12, 2010, authorizes payment of expenses totaling \$891,803.29 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated monies, is hereby approved.
- 2) A contract with Waste Management/Laurel Highlands Landfill of Johnstown, for sludge hauling and disposal services for a 2011-2012 contract period in the amount of \$255,600 is hereby approved.
- 3) The contract for the repair of handicap ramps at the intersections of Hart and Union Streets and Spruce and Wayne Street is hereby awarded to Ventura Construction Services, Inc. in the amount of \$30,668 per their bid of July 29, 2010.
- 4) The following Certificates of Appropriateness are hereby approved and the Zoning Officer is authorized to issue a Certificate of Appropriateness:
  - a) 423 Front Street - porch repair
  - b) 216 Mulberry Street - replacement windows

**DULY** adopted by the Council of the Borough of Hollidaysburg this 12<sup>th</sup> day of August, 2010.

**(s) John P. Stultz, Jr.**

President of Council

ATTEST:

**(s) Ann M. Andrews**

Secretary

There being no objection to the motion, Resolution No. 2010-39 approving the Consent Agenda was unanimously adopted, 7-0.

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The following **Unfinished Business** was presented.

**LIGHTING, LANDSCAPING & SIGNAGE ORDINANCE AMENDMENTS**

It was moved by Mrs. Webster Sill and seconded by Mr. Pompa to remove this item from the table. Motion carried 7-0.

Mr. McLanahan stated the Committee met to review these proposed amendments and he thought that the lighting and signage amendments were fine to move forward, but additional discussion was needed on the landscaping and parking issues. Mrs. Webster Sill wanted all the proposed amendments refined. Mr. Imhoff stated that staff is continuing to research the landscaping and parking lot requirements. He further stated that the committee seemed to be in agreement with the signage amendments. Mr. Imhoff asked for direction from Council. He stated that the Planning commission is receptive to meeting with the Planning Committee or the Council of the whole to address these issues.

Following discussion a motion was made that this item be removed from the agenda and sent back to staff, the Council Planning Committee and the Planning Commission to review over the next several months and then come back with recommendations for action before all of Council. This was seconded by Mr. Burket. Motion carried, 7-0.

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

This item remained tabled.

**RESOLUTION NO. 2010-32 - AUTHORIZING THE SOLICITOR TO EXECUTE STIPULATION OF COUNSEL - TAX EXEMPT STATUS KEYSTONE SERVICE SYSTEM**

It was moved by Mr. Brenner and seconded by Mr. Pompa to remove this item from the agenda for discussion. With the exception of Mrs. Webster Sill who voted nay, motion carried 6-1.

Mr. Schroyer stated at the June 29<sup>th</sup> meeting, questions were raised as to the amount of tax revenues that would be lost by this tax exempt status and whether the area was zoned for this type of use. Staff researched the questions and information had been included in Council's packet. Mr. Imhoff stated the property is in compliance with all zoning regulations.

It was moved by Mr. Brenner and seconded by Mr. McLanahan to adopt Resolution No. 2010-32 authorizing the solicitor to execute stipulation of counsel. Following lengthy discussion, Resolution No. 2010-32 was adopted with Mr. Brenner, Mr. McLanahan, Mr. Pompa and Mr. Stultz voting in favor with Mrs. Webster Sill, Mr. Burket and Mr. Baranik voting nay. Motion carried 4-3.

### **DISCUSSION - TRAFFIC ORDINANCE**

To address Mr. Brenner's question earlier, Mr. Schroyer reported that Public Works had been instructed to place counters in Rose Alley based upon concerns of residents during a recent project meeting for the Blair Street Streetscape. He called upon Rick Pope, Director of Water Operations, to report on the findings of the traffic count. Mr. Pope reported that eastbound traffic surveyed between July 21<sup>st</sup> and July 24<sup>th</sup> showed 33 cars averaging 19.55 mph with speeds over 50 mph on three vehicles. During the dates of July 27<sup>th</sup> thru August 2<sup>nd</sup>, 125 cars traveled westbound at an average speed of 17.60 mph with speeds over 50 mph of four vehicles. Mr. Pope stated that the counts were taken during construction on Blair Street which possibly diverted additional traffic into the alleys. Mr. Brenner stated that it didn't look like a lot of traffic traveled through the alley and would no doubt be less after the construction.

Mr. Schroyer stated that the Borough can perform engineering studies on traffic signage requests, but must still follow the criteria established by PennDOT. Mr. Schroyer further stated that Chief Ketner, Officer Hand, Rick Pope and Dave Zeek will be attending an LTAP seminar on August 17<sup>th</sup> regarding traffic studies.

Mr. Baranik asked if Council should discuss the installation of stop signs and speed limit signs. Mr. Schroyer suggested that staff look at these stop signs and speed limits and report back at the next Council meeting.

### **DISCUSSION - MAIN STREET PROGRAM**

Mr. Pompa stated that he did not think the Partnership was devious or stole any money, but rather the way the money was listed or not listed in the budget. He also stated if the Main Street Manager is an employee of the Borough, he had issues with the hiring process.

Mr. Baranik stated that when the grant funding dried up, the deficit started to build up. By using parks and recreation money is a band aid. Mr. Baranik would like to see the program continue, but did not see how the Borough could absorb the cost. He suggested doubling the membership dues and perhaps regroup and look at the funding during the budget process.

Mr. Burket stated that Council was not aware of the hiring and that former Borough Manager Little advised against the hiring until Council and the Partnership could meet. Basically, the Borough is living pay check to pay check and must look at the overall expenses.

Though Mr. Brenner was supportive of the program, his question was, “do you want to raise taxes”? Mr. Brenner did not feel a decision could be made until Council discusses the 2011 budget.

Mr. McLanahan felt the Main Street Program was a well run program and was in favor of having the Borough continue to fund this until the end of the year.

Mrs. Webster Sill enjoys the Partnership and the various activities, but the Borough does not have the money to fund this and she did not want to raise taxes.

Mr. Baranik suggested making this part of the budget process and have the Partnership attend and perhaps they could contribute more money toward to the Program.

Mr. Pompa suggested paying the salary and benefits until the end of the year and take a hard look at the program during the budget process.

Following discussion, a motion was made by Mr. McLanahan and seconded by Mr. Brenner to support the program and pay the salary and benefits until the end of the year. Motion carried 7-0.

#### **DISCUSSION - APPOINTMENT TO HISTORIC PRESERVATION COMMISSION (HPC)**

It was moved by Mrs. Webster Sill and seconded by Mr. Baranik to remove this item from the agenda. Motion carried, 7-0.

It was then moved by Mrs. Webster Sill and seconded by Mr. Baranik to appoint Main Street Manager Jamie Baser to the HPC to fill the unexpired term of former Main Street Manager Sarah Piper. There being no objection, motion carried 7-0.

President Stultz recessed the meeting at 9:05 p.m. He then reconvened the meeting at 9:08 p.m.

The following **New Business** was presented:

**CONNECTION WITH THE BEDFORD STREET BRIDGE CULVERT**

In order to keep the Bedford Street Bridge Culvert project moving forward, it is necessary to obtain easements and acquire property from several residents on the 100 block of Bedford Street. The deeds will need to be recorded and payment made to the affected property owners.

It was moved by Mrs. Webster Sill and seconded by Mr. Brenner to adopt Resolution No. 2010-40.

**RESOLUTION NO. 2010-40**

**APPROVING SETTLEMENT DOCUMENTS IN CONNECTION WITH THE BEDFORD STREET BRIDGE CULVERT PROJECT**

**BE IT RESOLVED** by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the attached Settlement Documents in connection with the Bedford Street Bridge Culvert Project are hereby approved and payment authorized to:

Darren E. Smith, 131 Bedford Street	\$1,825.50
Joseph T. Ebert, 142 Bedford Street	1,318.00
Elda J. Brown, 128 Bedford Street	1,200.00
Theodore E. & Kari Sue Biddle, 135 Bedford Street	709.00
Amerigo A. Mascia, Jr. & Roxanne Mascia, 127-129 Bedford St	800.00

**BE IT FURTHER RESOLVED** that the officers of the Borough are authorized to execute said Settlement Documents.

**DULY** adopted by the Council of the Borough of Hollidaysburg this 12<sup>th</sup> day of August, 2010.

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

ATTEST:

**(s) Ann M. Andrews**  
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Secretary

There being no objection to the motion, Resolution No. 2010-40 approving Settlement Documents in connection with the Bedford Street Bridge project was unanimously adopted, 7-0.  
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**RESOLUTION NO. 2010-41 APPROVING A LOT LINE RELOCATION PLAN FOR ANDERSON ELECTRONICS**

Anderson Electronics submitted a lot line relocation plan for two adjacent properties along Scotch Valley Road which are located in the General Industrial (I-2) Zoning District.

It was moved by Mr. Pompa and seconded by Mr. Burket to adopt Resolution No. 2010-41 approving the lot line relocation plan.

**RESOLUTION NO. 2010-41**

**APPROVING A LOT LINE RELOCATION PLAN FOR ANDERSON ELECTRONICS**

**WHEREAS**, an application for a lot line relocation plan has been filed with the Borough of Hollidaysburg by Anderson Electronics (hereinafter referred to as the “DEVELOPER”), owner of two parcels on Scotch Valley Road (tax parcel numbers 11.5-1-1-2-2 and 11.5-1-1-2B); and

**WHEREAS**, the DEVELOPER desires to relocate the lot line separating the two aforementioned lots (hereinafter referred to as the “PROJECT”); and

**WHEREAS**, the DEVELOPER has filed a submission for LOT LINE RELOCATION PLAN approval of the PROJECT; and

**WHEREAS**, Borough Staff has reviewed the proposed LOT LINE RELOCATION PLAN and has found it to be in full compliance, as a LOT LINE RELOCATION 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 PROJECT at its August 3, 2010 meeting, and has forwarded a recommendation for APPROVAL to Borough Council; and

**WHEREAS**, BOROUGH COUNCIL has determined that the LOT LINE RELOCATION PLAN constitutes a LOT LINE RELOCATION PLAN in full compliance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances; and

**WHEREAS**, the BOROUGH has the power to APPROVE A LOT LINE RELOCATION PLAN deemed to be in conformance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances.

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**NOW, THEREFORE, BE IT RESOLVED** by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the application and submission, as filed by the

Developer, is hereby approved.

**DULY** approved by the Council of the Borough of Hollidaysburg this 12th day of August, 2010.

**(s) John P. Stultz, Jr.**

President of Council

ATTEST:

**(s) Ann M. Andrews**

Secretary

There being no objection to the motion, Resolution No. 2010-41 approving a lot line relocation plan - Anderson Electronics was unanimously adopted, 7-0.

#### **DISCUSSION - JAKE BRAKE ORDINANCE**

At the July meeting, several residents expressed concern over truck traffic on Blair Street and the possibility of enacting an ordinance on jake (engine retardant) brakes. It was moved by Mrs. Webster Sill and seconded by Mr. Burket that the staff get direction from PennDOT to move forward on this and work with the Ordinance Committee. There being no objection, motion carried, 7-0.

#### **DISCUSSION - ALTERNATE HARB MEMBER**

Mr. Imhoff stated that there are eleven members of the Historic Preservation Commission (HPC) and of those eleven, seven serve as members on the Historic & Architectural Review Board (HARB). Four of those seven members are needed for a quorum and during the months when the HARB meets twice per month, there are times when a lack of quorum exists. Mr. Imhoff suggested that Council amend the ordinance to include an alternate member from the HPC to compose a quorum. Mr. Imhoff suggested the longest serving HPC members who is not a full time HARB member would fill in as a voting member on the HARB.

It was the consensus of Council that staff move forward to amend the ordinance.

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#### **CIVIL SERVICE COMMISSION - LIST OF ELIGIBLE CANDIDATES - SERGEANT**

It was moved by Mrs. Webster Sill and seconded by Mr. Burket to adopt Resolution No.

2010-42 appointing Officer Rodney Estep to the position of Sergeant effective August 23<sup>rd</sup>, subject to a one year probationary period.

**RESOLUTION NO 2010-42**

**APPOINTING A SERGEANT FOR THE  
HOLLIDAYSBURG POLICE DEPARTMENT**

**BE IT RESOLVED** by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that Rodney B. Estep of 103 Gulf Drive, Duncansville, Pennsylvania, is hereby appointed to the position of Sergeant of the Hollidaysburg Police Department subject to a one year probationary period. Said appointment is effective August 23, 2010.

**DULY** adopted by the Council of the Borough of Hollidaysburg this 12<sup>th</sup> day of August, 2010.

**(s) John P. Stultz, Jr.**

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President of Council

ATTEST:

**(s) Ann M. Andrews**

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Secretary

There being no objection to the motion, Resolution No. 2010-42 appointing Officer Rodney Estep to the position of Sergeant effective August 23<sup>rd</sup>, subject to a one year probationary period was unanimously adopted, 7-0.

At this time, Manager Schroyer presented additional items for Council action/information.

Mr. Schroyer stated that the Borough now has a Loan Agreement between the Borough of Hollidaysburg and the RADD in the amount of \$350,000. This agreement has been signed by Mr. Albarano on behalf of RADD and was asking Council to authorize the President of Council to execute said agreement. The Borough can draw down the money and look at alternatives prior to the contract extension date of June 30, 2012.

It was moved by Mrs. Webster Sill and seconded by Mr. Baranik to authorize staff to enter into the loan agreement and have the President execute said agreement. Motion carried 7-0.

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Mr. Schroyer reported that the first labor negotiations meeting will be held September 1<sup>st</sup> and will keep Council apprised.

Mr. Schroyer stated that Brian Fleck, Volunteer Coordinator for Canal Basin Park, asked for permission to have an ad placed in the Blair County Convention & Visitors' Bureau book listing the Canal Basin Park & Visitors' Center. Mr. Fleck also asked if the Borough could purchase several copies of Chris Lewie's book to sell as a fund raiser at the Reiser House. It was the consensus of Council that Mr. Schroyer be authorized to take care of these items.

The last item Mr. Schroyer reported on was the Borough's upcoming 175<sup>th</sup> Anniversary to be held August 11-14, 2011. Mr. Schroyer stated that volunteers are needed.

There being no further business to come before Council, President Stultz adjourned the meeting at 9:22 p.m.