

January 4, 2010

Towanda, PA

The reorganization meeting of the Towanda Borough Council was held on Monday, January 4, 2010 at the Municipal Building.

Newly elected Mayor Garrett Miller who was sworn in earlier by Mary Ann Harris, Notary Public, swore in the newly elected Council members **Rex Klinger** and **Shannon Clark**. Mayor Miller also swore in re-elected Council members **William Kovalcin** and **Keith Long** along with **Dixie Cabucci**, Towanda Borough Tax Collector.

Mayor Garrett Miller called the meeting to order at 7:00 p.m. followed by a moment of silent prayer and the reciting of the Pledge of Allegiance. The roll was called and recorded as follows:

PRESENT: Clark, Christini, Klinger, Kovalcin, Long, Miller, J., Sweitzer

ABSENT: McLinko

#### **ELECTION OF COUNCIL OFFICERS**

Mayor Miller asked for nominations from the floor for Council President.

Mr. Long nominated Mark Christini for Council President. Mayor Miller asked if there were any other nominations from the floor. There were none. Mr. Christini was elected Council President.

Mayor Miller asked for nominations from the floor for Council Vice President.

Mr. Kovalcin nominated Paul Sweitzer for Council Vice President. Mayor Miller asked if there were any other nominations from the floor. There were none. Mr. Sweitzer was elected Council Vice President.

Mayor Miller asked for nominations from the floor for President Pro Tem. Mr. Sweitzer nominated Jean Miller for President Pro Tem of Council. Mayor Miller asked if there were any other nominations from the floor. There were none. Mrs. Miller was elected President Pro Tem of Council.

Mayor Miller turned the meeting over to Mr. Christini.

#### **APPOINTMENT TO VACANT COUNCIL SEAT**

Mr. Christini noted that there is now an open seat on Council from the First Ward. He opened the nominations from the floor.

Mr. Frawley noted that the Borough Code state that Council, by resolution, can fill the vacancy within 30 days by appointing a register voter from the Borough's First Ward.

Mr. Long said two persons have shown an interest in the seat and have sent letters of interest to Council. They are Mr. Alec Garden and Mr. William Roof.

Mr. Long nominated Alec Garden. Mr. Christini asked if there were any more nominations and Mrs. Miller nominated William Roof.

Mr. Sweitzer made a motion seconded by Mrs. Miller to close the nominations.

The Council was polled and the vote recorded as follows:

Clark for Garden  
Christini for Roof  
Klinger for Garden

Long for Garden  
Miller for Roof  
Sweitzer for Roof

Kovalcin for Roof

Resolution 2010-1 carried with William Roof being appointed to Council from the First Ward.

Mr. Christini asked Mrs. Harris to send letters to Mr. Garden and Mr. Roof thanking them for their interest in serving on Council.

#### **VISITORS TO BE HEARD**

Mr. Joe Doherty, Bradford Co. Concerned Citizens Assoc. addressed Council regarding the Veteran's Memorial located at Elizabeth St. He said he was concerned about it being moved to the American Legion. He said he felt it should be placed near the Court House. He said he felt it would be more accessible for the public than at the Legion. He asked Council if it could help.

Mr. Christini suggested that he come to the Finance/Administrative Committee at the end of the month to discuss this in more detail. He said he would do that.

Rick Lewis, 222 Poplar St., addressed Council regarding the issue of tax exempt properties in the Borough. He said it becoming impossible for the taxpayer to live in Towanda. He asked Council what it was going to do about the situation, especially with regard to the properties that the County owns or are buying. He also asked Mr. Lowenstein, reporter for the Daily Review when he was going to write an article about this as he said he would.

Mr. Christini suggested Mr. Lewis attend a county meeting and express his concerns.

Mr. Frawley said the County exists under the laws of the Commonwealth and a County cannot do anything that violates state law. This also applies to municipalities. We are at the mercy of Harrisburg and the lawmakers are the ones who have the power to change things.

Mr. Christini thanked Mr. Lewis for his comments.

#### **APPROVAL OF PREVIOUS MONTH'S MINUTES**

Mr. Long made a motion seconded by Mrs. Miller to approve the minutes of the December 7, 2009 meeting as presented. Motion carried.

Mr. Sweitzer made a motion seconded by Mrs. Miller to approve the minutes of the December 28, 2009 special meeting as presented. Motion carried.

#### **FIRE CHIEF'S REPORT**

Asst. Chief Johnson reported that Chief Roof could not be in attendance tonight. He reported to Council that there were a total of 146 calls last year. He also told Council there were no issues with equipment at this time.

Mr. Johnson also noted that they have been having good crowds for their breakfasts and he said the department will continue holding them.

#### **FIRE BOARD**

No report.

#### **MAYOR'S REPORT**

Mayor Miller reported that the police department hosted a retirement party for Mayor Snell and he also told Council that the department held a county-wide DUI patrol during New Year's Eve.

Mr. Christini asked if there will be a year-end police report and Chief Osman said yes, it will be done for next month's meeting.

### **POLICE CHIEF'S REPORT**

Chief Osman said he did not have anything further to add to his written report. He said he was excited to be working with Mayor Miller.

Mr. Sweitzer asked how the new schedule was working and Chief Osman said it was working fine.

### **POLICE COMMITTEE REPORT**

Mrs. Miller said there was nothing to come before Council

Mr. Sweitzer asked what the status of the police dog was and Chief Osman said he has a meeting this week with several individuals in the County to see what can be done. He said he is going to have the training done when Officer Hennessy is on duty to cut down that cost.

Mr. Sweitzer asked if a monthly report could be generated to show how many times the dog is called out of the Borough and in. Chief Osman said that could be done. Mr. Sweitzer said we need to track all costs related to the dog.

Mrs. Miller said all income that comes in as donations for the dog should be kept track of too. Mr. Klinger asked if any of the other boroughs have offered compensation and Chief Osman said the state police are the ones who ask for his services and they have said they are going to help us.

### **CODE ENFORCEMENT REPORT**

Mr. Haight noted that his report reflects year to date activities as well as monthly. He asked Council if they had any questions for him.

Mr. Haight also reported that the fire burned property on Second St. is still in litigation and no word has been received.

Mr. Haight asked Mr. Lowenstein from the Daily Review to please put something in the newspaper about keeping the streets and sidewalk clean from the snow. Our ordinance allows 24 hours to have the snow and ice removed.

Mr. Frawley said the Borough should also make sure that the crosswalks are cleaned too. Mr. Haight said we address those after we clean our sidewalks and streets.

Mr. Sweitzer asked whose responsibility is it for the areas coming off the curb into the street and Mr. Haight said the property owner.

### **PUBLIC WORKS REPORT**

No report to Council.

### **BOROUGH MANAGER'S REPORT**

Mr. Fairchild is ill this evening and could not get a written report done.

### **BOROUGH SOLICITOR'S REPORT**

Mr. Frawley reported on the property owned by the Borough that is located in Towanda Township and is the subject of a lease with Chesapeake, we are in the process of negotiating an easement so the pipeline can be laid. Reviewed the lease with Mr. Fairchild and we had some concerns that were discussed with the agent for Chesapeake and he has developed an addendum to address the concerns and he would like to speak to us. He said he would check with Mr. Fairchild to see when they all could meet.

### **BOROUGH SECRETARY'S REPORT**

Mrs. Harris said that Evelyn Sherburne and James Lacek have agreed to serve again on the Borough's Planning Commission and Joel Christian has agreed to serve again on the Code Appeals Board.

Mr. Sweitzer made a motion seconded by Mr. Long to appoint **Evelyn Sherburne** and **James Lacek** to the Borough Planning Commission for 4 year terms and **Joel Christian** to the Code Appeals Board for a 5 year term. Motion carried.

Mr. Kovalcin told Council that Pat Taylor would like to serve on the Borough's Recreation Board.

Mr. Kovalcin made a motion seconded by Mr. Klinger to appoint **Pat Taylor** to the Borough Recreation Board. Motion carried.

Mr. Christini said the committees will be formalized for the next meeting and he asked Council to let him know if there were any committees they would especially like to serve on.

### **ADMINISTRATIVE REPORT**

No report.

### **UNION COMMITTEE**

Mr. Sweitzer said an agreement has been reached between the Union and the Borough's Public Works and Clerical workers.

### **PLANNING COMMISSION REPORT**

Mr. Christini said the Commission met in December and went over the questionnaire that was sent by General Code Publishers regarding the revision of the code book. The Commission responded and now the Commission will review the codes line by line and decide what changes need to be made.

### **RECREATION BOARD REPORT**

No meeting.

### **OTHER BUSINESS**

Mr. Frawley reported that to enter into mediation with Lycoming Supply, \$600 is needed for the process.

### **ADJOURNMENT**

Mr. Sweitzer made a motion seconded by Mrs. Miller to adjourn the meeting. Motion carried. Meeting adjourned at 7:43 p.m.

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Borough Secretary