

June 6, 2011

Towanda, PA

The regular monthly meeting of the Towanda Borough Council was held on Monday, June 6, 2011 at the Municipal Building. The meeting was called to order at 7:00 p.m. by Vice President Paul Sweitzer followed by a moment of silent prayer and the reciting of the Pledge of Allegiance. The roll was called and the vote recorded as follows:

PRESENT: Mrs. Clark, Mr. Klinger, Mr. Kovalcin, Mr. Long, Mrs. Miller, Mr. Roof, Mr. Sweitzer  
ABSENT: Mr. Christini (excused), Mr. McLinko

#### **CITIZENS TO BE HEARD**

None

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

Mrs. Miller made a motion seconded by Mrs. Clark to approve the minutes of the April meeting with the following changes: Mr. Christini was not in attendance due to the fact that he was working. Also, Mr. Sweitzer arrived at 7:08 p.m. Motion carried.

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

Chief Roof reported that the department has received 86 calls to date this year which is 30 more than last year. He said a lot of this increase is due to traffic control calls. He told Council that the department is running well.

#### **FIRE BOARD REPORT**

Mr. Klinger said there was nothing to bring before Council.

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

Chief Osman announced to Council that Chesapeake has donated a 2009 Chevy Trailblazer to the K-9 unit.

Mr. Sweitzer asked the Borough Secretary to send a letter of appreciation to Chesapeake.

Chief Osman noted that Sgt. Strozyk resigned from the department and he thanked Ms. Harris and Mr. Fairchild for their help in organizing the luncheon for Sgt. Strozyk.

Chief Osman said the department assisted the State Police with a sobriety checkpoint in the Borough and a roving DUI patrol was also conducted during the month. Also, roving patrols were conducted for the seat belt program.

Chief Osman said he had two names to present to Council for consideration as part time officers for the Borough. Both are certified. The names are Ryan Edsell, a sheriff's deputy and Donald Stringham, a sheriff's deputy and a police officer.

Mrs. Miller made a motion seconded by Mr. Long to hire **Ryan Edsell** and **Donald Stringham** as part time officers for the Towanda Police Department. Motion carried.

Chief Osman thanked Mr. Frawley for all the work he has done on the Civil Service rules and regulations.

Chief Osman reported that it is time to start looking for a new vehicle to replace the 2003 SUV.

#### **POLICE COMMITTEE REPORT**

Mrs. Miller said everything has been covered in the Chief's report.

**CODE ENFORCEMENT REPORT**

Mr. Haight thanked Council and the Mayor for the flowers that were sent for his mother's funeral.

Mr. Haight reported that work has started at 410 William St.

Mr. Haight asked if there were any questions regarding his written report. There were none.

**BOROUGH MANAGER'S REPORT**

Mr. Fairchild reported on the following items:

- July 1 at 2:00 p.m. will be the dedication of "Bill Sick Lane" (the public alley directly behind Ben Franklin Crafts.
- US Congressman Tom Marino will be here on June 9 to meet with representatives of the BCVMPA to discuss the project.
- Have received the grant contract from DCNR for Phase 1 of the BCVMP project. Await a Notice to Proceed from DCNR. Also soliciting proposals from local civil engineering firms to conduct the site engineering work.
- Finance/Administrative Committee met with representatives of the YMCA to discuss the lease between the Borough and the YMCA. At issue still are the length of the proposed term for the lease and the matter of future payment for utilities. Will meet again on 6/30 to hopefully finalize the lease agreement.

Mrs. Clark noted that this issue needs to be resolved as soon as possible because it is hindering the YMCA from seeking other funding.

- Mike Vincent and Floyd VanDeWeert have been hired to fill vacant positions on the Public Works crew.
- Recent severe storms have kept crews very busy especially with College Run. Will use Liquid Fuels Fund monies to do repairs.
- Starting to do pothole and utility cuts paving this week.
- Streetscape Phase 4 contract has been fully executed. Now await the contractor to mobilize and begin work.
- PA Bulletin mentioned a grant program called the Automated Red Light Enforcement Transportation Enhancement grant program. It is funded by 19 signalized state intersections in Philadelphia through the fines. One half of the money generated stays in Philadelphia and the other half is dispersed throughout the rest of the state. The program will pay for modernization and upgrade of signalized intersections. Application is due at the end of July. Will include North Towanda Towanda and Wysox signals and make this a regional approach. Spoke to PennDOT about this today. They are doing a traffic study and if we are successful with the grant we will use their data. The grant does not require a local match but we will come up with something—in kind services. PennDOT is encouraging us to apply for the grant.
- TASD has arranged a meeting for June 15 at 5 p.m. at the Middle School to discuss the future of Memorial Park.

**BOROUGH SOLICITOR'S REPORT**

Mr. Frawley noted that Council had received the most recent draft of the Police Civil Service Rules and Regulations. He reported that the Commission met today and will meet again next week with hopefully the final draft to review. Council will receive a copy of that draft also. He told Council that there is one issue in dispute and that deals with who conducts the oral examination of the applicants. It is the desire of two of the three Commission members that the exam be done by the Commission rather than a third party. Mr. Frawley said he told them that he strongly disagreed with that and indicated that he would state that to Council. He said there are several disciplines that an applicant has to go through and with respect to any one of those an applicant could be found ineligible for consideration. Under the law if that occurs, the applicant has the right to appeal that decision and the

body that would decide the appeal is the Commission itself so if the Commission did the oral exam it would be both judge and prosecutor.

Mr. Frawley noted that the Commission does three things—it creates the rules to be approved by Council and when an officer is needed they get the experts, set dates for exams and when the results are in they come up with three candidates that they certify to Council for consideration. They are purely an administrative board. He said the Commission should not be scoring any candidate in any discipline. He said he has talked to experts about this and they agree.

He said if Council agrees with this, he would ask for a motion expressing Council's position on the issue.

Mr. Long asked Chief Osman what his opinion was and Chief Osman said he agreed with Mr. Frawley. He said he did not have a problem if the Commission observes the testing but not to participate in it.

Mrs. Miller made a motion seconded by Mr. Kovalcin stating that the Towanda Borough Police Civil Service Commission does not administer the oral examination of candidates for the Towanda Police Department but that it be done by a third party. Motion carried.

Chief Osman asked when will the rules and regulations be brought to Council for final approval and Mr. Frawley said once the commission says this is the final draft we want to submit to Council, Council reviews it and either accepts or rejects it. He said he checked with an expert and some municipalities accept it by an ordinance and some by a resolution. If we do it by resolution we save time not having to advertise.

Mr. Sweitzer asked if the Borough could advertise for applicants before all of this is done and Mr. Frawley said we have to have everything in order before we can accept applications. He said hopefully this can be done in a couple of weeks. If a special council meeting is needed one can be scheduled.

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

Ms. Harris presented some dates for Council to consider for the annual Borough picnic. Council decided on Friday, August 5, 2011 as the date for the picnic.

#### **FINANCIAL REPORT**

Mr. Klinger made a motion seconded by Mr. Long to approve payment of the bills for the Towanda Borough General Fund and special Borough funds as listed on the "List of Bills." Motion carried.

#### **PLANNING COMMISSION**

No meeting.

#### **RECREATION BOARD REPORT**

Mr. Kovalcin reported that the summer recreation program will start on June 13 and run through August 12.

Mayor Miller arrived at 8:00 p.m.

#### **TMA REPORT**

Mr. Sweitzer asked when the Wysox water project was going to start and Mr. Fairchild said Wysox is waiting for the Corp of Engineers to award the bid for the river crossing. They are ready to go ahead with the rest of the project as the distribution portion of the project has already been awarded.

Mr. Fairchild reported that the Energy Efficiency upgrades have been completed including new blowers at the treatment plant, a solar panel for Wysox and the HVAC system at the treatment plant is now running off the wastewater that comes into the plant. Seeing a marked reduction in the electric cost.

Council would like to tour the water and sewer systems. Mr. Fairchild said TMA is going to tour the treatment plant on June 20 after its meeting and Council members are welcome to attend. Ms. Harris will work on organizing a tour.

#### **OTHER BUSINESS**

Mr. Sweitzer asked how did the spring clean up work out and Mr. Fairchild said he did not have the final numbers but Mr. Haight said there were 13-14 roll offs filled. Mr. Kovalcin said some members of the community would like to have two weekends to do it.

Mr. Long said he received a complaint about excessive noise on William St. There is a tractor trailer with a refrigeration system on it that cycles on and off. He noted that Mr. Christini also received a call about it. Mr. Haight said trailers are not allowed in a residential area. Mr. Sweitzer said it is a police issue and the Chief said he would look into it.


Mr. Klinger said he is still receiving complaints about the corner of Lombard and Fourth and diesel trucks idling unnecessarily causing excessive noise and smell.

Mr. Haight said an ordinance would need to be passed not to allow diesels to idle for more than "x" number of minutes. Mr. Klinger said if it continues he will ask Council to consider an ordinance. Mrs. Clark said these types of vehicles are becoming more common all the time. Mr. Klinger said he was not targeting the average person.

Mr. Fairchild suggested Ms. Harris check on getting some sample ordinances regarding this and go from there. Also it was suggested that maybe the newspaper could do an article for us about the situation.

#### **ADJOURNMENT**

Mrs. Clark made a motion seconded by Mr. Long to adjourn the meeting. Motion carried. Meeting adjourned at 8:05 p.m.

  
Borough Secretary