

BOROUGH COUNCIL MEETING MINUTES
THURSDAY, AUGUST 9, 2018
7:00 PM
COUNCIL CHAMBERS

CALL TO ORDER: This meeting was called to order at 7:00 PM by President Joseph A. Pompa.

PRESENT: A quorum was present including members of Council as follows: Joseph A. Pompa; Patrick Plummer; Jeffrey Ketner; Sean Burke; Joyce Lowe; Mark Shawley, and Brady Leahey. Others in attendance: Borough Manager Jim Gehret; Borough Solicitor Nathan Karn, Borough Secretary Patricia J. Duron; Mayor Joseph R. Dodson; Chief Rodney B. Estep, Jr.; Main Street Manager Jordan Futrick; and Code Enforcement Officer Patrick Rabits.

PLEDGE OF ALLEGIANCE: President Pompa led the Pledge of Allegiance followed by a moment of silence.

PRESENTATION: RYDER MCDERMITT: Mayor Dodson began a presentation to Ryder McDermitt.

MINUTES: The minutes dated July 12, 2018 were presented for approval. A motion was made by Mr. Leahey to approve the minutes, and was seconded by Mr. Plummer. A vote was taken with the motion carrying in a unanimous vote of seven votes in favor to zero votes against.

CONDITIONAL USE HEARING: A public hearing was conducted pursuant to a conditional use application submitted by P. Joseph Lehman, General Partner, for property located in the Holliday Hills Development. The application indicates that a portion of the lot identified in the application will be developed into single family detached dwellings and multifamily dwelling units.

Public Comment was taken as follows:

- 1.) Elda Brown, 128 Bedford Street: concerns about stormwater
- 2.) Jean Cassidy, 208 Beaver Street: concerns about stormwater

The hearing was closed and Council proceeded with discussion. Following this discussion, Resolution No. 2018-34 was presented to Borough Council to approve the conditional use. A motion for the approval of Resolution No. 2018-34 was made by Mr. Burke and was then seconded by Mr. Plummer. A vote was taken and the motion carried with six votes of yes and one vote of no.

ORDINANCE NO. 881, AMENDMENT TO THE ZONING ORDINANCE: This ordinance was presented for Council's consideration. Public Comment was taken as follows:

Richard Latker, Hollidaysburg Community Watchdog: advised that the group is mostly in favor of the adoption of the ordinance.

Following the close of the hearing, a motion was made by Mr. Plummer to adopt Ordinance No. 881. This motion was seconded by Mr. Ketner and a roll call vote was taken as follows:

Mr. Plummer – yes

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Mr. Ketner – yes

Mr. Burke – yes

Mrs. Lowe – yes

Mr. Leahey – yes

Mr. Pompa – yes

Mr. Shawley – yes

The adoption of Ordinance No. 881 carried unanimously, seven in favor and zero not in favor.

MANAGER’S REPORT: Mr. Gehret advised that his manager’s report was in their agenda binders.

FINANCIAL REPORT: Mr. Gehret advised that the financials were in their agenda binders and he had nothing to add at this time.

PLANNING AND ZONING REPORT: Mr. Rabits reported that his report was in the agenda binder. He added that the 2015 international building codes were being used now. He had met with his ordinance committee and they will meet again in the future.

FIRE MARSHAL REPORT: Dave Zeek advised that the fire company had begun its fire prevention programs at PennMont Academy. He also gave an EMA report from the most recent rain event’s flooding issues.

CHELSEA ERGLER, INTERGOVERNMENTAL STORMWATER COMMITTEE (ISC), STORMWATER COORDINATOR: Ms. Ergler presented information to Council regarding the ISC and best stormwater practices.

MAYOR’S REPORT: Mayor Dodson reported that he had made a visit to the Veteran’s Hospital. He discussed directional signs within the Borough to the hospital. He introduced the chief of public affairs at the hospital for a brief presentation.

PUBLIC COMMENT:

- 1.) Richard Latker, Hollidaysburg Community Watchdog Group: spoke against the recently adopted ordinance No. 883, the ISC, and about the Community Watchdog’s lawsuit against the Borough Manager.
- 2.) Stan Diehl, 132 Beaver Street: spoke about getting water in his basement during the August 3rd rain event, asked about what can be done.
- 3.) Steve Albright, 419-421 Bedford Street: spoke about flooding from rain and retention ponds, the property in Gaysport owned by his uncle, and the minnie ditch.
- 4.) Chelsea Ergler, Stormwater Coordinator, ISC: had remarks to statements from Mr. Latker regarding the ISC’s meeting, the Blair County Conservation District’s permits and spoke about a 100 year storm leading to flooding due to the velocity of water, and houses built in the floodplain.
- 5.) Danny Dively, 710 Jones Street: spoke about the water in his basement during the rain event on August 3, and the sewer project.

Following public comment, Mr. Gehret discussed what he observed in the Borough during the August 3rd rain event and about the functions of the Wastewater Treatment Plant as well as the recent sewer project.

OPEN AGENDA:

- Brady Leahey: Report on Gaysport flooding.
- Jeff Ketner: Report on Gaysport flooding.

RESOLUTION NO. 2018-33, CONSENT AGENDA: Mr. Pompa asked for Council’s consideration of Resolution No. 2018-33 for bill list number 8 totaling \$ 239,588.850 and to approve one COA for 209 Mulberry Street for demolition, and to approve the sludge removal contract. A motion was made by Mr. Shawley to approve Resolution No. 2018-33. Mr. Ketner seconded this motion. A vote was taken with the motion carrying, seven votes to zero votes.

RESOLUTION NO. 2018-33

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 9, 2018 authorizes payment of expenses totaling \$239,588.85 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.

2) One Certificate of Appropriateness as follows:

209 Mulberry Street, Demolition

- The dwelling will be demolished as it is deteriorating beyond reasonable repair

3) Approve Sludge Removal Contract.

DULY adopted by the Council of the Borough of Hollidaysburg this 9th day of August, 2018.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

DISCUSSION: DISORDERLY HOUSE ORDINANCE: Chief Estep discussed the need for this proposed ordinance and requested approval to advertise the ordinance. Mr. Burke discussed modifications to the ordinance as presented. Mr. Burke made a motion that it should be published with modifications, as: in §1001; delete d and e entirely, §1002.a, the term “common ill governed and” be removed, and in §1002.b, the term “common ill governed and” be removed. Mr. Plummer seconded the motion. Mr. Ketner then recommended changing the §1003 regarding fines, to become: pay a fine of not more than \$600 upon conviction. Mr. Burke amended the motion to include the change to §1003, and Mr. Plummer seconded that amended motion. A vote was taken and all members present voted in favor, with the motion carrying seven votes in favor to zero votes against.

DISCUSSION: CODE OF CIVILITY: Mrs. Lowe began discussion of about a code of civility. Following this discussion, no action was taken.

CONTINUED PARTICIPATION IN THE INTERGOVERNMENTAL STORMWATER

COMMITTEE: At this time, a motion was made by Mr. Plummer that the Borough will continue its participation in the Intergovernmental Stormwater Committee. This motion was seconded by Mr. Burke and a vote was taken. All members present voted in favor of the motion and it was passed, seven votes in favor to zero votes against.

APPROVE THE HIRE OF A PATROLMAN: At this time, Chief Estep discussed the hiring process for a patrolman with respect to the Civil Service Commission. Chief Estep requested that once the Civil Service Commission forwarded a list of certified candidates to Borough Council that he be given the authority to make a conditional offer to one of those candidates. Following discussion, a motion was made by Mr. Plummer to authorize Chief Estep to make a conditional offer for the position of patrolman to a candidate from the names certified by the Civil Service Commission. This motion was seconded by Mrs. Lowe and a vote was taken. The motion carried unanimously, seven votes in favor to zero votes against.

RESOLUTION NO. 2018-35: Resolution No. 2018-35 was presented to Borough Council to establish an entity authorization for the First National Bank. A motion was made by Mr. Plummer and was seconded by Mr. Leahey to approve Resolution No. 2018-35. A vote was taken and the motion carried unanimously, seven votes in favor or zero votes against.

EXECUTIVE SESSION: At this time, President Pompa announced that Council would hold an executive session to discuss the promotion/hire of a police sergeant, and that they would reconvene following that session.

PROMOTION/HIRE OF A SERGEANT: Following the Executive Session, a motion was made by Mr. Ketner to approve the promotion of Mark Lingafelt to Sergeant in Hollidaysburg Police Department. This motion was seconded by Mrs. Lowe. A vote was taken and the motion carried unanimously, seven votes in favor to zero votes against.

ADJOURN: President Pompa adjourned the meeting at 9:30 PM.