

**Montgomery Borough Council**  
**September 18, 2018**

President Crist called the meeting to order at 6:30pm.

- I. All rose for the Pledge of Allegiance.
- II. Roll call was taken: Whitlow Wertz-A, Dale Brendle-P, Fae Herb-P, Lynn Crist-P, James McCarty-P, Susan Andrews-P, Amber Wilt-P. Also present was Donna Miller, Mayor Robert Hoover Jr. and Solicitor Levi Woodward (arrived at 6:50pm).
- III. Fire Department Report. Brad Harding read and reviewed the written report for August 2018; with a total of 23 calls; 2 Fire, 1 Rescue, 14 EMS and 6 Public Assist. August fundraiser was a success, the October fundraiser is the Annual Fall Festival on October 13<sup>th</sup> starting at 8am, with the Pumpkin Roll at 2pm on West Houston Ave. Hydrant repainting is continuing. The new Rescue/Pumper is at the station and planning on being in service by end of October. The old Rescue will be sold. Pump I is scheduled at the station on September 24, 26 and 29<sup>th</sup>; Pump II is scheduled at the station on October 15, 17 and 20<sup>th</sup>; after this the truck should be in service.
- IV. EMA Report. Dennis Gruver handed in a report for review; also, he wanted to Thank area residents for their cooperation during the recent monthly flooding, no major infrastructure damage was reported; only the campground had to move to the upper level. A lot of stream/river watching was done. The river is projected to crest on Wednesday due to the recent rain. No new storms are on the map!!!! Councilwoman Herb placed pamphlets on the front counter of "Protect Your Home from Flooding", these explain some do it yourself low cost projects to protect your property from flooding.
- V. Public Concerns. William Warfel from 97 Broad Street, showed pictures of the weeds/trash debris in the rear of his property, on Shick Alley (between 4<sup>th</sup> and 5<sup>th</sup> Streets), and also the condition of Shick Alley. He stated he has been in numerous times to complain about these issues with John Lynch and Wally Bohner, but does not get any satisfaction, either too costly or machines are too large to fit in the alley. Councilwoman Herb asked Wally Bohner about an update on the repeat offenders of these problem(s). Wally stated that the fines were increased last year. Councilwoman Herb and Andrews thought that there was some previous action taken about repeat offenders. Wally stated that these rental property owners are fined, but they usually don't pay, and then the citations are sent to the local magistrate office. President Crist asked Wally if he was familiar with this alley, Wally responded, he goes down every week. President Crist stated this situation will be looked into.  
Christy Phillips from the CDC committee was here and asked about an update on applying for DCNR's Peer Grant Program. She tried to contact Alice Trowbridge

from the Susquehanna Greenways for help with this, but no one has gotten back to her. She suggested if we could find someone else to help with the grant. More about this will be discussed under "Old Business"

- VI. Approve August 2018 Minutes. After a correction was made to the Fire Department report that should have stated the fire hydrant repainting was going to start not started; a motion was made by James McCarty to approve; second by Fae Herb. Motion carried.
- VII. Approve June 2018 Treasurer's Report. A motion was made by Fae Herb to approve; second by Dale Brendle. Motion carried.  
Approve July 2018 Treasurer's Report. A motion was made by James McCarty to approve; second Susan Andrews. Motion carried.  
Approve August 2018 Treasurer's Report. Tabled until next months' meeting.
- VIII. Code Enforcement Officer's Report. Wally Bohner handed in his monthly report for review. A sub division of the Montgomery Sportswear property needs to be approved. This sub division will separate the old Montgomery Sportswear building from the car wash. It has been approved by Lycoming County and Montgomery Borough Planning Commission. A motion was made by Fae Herb to accept; second by Dale Brendle. Motion carried. Councilman Brendle asked Wally why an email address was given to the CDC committee; when the Borough Council members do not have one; Wally responded at the Borough there are only six emails available; and John Lynch authorized him to set up the last one that the Borough had open to the CDC committee. Councilwoman Andrews stated she is working on information on receiving more email addresses for the Borough. Councilwoman Herb asked Wally about an update on the Dunkle house property on Montgomery Street, Wally responded as the power of attorney for the Dunkle's have responded and they will take care of the problem within the 30-day time allowance. Councilwoman Andrews asked Wally about the invoice for her zoning hearing, Wally stated it is a \$300.00 deposit; as the Ordinance states. She will be receiving the decision and invoice by certified mail; as this is required to send this way.
- IX. Solicitor's Report. Levi Woodward gave an update on the two Borough properties that were questioned about the Borough owning them. The first property on the corner of S. Main Street and Broad Street is 90% completed. A deed was located and he is working with Lycoming County to reflect the Borough's ownership in their records and the other property on W. Houston Ave., he is still working with the County Commissioners to get it straighten out. Councilwoman Herb asked the Solicitor about an update on the recurring weed/grass violators. He responded he worked with Wally Bohner on the abandoned vehicle ordinance, stating the procedure would be the same for the recurring weeds/grass ordinance. The procedure for fines states clearing in the ordinance about notices, fines etc.; each day would be a new violation. Atty. Woodward stated he would review the

ordinance with Wally Bohner to get a better understanding of it. Liens on these properties could be a possibility.

- X. Police Report. Police Chief Delp reviewed the written report for August. He stated that he and the Mayor have been watching the recycle site, he would like to propose an Ordinance stating hours of 7am-7pm and proper signs posted; for enforcing purposes. Councilman Brendle wanted to make a motion to move the site to Henry Hand Drive. The Landfill must be involved first, Donna Miller will contact the Landfill about a solution, and report at the next meeting. Resident Ruth Little asked how could we stop people from dumping other items at the current site. Options were talked about concrete barriers, fence with gate??. Chief Delp wanted to thank the EMA and Fire Department for all the help during the recent flooding.
- XI. Mayor's Report. Mayor Hoover reported that due to recent health issues, he will not be in the office as much, but he will still be available. He also thanked the Fire Department for a good response at his recent ambulance call.
- XII. Borough Manager's Report. Donna Miller reported on the following:
  - A. The annual Lions Halloween Parade will be Wednesday, October 31, 2018 at 6pm; floats form at Weis Markets; Trick or Treating until 8pm. A motion was made by Amber Wilt to accept; second by Susan Andrews. Motion carried.
  - B. A Thank you was received from Montgomery AYSO for the use of the Park for their 2018 Soccer Camp.
  - C. Margaret Mathis was hired as the School Crossing Guard at a rate of \$15.00 per day, started Monday September 17, 2018.
  - D. Lycoming/Sullivan Boroughs meeting will be Thursday, October 18, 2018 at the Endless Mountains War Museum in Sonestown at 5pm; deadline to register is October 16<sup>th</sup>. Dale Brendle and Fae Herb will be attending.
  - E. Cost limit of purchasing \$2000.00. President Crist explained this is an amount given to Donna Miller for emergency repairs etc., the normal procedure for receipts etc. will take place. A motion was made by Dale Brendle to allow a \$2000.00 spending allowance for repairs etc.; second by Susan Andrews. Motion carried.
  - F. Pay half the cost of installing generator at garage (materials only). Councilman Brendle asked if three quotes had to be received, Attorney Woodward stated this amount was below the requirement. James Herr from WBRA will be doing the labor work. A motion was made by Dale Brendle to pay for one half the cost of materials for hooking up the existing generator (owned by WBRA) at maintenance garage; total cost of materials is \$1116.52; half \$558.26; second by Amber Wilt. Motion carried.
  - G. Estimates are being received for repair/replacement of the roofs at the Little League building and the Park Pavilions-for budgeting.
  - H. An estimate was received for cutting down a dead pine tree at the Borough Park in front of Pavilion B; the cost would be \$2200.00, this was tabled until

more estimates could be received.

William Warfel asked about the repair/paving of Thomas Ave., President Crist stated that the bid has been accepted, WBRA is waiting for the contractor, but it will be done before end of the year.

- I. President Crist explained what a work session is. A work session is scheduled for Monday, October 1, 2018 at 6:30pm; this will be placed on the website.

#### XIII. Committee Report.

Summer Alive Program-Councilwoman Andrews stated she connected them, but no response. President Crist stated he received complaints about food left in the refrigerator and then it was unplugged, Councilman Brendle has received complaints about trash and he would like to address their "oversized" garden. The Labor Relations Committee met to discuss recent purchases/reimbursements with the credit card. These matters were resolved. President Crist stated that the Police Committee did meet to review the new contract, with scheduling etc., they have not met again, will in next week. Councilwoman Andrews asked if the Non-Uniform Employees met, Donna Miller responded not yet, they are waiting for some issues to be finalized.

#### XIV. Old Business.

A motion was made by Susan Andrews to purchase 1000 smooth bricks from Watsontown Brick Co. to repair the storm sewer inlet boxes at a cost of \$429.00; second by James McCarty. Motion carried. The monies will be coming out of the general fund. Councilwoman Andrews asked if we could receive a list of state approved vendors that could be used to pay out of the Highway Aid funds.

CDC \$1000.00 grant-Councilwoman Herb explained about this Peer to Peer Grant. This \$1000.00 would help get this grant started as to public input and meetings etc.. The deadline for submitting the grant is April 2019. Councilwoman Herb explained about the grant and that the CDC is raising monies for larger grants in the future, where a 10% match is needed. A motion was made by Susan Andrews to comment \$1000.00 to the CDC committee in the 2019 budget, second by Amber Wilt. Motion carried. This motion was retracted due to Amber Wilt being on the CDC board. The motion was then second by Dale Brendle. Motion carried. A roll call vote was taken, Whitlow Wertz-absent; James McCarty-yes; Dale Brendle-yes; Lynn Crist-yes; Susan Andrews-yes; Amber Wilt-abstained; Fae Herb-abstained.

A motion was made by James McCarty to pay \$125.00 for Susan Andrews to attend The Boroughs Association Budget and Finance Course in State College on October 3, 2018; second by Amber Wilt. Motion carried.

Councilwoman Wilt asked about the traffic ordinance by the school; Solicitor Woodward stated changes had to be made, a new draft copy will be ready for the work session for review. She also stated a resident approached her stating they see no issues with traffic; Councilwoman Andrews stated she is still observing

issues there, with both cars coming from the alley.

XV. New Business.

1. A motion was made by James McCarty to accept the resignation of John Lynch Sr. as Borough Manager effective August 31, 2018; second by Susan Andrews. A discussion was held; Councilwoman Herb stated this was to be until end of year; explanation was given by the Solicitor as this is a personnel matter and should be discussed in Executive session. Motion carried. A roll call vote was taken Whitlow Wertz-absent; James McCarty-accept; Dale Brendle-opposed; Lynn Crist-accept; Susan Andrews-accept; Amber Wilt-opposed and Fae Herb-opposed. This resulted in a tie vote, with Mayor Robert Hoover casting the deciding vote as accept.
2. Ordinance #2018-2-Prohibiting Smoking in Public Areas (first reading). A motion was made by Fae Herb to accept; second by Amber Wilt. Motion carried.
3. Appoint Donna J. Miller as Assistant Secretary of Montgomery Borough. A motion was made by Susan Andrews to appoint Donna J. Miller as Assistant Secretary; second by Fae Herb. A discussion was held, this position cannot be held by anyone on Borough Council but it can be a Borough employee. Motion carried
4. Appoint Donna J. Miller as Treasurer of Montgomery Borough. A motion was made by James McCarty to appoint Donna J. Miller as Treasurer; second by Susan Andrews. Motion carried.
5. Resolution #2018-9-18-Appointing Angelia Y. Adams as the Chief Administrative Officer for the Montgomery Police and Non-Uniform Pension Plans. A motion was made by Susan Andrews to appoint Angelia Y. Adams; second by James McCarty. Motion carried.
6. Accept the 2019 Minimum Municipal Obligation for the Police and Non-Uniform Pension Plans. President Crist explained about these yearly plans. A motion was made by James McCarty to accept the Police Pension Plan at a cost of \$63,117.82 and the Non-uniform Pension Plan at a cost of \$19,783.00; second by Fae Herb. Motion carried.
7. Brush drop off/pick up days and times. A motion was made by Dale Brendle to limit the brush drop off/pick up days and times starting January 2019 to Monday and Fridays only between 7:30am and 3:30pm, second by Amber Wilt. Motion carried. This will be advertised and on web site, if the times are not suitable for residents to drop off they can place items out and Borough will pick up on those days.

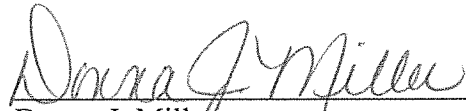
XVI. Public Comments.

Borough resident Mark Barbier from Penn Street, asked why there was a split vote to accept an employee resignation. Solicitor Woodward responded at this time there are still issues being worked on, and he advises the Council not to address this issue.

Executive Session-Solicitor Woodward asked for an Executive Session, Council entered into Executive session at 7:43pm; No decisions will be made after; the regular meeting was adjourned.

XVII. Adjournment. Motion was made by Dale Brendle to adjourn the meeting at 7:43pm; second by Amber Wilt Motion carried.

Members of the public present at the commencement of the meeting are set forth on the sign in sheet attached to these minutes as "Exhibit A"



Donna J. Miller  
Acting Borough Manager

djm