

**MONTROSE BOROUGH COUNCIL**  
**Regular Meeting**  
**July 2, 2018**  
**7:00 PM**

**Councilman Reimel called the meeting to Order at 7:00 p.m.**

Pledge of Allegiance was recited by all.

Mayor Tom LaMont said a prayer for guidance.

**Adoption of Agenda:** Councilman Reimel questioned if anyone wanted to make any changes or additions to the Agenda. The following changes were made: Action Items: #4. Halloween Parade, #5. New Enterprise Stone and Lime Co. Updated Pricing; Discussion Items: #7. Trehab Article. Motion was made to adopt the Agenda as modified by Councilman Tom Follert; Councilwoman Judy Kelly 2<sup>nd</sup> the motion. All in favor, motion carried.

**Approval of Minutes:** Councilman Reimel inquired if there were any changes or corrections to the June minutes. Under Speaker: second paragraph foot truck is written instead of food truck. A motion was made to accept minutes as amended by Councilman Jamie Holbert; Councilman Follert 2<sup>nd</sup> the motion. All in favor, motion carried

**Present for Roll Call:** Jamie Holbert, Tom Follert, Craig Reimel, Judy Kelly

**Absent:** Sean Granahan, Todd Chamberlain, Randy Schuster (joined meeting at 8:07)

**Other Officials Present:** Tom LaMont, Mayor; Michael Briechele, Solicitor; Lillian T. Senko, Secretary

**Misc. Correspondence:**

Beirne Wealth Consulting  
RE: May Report

Susquehanna County Dept. of Planning & Development  
RE: Comprehensive Plan Update

Self-Discovery Wellness Arts Center  
RE: Lavender Festival

Aiken Enterprises  
RE: \$250.00 Donation for Memorial Park Fence

Councilman Reimel inquired if there were any questions or comments associated with the miscellaneous correspondence. No questions or comments.

**Recognition of Attendees:** Chief Dale Smith, Jenny Olin, Adam Carrington, Aaron Woodroff, Chris Oleniacz

**Approval of A/P:** Councilman Reimel inquired if there were any questions or comments on submitted Accounts Payable. No questions or comments. Councilman Follert motioned to approve payment of outstanding bills; Councilman Holbert 2<sup>nd</sup> the motion. All in favor, motion carried.

**Approval of Payroll:** Councilman Reimel inquired if there were any questions or comments on submitted Payroll report. No questions or comments. Councilman Holbert motioned to accept the Payroll Report; Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carried.

**Accounts Receivable/Deposits:** Councilman Reimel inquired if there were any questions or comments associated with the submitted Accounts Receivable/Deposit Report. No questions or comments.

**Reports:**

**Treasurer's Report:** Councilman Reimel asked if anyone had any questions or comments on the submitted Treasurer's Report. Motion was made to accept the Treasurer's Report by Councilman Follert; Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carried.

**Budget Report:** Councilman Reimel inquired if anyone had any questions or comments on the presented material. No questions or comments.

**Street Department:** Councilman Reimel asked if anyone had any questions or comments on the report provided by Ken DiPhillips, Supervisor. Councilwoman Kelly stated the department is doing a good job.

**Building Code Report:** Councilman Reimel asked if there were any questions or comments on the Building Code Report provided by Mr. Grimm. No questions or comments.

**Zoning Report:** Councilman Reimel asked if there were any questions or comments on the Zoning Report provided by Mr. Watts. No questions or comments.

**Police Department:** Councilman Reimel asked if there were any questions or comments on the Police Report.

Chief Dale Smith reported the Police Department had another busy month. Councilwoman Kelly asked Chief Smith if they ever found the stolen ATV, Chief Smith replied no they haven't.

The 2012 Dodge Charger has a miss in the engine, and unfortunately it is no longer under warranty. Chief Smith said the car is in the process of finding out the issues, it could be the motor at repair cost of approximately two thousand dollars or a spring at a cost of two hundred dollars.

Paul Johnson from United Fire Company will coordinate with the Police for the 4<sup>th</sup> of July parade and activities.

Councilwoman Kelly asked Chief Smith if there was any protocol in effect when the State Police come into town at night to respond to a call. Does SPD inform the Montrose Police Department they were there and what the outcome was? Chief Smith stated no, he's usually informed there was an incident by the 911 Communications Center and follows up with the Officers in the Gibson Barracks.

Chief Smith stated he's planning the National Night Out at Memorial Park for Tuesday, August 7<sup>th</sup>. The time for the event is 5:00 p.m. to 7:00 p.m., and he plans for it to be just as good as last year.

All the Police Officers have gone through qualification procedures and have obtained their certification for 2018 stated Chief Smith. He's just waiting to receive the OPEC papers for the new officer Michael Badyrka.

**Municipal Authority:** Councilman Reimel asked if there were any questions or comments on the submitted Municipal Authority Report. No questions or comments.

**Mayor's Report:** Mayor Tom LaMont stated he didn't have any additional items to report that Chief Smith hadn't already covered.

**Action Items:**

- 1. Review and Approve Pristine Vision Zoning Permit:** Council members reviewed the paperwork and plans submitted by Adam Carrington to extend the driveway and create additional parking in the rear of the Veterinary Clinic.

The Montrose Borough Planning Commission reviewed Mr. Carrington's request at their June 18, 2018 meeting. The Planning Commission recommended to move ahead with the plans, but their one recommendation is to put up a guiderail at the edge of the parking lot to protect cars from the drop off.

Councilman Reimel stated Mr. Carrington would need to have the site checked by the soil conservation district since the run off feeds into Pettis Creek.

Solicitor Briechele stated in 1979 Montrose adopted a Subdivision and Land Development Ordinance (SALDO) and the project may or may not apply since it's a small enough disturbance. He did state the property had a nonconforming use and he suggested to Mr. Carrington to review the Ordinance.

It was also suggested for Mr. Carrington to sit down with John Watts and fill out additional paperwork.

- 2. Review and Approve Flanagan's Zoning Permit:** Council reviewed paperwork and plans submitted by Gregory and Jennifer Flanagan who live on Griffis Street. The Flanagan's own two lots they would like to combine.

Chris Oleniacz from JHA was on hand to answer any questions Council had. This request was reviewed by the Montrose Borough Planning Commission and they recommended to Council to approve this permit.

Councilman Follert motioned to approve the two lots to be combined as one; Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carries.

**3. Approve and Sign NE Signal & Electric Co. Maintenance Agreement:**

Councilman Holbert motioned to sign the 2018 Maintenance Agreement with NE Signal & Electric Company in the amount of five hundred eighty-five dollars which is the same price as previous agreement; Councilman Follert 2<sup>nd</sup> the motion. All in favor, motion carries.

**4. Approve Montrose Area Kiwanis Halloween Party:**

Councilman Holbert motioned to approve the Halloween Parade hosted by the Kiwanis on Saturday, October 27<sup>th</sup> at 1:00 p.m., which will end with an assembly in the Montrose Fire Hall; Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carries.

**5. Approve New Enterprise Update Pricing:**

When New Enterprise received the letter notifying them Council unanimously approved their bid at the June 4<sup>th</sup> Council meeting in the amount of Thirty-three thousand six hundred sixty dollars a company representative phoned the Borough Secretary.

The representative Bill Faux informed the Secretary they submitted the bid for the first let date which was May 7, 2018. He stated when we did not accept their bid in May they were no longer interested in rebidding since the price of material increased and they were very busy.

Mr. Faux was informed that their bid was accepted not rejected it was just not awarded. Council members wanted to rebid to see if they would be able to obtain a few more bids to compare pricing.

The Secretary was informed pricing would increase from thirty-one thousand four hundred sixty dollars and eighty cents to thirty-three thousand six hundred sixty dollars and thirty cents. They would be able to squeeze in Montrose Borough on a day in August while in the area doing another job. The amount presented is based upon the asphalt price index of one hundred twenty-seven dollars and two cents a ton, total price increase is two thousand one hundred ninety-nine dollars and fifty cents.

Councilwoman Kelly motioned to accept the price increase based upon impending need and time factor, Councilman Holbert 2<sup>nd</sup> the motion. All in favor, motion carries.

***Speaker: Aaron Woodruff from Kilmer Insurance Group***

Aaron Woodruff stated he was attending the meeting to answer questions Council had to address the increased cost of insurance. He didn't know whether or not Erin Jenner had time to look further into her accounts to see where the increase was targeted, but he would explain what he knows.

There was an increase in the SWIF Insurance due to multiple claims over the past five years in the amount of thirteen thousand dollars. This is calculated by SWIF and was reported to DGK who was the Borough's primary agent at the time.

Mr. Woodruff said EMC Insurance on March 1, 2018 was thirty-four thousand three hundred thirty-four dollars. Kilmer's renewal was thirty-four thousand seven hundred seventy-eight dollars. The difference in pricing Borough property was not covered by blanket coverage, nor was the ice skating rink insured. Police equipment went from individual to blanket coverage, and the 2018 Backhoe worth one hundred twenty-eight thousand dollars was added.

Mr. Woodruff stated on a positive note, approximately three hundred fifty dollars in dividend will be given to the Borough the first year of the program. He stated it was one of the lower dividends given in the past few years.

Crime Insurance was currently renewed at a price of four hundred twenty-six dollars for a three-year period at the same amount.

### **Discussion Items:**

1. **Handicap Space in Front of Courthouse:** More information was presented to Council, and a handicap space in front of the Courthouse is needed, but not warranted per the codes for roadway and parking spaces.
2. **Chamber of Commerce – 3<sup>rd</sup> Friday Night Out:** Councilman Follert shared with Council the new event 3<sup>rd</sup> Friday Night Out will start in July on the 20<sup>th</sup>.
3. **PennDot Survey:** Mayor Tom LaMont offered to conduct the survey. The Secretary will email him the information regarding the survey which includes the link.

4. **PA Department of Revenue:** A letter arrived from the Pennsylvania Department of Revenue regarding conducting a study for a possibility of a statewide collection of local earned income tax replacing the current method. This study will be used to determine the feasibility and potential cost savings involved with a statewide collection process. Council members discussed this initiative for a few minutes, the ramifications of having the state involved with local collections. Clarification is needed to assure local tax collected stays local.
5. **Blueberry Festival Request:** Councilman Schuster motioned for the Street Department to barricade parking spaces south of the village green on Maple Street and spaces on the east side of Lake Avenue for the Blueberry Festival, Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carries.
6. **Cintas:** The Cintas Representative informed Borough Secretary they would be able to cut cost significantly by signing up for a Group Purchasing Agency the Master Intergovernmental Cooperative Purchasing Agreement. The product and delivery charge will drop from ninety-two dollars and seventy-three cents per delivery to twenty-eight dollars and eighty-seven cents with an annual savings of one thousand six hundred sixty dollars and thirty-six cents.
7. **Trehab:** Council members discussed an article “Support To Stay Clean” on new treatment Trehab will be offering in Montrose and Tunkhannock.

**Executive Session: No Executive Session was held.**

Councilman Schuster motioned to adjourn the meeting; Councilman Holbert 2<sup>nd</sup> the motion. All in favor, motion carried.

**Meeting Adjourned 8:45 PM**

Respectfully Submitted,

*Lillian T. Senko*

Lillian T. Senko  
Borough Secretary

**MONTROSE BOROUGH COUNCIL  
PUBLIC HEARING  
July 16, 2018  
7:00 PM**

**Council President Sean Granahan called the meeting to Order at 7:01 p.m.**

Pledge of Allegiance was recited by all.

**Adoption of Agenda:** President Granahan inquired if anyone had any changes or additions to make to the Agenda. No additions or changes were made.

**Present for Roll Call:** Sean Granahan, Jamie Holbert, Tom Follert, Craig Reimel, Judy Kelly

**Absent:** Todd Chamberlain, Randy Schuster (joined meeting at 8:09)

**Other Officials Present:** Tom LaMont, Mayor; Michael Briechele, Solicitor; Lillian T. Senko, Secretary

**Recognition of Attendees:** Adam Carrington, Jenny Olin, Staci Wilson, Alan Hall, Dylan Amplo

**Public Hearing Opened at 7:03 p.m.**

Solicitor Michael Briechele stated Ordinance 2018-01 was intended to provide opportunities for increased retail commerce to develop in the Commercial (C-1) and Office (X-1) districts, while affording clinics with areas more conducive to their intended purposes as outlined in the proposed ordinance.

Legal Ads were published two times over a two-week period as required by law in the Susquehanna County Independent, and the Susquehanna Transcript. Copies of the proposed Ordinance 2018-01 was sent to each newspaper with the publication request. Copies of the proposed Ordinance 2018-01 was also sent to the Susquehanna County Planning Commission, Montrose Borough Planning Commission and the Susquehanna County District Court Office Administrator.

In a letter dated June 27, 2018 the Montrose Borough was notified by the Susquehanna County Planning Commission they reviewed Ordinance 2018-01 and



recommended Montrose Borough Council act on the proposed ordinance after following procedures by the Pennsylvania Municipalities Planning Code and any other local, state and federal laws.

Solicitor Briechele stated the Ordinance is based upon conversations heard at Borough Councils monthly meetings identifying a need for more retail businesses in the downtown area, to open up the C-1 area to allow different type of retail, and the importance to expand the businesses in that area. He said C-1 and X-1 have certain typography which is not conducive to individuals that require medical treatment, especially the elderly.

Staci Wilson, Susquehanna County Independent representative stated the Ordinance recognizes three clinics; dental practice, a medical group and a mental health organization, she said there could be more in operation not listed here. Solicitor Briechele stated that's a possibility but whatever clinic is currently in operation will not be affected by this Ordinance.

President Granahan stated PennDot does not do a good job clearing the snow in the parking areas, and people have difficulty getting near the meters. He's sure the people would prefer places where they can park, get out of their car and walk to the door.

Mrs. Wilson asked "What has the Borough done to bring businesses to the area"? President Granahan replied, if you go up to New York, town after town has vacant buildings, they need to find different ways to bring businesses to town. Sprucing up Memorial Park which has been Councilman Reimel pet project, planting trees in town to make it more alluring, and replacing the sidewalks are some of the initiatives Council has been doing.

Councilman Reimel stated by moving clinics to the I-1 district it would be too restrictive to try and fill up storefronts. Chiropractors, dentists, and eye doctors would be directed to the I-1 district which would remove and limit the potential to have a successful downtown district.

Councilwoman Kelly said those type of businesses only required small spaces, and their patients and staff may stop into the shops, and perhaps get something to eat.

Mrs. Wilson supported that fact by stating during the days the Orthodontist is open she said she sees patrons and staff going into stores and restaurants.

Mayor LaMont said the Ordinance would encourage the clinics to go into the I-1 district where more parking is available.

Councilwoman Kelly stated she feels by restricting the C-1 and X-1 areas they will be depleting some of the lunch crowd in the downtown section of town.

Solicitor Briechele stated the fact is during the 9:00 a.m. to 5:00 p.m. timeframe Public Avenue, South Main Street and Church Street have traffic, the problem is after 5:00 p.m. the area is dead. The retail storeowners, restaurants and the brewery are calling for more foot traffic after 5:00 p.m. and redirecting clinics to the I-1 district would allow for better retail development in the C-1, X-1 district. Another factor is the buildings are so old with new code regulations for clinics and medical they would never qualify under the current guidelines of the Uniform Commercial Code (UCC).

Councilman Schuster said he thought the Ordinance should be more specific and not have such a large umbrella.

Solicitor Briechele said the term clinic is a defined term in our Zoning Ordinance, and the definition could be tailored if Council would want to be more specific. For example, the term “Health Facility” is a broader category since it includes clinics.

Mayor LaMont stated it was up to Council and the Mayor to direct the growth of town, and to avoid spot zoning. If they want to achieve the feel of a New England town they need to make a choice to grow professional or retail businesses.

Councilman Reimel spoke about the trials of retail coming into Montrose, the old buildings that are not up to code, and the cost of conforming the space.

Councilwoman Kelly stated this particular Ordinance coming in front of Council tonight is untimely.

Commissioner Allen Hall said it doesn't matter how hard you work to help businesses come into town, if the residents don't support it they'll struggle big time. The way society has gone, they need to establish that niche of businesses that people want to shop in.

**Public Hearing Closed at 8:36 p.m.**

President Granahan asked if someone wanted to make a motion to adopt Ordinance 2018-01. Councilman Schuster motioned to adopt Ordinance 2018-01; Councilman Holbert 2<sup>nd</sup> the motion. The voting is as follows:  
Councilman Schuster – Yay  
Councilman Holbert – Yay  
Councilman Follert – Nay  
Councilman Reimel – Nay  
Councilwoman Kelly – Nay  
Councilman Chamberlain – Absent  
Council President Granahan – Yay

The matter was tabled to allow Solicitor Briechele to research whether Mayor LaMont would be able to break the tie.

### **Public Hearing Opened at 8:40 p.m.**

Solicitor Michael Briechele stated Ordinance 2018-02 will in simple terms take a property within a Residential (R-1) area and add a cultural element. Allowing an Art Studio to operate in a R-1 district.

Legal Ads were published two times over a two-week period as required by law in the Susquehanna County Independent, and the Susquehanna Transcript. Copies of the proposed Ordinance 2018-02 was sent to each newspaper with the publication request. Copies of the proposed Ordinance 2018-02 was sent to the Susquehanna County Planning Commission, Montrose Borough Planning Commission and the Susquehanna County District Court Office Administrator.

In a letter dated June 27, 2018 the Montrose Borough was notified by the Susquehanna County Planning Commission they reviewed Ordinance 2018-02 and noted a typo regarding parking spaces in the proposed ordinance which was corrected before tonight's meeting. Susquehanna County Planning Commission recommended Montrose Borough Council act on the proposed ordinance after following procedures by the Pennsylvania Municipalities Planning Code and any other local, state and federal laws.

President Granahan stated it would add an artistic flair to residential areas, no need to go down to the C-1 district to enjoy culture.

No further discussion or questions.

**Public Hearing Closed at 8:42 p.m.**

Councilman Reimel motioned to adopt Ordinance 2018-02; Councilwoman Kelly 2<sup>nd</sup> the motion. All in favor, motion carries.

**Meeting Adjourned 8:52 PM**

Respectfully Submitted,

*Lillian T. Senko*

Lillian T. Senko  
Borough Secretary

**MONTROSE BOROUGH COUNCIL  
PUBLIC HEARING  
July 26, 2018  
7:00 PM**

**Present for Roll Call:** Judy Kelly

**Absent:** Todd Chamberlain, Randy Schuster, Sean Granahan, Jamie Holbert, Tom Follert, Craig Reimel

**Other Officials Present:** Tom LaMont, Mayor; Michael Briechele, Solicitor; Lillian T. Senko, Secretary

**Recognition of Attendees:** Not a single person present

A Public Hearing was scheduled, and a Legal Notice was posted in the Susquehanna County Independent announcing the Hearing.

One Council member was available for the meeting which did not meet the required number for a quorum. No business was able to be conducted.

Respectfully Submitted

*Lillian T. Senko*

Lillian T. Senko  
Borough Secretary