

REGULAR MEETING
April 6, 2015
7:00 PM

President, Tom LaMont called the meeting to Order at 7:00 p.m.

Pledge of allegiance was recited by all.

Mayor John Wilson read a prayer for guidance.

Approval of Minutes: President LaMont inquired if there were any changes or corrections to the March 2015 minutes. A motion was made to accept the minutes as presented by Julanne Skinner, Craig Reimel 2nd the motion. All in favor, motion carried.

Present for Roll Call: Tom LaMont, Craig Reimel, Sean Granahan, Julanne Skinner, Todd Chamberlain, Tony Pickett, Randy Schuster

Absent:

Other Officials Present: John Wilson; Mayor, Marion O'Malley; Solicitor, Lillian T. Senko; Secretary

Misc. Correspondence:

From the Desk of the Secretary

RE: Information requested at the March 2nd Council meeting

ARRO Engineering & Environmental Consultants

RE: Montrose Municipal Authority Notification

Zoning Planning Board

RE: February 16, 2015 and March 16, 2015 Minutes

Centers for Disease Control and Prevention

RE: Community Summary Report

Susquehanna County Council of Governments

RE: February 17, 2015 Minutes / Agenda 3/17/15

Time Warner Cable

RE: Changes to their service

Stone House Investment Management LLC
RE: Montrose Borough Police

Pennsylvania Department of Labor & Industry
RE: State Workers' Insurance Fund

Community Foundation of the Endless Mountains
RE: Donor Investment Performance

Boy Scouts of America
RE: Distinguished Citizen of the Year Dinner

Montrose Minute Men
RE: 2015 Fund Drive

Susquehanna County Dept. of Public Safety
RE: Countywide Burn Ban

Cabot Oil & Gas Corporation
RE: Notification Gas Wells

Rail-Trail News
RE: Newsletter

President LaMont inquired if there were any questions or comments regarding the miscellaneous correspondence. No questions or comments.

Recognition of Attendees: Chief Dale Smith, Ken Di Phillips, Melinda Darrow, Stacy Wilson, Benjamin Rebeck, Kevin Wenner, Mike Webb, Dan Colby

Adoption of Agenda: President LaMont questioned if anyone wanted to make any changes or additions to the Agenda. The following item was added to the Discussion Items: Track Leatherstocking; Frontier Lot Problems was taken off the Agenda. Litigation and Personnel was added to the Executive Session. Motion was made to adopt April's Agenda with the additional items and one deletion by Julanne, Craig 2nd the motion. All in favor, motion carried.

Approval of A/P: President LaMont inquired if there were any questions or comments on submitted Accounts Payable. No questions or comments. Sean Granahan motioned to approve payment of outstanding bills, Julanne 2nd the motion. All in favor, motion carried.

Approval of Payroll: President LaMont inquired if there were any questions or comments on submitted Payroll report. No questions or comments. Sean motioned to accept Payroll Report, Tony Pickett 2nd the motion. All in favor, motion carried.

Accounts Receivable/Deposits: President LaMont inquired if there were any questions or comments associated with the submitted Accounts Receivable/Deposit report. No questions or comments.

Reports:

Treasurer's Report: President LaMont asked if anyone had any questions or comments on the submitted Treasurer's Report. Motion was made to accept the Treasurer's Report by Craig, Sean 2nd the motion. All in favor, motion carried.

Budget Report: President LaMont inquired if anyone had any questions or comments on the presented material. No questions or comments.

Street Department: President LaMont asked if anyone had any questions or comments on the report provided by Ken DiPhillips. He also invited Ken to provide additional information or updates to his report.

Randy Schuster asked how the new heating system was working; Ken replied, awesome! Ken said that the old heating oil was depleted.

The quotes Ken has been receiving to install a generator at 89 Cherry Street are from \$9,000 – 24,000. President LaMont asked if we have a spec on the generator, Ken replied no. He asked if we would be able to advertise for bids since the price is going to amount to over \$19,500.00. Sean asked the Borough Secretary to prepare the advertisement for the paper. Sean motioned to advertise for a generator, Tony 2nd the motion. All in favor, motion carried.

Ken informed everyone the pipes are plugged from the bottom of Cemetery Hill to South Main Street. He thinks its possible Chestnut Street coming across Maple Street is also plugged as well. When the catch basin by the Library receives more water than it can handle, it floods the elevator shaft. Since it never used to flood he thinks something is compromised. A vacuum truck is needed to clean out the pipes. Craig motioned to hire the company at \$150.00 per hour, Sean 2nd the motion. All in favor, motion carried.

The fluorescent light bulbs for the building have been harder and harder to find, and the price keeps going up. The Borough Secretary informed Council, First Energy is offering a rebate of \$0.07 per kWh energy if we change to LED. Council asked if all the fixtures needed to be replaced, and the answer was no. The Secretary found out that there are conversion kits that will be more affordable. She just started researching and asked for permission to proceed with this project. Craig motioned to have the Borough Secretary sign up for the First Energy rebate, Sean 2nd the motion. All in favor, motion carried.

The PA One Call system has increased dramatically this past month, and it is getting harder to keep an eye on the Leatherstocking workmen. Ken said he spoke to John who is one of the three owners, and they will do the restoration until they complete all the work. President LaMont said they are responsible for two years per the ordinance.

Cinders also need to be ordered Ken informed Council. Randy motioned to order the 250 yards of cinders at \$14.75 per yard at a total price of \$3,687.50, Sean 2nd the motion.

Zoning Report: President LaMont asked if there were any questions or comments on the Zoning Report submitted by the Zoning Officer. No questions or comments.

Police Department: President LaMont asked if there were any items Chief Smith would like to report on, or if there were any questions or comments regarding the Police Report.

Chief Smith reported the officers went to the training seminar last month. He stated with the weather changing, the patrol officers have been out more. They have been out of the patrol cars and speaking with business owners on Public Avenue.

Municipal Authority: President LaMont asked if there were any questions or comments on the submitted Municipal Authority Report. Julanne asked if Council still wanted to meet with the MMA Supervisors. Council affirmed and asked the Secretary to invite them to the May meeting. No further questions or comments.

Mayor's Report: Mayor Wilson stated the only topic he had was a personnel issue that he would like to be discussed in the Executive Session.

Action Items:

1. **Advertise Micro Surfacing Bid:** Craig motioned to advertise for bid the Micro Surfacing project, Sean 2nd the motion. All in favor, motion carried.
2. **Approve and Sign Audit Engagement Paperwork:** Craig motioned to sign the paperwork, Randy 2nd the motion. All in favor, motion carried.
3. **Deputy Tax Collector:** Betsy O'Malley, the current Tax Collector has appointed her sister Ellen O'Malley as Deputy Tax Collector. Sean motioned to approve Ellen O'Malley as Deputy Tax Collector, Craig 2nd the motion. All in favor, motion carried.
4. **LTAP Training Session:** The Local Technical Assistance Program (LTAP) would like to use our meeting room on June 3, 2015 for one of their training sessions. Tony motioned to approve LTAP to use the meeting room, Randy 2nd the motion. All in favor, motion carried.
5. **Memorial Day Parade:** Sean motioned to have the Memorial Day Parade on Monday, May 25, 2015, Todd 2nd the motion. All in favor, motion carried. Council asked the Borough Secretary to contact Leeward to notify them of the parade and ask that the area is clean and clear of debris.
6. **Accept MMA Committee Term Listing/Reappoint Robert Mann:** Julanne motioned to accept the term listing for the Montrose Municipal Authority Committee, Sean 2nd the motion. All in favor, motion carried. Craig motioned to reappoint Robert Mann to the Committee, Julanne 2nd the motion. All in favor, motion carried.
7. **Continuation repair/painting of Borough Building:** Craig motioned to have Carl Rinyu continue with the repair and painting of the Borough building, Randy 2nd the motion. All in favor, motion carried.
8. **Resolution/Certificate for the Chamber of Commerce Citizen of the year:** Craig stated that the Borough Council normally recognizes the Citizen of the Year by either a resolution or a certificate from Council. Sean motioned to pass a resolution recognizing Craig Reimel as the Citizen of the Year, Julanne 2nd the motion. All in favor, motion carried.

9. **Democratic Meeting:** Sean motioned to allow the meeting room to be used by the Democratic Party for a meeting on May 6, 2015, Julianne 2nd the motion. All in favor, motion carried.

Discussion Items:

Deer Management: President LaMont asked Craig to introduce the Game Commission guests. Benjamin Rebuck, Kevin Wenner, and Mike Webb were the three gentlemen who attended the meeting. Kevin Wenner stated he would like to give a general overview on how to proceed with deer management.

The steps a community can take are feeding bans which would have to be enforced by the local police. Kevin Wenner stated that only small bird food should be approved for property owners, and feed, corn and salt blocks should be banned. This cannot be easily enforced, and he suggested having the community be involved in the program. Another step would be to contact property owners surrounding the Borough and ask for their assistance. The property owners would be able to apply for the Deer Management Assistance Program (DMAP) which would allow coupons for hunting additional deer. Randy stated that they would be shooting the deer on their property, and how would that affect the deer within the Borough. Kevin Wenner stated the deer stay within a short boundary and they probably cross over between the adjourning boundaries.

Officer Webb stated state law supersedes local ordinances. If there is a local ordinance that states no discharge of firearms within the Borough limits during hunting season, they can hunt as long as there is enough property where it can be done safely. Julianne asked if the surrounding loss of habitat had an impact on this issue. Officer Webb said even though there has been land cleared for drilling there is still enough places for them to feed, and he doesn't see this as the major issue. Kevin Wenner said the doe's develop a home range, and they never leave that range to venture out. He reiterated that the deer stay close to their initial boundary. He said; to a deer the Borough looks like Price Chopper down the road. There are plenty of people who probably feed them, and there is a bountiful harvest of plants and shrubs for them to feast on.

Kevin Wenner stated the deer population has been allowed to increase in all of Susquehanna, Bradford, and Wayne counties starting 7-8 years ago since

the hunters were complaining there was a lack of deer. The Board of Commission changed the rifle season from a 12 day concurrent to a 7 day time frame.

Randy asked the Game Commission representatives how expensive would it be to have sharp shooters come into the Borough to eliminate the deer. Mr. Rebuck stated Mt. Lebanon paid \$500.00 per deer. Randy asked if there were grants available to hire the sharpshooters, Officer Webb stated no. The \$500.00 is for the deer to be processed and the meat is donated to a local food shelter.

Marion O'Malley asked if we take away one food source won't the deer just find another one. Mr. Rebuck said if the simplest food source is taken away, they usually go looking for another one. Office Webb said feeding the deer artificial food is taking away their natural instinct, since it's an easy meal for them.

Officer Webb stated that processes need to be started, and followed before the Game Commission would approve having the sharp shooters to come into the area. The first step would be to create and enforce an Ordinance against feeding the deer. The second step would be to enlist the help of the residents in the surrounding area. Once these two steps were taken, the Game Commission Officer would then reevaluate the situation to determine if the sharp shooters would be the next logical step. Office Webb suggested for Council to pen a letter to the Commissioner Jay Delaney to inform him of the abundance of deer in the area. His e-mail is pgcdistrict7@aol.com. Commissioner Delaney is hearing from the hunters that there is a lack of deer in Susquehanna County and it would be helpful for him to know about the abundance of deer in Montrose.

Notification & Resource Manual (NARM) Template for Update:

Borough Secretary informed Council she received a NARM template that needs to be updated and returned to the Susquehanna County Department of Public Safety. Council said to give the paperwork to Bernie Zalewski to fill out.

RAS Agreement with PennDot: Borough Secretary informed Council PennDot has notified us that an electronic membership needs to be set up for the Streetscape Project. The first part of the agreement is to have the Borough sign an Agreement to Authorize Electronic Access to PennDot

Systems (ECMS), and the second part would be to sign up for the Reimbursement Agreement System (RAS). The Secretary stated she would fill out the necessary online forms for the ECMS, but the RAS would require a Resolution authorizing a Signatory, Project Manager, and a General User. Sean motioned to sign the ECMS agreement, Craig 2nd the motion. All in favor, motion carried.

Quality of Life Ordinance: Todd Chamberlain discussed the positive aspects of the Ordinance which is in effect in Hazelton, and is in consideration in Scranton. Todd stated it would give the police officers the right to site property owners with any violation within the Ordinance. Council members agreed it would save time since would be quicker than having the Zoning Officer site the people, and then wait for it to go through the court systems. Todd asked the Secretary to send a copy of the Ordinance to the Council members for them to view.

Tax Bills (Incorrect Addresses): Todd said there were so many tax bills that went out with incorrect addresses, and he feels this needs to be taken care of. Council stated it is the County's job to make sure that the addresses are correct.

Track Leatherstocking: Council informed Ken they would appreciate it if he would track the progress Leatherstocking is making on property restoration. Ken said he spoke with the folks responsible and they will continue to work on the restoration. In the meantime Ken is keeping track of the complaints of the residents who have not had any restoration work completed, or who are not happy with the work that was done.

Executive Session:

President LaMont recessed the open meeting for an executive session at 8:40 pm.

At 8:48 pm President LaMont called the open meeting back to order.

Sean motioned to adjourn the meeting, Craig 2nd the motion. All in favor, motion carried.

Meeting Adjourned 8:50 PM

Respectfully Submitted,

Lillian T. Senko

Lillian T. Senko
Borough Secretary

**SPECIAL MEETING
Public Hearing William Lewis
April 20, 2015
7:00 PM**

President, Tom LaMont called the meeting to Order at 7:07 p.m.

Pledge of allegiance was recited by all.

Councilman Sean Granahan is the recorder of the minutes for this special meeting.

Present for Roll Call: Tom LaMont, Craig Reimel, Sean Granahan, Todd Chamberlain, Tony Pickett, Randy Schuster

Absent: Julanne Skinner

Other Officials Present: John Wilson; Mayor, Marion O'Malley; Solicitor,

Approval of A/P: President LaMont inquired if there were any questions or comments on submitted Accounts Payable. No questions or comments. Sean Granahan motioned to approve payment of outstanding bills, Craig Reimel 2nd the motion. All in favor, motion carried.

Recognition of Attendees: Mary Ann Dewitt, John P. Watts, Deb Lewis, Bill Lewis, Dan Becker, Gretchen Becker, Earle Wootten, Kevin Buck, Maureen Jordan, Mark Andre, Paula Catlin, Tom Calcaine, Stacey Bruno, Chris Caterson

Public Hearing:

Craig motioned to appoint Solicitor, Marion O'Malley the Hearing Officer, Todd Chamberlain 2nd the motion. All in favor, motion carried.

Public Hearing opened at 7:09 pm

Solicitor, Marion O'Malley provided the opening remarks, and the stenographer Ruth Lynch will be keeping the official minutes of this meeting. The following will be a mention of who is speaking and a synopsis of their remarks.

John Watts: Provided testimony on the report he submitted on 9/29/14.

Maureen Jordan: Testified

Stacey Bruno: Neighbor of Bill Lewis since June 2012. She stated that there has been no negative impact of his office on her property, and they are easy neighbors. Ms. Bruno also testified that the Jordan's had a law office at the same premises.

William Lewis: Testified on his "residency" at 80 Church Street, and stated that the property is a continuing use from the previous owners.

Kevin Buck: Lives at 56 Church Street which is two doors down from the Lewis's. He was very supportive of them, and stated it was the nicest house.

Dan Backer: Is a neighbor of Bill Lewis at Heart Lake, and was very supportive of the Lewis's. He was also a client of the Jordan's.

Solicitor, Bob Hollister: Made closing arguments which included the property is the same use as the Jordan's, and argued that it is a "grandfathered use".

8:57 PM Evidentiary Record Closed

9:18 PM Meeting Reconvenes

Conditional Use:

- Contingent upon the return of the sidewalk area to its former appearance.

Sign:

- To be addressed at a later date. Current Sign Ordinance is in the process of revision.

Craig Reimel motioned to approve the Lewis's application for a Conditional Use variance, Randy Schuster 2nd the motion. Voting as follows:

Nay: President LaMont, Tony Pickett

Yea: Sean Granahan, Craig Reimel, Randy Schuster, Todd Chamberlain

Majority rules affirmative action, motion carried.

Meeting Adjourned 9:22 PM

Respectfully submitted,

Lillian T. Senko

Lillian T. Senko
Borough Secretary