

TUNKHANNOCK BOROUGH COUNCIL
Regular Meeting
November 5, 2015

Council President Stacy Huber called the monthly Meeting of the Tunkhannock Borough Council to order in the Borough Building, 126 Warren Street, Tunkhannock, PA at 7:00 p.m. He led those in attendance in the Pledge of Allegiance to the Flag.

Present were: Mayor Norman Ball; Council Members Marshall Davis, Scott Douthett, Stacy Huber, Joseph Myers, Robert Robinson, Lisa Tesluk and Ruth Vincenti; and Borough Manager Dawn Welch. Absent: Wendy Sweppenheiser.

Others present: Wyoming County Press Examiner (WCPE) Reporter Jeff Horvath; Police Chief Roger Hardy; and Citizens Susan DiStadio, Mike DiStadio, Ned Slocum, Mark Monsey, Patti Mead, Carlos Penedos, and Ben Barziloski.

On motion by Marshall Davis, seconded by Ruth Vincenti, move to approve the minutes of the meeting held on October 1, 2015 and October 21, 2015. Motion carried unanimously.

On motion by Robert Robinson seconded by Joseph Meyers, move to approve payment of the bills. Motion carried unanimously.

Public Privilege of the Floor:

Mark Monsey, Tunkhannock Business and Professional Association, congratulated Marshall Davis, Stacy Huber, Ruth Vincenti, Lisa Tesluk, and Ben Barziloski for their victories in the recent election. Mark then requested to know if there were any questions concerning the upcoming Christmas in our Hometown festivity and train excursions. There were no questions.

Recap of the Mid-Month Meeting, October 21, 2015:

President Huber gave a recap on the: a). change in management of the Borough Employees' Pension Funds; b). status of the Wyoming County Council of Governments Joint Municipal Agreement; c). FEMA Property Restoration; and d). Zoning Matters.

Finance and Administration:

Finance Chairman Scott Douthett thanked the Police Committee, Police Association, and Council for working together on the arbitration on the manning clause. With that said, he announced that the Finance Committee had recommended reducing overall 2016 taxes by two mills.

On motion by Scott Douthett, seconded by Ruth Vincenti, move to advertise, with the intent to adopt, the 2016 Budget and 2016 Tax Levy Ordinance on December 3, 2015. General

Purposes, 21.4 mills; Fire Fund, 1 mill; and Street Lighting, 2.9 Mills. Motion carried unanimously.

President Huber reported that the Council had received a letter this morning from Triton Hose Company requesting an increase in the Fire Fund Tax from one mill to two. He stated that, unfortunately and regrettably, time for the Finance Committee to properly review and assess the request, for the purposes making an appropriate, considered recommendation to Council, while still meeting the established timelines, was not possible at present. He then stated that this is an important matter for our community; and that he would recommend that Council re-open the Budget in January to re-address this, for a possible amendment thereto, as is permitted by the Borough Code during Reorganization Years.

Robert Robinson reported that the Civil Service Test, for the position of Sergeant, is secured in the safe. The officer will have 45 days to study; and the test would be administered around December 15th.

On motion by Robert Robinson, seconded by Joseph Myers, move to approve use of the Wyoming County Liquid Fuels allocation of \$3,121.31 for salt purchases. The motion carried unanimously.

Manager Welch reported that our Blue Cross Health Insurance costs increased by 28.25 percent.

Transportation & Streets Committee (TSC):

Chairman Robert Robinson reported that the Department of Public Works has been vacuuming leaves and will continue until Friday, November 20th. He also thanked everyone for not raking the leaves in the road.

Building and Property Committee:

The Wall Project is moving along very well and is expected to be completed before the deadline.

Ben Barziloski recommended that, after three to four months following the completion of the wall, it be cleaned and sealed to help with its structural preservation.

Riverside Park Commission:

Mayor Ball reported that the ice skating rink will open the Saturday after Thanksgiving (weather permitting); and, the park would need to be mowed one more time due to the warm weather.

Police Committee:

Mayor Ball turned it over to Chief Hardy.

Chief Hardy presented a summary of the Police Report for the month of October, 2015. Note: a copy of the report will be placed on file in the Police Department.

Chief Hardy stated that he had received a safety complaint about the recent Homecoming Parade; so, next year, he will have additional staff.

Police Committee Chairman Marshall Davis gave a recap of the Arbitration Settlement and the purchase of a 2008 Chevrolet Trailblazer.

On motion by Marshall Davis, seconded by Joseph Myers, move to approve having Mile Hill Collision paint/letter the Chevrolet Trailblazer, with funding as follows: \$1,100.00 from the insurance payment received for damage to the 2000 Ford Crown Victoria; the anticipated proceeds from the sale of same; and the balance to come from the Police Reserve Account. The motion carried unanimously.

On motion by Marshall Davis, seconded by Lisa Tesluk, move to authorize the Council President to sign the Buckle Up contract. Motion carried unanimously.

On motion by Marshall Davis, seconded by Joseph Myers, move to advertise the 2000 Ford Crown Victoria police vehicle, with a \$500.00 minimum bid. Motion carried unanimously.

Planning and Zoning:

President Huber stated that Zoning Officer Jere Woods and Solicitor Paul Litwin were present at October's mid-month meeting to discuss possible changes to our Zoning Ordinance. No decisions were reached.

He then reported that, at the September meeting, it was noted that the Zoning Office had received an application for use of the Residentially Zoned property at 21 West Tioga Street for office space. The requesting party, Hand Brake Holdings, LLC, suggested that the Borough evaluate the possibility of rezoning certain areas adjacent to the Downtown Commercial District for such uses. An interim response was provided to the LLC, acknowledging receipt of their letter and stating that Council would look into these matters; and, Council concurrently referred the matter to the Borough Planning Commission for review, comment, and recommendations, before proceeding further. The Planning Commission responded with a letter recommending against doing so. Accordingly, and as stated earlier, our Solicitor and our Zoning Officer attended the mid-month meeting to provide pertinent information and to answer questions.

This possible rezoning, along with other areas (such as Parking Requirements for the Downtown Commercial District; Community and other Group Living Facilities; Re-Zoning of the Highway Commercial District; follow-on actions related to Pennsylvania Act 13 Gas and Oil Legislation; and others, for updating the Zoning Ordinance) were reviewed. No decision was reached nor was any action taken. Many of the foregoing are issues that should be addressed in the very near

term and for which professional assistance would be required. President Huber contacted Zoning Consultant Carson Helfrich (who has assisted us in the past) to try to obtain an "order of magnitude" estimate of the costs, time, etc., involved. Carson provided an estimate of between \$4,000.00 and \$5,000.00 for the project. The funds are available within this and next year's budget.

Mayor Ball stated that he is 100% opposed to the expansion of the Commercial District into the "single family residential" area. He further stated that he does not understand why the Borough needs to change the parking in the downtown area. President Huber responded that our Solicitor has advised that the current ordinance does not adequately address parking requirements in the Downtown Commercial (C-1) District, which could result in litigation against the Borough

Carlos Penedos, Susan DiStadio spoke out against the rezoning. After considerable discussion, a motion was made.

On motion by Marshall Davis, seconded by Lisa Tesluk, move to engage the services of Carson Helfrich to examine the existing ordinance and the specified list of items reported and provide appropriate recommendations thereto. Motion carried unanimously.

Council of Governments (COG): N/A.

Other Business:

On October 21, 2015 The Wyoming County Planning Commission granted Preliminary Approval to the Walnut Hill Development.

Council Privilege of the Floor: N/A

On motion by Robert Robinson, seconded by Joseph Myers move to adjourn the meeting at 8:02 p.m. Motion carried unanimously.

Respectfully submitted,

Dawn Welch,
Borough Manager