

MINUTES
BROOKVILLE BOROUGH COUNCIL MEETING
Tuesday, December 15, 2015 @ 7:00 P.M.

The Brookville Borough Council met in the large conference room on Tuesday, December 15, 2015 at 7:00 P.M. with the following in attendance:

COUNCIL MEMBERS

John Blazosky – arrived 7:49 P.M.
Phil Hynes
Karen Allgeier
David Ferringier
Bill Kutz
Steve Hoak
Clarinda R. Darr
Danielle VanSteenberg

STAFF

Manager Dana D. Shick
Mayor Richard Beck
Police Chief Jason Brown
Director of Public Works -
Dave Vallosio
Zoning/Code/Health Officer -
Emerson Turnbull
Solicitor Jim Dennison
Recorder Christine Gunning

VISITOR/MEDIA

Patti Slaughter
Matt Triponey
John Pozza
Barbara VanSteenberg
Don Musgrave
Deb Wilson
Terry Rhodes
Grace Pesselato

CALL TO ORDER:

Vice-President Phil Hynes called the meeting to order and led the group in the Pledge of Allegiance to the American Flag.

CORRECTIONS/APPROVAL OF MINUTES (December 1, 2015)

President Pro-Tem Karen Allgeier moved to approve the minutes of the December 1st meeting as submitted; seconded by Member Steve Hoak. Motion carried 6-0.

FINANCIAL REPORTS:

- A. Approval of Expenditures** – The current bills were presented for approval. Manager Dana D. Shick stated there was one addition:
- 1.** \$2,000.00 – Health Officer
- President Pro-Tem Karen Allgeier moved to approve the bills as amended, seconded by Member Steve Hoak. Motion carried 6-0.
- B. Fund Level Financial Statements** – Vice-President Phil Hynes stated they will be glad to answer any questions regarding the Fund Level Financial Statements.

PUBLIC COMMENT:

- A. Brookville Food Pantry – Tax Exempt Request** – Don Musgrave stated he and Terry Rhodes are members of the Brookville Area Ministerial Association, which is a not-for-profit 501c3 organization. Don Musgrave stated the Ministerial Association operates the Brookville Area Food Pantry, which has been in operation in Brookville for over thirty years and serves between 150 and 180 families each week. Don Musgrave stated since 1996 the food pantry has been thankful to be able to use a Borough building near the Memorial fields. Don Musgrave stated the number of families coming to the food pantry has increased substantially, and the food pantry has outgrown that space. Don Musgrave stated

they are a non-profit entity, and they have never paid property tax. Don Musgrave stated on September 3rd the Brookville Area Food Pantry closed on purchasing 142 Allegheny Boulevard, which is the former Agway building. Don Musgrave reported the closing date was two days past the filing deadline to appeal property taxes for 2016. Don Musgrave stated they are asking Council to waive Borough property taxes on the new food pantry site for 2016. Don Musgrave stated an appeal to waive property tax for 2017 has been filed. Don Musgrave reported they paid Borough taxes of \$3,085.00, and asked if they can be forgiven because of their status. President Pro-Tem Karen Allgeier asked if they were eligible for LERTA, and Solicitor Jim Dennison stated they were not. Member Bill Kutz moved to give the Brookville Food Pantry tax exempt status for 2016; seconded by Member David Ferring. Motion carried 6-0.

- B. Grace Pesselato – Jefferson County Conservation District (JCCD) – Grant Proposal/Sign(s) Approval** – Grace Pesselato from the Jefferson County Conservation District stated they are applying for a \$3,000.00 educational/environmental grant from the Department of Environmental Protection. Grace Pesselato reported they plan to have two watershed camps at Walter Dick Park this summer and next spring. Grace Pesselato stated this summer they will have a watershed camp for elementary school students with the help of the North Fork Watershed Association. Grace Pesselato stated next summer they would like to have a watershed camp for high school students. Grace Pesselato stated they plan on having elementary school students put stickers on storm sewers on Main Street. Grace Pesselato stated they will have a presentation on why you do not want to dump right down the storm sewers. Grace Pesselato stated she is looking for approval to put stickers on storm sewers, permission to put an educational watershed sign at Walter Dick Park, and would like the Borough to be a partner in her grant. Member Clarinda R. Darr asked Grace Pesselato how big the sign would be, and Grace Pesselato stated the sign would be two feet by three feet. Member Clarinda R. Darr asked Grace Pesselato how many stickers she will put on storm sewers, and Ms. Pesselato stated she wants to get 25 of them. Police Chief Jason Brown stated he recommends using a stencil with paint right over the curb next to the storm drains instead of stickers. Grace Pesselato stated she heard about the use of stencils, but would rather not have little kids use spray paint. President Pro-Tem Karen Allgeier asked if there is a cost to the Borough for any of this, and Ms. Pesselato stated there is not. Manager Dana D. Shick stated all Council is being asked to vote on is allowing Grace Pesselato to put the sign at Walter Dick Park, and allowing her to mark the storm drains. President Pro-Tem Karen Allgeier moved to approve Grace Pesselato's request to mark the storm drains and place a sign at Walter Dick Park; seconded by Member Bill Kutz. Motion carried 6-0. President Pro-Tem Karen Allgeier thanked Grace Pesselato for her forward thinking.

REPORTS:

Chief of Police

- A. Memorandum of Understanding Regarding Police Coverage of Brookville Area School District Events** - Police Chief Jason Brown stated Council has a

copy of the memorandum of understanding between the Brookville Police Department and the Brookville Area School District regarding police coverage of their events. Police Chief Jason Brown stated it addresses everything including the wages, the Brookville Police Department's responsibilities, the Brookville Area School District's responsibilities, and the payment including the contribution to the pension plan. Chief Jason Brown stated he submitted it to Solicitor Jim Dennison for his review and Solicitor Dennison stated it is o.k. President Pro-Tem Karen Allgeier moved to authorize Police Chief Jason Brown, President John Blazosky, and the Secretary of Council to sign the memorandum of understanding between the Brookville Police Department and the Brookville Area School District for police coverage of their events pursuant to this agreement; seconded by Member Bill Kutz. Motion carried 6-0. Member David Ferringer asked if this is on a yearly basis, and Police Chief Jason Brown stated it would be renewed every year.

Director of Public Works – Public Works Director Dave Vallosio reported they are working on the Flood Control Project. Public Works Director Vallosio stated they are cutting down large brush, and painting and greasing the six flat gates. Public Works Director Vallosio reported they are refurbishing damaged picnic tables. Public Works Director Dave Vallosio stated all Borough Complex work orders are current. Member Clarinda R. Darr thanked whoever it was that fixed the pothole in the parking lot of Plyler's Restaurant on Allegheny Boulevard. Solicitor Jim Dennison asked Public Works Director Dave Vallosio if he took care of it, and Public Works Director Dave Vallosio stated he made a phone call regarding it.

Zoning/Code/Health Officer – Zoning and Code Enforcement Officer Emerson Turnbull reported he did prep work for and attended two Zoning Hearing Board meetings, handled two calls regarding additions to cell towers, had calls and a meeting regarding a demolition on East Main Street, handled calls and permits for Sheetz signs, made a site visit regarding soil contamination at a construction site, issued a permit and had a meeting for the food pantry, handled one leaf burning complaint, made three site visits and door hangings regarding trash on a porch on West Main Street, and drafted one letter that will be mailed at a later date for Solicitor Jim Dennison's review. Member Clarinda R. Darr asked about the status of the Sheetz project, and Zoning and Code Enforcement Officer Emerson Turnbull reported they are done until January 12, 2016. Member Clarinda R. Darr asked what they plan to do with East Main Street, and Zoning and Code Enforcement Officer Emerson Turnbull stated it will be a parking lot.

Committee Reports

A. Finance Committee

- 1. 2016 Budget** – Finance Committee Chairman Phil Hynes stated since he is running the meeting, he is turning this over to Manager Dana D. Shick. President Pro-Tem Karen Allgeier asked if there was any public comment, and Manager Dana D. Shick stated there was not. Manager Dana D. Shick asked if there were any questions regarding the 2016 Budget as proposed. Member Clarinda R. Darr asked how about comments, and Manager Dana

D. Shick stated now is the time to make comments as well. Member Clarinda R. Darr thanked the Brookville Volunteer Fire Company who declined a tax raise this year and stepped up to the plate to help lower the hike that is apparently coming; a carport for the police and some salary changes for certain officials. Member Clarinda R. Darr stated she is pleased Manager Dana D. Shick has started taking some equipment inventories. Member Clarinda R. Darr stated Council needs to be smart, proactive, and diligent. Manager Dana D. Shick stated she is looking for a motion to approve Resolution 519-15 which adopts the 2016 Budget. President Pro-Tem Karen Allgeier moved to approve Resolution 519-15; seconded by Member Steve Hoak. Motion carried 5-1, with Member Clarinda R. Darr dissenting. Vice-President Phil Hynes stated the 2016 Budget has been finalized.

Solicitor

- A. **Special Meeting** – Solicitor Jim Dennison stated Council will have to have a Special Meeting regarding adopting the tax ordinances before the end of the month. President Pro-Tem Karen Allgeier moved for Council to have a Special Meeting on Tuesday, December 29th at 7:00 P.M.; seconded by Member Steve Hoak. Motion carried 6-0.
- B. **Zoning Hearing Board Meeting Update** – Solicitor Jim Dennison reported at a recent Zoning Hearing Board meeting PA Great Outdoors applied for a variance to use a sign on the Jen and Dave Black property on Allegheny Boulevard. Solicitor Dennison reported the Zoning Hearing Board granted them a variance. Solicitor Dennison reported the Zoning Hearing Board also granted a variance for a property on Maple Street that a gentleman is fixing up and wishes to subdivide. Solicitor Jim Dennison stated the lots were smaller than required. The Zoning Hearing Board looked at the characteristics of the property, noticed improvements were made to the property, and granted that variance also. President Pro-Tem Karen Allgeier asked Solicitor Dennison if the fees for these meetings are paid for by the applicant. Solicitor Dennison stated the Borough is allowed to pass on some of the fees, but not all of them. Zoning and Code Enforcement Officer Emerson Turnbull stated the fee is \$200.00 to the applicant.

Borough Manager

- A. **Brookville Municipal Authority Member McKinley's Term** – Manager Dana D. Shick stated Brookville Municipal Authority Member Sam McKinley's term is due to expire December 31, 2015. Manager Dana D. Shick stated the Brookville Municipal Authority Board made a recommendation to Council to reappoint Sam McKinley to another five year term, which would put his term out to December 31, 2020. President Pro-Tem Karen Allgeier moved to extend Sam McKinley's term on the Brookville Municipal Authority Board to December 31, 2020; seconded by Member Steve Hoak. Motion carried 6-0.

- B. Letter Supporting House Bill 1394** – Manager Dana D. Shick stated PSAB (Pennsylvania State Association of Boroughs) is asking the Boroughs to help support House Bill 1394 which is up for why legislation should support Boroughs having control over stormwater fees. Manager Dana D. Shick stated currently only Authorities have control in passing along stormwater fees, but in most places in Pennsylvania it falls on Boroughs and townships to control the stormwater. Manager Dana D. Shick stated it makes more sense for Boroughs to be able to pass on stormwater fees, should they so choose, opposed to the Authority. Manager Dana D. Shick stated letters were drafted to Honorable Cris Dush and Senator Joe Scarnati asking them to support House Bill 1394. Manager Dana D. Shick stated she needs a motion to have herself, President John Blazosky, and Mayor Richard Beck sign them. Member Clarinda R. Darr moved to authorize Manager Dana D. Shick, President John Blazosky, and Mayor Richard Beck sign letters drafted to Honorable Cris Dush and Senator Joe Scarnati asking them to support House Bill 1394; seconded by President Pro-Tem Karen Allgeier. Motion carried 6-0. Solicitor Jim Dennison stated this bill allows the Borough to assess people who directly benefit from any improvements to the stormwater system, and the Borough can assess those property owners a portion of the cost of doing it. Vice-President Phil Hynes stated basically Council just voted on local control.
- C. New Ford 550 Snow Plow Truck** - Member Bill Kutz made a motion coming from the Street Committee to authorize Manager Dana D. Shick to cut a check on January 1, 2016 for a new Ford 550 snow plow truck. Manager Dana D. Shick stated they were really looking for a Ford, and the dealer has a yellow one in stock so it is already on hand. Manager Dana D. Shick stated they price matched the Borough through negotiations, and payments are deferred until 2016. Manager Dana D. Shick stated this is a Costars price, and this is a Costars supplier. Vice-President Phil Hynes reported Council already budgeted for this. Vice-President Phil Hynes stated the recommendation from the Street Committee is to issue a check for the snow plow for next year's budget at present time. This motion from the Street Committee was carried unanimously 6-0.

UNFINISHED BUSINESS:

- A. Brookville Volunteer Fire Company's Audit** – Member Clarinda R. Darr asked what the status is of the Brookville Volunteer Fire Company's audit. Finance Committee Chairman Phil Hynes stated the Committee is still meeting regarding that, and it is ongoing. Finance Committee Chairman Phil Hynes stated the Committee did not get the audit figures until very late in the year, at no fault of the Brookville Volunteer Fire Company. Member David Ferringer stated a full audit would cost around \$7,000.00. Finance Committee Chairman Phil Hynes stated the Committee might be satisfied with the review, and a full blown audit would cost more than the Borough wants to spend at this time. Finance Committee Chairman Phil Hynes stated the Committee would like to get this wrapped up soon.

NEW BUSINESS: None

ELECTED OFFICIAL COMMENTS:

- A. **Junior Council Member Danielle VanSteenberg** – Junior Council Member Danielle VanSteenberg stated it is six days until Christmas break, and the younger kids have been Keystone Testing. Junior Council Member Danielle VanSteenberg stated Wheelers and Dealers is about to happen. Junior Council Member Danielle VanSteenberg stated during Wheelers and Dealers the seniors make their own products and sell them to the third and fourth graders.
- B. **Mayor Richard Beck** – Mayor Richard Beck asked for an update on what Council is doing about garbage trucks messing up the roads. Member Bill Kutz stated it would cost \$4,500.00 for the estimate on what it would cost to do this study. Member Bill Kutz stated the option of having the Borough take over the garbage pickup and putting it out for bid was discussed. Member Bill Kutz stated they realized there was really one party out there. Member Bill Kutz stated there are some other service providers out there, but Advanced Disposal owns the dump. Mayor Richard Beck stated, in getting back to the streets, someone recalled back when Matsons agreed they would pay part of keeping the streets up since they drive over them. Mayor Beck asked if there was anything to that. President Pro-Tem Karen Allgeier asked Solicitor Jim Dennison if they could be required to bond the street, and Solicitor Jim Dennison stated in order to bond the street, that study Member Bill Kutz mentioned would have to be done. Solicitor Jim Dennison stated there is no agreement from any of the Borough's industries to repave the streets.
- C. **Member Clarinda R. Darr** – Member Clarinda R. Darr stated the Christmas break is approaching, as Ms. VanSteenberg said. Member Clarinda R. Darr encouraged everyone to participate in winter sports. Member Clarinda R. Darr stated Victorian Christmas and hunting season were successful. Member Clarinda R. Darr wished everyone a Merry Christmas and a Happy New Year.
- D. **Member David Ferringer** – Member David Ferringer thanked Police Chief Jason Brown and the officers for the great job they are doing with the meth labs, and stated the more of them we can stop the better off everyone will be.
- E. **Member Steve Hoak** – Member Steve Hoak wished everyone a safe and very Merry Christmas. Member Steve Hoak thanked the Brookville Police Department, the Brookville Volunteer Fire Company, and all of the assisting agencies that helped take down the meth lab on Richards Street. Member Steve Hoak stated it was very well done, and gave kudos to Chief Jason Brown and everyone else that was involved.
- F. **Member Bill Kutz** – Member Bill Kutz thanked Police Chief Jason Brown and the police officers for their hard work in taking down the meth lab on Richards Street. Member Bill Kutz stated we are very lucky to have Police Chief Jason Brown.
- G. **President Pro-Tem Karen Allgeier** – President Pro-Tem Karen Allgeier thanked Police Chief Jason Brown, Officer Vince Markle, the Brookville Volunteer Fire Company, P.S.P., and everyone involved with taking down the meth lab on Richards Street. President Pro-Tem Karen Allgeier stated she is a

Star Wars fanatic, and it is playing at the Drive-In. President Pro-Tem Karen Allgeier reminded everyone the Borough Christmas party is on December 24th, and wished everyone a Merry Christmas and a very blessed New Year.

- H. Vice-President Phil Hynes** – Vice-President Phil Hynes thanked everyone for their help in passing the budget, and asked President John Blazosky if he had any comments.
- I. President John Blazosky** – President John Blazosky stated he just made it back into town. President John Blazosky stated this community is very fortunate to have the Police Department and Brookville Volunteer Fire Company. President John Blazosky he could not be happier with the way they responded to this incident. President John Blazosky wished everyone a Merry Christmas and Happy New Year. Member Clarinda R. Darr asked if she could add to that, and President John Blazosky stated she could. Member Clarinda R. Darr stated two sets of firemen from the Brookville Volunteer Fire Company volunteered to stay; they were not ordered to stay. Police Chief Jason Brown stated he would explain what happened. Police Chief Jason Brown stated it was discovered that the meth lab was unstable and it could not be moved. Police Chief Jason Brown stated any movement of that bottle could have resulted in an explosion. Police Chief Jason Brown stated after some discussion they went to the Brookville Volunteer Fire Company. Police Chief Jason Brown stated if the Brookville Volunteer Fire Company was not willing to go in, the meth lab was going to sit. Police Chief Jason Brown stated Fire Chief Jim Lipuma asked for volunteers, and four firemen stood up. Police Chief Jason Brown stated the firemen stabilized the meth lab enough to move it, and they moved it out into the street where it was dismantled. Police Chief Jason Brown stated that was why they evacuated homes and shut the road down. Police Chief Jason Brown stated it was a very volatile situation in more ways than one.

NEW BUSINESS:

- A. Reorganization Meeting** – Solicitor Jim Dennison stated Council needs to set a reorganization meeting. After some discussion, President Pro-Tem Karen Allgeier moved to set a reorganization meeting and business meeting at 7:00 p.m. on Monday, January 4, 2016; seconded by Member Clarinda R. Darr. Motion carried 6-0.

ADJOURNMENT:

President Pro-Tem Karen Allgeier moved to adjourn; seconded by Member David Ferringer. Motion carried 6-0 at 7:58 p.m. Vice-President Phil Hynes asked for media questions.

MEDIA COMMENTS/QUESTIONS/CLARIFICATION:

Reporter John Pozza asked how much the truck that the Borough is purchasing costs, and Manager Dana D. Shick stated we do not have the total finance price, but the portion that we are paying January 1st is \$30,216.00. Reporter John Pozza asked, regarding House Bill 1394, if it was said that the Brookville Municipal Authority has the authority to raise

rates. Solicitor Jim Dennison stated the Brookville Municipal Authority has not been authorized to handle storm sewer, they only handle sanitary sewers and water. Solicitor Jim Dennison stated the Borough always has the right to deal with storm sewer and correct it.

Borough Manager