

**SELINGROVE BOROUGH COUNCIL MEETING**

**MONDAY, FEBRUARY 7, 2011 - 7:00 P.M.**

**COUNCIL MEMBERS PRESENT:** V. Pres. E. Viker, C/P D. Anderson, C/P P. Carroll, C/P B. Farrell and C/P S. Hendricks

**COUNCIL MEMBERS ABSENT:** Pres. C. Handlan

**OTHERS PRESENT:** Solicitor R. Cravitz; Mgr. J. Bickhart; Mayor S. Christine; Junior C/P Kathryn "Katie" Kirchner; Borough Treasurer Sheri Badman; Recording Transcriptionist Dawne Long; Daily Item Reporter Tricia Pursell; DH&L Representative Ken Stettler; Borough Residents Garry Beaver, Tim Charles Sr., Bob and Linda Derr, Donald Foreman, Elaine Herrold, Dee and Earl Moyer, Terease Maxwell, Chris Reiland, Linda Richards, Jan Riegel, Kim Riegel, Joseph and Margaret Siro; Robert L. Bickhart, PE; SEDA-COG Representative Glenda Ruch; SU Counsel John Carpenter; SU Representative Mike Coyne; SU Students Justin Caba, Teighler Doak, Brandi Smith, George Thompson

**OTHERS ABSENT:** None

**CALL MEETING TO ORDER:**

V. Pres. Viker called the meeting to order at 7:00 P.M. Mgr. Bickhart called the roll, followed by a moment of silence and the Pledge of Allegiance.

**REVIEW AND APPROVAL OF COUNCIL MINUTES FROM MEETING OF JANUARY 4, 2011:**

Motion by C/P Hendricks to approve the minutes as presented. Seconded by C/P Carroll.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**ACKNOWLEDGE THE RECEIPT OF THE RESIGNATION OF MARGARET SIRO:** V. Pres. Viker made this acknowledgement and expressed Council's gratitude to Mrs. Siro for her service and wished her well. Mrs. Siro returned the things that were requested of her, including the Council Ordinance books, the police reports and the personnel information. She asked V. Pres. Viker to sign a receipt that she had done so, which he did.

**RECESS MEETING TO SELINGROVE BOROUGH VACANCY BOARD MEETING: Bill Reuning, Chairman** – The Council meeting recessed at 7:02 P.M. V. Pres. Viker explained that under Commonwealth law, the Vacancy Board consists of Borough Council and one citizen representative who was previously appointed to chair the meeting. At this time that person is Dr. Wilhelm Reuning. Dr. Reuning stated that to his knowledge there exists no precedent for this procedure so he is following the rules of the Borough Council. He explained there will be one brief meeting today and a recessed meeting on Friday, February 11 at 4:00 P.M. in Council Chambers, at which time the vote will be taken. There will be no vote taken tonight because neither he nor anyone else has seen the names of the candidates for the position. The recessed meeting will give each Council member a chance to study the information before taking a vote on Friday. Mgr. Bickhart presented four letters of interest which were received in the Borough office pertaining to the appointment of a qualified individual to complete a portion of the unfulfilled term of Margaret Siro. Dr. Reuning opened the letters which were from: Kimberly Riegel, Richard Mease, Bob Derr, and Tim Charles. He asked if anyone has a letter they wish to submit tonight. No letters will be accepted after tonight, as the deadline was actually 7:00 P.M. this evening. There were no other letters submitted. Dr. Reuning stated that any discussion at Friday's meeting should be limited to 5 minutes per person and should pertain only to the subject at hand. The Vacancy Board cannot get into other matters. Dr. Reuning gave the letters to Mgr. Bickhart so that he could make copies for each member of the Vacancy Board. C/P Farrell stated he does not know any of the people who submitted letters and asked if any were present tonight. After introductions it was determined that

everyone was present but Mr. Mease. Dr. Reuning stated the letters do not contain much information and he encouraged those who sent them to submit a résumé during the week for Council's consideration before the Friday meeting. Donald Foreman stated he does not understand how Council can appoint a Councilperson when Councilpersons have to be voted in by election. Solicitor Cravitz explained that filling a vacancy in this way is a requirement of the Pennsylvania Borough Code, which is Commonwealth law. Dr. Reuning recessed the Vacancy Board meeting until Friday, February 11 at 4:00 P.M. The Borough Council meeting reconvened at 7:12 P.M. V. Pres. Viker, on behalf of Council, thanked those citizens who submitted their names as candidates for the appointment. He clarified that the appointment is only for calendar year 2011. The way the law is written, because the vacancy fell further out than 60 days from a general election, it falls to the people of Selinsgrove to decide who will complete the majority of the unexpired term. The person who is appointed may choose to appear on the ballot in November, following the same procedures anyone else would follow in order to get his or her name on the ballot.

**RECESS MEETING TO PUBLIC HEARING:** The Council meeting recessed at 7:13 P.M. to hear public comments on the request by Susquehanna University to change the zoning district for the Pine Meadows property from R-3, Medium-High Density Residential, to RSP, Residential Semi-Public, and to hear public comments on the request by Susquehanna University for a conditional use approval to utilize the Pine Meadows property for dormitories. Both requests, if approved, are to be conditioned upon and/or effective concurrent with the ownership of the property by Susquehanna University. Mgr. Bickhart showed the current and proposed zoning on a map. C/P Farrell asked if each dormitory in Pine Meadows, if the university's conditional use request is granted, will be limited to having three students per apartment just as the landlords are limited downtown. Mike Coyne explained that the university hopes to put four students in a three-bedroom apartment. There are 14 three-bedroom apartments. C/P Farrell asked what the maximum number of students per unit would be. Mgr. Bickhart stated that a dormitory is different from a rental unit. The Borough ordinance does not place a limit on the occupancy of each unit, but there is a limitation of 289 people for the entire project. Terease Maxwell stated she is a Pine Meadows resident. She had spoken with a landlord on Orange Street who told her it will not be beneficial to rent to a family. The landlord can get about \$325 per month per student and rent to three students, but they can only get about \$600 per month for a family. Ms. Maxwell is concerned about finding other suitable housing in the Borough because she feels landlords will only want to rent to students. She has two children in the Selinsgrove school district and she wants them to be able to continue attending the same school. C/P Anderson stated that as the university moves students into Pine Meadows there will be fewer students to rent from landlords in the Borough, so those landlords will be seeking other tenants to fill their properties even if it means lowering the rent they charge per month. C/P Carroll asked if the university will limit the number of juniors and seniors who move off campus into community housing and whether the university would actually require students to live either on campus or in Pine Meadows housing. Mr. Coyne replied that is what the university intends to do. C/P Anderson asked if the university is still planning to meet with landlords and Mike Coyne replied that they are. Chris Reiland asked if the university has an estimated transition period for the takeover of Pine Meadows for student housing. Mr. Coyne replied that it is unclear because the university is still in negotiations. The HUD housing contract at Pine Meadows ends in November, but the university may not take over until later. He noted there is also renovation work that will need to be done. V. Pres. Viker asked whether, assuming the sale goes through, there is any sense of when the university will begin to occupy the space. Mr. Coyne replied that those terms of the contract are confidential. Donald Foreman asked how much the Borough will lose in tax dollars from the university taking over Pine Meadows. Mr. Coyne stated that the university will make a contribution in lieu of taxes to the Borough equal to the amount of the property taxes, so the Borough will not lose any money. Dave Bowersox asked if the university will make this contribution every year and Mr. Coyne replied that is correct. Tim Charles asked whether, due to the purchase of Pine Meadows, there will be a net increase in the student population at the university. Mr. Coyne stated that the university is having a hard time estimating those numbers because the university instituted a "Go Program" with the class that came in last fall. This program requires every student to have a cross-cultural experience of at least two weeks. Right now about 9% of the student body has studied away from campus, either in Washington D.C. or England or somewhere else for a semester. The university expects this to go to 50%, so one semester during a student's four years at Susquehanna will be spent away from the Borough. That is making it difficult for the university to estimate how many students will be in Selinsgrove. They expect the student body to grow, but at the same time more will be sent away. At

this point they think the net effect will be even, but that has yet to be determined because the students have a choice as to when they will take their time away from campus. Mr. Bowersox asked if there is a shortage of student housing in the Borough right now. Mr. Coyne replied there is not, and Mr. Bowersox asked if that means there is no need to create more student housing for students. Mr. Coyne stated that Pine Meadows has been in existence for a long time. At this point, Mr. Foreman interrupted and V. Pres. Viker asked him to please wait to be recognized before speaking. Mr. Coyne continued by stating that the Pine Meadows property is situated along two sides of the university's border. The owner of Pine Meadows approached the university about selling the property. If the university does not buy it, they do not know what would happen to the property. It could become run down, and the university is interested in keeping a good property on its border. He stated that so far the property has been terrific, has been well maintained and they have been very good neighbors. C/P Anderson stated the need for housing is not driving the university's purchase of Pine Meadows. She stated her interpretation of what is driving the purpose is for the university to know what is located at its border and to have as much of a guarantee as possible that it is well run. V. Pres. Viker asked if the university can grow in any other direction if it does not purchase Pine Meadows. Mr. Coyne replied that it can. Mr. Reiland asked what the current numbers are for students living off campus. Mr. Coyne replied that there are approximately 300 students living downtown and there are 100 commuter students. Ms. Maxwell asked if the university would have had an interest in the property if the owner had not come to them. Mr. Coyne replied that the university would always be interested in a property that is that close to the university. Mr. Bowersox asked if the Borough feels that this may devalue properties within the Borough. V. Pres. Viker stated that individual Councilpersons may each speak to this issue, but he stated that his personal opinion is that the local government does not want to get into the habit of intervening in private business arrangements between property owners. This would be an unpleasant precedent to set and would be contrary to citizen liberty and private property management. C/P Carroll stated that the university's promise of a contribution in lieu of taxes would offset any loss in tax revenue resulting from the sale of Pine Meadows to the university. Mr. Foreman again interrupted and was told by V. Pres. Viker to await his turn to speak. C/P Carroll continued, stating that he hopes the university's contribution will continue for years to come, as there is always a concern for the tax base in the Borough. Mr. Bowersox stated that was not really his concern. His concern is that he has 20-some rental properties in the general area that he can rent for \$900 per month to three college students. If the university takes that away from him he has to charge a lower amount of rent to a family. This makes his property worth less because the income from the property is less, not to mention his personal income will be less if this property purchase is allowed to take place. If he were to sell a property he would get less for it because the potential income is less than it had been. V. Pres. Viker stated that single-family owners could purchase the properties and become taxpaying, working citizens of the Borough. Borough Council has no authority to intervene in what amounts to private business arrangements between a business, which would be the rental property owner, and its customers, which would be those people who rent from the property owners. The Borough does not participate in economic relationships. He stated it is not good government to refuse to change a zoning law because someone would not make as much money as they would like. Mr. Bowersox stated that by changing the zoning law the university will be allowed to make more money. V. Pres. Viker stated that is not the university's motivation for the purchase. He stated the rental properties in the Borough will still remain available for use by their owners. Mr. Bowersox again stated that the value of those properties will be reduced. V. Pres. Viker recognized Mr. Foreman to speak. Mr. Foreman complained about being told to sit down and shut up. He mentioned some other off-topic issues and then stormed out of the meeting. V. Pres. Viker recognized Ms. Maxwell, who stated to Mr. Bowersox that she understands his concern about losing possibly \$400 per month in income from a property. However, she asked for consideration of all the families in Pine Meadows who have to move and are disadvantaged economically or due to being senior citizens or bilingual. She stated she does not know where she will go. She stated not everyone in Pine Meadows pays \$5 per month, stating that she works hard at Northwestern Academy. She is up with everyone else at 5:00 A.M. getting ready for work and she is one of a number of people who are in a panic right now. She wants to stay in Selinsgrove and does not want to move to Sunbury or outside of the school district. Mr. Bowersox stated that if there is no need for additional student housing, why should the university disrupt the homes of the people in Pine Meadows. Ms. Maxwell stated that the owner does not want the property. Mr. Bowersox stated the university could own the property and allow the current residents to continue to live there. C/P Anderson stated that the university cannot legally do that because HUD does not allow mixed housing of people who are on

vouchers and students. The university had looked into this and HUD will not even allow the university to run the property strictly as HUD housing even without students. C/P Carroll stated he had brought this up at another meeting and Mr. Coyne had looked into it. Mr. Coyne stated that the university had hoped to be able to have mixed housing but in the HUD regulations it says student housing cannot be mixed with HUD housing. V. Pres. Viker stated that local government cannot be in the business of anticipating what a future owner of a property will want to approach Council to do with the property. Council has to deal with the hand they are dealt, and at this point they have before them a request that does not do anything against the law. Council tends to say that if no one's rights are being violated then things should move forward. Margaret Siro asked if the university has been faithful in making their contribution in lieu of taxes regarding the Geisinger/university health center. Mr. Coyne stated the university will make a contribution twice a year, not every month. V. Pres. Viker stated that one of the charges of Council is to ensure that they can afford to do the limited amount of government activity that they are required to do. He stated that because so much of university's property is not taxable, the university has repeatedly made contributions to the Borough and in essence to the citizens of the Borough. Treasurer Badman stated the university paid \$25,000 last year and before that \$50,000. The Borough budgeted for \$30,000 in 2011, which does not include Pine Meadows because it will not close that quickly. She stated she anticipates money from Pine Meadows in 2012. She stated that the university has done what they have promised to do. Mr. Reiland asked what the university's guidelines will be for filling Pine Meadows. Mr. Coyne replied that the renovations may take a couple years. The first year Pine Meadows would not be filled. The second year it would be filled. There would be some students left over in the downtown area, and those numbers would increase over time as the university grows. Mr. Charles noted that taxes increase as millage increases, sometimes annually. He asked if the university's contribution will increase annually as well. Mr. Coyne replied that the university will look at their contribution annually and they will increase it as they are able. Mr. Charles asked if it is a possibility that 20 years from now the university will still be making the same contribution they make today, and Mr. Coyne replied that that is a possibility. V. Pres. Viker stated he would like to see the citizens paying the same taxes 20 years from now that they pay today. With no more public comments, the public hearing ended.

The Council meeting reconvened at 7:38 P.M. Solicitor Cravitz stated that Council needs to authorize the advertisement of the Ordinance for the meeting on March 7. He noted that the Planning Commission did vote to approve the zoning change with the proviso that should the university fail to purchase the property it would stay in the prior R-3 zone, which would give the owner the highest and best use for selling the property should the university fail to purchase it.

Motion by C/P Anderson to advertise the ordinance to make the changes at the March meeting.  
Seconded by C/P Carroll.

Mgr. Bickhart had a question regarding the effective date of the zoning change. Solicitor Cravitz it will be effective if and when the deed is recorded by the university. Council can put a deadline on it, such as within a year, or they can leave it as the recorded date. If the university fails to record it, then by default the ordinance will be null and void and will not go into effect. V. Pres. Viker called for a vote on the motion.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

Ordinance adoption for zoning change and consideration of the conditional use request will take place at the March 7, 2011 Borough Council meeting.

#### **PERSONS TO BE HEARD:**

**DH&L Fire Company, Ken Stettler** – Ken reported there were 20 incidents in January as follows: 2 automatic alarms, 1 CO alarm, 1 vehicle accident with extrication, 1 good intent service call, 3 miscellaneous fire, 10 vehicle accidents without extrication, and 2 structure fires. The incidents occurred as follows: 1 in Freeburg, 1 in Herndon, 5 in Monroe Township, 5 in Penn Township, 4 in Selinsgrove, 1 in Shamokin Dam, 2 in Union Township and 1 in Washington Township. The dollar loss within the jurisdiction was \$3,000. January man hours total 87. Ken turned in a report for December,

which was not read into the record. He also reported the year-end figures for 2010. There were 335 incidents in 2010 in locations including the following: 3 in Chapman Township, 2 in Decatur Township, 4 in Freeburg, 1 in Franklin Township, 5 in Jackson Township, 5 in Lower Augusta Township, 10 in Middlecreek Township, 1 in Milton, 9 in Monroe Township, 93 in Penn Township, 3 in Perry Township, 98 in Selinsgrove, 11 in Shamokin Dam, 1 in Spring Township, 4 in Sunbury, 1 in Susquehanna Township, 15 in Union Township, 3 in Upper Augusta Township, 15 in Washington Township and 1 in Perry Township. The dollar loss within the jurisdiction was \$250,000 with \$225,000 in Penn Township and \$25,000 in the Borough of Selinsgrove. 2010 man hours totaled 6,217.

**Others to be Heard – None**

## **APPOINTMENTS**

**Consider the appointment of an Alternate Representative to the Central Keystone Council of Governments –** Margaret Siro was appointed to this position at the January meeting so a new alternate now needs to be appointed.

Motion by C/P Carroll to table this until the new Councilperson is voted in. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

## **UNFINISHED BUSINESS FROM PRIOR MEETINGS:**

**Conduct Project Review and Finalization of Community Development Block Grant Program for FFY 2011: Glenda Ruch, SEDA-COG –** Projects being considered include: 1) Front and Second Street Reconstruction, 2) Neighborhood Facilities – Elevator, 3) Removal of Architectural Barriers/Curb Ramps at Intersections, 4) low/moderate income curbing/sidewalk construction/reconstruction and/or tree removal/replacement, 5) Contract with SEDA-COG for FY 2011 in the amount of \$18,220, which is the same as last year, and 6) Union-Snyder County Area Agency on Aging's Penn's Creek Adult Daily Living Center improvements. Glenda Ruch reported that she had gotten answers to some questions Council had regarding the Penn's Creek facility. Treasurer Badman forwarded those answers to the Council members. Glenda stated that there is a fee for the adult daily living center of \$37.50 per day. This does not include transportation. Glenda stated that the FFY 2011 CDBG estimate of \$122,250 is still current. She hopes to have final figures before the March 7 meeting, which will most likely include a decrease in the allocation. She went over the proposed funding amounts, noting that Snyder County has tentatively approved funding its fair of the elevator for the library/borough building. The administrative amount is 14.9% with an 18% cap. Depending on the final allocation, this amount may need to be decreased. Borough administration will be \$2,120 which combined with SEDA-COG administration comes to 16.6%. If the allocation comes in lower this amount may decrease or even be eliminated. Glenda proposed using a 2007 budget modification to fund the adult daily living center rather than taking funds from the 2011 budget. The funds would come from the sidewalk/curb replacement project in 2007, reducing that from \$20,000 to \$18,681. With the other open program years this still leaves \$43, 709 for the Borough to continue with the sidewalks and curb replacement program. Glenda stated that according to the census there are 904 residents in the Borough who are age 62 or older. C/P Anderson stated it is exciting that the county will pay some toward the elevator. Treasurer Badman asked if the county is giving to the adult daily living center and Glenda replied they tentatively approved their fair share. Union County has not acted yet, nor has Lewisburg Borough or Kelly Township. Glenda stated when she receives the final CDBG allocation she could proceed with adjustments with direction from Council tonight, or she could come back to Council with the final amount. The consensus of Council was to wait until the final amount is known and then have Glenda come back.

Motion by C/P Anderson to approve the allocation amounts contingent upon receipt of the actual allocation and to approve the proposed FFY 2007 budget modification. Seconded by C/P Carroll.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**NOTE:** At this time, 7:45 P.M., Junior C/P Katie Kirchner left the meeting.

**Review changes to FFY 2010 Professional and Administrative Services Agreement with SEDA-COG** – Copies of a memo were supplied to Council. Glenda stated the change of funds from Front Street to the elevator project has been approved. This change requires a change in designation of administrative and environmental review fees as well as funds for the enforcement of Davis Bacon and Related Acts. The monies set aside for Front Street in these areas will be switched over to the elevator. Because this does not actually involve moving money around, but rather is just a change of activity name, this does not require any action on Council's part. This is informational only.

**Review List of Council Issues** – Nothing new

**COMMITTEE / COMMISSION / BOARD REPORTS:**

**FINANCE & BUDGET COMMITTEE: C/P Anderson, Chair**

**Payment and Ratification of Bills**

Motion by C/P Anderson to pay the bills. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**Statewide Tax Recovery, Inc. - Exoneration Requests** – None

**Recommendations on a Request for Proposals pertaining to the establishment of a line of credit in the amount of \$4,000,000 for financing during construction** – C/P Anderson stated the committee authorized Treasurer Badman and Mgr. Bickhart to send out requests to interested lenders for proposals that will be clear on what is the library's portion and what is the Borough's portion. They were requested to be received by February 18 at which time another meeting will be held so that a recommendation can be made to Council in March. It could take 90 days to get all of this done so time is of the essence as there could be an early spring start on the project. V. Pres. Viker asked if this is the construction loan that will be paid for by the mortgage loan that the Borough ultimately enters into. C/P Anderson replied that is correct, noting that it will be for 18 to 36 months. She stated the advice received today shows that it will probably settle out at 24 months. Treasurer Badman noted that Council received a copy of the letter with addresses of the institutions to which it was sent on the back.

**Recommendations pertaining to the Borough's Capital Accumulation Plan** – C/P Anderson stated this is the material the committee reviews in order to determine whether to change water or sewer rates.

**Recommendations pertaining to the Operating Revenues and Expenditures Reports for the Water, Sewer and Recycling Funds** – C/P Anderson stated the water fund is fine; however, the sewer rates may need to go up because the surplus keeps decreasing. The committee will have a recommendation at the March meeting. V. Pres. Viker noted that the Borough is anticipating an increase from ESCRA. Therefore, the committee is balancing trying to keep as much money in citizens' pockets as possible against what may be an unpleasant surprise down the road. C/P Anderson stated the Borough needs to have a capital improvement fund in reserve in the event of something catastrophic, such as a sewer collapse. She stated the Borough has been running in good shape; however, the trend line is not positive. Any change would not happen until the fourth quarter because of advertisements and ordinances. Any action would actually be setting things in place for 2012. V. Pres. Viker invited citizens with questions to come to the Borough office or call Mgr. Bickhart to arrange a time for the Borough staff to explain what Council is managing. He stated it is important that things not happen in a vacuum. C/P Anderson stated that the Borough is still in great shape, but they want to be able to say the same thing in the future. She stated a number of years ago there was no accumulated fund to take care of anything catastrophic. One year when ESCRA was building there was a 30% increase in sewer bills. The committee hopes to avoid that in the future. V. Pres. Viker stated that if that does happen, he does not want it to be because of something Borough Council did not anticipate.

**PUBLIC FACILITIES & SERVICES COMMITTEE: C/P Hendricks, Chair** – C/P Hendricks stated the committee is still gathering data on ESCRA testing procedures at Industrial Park Road and hopes to have a report at the next meeting. He stated he was going to try to calculate the data for the total outflow, but he does not have the numbers. V. Pres. Viker stated this is something that needs to be done right, so there should be no guessing. Mgr. Bickhart asked if the committee will be working on recommendations from Solicitor Cravitz regarding permits and C/P Hendricks stated they will be.

**BOROUGH ADMINISTRATION / PROPERTY AND EQUIPMENT: C/P Carroll, Chair**

**Report on Selinsgrove Municipal Building and Community Center Library Renovation and Expansion Project** – C/P Carroll stated that there are some concerns regarding backfill of the basement of a school that used to stand in this location. He stated the geothermal testing is completed. He reported the library has received some good news regarding funding. V. Pres. Viker had some questions about the backfill issue. C/P Carroll stated there were to be 20 holes for the geothermal system and the company was hoping to reduce it down to 15 holes but because they hit backfill in the area there is an issue. Additional casing will be needed to extend the holes a bit further, which will add some cost. Mgr. Bickhart showed on the floor plans where the existing building is, as well as the proposed building and basement area. He stated the issue has to do with the subsurface material just out from the existing front wall of the building. The ground floor shows the construction of an extension into the alley for Council chambers. That is over an unexcavated area, meaning there will be no basement under that section. However, the fill material is in such bad shape that in order to get support for the footers for the first floor it would require an additional \$45,000 to be added to the project cost. The addition of a basement under the new Council chambers was also considered. The question before Council is to determine which way to go. It was suggested that the basement could be used for storage or future development. V. Pres. Viker stated that if the Borough is going to spend \$40,000 to solve a problem they could gain something that may not be needed now but that could be used for future growth or storage. He asked how this would change things for what the citizens of Selinsgrove are committing to, such as how many more weeks of mortgage payments. He noted it is a small amount of money when considering the entire project. C/P Anderson stated considering the totality of the project she does not feel this adds anything detrimental. Mgr. Bickhart stated the much more significant factors include the bidding climate, the actual bids, etc. He stated worrying about \$45,000 now is not significant on a \$4,000,000 project and a potential 20% savings on the entire project. V. Pres. Viker stated this is space that the Borough might be able to lease to a business in the future and thereby gain something back. There are other considerations, but the main thing is that this could increase the value of the building. Mgr. Bickhart stated it is being planned as unimproved space with cinder block walls and a concrete floor. He stated it is not habitable and is only usable for storage. Further comments included that it would have no windows and no ventilation, it will be below grade, and it will have no egress. Mgr. Bickhart stated it could be converted in the future but it is not being constructed as habitable space. C/P Carroll asked if this space would be more suitable for location of the geothermal equipment. C/P Anderson stated this would not change. C/P Farrell had a question about whether some of the geothermal holes will be in this proposed basement. Mgr. Bickhart stated they would not. This basement has nothing to do with the geothermal system, which has been approved and is moving forward. He stated this issue just came about because of the backfill situation which will not support the new Borough Council chambers. He stated there may be some confusion because there were two different entities doing boring on the property. The first entity was boring for the geothermal well. The second was boring geophysical wells to test the subsoil and its bearing strength. C/P Farrell asked why the basement is being considered and it was explained that rather than doing piers, the basement could be constructed and some storage space gained. Mgr. Bickhart stated the Borough would have to spend \$45,000 in order to get enough support in that area without doing anything to the ground and the Borough would not get any more space. The alternative is to spend \$80,000 and get the basement. C/P Hendricks asked if there would be any way to utilize the space to enhance it and Mgr. Bickhart replied it will be an empty room at the end of an existing hallway. Mgr. Bickhart showed the hallway on the drawing plan. V. Pres. Viker asked if a second means of egress would be needed to utilize the room for anything other than storage and Mgr. Bickhart replied not necessarily. C/P Anderson stated a second exit would not be needed. V. Pres. Viker stated Council will have to spend \$45,000 to solve the problem that was discovered by digging. The issue before

Council tonight is whether to add another \$40,000 to that in order to gain storage space that could possibly be improved in the future.

Motion by C/P Anderson to proceed with the basement option. Seconded by C/P Carroll.

**AYES: SIX (6)                      NAYS: NONE                      MOTION CARRIED**

C/P Carroll stated the next meeting is Wednesday at 9:00 A.M.

**COMMUNITY ACTIVITIES AND PUBLIC AFFAIRS: C/P Farrell, Chair – No Report**

**PERSONNEL MANAGEMENT COMMITTEE: \_\_\_\_\_, Chair – No Report**

**PUBLIC SAFETY COMMITTEE: C/P Viker, Chair – No Report**

**PLANNING COMMISSION: Earl Moyer, Chair**

**Review and consider Final Plan approval for Subdivision for Kerry A. Moser –** Mgr. Bickhart indicated the property on a map. Bob Bickhart, engineer for the property, stated it is at 319 North Broad Street at the corner of West Spruce Street and is owned by Kerry Moser. The present dwelling faces Broad Street and Ms. Moser would like to subdivide her lot to create an additional single-family dwelling to face West Spruce Street. The project has been reviewed by the county planning commission, by the Borough Planning Commission and also by the Borough engineer. The Borough Planning Commission has recommended approval. Mr. Bob Bickhart stated this will add to the Borough's tax base.

Motion by C/P Hendricks to approve the subdivision. Seconded by C/P Farrell.

**AYES: SIX (6)                      NAYS: NONE                      MOTION CARRIED**

**Note the recommendation of the Planning Commission pertaining to requesting PennDOT to conduct a public meeting on the proposed East Pine Street Bridge rehabilitation project –**

Mgr. Bickhart stated that the enclosed handout was distributed to anyone living on the Isle of Que, the detour contacts in the Borough and Penn Township, emergency services, the school district, and all of the media in Snyder County. Mgr. Bickhart has heard from some people on the Isle of Que that they received their copy. C/P Anderson stated it did not go to the businesses and Mgr. Bickhart stated he knows Rine's did not get a copy. PennDOT has planned a public meeting for right after they bid the project when they will have more details from the contractor regarding construction schedule and staging locations. The handout information will be put into the Borough newsletter. An additional public meeting could be scheduled. PennDOT was planning a meeting for December 2011 for a project that is not scheduled to begin until summer of 2012. V. Pres. Viker stated he feels strongly that Council should encourage as much public information as possible on this because it will be an extremely challenging time for people. He stated he feels that Pres. Handlan will turn this over to the Public Safety Committee for management. C/P Anderson stated that the Planning Commission felt it was wise to have a public hearing sooner rather than later. C/P Carroll stated that there was someone at the meeting who was confused about what was happening. C/P Anderson stated that because of the work having begun on the emergency access people have linked these two things together and there were questions about funding of the project. She stated people's questions should be answered by the article in the upcoming newsletter. V. Pres. Viker explained to those present tonight that PennDOT is taking their slice of the Borough, which is the bridge onto the Isle of Que, and resurfacing the decking on the bridge. This will take quite a while, and the most expeditious way to do this is to utilize the emergency access which is being developed now as the access on and off the Isle during the construction on the bridge. This will result in a somewhat circuitous route, which is better than not being able to get on and off the Isle for hours at a time during the day. He stated this will be made as painless as possible, but it will still be painful. A public hearing will be held so that everyone understands what will happen. There is no leeway in how this is to be done, so Council is asking for the citizens' help in passing the word to their friends and neighbors who will be affected. C/P Carroll stated there are copies of the handout available in the Borough office. He noted this started



out as a two-year project with start and stop times, and it has now changed into a three-month project. The bypass access was already on the schedule, the funding came through, and the Borough has moved on it. V. Pres. Viker stated this is a little thing that can become a big pain in the neck so he wants to be sure everyone is aware of what is happening. Mgr. Bickhart stated the pending issue is the selection of the consecutive three-month period of time. He indicated to PennDOT that they need to get more information from the three entities that have some input into when the three months would take place. These entities are: 1) Furman's, which farms the south end of the island and in September would be involved in significant hauling of produce off the Isle of Que, 2) Rine's Greenhouse, which is the only business Mgr. Bickhart is aware of on the Isle of Que in the Borough, and 3) the Selinsgrove Area School District, which would have to reroute some buses if this occurred while school was still in session. One of the audience members stated there is a tanker that goes in and out every day to a farmer on the Isle. Mgr. Bickhart stated that is known. He stated they are mostly looking at entities that would have a high period of activity in the spring or summer and they are working to find a time that would be the least inconvenient to them. School would be out the first or second week of June. Rine's has indicated that they would prefer the bridge not be closed until June 15, but three months from that puts it into the harvest season for Furman's. There are some competing issues that need to be resolved. Right now the issue at hand is to pick the three consecutive months that would be of most benefit to everyone. V. Pres. Viker asked who would broker a public meeting with these entities. Mgr. Bickhart stated PennDOT would. He stated that the meeting should deal with these special interests, and it could also include ESCRA and any construction plans that they may have. There are different stakeholders now that should be consulted. C/P Anderson stated for some people it is hard to envision what the emergency access route is going to look like because it is only seen in drawings. She stated there is some concern about tight turns for the trucks. V. Pres. Viker stated PennDOT is working these things out but one issue is that in order to go south from the Isle you must first go north all the way to Sheetz. He stated the contractor will move as quickly as possible on the bridge project.

**ZONING HEARING BOARD: Cyril Runkle, Chair – No Report**

**CIVIL SERVICE COMMISSION: Dalton Savidge, Chair**

**Report from the Continued Hearing held on January 12, 2011** – Solicitor Cravitz reported that the Commission went into Executive Session for about an hour and a half after which they denied the appeal of Brian Eichenlaub with regard to his suspension and termination. The Borough's action of October 25, 2010 stands. Mr. Eichenlaub has 30 days in which to appeal this to the Court of Common Pleas. C/P Carroll asked if Council could then consider replacing the officer and Solicitor Cravitz stated they could. He stated the date of filing was February 2, so 30 days from then a replacement can be considered. V. Pres. Viker stated at that time he assumes Council will hear some ideas from Mayor Christine and Chief Garlock.

**PARKS AND RECREATION BOARD: Shane Hendricks, Chair**

**Consider appointment of Rocky Baer to a 5-year term ending 12/31/2015** – C/P Hendricks stated he met with Mr. Baer and discussed the facilities in the Borough. Mr. Baer attended the last Board meeting on January 25 and met the Board members. They support the recommendation of Mr. Baer, who participated in the remainder of the meeting.

Motion by C/P Hendricks to appoint Rocky Baer to the Board. Seconded by C/P Anderson.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**February 2011 Report to Council** – Report supplied. C/P Anderson commented favorably on the Bark-for-Life activity. Mayor Christine asked if there are plans to flood the skating rink any more this winter. C/P Hendricks replied that the slush and freezing rain last week caused problems. He tried to saturate it a couple times, but there is so much air in the ice and with the warm weather yesterday and today it is not working. It will get cold later in the week and he hopes to put another 2 inches of water on it so that by Thursday or Friday night at the latest it will be open again. C/P Carroll stated there are some higher

temperatures forecast later in the month. He asked if there are enough skates now. C/P Hendricks stated there are 136 pairs of skates, but there are certain sizes that are hard to get. They could use some more adult sizes 12 and 13 as well as middle school sizes such as 6 and 7, 9 and 10. There is some grant money and donation money available. Dick's Sporting Goods has everything on sale for \$20 cheaper than anywhere on the Internet at this time. V. Pres. Viker asked if the Bark for Life is scheduled with the big June event in the Borough. C/P Hendricks stated it will be run concurrently by the same organization, which is looking for a different avenue to raise funds. There will be a circuit set up for the dogs and pledges for each lap.

**Summer Playground Program** – C/P Hendricks explained that the program will be more structured. There will still be three supervisors but with more emphasis on physical activity. It will be structured more like a mini sports camp. It will run for 10 weeks beginning June 13 and ending August 19, from 8:30 to 11:30 A.M. In the afternoon the three counselors will be reassigned if they wish to be. One will stay with the parks on maintenance and the other two can be reassigned to the Borough, to the police department, or wherever needed. If the supervisors just wish to do the Parks and Rec supervised summer playground program they can do that. Each day the program will be run with the first half hour being cardiovascular-type things. From 9:00 to 10:00 will be skill-based training in whatever sport they are focusing on for the week. For instance, if they are doing basketball, they will work on foul shots, layups, etc. The last hour and a half will be a game scenario. There will be a different sport each week, and they will include soccer, touch football, baseball, kickball, softball, and others. There are ten different sports identified. Since it is only three hours there will be more time on the playground and fields and less time under the pavilion. C/P Carroll asked what will be done during bad weather. C/P Hendricks stated they will stay under the pavilion, but he does not have the details worked out yet. There could be games or arts & crafts for the kids. He stated the supervisors will have to be interviewed and told what is expected of them. They can use resources, such as friends who play sports in high school, to help with skill-based training. The supervisors will have to do their own research and leg work in tapping some resources. C/P Anderson asked if some of the sports coaches would be willing to be on tap the week of their sport. C/P Hendricks stated the baseball coach might send his team down to help out during the baseball week. Mayor Christine asked if there is information being circulated regarding how to get kids involved in the program or regarding the limitations of the program. C/P Hendricks stated there will be education features which can be done later in the year as it gets closer. The committee has just taken a first shot at changing the program's structure. C/P Carroll stated that applications for counselors have already been put out at the high school. He stated the funding is 90/10 and he did not think the counselors would have a choice of whether to work or not. He thought they had to work the whole day. C/P Hendricks stated they are paid by the hour so if they choose to work three hours they will get paid for three hours. If they choose to work the full day they can do that and get paid for it. It will be up to the students. An audience member asked how the positions are funded and C/P Hendricks replied it is 50% through PHEAA, 40% through Degenstein and 10% from the Borough. C/P Carroll stated there are some criteria the students need to meet, but it is an excellent program for college students. The high school also has applications. V. Pres. Viker stated it is a good use of local tax dollars, and with the revamped way the program operates the Borough will get more benefit from it. Treasurer Badman stated there are a lot of jobs available through the program. Mgr. Bickhart stated basically it's for enrolled college students with a PHEAA loan. To qualify for Degenstein they have to live within the Degenstein service area.

**SHADE TREE COMMISSION:** \_\_\_\_\_, Chair – No Report

**BOROUGH ADMINISTRATIVE REPORTS:**

**MAYOR:** Sean Christine

**Presentation of Police Report for December 2010** – Mayor Christine noted no anomalies and stated there are several ongoing investigations.

**Continued discussion on Police Department Evaluation** – To be done during Executive Session.

**BOROUGH SOLICITOR: Robert Cravitz, Esq.**

**Authorize the advertisement of an Ordinance pertaining to requiring certain property owners to replace curbing and/or sidewalk as a part of the 2011 Street Program** – Solicitor Cravitz reported this is done every year. The property owners are given three months' notice to replace their sidewalk. If they cannot do it within that timeframe the Borough undertakes the task and bills the property owner. If the property owner does not pay, the Borough liens the property. If the property owner does the work themselves, they do so with their own contractor.

Motion by C/P Anderson to authorize the advertisement of the Ordinance. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

In response to a question from C/P Carroll, Treasurer Badman stated that everyone affected by this has been notified. Solicitor Cravitz stated this is being done now so the property owners have enough time to get the work scheduled and completed. Mgr. Bickhart stated that he walked the project with the engineer and the director of public works in order to identify the property owners and to determine how much each property owner would be required to do. C/P Carroll asked how many there were and Mgr. Bickhart replied there are not that many property owners because this contains the long side of all the lots to the railroad tracks. Treasurer Badman stated there were ten properties affected. Mgr. Bickhart stated the project location is along University Avenue from Market Street to the point. Treasurer Badman stated that many of the properties belong to Susquehanna University, and not every property needs new sidewalks. Mgr. Bickhart those to be replaced are selected based upon the condition of the present curbs and sidewalks. Margaret Siro asked if this includes the property where 38 South was and Mgr. Bickhart replied that they are on the list for full replacement of curbing and sidewalk.

**Consider the adoption of Resolution 2011-02 pertaining to the exoneration of Mike Bolig for Delinquent Real Estate Taxes for 2010, Uncollectible Per Capita Taxes for 2010, and Collectible Delinquent Per Capita Taxes for 2010** – Solicitor Cravitz reported that this does not mean the Borough is giving up on collecting these taxes. Rather, the delinquent tax list will be sent to the county to be collected by the Tax Claim Bureau. The collectible per capita taxes will be sent to Statewide Tax Recovery for collection. C/P Hendricks asked if the amounts are similar to previous years and Treasurer Badman stated they are actually a bit lower this year.

Motion by C/P Anderson to adopt Resolution 2011-02. Seconded by C/P Carroll.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

**Authorize Statewide Tax Recovery, Inc. to collect the Delinquent Per Capita Taxes for 2010 that are determined to be collectible** – Solicitor Cravitz stated this is the \$2,200 referenced in the resolution just passed. This collection takes place at no cost to the Borough. Mgr. Bickhart stated this is the same entity that the Borough has been using. The Borough is not committed to using this agency, and there are other agencies that could be used. V. Pres. Viker asked if they do a good job and Mgr. Bickhart replied that they appear to be doing a good job.

Motion by C/P Anderson to approve this authorization. Seconded by C/P Hendricks.

**AYES: SIX (6)**

**NAYS: NONE**

**MOTION CARRIED**

Solicitor Cravitz asked for some time during the Executive Session for a litigation issue.

**BOROUGH ENGINEER: J. A. Coukart & Associates**

**Update on pending projects** – Information.

**BOROUGH TREASURER: Sharon Badman**

**Review Treasurer's Report for January 2011 -** V. Pres. Viker asked if there were any questions on the Treasurer's report. Hearing none, he stated that it is on file for audit.

**BOROUGH MANAGER / SECRETARY / ZONING OFFICER: Mgr. Bickhart**

**Non-Police Complaint Update** – Mgr. Bickhart noted all complaints had to do with plowing of snow. V. Pres. Viker asked if there is anything unusual this year regarding snow removal and Mgr. Bickhart replied there is not. Dawne Long noted that Betty Doeblor is actually located in Jackson Township, not Penn Township.

**Update of PROPERTY TRANSFERS and BUILDING PERMITS ISSUED, Janet Powers, Deputy Zoning and Permit Officer** – Information only. V. Pres. Viker asked about a potential opening date for the Rocco's Restaurant on Market Street. Mgr. Bickhart stated the building is being renovated. It will be changing from Irene's to Isabella's and will be an Italian restaurant. C/P Hendricks stated he spoke with the owner two days ago and it will be open in the very near future. Treasurer Badman asked if this was something that could be put in the newsletter for March and V. Pres. Viker stated he does not know if the Borough should advertise for businesses. Mgr. Bickhart stated the newsletter could have a general listing of new businesses in town so that the public is aware of whom they can do business with in Selinsgrove.

**Review and comment on: 1) Consumer Confidence Report for 2010, 2) Selinsgrove Borough Recreational Facilities pamphlet, 3) Recycling Schedule for 2011, and 4) Street Cleaning Schedule for 2011 and Spring Cleanup information** – Mgr. Bickhart noted that the 2010 Water report is not a printing error. It is a publication of how the Borough did with its drinking water over the past year. He stated that C/P Hendricks supplied the recreational facilities pamphlet. C/P Hendricks stated that he runs into people who do not realize when things are open or how they operate, and there are people who know about the dog park but do not know where it is. He wanted to come up with a pamphlet to let the residents know what is available, so this will be inserted in the next newsletter. He also wants to use it as a way to promote the Borough. It will be printed on a full-color folded piece of cardstock to be provided to area realtors, the visitors' center in Lewisburg, the library, the Borough office and local businesses. C/P Carroll asked if this could be put on the Borough's web site. Treasurer Badman stated it is already there, and she actually took a lot of the material in the brochure from the web site. She will update the web site with more information provided by C/P Hendricks. Mgr. Bickhart stated the Borough is now accepting compact fluorescent light bulbs and paperboard, which also includes junk mail. He stated the Borough might change the live Christmas tree pickup to the second five working days in January because some people like to leave their trees up longer. It does not matter to the Borough what week this is done and it does not seem to be a burden for the trees to be at the curb or in a front yard for a longer time. Treasurer Badman noted that the front of the sheet shows everything the Borough does curbside and the back of the sheet has all the other recycling opportunities. C/P Carroll stated that this past weekend, with all the bad weather, Corby Bowersox and his crew and the students made sure the recycling area was safe and salted because it was a sheet of ice. Mgr. Bickhart stated no changes are proposed for spring cleanup. It ends right before Easter this year which should not be a problem because everything is picked up within two or three days. The back side of the sheet includes the street sweeping schedule. These sheets will be hand delivered door to door with the Borough newsletter and will also be mailed to property owners who do not reside in the Borough. Any suggestions, comments, corrections, etc. should be made by the end of next week.

**Request for articles to be included in the Spring 2011 Newsletter by February 28** – C/P Anderson suggested an article introducing the new Councilperson. V. Pres. Viker suggested a voter registration reminder. C/P Anderson suggested including some information on the Rudy Gelnett article that was included with the Council packet, as well as information on the library/Borough building project. Treasurer Badman stated she thought the library would do an article so she will check with them. If not, she will come up with something. She stated there will be an article from the Shade Tree Commission looking for donations of trees.

**Save-the-Date for PSAB's 100<sup>th</sup> Anniversary Conference & Celebration, April 10-13, 2011**

**Reminder – State Ethics Commission's Statements of Financial Interest due by 5/1/11 –**

V. Pres. Viker asked if this is due to the Borough office or some other entity. Mgr. Bickhart replied they are due to the Borough as they are only retained by the Borough.

**Seminar: How to Run for Public Office this Saturday 9:00 A.M. to noon –** V. Pres. Viker stated he thinks walk-ins are welcome. There will be a panel of elected officials with breakout sessions for different political parties and other interested people. Representative Keller will be there and some other people to discuss running regional campaigns, as well as people who can help with running local and municipal campaigns. C/P Hendricks stated petitions are now available at the courthouse. V. Pres. Viker noted they are available for Republicans and Democrats. He stated third party candidates have a different schedule. The Snyder County web site at <http://www.snydercounty.org> provides a link to all dates that are needed for any action a citizen may wish to take regarding government participation.

**SELINGROVE MUNICIPAL AUTHORITY – Donald Bottiger, Chairman – No Report**

**EASTERN SNYDER COUNTY REGIONAL AUTHORITY – Bob Dagle and George Kinney, Chairmen**

**Update on waste strength at Industrial Park Road Metering Station –** Mgr. Bickhart provided an updated spreadsheet, which he noted is not yet complete. ESCRA is going to do a total of six different days when they would split samples with two other laboratories. So far four of the six have been done but the rest need to be completed in order to have a meaningful analysis. C/P Anderson noted that even with the latest samples, ESCRA's average is still two times higher than the other labs.

**Update on Industrial Waste Discharge for Ethnogenesis Foods and Chesapeake Gardens –** While the above process continues, the Borough is holding off on any action regarding these industries. V. Pres. Viker stated that during this process the Borough caused the industries to jump through some hoops, albeit with the best of intentions on the part of the citizens of the Borough. He asked if Mgr. Bickhart has received any concerns from the industries, noting that in the end they were very gracious with the Borough as everyone works together to resolve these issues. Mgr. Bickhart stated that, although the process was not pleasant, the industries continue to be understanding. He encouraged the Public Facilities and Services Committee to meet and take on the issues that are in the correspondence from Solicitor Cravitz and the ESCRA solicitor and to try to come to a decision about the permitting process and authority.

**NORTH-EASTERN SNYDER COUNTY JOINT AUTHORITY – Bill Hetherington and John C. Bickhart – No Report**

**NEW BUSINESS:**

**MAYOR –** Mayor Christine thanked Margaret Siro for her time on Council and stated he looks forward to welcoming a new Councilperson. V. Pres. Viker stated that the entire Council echoes those sentiments.

**EXECUTIVE SESSION - Council Meeting recessed to an Executive Session at 9:03 P.M. for discussion of Personnel and Litigation Issues. Council meeting reconvened at 10:04 P.M. with no action taken.**

**ADJOURNMENT:**

Meeting adjourned at 10:04 P.M.

Attachments: None

Respectfully submitted by  
Dawne R. Long, Independent Transcriptionist  
Recording Transcriptionist