

July 15, 2024

The regular meeting of the Montoursville Borough Council held in the John Dorin Municipal Building was called to order by Council President Eric Greenway at 7:00 PM with the following answering roll call: Eric Greenway, Tina Kline, Chris Lucas, Misty Emick, Mark Tillson and Robert Brown.

The Pledge of Allegiance was observed.

The June 3, 2024 minutes were approved on a motion by Mr. Brown, second by Mrs. Kline. The motion carried.

TREASURERS REPORT/BOROUGH BILLS – Motion by Mr. Brown to approve the June 2024 treasurer’s report, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS –

Borough Solicitor, Christopher Kenyon, announced there is an agenda item to postpone the street improvement project and the reasoning for the postponement is to review the Borough Ordinance so as to give the public, the borough engineer, and employees a better understanding of the specifications of curb replacement and where the financial responsibility lies. He then proceeded to explain the protocol/procedure for the public comment portion of the meeting, that will be required, including, but not limited to being respectful, limiting their questions/issues to five minutes, not combining five minutes to allow another person to talk longer and yielding to the next person in order to make sure that the “New Business” agenda items get addressed by council and the council meeting stays within the allotted timeframe of one hour. The solicitor then concluded that Borough Council will not be answering any questions on his instruction, due to the threat of possible litigation.

Resident, Ms. Kimberly Myers, 1127 Elm St stated that she was informed that she was not allowed to speak tonight, but that her representative second opinion for engineering will be taking her time. Engineer, Jeff Brooks, Brooks Engineering-236 Woodview Drive, Cogan Station, PA, stated he was hired by Ms. Kimberly Myers to evaluate her curbs. He explained his evaluation is strictly of Ms. Myers curbs of which he provided a letter and his evaluation to council. He also stated that his evaluation did not find anything that required a replacement of the curb when compared to the ordinance as written.. Mr. Brooks stated he was told any bad sections of curb could not simply be replaced/repared, but that the entire section would have to be replaced. He stated this is also in contradiction to the ordinance as written. He explained Ms. Myers curbs are fully functional as what they are designed to do based on his evaluation. He also stated that the ordinance does allow for the replacement of the curbing by the borough or the homeowner, which is also in contradiction to the Borough letter sent to residents. He also stated that what has already been evaluated is grandfathered in and thus if the ordinance is modified by the borough, these need to be taken into consideration.

Resident, Ms. Theresa Detato, 106 N. Washington St explained about 85% of residents of Montoursville are on a fixed income. She feels that the curb project is unfair to the residents and needs to consider that people do not have the money to replace their curbs.

Resident, Ms. Amy Fry, 212 N. Washington St., stated she noticed the agenda had the demolition of a property located on Spruce St and questioned how the project is being funded. Borough Solicitor, Christopher Kenyon shared that information would not be explained today due to the agenda item being tabled. He explained that there are procedures and protocols in place in order for the project to be funded and refunded to the borough.

Resident, Mr. Dan Ayers, 1101 Weaver St., stated he has a beautiful home worth \$300,000.00 dollars and Hackenberg’s airplane is tearing down his property value and questioned why it has not been removed as of date.

Resident, Ms. Doreen Matty, 1129 Locust St., questioned how the borough can lien a property for not doing what they are contracted to do. She stated that the borough is going downhill.

Resident, Ms. Annette Baker, 1133 Broad St., questioned what is the goal of installing new curbs in? She stated is the goal is to re-pave the street. She questioned who is paving the streets with what tax dollars.

Resident, Mr. Thomas Franek, 424 Mulberry St., questioned if the curbs are functional and doing their job then why they are being replaced. He also questioned why their astronomical tax dollars aren't being used to replace the curbs.

Resident, Ms. Brenda Holdren, 806 Weldon St., announced that she wanted to remind council that they are elected positions and here to serve the people of the borough. She stated she was verbally attacked at the prior meeting and didn't appreciate it. She suggested council have a conversation/discussion with the people instead of the argumentative way it has been between council and the residents.

Resident, Mr. Charles Thomas, 411 Tule St., shared he makes \$22,000.00 a year and asked how he is supposed to pay for new curbs.

Resident, Ms. Margery Snyder, 817 Pine St., explained she grew up in Montoursville and just moved back. She inquired if the borough looked into any federal or state loans to help reduce the costs. She said she is looking for a solution because it needs done, but maybe another way to reduce costs.

Resident, Ms. Cindy Welshans, 1218 Nicely, Ave., shared she doesn't know how borough council can tell people who and how they can fix their curbs. She said that they don't live in a homeowner's association and the borough is being very unfair to the residents of Montoursville.

Resident, Ms. Jamie Springman, 324 Tule St., stated she agrees with the residents that spoke. She stated that the letter that was sent out really upset everyone. She explained her second grievance about the house next door to hers; how the yard and pool are in disrepair, and nothing has been done despite her complaints to the codes department. Borough Solicitor, Christopher Kenyon replied there are processes in place that are addressing this property. He also stated to please stick to agenda items due to the meeting time constraint.

Resident, Mr. Isaac Johnson, 303 Cypress St., inquired if the demolition of Spruce St. was still going to move forward. Borough Solicitor, Christopher Kenyon confirmed that the demolition will be completed however there is a process that must be followed.. He also explained the ordinance is in place to address the vehicles on the property etc. and thus the process of making sure the bidders meet all the requirements must take place first. He explained it will be on the next month Council meeting agenda.

Resident, Ms. Kathy Rocky, 509 Mayr St., explained she lives next to the property that is set for demolition and would appreciate demolition to be completed the sooner the better. Borough Solicitor, Christopher Kenyon explained there is a process that must be followed, and it will be done when the due process is complete to ensure a correct demolition.

Resident, Ms. Coral Vanderwall, 344 Cherry St., stated she is attending the meeting for the curbing issue despite her curbs being fine, but is also here due to the drainage issue because during heavy rain there is water up to their porch and it needs corrected by the borough.

Resident, Ms. Kimberly Myers, 1127 Elm St., stated she heard the borough is not very fond of her. She explained she is a very non-confrontational person and the only reason she stood up for the residents of Montoursville is due to Council sending letters regarding the curbs.. She stated that she doesn't like the confrontation, is a Christian and believes that people are not being treated well through all this curb issue, thus she is standing up for them.

Resident, Ms. Danielle Lanzer, 412 Willow St., stated there are a lot of ways to look at this curb issue and believes that the younger and older generation alike are under immense financial pressure already. She also stated that there should be tax money set aside to do their curbs and doesn't understand where their tax money is going. She shared the curbs should be done by the borough. She inquired as to what other boroughs or nearby towns are handling similar issues.

Resident, Mr. Ron Beech, spoke in regard to his neighbor, Mr. Cecil Casner, 1213 Cedar St.. He had a contractor re-do his sidewalks and curbs several months ago. He explained the borough came by and said it didn't meet the specifications and needed re-done despite being a brand-new curb.

Resident, Ms. Joan Hunter, 1210 Cedar St., stated she agrees with Mr. Beech and Mr. Casner's stating that his curbs should not need replaced.

Resident, Mr. Keith Toner, 204 Tule St. explained a precedent /standard for the curbs needs to be set in place by council so that there is no confusion and clear guidelines for curb replacement.

Resident, Mr. Ron Westover, 1119 Cherry St., explained he owns two properties in the borough and his curbs have been fine for the past 26 years and still are. He stated now the borough all of a sudden comes in and states they need replaced when he thinks they are perfectly fine.

Resident, Mr. Scott Metzger, 1206 Weldon St., explained he has done business in Montoursville for 86 years and his father built a third of this town. He questioned how it gets to the point where council tells property owners who they can have as a contractor. He then echoed the curb scenario he shared in the previous council meeting. He stated that they don't live within a HOA but live in America where they should be able to choose from a list of approved contractors. He explained council needs to work with the residents and use common sense. He again repeated his plea to revisit this issue.

Resident, Ms. Susan Gerber, 310 Arch St., stated there appears to be a lot of curbing that needs replaced, especially for people living on a 50' x 200' corner lots

Ms. Roxanne Criswell niece of resident living at 945 Cherry St, shared on behalf her aunt, noted if curb costs came out of taxes the borough would be more discerning as to portions of curbing that need replaced. In addition, she stated Council should consider having a resident advisory board that would work on their behalf.

TREASURERS REPORT/BOROUGH BILLS – Motion by Mr. Brown to approve the June 2024 treasurer's report, second by Mrs. Kline. The motion carried.

NEW BUSINESS –

FINAL LAND DEVELOPMENT PLAN– BOROUGH OF MONTOURSVILLE - TAX PARCEL #34A-351-191 & #34A-010-345.A, RESIDENTIAL SUBURBAN DISTRICT, 1198 FAIRVIEW DRIVE – Zoning Officer, Mr. David Hines, presented and reviewed the Final Land Development Plan for the Borough of Montoursville property located at 1198 Fairview Drive, Zoning District Residential Suburban. He explained the proposed use and existing use are the same and permitted to construct a 1.0 MG Water Storage Tank, 64' Diameter and 49' 2 ½" High. The proposed water tank will help with increasing the Borough water pressure. The project plan will be to also demolish Tank 2, once the new tank is up and running. The Borough Engineer has reviewed the plan understanding the proposed project will not exceed 1 acre of earth disturbance therefore an Erosion & Sediment Pollution Control Plan will not have to be submitted to the Lycoming County Conservation District for review. Since the earth disturbance associated with the project is over 5000 square feet, a written-on site erosion & control plan is required during construction. The Montoursville Zoning Hearing Board, on May 28th, 2024 granted variances for setback relief and height relief. The Lycoming County Planning Commission reviewed the project and stated that the plan meets the regulations of the

Subdivision/Land Development Ordinance. It had received a positive recommendation for the Montoursville Borough's Planning Commission.

Motion by Mr. Greenway to approve the Borough of Montoursville Final Land Development Plan, #34A-351-191 & #34A-010-345.A, second by Mrs. Brown as presented. The motion carried.

2024 STREET IMPROVEMENT PROJECT –POSTPONEMENT – Council President, Mr. Greenway presented 2024 Street Improvement Project Postponement for review.

Motion by Mrs. Emick to approve 2024 Street Improvement Project Postponement as presented; second by Mrs. Kline. The motion carried.

2024 CDBG CURB RAMP PROJECT CONDITIONALLY AWARD PENDING SOLICITOR AND SEDA-COG REVIEW-BIG ROCK PAVING – Council President, Mr. Greenway presented 2024 CDBG Curb Ramp Project in the amount of-\$147,147.00 for review.

Motion by Mrs. Kline to conditionally approve 2024 CDBG Curb Ramp Project to Big Rock Paving pending the Borough Solicitor and SEDA-COG Review in the amount of \$147,147.00, second by Mr. Brown. The motion carried.

2024 MONTOURSVILLE BOROUGH DEMOLITION OF 416 SPRUCE ST PROJECT BID – CONDITIONALLY AWARD PENDING SOLICITOR REVIEW - Council President, Mr. Greenway presented 2024 Montoursville Borough Demolition of 416 Spruce St Project for review. Borough Solicitor, Christopher Kenyon requested this item to be tabled until the next council meeting to ensure all bids and contractors are in compliance with the contract.

Motion by Mr. Greenway to table 2024 Montoursville Borough Demolition of 416 Spruce St Project bid to the August 5th Council meeting, second by Mr. Brown. The motion carried.

CDBG PROJECT REVIEW AND FINALIZATION FFY 2024 – Council President, Mr. Greenway presented CDBG Project Review and Finalization FFY 2024 for review. SEDA-COG representatives reviewed details of several different projects, including possible curb replacements. It was explained that the location of the paving project which is requiring the curbs to be replaced will require the residents living on those streets to be surveyed to make certain they meet income requirements for this project. Residents were instructed to respond to any future surveys for this such purpose.

Motion by Mr. Greenway to approve CDBG Project Review and Finalization FFY 2024 project to allocate \$ 84,578.00 in the Curb Cut Phase V and \$ 16,900.00, second by Mr. Lucas. The motion carried.

RIGHT OF WAY/EASEMENT AGREEMENT –TAX PARCEL #02-370-111.P –SCOTT SCHNEIDER – Council President, Mr. Greenway presented a Right of Way Easement Agreement Tax Parcel #02-370-111.P for Scott Schneider for review.

Motion by Mr. Greenway to approve the Right of Way Easement Agreement Tax Parcel #02-370-111.P as presented; second by Mr. Brown. The motion carried.

AUCTION ON MUNICIBID –2012 CHEVY TAHOE –

Motion by Mr. Greenway to approve to auction of the 2012 Chevy Tahoe through Municibid as presented; second by Mrs. Emick. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports June 2024

RECREATION – Council member, Mr. Lucas reviewed and explained Event Permits 2024-16, 2024-17, and 2024-18 as presented.

Motion by Mr. Lucas to approve Event Permits 2024-16, 2024-17 and 2024-18 as presented, second by Mrs. Kline. The motion carried. Council member, Mr. Lucas explained the Building, Recreation and Assets Committee met with the representatives of the Lycoming County Disc Golf Association. The representatives shared the course in Indian Park is a big attraction. Council member, Mr. Lucas explained they are planning an event in August, and they have

presented some recommended additions to be added to the August 5th Council meeting agenda. Council member, Mrs. Emick also announced there will be a ribbon cutting ceremony for the new playground on August 16th as well as a movie in the park. The movie that will be shown will be ET.. Lastly, Council member, Mrs. Emick announced there are several openings on the Recreation Board and are in need of new members.

STREETS/WATER – Street and Water Project Coordinator, Mr. Cliff Hoffman announced that the Montoursville Borough Water Works will be doing meter investigations throughout the borough in order to identify any lead pipes as required by the EPA.. He explained the surveying is required to be done by October 24th, 2024. He shared that it has been advertised on Facebook and the Borough website. Council President, Mr. Greenway explained the process is a Borough employee will be reaching out to residents by knocking on their door, if no one is home, a door hanger will be placed on their door with instructions on how to schedule an appointment for the inspection.

MAYOR – Nothing at this time.

POLICE CHIEF – Chief Gyurina reviewed the June 2024 police report.

COUNCIL PERSONS – Council Vice President, Mr. Brown thanked all the residents in attendance at this evening’s meeting. He encouraged people to come on a regular basis and get involved in the community and normally there are only a handful of residents in attendance. He continued by reading a statement and explained he would like his official statement to be recorded and included as part of the meeting minutes. Council member, Mr. Lucas announced that the Borough budgets are available to the public for review at any time. He shared since council members are not experts on certain matters, they cannot respond to public questions or comments due to possible litigation. Council member, Mrs. Kline explained the borough has no control over the county or school district tax rates. Council member, Mr. Tillson followed by stating 75% of property tax is for Lycoming County taxes and only 25% is Montoursville Borough tax. Council Vice President, Mr. Brown explained a property assessed at \$100,000.00 only pays \$450.00 in taxes to Montoursville Borough, and for this dollar amount in tax money the borough provides 24hr police protection, fire protection, snow removal, street sweeping and a very nice park. Considering all of these services, he believes that Borough Council is doing an amazing job.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday August, 5th 2024. An executive session for personnel & legal issues will be held after the meeting and will not reconvene.

VISITOR AND PUBLIC COMMENTS –

Resident, Ms. Amy Fry, 212 N. Washington St., stated an online mapping system may serve as a useful tool the borough could use to map which streets in the borough have been paved as well as what streets are set to be paved in the future.

Resident, Mr. Nathan Allen, 1319 Spruce St., stated he loves living in Montoursville Borough and thanked council for their service. He asked council to reconsider how the curbs are marked, if curbs were marked in error then this is cause for much concern especially since he lives in a very high traffic area.

Resident, Mrs. Gloria Goodspeed, 514 Spruce St., questioned why nothing has been done towards putting a pickle ball court in Indian park. Council member, Mr. Lucas explained that is the next phase scheduled to be done in the park,

however funding the project is typically the issue. Council Vice President, Mr. Brown shared they are consistently looking for grants for such projects.

There being no further business the meeting was adjourned at 8:35 PM on a motion by Mr. Greenway, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

July 15, 2024
Council Meeting
Remarks by Robert Brown
2nd Ward Council member

First of all, I would like to thank you as residents for attending this meeting. We usually sit here on most meeting nights with a small handful of members of the public in attendance. Please feel free to attend on a regular basis.

Get involved in your local Government. Do not just come when you are mad at something or someone. Local Governments are always looking for volunteers for Committees and boards. Do not just complain about your community, Serve your community.

Your council members serve without any compensation other than the pride of knowing we are doing something to make our community a better place for all.

I have been sitting in this room for close to 15 years, with most of that being as an audience member. Sometimes you may not agree with what is happening. Local Government follows laws from Governments above them, County, State and Federal. There is a reason that things are done the way they are done. Educate yourself so that you know what is happening and why it happens the way that it does.

For the last 3 months, myself and the other members of Borough Council, Borough employees and contracted professionals have been subjected to numerous accusations including Misappropriation of Borough funds and other outright inaccurate statements. These accusations have come at both public meetings as well as on Social Media for days / weeks after each meeting

First – If anyone has knowledge or evidence of Criminal behavior by any of us, I suggest you go the District Attorney or Attorney General. One of the persons making these accusations at previous meeting said that they were based on RUMORS. Let me repeat that, they accused a Professional engineer

and members of council of illegal behavior based on RUMORS. No proof was offered at the time of the statement..

If you wish to disagree with Council and any of the decisions we make, that is your right as guaranteed under the U.S. Constitution. Trying to ruin the reputation of a professional or a council person by accusing them of illegal activity because you disagree with them without offering proof is absolutely unacceptable behavior.

Please verify the information that you receive and read on Social Media. Think before you repost or reply. In general, you have no idea if the person posting has any clue as to the validity of what they are saying. If you have questions about your Government. Do your own research. Go to the source. Contact your council person, Borough Office personnel, State Representative, State Senator, United States Congress person or Senator.

Madam Secretary, I ask that this be made part of the minutes and am providing a copy to you for that use.

Thank you