

January 2, 2024

The regular meeting of the Montoursville Borough Council held in the John Dorin Municipal Building was called to order by Honorable Mayor Steve Bagwell at 7:00 PM with the following answering roll call: Mark Tillson, Misty Emick, Eric Greenway, and Robert Brown. Tina Kline arrived at 7:10 PM.

The Pledge of Allegiance was observed.

COUNCIL PRESIDENT – Mayor Bagwell called for nominations for Council President. It was moved by Mr. Lucas to nominate Mr. Greenway for Council President, second by Mr. Brown. Mayor Bagwell called for additional nominations, hearing none, Mayor Bagwell closed the nominations. Mayor Bagwell requested a vote for nominee, Mr. Greenway. The motion carried.

COUNCIL VICE PRESIDENT – Mayor Bagwell called for nominations for Council Vice President. It was moved by Mrs. Emick to nominate Mr. Brown for Council Vice President, second by Mr. Lucas. Mayor Bagwell called for additional nominations, hearing none, Mayor Bagwell closed the nominations. Mayor Bagwell requested a vote for nominee, Mr. Brown. The motion carried. Mayor Bagwell turned the gavel over to Mr. Greenway as Council President. The motion carried.

COUNCIL PRESIDENT PRO TEM – Council President, Mr. Greenway requested nominations for the Council President Pro Tem. It was moved by Council President, Mr. Greenway to nominate Mr. Lucas for Council President Pro Tem, second by Mr. Brown. Council President, Mr. Greenway called for additional nominations, hearing none, Council President, Mr. Greenway closed the nominations. Council President requested a vote for nominee, Mr. Lucas. The motion carried.

APPOINTMENT - VACANCY BOARD CHAIR -

Motion was made by Mr. Greenway to appoint Mrs. Deb Brown as the Vacancy Board Chair, second by Mrs. Emick. The motion carried.

REAPPOINTMENTS/APPOINTMENTS – Council President, Mr. Greenway presented the following reappointment/appointments as well as conducting all motions to approve reappointment/appointments for each category: Secretary/Treasurer, Open Records Officer and Tax Collector, Ginny Gardner; Street and Water Project Coordinator, Cliff Hoffman; Borough Solicitor, McCormick Law Firm; Borough Engineer, Pysher & Associates and Levine Engineering, LLC; Zoning Hearing Board, Mr. Daniel Wright and Mr. George Casella; Property Maintenance Board of Appeals, Ms. Nicole Greenway & Mr. Daniel Wright; Planning Commission, Mr. Bryan Pauling; Civil Service Commission, Mr. Dave Rolley; Memorial Gardens Committee, Mr. Scott Konkle; and LCSWA & Library Liaison, Mr. Robert Brown.

Motion by Mr. Greenway to approve all appointments/reappointments as presented, seconded by Mr. Lucas. The motion carried.

The December 4, 2023 minutes were approved on a motion by Mrs. Kline, second by Mr. Greenway. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at is time

TREASURERS REPORT/BOROUGH BILLS – Motion by Mr. Brown to approve December 2023 treasurer's report, second by Mrs. Emick. The motion carried.

NEW BUSINESS –

SEO SERVICES/JAMI NOLAN- SEWAGE ENFORCEMENT OFFICER– Council President, Mr. Greenway presented SEO Services/Jami Nolan-Sewage Enforcement Officer for review.

Motion by Mr. Greenway to approve SEO Services/Jami Nolan-Sewage Enforcement Officer as presented; second by Mr. Brown. The motion carried.

RESIGNATION ANNOUNCEMENT – RECREATION BOARD MEMBER – DAVE WALTERS – Council President, Mr. Greenway presented a resignation letter from Recreation Board Member, Dave Walters for review. Council member, Mrs. Kline acknowledged and expressed her appreciation for all of Mr. Walters hard work and service to this board.

Motion by Ms. Emick to accept and approve the resignation of Recreation Board Member, Mr. Dave Walters as presented; second by Mr. Lucas. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports December 2023.

RECREATION – It was shared the new playground is moving along. The planting of trees and shrubs along with mulching the area will be completed closer to spring/summer. Council member, Mr. Lucas reviewed and explained Event permit 2023-26 and 2023-27.

Motion by Mr. Lucas to approve Event Permits 2023-26 and 2023-27 as presented, second by Mrs. Emick. The motion carried.

STREETS/WATER – Nothing at this time.

MAYOR – Mayor Bagwell announced that the Giving Tree, SPCA donations and the Holiday Decorating contest were very successful for the Community. He shared that seeing the Police out in the community reflects very well on the Borough of Montoursville.

POLICE CHIEF – Chief Gyurina reviewed the December 2023 police report. He shared the incident that did the destruction of the little library. He also noted that the light at intersection of Loyalsock & Broad is still having issues. He also shared the success received for the SPCA donations and especially noted the fabulous job Police Secretary, Kathy Sampsell did with the giving tree and all the families she helped this past Christmas.

COUNCIL PERSONS – Council Vice President, Mr. Brown reviewed the Civil Service Commission 2023 Annual Report. He announced the next Civil Service Commission’s meeting is scheduled for January 6th, 2025. He noted the 2024 meeting agenda’s and minutes are on file in the Borough office.

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 February 5th, 2024.

VISITOR AND PUBLIC COMMENTS – Willing Hand Hose Fire Chief, Scott Konkle thanked council for attending a meeting with them.

There being no further business the meeting was adjourned at 7:27 PM on a motion by Mr. Brown, second by Mr. Greenway. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

February 5, 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 7:04 PM with the following answering roll call: Mark Tillson, Tina Kline, Eric Greenway, and Robert Brown. Misty Emick arrived at 7:05. Absent – Chris Lucas.

The Pledge of Allegiance was observed.

The January 2, 2024 minutes were approved on a motion by Mr. Brown, second by Mr. Greenway. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – VIP member, Mr. Robert Weaver gave the 2023 VIP Annual Report to Council. Mr. Weaver shared with council some of the projects completed in 2023. He mentioned all the repairs done in coordination with Street and Water Project Coordinator, Mr. Cliff Hoffman and the Borough crew including the work on the baseball fields and help with the setting up for the Fall Festival. Council member, Mrs. Emick expressed her appreciation for all the work the Volunteers of Indian Park do for Indian Park and the Borough. Montoursville Area High School student, Ms. Anna Baylor gave update to council on her donation and installation of the AED & Secured heated cabinet located in Indian park with congratulations on a job well done by Council member, Mrs. Emick as well as the rest of council.

TREASURERS REPORT/BOROUGH BILLS – Motion by Mr. Brown to approve January 2024 treasurer’s report, second by Mr. Greenway. The motion carried.

NEW BUSINESS –

2024 ENGAGEMENT LETTER/LARSON, KELLET & ASSOC- AUDITING SERVICES– Council President, Mr. Greenway presented the 2024 engagement letter submitted by Larson, Kellet & Associates for review.

Motion by Mr. Greenway to approve 2024 engagement letter for Larson, Kellet & Associates for auditing services as presented; second by Mrs. Kline. The motion carried.

SUBRECIPIENT AGREEMENT CDBG FFY 2022 LYCOMING COUNTY AND MONTOURSVILLE –

Council President, Mr. Greenway presented the Subrecipient Agreement CDBG FFY 2022 between Lycoming County and Montoursville for review.

Motion by Mr. Brown to approve Subrecipient Agreement between Lycoming County and Montoursville for the CDBG FFY 2022 as presented; second by Mrs. Kline. The motion carried.

AMENDMENT #2 TO SUBRECIPIENT AGREEMENT – CDBG FFY 2020 – TIME EXTENSION – Council

President, Mr. Greenway presented Amendment #2 to Subrecipient Agreement for the CDBG FFY 2020 grant requesting a time extension for review.

Motion by Mr. Greenway to approve Amendment #2 to Subrecipient Agreement for the CDBG FFY 2020 grant requesting a time extension as presented, second by Mr. Brown. The motion carried.

ELECTRICITY – CONSTELLATION – 3 YEAR CONTRACT - Council President, Mr. Greenway presented a three-year electricity contract with Constellation Energy for review.

Motion by Mr. Greenway to approve a three electric year contract with Constellation Energy, second by Mrs. Kline. The motion carried.

PURCHASE 2023 DODGE CHARGER POLICE VEHICLE – NEW HOLLAND AUTO GROUP – COSTARS

Council President, Mr. Greenway a presented a quote for the purchase of a 2023 Dodge Charger police vehicle for review.

Motion by Mr. Greenway to approve the purchase of the 2023 Dodge Charger Police vehicle from New Holland Group through COSTARS in the amount of \$38,485.00; second by Mr. Brown. The motion was amended to include the sale of the 2017 Dodge Charger Police vehicle through Municibid. The motion carried

EMPLOYMENT – PART TIME POLICE OFFICER – CLINTON GARDNER- Council President, Mr.

Greenway presented employment of part time Police Officer, Clinton Gardner for review.

It was shared that Mr. Gardner is a nine plus year officer in the City of Williamsport working narcotics and in counter human trafficking per Chief Gyurina. Council member, Mrs. Emick questioned the need. In response to Mrs. Emick's question, Chief Gyurina explained this hiring is in response to some upcoming restructuring/replacements. Council President, Mr. Greenway noted Chief Gyurina manages the Part Time police budget.

Motion by Mr. Brown to approve the employment of Cliton Gardner for the position of part time Police Officer; second by Mr. Greenway. The motion carried.

APPELLATION CONSTRUCTION SERVICES, LLC – WELL HOUSE VENTILATION – CHLORINE

ROOM - Council President, Mr. Greenway presented the proposal for improvements from Appellation Constructions Services, LLC for the Well House Ventilation – Chlorine Room for review. It was noted that these improvements are to rectify a safety issue as per DEP.

Motion by Mrs. Kline to approve the proposal from Appellation Constructions Services, LLC for improvements of Well House Ventilation – Chlorine Room in the amount of \$6,025.00 as presented; second by Mr. Greenway. The motion carried.

APPELLATION CONSTRUCTION SERVICES, LLC – WELL HOUSE VENTILATION – WELL HOUSE -

Council President, Mr. Greenway presented the proposal for improvements from Appellation Constructions Services, LLC for the Well House Ventilation – Well House for review. It was again noted that these improvements are to rectify a safety issue as per DEP.

Motion by Mr. Greenway to approve the proposal from Appellation Constructions Services, LLC for improvements of Well House Ventilation – Well House in the amount of \$10,316.00 as presented; second by Mr. Brown. The motion carried.

PURCHASE TREES/SHRUBS INDIAN PARK SOUTHERN PLAYGROUND REHABILITATION PROJECT – JOSEPH'S NURSERY & GARDEN CENTER, LLC – COSTARS – Council President, Mr. Greenway presented

the proposal for the purchase of trees and shrubs for the Indian Park Southern Playground Rehabilitation Project from Joseph's Nursery & Garden Center, LLC for review.

Motion by Mrs. Emick to approve the proposal for the purchase of trees and shrubs for the Indian Park Southern Playground Rehabilitation Project from Joseph's Nursery & Garden Center, LLC through COSTARS in the amount of \$1585.05 as presented; second by Mr. Greenway. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports January 2024

RECREATION – Council member, Mrs. Emick reviewed and explained Event permit 2024-01 as presented.

Motion by Mrs. Emick to approve event permit 2024-01 as presented; second by Mr. Greenway. The motion carried. Discussion ensued regarding the need to replace the roof on the concession stand, it was noted that the Softball League could help with that endeavor. Council member, Mrs. Emick commented that the Recreation Board is in need of some new members as well as restructuring.

STREETS/WATER – Nothing at this time.

MAYOR – Nothing at this time.

POLICE CHIEF – Chief Gyurina reviewed the January 2024 police report. He also reported on a suspected DUI accident and the judging of a chili contest. A discussion took place regarding a question regarding the regionalization of the police department. Chief Gyurina's response to the questions asked about regionalizing the police department was that he did not recommend it. Council member, Mrs. Kline also questioned the possibility of offering credit card payments for parking tickets. She explained that she, as well as Council member, Mrs. Emick had been requested by

citizens' of the third ward to further investigate and if it is warranted to look at cost/benefit/details involved in implementing this.

COUNCIL PERSONS – Council member, Mr. Brown announced that the Civil Service Commission will be accepting applications for the Civil Service test until noon on March 15, 2024.

SOLICITOR – Solicitor, Chris Kenyon requested an executive session.

COUNCIL PRESIDENT – Council President, Mr. Greenway shared the Chief Gyurina is in the DROP program. He shared the difficulty in getting applicants despite being proactive and the need to have matters in order when the time comes for Chief Gyurina's retirement. Council President, Mr. Greenway also announced that there is an ongoing issue with the compliance of banners/signs. Zoning officer, Mr. David Hines, will be sharing and discussing his recommendation next month.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday March 4th, 2024. Council President, Mr. Greenway announced an executive session will be held immediately following this meeting to discuss personnel and legal matters and Council will not be reconvening.

VISITOR AND PUBLIC COMMENTS

There being no further business the meeting was adjourned at 7:50 PM on a motion by Mr. Greenway, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

March 4, 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: Mark Tillson, Tina Kline, Misty Emick, Eric Greenway, Chris Lucas, and Robert Brown.

The Pledge of Allegiance was observed.

The February 5th, 2024 minutes were approved on a motion by Mr. Brown, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

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

NEW BUSINESS –

AUTHORIZE BOROUGH ENGINEER, TODD PYSHER, PYSHER ENGINEERING TO PREPARE & ADVERTISE BID DOCUMENTS –2024 PAVING PROJECT-

Motion by Mr. Lucas to approve authorization of Borough Engineer, Pysher and Associates, Inc. to prepare and advertise bid documents for 2024 Paving Project as presented; second by Mr. Greenway. The motion carried.

AUTHORIZE BOROUGH ENGINEER, TODD PYSHER, PYSHER ENGINEERING TO PREPARE & ADVERTISE BID DOCUMENTS – CURB RAMP PROJECT –

Motion by Mr. Lucas to approve authorization of Borough Engineer, Pysher and Associates, Inc. to prepare and advertise bid documents for CDBG curb ramp project as presented, second by Mr. Brown. The motion carried.

MARTZ TECHNOLOGY, INC –SCADA MAINTENANCE – Council President, Mr. Greenway presented a quote from Martz Technology, Inc for the maintenance of the SCADA system for review.

Motion by Mr. Greenway to approve Martz Technology, Inc for maintenance of the SCADA as presented in the amount of \$5,790.84 as presented; second by Mr. Brown. The motion carried.

SETTLEMENT AGREEMENT—812 TULE ST– Council President, Mr. Greenway presented the Settlement Agreement with the property owner at 812 Tule St. for review. An explanation was given regarding the need for the agreement, noting it is due to a leak between the curb stop and the main. The curb box is located in the property owner’s concrete driveway apron., which requires the Borough to dig up the property owner’s driveway and restore it. A discussion ensued between council members.

Motion by Mr. Greenway to approve the Settlement Agreement with the property owner at 812 Tule St. as presented; second by Mrs. Kline. The motion carried.

BUDGET REVISION CERTIFICATION CDBG –FFY 2020– Council President, Mr. Greenway presented the Budget Revision Certification CDBG FFY 2020 for review.

Motion by Mr. Greenway to approve FFY 2020 CDBG Budget Revision Certification as presented, second by Mrs. Emick. The motion carried.

PURCHASE 2024 CHEVROLET SILVERADO 2500 REGULAR CAB PICKUP TRUCK –BLAISE ALEXANDER CHEVROLET OF MUNCY –COSTARS - Council President, Mr. Greenway presented a quote to purchase a 2024 Chevrolet Silverado 2500 Regular Cab Pickup Truck for review. Street and Water Project

Coordinator, Mr. Hoffman shared the vehicle is needed for the replacement of Chevy Colorado. Council Vice President, Mr. Brown stated this purchase had been included in the 2024 Budget.

Motion by Mr. Brown to approve Purchase 2024 Chevrolet Silverado 2500 Regular Cab Pickup Truck from Blaise Alexander Chevrolet of Muncy through COSTARS in the amount of \$48,897.00; second by Mr. Greenway. The motion carried.

AUCTION ON MUNICIBID –2019 DODGE CHARGER– Council President, Mr. Greenway presented the request to auction on Municibid the 2019 Dodge Charger for review. It was noted that previously it had been approved to auction the 2017 Dodge Charger however Police Chief Gyurina felt that this was the better choice. A discussion ensued regarding the probable value of the vehicle. Deputy Chief Bentley felt it was valued between \$6,000.00 and \$8,000.00.

Motion by Mr. Greenway to approve to auction of the 2019 Dodge Charger through Municibid as presented; second by Mrs. Emick. The motion carried.

BRUSH RECYCLING CENTER –OPENING DATE – MONDAY, APRIL 1, 2024 AND SATURDAY OPENING DATES –APRIL 27, JUNE 29, AUGUST 31, AND OCTOBER 26, 2024 -Council President, Mr. Greenway presented the Opening date and Saturday dates for the brush recycling Center for review.

Motion by Mr. Greenway to approve brush recycling center opening date as Monday, April 1, 2024 and the following Saturday dates April 27, June 29, August 31, and October 16, 2024; second by Mr. Brown. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports February 2024.

RECREATION – Council member, Mr. Lucas reviewed the February 2024 Recreation Board Minutes and explained Event permits 2024-02, 2024-03 and 2024-04 as presented.

Motion by Mr. Lucas to approve Event permit 2024-02 as presented, second by Mr. Greenway. The motion carried.

Motion by Mr. Lucas to approve Event permit 2024-03 and 2024-04 as presented, second by Mrs. Emick. The motion carried. Council member, Mrs. Emick shared the Recreation Board is actively seeking new members.

STREETS/WATER – Nothing at this time.

MAYOR – Mayor Bagwell commented on Event Permit 2024-02 regarding the Lewis & Clark Circus, which is possibly setting a negative precedent, noting that the Circus is a for profit company and thus requested further investigation by the Borough Solicitor.

POLICE CHIEF – Deputy Chief Jason Bentley reviewed the February 2024 police report. He shared information regarding phone scams targeting senior citizens as well as people of all ages, asking them to purchase gift cards. Council member, Mrs. Emick questioned if the latest incidents involving gun violence has spread throughout the Montoursville community. Deputy Chief Bentley shared the latest incident Williamsport has not spread to Montoursville

COUNCIL PERSONS – Nothing at this time.

SOLICITOR – Borough Solicitor, Chris Kenyon addressed Mayor Bagwell's concern regarding Event permit 2024-02 and the status of the Lewis & Clark Circus. He questioned the non-profit Rotary organization representatives if the circus is a for-profit company and who is selling the tickets. It was shared by the Rotary representatives that ticket sales are sold directly online by the circus and that Rotary is only entitled to a portion of the tickets sales, possibly 10%, and that the contract would spell this out. At this time, Borough Solicitor, Chris Kenyon shared that he would like to review the contracts prior to making a recommendation. At this time, Mr. Lucas amended the previous motion. **Motion** by Mr. Lucas to approve Event permit 2024-02 conditionally, pending review and approval by the Borough Solicitor, second by Mr. Greenway. The motion carried

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday April 1st, 2024. Council President, Mr. Greenway announced an executive session will be held immediately following this meeting to discuss personnel and legal matters and Council will not be reconvening.

VISITOR AND PUBLIC COMMENTS – Nothing at this time.

There being no further business the meeting was adjourned at 7:40 PM on a motion by Mr. Brown, second by Mr. Greenway. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

April 1, 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: Tina Kline, Eric Greenway, Robert Brown, and Chris Lucas. Misty Emick arrived at 7:03. Absent – Mark Tillson

The Pledge of Allegiance was observed.

The March 4, 2024 minutes were approved on a motion by Mr. Brown, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

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

NEW BUSINESS –

REVIEW—2023 MUNICIPAL AUDIT & FINANCIAL REPORT- Council President, Mr. Greenway presented the 2023 Municipal Audit & Financial Report for review.

Motion by Mr. Greenway to accept the 2023 Municipal Audit & Financial Report as presented; second by Mrs. Emick. The motion carried.

COMMUNITY YARD SALE—MAY 31ST & JUNE 1ST, 2024 - Council President, Mr. Greenway presented the request for the Community Yard Sale to be held May 31st & June 1st, 2024 for review.

Motion by Mr. Lucas to approve the Annual Community Yard Sale on May 31st & June 1st, 2024; second by Mrs. Kline. Council member, Mrs. Emick noted the parking and safety issues that took place during last years community yard sale due to school still being in session. Chief Gyurina agreed with Council member Emick and commented on yard sales causing parking/safety issues with school still being in session. At this time, Council member, Mr. Lucas amended his motion to table the request for the community yard sale until the next council meeting, May 6th, second by Mrs. Kline. The motion carried.

RESIGNATION ANNOUCEMENT – RECREATION BOARD MEMBER – RENEE`CAREY –

Motion by Mrs. Emick to accept and approve the resignation of Recreation Board Member, Ms. Renee` Carey as presented; second by Mrs. Kline. Council publicly thanked Ms. Carey for her years of service. The motion carried.

APPLICATION FOR COUNTY AID – Council President, Mr. Greenway presented Application for County Aid for review.

Motion by Mr. Greenway to approve Application for County Aid as presented; second by Mr. Brown. The motion carried.

AUTHORIZATION LETTER—911 MEMORIAL COALITION RIDE– Council President, Mr. Greenway presented an Authorization Letter for the 911 Memorial Coalition Ride for review.

Motion by Mr. Lucas to approve the Authorization Letter for the 911 Memorial Coalition Ride as presented; second by Mr. Brown. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports March 2024.

RECREATION – Council member, Mr. Lucas reviewed and explained Event Permits 2024-05, 2024-06, 2024-07, 2024-08, 2024-10 and 2024-11.

Motion by Mr. Lucas to approve Event Permits 2024-05, 2024-06, 2024-07, 2024-08, 2024-10 and 2024-11, second by Mrs. Emick. The motion carried. Council member, Mr. Lucas questioned the official opening date of the new

playground. It was shared that some of the benches need adjustment, once the adjustments are completed the project will need to be inspected.

STREETS/WATER – Street and Project Coordinator, Mr. Hoffman announced that the Brush Recycling Area and Mill Street are open, however the water is not yet turned on for the season at Mill Street.

MAYOR – Mayor Bagwell shared that he agrees with Chief Gyurina regarding the Annual Community Yard Sale, noting the dates should be changed due to safety issues. He stated drivers are not paying attention to their surroundings, with school still being in session making for a bigger safety concern.

POLICE CHIEF – Chief Gyurina reviewed the March 2024 police report. He updated the status of the newly implemented electronic filing system and the purchase of new laptops sharing he is waiting on the software to be installed. He also thanked Council Vice President, Mr. Brown, and wife Deb Brown for their recent donation of an animal chip reader, like the one used at the SPCA, so that the borough police can locate the owners of lost pets in the borough.

COUNCIL PERSONS – Nothing at this time.

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 May 6th, 2024. Council President, Mr. Greenway announced an executive session will be held immediately following this meeting to discuss legal matters and Council will not be reconvening.

VISITOR AND PUBLIC COMMENTS - Resident, Mr. Thaddeus Trafford, 328 Tule St., requested Borough Council to postpone and/or amend the curb ordinance. He stated curbs are only to push water down the storm drains and they are just fine in his opinion. He also sited that this project is an economical burden on the homeowner in this current economy. After other visitors had opportunity to comment, Mr. Trafford stated the curb ordinance only requires a 30-day notice needs to be changed and/or amended because it is crazy. Resident, Ms. Kim Meyers, 1127 Elm St., stated she agreed with Mr. Trafford that the curbs are fine. She explained she is on a fixed income and thinks it is ridiculous that she is asked to come up with \$10,000.00 in the next sixty days to pay for new curbs. She does not understand where all her tax dollars are going and why other communities do not have to pay for curbs. Resident, Mr. Lyndon Mink, 1126 Elm Street, stated he was surprised to receive a letter explaining that he was responsible for the curbs. He stated he previously received a letter to repair his sidewalk. He also subsequently discussed falling and breaking his neck on a sidewalk in the borough, which was a property owner's responsibility. Resident, Ms. Annette Baker, 1133 Broad St, provided pictures of her curbs and understands the need, however, does not think it is fair that she cannot choose which contractor can repair her curbs. She stated she is upset at the cost of \$10,000.00 for the curbs, noting the cost will take away trips she could take to Florida to see her only grandchild. Ms. Baker also stated when the curbs were being marked that she was told by the employee marking the curbs that she would not be responsible for replacing them, so getting the curb letter in the mail was a shock to her. Willing Hand Hose Fire Chief, Mr. Scott Konkle gave an update on the 115 calls last month for the fire department. Council President, Mr. Greenway, explained previous issues with residents choosing their own contractors to replace the curbs, noting the delays in project completion, higher prices and quality control that arose in previous projects. He also explained that the ordinances are there to help and support the residents, not hinder, or hurt them. Secretary/Treasurer Ms. Gardner read the letter that was sent out to all residents affected by the curb/paving project.. Borough Engineer. Todd Pysher joined

the meeting via speaker phone to answer general resident questions. Mr. Pysher explained curb joints and reasons why different sections of the curb were chosen to be replaced and why others were not, all the while keeping in consideration the cost/expense to homeowner. Mr. Pysher agreed to inspect the curbs of the addresses of residents that have a dispute or questions about their curbs and why they were chosen.

There being no further business the meeting was adjourned at 7:59 PM on a motion by Mrs. Emick, second by Mr. Greenway. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

May 6, 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 7:20 PM with the following answering roll call: Tina Kline, Misty Emick, Eric Greenway, and Robert Brown.. Absent: Mark Tillson and Christopher Lucas

The Pledge of Allegiance was observed.

The April 6, 2024 minutes were approved on a motion by Mr. Brown, second by Mrs. Kline. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Borough Engineer, Mr. Todd Pyscher stated he is attending in order to answer questions regarding the current street improvement project. He shared that he and Street & Water Project Coordinator, Mr. Cliff Hoffman had inspected all the curbs within the project. He explained that Mr. Hoffman had done an excellent job in determining curbs that needed to be replaced and that in one instance he had decreased the lineal footage of curbing for one property however there were several that he had increased the lineal footage required to be replaced.

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

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION – FFY 2024 – SEDA-COG – Council President, Mr. Greenway recessed the Council meeting at 7:17 PM and opened the Public Hearing. Ms. Tanya Collins /SEDA COG discussed and reviewed the CDBG Block Grant Application FFY 2024. Ms. Collins discussed the program's history and the anticipated allocation of \$102,902.00 for FFY 2024. Ms. Collins reviewed and discussed eligible activities, the national objectives and fundability requirements, the County's Fair Housing Notice, Anti displacement Plan, Section 504 Outreach and Section 3 Preference. She reviewed the application schedule and stated project finalization should occur at the Borough Council meeting in July with the Lycoming County Commissioner's final Public Hearing taking place September 5, 2024. She reviewed the prior projects completed in the Borough including the removal of architectural barriers to the John Dorin Municipal building restroom project, Homes in Need project, and curb cuts project. Ms. Collins continued to discuss possible projects for consideration including curb cuts, curbs, and pathways in Indian Park. At this time, Ms. Collins requested any other public comments. Hearing no further comments, Ms. Collins closed the FFY 2024 CDBG application process and concluded the public hearing at 7:38PM. Council President, Mr. Greenway reconvened the council meeting at 7:38 PM.

NEW BUSINESS –

COMMUNITY YARD SALE REQUEST -JUNE 1st & JUNE 2nd, 2024 -Council President, Mr. Greenway presented the request for the Montoursville Borough Community Yard Sale to be held June 1st & June 2nd, 2024. He shared the reason for the request to change the date was the concern for the safety of children still attending school. **Motion** by Mrs. Emick to approve the Annual Montoursville Community Yard Sale on June 1st & June 2nd, 2024; second by Mr. Greenway. The motion carried.

EMPLOYMENT—FULL TIME NON-LICENSED OPERATOR –DEREK UMSTEAD – Council President, Mr. Greenway presented Employment –Full Time Non-Licensed Operator –Derek Umstead for review. **Motion** by Mr. Greenway to approve the employment of Derek Umstead for the position of Full-Time Non-Licensed Operator, second by Mr. Brown. The motion carried.

SRO AGREEMENT & EXTENSION LETTER – Council President, Mr. Greenway presented the SRO Agreement and extension letter for review. **Motion** by Mrs. Emick to approve SRO Agreement & Extension Letter as presented, second by Mrs. Kline. Council

member, Mrs. Emick expressed her thanks and appreciation to SRO Officer, Marc Storms for all the work that he does. The motion carried.

BOROUGH OF MONTOURSVILLE PERSONNEL POLICY MANUAL AMENDMENT-A18. FUNCTIONAL CAPACITY EXAM - RESOLUTION 2024-01 – Council President, Mr. Greenway presented Montoursville Personnel Policy Manual amendment A18. Functional Capacity Exam – Resolution 2024-01 for review. Borough Solicitor, Mr. Christopher Kenyon clarified this amendment is a written version of the policy the Borough has followed for years. **Motion** by Mr. Brown to approve the Borough of Montoursville Personnel Policy Manual amendment, Section A18 Functional Capacity Exam – Resolution 2024-01 as presented; second by Mr. Greenway. The motion carried.

AUTHORIZATION TO SOLICIT BIDS FOR RFP PACKAGE AS PREPARED BY BOROUGH SOLICITOR FOR THE DEMOLITION OF 416 SPRUCE ST– Council President, Mr. Greenway presented Authorization to Solicit Bids for RFP Package as Prepared by Borough Solicitor for the Demolition of 416 Spruce St. for review. **Motion** by Mrs. Kline to approve the authorization to solicit bids for RFP Package as prepared by Borough Solicitor for the Demolition of 416 Spruce St. as presented; second by Mr. Greenway. Borough Solicitor, Mr. Kenyon shared there is a timeline that requires the demolition to be completed by August 31st, 2024 and also ensures the safety as long as people stay out of the structure. The motion carried.

FASTBRIDGE FIBER EASEMENT AGREEMENT FOR TELECOM CABINET AT 900 ELM ST – Council President, Mr. Greenway presented an easement agreement with Fastbridge Fiber for a telecom cabinet at 900 Elm St. for review. **Motion** by Mr. Greenway to approve an easement agreement for Fastbridge Fiber for a telecom cabinet located at 900 Elm St. as presented; second by Mr. Brown. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports April 2024.

RECREATION – Council member, Mrs. Emick reviewed and explained Event permits 2024-03- amended, 2024-12 and 2024-13 as presented. **Motion** by Mrs. Emick to approve Event permit 2024-03 -amended, 2024-12 and 2024-13 as presented, second by Mrs. Kline. The motion carried. Council member, Mrs. Kline extended a thank you to the Kiwanis Club and all that helped with the clean-up of the park

STREETS/WATER – Street and Water Project Coordinator, Mr. Hoffman shared the construction of the new playground is completed. It was noted the Borough is now waiting on documents to submit to DCNR,. Once those documents are submitted DCNR will need to complete an inspection prior to public use of the playground. Council member, Mrs. Kline thanked Council member, Mrs. Emick for her efforts towards completion of the playground.

MAYOR – Mayor Bagwell stated he does not agree with the current process of assessing the property owner for their curb replacement. His reasoning is that some residents do not have any curb, some streets are more heavily traveled therefore the curb is in worse shape and needs to be replaced more often.

POLICE CHIEF – Chief Gyurina reviewed the April 2024 police report. He stated that this past week has been the craziest week in the history of his employment here with several incidents. He elaborated on some of the incidents. He also shared the Little League Parade was well attended, new computers were installed in the police cars for the e-file system, the new police tasers arrived and that his is waiting on the equipment to outfit the new police car.

COUNCIL PERSONS – Council Vice President, Mr. Brown announced last week he had administered a civil service test for which there was only one applicant. He is hoping to have a certified list by July 2024.

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 June 3rd, 2024.

VISITOR AND PUBLIC COMMENTS – Fire Chief, Mr. Scott Konkle gave an update on the fire department calls, noting the lightning strike that was caught on a neighbor's "RING" doorbell camera on Cherry Street. He also shared the Memorial Garden cleanup will be held May 18th, 2024 at 9:00AM. Borough Engineer, Mr. Todd Pysher, shared he attended the Street and Water Committee meeting prior to this meeting where he explained and discussed the Street Improvement Project and curb replacement requirements. Resident, Ms. Kim Myers,, 1127 Elm St, agreed with Mayor Bagwell's comments about the curbs and questioned why her tax dollars are not being better budgeted to pay for the curbs and paving. Council Vice President, Mr. Brown responded by stating that the curbs need to be paid for by the property owners or taxes will need to be raised yearly. Council President, Mr. Greenway stated currently and since he has been on council, taxes have only been raised every five years. Resident, Mr. Richard Boyles, 407 Tule St, questioned curbing issues with trough in street and wanted to know who put the curbing/trough in. A discussion took place regarding the responsible party for the installation. Borough Engineer, Mr. Todd Pysher shared that he did not know when the installation took place however he knows they had to be installed prior to 2003, which is when he had been appointed as the borough engineer. Some of the residents in attendance were complaining about having to replace curbs that they feel are not in need of being replaced. Borough Engineer, Mr. Todd Pysher explained to the residents that the curbs may give the appearance of being okay, but from an engineering perspective they need to be replaced. Resident, Ms. Annette Baker, 1133 Broad St, stated if the borough did not repair the street, residents would not need to replace their curbs. Council President Mr. Greenway and Borough Engineer, Mr. Pysher both stated that repaving the street is not a want, but a need. Resident, Ms. Brenda Holdren, 806 Weldon St, discussed chips versus cracks in the curbing, questioned which ordinance addresses curbing and questioned prior years cost for curbing Council President, Mr. Greenway shared prior cost for curbing. It was also confirmed that curbs are addressed in the borough code of Montoursville. Council President, Mr. Greenway addressed the curb issue and questioned the residents in the audience as to how much if their current tax bill goes to the Borough. None of the residents in attendance knew. He continued to explain that a house assessed at \$100,000.00 would only pay \$450.00 at the current 4.5 mils a year to the Borough. Council Vice President, Mr. Brown shared those \$ 450.00 pays for a 24/7 Police Department, Recreation and Streets Departments within the Borough. He shared that he is the Chairman of the Finance Committee which is charge of putting together the budget, along with Council members, Mrs. Kline and Mrs. Emick noting he takes tax increases very seriously and only when needed. A lengthy discussion ensued with multiple unannounced residents concerning curb costs, replacement criteria, policy criticisms and possible solutions regarding the Street Improvement project. Borough Engineer, Mr. Pysher shared that the Borough receives state funding that is to be used to pave streets in the borough and cannot be used to pay for curbing. At this time, Mayor Bagwell stated the Borough hires the engineer for his expertise. He explained the Borough will take the advice of the expert over the advice of a lay person, so as to address any attacks and criticisms of the Borough Engineers evaluation of residents' curbing. He also stated the bottom line is that the Street Improvement project will be going forward regardless, and it is the Borough residents' responsibility for their curbs this year, as it has been in past years, whether they agree with it or not. Council member, Mrs. Kline stated that she appreciated everyone coming and expressing their concerns.. She said possibly in the future a paving schedule could be posted ahead of time. Council President, Mr. Greenway closed by commenting that he was glad for everyone who took the time to attend the council meeting. There being no further business the meeting was adjourned at 8:55 PM on a motion by Mr. Greenway, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

June 3, 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, Mark Tillson and Robert Brown. Misty Emick arrived at 8:09PM.

The Pledge of Allegiance was observed.

The May 6, 2024 minutes were approved on a motion by Mr. Brown, second by Mrs. Kline. The motion carried.

TREASURERS REPORT/BOROUGH BILLS – Motion by Mr. Lucas to approve May 2024 treasurer’s report, second by Mr. Brown. The motion carried.

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

NEW BUSINESS –

DONATION –FAST BRIDGE FIBER, LLC –PARK HANDICAP SWING- Council President, Mr. Greenway presented Donation –Fast Bridge Fiber, LLC –Park Handicap Swing for review.

Motion by Mrs. Kline to approve donation application from Fast Bridge Fiber, LLC to be used for the purchase of a Park Handicap Swing as presented; second by Mr. Greenway. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports May 2024.

RECREATION – Council member, Mr. Lucas reviewed and explained Event Permits 2024-09, 2024-14, and 2024-15 as presented.

Motion by Mr. Lucas to approve Event Permits 2024-09, 2024-14 and 2024-15 as presented, second by Mrs. Kline. The motion carried.

STREETS/WATER – Nothing at this time.

MAYOR – Mayor Bagwell stated that the Community Yard Sale went very well. He shared no safety issues arose with the date change to Saturday and Sunday.

POLICE CHIEF – Chief Gyurina reviewed the May 2024 police report. He also agreed with Mayor Bagwell’s remark about the yard sales and added that people are more patient on the weekend versus a Friday.

COUNCIL PERSONS – Vice President, Mr. Brown shared a civil service update stating the prior applicant removed himself, therefore the Civil Service test was re-advertised in four municipal police academies and in the local newspaper for new applicants. Council member, Mr. Lucas questioned Police Chief Gyurina if there is a shortage of applicants. Chief Gyurina replied yes. Council member, Mrs. Kline questioned Chief Gyurina if there is a shortage of applicants in other municipalities. Chief Gyurina stated there is a shortage of applicant’s everywhere.

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 July, 1st 2024. Executive session for Personnel & Legal to be held after and will not reconvene.

VISITOR AND PUBLIC COMMENTS

Fire Chief, Mr. Scott Konkle, gave a monthly update on the fire department calls and current training that is ongoing. Resident, Ms. Kim Myers, 1127 Elm St, explained and presented a petition that she herself and about a 100 other people in the borough has signed.. She also presented photographs to Council President, Mr. Greenway and Council member, Mr. Lucas and questioned Council President, Mr. Greenway if he knew what this photo was and if he recognized the location where the photo was taken. Council President, Mr. Greenway stated it would appear to be his curbs. Ms. Myers questioned why he did not care enough about replacing his curbs when his street was paved. Council President, Mr. Greenway explained if he would have received notice to replace his curbs he would have done so as he gets no special consideration from being on council. Ms. Myers then referenced a PennDOT engineer, whom she could not name, and accused Council President, Mr. Greenway of forcing residents to replace their curbs, but not replacing his own curbs. Council President Mr. Greenway stated that that protect was through the state and dealt with state tax dollars, both of which he has nothing to do with and has no part of that project. Ms. Myers then stated she had a very well noted and recommended Engineer come to her house to inspect her curbs, noting he took photos. Ms. Myers shared the engineer stated only three feet of her curbs needed to be replaced. She continued stating she contacted a second engineering firm that stated curbs do not have to be replaced with hairline cracks or if they are tilted. Ms. Myers shared she also contacted a supervisor for Glenn O. Hawbaker and M & M paving who shared that curbs are not required to be straight in order to get a good seal when paving a road. Ms. Myers then cites a conversation that took place between Attorney Malcom Mussina and Borough Solicitor, Christopher Kenyon, questioning Borough Solicitor, Christopher Kenyon as to their discussion. She stated Attorney Mussina explained to her that you were in agreement regarding no need to repair curbs with hairline cracks or curbs with different elevation could be grinded. Borough Solicitor, Christopher Kenyon adamantly denied discussing those items with Attorney Mussina and explained he would be calling Attorney Mussina to clarify any misunderstandings. Borough Solicitor, Christopher Kenyon also clarified that he did say that people could choose their own contractor to do the curb work, but that he was mistaken on this particular project. Resident, Mr. Scott Metzger, 515 Willow St shared he is the CEO of Metzger Apartments and his history working with the borough. He cited that he had a section of curb that had a hairline crack, which he claims John Sanso said it did not need replaced, so upon refusal to replace it, the borough did it for him and charged him \$450.00. He stated that the amount charged to the Borough on a project is prevailing wage. If the resident as a private citizen could choose their own contractor they would not have to pay prevailing wage. He asked the borough to reconsider doing this curb project due to the financial hardship on people. Resident, Mr. Keith Toner, 204 Tule St., explained he purchased his house a year ago. He questioned as to who makes the decision which curbs need replaced. He continued stating that a concrete saw could be used to salvage what curb could be saved and thus cut costs. He explained he would like somebody to come out and show him what curbs need to be replaced. Council President, Mr. Greenway shared Borough Engineer, Todd Pysher, inspects the curbs and has previously visited several residences, sharing what areas need replaced. Resident, Mrs. Meghan Maeulen, 220 Maple St. stated the Borough Engineer told her that whether it be a chip or a crack, either way they could not distinguish what caused it in the curb and thus it would need replaced. She also stated that the curb assessments were based solely on the Borough Engineer's best professional opinion, not a set guideline that states so many feet from the joint, etc. Resident, Mr. Donald Boyles, 407 Tule St, explained he and his father met with Borough Engineer, Todd Pysher, last week and asked if council did the research about the trough in the street. He questioned the ownership of the trough located in the street. He expressed that the homeowner is responsible for this... Mr. Boyles continued stating several sections of his curbing need replaced. He explained he has an issue with paying for the trough to be ripped out and replaced with curbing but does not have a problem with paying for damaged curb. He is upset with paying for good curbing that is being ripped out to change the design of the road, which he states was councils' decision to change.. Mr. Boyles shared information regarding MS4 regulations. Council explained Montoursville Borough has been an MS4 Community for many years now and is fully aware of the regulations. Resident, Mr. Ken Raker, 1127 Elm St. complained no notice was sent stating this curbing project was coming. He also stated that he wants an itemized list of Borough Engineer, Mr. Pysher's expenses because he feels he is ripping the Borough off. He explained he has heard Borough Engineer, Todd Pysher, spends most of his time in Florida, and the Borough pays for his flights to and from Florida. He stated the Borough needs to find a different engineer. Council President, Mr. Greenway explained a letter had been sent out to residents with information regarding the upcoming Street /Curb Improvement project, noting it did not share any costs

or the specific amount of curbs needing to be replaced. Mr. Raker noted the borough has not gotten bids for this project yet, but yet it is expected to be completed by the fall of 2024. Council President, Mr. Greenway shared that it is required to advertise and receive sealed bids as the law requires. Mr. Raker closed by criticizing the transparency of the borough and their doings. It was also explained to Mr. Raker that if he wants an itemized bill for Borough Engineer, Mr. Pysker then he needs to file a "Right to Know" request. Resident, Ms. Kim Myers questioned if second opinion by another engineer would be permitted. Resident, Meghan Maeulen intervened questioning if a second opinion by another engineer could be permitted at the homeowner's expense prior to the start of the paving project this year. Council President, Mr. Greenway explained to the residents they are permitted to have a private engineer come in on their own expense and time if they so choose. A question was asked if the second opinion would even matter regarding holding up, changing, or delaying the project. Borough Solicitor, Christopher Kenyon stated Borough Council has the authority to delay a project, if they so choose. Resident, Meghan Maeulen noted that there are no specifications that would determine a curb needing to be replaced being provided. Mayor Bagwell then posed the issue that this may delay and hold up the project that has already been approved and budgeted for by the Borough for this year. He also stated that the Borough is relying on the expertise of the borough appointed engineer, who determines what curbs need replaced based upon damage and what curbs need replaced due to re-design of the road. Council President, Mr. Greenway explained that the ability of residents to choose their own contractor changed after the Arch St. Project due to the issues with excavated curbs and huge costs associated that residents had to absorb. Borough Solicitor, Christopher Kenyon explained there is a process for the Borough, there is an ordinance and a policy, when the Borough is doing a street paving project, they are re-engineering the street, and a part of that process is to look at the current structure of the curbs relative to the paving project by the Borough appointed engineer. He continued by saying that if each property owner was to bring in their own individual independent engineer's you would be getting multiple second opinions on just specific issues. He advised that if this idea would be considered, it should be a single engineer looking at the entire project. Resident, Mr. Raker shared that he has heard that Borough Engineer, Mr. Pysker was being sued by another client for overcharging. Council President, Mr. Greenway asked residents to leave hearsay out of the meeting and provide some documentation with signed statements regarding the professional's those residents had spoken with regarding the project. At this time, a discussion took place regarding the ordinance and if an engineer would be needed to tell if a curb should be replaced. Resident, Ms. Kim Myers stated that the Borough engineer is ripping the Borough off and we should be done with him. She continued stating that if residents did not complain before on previous paving projects that is on them. Resident, Mr. Raker accused Council President, Mr. Greenway of not even listening. Council President, Mr. Greenway responded that he is listening and has heard everything Mr. Raker has said. Council President, Mr. Greenway was questioned if the Borough Engineer could attend the next meeting, to which he responded that he could be if he is available. Council member, Mr. Lucas shared a comparison regarding getting a second opinion from an independent engineer as like when you go to a physician and want a second opinion. He continued stating that council is here to listen and if the residents would collectively hire an independent engineer that would refute the Borough engineer professional opinion, they would have to listen. Resident, Ms. Kim Myers shared an engineer that came to her house from PennCor Engineering stated he took pictures and told her there is nothing wrong with her curbs. She stated he took the pictures back to his boss. His boss called her and stated that Borough Engineer, Mr. Pysker is known for not hiring contractors that go against him. She continued stating that she talked to Vassallo Engineering. Council President, Mr. Greenway interrupted Ms. Myers and requested her to stop attacking Borough Engineer, Mr. Pysker's character as he is not here to defend himself, if you want to talk about his professional opinion that is something different. Ms. Myers stated she understands, however, when he was questioned at the prior meeting he could not answer them. Council President, Mr. Greenway explained that you had asked him specific questions about specific properties. Resident, Ms. Myers shared that was not the case and one resident was told to sit down and shut up. Council President, Mr. Greenway disputed Ms. Myers statement stating that no one was told to sit down and shut up. Resident, Ms. Myers stated that this is a "good ole' boys town," everybody talks. She stated that an engineer is not going to cut his own throat to come and give a second opinion. Council President, Mr. Greenway shared if the curbs are good, he would not be cutting his throat. Resident, Mr. Metzger then posed a two-tiered question to Council President, Mr. Greenway, asking if they are keeping the curb policy the way it is and secondly if the property owner could bring in their own contractor to do the work.. He shared if council does not revisit this then they are taking away residents freedoms. Council President, Mr. Greenway responded by saying that this item cannot be revisited tonight and voted on as it is required to be put on the agenda. Council President, Mr.

Greenway commented that the policy has been in place since the 1980's. It was requested to have the paving project revisited at the next council meeting. A discussion ensued regarding formulating a proper policy, what prior projects have proven that created the current policies, what specifications and contractors to use and that in the end the liability would be on the Borough. At this time, a question regarding when the new playground in Indian Park would be opened. It was shared that DCNR has scheduled an inspection for tomorrow June 4th, 2024, once completed it would be opened.

There being no further business the meeting was adjourned at 8:15 PM on a motion by Mr. Greenway, second by Mr. Lucas. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

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

August 5, 2024

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

The Pledge of Allegiance was observed.

The July 15th, 2024 minutes were approved on a motion by Dr. Kline, second by Mr. Lucas. The motion carried.

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

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS –

Borough Solicitor, Steven Hartley announced the meeting format for “visitor and public comment agenda items” is reserved for comments about agenda items only and also asked visitors to be courteous and respectful of one another.

Resident, Isaac Johnson, 303 Cypress St, commented on the demolition of 416 Spruce St noting that there are historical WWII items in the building. He questioned what will be done with them and is hoping they will not be put in a scrap yard. It was explained that it is part of the bid package, if he or anyone is interested in the contents of the building, they can contact the winner of the bid package for this particular project.

Resident, Brenda Holdren, 806 Weldon St, questioned the demolition of 416 Spruce St, and requested some clarification if an auction of the contents was possible. Borough Solicitor, Steven Hartley confirmed it would be up to the approved bidder.

NEW BUSINESS –

2024 MONTOURSVILLE BOROUGH DEMOLITION OF 416 SPRUCE ST PROJECT BID --LYCOMING SUPPLY – Council Vice President Mr. Brown presented a bid by Lycoming Supply, Inc in the amount of \$29,948.34 for the 2024 Montoursville Borough Demolition 416 Spruce St. Project Bid for review.

Motion by Dr. Kline to approve 2024 Montoursville Borough Demolition 416 Spruce St. Project Bid to Lycoming Supply in the amount of \$29,948.34, second by Mrs. Emick. The motion carried.

AUTHORIZE CONDEMNATION 20’ X 120’ EASEMENT –TAX PARCEL #34-001-701 –WEIS MARKET- Council Vice President, Mr. Brown presented the Authorization to Condemn 20’ x 120’ Easement of Tax Parcel #34-006-701 Weis Market for review.

Motion by Mr. Lucas to approve the authorization to condemn 20’ x 120’ Easement of Tax Parcel #34-006-701, Weis Market as presented; second by Mr. Brown. The motion carried.

EASEMENT RIGHT OF WAY AGREEMENT -TAX PARCEL #34-006-101 – J. SAVOY CO., INC. – Council Vice President, Mr. Brown presented an Easement Right of Way Agreement for Tax Parcel #34-006-101, J. Savoy Co., Inc. for review.

Motion by Mrs. Emick to approve the Easement Right of Way Agreement for Tax Parcel #34-006-101, J. Savoy Co., Inc. as presented; second by Dr. Kline. The motion carried.

AUTHORIZE BOROUGH ENGINEER, TODD PYSHER, PYSHER ENGINEERING TO PREPARE & ADVERTISE BID DOCUMENTS for WALNUT ST/BROAD ST TRAFFIC SIGNAL REPLACEMENT –

Motion by Dr. Kline to approve authorization of Borough Engineer, Todd Pysher, Pysher Engineering to prepare and advertise bid documents for Walnut St/Broad St Traffic Signal Replacement as presented; second by Mr. Lucas. The motion carried.

LYCOMING COUNTY DISC GOLF ASSOCIATION –COURSE MODIFICATION – Council Vice President, Mr. Brown presented the Lycoming County Disc Golf Association course modification request for review. Council member, Mr. Lucas explained the course modification is to add flexibility to the current disc golf course located in Indian Park.

Motion by Mr. Lucas to approve the Lycoming County Disc Golf Association course modification request as presented; second by Mrs. Emick. The motion carried.

PURCHASE & INSTALLATION OF KOHLER DIESEL GENERATOR SET –WELL #5 –HUNTER & LOMISON –COSTARS – Council Vice President, Mr. Brown presented a quote from Costar vendor, Hunter Lomison for the purchase & installation of Kohler Diesel Generator Set for Well #5 in the amount of \$41,544.00 for review.

Motion by Dr. Kline to approve the quote from Costar vendor Hunter Lomison for the purchase and installation of a Kohler Diesel Generator Set for Well #5 in the amount of \$41,544.00 as presented; second by Mr. Brown. Street and Water Project Coordinator, Mr. Clifford Hoffman explained his request for the purchase of a generator is due to the current one being on its last leg. He noted that this is a budgeted item.

The motion carried.

AUCTION ON MUNICIBID – 2007 GMC 6500 DUMP TRUCK including 6’FLINK CALCIUM SPREADER, 8’ FLINK SALT SPREADER & 10’ FLINK SNOWPLOW; 2006 CHEVY COLORADO TRUCK; JOHN DEERE FLAIR MOWER; HTC 8’ BELT SPREADER; 32”D X 65”W X 81”H COMPOSITE HEATED SHED; 6’ X 4’ STONE SPREADER; 500 GALLON STEEL CAMO TANK - Council Vice President, Mr. Brown presented a request to auction on Municibid -2007 GMC 6500 Dump Truck Including 6’Flink Calcium Spreader, 8’ Flink Salt Spreader & 10’ Flink Snowplow; 2006 Chevy Colorado Truck; John Deere Flair Mower; HTC 8’ Belt Spreader; 32”D X 65”W x 81”H Composite Heated Shed; 6’ X 4’ Stone Spreader; 500 Gallon Steel Camo Tank for review.

Motion by Dr. Kline to approve to auction on Municibid a 2007 GMC 6500 Dump Truck including a 6’Flink Calcium Spreader and 8’ Flink Salt Spreader and 10’ Flink Snowplow; a 2006 Chevy Colorado Truck; a John Deere Flair Mower; a HTC 8’ Belt Spreader, a 32”D X 65”W x 81”H Composite Heated Shed, a 6’ X 4’ Stone Spreader and a 500 Gallon Steel Camo Tank as presented; second by Mr. Lucas. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports July 2024.

RECREATION – Council member, Mr. Lucas reviewed and explained Event Permits 2024-20 and 2024-20 as presented.

Motion by Mr. Lucas to approve Event Permits 2024-19 and 2024-20 as presented, second by Mrs. Emick. The motion carried. Council member, Mr. Lucas thanked Mayor Bagwell for taking wonderful photos of the new playground. Council member, Mrs. Emick announced the Ribbon Cutting Ceremony for the new playground will be held on August 16th, 2024. She also reminded the public that the movie in the park, will be the movie “ET,” and will also be shown August 16th, 2024.

STREETS/WATER – Street and Water Project Coordinator, Mr. Hoffman announced that the Montoursville Borough Water Works will be flushing the hydrants on Saturday’s from 7:30 AM until 3:00 PM. He said the flushing may cause brown water and low water pressure for a short duration. He also stated the drainage issues on Cherry Street are due to the storm drainage pipes that are very small and old. Council members, Mr. Lucas and Mrs. Emick inquired as to the solution of this problem. Street and Water Project Coordinator, Mr. Cliff Hoffman explained if one pipe is enlarged, they all would need to be enlarged throughout the borough. It was noted that feasibility study will be researched.

MAYOR – Mayor Bagwell read a statement and requested it to be included as part of the meeting minutes.

POLICE CHIEF – Chief Gyurina reviewed the July 2024 police report. He also announced that “National Night Out” will be held on August 6th, 2024 at the Willing Hand Hose Fire Company with hotdogs and hamburgers for all.

Chief Gyurina reported on the issue of kids/residents speeding via electric scooters on borough streets. He explained aside from the fact that they are prohibited on borough streets they pose an immense safety issue to both drivers and themselves. Council member, Dr. Kline commented that as a nurse, she has experienced kids coming in from accidents on such scooters/bikes. She stated it is not a pretty or happy situation and often doesn't end well.

COUNCIL PERSONS – Council Vice President, Mr. Brown thanked all the residents in attendance at this evening's meeting.. 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.

SOLICITOR – Borough Solicitor, Steven Hartley once again reminded the audience that council members are their neighbors and requested their public comment time to be courteous.

COUNCIL PRESIDENT – Nothing at this time.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday, September 9th, 2024 at 7:00PM. An Executive session for Personnel & Legal issues will be held at the close of the meeting and will not be reconvened.

VISITOR AND PUBLIC COMMENTS – Council Vice President, Mr. Brown reiterated rules for visitors with public comment. He requested to please state their name and address for the record and adhere to a five-minute time limit.

Resident, Ms. Kim Myers, 1127 Elm St, began stating the people on Maple and Tule Streets are not being treated as fairly as the other residents in Montoursville, due to the curb guidelines that drastically changed since the last project. She provided forty pictures of curb issues from the prior project. Ms. Myers also stated that she and other residents want to know what it is going on with the borough especially in the case of the arbitration with Glen O. Hawbaker regarding the Walnut St. project. She questioned why council members were not answering her questions. Borough Solicitor, Steven Hartley paused the timer and reminded Ms. Myers that this portion of the meeting is not a question-and-answer session. He continued stating Borough council cannot in good conscience answer questions and expose the borough to possible litigation as like the current impending threat of litigation against the borough. Resident, Ms. Myers then shared that Glenn O Hawbaker is suing the borough for additional work that the borough did not agree upon with the Walnut St. project, adding that residents could do the curb and apron themselves. She then stated the borough did not pay Glenn O Hawbaker in a timely manner therefore more money was owed for the "punch list," in the amount of \$45,000.00. Ms. Myers shared explained that Borough council did not pay in a timely manner, it went to litigation and the Borough lost. This cost the Borough an additional \$37, 447.00 according to Ms. Myers. She stated Borough council members are not trustworthy and that residents should not be punished for mistakes of the past.

Resident, Ms. Darlene Dandrew, 1016 Weaver St, questioned if restaurants and businesses pay the same amount of taxes to the Borough. Vice President, Mr. Brown stated yes.

Resident, Mr. Ken Rader, 1127 Elm St, noted that he investigated the SCADA Water Project and the total number of change orders that came before council totaling \$644, 550.00 in addition to the original bid. He also stated there are several months of minutes that have not been posted to the website, including October, November, and December 2023.. Mr. Raker stated there were more change orders however some of which he could not locate due to the minutes that he previously stated were not posted on the website. He questioned why council isn't questioning this issue regarding the amount of additional money that was being spent on the water system, totaling \$1,471,782.13. Mr. Raker shared very sternly that due to the lack of last three months of the 2023 meeting minutes being posted on the website; he will be stopping by the Borough Office in the morning to obtain them. Council Vice President, Mr. Brown directed Mr. Raker to not be rude to the Borough Secretary to whom he was directing the missing meeting minutes issue and stated it could be a computer issue for all they know, but to please be courteous. He stated the borough office will

provide him with the documents tomorrow as well as investigate the issue with the missing minutes on website. He once again requested public comments to be courteous.

Resident, Mr. Paul Rinker, 1102 Chestnut St, was unhappy that council members do not have borough email addresses. His reasoning is that he would prefer to email privately instead of speaking publicly at the council meeting. He also stated council needs vetted email addresses so that the public knows nothing can be deleted or misconstrued. It was noted that council current email addresses can be vetted and are subject to the Right to Know law. It noted that the Borough could supply the council members with borough email addresses however there would be a cost associated with providing them.. Council Vice President, Mr. Brown & Council member, Dr. Tina Kline responded sharing they would look into the option of providing council members borough email addresses.

Mr. Frank Steckel,, 619 First Avenue, Williamsport, stated that he attends Williamsport Council Meetings often. He does not agree with a solicitor dictating council not to answer questions, just as what is going on in Montoursville. He stated its third world and dictatorial. He chastised Council Vice President, Mr. Brown for his tone of voice and use of the gavel to bring order to the residents of Montoursville attending the council meeting.

Mr. Rick Hauser, 2440 Blair St, Williamsport, owns property in Montoursville and stated he believes council is disregarding the people they serve, especially regarding the Street Improvement project. He explained making a property owner pay for curbing is making property ownership almost impossible these days for the general population. Mr. Hauser also stated that transparency in government at all levels is a must and this situation has made trust very difficult between the residents and borough council.

Resident, Ms. Kim Myers,1127 Elm St, questioned how residents are to get answers when council is not discussing what is going on with the Street Improvement/cubing issue. Borough Solicitor, Steven Hartley explained once the Borough is threatened by possible litigation, it eliminates the ability of the that party to communicate except through their attorneys in order to best defend themselves. He also explained that public comment section of the meeting is for comments, not questions and answers, however borough council tries when possible to answer questions from the public. in attendance. Ms. Myers admitted that she is the resident that hired an attorney. She stated she is giving the borough, just like Hawbaker did, to sit down and discuss the options for the curbs.

Resident, Ms. Cindy Welshans, 1218 Nicely Ave, stated at the July council meeting the borough's engineer was in attendance and supposedly is an expert. She explained he couldn't even answer the questions asked by the public, which is no different than the meeting tonight. She also stated Mayor Bagwell basically told her to shut up at the previous meeting and now he continues to lecture everyone in the room on how to act and behave this evening.

Resident, Ms. Annette Baker, 1133 Broad St, explained she feels a sense of overkill on the curbing of the Street Improvement project. She continued stating she was told all ninety-two' feet of her curbs need to be replaced when there is actually only one bad spot, and all of this makes her incredibly sad.

Resident, Ms. Darlene Dandrew, 1016 Weaver St, questioned what a driveway apron is noting that this is a big stress on women who live alone.

Resident, Mr. Nathan Allen, 1319 Spruce St., stated he lives on the corner of Spruce and Maple Streets. He questioned when council will be able to provide answers about the curbs. He also stated he believes this is a communication issue. He explained the curbing issue is taking the freedom of choice away from the customer by not permitting them to choose their own contractor. He also stated the verbal projections of the speeches given tonight by Mayor Bagwell and Council Vice President, Mr. Brown, came across as lectures. Mr. Allen expressed that educational communication came across negatively and he knows it was not intended that way. He also asked how long the curbing project was postponed for and if he should preemptively do his curbs. He also let council know that he respects the position.

Council member, Mr. Lucas explained that information on projects is available in open committee meetings that occur prior to the council meeting. The continued stating that's where projects/items get discussed. Council member, Mr. Lucas shared very rarely does anyone from the public attend, the only ones in attendance are the committee members.

Resident, Mr. Rick Welshans, 1218 Nicely Ave., questioned why Glen O. Hawbaker was the only contractor who could do the curbing project. Council Vice President, Mr. Brown stated no one has ever stated this as the project never went out to bid.

Resident, Ms. JoAnn Rinker, 1102 Chestnut, questioned if and how the Montoursville Borough Code can be changed because it's a dictatorship type of code. Council member, Mr. Lucas shared the Montoursville Borough Code can change in a public meeting through the proper processes.

Mr. Dan Mathers, 517 Gentry Lane, Montoursville explained he does not live in the borough however owns four single dwelling homes in the borough. He stated the borough engineer's determination of what curbing needs replaced is very subjective. He questioned the function of a curb aside from directing storm water. He then stated that its function is modest and to impose this cost on the borough residents is worth looking into a cost benefit analysis of replacing the curbs.

Council member, Misty Emick requested Street and Water Project Coordinator, Mr. Hoffman to explain the functions of a curb, to which he stated their functions consist of directing storm water, snow plowing and holding the road together.

Resident, Mr. Ken Rader, 1127 Elm St, stated Street and Water Project Coordinator, Mr. Cliff Hoffman stated that SEDA- Cog inspect the L-shaped curbs. At this time, Street and Water Project Coordinator, Mr. Cliff Hoffman stated the borough does not use L-Shaped curbs. Mr. Raker explained Mr. Sanso would verify everything that was said..

Resident, Ms. Danielle Lanzer, 412 Willow St, stated she has relatives that work for streets and parks in Williamsport to which they told her liquid fuels funding can be used for the curbs. She questioned if that is the case why isn't Montoursville doing the same. It was noted that the borough's PennDOT representative stated liquid fuels funding cannot be used to replace curbs. A discussion took place among the residents in attendance. At this time, Council Vice President, Mr. Brown thanked everyone for attending the council meeting.

There being no further business the meeting was adjourned at 8:40 PM on a motion by Dr. Kline, second by Mrs. Emick. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

Prepared Remarks
08/05/2024
Robert P. Brown

As always, thank you for attending the council meeting.

For the remainder of my time on Borough council, I will be speaking on multiple issues and subjects during Council person privilege time. The ironic thing about this is that the information that will be provided is information that is readily available. The problem is that in today's society, if it is not instantly available, very few take the time to look.

After the July meeting, several residents questioned why I waited until the "End" of the meeting to make my remarks. I would like to address that issue first. When you enter this room for a council meeting, you immediately see a table with a sign in sheet and copies of the agenda. You will notice that the meeting agenda is structured. There are times when the public is invited to make comments. That is the only time that the public is allowed to make comments. In the same manner, you will notice that toward the end of the agenda, there is a section titled "Council persons". That is when we as members of council are invited to speak our minds. I wanted to speak at the beginning, but was advised that my comments should come under the Council persons section. That is how the system is set up, so I followed it.

During the July Council meeting as well as this meeting, Prior to the start of the public comment period, The Borough Solicitor explained the rules. For those who were not here or were out in the hallway and did not hear, he advised those in attendance that members of borough council would not be responding or answering questions regarding the Street paving and curb replacement project due to potential litigation issues as we had been contacted by legal counsel representing a resident.

I understand it is extremely frustrating for you. I can assure you that it is even more frustrating for us as your Government representative to have to sit here and not answer your questions. Personally, I believe that we as your elected Representatives should respond. However, I also know through the training that I received after I was elected, that if I choose to disregard legal

advice from our Solicitor, I then subject myself as well as the municipality to potential liability.

I would like to talk briefly about budgets and funding day to day operations of the Borough as I hear comments and questions regarding that topic on a regular basis.

Lets start with Revenue or income. Generally speaking, Governments at all levels gets money in several ways,

Taxes – You can be taxed on income, real estate, sales tax, etc.

Fees – in our case, building permits, pavilion rentals, etc, ordinance, vehicle, criminal code violations

Grants – These come from other Government entities. This money comes from Governments which obtain the money through the collection of taxes and fees.

In some cases Non Government Organizations - NGO's Provide grant opportunities. An example would be organizations such as First Community Foundation Partnership here in North Central PA. To clarify, some of these NGO's receive funding from various levels of Government above the local level.

Montoursville Borough receives revenue utilizing all of the above sourcing streams. What you need to understand is that the revenue ultimately comes from you. You fund borough operations when you pay income taxes from your pay check or you pay real estate taxes in early spring when you get your combined municipal and county real estate taxes.

You also fund us through fees such as pavilion rental or when you apply for a building permit.

The Borough as do most municipalities, look for grant opportunities to help fund projects. Examples are the Indian park pond restoration and the recently completed Indian Park playground to name just two.

What you will notice from these explanations is that the vast majority of this money comes from you the taxpayer. When I hear people say “The Government should pay for that”, What that actually means is that you are ultimately paying for whatever it is you want “The Government” to pay for.

The Borough operates utilizing three budgets. The first is the General fund budget The second budget is the Water Company budget. This is the operating budget of the Water Company owned and managed by the Borough.

The third budget is very simply titled “Highway Aid” It contains the liquid fuels money that we receive from the state. Liquid fuels money comes from the \$.576 tax that you pay for every gallon of gasoline that you use. Aviation fuel, jet fuel, diesel, undyed kerosene and undyed diesel are taxed at different rate***. (revenue.pa.gov)¹

Let me start with the easiest. We receive liquid fuels money from the Commonwealth of PA. As with any money from another government agency, there are limitations on what it can be used for. It is used to cover our road maintenance. Simply put, when we pave your street, we use the highway Aid money. Highway Aid money cannot be used for curbing. It can only be used for the roadway portion of a street. That rule is a state level decision. There is a formula used to determine our funding. Currently, we have approximately 26 miles of roadway in the Borough that is included in the formula that determines liquid fuels funding

The water company budget is utilized to fund all aspects of the system that is designed to deliver water to your residence. The system consists of a number of reservoirs and tanks, wells, pumps and many miles of pipes. Money in the water company budget comes from the customers like many of you who receive water at your residence or business. This budget is used exclusively for water company items & issues. We do not use money from the water company to run borough operations. According to the American Water works Association - Local government officials should recognize that funding nonutility-related operating or capital costs with utility revenues is not considered a utility best management practice by credit-rating agencies.²

The system is old. The original system was put in over 100 years ago. As the system continues to age, maintenance becomes more and more necessary, important and expensive. A water line break may cost as much \$10,000 to fix. A new well pump can be as much as \$25,000. We are finishing a SCADA system that allows our water company employees to monitor the system

¹<https://www.revenue.pa.gov/Tax%20Rates/Pages/MFT%20Rates.aspx>

² <https://awwa.onlinelibrary.wiley.com/doi/abs/10.5942/jawwa.2012.104.0128>

without having to report to the office. That system along with needed upgrades cost more than \$1 million dollars. At the current time, we are looking at a project for reservoir improvements. That project is expected to cost \$2-3 million dollars. For those who ask what we do with the money we make from selling water, the answer is that we return that money into the system through needed improvements. And maintenance of the system.

The general budget covers all borough operations. The 2024 general fund budget is just below \$2.8 million dollars. Someone recently asked about what we do with the money that we make in Indian Park. To give you an example, for 2024, we estimated receiving \$16,400 in recreation fees such as pavilion rentals. The line items for expenditures under recreation, which includes the park is \$327,000.

For your consideration, here is another example of the pitfalls of budgeting. For 2024, we estimated \$115,000 of revenue from Act 13 funds, which comes from Natural Gas production activity in the County. That number was based on last years allocation. Less than 2 weeks ago, more than half way through the budget year, we were advised that our act 13 monies will be under \$70,000. That leaves a shortfall of approximately \$45,000 which we will have to address.

Unlike the Federal government, we are required by law to present and operate under a balanced budget. That budget is prepared every year by a committee consisting of 3 council members with the assistance of Borough department heads including the Borough Secretary/ Treasurer, Streets & water Coordinator and the Chief of Police.

The draft budget is completed and presented at the November council meeting with a motion to advertise. It is required that the budget be advertised and be available for viewing / inspection at the Borough office during business hours. It is then voted on by the full council at the December meeting each year. Members of council receive an update to the budget every month prior to the council meeting to see how close we are to the actual money flow. For those who have never done a budget on a scale such as this, please understand that we do not look at just the current year. Decisions that we make this year are applicable years into the future and can affect future

councils. We cannot just look at the current situation, we must look 5, 10, 20 years ahead in order to be effective council persons.

Thank you again for attending the meeting this evening, especially those of you who stayed to listen to the entire meeting.

I am providing a printed copy of these remarks and ask the Borough Secretary to make this an official attachment to the August minutes that will be approved at the September 2024 meeting. Doing this allows the public access to these remarks after the minutes are approved.

Note:

***Aviation fuel is taxed at \$.060 / gallon, jet fuel is taxed \$.020 / gallon, undyed diesel / kerosene is taxed \$.741 / gallon.

I have been disappointed by some statements posted on social media.

There have been allegations of wrongdoing and misrepresentations of facts over a project.

This is a small community, less than 5000 of us. We go to the same churches, eat at the same places, and enjoy the same park. This is not a big city where government officials are far removed from constituents. Our local officials are going to be standing in line with you at the grocery store and getting gas at the next pump from you. Councilmembers live within blocks of people posting on social media things they would never say to a councilperson's face, or at least I hope they wouldn't.

Our council people face the same consequences from their decisions as anyone else does. If they raise taxes, they pay higher taxes. If they require you to do something, they are also taking on the same responsibility.

The council people we have are conscientious and care about our community. I can call most of them at any time and get help, I have called them very early in the morning to quite late at night.

Once, on a weekend, there was a restroom that had been trashed before a large party someone had rented a nearby pavilion for. The person who rented the pavilion contacted me but, on that weekend, there were no borough employees available. I believe I left a message with the council president about the situation. I left to check and see how bad the restroom was and it was awful. I tried calling the president back thinking that maybe I should clean it up a bit since it was embarrassingly bad, and found he was already at the park working on it. He did it all himself, because he wanted Montoursville to be what it should be.

Another time, a day before Memorial Day, late at night, I was informed the flags on Broad St. were very tattered. I didn't like that; we all want flags displayed properly. I was talking to one of our council people about it and asked if he had a ladder long enough to remove the worn flags before the holiday. He said he did and he'd bring it down for me but he didn't want to do it because he didn't like heights, but once he brought the ladder, he removed all the flags on the dark street himself.

We have good people on council. I don't always agree with them, but I support them in all cases because after careful study they do what they judge to be best for the community. I understand not everyone knows the council members as well as I do but everyone should know it is common courtesy to avoid making unfounded allegations or otherwise attempt to embarrass them.

If anyone has any evidence, not suspicions born out of frustration, actual evidence, no matter how slim, that any person on council is somehow profiting, legally or illegally, off any project being done in Montoursville, I do not want to read vague social media allegations. I want to see the evidence. I want to have it given to me, or the police chief, the council president, or the entire council. I do not want to just read, "Something is fishy," on Facebook, if you have actual evidence or a real basis for your suspicions, state what it is. Just because one doesn't like the processes or decisions officials make is not evidence of corruption or usually even incompetency.

I have seen people posting teasers on social media for council meetings like they were for an episode of "Oak Island" where something will be revealed at the next meeting, if you have proof of wrongdoing, state it exactly and for the record. It's easy to stoke anger and get people upset, but in the end, it just makes it harder to do the business of the borough. When there are genuine issues, the public will become involved simply by giving them the facts. The theatrics are not necessary, they are divisive, and ultimately make it more difficult to get real work done and communicate effectively.

There is bogus information being posted that Montoursville is the highest taxing borough in the area. That's false and easy to look up.

There is false information that Montoursville is the only borough that requires property owners to replace curbs, I wondered if that was true, because the people posting it were so adamant that they had the facts. Duboistown and Jersey Shore do require it for sure and I'll bet other communities do as well.

I would hope false claims on social media and at meetings will not continue about Montoursville borough having higher taxes and that in no other community are property owners responsible for curbing when these claims are demonstrably false.

Nothing in government is easy. When I owned a small business and I wanted a new door I ordered one and, in a few days, I would have one.

The inspection process began with me leaving my office and looking at the new door for a few seconds and then watching it being opened and closed a time or two and it ended with me stating, "Looks good to me."

It's not that way in the government. What can be done in a few days at a business takes a local government years to do if federal or state funding is involved. There are many studies, plans, and inspections.

I think it took over 3 years to get new door openers for the handicapped in the borough building. Any project in government is hard and there is more to consider than someone who has not been involved would think.

For example, people complain about replacing sidewalks, so I'll use sidewalks. Some people think the borough should just pay for the sidewalks to be done. Seems fair enough. Taxes would have to be raised, because no matter what the property owner is going to pay for it one way or another, so research would have to be done to see how much taxes would have to be raised.

We'd have to know whether replacing sidewalks for residential and business owners also meant we'd have to replace the sidewalks for all the Montoursville School District properties located in the borough, maybe the State Police, airport, churches, or other entities that pay no taxes to Montoursville. If these non-taxpaying entities replace their sidewalks now, they are doing so with money raised through donations or are largely funded through the state, federal, or the taxes raised on people living outside the borough. Maybe Montoursville would be taking on all that burden.

Then we'd have to know if we provide one property owner new sidewalks because theirs were bad, if we have to give the next property owner new sidewalks even though theirs were still OK, because we have to treat everyone equally. If one

person has new sidewalks maybe everyone has to have new sidewalks. And we'll need to know if we might even have to install sidewalks on properties where they have never been required to have them, because maybe that property owner under a changed system is entitled to them now.

Nothing is easy and nothing is obvious. I don't think most people in Montoursville would want to pay for miles of school district and other entities sidewalks because council jumped at an idea without realizing that it would increase the burden on the citizens of the borough of Montoursville by taking that burden away from a larger group.

Normally, the Montoursville borough council is a very communicative body. They usually allow interruptions of the business portion of their meeting to answer questions or rehash the thinking that brought them to the point they are when a resident speaks out of turn. I have rarely seen them rebuke anyone for not following proper decorum in any way. Council has always been open and available to all people. Anyone saying differently has been to very few, if any, meetings.

When lawsuits are threatened, that muzzles council. That is unfortunate, because I know they would love to explain everything happening but the solicitor advises against doing so. They could disregard the good advice given designed to protect the borough, but that would be foolish. I wish council could speak as freely as they always have and I'm sure it bothers them to not be able to do so.

I have seen a post on social media that none of our borough employees do work. Being upset with council is not a reason to bash borough employees who are hardworking people. At a normal borough council meeting there are always a number of borough employees that I have called on their days off, during vacations, or even at 2AM, because I needed something. The next day or during the phone call I apologize to them and they always say there is no need for an apology and most of the time thank me for the call. They thank me because they care about their job and the borough. It hurts when you are doing good work and care about the community and people who know nothing about what you do say you are worthless.

As I have said, I don't always agree with borough council's decisions.

The public will not always agree with the decisions either. The council will not always have unanimous decisions, so they don't always even agree with each other.

Disagreement should not lead to derision. If after a vote by borough council, one member turned to another and started yelling and making baseless claims that someone must be scratching their back or they were somehow personally benefiting from the vote, without any evidence, because they didn't like the vote, we'd all think the councilmember was a nut, and we'd be right. When a member of the public gets on social media and makes baseless claims, they really don't look any better.

I'd like to hear from the public thoughts as to why after generations of property owners in many neighborhoods paying for the curbing at their property, that now that we have entered this area that should change. I'd like to know if there is anyone in attendance at borough council meetings who has paid to fix their own curbing that desires to have their taxes raised, if necessary, to pay for the curbing in front of others properties.

I would hope anyone commenting at a public meeting will do so politely, stick to facts, and be respectful of the council members and borough employees who have spent years working hard to make the best possible decisions for everyone after weighing the likely consequences. Do not confuse national politicians with your neighbors on borough council. They all live the same way you do. They all suffer or enjoy the same consequences of their decisions as you do.

Attempts to embarrass or harass public officials whether on social media or in real life, because one doesn't like their decisions should be beneath all of us. When this is done to local officials it is not the same as sharing a nasty meme on social media about a federal official that will never see it. It's a direct attack on the person who might be sitting the next pew over from you on Sunday.

Stephen Bagwell, Mayor
Montoursville Borough

September 9, 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: Mayor Bagwell, Tina Kline, Chris Lucas, Eric Greenway, Mark Tillson and Robert Brown. Misty Emick arrived at 7:05.

The Pledge of Allegiance was observed.

The August 6th, 2024 minutes were approved on a motion by Mr. Brown, second by Mr. Lucas. The motion carried.

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

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

NEW BUSINESS –

DONATION –DEBRA MOSCH –MAGNOLIA TREE & PLAQUE- Council President, Mr. Greenway presented a donation application from Debra Mosch for a Magnolia tree & plaque for review. It was noted that the tree and plaque will be located in the new playground area of Indian Park.

Motion by Mr. Brown to approve the donation application from Debra Mosch for a Magnolia tree & plaque as presented; second by Dr. Kline. The motion carried.

PAYMENT APPLICATION #1 –2024 CDBG CURB RAMP PROJECT –BIG ROCK PAVING LLC. – Council President, Mr. Greenway presented Payment Application #1 to Big Rock Paving, LLC for the 2024 CDBG Curb Ramp Project.

Motion by Mr. Greenway to approve Payment Application #1 for the 2024 CDBG Curb Ramp Project to Big Rock Paving LLC. In the amount of \$47,147.00, second by Dr. Kline. The motion carried.

CHANGE ORDER #1 –2024 CDBG CURB RAMP PROJECT –BIG ROCK PAVING, LLC –

Motion by Mr. Lucas to approve Change Order #1 for the 2024 CDBG Curb Ramp Project to Big Rock Paving, LLC. in the amount of (\$30,000.00), second by Mr. Greenway. The motion carried.

2025 POLICE AND NUU PENSION MMO – Council President, Mr. Greenway presented 2025 Police and NUU Pension MMO for review.

Motion by Mr. Greenway to approve 2025 Police and NUU Pension MMO as presented, second by Dr. Kline. The motion carried.

SALE OF A 2012 CHEVY TAHOE IN THE AMOUNT OF \$9,801.00; A 2007 GMC 6500 DUMP TRUCK INCLUDING 6’ FLINK CALCIUM SPREADER, 8’ FLINK SALT SPREADER, 10’ FLINK SNOWPLOW IN THE AMOUNT OF \$6,000.00; A 2006 CHEVY COLORADO TRUCK IN THE AMOUNT OF \$3,900.00; A JOHN DEERE FLAIR MOWER IN THE AMOUNT OF \$1,150.00; A HTC 8’ BELT SPREADER IN THE AMOUNT OF \$560.00; A 32”D X 65”W X 81”H COMPOSITE HEATED SHED IN THE AMOUNT OF \$161.00; A 6’ X 4’ ROUND CALCIUM TANK IN THE AMOUNT OF \$100.00; A 5’ X 4’ OVAL CALCIUM IN THE AMOUNT OF \$66.00; AN ALAMO GROUP 6’ BAR MOWER IN THE AMOUNT OF \$850.00; AN AIR FLO 10’ STONE SPREADER IN THE AMOUNT OF \$110.00; A 500 GALLON STEEL CAMO TANK IN THE AMOUNT OF \$440.00 – Council President, Mr. Greenway presented a list of a Borough vehicles and equipment that were previously approved by Council to be sold via Municibid.

Motion by Mr. Brown to approve the sale of the following vehicles and equipment through Municibid as presented: 2012 Chevy Tahoe in the amount of \$9,801.00; 2007 GMC 6500 dump truck including 6’ Flink Calcium spreader, 8’ Flink Salt spreader, 10’ Flink snowplow in the amount of \$6,000.00; 2006 Chevy Colorado truck in the amount of

\$3,900.00; John Deere Flair mower in the amount of \$1,150.00; HTC 8' Belt spreader in the amount of \$560.00; 32" D x 65" W x 81" H Composite heated shed in the amount of \$161.00; 6' x 4' round calcium tank in the amount of \$100.00; 5' x 4' Oval calcium tank in the amount of \$66.00; Alamo Group 6' Bar mower in the amount of \$850.00; Air Flo 10' Stone spreader in the amount of \$110.00; 500 Gallon Steel Camo tank in the amount of \$440.00, second by Mrs. Emick. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports August 2024.

RECREATION – Council member, Mr. Lucas reviewed and explained Event Permits 2024-21, 2024-22, 2024-23, 2024-24 and 2024-25 as presented.

Motion by Mr. Lucas to approve Event Permits 2024-21, 2024-22, 2024-23, 2024-24 and 2024-25 as presented, second by Mrs. Emick. The motion carried.

STREETS/WATER – Nothing at this time.

MAYOR – Mayor Bagwell explained there was a social media post regarding himself that he was not able to access however he wanted to clarify on a few things. He encouraged all residents that read or post on social media to do their homework and own investigations on how factual the information they reading is. He stated that he in fact does his homework. He also noted that Jersey Shore Borough codes hold homeowners responsible for their curbing, and it is not worked into their borough budget, however he noted that it has not been enforced recently.

Mayor Bagwell also addressed some staffing issues with police department and that 24/7 coverage has not been possible to maintain as of late due to a shortage of full time and part time officers.

POLICE CHIEF – Chief Gyurina reviewed the August 2024 police report. He announced that there is an ongoing safety issue with kids riding electric scooters on the streets, which is not improving. He explained this issue is directly prohibited according to PennDOT. He noted his concern is that he does not want to see a child get hurt or killed. He continued stating that even with a driver's license a 16-year-old child cannot ride a motorized scooter on the street; it is prohibited. Chief Gyurina also wanted to inform residents there are a lot of scams going around via the phone and internet so to be careful and wary of them. Council member, Mr. Lucas questioned the chief regarding setting up speed checks around town. Chief Gyurina stated they have done a few already, which has stopped quite a few people.

COUNCIL PERSONS –

Council member, Dr. Kline re-addressed an issue regarding the issuance of borough email accounts for Council members and how the purchase of the email accounts will affect next year's budget. It was explained the cost is dependent on the size of email account, a 50GB account will cost per email address \$3.89/month and \$1.99/month for 25GB. The Borough Solicitor, Chris Kenyon stated he will be working on a formal policy regarding the Borough Council email accounts.

Council member, Mr. Lucas requested an update on the demolition of Spruce Street. It was noted that Lycoming Supply, Inc. is waiting for the electricity to be disconnected so that a demolition permit can be issued. It was also noted that Lycoming Supply is not permitted inside to clean out the property until the demolition permit is issued.

Council member, Mrs. Emick thanked all the residents that attended the ribbon cutting ceremony for the new playground last month. She also announced the upcoming pumpkin decorating contest for this fall and that the Kiwanis Fall Festival will be taking place in Indian Park on September 20th and 21st, 2024. Mayor Bagwell thanked Council member, Mrs. Emick for all her efforts that made the ribbon cutting ceremony of the new playground a success.

Council Vice President, Mr. Brown thanked all the residents in attendance at this evening's meeting.. 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, Dr. Kline inquired as to the amount of money that is spent yearly by the borough for advertising in a “newspaper of general circulation.” She asked for a general total to be presented at the next council meeting due to it being tax-payer money and since it is budget season, every penny counts.

SOLICITOR – Borough Solicitor, Chris Kenyon reminded residents if anyone is recording or videoing the council meeting this evening, you have an obligation to announce to the residents that you are recording or videoing them so that they know they are being recorded.

COUNCIL PRESIDENT – Council President, Mr. Greenway asked Council Vice President, Mr. Brown to give Civil service update. Council Vice President, Mr. Brown announced that so far this year the Civil Service test has been advertised three times, which comes with advertising costs; the first time zero applicants applied. The second time there was one applicant which passed the written portion of the test, but the applicant took a job elsewhere. He continued noting the third time we had one applicant; however, the applicant did not pass the written exam. So, at this point we are back at square one. Council Vice President, Mr. Brown then went on to explain the requirements of civil service test with the assistance of Chief Gyurina. A discussion took place regarding possibilities that would encourage individuals to apply. Chief Gyurina will investigate the possibilities and present them to Council at a future date.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS –The next Council meeting will be held Monday October 7th 2024 @ 7:00PM. Halloween will be held Thursday, October 31, 2024 from 6:00PM to 8:00PM. An Executive session for Personnel & Legal issues will be held at the close of the meeting and will not be reconvened.

VISITOR AND PUBLIC COMMENTS –

Resident, Mr. Dan Ayers, 1101 Weaver St. shared he was employed by PennDOT for 25 years. He would like to know who makes the call for employees to come in on weekends to plow snow. He explained that one Saturday in particular this past winter there was no plowing done and it was unsafe out. He also commented that Weaver St. is the last street to be plowed in the Borough and wanted to know why. Street and Water Project Coordinator, Mr. Hoffman responded stating that the Borough crew is sent out based upon the snowfall amount along with other safety issues that may arise with the snowfall. The police department notifies him when these events arise. He also noted that the Borough crew determines their own snow-plowing gridwork pattern.

Borough Solicitor, Chris Kenyon announced for the second time, reminding the audience, if anyone was recording the council meeting tonight to please announce it, so that other residents are aware they are being recorded.

After Borough Solicitor, Chris Kenyon made his second announcement, Resident, Ms. Kim Myers, 1127 Elm Street, announced that she has been and is currently recording the council meeting this evening. Resident, Mr. Ken Rader, 1127 Elm Street questioned when they should have made the announcement that they are recording and also stated the Borough Secretary is recording the meeting too without an announcement. Borough Solicitor, Chris Kenyon responded stating the Borough Secretary is recording for meeting minute dictation purposes, not personal use. He continued stating that she is not required to announce that she is recording, noting that the recording is also deleted immediately thereafter the recording of the minutes. Borough Solicitor, Chris Kenyon, also responded to Mr. Rader’s question of when an announcement should be made about recording the meeting; he was told this announcement needs to occur in the beginning of the meeting prior to public comment time.

Resident, Ms. Annette Baker, 1133 Broad St, inquired the number of hours in the shifts that Montoursville Borough Police force works.. Chief Gyurina responded by stating that the shifts are eight hours. Ms. Baker suggested lengthening shifts and increasing incentives to deal with the shortage. Borough Solicitor, Chris Kenyon explained that the Collective bargaining agreement for the Police Union makes her suggestion difficult. Council member, Dr. Kline

announced that she appreciates Ms. Bakers take on creative staffing, but stated having full police coverage may not be a possibility anymore, but Borough Council will continue to investigate.

Resident, Mrs. Tracey Buffington, 108 Sunset Circle, stated that she previously contacted the Borough regarding 100 Sunset Drive, which has been abandoned for years. She questioned the process the borough requires and how it will be handled. It was noted that the issue with some complaints, is trying to figure out who the current owner of the property is and where to mail any violation notices in order to get this process started. The particular issue with this property is that there have been difficulties in reaching the owner of this property and/or the return of the certified letters. Borough Solicitor, Chris Kenyon shared the issues with serving the proper notices to owners of properties that may or may not live in the area. Residents were encouraged to call when violations are occurring in real time in order to help expedite the process.

Resident, Mr. Nathan Allen, 1319 Spruce St., stated last meeting his comments were horribly misquoted in the newspaper. He apologized and encouraged people to do their own research and not believe everything you hear or read on social media. Research is especially important.

There being no further business the meeting was adjourned at 8:05 PM on a motion by Mr. Greenway, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

09/09/2024
Montoursville Borough Council meeting
Prepared remarks by
Robert Brown

Tonight in my prepared remarks, I am going to speak on ordinances, motions, resolutions and the process of enacting an ordinance in a Borough.

In Pennsylvania, an ordinance is a law created by a local government, such as a borough, that governs a specific detail of conduct or procedure. It is very important to point out that local governments can only create laws on matters that the state government permits. In Pennsylvania, the Borough council can adopt ordinances that exercise the borough's general or specific powers. They can also amend, repeal, or revise existing ordinances by enacting subsequent ordinances. A codified ordinance is a collection of all ordinances adopted by a borough that are organized and numbered into a document that is easy to read and search.

Motions are proposals that aim at making borough council members of the meeting deliberate on the issue at hand. Motions are proposed by a council member that needs a “second” by an additional council member before the council can debate on the issue and consider voting for a decision. Also, it is not required

that a motion be put down into writing, it can be done verbally.

A resolution, on the other hand, is a motion that has been put in writing and passed by the members of borough council. It is a formal act that is implemented, binding and put in writing.

STEPS TO ENACT AN ORDINANCE

- The governing body (council, board of supervisors or commissioners) talks about what it wants to enact. This can be done at a council or a committee meeting as both are legally public meetings
- A member of the body makes a motion to authorize the solicitor to draft the ordinance. Another member then must second the motion. There can be a discussion among council members. If a majority votes in favor of the motion. The process continues.
- Note ***** If the draft was not listed on the agenda, it cannot be voted on at that meeting. It must be listed on the next meeting agenda and voted on at that meeting.
- Note *****If the draft was not on the agenda but was discussed during the meeting, the public may comment on that item at the public comment period at the end of the meeting.
- The solicitor then prepares a draft ordinance, which he or she returns at a later meeting.

At the subsequent meeting, a member makes a motion to approve the advertising of the proposed draft ordinance, another member seconds the motion. A discussion may take place between the council members. The governing body votes on the draft. If it is approved, it goes to the secretary to be advertised. As the draft will be on the agenda, the public is invited to comment on the draft at the public comment period on agenda items at the beginning of the meeting.

- Some ordinances require public hearings, and some municipalities hold public hearings on some ordinances even when a hearing is not required.
- All proposed ordinances must be published in a “newspaper of general circulation” not more than 60 nor less than seven days before passage. The advertisement must say where the public can read copies of the draft – like the newspaper office and a public office.
Many people question why we advertise in the newspaper. We are required by law to advertise in a newspaper of general circulation. We have no choice. If you want that changed, contact your state legislator.
- After the advertisement period, at the next meeting a motion is made by a member of council to adopt the ordinance. The motion will be listed on the agenda. Another council member must second the motion. A discussion of council members may take place. The public may comment on the ordinance during the public comment period for agenda items.

- At that meeting, If the governing body makes substantial changes to the draft, the procedure has to be repeated.
- Otherwise, it may vote to adopt the ordinance.
- Once passed by council, it goes to the mayor for signature. If the mayor does not sign it within 10 days, it is considered vetoed.
- Council can override veto at next meeting with a vote of a majority + 1 council person.

As you hopefully now understand, a governing body cannot just bring something up out of the blue and pass it like you are seeing talked about on social media. We follow the law as that is the oath that we took before taking this responsibility of serving our community.

Any item to be voted on has to be advertised on the agenda before it can be voted on. If someone brings up an item that is not on the printed agenda that they wish passed, it legally must be placed on a subsequent agenda and voted on at that meeting.

<https://pennreporter.wordpress.com/ordinances/>

Madam Secretary, I submit these remarks and ask that they be including as an attachment to the September 2024 meeting minutes.

October 7, 2024

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

The Pledge of Allegiance was observed.

The September 9th, 2024 minutes were approved on a motion by Dr. Kline, second by Mrs. Emick. The motion carried.

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

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Nothing at this time.

NEW BUSINESS –

PAYMENT APPLICATION #1—2024 CDBG CURB RAMP PROJECT –BIG ROCK PAVING LLC. – Council Vice President, Mr. Brown presented Payment Application #1 to Big Rock Paving LLC. for the 2024 Curb Ramp Project.

Motion by Dr. Kline to approve Payment Application #1 for the 2024 CDBG Curb Ramp Project to Big Rock Paving LLC. In the amount of \$106,539.65, second by Mrs. Emick. The motion carried.

GENERAL EASEMENT AGREEMENT –VERIZON - Council Vice President, Mr. Brown presented General Easement Agreement with Verizon for review. Solicitor, Chris Kenyon explained Verizon will be replacing a pole in the area with a slightly higher one.

Motion by Dr. Kline to approve General Easement with Verizon as presented; second by Mr. Brown. The motion carried.

APPROVAL TO BORROW UP TO THE RECOMMENDED AMOUNT BY WATER ENGINEER & TO ENGAGE BOND COUNCIL TO FACILITATE THE BORROWING – Water Engineer, Mr. Tom Levine discussed the need for a new reservoir. He summarized that the amount of \$1.7 million would be the public borrowing need and that the borough’s biggest asset is its water system. He stated that creating a new reservoir that meets the current needs would be the most economical and not need maintenance due to the nature of the construction. Water Engineer, Mr. Levine also stated that if we do not raise the water rates now we are handcuffing the future rate payers. He explained it comes down to whether or not the borough wants to be in the water business or not because not much has been put into maintenance of the water system over the past few decades. If it had been done a decade ago it would have probably been less money however you would not have gotten \$750,000.00 grant from Lycoming County. He continued stating that if this project is not done water charges will still need to go up 46% in order to operate the current water system. The cost must be passed on to the users of the water system in order to maintain it. Council Vice President, Mr. Brown then commented that this project has not just popped up, it has been in the works since 2011, sharing Water Engineer, Mr. Levine was not the water engineer at that time, it was however Larson Design Group who initially stated it as part of an ongoing 5-year plan. Water Engineer, Mr. Levine then informed the public that the 25% water increase in January of 2024 was to close the gap due to water rates previously not increasing in prior years as was needed in order to operate above costs. He also stated that council tries not to impose a rate increase every year, but in order to operate without a loss annually it is necessary.

Motion by Dr. Kline to approve the borrowing of up to the recommended amount by Water Engineer, Mr. Levine, and to engage with Bond Counsel to facilitate the borrowing as presented, second by Mrs. Emick. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports September 2024.

RECREATION – Council Vice President, Mr. Brown reviewed and explained Event Permit 2024-26, as presented. **Motion** by Dr. Kline to approve Event Permit 2024-26 as presented, second by Mrs. Emick. The motion carried. Council member, Mrs. Emick announced the pumpkin decorating contest was coming up this month with final details still being worked out and thanked all volunteers of the Fall Festival, which was a fun time for all who attended.

STREETS/WATER – Nothing at this time.

MAYOR – Mayor Bagwell requested that the Fire Chief, Scott Konkle be given a few moments of his time to speak. Fire Chief, Scott Konkle announced that fire prevention week had been done throughout the local schools, such as Lyter and Bostley’s Academy this month. He continued stating that they will be acquiring the new truck in February, 2025. Fire Chief, Mr. Konkle announced that this year will be his last as Fire Chief and will be stepping down, however he will still be involved and available with the fire company. Council thanked Chief Konkle for his many years of service.

Mayor Bagwell explained and discussed some options for hiring a new police officer due to the recent lack of applicants. He suggested new or more creative ads and also brought up paying \$15,000.00 for the Act 120 training needed and explained prior to hiring in that case, make employment stipulations with the officer. Also, Council should consider raising the starting pay rate for a new officer. These are just a few options for the borough and council to consider if they want to keep a 24/7 police force. He stated that everything has a cost, and we have been spoiled with a 24/7 police force and the bottom line is that if we cannot find/attract people and don’t do anything the borough may need to consider regionalization as an option.

Mayor Bagwell then reminded residents in the audience that there is an order to the Council meeting and that Council members have been very kind with answering questions during the meeting however it is not required.

POLICE CHIEF – Chief Gyurina reviewed the September 2024 police report. He discussed the pros and cons of regionalizing the police force and what it would mean to the Borough of Montoursville. He stated that the state police would not respond to the small issues that the borough police take care of such as people sleeping in the park, issues with barking dogs, vehicles parked illegally during the snow falls and grass blown into the road as a few examples.

COUNCIL PERSONS – Nothing at this time.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Council Vice President, Mr. Brown thanked all the residents in attendance at this evening’s meeting.. 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.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Tuesday, November 12th, 2024 @ 7:00PM due to Election Day & Veteran’s Day. Halloween will be held Thursday, October 31, 2024 from 6:00PM-8:00PM. An Executive session for Personnel & Legal will be held at the close of the meeting and will not be reconvened.

VISITOR AND PUBLIC COMMENTS – Solicitor, Chris Kenyon began by reminding residents to be respectful and courteous and limit comments to 3-5 minutes.

Resident, Mrs. Doreen Matty, 1129 Locust Street, stated that she saw the notice in the newspaper about landlords and renters and questioned how borough code can be changed. Council Vice President, Mr. Brown shared that he explained how the process to pass ordinances and resolutions were part of his official statement at the last Council meeting. He

stated in reference to Mrs. Matty's question that the notice that was published in the newspaper, to which she was referring, is required to be posted two times per year once in January and once in October. He explained this ordinance was passed and put into effect actually in 2011. He explained that no ordinance/codes were actually changed, but that the ordinance passed in 2011 specifically states that this notice be published twice per year.

Resident, Mrs. Theresa Detato, 106 N. Washington Street, inquired as to whether residents will still be responsible to pay for their curbs. Borough Solicitor, Chris Kenyon stated that nothing has been changed thus far and is still under review. Council Vice President, Mr. Brown stated the current paving project has just been postponed.

Resident, Mrs. Doreen Matty, 1129 Locust Street, questioned the issue with some sidewalks and asked why codes isn't handling this issue. It was then shared that sidewalks fall under property maintenance, CKCOG oversees this issue and again there is a process involved in handling any issues with sidewalks.

Resident, Ron Beach, 1217 Cedar Street, questioned how his neighbor's curbs failed the inspection before and after they were sealed. Borough Solicitor, Chris Kenyon then asked if he was speaking of Mr. Casner; if so it is an on-going legal matter of which is not appropriate for public meeting discussion due to Mr. Casner obtaining legal representation.

Resident, Cecil Casner, 1213 Cedar Street, stated that he brought his contractor with him to testify that his curb is sound and that he wants it off the record as "failed." He then asked for council's consideration on this matter. He stated the borough engineer recorded the conversation with the company that sealed the curbs and stated that the engineer was not fair to the gentleman from the company on the phone. Borough Solicitor, Chris Kenyon then tried to explain to Mr. Casner that this is not the place to solve this issue that is in litigation. Mr. Casner then stated that he does not want litigation. He then singled out Council Vice President, Mr. Brown as his ward representative, who visited the property. He asked him to represent him and fix the issue. Council Vice President, Mr. Brown told him that this is not the place to solve this issue. Mr. Casner then stated that he wants his curbs "passed" and the issue resolved here. Another resident then spoke out and said that the problem is that council doesn't want to fix the issues and that is the issue Council Vice President, Mr. Brown then spoke up stating that just because Council is not telling you what you want to hear doesn't mean they aren't representing the public. Mr. Casner continued stating he wants the truth and wants an answer tonight. He continued by asking what Street and Water Project Coordinator, Mr. Cliff Hoffman is doing about the issue as well as the Borough Engineer. Borough Solicitor, Chris Kenyon then requested Mr. Casner to have his counsel contact him to resolve the issue and to have his contractor/representative from Renovo contact the Borough Engineer.

There being no further business the meeting was adjourned at 8:25 PM on a motion by Dr. Kline, second by Mr. Brown. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

10/07/2024
Montoursville Borough Council
prepared remarks
Robert Brown

As a member of Montoursville Borough Council, I am enrolled as a member of PA State Association of Boroughs (PSAB). The following information came from the October 2024 issue of the PSAB Borough news magazine. This magazine is provided to members monthly and includes information pertaining to Pennsylvania Boroughs and governing.

As I read the magazine, I came across several articles that contained information that I thought might be applicable to residents of Montoursville. The information is NOT exclusive to Montoursville Borough, but applies equally to all residents of the Commonwealth of Pennsylvania. As we move closer to the end of the year and the upcoming holiday season, we get busy and sometimes fail to see or hear items of “news”. With that in mind, I wish to bring you this information.

1. The first article is titled “Electric vehicle fee legislation signed into law” and comes from Pennsylvania Borough News, October 2024, page 21
Act 85 of 2024 was signed into law by Gov. Shapiro on July 17, 2024.
]Prior to this law, the Alternative Fuels Tax relied on users to self report and remit any taxes that were due. This law puts in place an annual fee on electric vehicles.

In 2023, less than \$778,000 was collected.

Act 85 eliminates the Alternative fuel tax for residential charging but keeps it in place for public charging sites.

The new fee schedule is as follows

2025 - \$200 per year

2026 - \$ 250 per year

2027 & beyond - \$ 250 adjusted for inflation each year

Owners of plug in hybrid EV’s that operate using electric and gasoline will owe 25% of the fee each year.

Analysis by House Appropriations Committee projects it will generate \$16 million in taxes next year (2025) and as much as \$28.8 million by 2030.

Link to Act 85 of 2024

<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2024&sessInd=0&act=85>

2. Remaining Session days in 2024 for State house & Senate. This information also came from Pennsylvania Borough News, October 2024, page 21

House & Senate – October – 5 days October 8, 9, 21, 22, 23, November
13, 14 (senate meets 10/12 instead of 10/14)
November – 2 days November 13, 14 (House)
November 12, 13 (Senate)
Total - 7 days

Note that the article lists additional days in October (1,2 & 7) for a total of 10 days, but those sessions have already been conducted, so I adjusted accordingly.

3. This article is titled “The Pennsylvania Turnpike Commission’s big switch: Open Road Tolling goes live in January 2025 and comes from Pennsylvania Borough News, October 2024, pages 42-44. The author is Mark Compton – CEO The Pennsylvania Turnpike Commission.

In January 2025, Open Road Tolling (ORT) launches East of Reading and on the Northeast Extension, with the rest of the system adopting the change two years later in 2027. Open road tolling goes live January 2025

Utilizing OTR , toll booths will be eliminated. Vehicles will be scanned as they pass under a gantries that extend across the roadway. You will no longer be required to stop or even slow down. Tolling takes place utilizing E-Z_Pass or Toll by plate.

Toll rate calculations influenced by 3 factors

5% increase to support debt related to act 44 of 2007 (obligated PTC to pay PA DOT \$ 450 million per year for NON TURNPIKE TRANSPORTATION NEEDS) totaling \$8 billion over 15 years

A new standardized toll schedule

A new vehicle classification system based on vehicle axles and height

The new schedule reflects a base \$0.07 per mile for typical 2 axle passenger cars using E-Z Pass**) plus a flat \$1.09 fee per segment (distance between interchanges)

*** Toll by plate rates are double the E-Z pass rate (\$.14 per mile + Flat \$2.18 per segment)

Cost of the system (planning, design, construction, demolition of existing toll plazas is estimated to be \$600 million. PTC estimates savings of at least \$25 million / year

Link to Act 44 of 2007, referenced in the article
<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2007&sessInd=0&act=44>

Madam Secretary, I have supplied a digital copy of these these remarks in pdf format and ask that they be attached to the meeting minutes for the residents use.

Reference Materials

The below materials were not presented during the remarks at the meeting. They are simply reference materials to items that were mentioned in the remarks and are being listed here for use by the reader to verify the accuracy of the information that was presented

VEHICLE CODE (75 PA.C.S.) - IMPOSITION OF TAX, EXEMPTIONS AND DEDUCTIONS, ELECTRIC VEHICLE ROAD USER CHARGE AND PENALTY

Act of Jul. 17, 2024, P.L. 917, No. 85

Cl. 75

Session of 2024

No. 2024-85

SB 656

AN ACT

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, in general provisions, further providing for definitions; in liquid fuels and fuels tax, further providing for definitions and for imposition of tax, exemptions and deductions and providing for electric vehicle road user charge; and imposing a penalty.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definitions of "electric vehicle" and "hybrid electric vehicle" in section 102 of Title 75 of the Pennsylvania Consolidated Statutes are amended and the section is amended by adding definitions to read:

§ 102. Definitions.

Subject to additional definitions contained in subsequent provisions of this title which are applicable to specific provisions of this title, the following words and phrases when used in this title shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

* * *

"Battery." An energy power storage system that stores electrical energy within the system's constituent parts.

* * *

"Electric vehicle." [A motor vehicle which operates solely by use of a battery or battery pack and which meets the applicable Federal motor vehicle safety standards. The term includes a motor vehicle which is powered mainly through the use of an electric battery or battery pack but which uses a flywheel that stores energy produced by the electric motor or through regenerative braking to assist in operation of the motor vehicle.] A motor vehicle that delivers power to its drive wheel or wheels solely by use of a battery-powered electric motor.

"Electric vehicle charging station." A facility or equipment designed to charge, by connective or inductive means, a battery within an electric vehicle or plug-in hybrid electric vehicle by permitting the transfer of electricity to a battery or other storage device in an electric vehicle.

* * *

"Hybrid electric vehicle." [An electric vehicle which allows power to be delivered to the drive wheels solely by a battery-powered electric motor but which also incorporates the use of a combustion engine to provide power to the battery and which meets the applicable Federal motor vehicle safety standards. The primary source of power for the motor must be the electric battery or battery pack and not the combustion engine.] As follows:

(1) A motor vehicle using a combustion engine or regenerative braking to charge a battery to deliver power to:

- (i) the drive wheel or wheels; or**
- (ii) vehicle systems other than propulsion.**

(2) The term does not include motor vehicles capable of receiving energy from an external source such as an outlet or charging station.

* * *

"Plug-in hybrid electric vehicle." A motor vehicle that can deliver power to the drive wheels solely by a battery-powered electric motor but which also incorporates the use of another fuel to power a combustion engine. The battery of the vehicle must be capable of receiving energy from an external source, such as an outlet or charging station.

* * *

Section 2. The definitions of "alternative fuel dealer-user" and "person" in section 9002 of Title 75 are amended and the section is amended by adding a definition to read:

§ 9002. Definitions.

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

* * *

"Alternative fuel dealer-user." As follows:

(1) Any person who delivers or places alternative fuels into the fuel supply tank or other device of a vehicle for use on the public highways.

(2) The term includes a person that provides an electric vehicle charging station for public use, regardless of whether compensation is received for the public use.

(3) The term does not include a person that provides an electric vehicle charging station used exclusively to charge:

(i) Electric vehicles or plug-in hybrid electric vehicles at a private residence.

(ii) Electric vehicles or plug-in hybrid electric vehicles owned by tenants, residents or nonlocal visitors of a common interest development or other group of private residences within a geographic location.

(4) The term does not include an owner or registrant of an electric vehicle or plug-in hybrid electric vehicle subject to an electric vehicle road user charge under section 9024 (relating to electric vehicle road user charge).

* * *

"Exempt entity." A person exempt under section 9004(e) (relating to imposition of tax, exemptions and deductions) from reporting and paying a tax on liquid fuels, fuels or alternative fuels imposed by this chapter.

* * *

"Person." Every natural person, **firm, copartnership**, association or corporation. Whenever used in any provision prescribing and imposing a fine or imprisonment, the [term as applied to associations means the partners or members and as applied to corporations means the officers thereof.] **terms firm, copartnership, association and corporation shall be subject to 18 Pa.C.S. § 307 (relating to liability of organizations and certain related persons). With respect only to the sale of alternative fuels, a Commonwealth agency and a political subdivision may be considered a "person."**

* * *

Section 3. Section 9004(e)(4) of Title 75 is amended and subsection (d) is amended by adding a paragraph to read:

§ 9004. Imposition of tax, exemptions and deductions.

* * *

(d) Alternative fuels tax.--

* * *

(3) Nothing contained in this chapter shall be construed to:

(i) Affect the duty of an alternative fuel dealer-user to report and pay to the department the tax under this subsection for electricity delivered through an electric vehicle charging station provided by the alternative fuel dealer-user to the owner or registrant of an electric vehicle or plug-in hybrid electric vehicle that is subject to the electric vehicle road user charge.

(ii) Prohibit the alternative fuel dealer-user from passing onto the owner or registrant of an electric vehicle or plug-in hybrid electric vehicle that is subject to the electric vehicle road user charge any costs associated with the reporting and payment of the tax under this subsection.

(e) Exceptions.--The tax imposed under subsections (b), (c) and (d) shall not apply to liquid fuels, fuels or alternative fuels:

* * *

(4) Delivered to this Commonwealth, a political subdivision, a volunteer fire company, a volunteer ambulance service, a volunteer rescue squad, a second class county port authority, **an electric cooperative corporation as defined under 15 Pa.C.S. § 7302(a) (relating to application of chapter)** or a nonpublic school not operated for profit on presentation of evidence satisfactory to the department.

* * *

Section 4. Title 75 is amended by adding a section to read:

§ 9024. Electric vehicle road user charge.

(a) Imposition.--Owners or registrants of electric vehicles and plug-in hybrid electric vehicles with a gross vehicle weight rating of not more than 14,000 pounds shall pay an annual electric vehicle road user charge as provided under subsection (c.1), which shall be concurrent with paying the vehicle registration fee imposed under Chapter 13 (relating to registration of vehicles).

(b) New or temporary vehicle registration.--New or temporary registration for an electric vehicle or plug-in hybrid electric vehicle issued on or after the effective date of this subsection shall be subject to the electric vehicle road user charge imposed under subsection (a). The Department of Transportation shall send a form to the owner or registrant for the payment of the electric vehicle road user charge for the initial registration consistent with Chapter 13.

(c) Renewal of vehicle registration.--At least 60 days prior to the expiration of registration for an electric vehicle or plug-in hybrid electric vehicle under subsection (a), the Department of Transportation shall send to the owner or registrant a form for the payment of the electric vehicle road user charge for the renewal of registration consistent with Chapter 13.

(c.1) Computation of electric vehicle road user charge.--

(1) The electric vehicle road user charge for an electric vehicle shall be as follows:

(i) \$200 upon initial registration in 2025 or upon renewal of registration submitted to the Department of Transportation for a registration that expires in 2025.

(ii) \$250 upon initial registration in 2026 or upon renewal of registration submitted to the Department of Transportation for a registration that expires in 2026.

(iii) The amount under paragraph (2) upon initial registration in 2027 and each year thereafter or upon renewal of registration submitted to the Department of Transportation for a registration that expires in 2027 and each year thereafter.

(2) On January 1, 2027, and each January 1 thereafter, the electric vehicle road user charge shall be fixed annually by the Department of Transportation based upon the electric vehicle road user charge in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers (CPI-U) for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The electric vehicle road user charge as adjusted shall be rounded to the nearest multiple of \$1. The Department of Transportation shall transmit notice of the new electric vehicle road user charge to the Legislative Reference Bureau by the preceding

December 1 for publication in the next available issue of the Pennsylvania Bulletin no later than the preceding December 15.

(3) The electric vehicle road user charge for a plug-in hybrid electric vehicle shall be 25% of the electric vehicle road user charge for an electric vehicle under paragraph (1) and shall be rounded to the nearest multiple of \$1 as determined by the Department of Transportation.

(4) If an owner or registrant of an electric vehicle or plug-in hybrid electric vehicle elects to pay an annual registration fee for a two-year registration period as provided under section 1307(g) (relating to period of registration), the electric vehicle road user charge shall be two times the amount required by this section as determined by the Department of Transportation.

(d) Enrollment.--

(1) The Department of Transportation shall permit owners or registrants of electric vehicles and plug-in hybrid electric vehicles under subsection (a) to pay the electric vehicle road user charge as follows:

(i) Enroll in a flat charge of the amount required under subsection (c.1) per year to the Department of Transportation provided by credit or debit card, check or money order or any other payment method approved by the Department of Transportation. Owners or registrants who elect this option may enroll in a paper form prescribed and furnished by the Department of Transportation instead of electronically.

(ii) Enroll in a payment plan of the amount required under subsection (c.1) divided into monthly payments during the registration period to the Department of Transportation by credit or debit card, check or money order or any other payment method approved by the Department of Transportation. Owners or registrants who elect this option may enroll in a paper form prescribed and furnished by the Department of Transportation instead of electronically.

(2) The charges under paragraph (1) shall not include a Federal tax, fee, levy or charge, and an owner or registrant of an electric vehicle or plug-in hybrid electric vehicle shall be responsible for paying any tax, fee, levy or charge imposed by the Congress of the United States after the effective date of this paragraph.

(e) Concurrent registration.--The registration of electric vehicles and plug-in hybrid electric vehicles shall not be valid unless the owner or registrant enrolls in a payment option under subsection (d).

(f) Penalty.--Failure to pay the electric vehicle road user charge within 30 days of the enrollment date established by the Department of Transportation shall result in a prohibition on renewal of the electric vehicle's or plug-in hybrid electric vehicle's registration. The Department of Transportation may not prohibit the renewal of a vehicle registration under subsection (d)(1) (ii) if the electric vehicle's or plug-in hybrid electric vehicle's owner or registrant is enrolled in a payment plan and makes timely payments according to the schedule established by the Department of Transportation.

(g) Liability for unpaid tax amounts.--The owner or registrant of a vehicle subject to the electric vehicle road user charge under this section shall not be liable for any unpaid tax amount owed to the department prior to the effective date of this section for the tax imposed under section 9004(d) (relating to imposition of tax, exemptions and deductions).

(h) Liens, penalties and interest prohibited.--The department may not impose liens, penalties or interest on the owner or registrant of a vehicle subject to the electric vehicle road user charge under this section for any unpaid tax amount owed to the department prior to the effective date of this subsection for the tax imposed under section 9004(d).

(i) Criminal penalties and fines prohibited.--The owner of a vehicle subject to the electric vehicle road user charge under this section shall not be subject to any criminal penalties or fines under this chapter for any unpaid tax amounts owed to the department prior to the effective date of this section for the tax imposed under section 9004(d).

(j) Charges for highway maintenance and construction.--The electric vehicle road user charge collected by the Department of Transportation under this section shall be transmitted to the State Treasurer for deposit into the Motor License Fund in accordance with the allocations under section 9511 (relating to allocation of proceeds). For purposes of aligning the electric vehicle road user charge with the allocations of proceeds, the electric vehicle road user charge must be allocated in accordance with the oil company franchise tax for highway maintenance and construction under section 9502 (relating to imposition of tax).

(k) Exceptions.--The following electric vehicles and plug-in hybrid electric vehicles shall not be required to pay the electric vehicle road user charge under this section:

(1) A golf cart.

(2) A neighborhood electric vehicle.

(3) A motorcycle or other vehicle with less than four wheels.

(4) A vehicle that is not required to be registered with the Department of Transportation under this title.

(5) A vehicle registered to a person exempt under section 9004(e) from reporting and paying a tax on liquid fuels, fuels or alternative fuels.

(6) Qualified motor vehicles as defined under section 2101.1 (relating to definitions).

(7) A motor vehicle with a model year of 1990 or older.

(l) Exempt entities.--

(1) If a vehicle registered to an exempt entity is used for a nonexempt purpose during the registration year, the exempt entity shall pay an administrative penalty of \$500 to the department. An exempt entity that improperly uses a vehicle for nonexempt purposes is not eligible to claim a refund for the vehicle under the provisions of section 9017 (relating to refunds).

(2) An exempt entity applying for a refund under subsection (m) shall maintain records of vehicle usage certifying that an individual trip made by the vehicle was for a qualified exempt use. Individual trip logs, odometer readings and driver signatures shall be among the records required to substantiate exempt use.

(3) The department may inspect the substantiating records for an exempt entity at any time.

(4) The exempt entity shall cooperate with an agent of the department in an inspection under paragraph (3).

(5) An exempt entity that refuses to permit the department or an agent appointed by the department in writing to examine the books, records, papers or other equipment associated with the operation of an electric vehicle or plug-in hybrid electric vehicle as permitted under paragraph (3) commits a summary offense and shall pay a fine of \$500 for each electric vehicle and plug-in hybrid electric vehicle owned or operated by the exempt entity.

(m) Refunds.--A person may be entitled to a refund of the electric vehicle road user charge paid for a vehicle that would otherwise have been exempt under section 9004. A person entitled to a refund of the electric vehicle road use fee shall apply for an annual refund in a manner similar to the refund process used for liquid fuels, fuels and alternative fuels under section 9017.

(n) Rental vehicles.--The electric vehicle road user charge under this section shall be considered a rental vehicle licensing and title fee imposed by the Commonwealth under this title for the purposes of section 1603-A of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

(o) Regulations.--The Department of Transportation, in consultation with the department, may promulgate regulations to implement this section.

(p) Temporary regulations.--In order to facilitate the prompt implementation of this section, regulations promulgated by the Department of Transportation in consultation with the department under this section during the two years following the effective date of this subsection shall be deemed temporary regulations, which shall expire no later than three years following the effective date of this subsection or upon the prompt promulgation of final regulations. The temporary regulations may not be subject to:

(1) Sections 201, 202, 203, 204 and 205 of the act of July 31, 1968 (P.L.769, No.240), referred to as the Commonwealth Documents Law.

(2) Section 204(b) of the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act.

(3) The act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act.

Section 5. This act shall take effect as follows:

(1) The addition of 75 Pa.C.S. § 9024(d)(1)(ii) shall take effect in 24 months.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect January 1, 2025.

APPROVED--The 17th day of July, A.D. 2024.

JOSH SHAPIRO

On the Road tolling by PA Turnpike Authority

<https://www.paturndpike.com/news/details/2024/09/16/top-5-things-to-know-about-open-road-tolling-on-the-pa-turnpike>

Link to Act 44 of 2007, referenced in the article

<https://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2007&sessInd=0&act=44>

November 12, 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 October 2nd, 2024 minutes were approved on a motion by Mr. Brown, second by Dr. Kline. The motion carried.

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

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Resident, Ms. Kim Myers, 1127 Elm St, announced that she was recording the meeting.

NEW BUSINESS –

AUTHORIZATION TO ADVERTISE 2025 BUDGET- Council President, Mr. Greenway presented a request to advertise the 2025 Budget.

Motion by Mr. Brown to approve authorization to advertise the 2025 Budget as presented; second by Mrs. Emick. The motion carried.

AUTHORIZATION TO ADVERTISE MOWING BID– Council President, Mr. Greenway presented a request to advertise the Mowing Bid for review.

Motion by Mrs. Emick to approve the advertisement for the Mowing Bid as presented; second by Mr. Lucas. The motion carried.

PAYMENT APPLICATION #2 – FINAL - 2024 CDBG CURB RAMP PROJECT –BIG ROCK PAVING LLC.
– Council President, Mr. Greenway presented Payment Application #2 to Big Rock Paving LLC. for the 2024 Curb Ramp Project.

Motion by Mr. Greenway to approve Payment Application #2 for the 2024 CDBG Curb Ramp Project to Big Rock Paving LLC. In the amount of \$10,607.15, second by Dr. Kline. The motion carried.

GENERAL EASEMENT AGREEMENT -VERIZON- Council President Mr. Greenway presented General Easement Agreement with Verizon for review.

Motion by Mr. Brown to approve General Easement Agreement with Verizon as presented; second by Mr. Greenway. The motion carried.

PLANNING & ZONING – Central Keystone COG Reports October 2024.

RECREATION – Council member, Mrs. Emick announced the nine winners of the Pumpkin Decorating Contest which was held in conjunction with the Kiwanis and displayed Dr W B Konkle Memorial Library.

STREETS/WATER – Street and Water Project Coordination, Mr. Hoffman announced leaf collection is ongoing throughout the Borough.

MAYOR – Mayor Bagwell stated that the borough needs to look at other options as well as creative advertising to attract police officers to fill the empty positions in the department. He mentioned an incident that originally the PSP had responded to, with a follow-up by the Borough police who were able to rectify the situation with a better level of service. Council Vice President, Mr. Brown announced that the civil service ad will run in the newspaper through January to try to attract applicants.

Chief Gyurina responded to Council member, Mr. Lucas's question that at least 5 or 6 shifts a month are not being covered and that during the holidays there will be more gaps in coverage due to previously approved vacations. He continued stating our competition for new officers extends from the PSP, to Williamsport, to Penn College, to Muncy and through South Williamsport, who are all seeking new hires. He shared he feels the main issue getting new officers is the salary that is not competitive with the city or surrounding areas. Council member, Mr. Lucas also questioned if the benefits package is being advertised, which can make a job more attractive. Chief Gyurin also stated that they take interns from Penn College, which also helps with advertising. Council member, Mr. Lucas stated it seems that the issue is that no one wants to be a police officer right now, rather than it being so much as a salary issue since the salary issue levels off after a few years. Council Vice President, Mr. Brown also stated that the number of applicants taking the civil service test is about 10% of what it used to be.

POLICE CHIEF – Chief Gyurina reviewed the October 2024 police report. He gave update on a manure truck incident that occurred this past month and on a welfare check on an individual which was handled by Officer Hagemeyer. Officer Hagemeyer assisted in saving an elderly woman's life as she was found lying on her kitchen floor for three days. Chief Gyurina also reviewed an incident with a mentally challenged individual which eventually ended with a happy ending.

COUNCIL PERSONS – Council Vice President, Mr. Brown thanked all the residents in attendance at this evening's meeting.. 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, Dr. Kline wanted to follow up on an item that was discussed at a previous council meeting and update the public that council email addresses are set up and are located on the borough website. She noted they cost about \$200.00 per year.

Council member, Mrs. Emick wanted to comment and let the audience know that she appreciates the public attending the meeting, noting that council really does listen and values their feedback, however unfortunately there are items/issues that cannot be changed/rectified.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT –

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday December 2nd, 2024 @ 7:00PM. The brush pile will close for the season on November 29th, 2024. An Executive session for Personnel & Legal will be held at the close of the meeting and will not be reconvened.

VISITOR AND PUBLIC COMMENTS –

Resident, Mrs. Tracey Buffington, 108 Sunset Circle, wanted to follow up on the status of 100 Sunset Drive that was discussed at the September council meeting. She distributed photos of that property. She wanted to thank Chief Gyurina regarding the handling of the woman feeding the cats on the property noting it doesn't seem to be occurring anymore. It was shared that the borough's codes department has followed up and currently are trying to move forward with enforcement hoping that the proper owners will be notified and start to maintain the property.

Resident, Mr. Rich Boyles, 409 Tule St, requested an update on the paving and curb project. Council President, Mr. Greenway stated that the project has been postponed and there have not been any discussions reevaluating the project as of date. Mr. Boyles then questioned the status of the demolition of 416 Spruce St. It was shared the hold up on the process was getting a demolition permit. The tentative demolition date is November 21st, 2024.

Resident, Ms. Melissa Magargle, 1023 Spruce St, stated she is a realtor and wanted to voice her concerns about the curb issues going on in Montoursville. She explained she feels it is causing potential buyers to look elsewhere and hurting the real estate market in Montoursville. She also stated that it is also a financial burden on residents and questioned why this is being imposed on the residents of Montoursville. She also questioned whether there is an alternative to making homeowners pay for their curbs.

Resident, Ms. Doreen Matty, 1129 Locust St, questioned why Montoursville residents are getting hit with four issues in one year. She cited the water rate increasing, curbing expenses, borrowing of money for the new water tower and taxes increasing. Council President, Mr. Greenway corrected Ms. Matty's statement sharing Borough taxes are not increasing. He also explained that the water tower project had been kicked down the road for the last eleven years. The tower is a century old and replacing it will fix water pressure issues and is needed to be done. Council Vice President, Mr. Brown also explained if they were to make the required repairs, it will still need additional repairs in the future and will not fix the pressure issues. He stated it is just putting a band-aid on the issue. Council member, Mrs. Emick stated they are looking at longevity vs. short-term fixes with this water tower project.

Resident, Mr. Boyles, 409 Tule St. made an additional comment stating that he sat on Duboistown Borough council for some time and questioned how tight the proposed budget is. He continued to state he noticed taxes have not increased in some time and he recommended raising taxes a quarter of a mil every year which is much more acceptable than a large increase at once. Council member, Mr. Lucas stated Council's current process regarding the budget is to raise taxes every 5 years. Council President, Mr. Greenway announced to residents the budget is available for review/viewing at the borough office.

Resident, Mr. Don Boyles, 329 Bennett St, asked several questions regarding bulk water. Council President, Mr. Greenway explained the bulk water sales utilizes untreated water and it flows consistently, the water supply is not in question, there is plenty of water. He shared all water sales are to help support the infrastructure of the water works. He also noted in the past, water profits were used to balance other funds. He shared that all water monies generated are to be used for the water works and must stay within that fund. In past it was not handled that way and is why taxes were not increased for many years. Also, he noted the water rates also should have increased as the water was being sold at a loss for years as well.

Resident, Ms. Daniele Lanzer, 412 Willow St, questioned if the water rates will increase as of January 2025 and if they do will it be a 45% increase. Council President, Mr. Greenway explained the amount you pay for water is based upon your water consumption, so basically a 20% increase would mean an additional \$2.00 a gallon increase. Council Vice President, Mr. Brown then explained the reason it hasn't been shared regarding the possible water rates increase is dependent upon multiple factors as with how much we will be required to borrow for the water project, along with the monthly debt service payment, which are all still up in the air to date. Mrs. Lanzer also questioned the amount of money that was made from the sales of bulk water and asked about the profit they made. It was then explained that the Borough is a non-profit government agency therefore all water sales are to be used within the water system, anything that we earn in excess is to be put into a capital improvement fund for future use in the system. Past council's actually lowered the water rates therefore creating a lower profit despite knowingly selling water at a loss. It was also explained that the bulk water is not treated unlike water that is treated and pumped to your home; therefore, it costs less to produce. Council Vice President, Mr. Brown explained they are not trying to judge or badmouth previous council's decisions, but a lot of decisions are made based on knowledge that the general public doesn't know and/or understand, based upon regulations and laws that are not typically known by the general public as well.

Resident, Mr. Josh Maeulen, 220 Maple St, stated he thinks there is a lack of transparency and a lack of long-term planning. He explained he would like to see a list of future projects for the next twenty years along with projected interest rates in the financial model. He also stated that he is frustrated with the bolus of increases he, as a resident, is facing this year. Council member, Mr. Tillson explained to Mr. Maeulen that unfortunately, the private sector does not operate the same as the municipal sector.

In response to various comments made during a discussion that took place between, Council President, Mr. Greenway and Mrs. Magargle; the Borough Solicitor, Chris Kenyon wanted to clarify one of the previously stated comments. He stated that the borough had not placed a lien on the home of a gentleman that attended the previous council meeting regarding the replacement of his curbs which did not follow Borough specifications. Resident, Ms. Magargle shifted into discussion regarding people not trusting the borough engineer to assess curbing. She continued to discuss real estate and claimed residents paying for curbs is hurting the Borough's real estate market.

A discussion ensued with multiple people. Council President, Mr. Greenway explained curbs and sidewalks are a maintenance items that are part of the Borough Code which coincides with home ownership. A discussion took place regarding several issues involving curbs. At this time, Borough Solicitor, Chirs Kenyon addressed a comment regarding the length of curb that is required to replace, stating the Borough code states curbs must be replaced in 10-foot sections. Council President, Mr. Greenway once again stated that the project has been postponed currently so that the Council can take a look at the ordinance and better define/clarify issues for residents. Council member, Mr. Lucas shared he concurred with Council President, Mr. Greenway statements noting that Council will be clarifying curb requirements and has paused the project to look at the ordinance. Resident, Ms. Myers thanked Council member, Mr. Lucas for being the only one to listen to them and answer her questions. She continued stating she has endured hearing council lectures regarding taxes, turnpike issues and all the sacrifices that borough council members make, when actually all she wants to know is what is going on with curbs and no one is talking, her concern is that council is going to secretly pass an ordinance.

Resident, Mr. Ken Raker, 1127 Elm St, stated at a past meeting Street and Water Project Coordinator, Mr. Cliff Hoffman explained several curb issues involving a chip and hairline crack. He shared this information is documented in the past meeting minutes. Mr. Raker continued stating that he attended the Street & Water committee meeting prior to this council meeting and went on to specifically ask Council member, Mr. Tillson why water is being sold at a loss. Mr. Raker then questioned why the Borough is running the water system so hard if it isn't making money. Why isn't the money in reserve being used in lieu of the Borough borrowing money from a bank with an interest rate. Council member, Mr. Tillson then went on to explain specifics with bulk water. He shared that it is separate and different than the treated water that goes to the public. Council member, Mr. Tillson went on to explain that we need to make money, and not sell it at a loss, and that the goal is to stay in the water business. He stated the water works is a great asset to the borough. Street & Water Project Coordinator, Mr. Hoffman stated the water works does not make a profit on selling water because all the money goes straight back into the water system, per regulations.

Council President, Mr. Greenway then stated no one is getting rich on the water system because all money goes back into maintaining the water system. It was explained that if they drained the money in their capital fund and there was any kind of water main break or sink hole they would not have the money to do the repairs and that is why they are seeking this loan with a very low interest rate, so as to not drain the capital improvement fund in the event of a disaster.

In response to another question about providing water monies to the help the police department it was explained by Council Vice President, Mr. Brown that it is against municipal law to allocate water money anywhere else in the borough except back into the water system. At this time, a resident shared that we must do something to help the police. It was explained unfortunately no one is applying to become a police officer across the country, it's not a matter of low-salary or lack of benefits. It was also explained that it is the law that we can only hire a full-time officer who passed the civil service test, and the civil service test is required to be advertised.

Resident, Mr. Raker then thanked Council member, Mr. Lucas for finally giving some answers because that's all they wanted. Mr. Raker questioned how committee meetings take place, it was then explained that the committee meetings are announced/established and advertised for the the beginning of the calendar year that they will be held if needed, at 6:15 PM prior to the Council meetings. The agenda is posted on the Borough building doors as required by law and also posted on the Borough website.

Resident, Mr. Boyles, commented regarding the property located at 101 Walnut St which is in disrepair and where a disabled person lives. It was explained that codes must be contacted to go through the proper channels in order to report any perceived codes violations.

There being no further business the meeting was adjourned at 9:02 PM on a motion by Mr. Brown, second by Dr. Kline. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

11/12/2024
Montoursville Borough Council
Prepared remarks
Robert Brown

Good evening & thank you for attending

Tonight I would like to talk to you about running for and serving as a local elected official. My remarks refer to a Borough Council position, but the information applies generally to any elected office with certain changes keeping in mind differing legal rules among the differing bodies.

To give you an idea of where I am drawing my opinion from, I had been regularly attending Borough council meetings for approximately 12-14 years before I was elected. I am closing in on the end of seven years serving as a council person representing the 2nd ward.

Like many of you, there were times when, while sitting in the audience, I was frustrated or had what I thought were legitimate questions and concerns about what was going on. You may have noticed that Government at all levels does not always do things in the most expedient manner. There is a legal reason that things are done in a certain way.

If you are considering running for public office, the following are my observations. Other members of this council or other elected officials may have a differing opinion. The below is a list of some of the things that I have observed or experienced and would like to pass on to you.

Recommendation # 1

– Run for office for the right reason. Do not run for office as a one issue person. The reason for this is simple. As an elected official, you will be required to understand and vote on multiple issues on a regular basis. Most people that I have seen come in to Government as a one issue only advocate, care only about that issue and do a fairly poor job of representing their constituents in the myriad of other matters that they will be subjected to. In numerous cases, these type of people become disillusioned when they realize that they legally cannot do what they want to do or cannot get the other elected officials to agree with them. Remember that a majority of officials must approve any legally binding action. After becoming disillusioned, the one issue official then either stops participating, stops coming to meetings completely, or just resigns, leaving an opening and citizens in their ward area without representation. That is not fair to the citizens that you are supposed to represent.

Recommendation # 2 – In today's politically charged atmosphere, get ready to be personally attacked and have terrible untrue things said about you. Be prepared to have people walking around your property line taking notes and photos or video for some type of "gotcha moment", as we saw earlier this year with this particular council. You will be accused of being utterly incompetent or worse, you will be publicly accused of some type of criminal offense such as misappropriating public tax dollars. And just so you know, there will be no proof offered to substantiate these accusations. But there will be people at the meeting who will be willing to repeat it to their friends and also spread it on social media. This will be done by neighbors and sometimes

people whom you considered friends, people who in many cases have never actually been to a meeting where the issue they are talking about was discussed prior to any action being taken.

Understand that this will occur simply because someone who does not like a decision you made or are deliberating on has decided that you are wrong. Keep in mind that they may have done little to no research before hand. That is all it takes.

As an elected official, you have to take the time to make a decision after researching all sides of the issue. The people that disagree with your stance on an issue will have no problem attacking you, especially on Social Media. If you do not have “thick skin” as they say, then I suggest that you do not run for public office. I have personally seen a number of “politicians” lose friends that they had had for 30 or more years over their vote or stance on a single issue. Understand that, in some cases, the public may not understand that in order to vote the way that they want you to vote, you would have to violate a law along with the oath of office that you swore to uphold.

A perfect example of the reasoning for this recommendation was the Montoursville Area School Board issue over the new high school. This was a very contentious issue and there were multiple people on both sides of the issue. At least one person who was elected on this issue left the board within a year or so. That board member was constantly attacked by members on the other side of the issue and were then attacked by the members on their side when they resigned, leaving a vacancy on the board that needed to be filled.

The night that the Land Development plan was on the Borough Council agenda for approval, a step that is required

by law to be approved by the municipality, this room and the hallway were packed with people who were demanding that the then Borough Council, reject the land development plan, stopping the project. At the beginning of the meeting, Then council president David Moyer patiently explained that in the procedure, the council was bound by law. If the Land Development plan met the legal requirements for approval, the council had no choice but to approve the project. On the other side of the coin, if the plan did not meet legal requirements for approval, the council had no choice but to reject the plan. What the individual council members personally thought about the idea of replacing or not replacing the high school was irrelevant. They were required to follow the law. To not do so, would open the Borough and the Council members to possible legal action. A lot of unhappy residents left after that was explained, but in that matter, whether they agreed or not, the council followed the law as it was required to do.

Recommendation #3

If you are not willing to put in the time required for all of the responsibilities – do not run.

If you think, this a glamorous, high paying job that only encompasses one Monday evening a month in the case of this council, you are sorely mistaken. In the case of Montoursville Borough Council, There is no glamour and no pay. There is also very little “power” You must follow all of the laws that apply to the position and issues, period.

It is true that the council meetings are normally the first Monday of the month and they normally, but not always last approximately 1 hour. What you may not realize is that as a council member, you will be also be assigned to a number of committees. These usually meet at 6:15 the night of the

council meeting to make it easier for the public and the council members to attend. There are sometimes Executive sessions held during or after the meetings to discuss items that cannot Legally be discussed in public.

Before the Monday council meeting, the agenda is posted as this is required by law. The Agenda for this council is posted on Fridays before the meeting. It is available on the Borough web site as well as being posted on the doors leading into the lobby of the Borough building. It is also on the table as you enter the meeting room. Council may only vote on items that are listed on the agenda. Council members receive the agenda as well as the draft minutes of the previous meeting for review as well as information concerning any upcoming new business, Recreation permits and other items. All of these items can be discussed and voted on so knowledge of the subject is required. Be prepared to spend your weekend reading up on items and issues. There are also other agency meetings in which council members can attend. These include The W.B. Konkle Memorial Library Board, The Lycoming County Water & Sewer Authority and the Williamsport Area Transportation Study known as WATS. These are just a few examples.

At least one member of council has to sign the checks for any outgoing funds. This normally happens bi-weekly.

All of these require you to volunteer and give up your personal time. If you are not willing to do all of the required responsibilities, please do not run for office.

Recommendation # 4

Be prepared to file a "Statement of Financial Interests" form as well as campaign finance forms if applicable. Those of you

who do not want to provide this type of information to the Government will be prohibited from serving.

Recommendation # 5

This recommendation is one that you have heard from me as well as others including an audience member.

Do your own research and come to your own conclusions. Do not blindly believe anything that anyone tells you, especially the things you read on social media. When I say anyone, I include us as elected officials.

An example. How many times in previous meetings have you heard audience members complain that our taxes are outrageous and that they are higher than other municipalities?

For the past 4 months, I have placed a board with the municipal tax rates showing tax rates of Montoursville as well as comparable boroughs, ie. those with similar populations, We are the lowest at 4.5 mils. Do not just take my word for it You can easily look these facts up on the Lyco.org (Lycoming County Government) web site. Research it and then make up your own mind.

Recommendation # 5

if you decide to run for office and are elected, PLEASE take advantage of any training that is offered for newly elected officials.

If you are in a Borough, please attend the PA State Association of Boroughs newly elected officials boot camp. It will require that you give up a weekend and you may have to stay over in a hotel depending on where the training is being offered, but the information that you will receive is invaluable. For years as I sat in the audience, I wondered why the Council

did things in the way that they did them as in some cases I found it to be highly inefficient. It was only after I was elected and received my training that I learned that the reason things were done in the manner they were done is that it was required by law to do it that way. Before you ask why do we not just change the law, in most cases those laws are from other branches of Government and we cannot change them as a council person. Like you, I can only contact my Representative or Senator and voice my opinion.

For those of you who in other municipalities (Townships, cities, etc), training specific to that particular type of Municipality will be available.

To summarize:

1. Run because you care about the community that you intend to serve. Do not run as a one issue person.
2. Understand that people will disagree with you and you will be attacked, not only for your position on an issue, but also on a personal level.
3. Please be aware of the requirements that come with the position. The amount of time and energy you will expend is greater than you think.
4. Even if you do not run, please do your own research and reach your own conclusion on issues.

Madam Secretary, I ask that these remarks be included as an attachment to the November 2024 meeting minutes.

December 2, 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, Misty Emick, Chris Lucas and Robert Brown. Absent: Mark Tillson.

The Pledge of Allegiance was observed.

The November 12th, 2024 minutes were approved on a motion by Dr. Kline, second by Mrs. Emick. The motion carried.

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

VISITORS AND PUBLIC COMMENT FOR AGENDA ITEMS – Resident, Mr. Ken Raker, 1127 Elm St, announced that he will be recording the meeting.

NEW BUSINESS –

2025 MOWING AND LANDSCAPE MAINTENANCE BID – Council President, Mr. Greenway presented a bid by Young’s Property Maintenance, LLC in that amount of \$79,360.00 for the 2025 Mowing and Landscape Maintenance bid for review. Borough Solicitor, Chris Kenyon stated he had reviewed the bid with no issues.

Motion by Mr. Greenway to approve and award the 2025 Mowing and Landscape Maintenance bid to Young’s Property Maintenance, LLC in the amount of \$79,360.00; second by Mr. Lucas. The motion carried.

2025 BUDGET – Council President, Mr. Greenway presented the 2025 Budgets for review. Finance & Insurance Chairman, Robert Brown noted all budgets are balanced, the General Budget is \$2,752,517.00, the Water Budget is \$2,112,700.00 and Highway Aid Budget is \$197,068.96; all with no tax increase. He stated that no residents had stopped by the Borough Office to review the budgets.

Motion by Mr. Brown to approve the 2025 budget as presented; second by Dr. Kline. The motion carried.

MONTOURSVILLE BOROUGH PERSONNEL 2025 WAGES – Council President, Mr. Greenway presented the Borough of Montoursville Personnel 2025 Wages for review.

Motion by Mrs. Emick to approve the Borough of Montoursville Personnel 2025 Wage as presented, second by Mr. Greenway. The motion carried.

2025 MEETING SCHEDULE NOTICE – Council President, Mr. Greenway presented the 2025 Meeting Schedule Notice for review. Council member, Dr. Kline announced that the meeting schedule is required to be published in the Sun Gazette, a newspaper of general circulation as per the Pennsylvania State legislature guidelines.

Motion by Mr. Brown to approve the 2025 Meeting Schedule Notice as presented, second by Mr. Lucas. The motion carried.

RESOLUTION 2024-02 – ELIMINATING POLICE PAYMENTS INTO THE POLICE PENSION FUND FOR 2025 - Council President, Mr. Greenway presented Resolution 2024-02 eliminating police payments into the police pension fund for review. It was noted, every year this ordinance is required to be passed, if the actuary finds the pension to be financially sound.

Motion by Dr. Kline to approve Resolution 2024-02 Eliminating Police Payments into the Police Pension Fund for 2025 as presented, second by Mrs. Emick. The motion carried.

RESOLUTION 2024 – 03 – APPOINTING FIRE POLICE AND APPROVAL OF EVENTS FOR THE 2025 CALENDAR YEAR – Council President, Mr. Greenway presented Resolution 2024-03 for review.

Motion by Mr. Brown to approve Resolution 2024-03 appointing and authorizing the Willing Hand Hose Fire Police

to serve events on an annual basis for the year 2025 as presented, second by Mrs. Emick. The motion carried.

RESOLUTION 2024-04 – AUTHORIZING THE BOROUGH SECRETARY TO DISPOSE OF CERTAIN PUBLIC RECORDS IN ACCORDANCE WITH SCHEDULES APPROVED BY THE LOCAL GOVERNMENT RECORDS COMMITTEE

– Council President, Mr. Greenway presented Resolution 2024-04 for review. It was explained that a resolution has been passed every year since 2017 in accordance with the schedules approved by the Local Government Records Committee.

Motion by Mr. Lucas to approve Resolution 2024-04 authorizing the Borough Secretary to dispose of certain public records in accordance with schedules approved by the Local Government Records Committee, second by Mrs. Emick. The motion carried.

SUBRECIPIENT AGREEMENT CDBG FFY 2023 - LYCOMING COUNTY AND MONTOURSVILLE

BOROUGH – Council President, Mr. Greenway presented the Subrecipient Agreement CDBG FFY 2023 for review. Council member, Mr. Lucas elaborated on the Community Development Block Grant, which is used mostly for curb ramp projects. He stated that curb ramps are a required to be repaired/replaced when the Borough paves at an intersection and without this funding, the Borough would still be required to repair/replace them however it would be funded by the general fund

Motion by Mr. Greenway to approve the Subrecipient Agreement CDBG FFY 2023 between Lycoming County and Montoursville Borough as presented; second by Mr. Brown. The motion carried.

AMENDMENT #2 TO SUBRECIPIENT AGREEMENT - MONTOURSVILLE – LYCOMING COUNTY – COVID FUNDS – TIME EXTENSION

– Council President, Mr. Greenway presented Amendment #2 to Subrecipient Agreement between Montoursville Borough and Lycoming County for COVID funds requesting a time extension for review. It was explained that this is for grant money for the new water reservoir project.

Motion by Mr. Brown to approve Amendment #2 to Subrecipient Agreement between Montoursville Borough and Lycoming County for the COVID funds grant requesting a time extension as presented, second by Dr. Kline. The motion carried.

BUDGET REVISION –CDBG FFY 2022- Council President, Mr. Greenway presented Budget Revision for CDBG FFY 2022 for review. It was explained that this was funding that needs to be carried into another project/budget year.

Motion by Mr. Greenway to approve the Budget Revision for the CDBG FFY 2022 as presented; second by Mr. Brown. The motion carried. 5-0.

PLANNING & ZONING – Central Keystone COG Reports November 2024.

RECREATION – Nothing at this time.

STREETS/WATER – Street and Water Project Coordinator, Mr. Hoffman announced the low water pressure in the borough is due to timing and the fact that the system is in excess of one hundred years old. None the less, they are doing some fine tuning with the pump in order to address this issue. He also stated they are also working on a communication issue within the system. He continued stating once the new reservoir is installed the system will run much better, without having to use the pumps.

MAYOR – Mayor Bagwell shared that it has been very tough for Police Chief, Jeff Gyurina to fill the police schedule due to the on-going understaffing issue within the department. He stated the Police department is in need of another officer who has completed Act 120 training and has passed the Borough's Civil Service test.

POLICE CHIEF – Police Chief Gyurina reviewed the November 2024 police report. He stated that this is a very busy season for the police. He commented on the traffic signal that was taken down by a vehicle accident, noting it was a mess getting it cleaned up and required detouring traffic. Police Chief Gyurina stated the Montoursville Police Department are once again doing Christmas fund-raising for the SPCA this year.

At this time, a discussion took place regarding the cost of ACT 120 schooling. Council Vice President, Mr. Brown shared the estimated cost between \$6,500.00 - \$10,000.00 for Act 120 school.

COUNCIL PERSONS – Council Vice President, Mr. Brown thanked the American Legion Post 104 for hosting the annual Christmas Tree lighting ceremony on Saturday evening. He shared it went very well. Santa attended, and cookies, and hot cocoa were served. He estimated about 75 to 100 people were 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.

SOLICITOR – Nothing at this time.

COUNCIL PRESIDENT – Council President, Mr. Greenway reported that a Street and Water Committee Meeting occurred prior to this evenings council meeting. He stated water rates were discussed noting that a minimum bill is from 0 to 3,000 gallons. He also explained they discussed the many options and ways in which an increase would affect people with a fixed income and/or low budget. He then explained the options of charging per gallon and/or flat rates as well as discounts for fixed/low-income single-family households. Council President, Mr. Greenway then reviewed several different scenarios increases in charges options and stated that after the minimum charge families/people are in charge of the amount of water they use above and beyond the minimum, but they are trying to find an option that best serves the public and the water system.

Council member, Mrs. Emick questioned as to why they are having all these increases at once. Council President, Mr. Greenway explained water rates need to support the work and maintenance needs of the water system. He again stated that water usage above and beyond the minimum is in the control of the household. A discussion took place regarding the water revenue fund, the water capital improvement fund, issues that may arise within a water system that may impact the revenues of the water system and why an increase in water rates would help avoid a drastic reduction in the water capital improvement fund. Council President, Mr. Greenway then discussed different rate options, trying to assist the fixed income households and how it figures into the 2025 Water Budget. He then shared that the average bill, by his calculations, is about \$100.00.

PENDING MATTERS – Nothing at this time.

CORRESPONDENCE AND ANNOUNCEMENTS – The next Council meeting will be held Monday, January 6th, 2025 @ 7:00PM. An Executive session for Personnel & Legal issues will be held at the close of the meeting and will not be reconvened.

VISITOR AND PUBLIC COMMENTS – Resident, Mrs. Annette Baker, 1133 Broad St, questioned the outcome regarding the door-to-door surveys for grant money to help pay for resident's curbs. It was explained to Mrs. Baker that unfortunately the surveyed area does not meet the low to moderate income for the funding. It was shared that due to Montoursville Borough not meeting Borough wide low to moderate income level guidelines, a survey was required to be done of the area to see if that area alone would meet the low to moderate income levels guidelines, which unfortunately it did not.

Resident, Mr. Ken Raker, 1127 Elm St, stated that he requested at the last Council meeting, how much money the Borough is making on bulk water. sales. It was shared with Mr. Raker that bulk water customers pay \$10.00 per 1,000 gallons and the water they are getting in untreated. So, the electricity to pump it is the only cost to the borough that factors against profit. A discussion took place regarding the possibility of doing a study on what the actual cost to the Borough would be to provide 1,000 gallons of non-potable water. Mayor Bagwell explained some of the intricacies of the cost of 1,000 gallons of bulk water. He continued stating a study would be an expense to the borough that does not make sense because the water is still going to be there whether we pump it or not and the costs are still going to be there whether or not we sell to the bulk water

There being no further business the meeting was adjourned at 8:09 PM on a motion by Mr. Brown, second by Mr. Greenway. The motion carried.

Respectfully submitted,

Ginny Gardner, Borough Secretary

December 2, 2024
Prepared remarks
Robert Brown

Title 8 is the Commonwealth of Pennsylvania laws relating to Boroughs and incorporated towns and all Boroughs must follow the laws as spelled out under Title 8.

Chapter 11, Subsection “J” – Civil Service for Police and Fire apparatus operators consists of sections 1170-1194. These sections deal with Civil Service Commissions and their specific duties.

Montoursville Borough maintains a Civil Service Commission under the rules of Title 8, Section 1172.

As per section 1172 the commission SHALL consist of Three commissioners and no more than three alternates can be appointed to the commission. Terms for each commissioner and alternate are 6 years.

The civil service commission is responsible for conducting examinations for the completion of an eligibility list for candidates for police officer and fire apparatus officers if the municipality has a paid fire department. The fire apparatus officer is not applicable as Montoursville Borough does not maintain a paid fire department. It is important to note that police departments with under 3 officers do not fall under civil service rules, as per section 1171.

In addition to these duties, Civil Service Commissioners also are involved in the promotion process as well as being part of the disciplinary process as officers have rights under civil service laws.

Chapter 11 of title 8 set numerous duties, responsibilities and limits on the Borough and its civil service commission. These details include items such as specific days on which the commission is required by law to meet for an organizational meeting. For those interested, that day is the first Monday of each even numbered year, at which meeting, The chair and secretary are elected.

The chair of the commission SHALL issue an annual report to the Borough Council. In the case of Montoursville, The annual report is

provided to Borough council members in the January council member packet and it is reported to the audience at the January meeting.

Two meetings ago, Mayor Bagwell & Chief Gyurina spoke about the ongoing law enforcement problem of obtaining applicants for new positions. As discussed, this problem is not a Montoursville Borough only problem. Over the weekend, I read an article that stated Milwaukee, WI has instituted a \$10,000 bonus for experienced officers who laterally transfer to the Milwaukee Police Department, whose officer complement is down. The officers must stay for at least 4 years under terms of the agreement. The bonus is paid for by a 2% sales tax imposed by Act 12 of 2023, enacted by Milwaukee Government for Public Safety funding.

As required by law, An ad was placed in the Sun Gazette, a newspaper of “general circulation”. An additional ad is being prepared and that will also appear in the newspaper in December. That ad will also be released to the web site, social media as well as being provided to the MPOETC (Municipal Police Officer Education & Training Commission) affiliated training academies in an attempt to attract applicants.

Police Officers are members of the Fraternal Order of Police, a Union and as such, work under a Collective Bargaining Agreement, commonly referred to as a contract. The current CBA runs through December of 2026.

Under the current Collective Bargaining agreement, in year 2025,

1. A first year police officer will start at approximately \$45K year, but rises to fully experienced officer at the end of year 6. A fully experienced officer will make approximately \$75K / year. Given those numbers, a new officer receives raises totaling approximately \$30K over their first 6 years. In addition, officers working 1500-2300 (3 pm-11pm) and 2300-0700 (11pm- 7 am) shifts receive additional compensation per hour worked

In addition to salary, officers receive the following benefits Blue Cross / Blue Shield (PA Municipal Health Insurance Cooperative). This health insurance Covers Officers and dependents (spouse and minor children)

The plan has a deductible for officer and a slightly higher deductible for Spouse / dependent

life insurance

Vision coverage

Dental Coverage

Personal Leave

12 Paid Holidays

Vacation

Sick leave

457 retirement plan - commonly referred to as a deferred

Compensation Plan available to full time officers

Flexible spending plan (pre-tax \$\$\$ placed into account by officer can be utilized for certain medical expenses)

Uniforms & Maintenance paid by Borough

Equipment provided by Borough

Retirement eligible After minimum of 20 years service

At retirement - Health care benefits to officer and spouse for 60 months

After 60 months – can continue with officer paying the current rate

As you can see, the benefits add significant value to the total compensation package.

The Montoursville Borough Civil Service Commission will meet on Monday January 6, 2025 at 12:00 PM in the small conference room in the John Dorin Municipal Building. The agenda will be posted on the doors of the municipal building prior to the meeting. Currently, applications for the civil service examination are being accepted through January 8, 2025 at 12:00 pm