

REGULAR MEETING OF WELLSBORO BOROUGH COUNCIL- JUNE 14, 2010

Council President Joan Hart called the regular monthly meeting of the Borough Council for the Borough of Wellsboro, Pennsylvania, to order with a quorum of six members present at 6:00 p.m., Monday, June 14, 2010, in the council room of the John E. Dugan Fire Station Municipal Building, 28 Crafton Street, Wellsboro, Pennsylvania.

PLEDGE TO FLAG- The pledge of allegiance to the American Flag was given by all present.

ELECTED OFFICIALS:

The following elected officials of the Borough of Wellsboro were present

Mayor James Daugherty
First Ward Council Member- Michael Wood
First Ward Council Member- Rudolf Scharf
First Ward Council President- Joan Hart
Second Ward Council Member- John Sticklin
Second Ward Council-Vice President- John E. Wheeler
Second Ward Council Member- Terry Bryant

APPOINTED OFFICIALS:

The following appointed officials of the Borough of Wellsboro were present

Superintendent of Public Works- Mark Dieffenbach
Superintendent of Water & Sewer Plants- Daniel Brought
Police Chief- Jim Bodine
Secretary/Treasurer- Susan Keck
Assistant Secretary- Florence Martino

PRESS:

Wellsboro Gazette- Natalie Kennedy
Williamsport Sun-Gazette- Bryan Robinson

VISITORS:

Lou Prevost- Planning Commission Member
Bob Williams- HARB Chairperson
John Coleman
Gus Vargas
Brian Meadows

MINUTES- Council Member Sticklin made a motion to approve the minutes as presented, seconded by Council Member Wheeler motion carried 6-0.

HARB RECOMMENDATIONS- Mr. Williams informed the members of Borough Council he had six applications. Council President Hart said council would vote on each application separately.

1. **BIRD BUILDING SIGN-** Mr. Williams stated had been done by Jim Cooper and had three submissions to HARB. Council Member Sticklin made a motion to

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- approve the plan, seconded by Council Member Bryant motion carried 6-0.
Council Member Bryant commended the HARB members for their work on this project.
2. 146MAIN STREET SIGN- Council Member Sticklin made a motion to approve the plan, seconded by Council Member Wheeler motion carried 6-0.
 3. LACK & STRALLER OFFICE- Mr. Williams informed the Council, the firm is doing a lot of work in the Wellsboro area and will be opening an office in the James Carlson building on the corner of Main Street and Central Avenue. He stated the sign would be at a 45degree angle to the streets. Council Member Wood made a motion to approve the sign, seconded by Council Member Sticklin motion carried 6-0.
 4. COX STOKES & LANTZ BUILDING- Mr. Williams informed the Council the Cox's law office building was having maintenance on the building and HARB had been consulted for the material and color used on the building. Mr. Williams stated the copper on the façade is in keeping with the period of the building. Council Member Sticklin made a motion to approve the plan, seconded by Council Member Wheeler motion carried 6-0.
 5. FIRST PRESBYTERIAN CHURCH located at 130 Main Street- Mr. Williams explained the church had plans to have a new roof on the building and had requested removal of a chimney. Mr. Williams stated it had not been in the original design of the church and the HARB Committee approved the removal. Council Member Wood made a motion to approve the removal plan, seconded by Council Member Scharf motion carried 6-0.
 6. WELLSBORO FOUNDATION TO HAVE LIGHT ON MARY WELLS STATUE- Mr. Williams informed the Council the plan is to have a small light concealed on the Historical building shining on the statue, it would be a small 15-watt bulb. Council Member Sticklin made a motion to approve the plan, seconded by Council Member Wheeler motion carried 6-0.

PLANNING COMMISSION REQUESTS- 1. Lou Prevost said he would like to discuss the status of the requests from the Planning Commission, the first being the amendment to the Wellsboro Zoning Ordinance to include natural Gas Drilling into the ordinance. Council President Hart said the ordinance has to be advertised before Borough Council can take any action. Secretary Keck stated the Borough Solicitor had just delivered it to the office today; the council would need time to review it. Council Member Scharf asked if the wording would need to be included into the zoning ordinance. Council President Hart said it would need to be added to the ordinance.

2. Lou Prevost asked if the Borough Council had any plans to meet with Advantage Engineers. He stated there would be no charge to discuss the proposal letter. Council President Hart stated the Council had no plans to meet with Advantage at this time. Council Member Scharf stated the Borough Engineer is working with Mark Dieffenbach and Dan Brought with testing the water. Secretary Keck stated she had sent out the proposal from Advantage Engineers to Mark Stevens at DEP, he responded the Borough had already done many of the items proposed and it was redundant and a few task could be avoided without a frack water tank being proposed no additional steps would need to be taken. Secretary Keck stated the PA. Rural Water Association did the study and

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checked everything out. Council President Hart said the Borough Council is doing everything to keep the drinking water safe. Council Member Wood stated Mark Dieffenbach and Dan Brought are the best people to keep the water safe and they are testing the water supply. Council Member Wood asked why council would take up free time when there is no problem and no need for another consultant. Council Member Bryant stated that Mark Dieffenbach, Dan Brought and Scott Bray the Borough Engineer have a good baseline on the water, if we experience an emergency we may need help. Council Member Wood said in the event of an emergency it would be up to Mark, Dan and Scott to seek help. Lou Prevost said he would look forward to speaking with Mark Dieffenbach.

3. Lou Prevost asked if the Borough Council had a date for the Borough Council, Planning Commission and the Wellsboro Municipal Authority members to meet with East Resources to discuss questions concerning a safe water supply. Council President Hart said we are setting up a meeting.

MEETING NOTICE OF CANCELLATION- John Coleman stated he moved to Wellsboro eight years ago and the staff had told him the Borough Council meets the second and fourth Mondays of each month at 6 p.m. Council President Hart said the fourth Monday is only if there is enough information for the Council to hold a second meeting. Mr. Coleman said he arrived last month on the fourth Monday and there was no notice on the front door stating a reason for not having a meeting. He stated that one member of the council was there and he hadn't been notified of the cancellation. He requested if a meeting is cancelled a notice be placed on the door stating the reason for the cancellation.

Mr. Coleman said he was a retired journalist and had covered every level of government. He then asked why the borough council meets in this small conference room when there is a large meeting room upstairs in this building. He stated more residents would attend these meetings if there were room to accommodate more people. He said he had asked before and the answer was the upstairs is not handicap accessible, he said installing a chair lift in the stairway could solve this. He stated the council meets at 6 p.m. when most people would rather be home having supper with their families.

TRAFFIC ON GREENWOOD STREET- Brian Meadows asked if either a member of Borough Council or the Police Chief could explain the increase in traffic last weekend, he asked if there had been an accident on route 660. Mr. Meadows said there has been more truck traffic on Greenwood Street due to the two drilling paths on the Balsam Road. Council Member Bryant said the borough could notify Penn DOT of the additional truck traffic and the concerns for the street. Council Member Scharf said the borough could also notify the trucking company of the additional traffic and the highway concerns. Council Member Wood recommended the borough contact Penn DOT and has a meeting with East and Shell companies do discuss the concerns.

MAYOR'S REPORT- No report.

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CHIEF OF POLICE- Chief Bodine informed the Council he had finalized the plans for the Laurel Festival and the trucking companies plan to decrease the truck traffic over the weekend.

SPEED SENSOR SIGNS- Chief Bodine said the new signs are solar powered and no batteries to replace. Chief Bodine said the Wellsboro Electric Company had allowed the department to mount one of the signs on their pole by Packer Park going towards Main Street and one will be placed going up Queen Street. Chief Bodine said one of the speed sensor devices could be placed up near Greenwood Street.

SUPERINTENDENT OF PUBLIC WORKS- Superintendent Dieffenbach reported the crew had been working on patching potholes and working at the First Citizens Bank site working with the sidewalk and gas light removal.

GREENWOOD STREET- Superintendent Dieffenbach informed the Council; Mr. Greenwalt has borough water and sewer. Superintendent Dieffenbach said he was preparing a bill to be given to Mr. Greenwalt for the cost of the hook-up.

CHARLESTON STREET INTERSECTION- Superintendent Dieffenbach asked the Borough Council to give their stamp of approval on the plan. Superintendent Dieffenbach said the Penn DOT's contractor would do the manhole; there are 10 valves in that intersection.

PAVING BIDS- Superintendent Dieffenbach informed the Council three paving bids had been submitted. Charles Construction for \$70,172.50, H.R.I. for \$81,846.25 and Hawbaker's for \$120,527.00 Superintendent Dieffenbach said he would recommend the Borough Council accept the bid from Charles Construction for \$70,172.50. Council Member Sticklin made a motion to approve Mark's recommendation for Charles Construction, seconded by Council Member Wood motion carried 6-0. Council Member Scharf commended Mark and Joan Hart and anyone else who worked on the spreadsheet.

HAMILTON LAKE- Council Member Wood asked what caused the fish kill at Hamilton Lake. Secretary Keck said she understood it was the warm shallow water – natural chemicals. Council Member Wood said a lot of people fish at that lake and there shouldn't have 1000 dead fish. Council Member Wood said the lake should be dredged. Council Member Wood requested the borough look into obtaining a grant. He stated the lake is a recreational area and also a back-up water supply for the borough. Council Member Bryant asked what the cost would be. Superintendent Dieffenbach said the Army Corp of Engineers had done one in Galeton and the cost was over a million dollars. Council Member Sticklin said if the company from Montoursville were to come up it would cost that much or more. Council Member Wood said the borough should receive a grant the lake is used as a recreational area, water source and flood control.

PLANT SUPERVISOR- Dan Bought informed the Council the sewer plant is making sludge.

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COMMITTEE REPORTS- FINANCE COMMITTEE- Council Member Scharf informed the Council the Tioga County Tax Committee wrote a letter requesting the borough permit them to collect our Local Service Tax. Council Member Scharf said Central Tax has been collecting our tax and the borough does not need another government agency collecting the tax. Secretary Keck said she had prepared a letter to be mailed if Council approved the letter she would mail it. Council Member Wood made a motion to approve the letter, seconded by Council Member Sticklin motion carried 6-0.

SECRETARY/TREASURER'S REPORT- APPROVAL OF BILLS 5/25, 6/2, 6/9- Council Member Bryant made a motion to approve the bills as presented, seconded by Council Member Wheeler motion carried 6-0.

SEWER RATE ADJUSTMENT- The Finance Committee recommendation is to add 3% to the current sewer rate and create a capital reserve account for sewer maintenance items. Council Member Sticklin made the motion to approve the intent to adopt the rate adjustment, seconded by Council Member Scharf motion carried 6-0.

NEGOTIATIONS SAVINGS PLGIT 3647075- Secretary Keck informed the Council the Negotiations Savings account had not been budgeted for in the 2010 budget, the recommendation is to transfer \$1,000.00 from each of the three rainy day funds to this account for the 2010 year. Council Member Scharf made a motion to approve the three transfers, seconded by Council Member Wood motion carried 6-0.

TRANSFER OF \$200,000.00 FROM NORTHWEST TO FIRST HERITAGE CREDIT UNION- Council Member Bryant made a motion to approve the transfer to a six-month certificate of deposit so the funds could be pulled into the 2011 budget, seconded by Council Member Sticklin motion carried 6-0.

NOTICE OF INTENT TO ADOPT ORDINANCE OF THE PA. CONSTRUCTION CODE (removes Mansfield Borough) - Council Member Sticklin made a motion to approve the notice of intent, seconded by Council Member Wood motion carried 6-0.

CONSIDER ENGAGING LARSON DESIGN GROUP AS BRIDGE CONSULTANTS- Council Member Bryant made a motion to approve Larson Design Group as the bridge consultants as recommended by Council President Hart, Superintendent Dieffenbach and Secretary Keck's, seconded by Council Member Sticklin motion carried 6-0. Council Member Wood said he would request they be instructed to communicate with the borough during the project. He stated during the Central Avenue Bridge project they used email without following up with a phone call.

CONSIDER MAINTENANCE AGREEMENT WITH PENNDOT OF TRAFFIC SIGNAL- Secretary Keck informed the Council the Borough would need to fund the monthly maintenance and energy cost for the traffic light at Tioga and Charleston Street intersection. She stated the approximate cost would be \$200.00 per month. Council Member Sticklin said he was not in favor of having the traffic light. Council Member Bryant said he attended the public meeting for the property owners and council and there

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were concerns how it would affect the businesses in the area. Council Member Wood said he thought the traffic signal was good for the area and the intersection would be linked to the light at the intersection at Main Street and East Avenue. Council Member Wood said he had questions concerning the island at the intersection. Council Member Bryant requested the company meet with the borough council before meeting with the members of HARB. Secretary Keck said the design was from the Penn DOT office. Council Member Wood made a motion to agree with the maintenance and energy cost for the traffic light, seconded by Council Member Wheeler motion carried 5-1 Council Member Sticklin said he was against the light and the maintenance agreement.

GRANTS COMMITTEE APPOINTMENT- Secretary Keck informed the Council the committee had asked Warren Berg to our energy facilitator and he agreed to do so if council would appoint him. Council Member Wood made a motion to appoint him, seconded by Council Member Scharf motion carried 6-0.

COPY OF CORRESPONDENCE- No action

INTENT TO AMEND THE BOROUGH'S ZONING ORDINANCE- Secretary Keck informed the Council the current ordinance addressed surface mining but not sub-surface mining. Council Member Bryant stated the revision would not prohibit drilling for oil or gas but would require a minimum lot size of two acres. The ordinance establishes safeguards and also incorporates public meetings and hearings with contractors and neighbors before permission for drilling is permitted. Council Member Sticklin made a motion to amend the ordinance, seconded by Council Member Wheeler motion carried 6-0.

MOMENT OF SILENCE- Council Member Wood requested a moment of silence for Bob Saylor, gentlemen who had served for many years in the Fire Department and had worked with the borough.

ADJOURNED