

MINUTES
BROOKVILLE BOROUGH COUNCIL MEETING
Tuesday, September 3, 2019 @ 7:00 P.M.

The Brookville Borough Council met in the large conference room on Tuesday, September 3, 2019 at 7:00 P.M. with the following in attendance:

COUNCIL MEMBERS

Richard Beck
Phil Hynes
Bill Kutz
Karen Allgeier
Dave Ferringer
Ken King
Rick Baughman
Randy Bartley
Donavan Hoffman

STAFF

Manager Dana D. Schreckengost
Police Chief Vince Markle
Public Works Director -
Dave Vallosio
Zoning & Health Officer -
Emerson Turnbull
Code Enforcement Officer -
Donald Jonischek
Recorder Christine Gunning
Solicitor Jim Dennison

VISITOR/MEDIA

Joyce Wills
Catrina McKinley
Arthur McKinley
Rose James
Joy Norwood
Aly Delp
Barbara Renda
Trina Gonzalez
Annoria Schreckengost
Dave Smail

SWEARING IN OF JUNIOR COUNCIL MEMBER:

At 6:56 P.M. Mayor Richard Beck swore in Donavan Hoffman as a Junior Council Member on the Brookville Borough Council.

CALL TO ORDER:

President Phil Hynes called the meeting to order at 7:00 P.M. and led the group in the Pledge of Allegiance to the American Flag.

CORRECTIONS/APPROVAL OF MINUTES (August 20, 2019):

Health and Zoning Officer Emerson Turnbull stated his report last month was off by a month. President Pro-Tem Karen Allgeier moved to approve the minutes of the August 20th meeting as amended; seconded by Member Randy Bartley. Motion carried 7-0.

FINANCIAL REPORTS:

- A. Approval of Expenditures** - The current bills were presented for approval. Manager Dana D. Schreckengost stated there was one addition; Wex Bank for \$1,594.95 for police fuel cards. President Pro-Tem Karen Allgeier moved to approve the bills as amended; seconded by Member Randy Bartley. Motion carried 7-0.
- B. Fund Level Financial Statements** – President Phil Hynes stated you have the Fund Level Financial Statements, and if you have any questions on the status of the budget the appropriate people are here to ask.

PUBLIC COMMENT:

- A. Joyce Wills - Stormwater** – Brookville resident Joyce Wills stated she owns 45 Marlin Street, and she is here about the flooding at 45 Marlin Street that cannot be

corrected until 51 Marlin's flooding issue is resolved. Joyce Wills stated she spoke about this issue at a previous meeting, and asked if this matter has been discussed at follow up meetings and what decisions were made. Solicitor Jim Dennison stated we have met to discuss the issues you brought up at the last meeting you attended. Solicitor Jim Dennison stated he has prepared a response that is not complete yet. Solicitor Jim Dennison stated we need to make a few changes to it, but you will get a response in the next few days. Solicitor Jim Dennison stated we are not going to give you a plan of correction. Solicitor Jim Dennison stated the Borough does not own the drain lines in your daughter's property, they are owned by your daughter and are her responsibility right now. Solicitor Jim Dennison stated the Borough does not own or maintain the stream that flows between your two properties, and the Borough does not own any land that is upstream from your property and your daughter's property, so there is no quick solution to the problem because there is nothing for the Borough to work on. Solicitor Jim Dennison stated the Borough received a recommendation from the engineer about changes that could be made, and most of those changes have already been made to redirect some of the storm flows especially when the storm flows come down Marlin Street. Solicitor Jim Dennison stated they recommended that you or your daughter replace the storm drains on her property because they are too small, and the Borough made an offer on that but it was refused by your daughter. Solicitor Jim Dennison stated she did not want to participate in that and we believe that is part of the problem. Solicitor Jim Dennison stated whoever built that house and whoever developed that property is the one that put that storm drain in. Solicitor Jim Dennison stated it is not a Borough storm drain, and it is not the Borough's responsibility. Solicitor Jim Dennison stated the Borough's responsibility is for the drain that passes under Marlin Street, not under your daughter's property. Solicitor Jim Dennison stated the property was built next to a stream. Solicitor Jim Dennison stated where the entrance is to the garage of the property is extremely low so naturally that is going to catch the water. Solicitor Jim Dennison stated when that house was first built, he checked the tax records and the bottom portion was a basement and a garage. Solicitor Jim Dennison stated prior owners changed the garage space into living space and that is obviously why you have problems with flooding. Solicitor Jim Dennison stated since that meeting we had, he asked Manager Dana D. Schreckengost to check into potential funding for changes that could be made either to the stream or provide some hazard mitigation, and she did identify a program through PEMA that is a pre-hazard flood mitigation which is a potential funding source. Solicitor Jim Dennison stated the Borough does not own any property or control any property that is upstream from your house and your daughter's house, so there is no quick solution. Solicitor Jim Dennison stated we also requested a proposal from the engineer to do some additional mapping of the area to identify sources of water and we have received a proposal from them to do some additional mapping in that watershed to figure out what potential changes can be made. Solicitor Jim Dennison stated that is basically where we are right now, and we will continue to look for solutions to the problem. Joyce Wills asked why Gwin, Dobson, and Foreman originally suggested that they put a basin

behind there, and they replace the pipe and Public Works Director Dave Vallosio and Member Dave Ferringer both said that could be handled by the Borough. Solicitor Jim Dennison stated again that is why it is not discussed by individual members and no one individual member can bind the Borough, it has to be a decision of Council as a whole. Solicitor Jim Dennison stated I think they made a recommendation that you change the catch basin up behind the house and then replace the pipe line with maybe a thirty-six inch pipe, but that was not at the cost of the Borough. Solicitor Jim Dennison stated that would have been at your cost to do that. Solicitor Jim Dennison stated again the Borough has already implemented most of those recommended solutions already. Solicitor Jim Dennison stated the only one that has not been implemented is replacement of the drain pipe on your daughter's property. That is what has been happening since our last meeting.

- B. Roy Darrin – Quality of Life Ordinances** – Brookville resident Roy Darrin stated the other day he talked to Manager Dana D. Schreckengost about the Quality of Life Ordinances. Roy Darrin stated Manager Dana D. Schreckengost said there are a couple of ordinances you are going to look at, and try to come up with a good strong ordinance for blight. Roy Darrin stated if you take care of your property it cuts out the beginning of blight. Roy Darrin stated please review the ordinance you are considering and make it strong enough so it works for us. President Phil Hynes thanked Roy Darrin.
- C. Annoria Schreckengost – Blighted Properties** – Brookville resident Annoria Schreckengost stated she has health problems, and asked to please keep in mind before you cite people please ask them if there is something we can help you with. Annoria Schreckengost asked if it is public knowledge who complains. Solicitor Jim Dennison stated he thinks people should be able to call the Code Enforcement Officer and he can decide if it is a spat or a legitimate complaint. Annoria Schreckengost stated they have put \$60,000.00 into their home, and they have a lot of health problems. Annoria Schreckengost stated they have been cited for indoor furniture on their front porch, and improper trash disposal. Annoria Schreckengost stated she does not understand why her home has been cited when there is a home of historical significance on West Main Street with garbage issues and a garage falling down, and asked if it has been cited. Code Enforcement Officer Donald Jonischek stated yes it has. President Phil Hynes stated our Code Enforcement Officer follows the will of Council. President Phil Hynes stated your concerns are duly noted. Code Enforcement Officer Donald Jonischek stated he answers every complaint. President Phil Hynes thanked Annoria Schreckengost.
- D. Trina Gonzalez – Tailgating** – Brookville resident Trina Gonzalez stated she owns 21 West Main Street and she remembers going to high school football games where you spend tops twenty dollars. Trina Gonzalez asked why people tailgate on Cemetery Road and if something could be done about it. President Phil Hynes stated this is the first he has heard of this issue. President Phil Hynes stated he does not know if it is the school's issue, but certainly we have control of the road there. Member Randy Bartley suggested to President Phil Hynes that if it is a safety issue maybe Chief Markle should look into it.

REPORTS:

Chief of Police

- A. **Statistics for August** – Police Chief Vince Markle stated in the month of August the Brookville Police Department received 197 calls for service, wrote 113 traffic citations, 67 warnings, 198 parking tickets, and 22 misdemeanors.
- B. **Active Shooter Training** – Police Chief Vince Markle stated four of them went to a three day exterior active shooter training.
- C. **Officer of the Month** – Police Chief Vince Markle stated Officer Turnbull is officer of the month.
- D. **Physical Fitness Challenge** – Police Chief Vince Markle stated we will have our first annual Brookville Police Department Physical Fitness Challenge on September 7th at 9:00 A.M. at the Rails-to-Trails head.
- E. **Comments** – Police Chief Vince Markle thanked Public Works Director Dave Vallosio and his men for the improvements they did on the police station, and thanked Manager Dana D. Schreckengost for keeping them informed of different trainings.

Fire Company

- A. **Written Report** – President Phil Hynes read Fire Chief David Miller's written report (attached).

Director of Public Works – Public Works Director Dave Vallosio stated the storm drain across Carrier Alley was successfully replaced and buried last week. Public Works Director Dave Vallosio stated in the process they had to thread the pipe between three gas lines, and have one removed. Public Works Director Dave Vallosio stated they were next to a sanitary sewer line, and that leads him to believe that is why that line was on top of the ground for all these years.

Zoning/Health Officer – Zoning and Health Officer Emerson Turnbull read his written report (attached).

Code Enforcement Officer – Code Enforcement Officer Donald Jonischek reported he had complaints of weeds on Barnett Street and they were taken care of, at the end of Long Avenue he had complaints of high grass and vehicles of which most were moved, and a trash complaint on Hiram Street that has been taken care of. Code Enforcement Officer Donald Jonischek stated the residents at 2 Hawthorne Street have refused any help, and he sent 43 warnings to the owner of Crestwood Mobile Home Court and has not heard back yet.

Committee Reports

A. Riverwalk Committee

- 1. **Riverwalk Proposal** – President Phil Hynes stated we had a very constructive meeting with Arthur McKinley concerning his Riverwalk proposal. President Phil Hynes stated where we were at before the meeting – the engineer from Gwin, Dobson, and Foreman had presented a

proposal for the design of the Riverwalk that was not quite the same as what Mr. McKinley and his committee had submitted to Council. President Phil Hynes stated Council's committee had to try to determine what plan they would submit to the Army Corps of Engineers for their approval to see if this project can move forward. President Phil Hynes stated they came up with a plan that is basically a hybrid plan that limits the Riverwalk phase one to the south side of town which basically circumvents the ball fields, the river along the south shore, and it does not at this point proceed into the north side of town. President Phil Hynes stated that does not mean that we will not consider going to the north side at some future phase, but we have to start somewhere. President Phil Hynes stated at this point we have a diagram for Council, and the black outline on the map is the proposed route that we would like to try to move forward with with the Army Corps of Engineers to get their feedback and see if they will allow us to move forward with this. President Pro-Tem Karen Allgeier asked who is paying. President Phil Hynes stated this does not involve any Borough funds. President Phil Hynes stated this proposal is coming out of committee, and asked all Council Members in favor of this motion coming from committee to say 'aye'. Motion carried 7-0. President Phil Hynes stated the next step will be to submit this proposed plan to the Army Corps of Engineers, get their feedback, and then we will try to move forward. President Phil Hynes stated before we actually submit the plan, there will be a public meeting on September 17th from 6:30 P.M. to 7:00 P.M. before the next Borough Council meeting.

Solicitor – No Report

Borough Manager

- A. Borough 2020 Minimum Municipal Obligation (MMO)** – Manager Dana D. Schreckengost stated we have the Borough 2020 Minimum Municipal Obligation (MMO) for non-uniformed employees. Manager Dana D. Schreckengost stated the 2020 projection is \$64,933.00. Vice-President Bill Kutz moved to approve the Borough 2020 MMO projection of \$64,933.00; seconded by Member Randy Bartley. Motion carried 7-0.
- B. Special Event Permit – Wine Walk** – Manager Dana D. Schreckengost stated we have a special event permit for the Wine Walk sponsored by the Brookville Chamber of Commerce. Manager Dana D. Schreckengost stated it is scheduled for December 7th from noon to 5:00 P.M. on Main Street, and all signatures have signed off for this. President Pro-Tem Karen Allgeier moved to approve the special event permit for the Wine Walk as presented; seconded by Member Randy Bartley. Motion carried 7-0.
- C. Special Event Permit – Courthouse 150th Anniversary** – Manager Dana D. Schreckengost stated we have a special event permit for the Jefferson County Courthouse's 150th Anniversary for September 13th from noon to 9:00 P.M. at the Courthouse and immediately behind the Courthouse. Manager Dana D. Schreckengost stated we have all approvals for that. President Pro-Tem Karen

Allgeier moved to approve the special event permit for the Jefferson County Courthouse's 150th Anniversary as presented; seconded by Member Randy Bartley. Motion carried 7-0.

- D. Local Economic Revitalization Tax Assistance (LERTA) Application** – Manager Dana D. Schreckengost stated we received a LERTA application for the Brookville Hospital, Penn Highlands Brookville, at 88 Hospital Road which will be their new medical office building. President Pro-Tem Karen Allgeier moved to approve the LERTA application for the Brookville Hospital, Penn Highlands Brookville at 88 Hospital Road as presented; seconded by Member Randy Bartley. Motion carried 7-0.
- E. CD** – Manager Dana D. Schreckengost stated we have a CD that has come due, and because of the holiday we have not been able to get pricing. Manager Dana D. Schreckengost stated she suggests moving it out to the Finance Committee. Manager Dana D. Schreckengost stated it is going to renew on September 11th, and the current maturity value is \$157,455.46. Manager Dana D. Schreckengost stated she would like to move that to the Finance Committee to move that into the best rate CD that they see fit when the rates come in, and then they can report back to Council at the September 17th meeting. Member Randy Bartley moved to approve allowing the Finance Committee to determine the renewal of the CD as presented; seconded by President Pro-Tem Karen Allgeier. Motion carried 7-0.

UNFINISHED BUSINESS: None

NEW BUSINESS: None

ELECTED OFFICIAL COMMENTS:

- A. Junior Council Member Donovan Hoffman** – Junior Council Member Donovan Hoffman thanked Council for the opportunity to represent the student body, and stated the student body would like to welcome Dr. May along with the new administration, teachers, and staff to our community. Junior Council Member Donovan Hoffman stated school has just started so there is not a lot of club activity going on except for the musical. Junior Council Member Donovan Hoffman stated the musical this year is 'Freaky Friday' and auditions are being held this week. Junior Council Member Donovan Hoffman stated the cross country team had a meet today in Brockway, and the girls soccer team plays in Punxsutawney tonight and they are travelling to Karns City on Saturday.
- B. Mayor Richard Beck** – Mayor Richard Beck welcomed Donovan Hoffman as the new Junior Council Member. Mayor Richard Beck thanked everyone who came tonight and stated it is nice to see a crowd here.
- C. Member Rick Baughman** – Member Rick Baughman stated the efforts of the people sitting up here are ongoing to try to make Brookville a better place. Member Rick Baughman stated it is going to take time. Member Rick Baughman stated we are moving in the right direction.

- D. Member Randy Bartley** – Member Randy Bartley stated he read the proposed ordinance adopting the Quality of Life violation ticket process in the Borough of Brookville a couple of times. Member Randy Bartley stated Mrs. Schreckengost I have to agree with you, this is like the hammer of God ordinance. Member Randy Bartley stated it spells out everything we are going to do to you without signifying how we are going to help anybody. Member Randy Bartley stated this is not quality of life. Member Randy Bartley stated if you want to drive people out of Brookville adopt that ordinance. Thank You.
- E. Member Ken King** – Member Ken King stated three of your Council Members, Karen, Randy, and I have been on the Courthouse Anniversary Committee and we are hoping it is going to be a successful event on September 13th. Member Ken King stated there will be an open house and a lot of things going on.
- F. Member Dave Ferringer** – Member Dave Ferringer welcomed Junior Council Member Donovan Hoffman.
- G. President Pro-Tem Karen Allgeier** – President Pro-Tem Karen Allgeier welcomed Junior Council Member Donovan Hoffman, and stated the 150th anniversary of our Courthouse is going to be quite the event. President Pro-Tem Karen Allgeier stated there is a play written by Council Member Bartley called ‘The Trials of Judge Heath’. President Pro-Tem Karen Allgeier stated there will be an open dress rehearsal on September 12th, and the actual play itself will be during the evening on September 13th so please come and join us.
- H. Vice-President Bill Kutz** – Vice-President Bill Kutz stated Donovan – excellent first presentation. Vice-President Bill Kutz stated Police Chief Vince Markle if you want to get those guys in shape you can come up and get my weight machine. Vice-President Bill Kutz stated he is looking forward to seeing how this develops with Mr. McKinley. Vice-President Bill Kutz stated the Riverwalk is going to be a really pretty thing once it gets going.
- I. President Phil Hynes** – President Phil Hynes thanked the turnout tonight, and stated we do appreciate your feedback both positive and negative. President Phil Hynes asked the media if they had any questions.

MEDIA COMMENTS/QUESTIONS/ CLARIFICATION: None

ADJOURNMENT:

President Pro-Tem Karen Allgeier moved to adjourn; seconded by Member Dave Ferringer. Motion carried 7-0 at 7:50 P.M.

Borough Manager

