

MINUTES
BROOKVILLE BOROUGH COUNCIL MEETING
Tuesday August 3, 2021 @ 7:00 P.M.

The Brookville Borough Council met in the large conference room on Tuesday, August 3, 2021 at 7:00 P.M. with the following in attendance:

<u>COUNCIL MEMBERS</u>	<u>STAFF</u>	<u>VISITOR/MEDIA</u>
Mayor Richard Beck	Manager Dana Rooney	Justin Felgar
Phil Hynes	Police Chief Vince Markle	Alex Nelson
Karen Allgeier	Fire Chief Chris Henry	Jude Kendra
Randy Bartley - arrived at 7:11 P.M.	Director of Public Works - Jonathan Rhoades	Susan Speidel
Ken King	Code Enforcement Officer - Vince Markle	Fran Barilar
David Taylor	Recorder Christine Gunning	Candy Hunter
Lucy Ames	Solicitor Jim Dennison	

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:

Vice-President Karen Allgeier moved to approve the minutes of the July 6th meeting as submitted; seconded by Member David Taylor. Motion carried 5-0. Vice-President Karen Allgeier moved to approve the minutes of the special meeting on July 26th as submitted; seconded by Member David Taylor. Motion carried 5-0.

FINANCIAL REPORTS:

- A. Approval of Expenditures** – The current bills were presented for approval. President Phil Hynes asked if there were any additions or questions, and there were none. Vice-President Karen Allgeier moved to approve the bills as submitted; seconded by Member Lucy Ames. Motion carried 5-0.
- B. Fund Level Financial Statements** – President Phil Hynes stated you have the Fund Level Financial Statement Summary, and if anyone has any questions, now is the time.

PUBLIC COMMENT: None

REPORTS:

Chief of Police

- A. Officer of the Month** – Police Chief Vince Markle stated Officer Jaime Rinker was Officer of the Month.

- B. Statistics for July** – Police Chief Vince Markle stated in July the Brookville Police Department had 167 calls for service, wrote 248 citations, 300 warnings, and 232 parking tickets. Police Chief Vince Markle stated there were 14 misdemeanors, 4 drug arrests, and 5 summaries.
- C. Comments** – Police Chief Vince Markle stated they had their annual qualifications and everyone did well.

Fire Chief – Fire Chief Chris Henry read his written report (attached).

Public Works – Public Works Director Jonathan Rhoades stated they started mowing the creek banks, and since the weather has been dry enough, they will start dredging. Public Works Director Jonathan Rhoades stated the guys have been busy trimming the parks. Public Works Director Jonathan Rhoades stated he talked to Thomas Construction today, and the entrance up on Evans Street will be closed until at least mid-week they are saying next week until they get that shaped up. Public Works Director Jonathan Rhoades stated Thomas Construction said that total project is still on track, and they should finish the East Main Street Project in mid-October.

Zoning/Health Officer – No Report

Code Enforcement – Code Enforcement Officer Vince Markle read his written report (attached).

Committee Reports

A. Public Safety Committee

- 1. Parking Issues** – President Phil Hynes stated Public Safety Committee Chairman Todd Gumphier was not able to attend tonight's meeting, but he provided a brief written report. President Phil Hynes read after several months of reviewing the parking issues brought forward to Borough Council by our citizens, the Public Safety Committee has determined it would be in the best interest of our community if we simply allow residents to continue to park as they have been, in some cases for more than thirty years without accident, incident, or injury to anyone. President Phil Hynes read if the parking in question becomes an issue during a snowstorm or fire, where fire trucks and municipal vehicles are unable to access certain streets due to the parking, those residents will be ticketed or towed for impeding the emergency vehicles, otherwise they may continue to park as they have been without citations being issued. President Phil Hynes read we came to this decision after reviewing several factors. President Phil Hynes read first, in some cases residents have parked in these particular spots over thirty years, and therefore we believe a precedent has been set which allows them to park in those areas. President Phil Hynes read second, no notice was ever given to any of these residents that they would suddenly be fined for parking when they have always parked without citations. President Phil Hynes read third, after reviewing every road in question, we believe the municipal vehicles and fire trucks do indeed have

the space they need should an emergency arise. President Phil Hynes read fourth, if we begin to designate certain parking spots as suddenly illegal, Council will be inundated with residents asking if their particular spaces are now deemed illegal. President Phil Hynes read this will cause undue stress on our Council and police force. President Phil Hynes read in conclusion, since this has not been an issue until recent citations were suddenly issued, we believe we should stop the issuing of citations in these cases, and allow these residents to park where they have been parking. President Phil Hynes read submitted by the Public Safety Committee; Chair Todd Gumphier, and Members Lucy Ames and Ken King. President Phil Hynes asked if anyone would like to add to that. Member Ken King stated he wants to exonerate Police Chief Vince Markle and his crew for trying to follow the rules as it was, and it turns out that this may be the best way to go. Member David Taylor stated he agrees with Member Ken King. Member David Taylor stated that was a great report that Public Safety Committee Chairman Todd Gumphier submitted, and he concurs completely with it. President Phil Hynes thanked the committee, and stated he does not think we need any motions on that. President Phil Hynes stated it is simply directed from the committee to the Police Department as to how to proceed. President Phil Hynes stated hopefully that will resolve the issues that have come before us.

Solicitor – No Report

Borough Manager

- A. **Resolution 572-21 – Strategic Management Planning Program (STMP), Phase Three – Technology Updates** – Manager Dana Rooney stated we have Resolution 572-21. Manager Dana Rooney stated in the past we have applied for Strategic Management Planning funds, and the first phase was the plan itself, the second phase was the two Master Site Plans that we are working on, and now she would like to apply for a third phase for technology updates. Manager Dana Rooney stated you would see technology updates in the Police Department and the Borough Office. Manager Dana Rooney stated it would be a total of \$20,835.00, and the Borough would put in \$5,208.75 which is a twenty-five percent match. Vice-President Karen Allgeier made a motion to approve Resolution 572-21 for Strategic Management Planning Program phase three technology updates; seconded by Member Lucy Ames. Motion carried 6-0.
- B. **ARLE – Automated Red Light Enforcement Grant** – Manager Dana Rooney stated we applied at the end of June for an Automated Red Light Enforcement Grant with a zero cash match. Manager Dana Rooney stated we applied for guide rails on Cemetery Road, Overbeck Road, and Water Plant Road. Manager Dana Rooney stated the grant is for \$30,180.00 with an in-kind match of \$250.00 and that is the Street Department removing the materials.

- C. **Lot Consolidation Plan** – Manager Dana Rooney stated we have a Lot Consolidation Plan for the Brookville Area School District property. Manager Dana Rooney stated this has gone through the Planning Commission. Manager Dana Rooney stated the Brookville Area School District is taking three lots and adding them all together to make one big lot to put a new maintenance building on. Manager Dana Rooney stated this is where that house was that they tore down right past Hickory Grove Elementary School. Vice-President Karen Allgeier moved to approve the Lot Consolidation Plan for the Brookville Area School District; seconded by Member David Taylor. Motion carried 6-0.
- D. **Executive Session – Personnel** – Manager Dana Rooney requested an executive session for a personnel matter with no action expected.
- E. **Second Borough Council Meeting** – Manager Dana Rooney stated this month we are having two meetings, so we will be meeting on August 17th. Manager Dana Rooney stated we have a few items with some deadlines that we need to discuss at that meeting. That agenda will go out the Friday before the meeting.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. **Fireworks** – Member Lucy Ames asked if we have an existing ordinance for fireworks in the Borough. Solicitor Jim Dennison stated he thinks we went by a state statute, and he does not believe we have an ordinance that deals with fireworks. Member Lucy Ames stated her concern is putting a time limit, such as midnight for example, as to the firing of fireworks. Member Lucy Ames stated Friday night we had fireworks going off at what seems like the same location at midnight, two in the morning, and three in the morning. Member Lucy Ames stated Saturday night we had fireworks going off at midnight, one o'clock, and two o'clock which seems quite unreasonable. Member Lucy Ames stated if it was the Fourth of July or New Year's Eve she could understand midnight, but two or three o'clock in the morning seems unreasonable, so she would like to have a discussion about proposing an ordinance in the Borough to limit the time in which fireworks may be set off. Solicitor Jim Dennison stated he thinks the one hundred and fifty foot rule would apply now, so he does not know if people are violating that also. Member Lucy Ames stated she is sure they are. Member David Taylor stated one hundred and fifty feet is not very far. Member Lucy Ames asked Fire Chief Chris Henry if he had any weigh in on this. Fire Chief Chris Henry stated Solicitor Jim Dennison is right, it is one hundred and fifty feet from any electrified structure, and if you are not on your own property you have to have permission from the property owner to be setting them off. Member Lucy Ames asked if we as a Borough can come up with an ordinance for ourselves. Solicitor Jim Dennison stated he thinks we need to determine whether the state statute takes precedent over anything the Borough would do, and he will look into it. Member Lucy Ames asked Police Chief Vince Markle in cases

where we can clearly see fireworks going off in the Borough, and it is not one hundred and fifty feet, we would call you, and if it is outside the Borough, we would call the state police is that correct? Police Chief Vince Markle stated that is correct.

ELECTED OFFICIAL COMMENTS:

- A. **Mayor Richard Beck** – Mayor Richard Beck thanked everyone for coming to the meeting tonight and for them commenting on things that are going on in the Borough.
- B. **Member David Taylor** – Member David Taylor stated he would like to echo what was said before about our three department heads, and what a great job they are doing running the various departments.
- C. **Member Lucy Ames** – Member Lucy Ames stated she would like to reiterate what Member David Taylor said. Member Lucy Ames stated we are very fortunate to have these three men leading these three areas.
- D. **Member Ken King** – Member Ken King stated same here, our Police Department under Police Chief Vince Markle, the Brookville Volunteer Fire Company under Fire Chief Chris Henry, and Public Works Director Jonathan Rhoades are doing fantastic jobs.
- E. **Second Vice-President Randy Bartley** – Second Vice-President Randy Bartley asked Manager Dana Rooney if she received any more information from PennDOT about the meeting on the proposed I-80 bridge construction. Manager Dana Rooney stated no, and she likely will not. Manager Dana Rooney stated everything will be presented at the meeting. Second Vice-President Randy Bartley asked when the meeting is scheduled. Vice-President Karen Allgeier stated August 11th from 1:00 P.M. to 4:00 P.M. at Hickory Grove Elementary School. Second Vice-President Randy Bartley asked if they are still limiting the stakeholders to one person. Vice-President Karen Allgeier stated no, you just sign up. Manager Dana Rooney stated there are two different meetings; hers is a public meeting, and there is a private stakeholder meeting she was going to attend on behalf of the Borough, because it is restricted to only one. Second Vice-President stated that is the one he was referring to, and thanked Manager Dana Rooney for the information about the other one.
- F. **Vice-President Karen Allgeier** – Vice-President Karen Allgeier stated ditto these three are great. Vice-President Karen Allgeier stated here we are in August and we already had our first budget meeting. Thank you, Mrs. Rooney. Vice-President Karen Allgeier stated we are going to have another meeting hopefully in the beginning of September to look at numbers. Vice-President Karen Allgeier stated the budget has begun for 2022, and we are hoping to have it done as quickly as possible.
- G. **President Phil Hynes** – President Phil Hynes stated he would like to thank two Members of Council here. Senator Cris Dush is having a breakfast meeting for our input at 8:00 A.M. in Brockway, and several of you offered to attend. President Phil Hynes asked the media if they had any questions.

MEDIA COMMENTS/QUESTIONS/CLARIFICATION:

- A. **Alex Nelson – Parking** – Reporter Alex Nelson stated she has a question about parking, and asked was not that an ordinance or something that was being followed whenever the citations were issued? Solicitor Jim Dennison stated there was not a specific ordinance. Solicitor Jim Dennison stated they were parking in the travel portion of the highway, is not that right Police Chief Vince Markle? Police Chief Vince Markle stated it was followed by the vehicle code which I think supersedes ordinance, I am not sure. Solicitor Jim Dennison stated I think it does. Police Chief Vince Markle stated in the vehicle code it states you cannot park on roadways, so that is what we were following. Solicitor Jim Dennison stated and I agree with what Police Chief Vince Markle is saying on that, so they were not violating a no parking ordinance there, it was the travel portion of the roadway that was the issue there.
- B. **Alex Nelson – Special Borough Council Meeting on July 26th** – Reporter Alex Nelson stated she missed the special meeting, and asked if that was for Lance Carrier's ordinance. Solicitor Jim Dennison stated they did two things; they adopted the one amending the ordinance for Office Commercial Zoning approved uses, and the second was to change the zoning of the part up on Allegheny Boulevard to Single Family Residential that we talked about with Frank Bartley. Reporter Alex Nelson asked if those both passed, and Member David Taylor stated yes.

EXECUTIVE SESSION:

Brookville Borough Council entered an executive session at 7:27 P.M. for a personnel matter with no action expected. Executive session ended at 8:00 P.M. with no action taken.

ADJOURNMENT:

Vice-President Karen Allgeier moved to adjourn; seconded by Member Ken King. Motion carried 6-0 at 8:00 P.M.

Borough Manager

