

**MINUTES**  
**BROOKVILLE BOROUGH COUNCIL MEETING**  
**Tuesday, May 17, 2016 @ 7:00 P.M.**

The Brookville Borough Council met in the large conference room on Tuesday, May 17, 2016 at 7:00 P.M. with the following in attendance:

**COUNCIL MEMBERS**

Phil Hynes  
Bill Kutz  
Karen Allgeier  
Dave Ferringer  
Clarinda R. Darr

**STAFF**

Manager Dana D. Shick  
Police Chief Jason Brown  
Public Works Director -  
Dave Vallosio  
Solicitor Jim Dennison  
Recorder Christine Gunning

**VISITOR/MEDIA**

Randy Bartley  
Matt Triponey  
John Pozza  
Ann Koven  
Rick Cook  
Bonnie Beck  
Sandy Yenosky  
Scott Shindledecker

**CALL TO ORDER:**

Vice-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 (May 3, 2016):**

Member Karen Allgeier moved to approve the minutes of the May 3<sup>rd</sup> meeting as submitted; seconded by Member Dave Ferringer. Motion carried 5-0.

**FINANCIAL REPORTS:**

- A. Approval of Expenditures** – The current bills were presented for approval. Member Dave Ferringer moved to approve the bills as submitted; seconded by Member Karen Allgeier. Motion carried 5-0.
- B. Fund Level Financial Statements** – Vice-President Phil Hynes stated if anyone has any questions regarding the Fund Level Financial Statements, they can ask Manager Dana D. Shick or him.

**PUBLIC COMMENT:**

- A. Rick Cook/Handicapped Parking Spaces & Safety Concerns** – Brookville resident Rick Cook stated there are seven handicapped parking spaces at the Immaculate Conception Church, and they are marked handicapped so no one can use them most of the time. Rick Cook stated he does not know if it is legal to mark a spot handicapped if it is not handicapped accessible. Rick Cook stated there are ten steps in the front of the church, and the side of the church is very steep. Rick Cook asked why we are paying to mark these handicapped spots. Rick Cook stated another issue he is also concerned with deals with the Brookville Volunteer Fire Company and safety. Rick Cook stated over a year ago, he asked them to fix their drains by their building. Rick Cook stated when the firemen wash their vehicles all the dirt, grease, and oil gets washed over to his

side and doesn't get in their drains. Rick Cook stated in the winter time when it freezes it makes his side icy. Rick Cook stated he looked into this problem with Public Works Director Dave Vallosio, and he thinks some of the problem will be solved when they repave Pickering Street. Rick Cook stated that won't solve the whole problem because water still comes off the Brookville Volunteer Fire Company's parking lot over onto his and all that dirt and grease gets tracked into his buildings by his tenants. Rick Cook stated another concern is when the firemen pull their trucks out of their garage, the area in front of the garage isn't long enough, so they block off the sidewalk with cones. Rick Cook stated that is the only sidewalk on that street, and he saw a lady with a buggy have to go out in the street to get around a truck. Rick Cook stated they used to park the fire trucks sideways when he was a fireman so we wouldn't block the sidewalks. Rick Cook stated that is a safety issue. Vice-President Phil Hynes stated those handicapped spaces have been there for several years, but the Street Committee could look into this. Solicitor Jim Dennison stated he doesn't think the Borough Council ever authorized those spaces. Solicitor Jim Dennison stated they are dealing with handicapped space designation in revisions to the Parking Ordinance. Vice-President Phil Hynes stated we will look into this further. Vice-President Phil Hynes stated in regards to the situation on Madison Avenue, a representative from the Brookville Volunteer Fire Company is not here tonight, but we will look into this.

## **REPORTS:**

### **Chief of Police**

- A. D.A.R.E. Graduation** – Police Chief Jason Brown reported he attended the D.A.R.E. Graduation on May 5<sup>th</sup> at Hickory Grove Elementary School. Police Chief Jason Brown congratulated the students, the teachers, and Officer Markle who is our D.A.R.E. Instructor, for all their efforts in the course of the program.
- B. Visit by the Bear Den of Cub Scout Pack 64** – Police Chief Jason Brown stated on May 10<sup>th</sup> the Brookville Police Department was visited by the Bear Den of Cub Scout Pack 64. Police Chief Jason Brown stated the boys were given a tour of the department and the vehicles. Police Chief Jason Brown stated he gave the tour and fielded their questions. Police Chief Jason Brown stated Officer Hollobaugh spoke to them in regards to fingerprinting and lifting fingerprints. Police Chief Jason Brown stated Officer Hollobaugh recorded the visit through photographs, and gave them a disk with the photographs on it so they can put them on their website.
- C. Update on Part-time Parking Enforcement Position** – Police Chief Jason Brown stated they will be conducting interviews for the part-time parking enforcement position tomorrow afternoon. Police Chief Jason Brown stated he plans to submit the name of a person to fill the position at the next Brookville Borough Council meeting.
- D. Peace Officers Memorial Day/National Police Week** – Police Chief Jason Brown stated in 1962 President Kennedy signed a proclamation which designated May 15<sup>th</sup> as Peace Officers Memorial Day, and the week on which that date falls is Police Week. Police Chief Jason Brown stated this is National Police Week,

and asked everyone to remember the police officers and their families who have made the ultimate sacrifice for the communities that they serve.

**Fire Chief - No Report**

**Director of Public Works** – Public Works Director Dave Vallosio stated his crew is repairing storm drains and inlets. Public Works Director Dave Vallosio stated Jefferson Paving milled out some spots on Doe Drive and filled them in with number three stone.

**Zoning/Code/Health Officer - No Report**

**Committee Reports – No Reports**

**Solicitor**

- A. Brookville Volunteer Fire Company's Announcement Regarding Hiring Part-time Fire Fighters** – Solicitor Jim Dennison stated he had something to bring up, and he is sorry that Fire Chief Jim Lipuma and Member Steve Hoak are not here because it deals with the announcement that they made last week regarding the hiring of two part-time employees at the Brookville Volunteer Fire Company. Solicitor Jim Dennison stated he has concerns about the effect that would have on the Borough. Solicitor Jim Dennison stated even though the Brookville Volunteer Fire Company is a separate entity, when Borough Council designates them as their fire service provider, it creates a special relationship between the Borough and the Brookville Volunteer Fire Company. Solicitor Jim Dennison stated that one of the benefits is that the Brookville Volunteer Fire Company acquires the same sovereign immunity that is enjoyed by all municipalities in Pennsylvania. Solicitor Jim Dennison stated it's great if we can cut the response time to fires, but there has to be some middle ground between safety and what the needs of the community are, and what the community can afford. Solicitor Jim Dennison stated the fact that they begin hiring their own employees, under certain circumstances, those employees could be considered essentially to be employees of the Borough also. Solicitor Jim Dennison stated for Workers Compensation purposes the Borough is considered the employer of the volunteer firemen, so if a volunteer fireman is injured on the job, the Borough's Workers Compensation carrier kicks in and takes care of paying for the injuries, rehabilitation, and any lost wages. Solicitor Jim Dennison stated the Borough is required to pay the premium for their firemen's workers compensation. Solicitor Jim Dennison stated even though these employees will be officially hired by the Brookville Volunteer Fire Company, in certain circumstances the Borough could be considered to be the employer of these individuals. Solicitor Jim Dennison stated Brookville Borough Council has a duty to the citizens to weigh what the effects of this would be on the Borough, and needs to look into this before it takes place. Solicitor Jim Dennison stated he would have asked Fire Chief Jim Lipuma to hold off on hiring these employees until this situation can be looked into. Solicitor Jim Dennison stated he would like the Brookville

Volunteer Fire Company to provide Brookville Borough Council with additional information and show some justification for hiring these two part-time fire fighters. Solicitor Jim Dennison stated this is something he recommends to the Council. Solicitor Jim Dennison stated he hates to see the Borough getting away from a fully volunteer fire company. Member Clarinda R. Darr stated the volunteer fire company is in trouble. Reporter John Pozza stated Oil City and Franklin have always had paid fire departments. Member Clarinda R. Darr stated she thinks this dialogue needs to happen between the Brookville Volunteer Fire Company and Brookville Borough Council. Solicitor Jim Dennison stated the Brookville Volunteer Fire Company has not discussed this at all with this Council, and it affects the Borough's finances. Vice-President Phil Hynes stated he is not aware that Council had any meetings with the Brookville Volunteer Fire Company regarding this. Member Karen Allgeier stated maybe the Brookville Volunteer Fire Company should meet with the Public Safety Committee with a list of concerns from all of Council with regard to all of this. Member Karen Allgeier stated this might be something President John Blazosky would want to go to committee. Vice-President Phil Hynes stated President John Blazosky might want this to be addressed by the entire Council. Vice-President Phil Hynes stated we will leave that decision up to President John Blazosky. Vice-President Phil Hynes stated he thinks cities have a different legal status with regards to emergency services. Vice-President Phil Hynes stated unless there is more discussion on this, we will move forward with the meeting.

#### **Borough Manager**

- A. **Pennsylvania Municipal Legal Update Program** – Manager Dana D. Shick reported the Pennsylvania Municipal Legal Update Program is August third through the fourth, and costs two hundred and fifty dollars per member. Manager Dana D. Shick stated early bird signup is July 1<sup>st</sup>, and she would like to go. Member Bill Kutz moved to allow Manager Dana D. Shick to attend the Pennsylvania Municipal Legal Update Program; seconded by Member Karen Allgeier. Motion carried 5-0.
- B. **Special Event Permit – Adventure Race** – Manager Dana D. Shick stated Council needs to approve a Special Event Permit for an Adventure Race which is sponsored by the YMCA. Manager Dana D. Shick stated this is scheduled to take place on June 4<sup>th</sup>. Manager Dana D. Shick stated we do not have all the signatures yet in place, but we have talked to a majority of the signers for this, and the only requirement is that it gets PennDOT's approval for their permit. Member Karen Allgeier moved to approve the Special Event Permit for the Adventure Race pending the PennDOT application and certification; seconded by Member Dave Ferringer. Motion carried 5-0.
- C. **Environmental Education Grant** – Manager Dana D. Shick stated she applied for an Environmental Education Grant with the Stormwater Committee. Manager Dana D. Shick stated this was all geared toward education for stormwater purposes. Manager Dana D. Shick stated the Borough was one of the recipients of this grant, and received up to but not to

exceed three thousand dollars. Manager Dana D. Shick stated when it was submitted, it was submitted with in-kind matches of workers, and she volunteered herself to help disperse the educational equipment. Manager Dana D. Shick stated the only cash amount was three hundred dollars which she has secured through private funds. Manager Dana D. Shick stated we need to sign off on the agreement as a Council, that we accept the three thousand dollars. Manager Dana D. Shick stated part of the money goes for rain barrels and the majority goes to educational purposes for stormwater. Member Karen Allgeier moved to accept the Environmental Education Grant; seconded by Member Clarinda R. Darr. Motion carried 5-0.

- D. Collective Bargaining Agreement Notice to Renegotiate** – Manager Dana D. Shick stated we received official word from the AFSCME Union, which is our Public Works Union, that they are initiating notice to renegotiate their contract, and we must name a Collective Bargaining Agreement Chief Negotiator. Manager Dana D. Shick stated she met with the Personnel Committee this morning, and they would like to name Rich Miller as the Chief Negotiator for this year's renegotiation process. Member Karen Allgeier stated the Personnel Committee would support the appointment of Rich Miller as our Chief Negotiator in the upcoming union contract negotiations with the Public Works Department. Vice-President Phil Hynes asked that all Council Members who approved to say 'aye'. This motion coming from the Personnel Committee was approved unanimously by Council. Motion carried 5-0.
- E. Lifeguards for Walter Dick Park** – Manager Dana D. Shick stated at a previous meeting they discussed lifeguards at Walter Dick Park. Manager Dana D. Shick stated the swimming season is typically from Memorial Day to Labor Day. Manager Dana D. Shick stated she would like to hire two co-head lifeguards, which are returning lifeguards, and three additional lifeguards. Manager Dana D. Shick stated the head lifeguards will oversee the other lifeguards and will assist her with scheduling needs and maintenance of the park. Manager Dana D. Shick stated she needs a motion giving her permission to hire five lifeguards. Member Karen Allgeier moved to authorize Manager Dana D. Shick to hire two co-head lifeguards and three additional lifeguards for Walter Dick Park; seconded by Member Bill Kutz. Motion carried 5-0.
- F. Microphones to be used at Council Meetings** – Manager Dana D. Shick stated at a previous meeting she was asked to look into how much it would cost to purchase microphones for Borough Council meetings. Manager Dana D. Shick stated she started to do research and spoke to someone from Punxsutawney Borough Council. Manager Dana D. Shick stated it would cost between twelve hundred to eighteen hundred dollars for a sound system for a Council room. Member Karen Allgeier asked if the room could be rearranged so Council faces the people. Member Dave Ferringer suggested moving the people's chairs closer to Council. Manager Dana D. Shick stated at this time we will look into rearranging the configuration of the room.

- G. The Next Borough Council Meeting** – Manager Dana D. Shick reminded everyone the next Brookville Borough Council meeting will be on Tuesday, May 31<sup>st</sup>, which will take the place of our typical first meeting in June, due to the Boroughs Association's Conference.
- H. Special Event Permit – Art in the Park** – Manager Dana D. Shick stated she received a Special Event Permit application for Art in the Park's annual event held by Create late today. Manager Dana D. Shick stated it is scheduled for June 11<sup>th</sup>. Member Clarinda R. Darr asked to hold off on discussing this until the next meeting. Reporter John Pozza stated he thinks Scripture Rocks has something scheduled on that same day. Manager Dana D. Shick stated we will discuss this permit at the next meeting.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

- A. Planning Commission/Willeumier Subdivision** – Planning Commission Chairman Bill Kutz reported the commission approved a subdivision on Fifth Street. Planning Commission Chairman Bill Kutz stated the Willeumier's have two houses beside each other, and they want to change the property lines. Planning Commission Chairman Bill Kutz stated Bob Radaker didn't see any problems from the water aspect. Member Karen Allgeier thanked Planning Commission Chairman Bill Kutz for the electronic copy of the plan. Member Dave Ferringer moved to approve the Willeumier Subdivision; seconded by Member Karen Allgeier. Motion carried 5-0.

**ELECTED OFFICIAL COMMENTS:**

- A. Member Clarinda R. Darr** – Member Clarinda R. Darr stated May is National Bike Month. Member Clarinda R. Darr stated baccalaureate is May 31<sup>st</sup>, and graduation is the first of June. Member Clarinda R. Darr extended congratulations to our student junior council person, and stated we will tentatively have the swearing in of the alternate junior council person in September when school starts.
- B. Member Karen Allgeier** – Member Karen Allgeier stated everyone should see the interview on Explore Jefferson with Police Chief Jason Brown. Member Karen Allgeier congratulated Solicitor Jim Dennison whose daughter is getting married on Saturday. Member Karen Allgeier stated there will be an Eggs N Issues on Thursday at 7:30 A.M. Member Karen Allgeier stated Charlotte's Web auditions will take place on Saturday from 11:00 A.M. to 2:00 P.M. Member Karen Allgeier told everyone to have a great weekend.
- C. President Pro-Tem Bill Kutz** – President Pro-Tem Bill Kutz thanked Rick Cook for his comments and for coming to the meeting. President Pro-Tem Bill Kutz thanked Vice-President Phil Hynes for getting Council out of the meeting earlier than President John Blazosky ever did.
- D. Vice-President Phil Hynes** – Vice-President Phil Hynes thanked everyone for putting up with the skeleton crew here, because we are obviously short of quite a few people. Vice-President Phil Hynes stated other than that he had

nothing. Vice-President Phil Hynes asked the media if they had any questions, and they did not.

**ADJOURNMENT:**

Member Karen Allgeier moved to adjourn; seconded by Member Dave Ferringer.  
Motion carried 5-0 at 7:41 P.M.

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Borough Manager