

**REGULAR MONTHLY MEETING  
HUNTINGDON BOROUGH COUNCIL  
AUGUST 16, 2016  
7:30 P.M.**

The Regular Monthly Meeting of Huntingdon Borough Council was called to order on Tuesday, August 16, 2016 at 7:30 P.M. in the Borough Council Chambers, 530 Washington Street, Huntingdon, PA 16652.

Mayor Brown gave the Invocation followed by the Pledge of Allegiance.

The following members were present for the meeting: President David Quarry, Vice-President Jim Bair, Donna Isenberg, James Decker, Sr., John Gradwell, Nicole Houck, Ron Enyeart, Mayor DeeDee Brown, Solicitor Richard Wilson, Borough Engineer Kevin Nester, Assistant Borough Secretary Melody J. Parsons, Junior Councilperson Madison Troha, and Borough Manager William W. Wheeler.

Visitors: Sign in Sheet attached.

**WELCOME TO VISITORS:** President Quarry welcomed the visitors and asked that anyone wishing to address Council come forward and states his or her name and address for the record.

David Riley, 1325 Moore Street, stated that he called into the Borough Office and spoke with Manager Wheeler regarding a permit to put up a shed on his property. Manager Wheeler told him he could not do it because he does not have the adequate setbacks as required by the Borough Zoning Code. Mr. Riley stated that he has obtained letters from his neighbors stating that they are in agreement with the shed without the required setbacks. He would like Council to give him the variance that he needs to put up his shed. Manager Wheeler responded that Borough Council cannot give him the variance. He would have to go before the Zoning Board. Manager Wheeler responded that he should come into the office the next day and see Melody and do an application for a variance. Mr. Riley will do so.

Jeff Gill, 1524 Mifflin Street, stated to Council that the sewer laterals and the water laterals are the property owner's responsibility from their connection out to the boroughs. He asked how it is fair that the property owner on the one side of the street has further responsibility to the main than the other side of the street. He also

asked how the property owner can be responsible when they have no control over what goes on out in the street.

Jeff Gill told Council, with regret, this will be the last Council meeting that he will be reporting. He has resigned his position with The Daily News. Jeff has covered the council meetings a total of 10 yrs. Mayor Brown responded that it is with regret that we will be losing you Jeff.

Chris Busko, 210 2<sup>nd</sup> Street, asked where the jurisdiction for Public Safety Dept. from Juniata College is. Chief Brenneman stated that they may be throughout the town. They transport students or faculty.

Mr. Busko asked about the bike path that Council has been talking about. Who is going to pay for it? Adult riders should be on the road with a license and a paid registration then they will be paying for it themselves.

Mr. Busko stated to Council that something has to be done about the feral cat issue.

Mr. Busko stated to Council to look at the people moving into the area. There are a lot of gangs and people better be ready. Mayor Brown stated that if you have sufficient evidence you should meet with the Chief and make him aware of what is going on.

Steve Jackson, 209 2<sup>nd</sup> Street, asked who the gentleman is seated behind Council. Manager Wheeler introduced Adam Shienvold, Attorney. Manager Wheeler reported that Adam's presents will be clear later on in the meeting.

Mr. Jackson inquired about the signed agreement with PennDot regarding the roadway lighting on Smithfield Bridge. Has it been finalized? Manager Wheeler responded that he sent the agreement to Mike Peachey and has not received a response yet.

Mr. Jackson inquired about the light that has been out on Allegheny Street. There are now 2 lights out. Manager Wheeler stated that he will have the lights taken care of.

Mr. Jackson reported that there are 2 depressions on the road on Penn Street between 4<sup>th</sup> and 5<sup>th</sup> Streets. One in front of Boxer's Café and one in front of Swigart's. Supt. Yarnell will check into this.

Mr. Jackson asked what the update is on the Or Lady Wall. Manager Wheeler reported the Or Lady Wall update is further down on the agenda.

Mr. Busko asked what the curfew is now. Chief Brenneman stated that no one under 18 years old is permitted out without a parent from 10:00 pm to 6:00 am Monday thru Thursday and 11:00 pm to 6:00 am Friday and Saturday.

Mr. Jackson inquired about the Sheetz gas sign being so low. Manager Wheeler explained that this was checked into and the visibility isn't any different at that corner than at several other corners in the Borough.

Mr. Jackson asked if the Borough is still painting yellow at driveways. Manager Wheeler explained that Council is discussing what all will be getting painted this year.

Mr. Jackson said the flags on the top of the Borough Building are all tattered. Supt. Yarnell will take care of this.

Mr. Jackson asked about the piece of metal that is falling from on top of the Western Auto Building. Councilperson Isenberg stated that it has been secured. She explained that in order for someone to work on that area of the building Penelec has to be contacted. They will come in and cover the lines; however they charge 1000's of dollars to do this.

Mayor Dee Dee Brown performed the swearing in of Patrolman Dustin Border. Councilmembers welcomed Officer Border.

**Opening of Equipment Bids**-President Quarry. The Borough advertised for bids for a Xerox photocopier, a 2005 Ford Ranger, and a 2005 Crown Victoria. Council reserves the right to reject any or all bids. The bids received were as follows:

Photocopier	Terry Green	\$101.50
2005 Ford Ranger	Steve Williams	\$302.00
2005 Ford Ranger	Terry Green	\$526.24
2005 Crown Victoria	Ron Enyeart	\$311.26
2005 Crown Victoria	Darren Hoover	\$317.00
2005 Crown Victoria	Bill Heidel	\$551.00

Motion was made by Councilperson Gradwell, seconded by Councilperson Houck to accept the bids from the high bidders for the Ford Ranger and the Crown Victoria. **Motion carried. The bid for the Photocopier was not accepted at this time.**

Motion was made by Councilperson Gradwell, seconded by Councilperson Enyeart to approve the minutes of the Water & Sewer Committee Meeting July 7, 2016. **Motion carried. Councilperson Isenberg opposed.**

Motion was made by Councilperson Houck, seconded by Councilperson Gradwell to approve the minutes of the Administrative Committee Meeting July 12, 2016. **Motion carried.**

Motion was made by Councilperson Gradwell, seconded by Councilperson Enyeart to approve the minutes of the Maintenance Committee Meeting July 12, 2016. **Motion carried. Councilperson Isenberg opposed.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart to approve the minutes of the Parks, Recreation & Public Property Committee Meeting July 12, 2016. **Motion carried.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart to approve the minutes of the Regular Council Meeting July 19, 2016. Councilperson Isenberg asked the Secretary to correct the roll call. Councilperson Isenberg's name was omitted. This will be corrected in the minutes. **Motion carried.**

Motion was made by Councilperson Gradwell, seconded by Councilperson Enyeart to approve the minutes of the Water & Sewer Committee Meeting August 4, 2016. **Motion carried. Councilperson Isenberg opposed.**

Motion was made by Councilperson Enyeart, seconded by Councilperson Decker to approve the minutes of the Community Development Committee Meeting August 4, 2016. **Motion carried. Councilperson Isenberg opposed.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart to approve the minutes of the Parks, Recreation & Public Property Committee Meeting August 4, 2016. **Motion carried.**

Motion was made by Councilperson Enyeart, seconded by Councilperson Houck to approve the minutes of the Maintenance Committee August 9, 2016. **Motion carried.**

Motion was made by Councilperson Enyeart, seconded by Councilperson Houck recommending the bills payable for July 2016 be approved for payment. Invoices have been reviewed. **Motion carried.**

Motion was made by Councilperson Enyeart, seconded by Councilperson Houck recommending the Financial Statements for June 2016 be approved. **Motion carried.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart recommending the approval of Ordinance No. 939 an Ordinance of the Borough of Huntingdon, forming the Huntingdon Borough Parks and Recreation Commission; and providing the duties, responsibilities and obligations of the Commission. **Motion carried.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart recommending the approval of Resolution No. 8-2016 appointing members of the Huntingdon Borough Parks and Recreation Commission. Pursuit to Ordinance No. 939. **Motion carried.**

Motion was made by Councilperson Houck, seconded by Councilperson Enyeart recommending the approval of Elwin L. Stewart from Happy Valley Vineyard & Winery to have a stand at the weekly Farmer's Market at Portstown Park. Councilperson Gradwell stated that he is appalled that Council would allow this. Councilperson Enyeart responded that we are not allowing children to purchase. Councilperson Houck stated that we spoke to Solicitor Wilson, he saw no problem. They will be tasting at a table and what they purchase they will have to take home in a closed bag. **Motion carried. Councilperson Gradwell opposed.**

Motion was by Councilperson Houck, seconded by Councilperson Enyeart approving to change the Isett Community Pools hours to 12:00 pm-5:00 pm. **Motion carried.**

Motion was made by Councilperson Isenberg, seconded by Councilperson Houck recommending the approval of Ordinance No. 938 an Ordinance of the Borough of Huntingdon, amending chapter 20, section 20-109 of the code of the Borough of Huntingdon increasing the maximum trash container size from 30 gallons to 96 gallons. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Houck recommending the approval of the purchase of new 10ft. trench box at a price of \$5,450.00. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Houck recommending the approval to change the committee day in September from Thursday September 1, 2016 to Thursday September 8, 2016 due to the Holiday. Councilperson Decker questioned what the purpose of the change is. Manager Wheeler responded that it is due to the holiday. Roll call indicated the following:

<u>YAY</u>	<u>NAY</u>
David Quarry	James Decker
Jim Bair	Ron Enyeart
Donna Isenberg	John Gradwell
Nicole Houck	

**Motion carried.** (4-3)

Executive Session was called at 8:18 pm regarding Contractual issues.  
Reconvened at 8:53 pm

Motion was made by President Quarry, seconded by Councilperson Bair to accept the offer of compromise of HRI, Inc., relating to its claims for extra time and cost in connection with the Water Treatment Plant improvements, and relating to the Borough's claims for damages due to delay. In compromise of HRI's and the Borough's claims, the Borough shall rescind its assessment of liquidated damages, and HRI shall withdraw its claims and demands for extra time or extra cost, and the parties will execute a credit change order in the amount of \$195,000.00. No further change orders will be considered by the Borough, with the exception of those already submitted to the Engineer. The specific terms of the compromise will be reduced to a written settlement agreement. The Borough Council President is authorized to execute such an agreement on behalf of the Borough upon its approval by the Solicitor and litigation counsel. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Enyeart to rescind the resolution of Council dated June 21, 2016, to assess liquidated damages in the amount of \$507,000.00 against HRI, Inc. for delays in connection with the Water Treatment Plant improvements. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Enyeart to approve HRI Proposed Change Order No. 17, reflecting a credit of \$195,000. **Motion carried.**

Motion was made by Councilperson Bair, seconded by Councilperson Enyeart recommending the approval of Application of Payment for Change Order No. 16 increasing contract amount by \$4,803.20 for Contract #1 – Water Plant Improvement. **Motion carried.**

Motion was made by Councilperson Bair, seconded by Councilperson Houck recommending the approval of Invoice #68051 to GHD, Inc. in the amount of \$13,047.02 for Contract #1 – Water Plant Improvements. **Motion carried.**

Motion was made by Councilperson Bair, seconded by Councilperson Enyeart recommending the approval of Application for Payment No. 34 to HRI, Inc. in the amount of \$16,397.22 for Contract #1 – Water Plant Improvements. **Motion carried.**

Motion was made by Councilperson Bair, seconded by Councilperson Gradwell recommending the approval of Application for Payment No. 36 to HRI, Inc. in the amount of \$29,268.61 for Contract #1 – Water Plant Improvements. **Motion carried.**

Motion was made by Councilperson Decker, seconded by Councilperson Houck recommending the release of Micro-Economic loan funds in the amount of \$20,000.00 to Adam Miller-GoDEZI, LLC. Manager Wheeler explained that GoDezi, LLC is a business that a person may call if they need driven somewhere. **Motion carried.**

Motion was made by Councilperson Decker, seconded by Councilperson Bair recommending payment from Micro-Economic Loan Funds for micro-loan administration to the Huntingdon County Chamber of Commerce in the amount of \$2,000.00 for the administration of the Adam Miller-GoDEZI, LLC. loan. **Motion carried.**

Motion was made by Councilperson Decker, seconded by Councilperson Gradwell recommending the approval of the draft proposal from Huntingdon County Planning Commission in the amount of \$11,362.50 regarding the Administration for the revisions and modifications of the Huntingdon Borough's FY2011, FY2012, and FY2013 CDBG funds. This is contingent on the approval of the

Commissioners at their next regular meeting. This will be paid out of the Administration line from the FY2013 CDBG funds. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Houck recommending the approval of the quote from New Enterprise, adding an additional \$12,953.00 in addition to the \$32,000.00 to the paving contract, for the excavation and paving of Street repair patches throughout the Borough. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Bair recommending the approval of a \$25,000.00 donation to the HRFR ½ of the annual donation. **Motion carried.**

Motion was made by President Quarry, seconded by Councilperson Bair recommending the approval of the contract with Kenny Evans at \$215/linear foot to repair the two openings in the Orlady Wall. **Motion carried.**

Announcements: There were not any announcements.

#### **Committee Reports:**

**Water & Sewer Committee** - Chairperson Bair did not have a report.

**Parks, Recreation & Public Property Committee** - Chairperson Houck did not have a report.

Councilperson Houck did have a report from Junior Councilperson Troha. There will be a Toys for Tots Drive at the Huntingdon vs. Mount Union football game on August 26<sup>th</sup>. There will also be a drop off box at Walmart and Appleby's.

**Maintenance Committee** – Chairperson Enyeart did not have a report.

**Community Development Committee** – Chairperson Decker reported that the strategic survey went out to various organizations. The next strategic planning meeting is scheduled for August 23<sup>rd</sup>. On August 29<sup>th</sup> they will be meeting with Reinvision. He invites everyone to attend. The surveys noted that people have a lot of good things to say about the borough and some neat suggests.

**Public Safety Committee** – Chairperson Isenberg did not have a report.



**Chief's Report** – Chief Brenneman wanted to remind everyone that school starts in 2 weeks and the college students will be returning to watch as they will be crossing streets and waiting at bus stops.

**Administrative Committee** - Chairperson Quarry did not have a report.

**Council President's report-** President Quarry stated that the Borough crews have gotten a lot of projects completed and he wanted to thank the Crews and Supervisors. He also wanted to congratulate Scott Shaffer on a good job.

President Quarry wanted to remind everyone that we are on a stage 2 mandatory water restriction.

**Mayor's report-**Mayor Brown had nothing to report.

**Solicitor's report-**Solicitor Wilson had nothing to report.

**Engineer's report-**Eng. Nester reported that the expected date of completion for the Smithfield Tank is September 5<sup>th</sup>.

**Borough Manager's report-**

Supt. Yarnell will be meeting with New Enterprise next week regarding the trench work.

Manager Wheeler and Maureen Safko met with the Engineers at Blair Field. Manager Wheeler reported that if you are going over an area of an acre or more you have to get an NPDES permit. This process can be time consuming. Manager Wheeler will be meeting with Doug from the Conservation District to see how much ground we will be disturbing. The return date for the Engineering RFP's will be extended to August 26<sup>th</sup>. Manager Wheeler explained that this project will actually be in 2 phases. The 1<sup>st</sup> phase will be spending the \$70,000.00. It will include the lights, storm drains, and engineering. The 2<sup>nd</sup> phase will be the paving which will be done after the 1<sup>st</sup> of the year.

Manager Wheeler stated that we are still waiting for the materials to arrive for the Warm Springs Avenue project. They will be getting started on this in approximately a week.

Manager Wheeler reported that a tree fell over at Weaver Park.

Manager Wheeler reported that he received 3 bids for the Orlady Wall. Kenny Evans was the lowest. Kenny has signed the agreement. He plans to start on August 29<sup>th</sup> and will be completed in 3 days. Supt. Yarnell asked how much will the Maintenance Dept. be involved. Manager Wheeler responded just to bring the stones in and closing off of Warm Springs Avenue. Solicitor Wilson added there may be some trees that need pulled out.

Any other business:

Ruth Gradwell, 2525 Warm Springs Road, stated that there was another rocking chair bought for council as well as John's. Councilperson Enyeart stated that he does not have any problem with any rocking chairs that were issued.

Councilperson Gradwell asked when the fog lines will be repainted on Warm Springs Avenue and Cold Springs Road. Manager Wheeler stated we have to prioritize.

Councilperson Gradwell wanted to commend the Maintenance Crew for the lines painted on 8<sup>th</sup> Street and at the Arch.

Councilperson Decker wanted to thank Jeff Gill he understands that the Borough is very difficult to cover and wished him well.

### **ADJOURNMENT**

Motion was made by Councilperson Enyeart, seconded by Councilperson Gradwell to adjourn. Motion carried.

BY: Melody J. Parsons  
Assistant Borough Secretary