

PUBLIC HEARING April 16, 2012

AS ADVERTISED A PUBLIC HEARING WAS HELD ON APRIL 16, 2012 AT 6:00 P.M. IN THE COUNCIL ROOM OF THE BOROUGH BUILDING, 245 MAIN STREET, BLOSSBURG, PA. THE PURPOSE OF THE PUBLIC HEARING IS TO COMPLY WITH THE REQUIREMENTS OF THE MUNICIPAL PLANNING CODE GIVING THE PUBLIC AN OPPORTUNITY FOR COMMENTS AND SUGGESTIONS REGARDING ORDINANCE CHANGES TO THE ZONING MAP OF THE BOROUGH OF BLOSSBURG.

The following are three (3) proposed Ordinances to be discussed:

Ordinance No. 430: Consider adopting an ordinance to amend Chapter XXVII of the Blossburg Borough Code to add certain new definitions and such other action. Section 1: Amends the definitions contained in Chapter XXVII Part 1 of the Blossburg Borough Code, and add the terms "Garden Apartment", "Midrise Apartment" and "Multiplex". Section 2: Amends Part 3 Section 303 (2) (A) of the same Chapter to incorporate the new terms into the appropriate Land Use Classification. Section 3: Contains a savings clause. Section 4: Contains repealer provisions. Section 5: Provides for an effective date for the ordinance after enactment.

Ordinance No. 431: Consider adopting an ordinance to amend the Official Zoning Map of Blossburg Borough to change the zoning classification for certain parcels of real property from S-1 (Public) to R-2 (Residential) and for such other action. Section 1: Tax parcels #02-09.00-047-000; #02-09.00-001-000; and #02-09.00-003-000. Section 2: Contains a savings clause. Section 3: Contains repealer provisions. Section 4: Provides for an effective date for the ordinance after enactment.

Ordinance No. 432: Consider adopting an ordinance to amend the Official Zoning Map of Blossburg Borough to change the zoning classification for certain parcels of real property from Commercial to Heavy Industrial and for such other action. Section 1: Amends the Official Zoning Map to change the zoning classification from C-1 (Commercial) to I-1 (Heavy Industrial) for Tax parcels #02-07A.00-014-000; #02-07A.00-016-000; #02-07A.00-013.000; and the portion of #02-07A.00-010-000 which is east of Bloss Mountain Road. Section 2: Contains a savings clause. Section 3: Contains repealer provisions. Section 4: Provides for an effective date for the ordinance after enactment.

Attendance: President Thomas Bogaczyk; Vice-President Jill Nickerson; Councilmembers (absent, Jerome Ogden) , James Rakoski, Stephen Wagner, Jolene Hall, Paul Hosszu; Mayor John Backman; Borough Solicitor Patrick Barrett; Chief Joshua McCurdy; Borough Manager George D. Lloyd; Borough Secretary Mary Signor; Cheryl Clark Williamsport Gazette; Rebecca Hazen-Witucki Wellsboro Gazette; David Hedrick Hydro Recovery; Robert Blair Tioga County Development Corporation; Josh Jones; Bev Jones; Larry Smith; Lonny Frost.

Borough Solicitor Patrick Barrett explained the ordinance changes.

The public only had a few questions and comments. Lonny Frost is concerned that possibly hazardous chemicals might be evaporating into the air from the open Hydro Recovery tanks. Mr. Frost feels the air should be tested yearly.

Hearing closed at 6:25 P.M.

BLOSSBURG BOROUGH COUNCIL MEETING

April 16, 2012

Pledge of Allegiance recited.

Council President Thomas Bogaczyk called the Blossburg Borough Council regular meeting to order at 6:30 P.M. in the Council Room of the Borough Building, 245 Main Street, Blossburg, PA.

Attendance: Vice-President Jill Nickerson; Councilmembers Jerome Ogden, Jolene Hall, Paul Hosszu, (Stephen Wagner, left meeting at 7:17 P.M.), James Rakoski; Mayor John Backman; Borough Solicitor Patrick Barrett; Chief Joshua McCurdy; Borough Manager George D. Lloyd; Borough Secretary Mary Signor; Blossburg V.I.B.E. (Visions in Business and Entertainment) Member Josh Jones; Kelsey Rudinski NPHS Student Representative; Cheryl Clark Williamsport Gazette; Rebecca Hazen-Witucki Wellsboro Gazette; David Hedrick Hydro Recovery; Robert Blair Tioga County Development Corporation; Jeff Woodruff Dandy Mini Mart; Bev Jones; Larry Smith; Lonny Frost.

Minutes: The minutes of the March 14, 2012 meeting were accepted on motion of Jill Nickerson; second, Paul Hosszu. All in favor.

Treasurer's Report: Report accepted subject to audit on motion of Jolene Hall; second, Paul Hosszu. All in favor.

Bills: Bills to be paid on motion of Jolene Hall; second, James Rakoski. All in favor.

Guests: Jeff Woodruff Manager of the Dandy Mini Mart, 312 North Williamson spoke about the store's Grand Opening which will be held May 10, 2012 to June 10, 2012. Currently eleven people are employed, but there are plans to increase personnel. The store hours are: Monday – Friday 5:00 A.M. to 11:00 P.M., Saturday 5:00 A.M. to 12:00 A.M., and Sunday 7:00 A.M. to 10:00 P.M. The store hours may change, according to business volume.

Reports

(A) **NPHS Student:** Kelsey Rudinski gave a Student Activity Report.

A Percussion demonstration will be held on April 21, 2012 at Mansfield University.

May 16, 2012 is the Spring Chorus Concert.

(B) **KCC:** Paul Hosszu reported the organization is waiting for the new siding for the KCC Building.

(C) **Committee Business Development:**

Blossburg V.I.B.E. (Visions in Business and Entertainment) meetings are held on fourth Wednesday of the month at the Brick Tavern at 6:30 P.M.

V.I.B.E. Minutes were not available from the Internet.

V.I.B.E. Officers are: President – Heidi Jones, Vice President – Jill Nickerson, Secretary – Josh Jones and Treasurer – Kelly Rossell.

Reports

V.I.B.E. topics:

(1) Received \$1,000.00 from Tioga County Visitors Bureau. Money to be used toward expenses for the Blossburg Fall Festival. (2) Blossburg Community Yard Sale is planned for April 28, 2012 from 8:00 A.M. to 2:00 P.M. (3) Paid Blossburg Borough \$13,651.99 for 2010 – 2011 labor, materials and equipment used for construction of the Island Park Walking Trail.

Skate Park: Remove from agenda. Motion of Jolene Hall; second, Paul Hosszu. All in favor.

- (D) **Mayor:** Mayor Backman had included in the Council packets a Memorandum and research materials in reference to the Blossburg Veterans Monument. The Monument property was purchased, in 1942, for \$200.00. The deed was put in Blossburg Borough's name. Most of the monument construction and materials were donated. Mayor Backman made the following suggestion: "That any group, other than the Borough Council, which plans change(s) to the Blossburg Veterans Monument, be required to include comments/recommendations regarding the planned change(s) from both the Blossburg Veterans of Foreign Wars Post 8730 and the Blossburg American Legion Post 572 as part of said plans for any change(s) submitted to the Borough Council."

V.I.B.E. stated the only plans they have for the Monument is a new electric service. The organization is waiting on a cost estimate.

Mayor Backman was contacted about the odor coming off South Mountain Reclamation Project. Mayor Backman assessed the situation and it was corrected. The Borough receives \$1.00 / ton of sludge for use of Borough roads.

- (E) **Police:** Everyone has received a copy of the Police Report.

The Police Report was accepted on motion of Jill Nickerson; second, Jolene Hall. All in favor.

Nothing to report.

- (F) **Police Committee:** Nothing further to report.

- (G) **Borough Manager:**

Borough Manager Report accepted. Motion of Jerome Ogden; second, Jill Nickerson. All in favor.

President Thomas Bogaczyk read a letter from Mr. and Mrs. David Jones. Mr. and Mrs. Jones would like to publish the agendas of the Blossburg Borough Council meetings on the Blossburg website, prior to the meetings. A meeting is to be scheduled between the Borough Solicitor, Borough Manager and the Borough Secretary to review request.

Spring Cleanup is scheduled for April 23 – April 27, 2012. Tires will be picked up at a charge of \$2.00 / tire.

Borough crew is working on Carpenter Street storm drain. After work is completed, the east side Main Street stores will be required to hook their roof drains into the new storm drain. When the stores connect into the new system the sewer infiltration problems should decrease significantly.

(H) Planning Commission: Meeting of March 27, 2012.

Two (2) requests were reviewed: (1) Rezoning of Bloss Mountain Road property of Hydro Recovery from Commercial (C-1) to Heavy Industrial (I-1). (2) Rezoning of Laurel Health Center located at 520 Ruah Street from S-1 (Public) to R-2 (Residential). Both requests were approved.

Zoning Hearing Board: No meeting.

(I) Recreation: Little League field is done and is now a regulation size field. Opening day is scheduled for April 28, 2012.

Walking Trail: Borough crew is working on, as time allows. Part of the proposed walking trail may cross over Ward Manufacturing property. Borough Manager George Lloyd is to schedule a meeting with Pete Guidi of Ward Mfg. to discuss the use of Ward Mfg. land.

Pool: Pool Association is looking into constructing a Splash Pad to replace the Baby Pool. Baby Pool has already been removed.

A family season ticket is \$165.00, early bird price of \$140.00, between now and June 1st.
A single season ticket is \$90.00, early bird price of \$75.00, between now and June 1st.
Councilmembers discussed setting up a pool subsidy program for families in the low income criteria. Eligible applicants would receive a deduction off the regular season prices.

(J) Fire: No Financial Report was received.

Councilmember Jolene Hall presented the February Minutes of the Blossburg Fire Department.

(K) Library: The next Library meeting is scheduled for April 23, 2012.

(L) Street Committee: Nothing to report.

(M) Shade Tree Commission: Nothing to report.

(N) Budget: Discussed the purchase and financing of a new diesel International garbage truck, compactor, and recycling unit. Complete estimated cost is \$167,250.13: Truck Chassis - \$100,239.13, Cobra Compactor - \$50,820.00, Recycling Body - \$16,191.00. Delivery date would be 5 – 6 months after ordering. All garbage truck parts are covered under Costars. Motion to allow Borough Manger George Lloyd to order the new garbage equipment was made by Jerome Ogden; second, Paul Hosszu. All in favor.

(O) Project Committee: Nothing to report.

(P) Blossburg Municipal Authority (BMA):

BMA purchased the old Blossburg ambulance to convert into a vehicle for hauling equipment/parts for sewer and water jobs.

OLD BUSINESS:

1. Southern Tioga School District Plans for New North Penn High School:

On April 10, 2012, the Southern Tioga School Board rejected bids on the Blossburg school building project and voted to do a district wide master facility study.

Vice-President Jill Nickerson asked Councilmembers for permission to compose a letter and to use Borough letterhead for sending a letter to State Representative Matthew Baker and State Senator Joseph Scarnati asking their support in restoring funding in the state budget for school districts and school building projects. Permission was granted on motion of Paul Hosszu; second, Jolene Hall. All in favor.

Vice-President Jill Nickerson requested the Regular Council Meeting scheduled for May 14, 2012, be re-scheduled for Monday, May 21, 2012. Councilmember Jerome Ogden reiterated he only agreed to change the meeting once, after the last meeting change request.

President Thomas Bogaczyk requested a roll call for the changing of the Regular Council meeting dates.

Roll Call: No – Thomas Bogaczyk, James Rakoski, Jerome Ogden, Paul Hosszu

Yes – Jill Nickerson, Jolene Hall

Motion carried. Regular Council Meetings will continue to meet the 2nd Monday of each month.

Jill Nickerson stated she will not attend the May Council meeting, but will be attending the Southern Tioga School Board meeting instead.

2. Borough Code of Ordinances – Update:

Received eight copies of the Preliminary Draft along with editorial notes for the Borough Code of Ordinances. Preliminary Draft to be reviewed. Pennsylvania plans to change Borough Code of Ordinances. If State makes changes, Borough Solicitor Patrick Barrett suggested waiting before Preliminary Draft is reviewed.

Borough Solicitor suggested checking with State Representative Matt Baker's office on State's status.

AT END OF MEETING, AN EXECUTIVE SESSION WAS REQUESTED BY BOROUGH SOLICITOR PATRICK BARRETT. NO ACTION TO BE TAKEN.

3. Condemned Properties Update:

(1) Schuylkill Street property owner has a Demolition Permit. Property owner hasn't started work yet. Borough Solicitor to send a letter to property owner. There is an interested buyer for this property. Interested buyer to be contacted as well. (2) South Williamson Road properties were sold. New owner started to clean junk out of trailer.

Pictures were taken of resident's parcels that are accumulating junk on their properties. Letters requesting these offenders to clean up their properties will be sent.

4. Sidewalk Repair Letter: George Lloyd created a letter. Jill Nickerson presented her version of a sidewalk letter. Letter was tabled until next Council meeting.

OLD BUSINESS:

5. **New Electrical Service Behind the Downtown Monument:** Discussed earlier.

6. **Borough Building Upgrades:** Contractor to begin installing Council Room windows in two (2) weeks.

The Borough Manager acquired a quote for replacing the Borough Building upstairs windows. The cost would be approximately \$1,950.00. Motion to have the Borough Building upstairs windows replaced was made by Jerome Ogden; second, Paul Hosszu. All in favor.

7. **Laurel Health Services Building:**

Location: 520 Ruah Street. So far, no land use plans have been presented to the Council, and the property has not yet changed hands.

8. **Resolution #5: Hydro Recovery:**

Redevelopment Assistance Capital Program (RACP) HOST MUNICIPALITY RESOLUTION:

A Resolution of the Borough of Blossburg supporting a Commonwealth Redevelopment Assistance Capital Grant to the Tioga County Development Corporation (TCDC) for the Hydraulic Stimulation Fluid Manufacturing Facilities for the Hydro Recovery LLC Project – authorizing the Borough of Blossburg to reimburse the Commonwealth for the Commonwealth's Share of Ineligible Costs incurred.

TCDC and Hydro Recovery LLC were designed as the recipients of the RACP Grant. TCDC is not a taxing authority. TCDC and Hydro Recovery LLC must secure a Resolution from a taxing authority which will ensure that the Commonwealth will be reimbursed for expenditures found to be ineligible under the RACP program.

This proposed Resolution was put on hold at the March Council meeting until it was drafted accordingly.

A motion was made by Jill Nickerson to move forward with the Resolution for Hydro Recovery on contingency that Hydro Recovery submits a \$500,000.00 bond for collateral or irrevocable Line of Credit; second, Paul Hosszu. All in favor.

NEW BUSINESS:

1. **ORDINANCE AMENDING CHAPTER XXVII OF THE BLOSSBURG BOROUGH CODE (ZONING):**

Ordinance No. 430: Ordinance amending Chapter XXVII of the Blossburg Borough Code (Zoning) adding certain new definitions; containing a savings clause; also including repealer provisions; and setting the effective date of the ordinance. Motion to adopt this ordinance, as advertised, was made by Jill Nickerson; second, James Rakoski. All in favor.

2. **Zoning Ordinance Amending the Zoning Map:**

Ordinance No. 431: Zoning Ordinance amending the Zoning Map – to change the Zoning Ordinance Classifications of certain parcels of property situated between Ruah Street and Granger Street from S-1 to R-2. Motion to adopt this ordinance, as advertised, was made by Paul Hosszu; second, Jerome Ogden. All in favor.

NEW BUSINESS:

3. Zoning Ordinance Amending the Zoning Map:

Ordinance No. 432: Zoning Ordinance amending the Zoning Map – to change the Zoning Ordinance Classifications of certain parcels of property from C-1 to I-1. Hydro Recovery property, Bloss Mountain Road. (Preston Anderson and Tokarz's properties.) Baker's .5 acres property to remain C-1.

Motion to adopt this ordinance, as advertised, was made by Paul Hosszu; second, James Rakoski. All in favor.

4. Resolution #6: PA Assembly to Modernize the State Prevailing Wage Act:

Resolution urging the Pennsylvania General Assembly to modernize the State Prevailing Wage Act (Act 442 of 1961). Pennsylvania Association of Boroughs has started a resolution drive urging the Pennsylvania General Assembly to support HB 1329, as well as any proposal that offers meaningful relief from the Prevailing Wage Act.

Motion to adopt Pennsylvania General Assembly modernizing the State Prevailing Wage Act was made by Jill Nickerson; second, Paul Hosszu. All in favor.

5. Impact Fee:

Councilmember Jill Nickerson reported that the Borough's share of the natural gas impact fee will be about \$149,000.00 for the six (6) Marcellus wells within the borough limits. An additional \$23,000.00 for the two (2) non-Marcellus wells within the borough. There are many categories for authorized uses with the impact fees.

The new proposed garbage collection equipment and possibly a new police may be financed with the Impact Fee. A Budget Committee meeting was scheduled for April 20, 2012 at 10:00 A.M. to discuss these topics. This meeting information will be reviewed at the May 14, 2012 Council Meeting.

**EXECUTIVE SESSION REQUESTED BY BOROUGH SOLICITOR PATRICK BARRETT AT 8:47 P.M.
RECONVENED 8:51 P.M. NO ACTION TAKEN.**

ANNOUNCEMENTS:

TIOGA COUNTY ASSOCIATION OF BOROUGH DINNER MEETING WILL BE HELD THURSDAY, APRIL 19, 2012 AT THE ELKLAND FIRE HALL, PARKHURST STREET, ELKLAND. SOCIAL HOUR BEGINNING AT 6:00 P.M. FOLLOWED BY DINNER AT 7:00 P.M.

ADJOURNMENT: President Thomas Bogaczyk closed the meeting at 8:52 P.M.

Next Council Meeting is scheduled for May 14, 2012 at 6:30 P.M.