

BOROUGH COUNCIL MEETING MINUTES
THURSDAY, OCTOBER 11, 2018
7:00 PM
COUNCIL CHAMBERS

CALL TO ORDER: This meeting was called to order at 7:00 PM by President Joseph A. Pompa.

PRESENT: A quorum was present including members of Council as follows: Joseph A. Pompa; Patrick Plummer; Sean Burke; Joyce Lowe; Mark Shawley, Jeffrey Ketner; and Brady Leahey. Others in attendance: Borough Manager James Gehret; Borough Solicitor Nathan Karn, Borough Secretary Patricia J. Duron; Mayor Joseph R. Dodson; Chief Rodney B. Estep, Jr.; Main Street Manager Jordan Futrick; and Code Enforcement Officer Patrick Rabits.

PLEDGE OF ALLEGIANCE: President Pompa led the Pledge of Allegiance followed by a moment of silence.

MINUTES: The minutes dated September 13, 2018 were presented for approval. A motion was made by Mr. Shawley to approve the minutes, and was seconded by Mr. Plummer. A vote was taken with the motion carrying in a unanimous vote of seven votes in favor to zero votes against.

MANAGER'S /FINANCIAL REPORT: Mr. Gehret advised that the Water and Sewer Billing Office would be closed on Friday and Monday for training. He also advised that the financial report was in the meeting binder.

PLANNING AND ZONING REPORT: Mr. Rabits indicated that his report was in Council's agenda binder. He also advised that he had been making phone calls and sending out code violation letters regarding complaints. He indicated that the IRC had issued some citations. He reported that the Zoning Hearing Board appeal hearing with the Blair County court had been postponed until November. Patrick discussed the ordinance review committee recommendations. There was discussion about stormwater runoff requirements.

MAIN STREET MANAGER: Ms. Futrick discussed Pumpkinfest, indicating that she still needs to have volunteers for that day as well as the Winterfest activities. There will be a HCP networking event on October 24th at the U.S. Hotel.

FIRE MARSHAL REPORT: Dave Zeek was not present at the meeting. Nancy Kerns updated everyone on Dave's status.

MAYOR'S REPORT: Mayor Dodson reported that the Mayor of Altoona and he had honored the POWs recently and that he made a proclamation to the Veteran's Home. The Borough Manager and he had attended the Discovery Garden Volunteers Luncheon.

PUBLIC COMMENT:

- 1.) Robert L. Schaefer, 606 Blair Street: Spoke negatively about PennDOT's road project near his home.
- 2.) Rich Reimer, 420 A East Fir Street: Spoke negatively about having to comply with the sewer line replacement project and the Borough's existing requirements about stormwater maintenance.

OPEN AGENDA:

- Mayor Dodson – Mr. Schaefer’s complaint about PennDOT.

RESOLUTION NO. 2018-38, CONSENT AGENDA: Mr. Pompa asked for Council’s consideration of Resolution No. 2018-38 for bill list number 10 totaling \$385,668.15 and to approve a COA for 502 Mulberry Street, 317 Allegheny Street, and 323 Allegheny Street. A motion was made by Mr. Ketner to approve Resolution No. 2018-38. Mr. Shawley seconded this motion. A vote was taken with the motion carrying, seven votes to zero votes.

**RESOLUTION NO. 2018-38
A RESOLUTION APPROVING CONSENT AGENDA**

BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that:

- 1) **Bill List No. 10** dated October 11, 2018 authorizes payment of expenses totaling \$385,668.15 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.
- 2) Three Certificates of Appropriateness as follows:

502 Mulberry Street - Extend the approval to demolish and replace and add on

- The garage at will be demolished as it is deteriorating beyond reasonable repair, the new construction will be subject to all provisions of the Uniform Construction Code, the Zoning Ordinance and Historic District restrictions for new construction

317 Allegheny Street - Business signage and repairs

- A window decal will be added and the window frames will be painted

323 Allegheny Street – Business signage

- The applicant will install a window decal in the front window and on the door to advertise the business, and a matte, vinyl sign with the name of the business will be installed above the door

DULY adopted by the Council of the Borough of Hollidaysburg this 11th day of October, 2018.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

ORDINANCE NO. 887 TO AMEND CHAPTER 15, MOTOR VEHICLES, SECTION 220, B3: Council had advised to amend the skateboarding fines following last month’s council meeting. A motion was made by Mr. Ketner to adopt Ordinance No. 887. This motion was seconded by Mrs. Lowe. A roll call vote was taken as follows:

Mr. Ketner – yes
Mrs. Lowe – yes
Mr. Burke – yes
Mr. Leahey – yes
Mr. Pompa – yes
Mr. Plummer – yes
Mr. Shawley – yes

The motion carried unanimously, seven votes to zero votes.

ORDINANCE NO. 888 TO AMEND CHAPTER 10, PART 6, PROPERTY MAINTENANCE: Ordinance No. 888, will amend Chapter 10, Part 6, by adding section 607.1 to address additional prohibitions related to nuisances. A motion was made by Mr. Leahey and was seconded by Mr. Plummer. A roll call vote was taken as follows:

Mr. Leahey – yes
Mr. Plummer – yes
Mr. Burke – yes
Mrs. Lowe – yes
Mr. Pompa – yes
Mr. Shawley – yes
Mr. Ketner - yes

The motion carried unanimously, seven votes to zero votes.

RESOLUTION NO. 2018-39 AUTHORIZING RESOLUTION FOR CDBG: A motion was made by Mr. Plummer to approve Resolution No. 2018-39. This motion was seconded by Mr. Leahey. A vote was taken and the motion carried, seven votes to zero votes.

**RESOLUTION NO. 2018-39
AUTHORIZING RESOLUTION OF THE
HOLLIDAYSBURG BOROUGH COUNCIL**

WHEREAS, pursuant to the provisions of Pennsylvania Act 179 of 1984, Hollidaysburg Borough, is eligible to apply for and receive an annual allocation of Community Development Block Grant (CDBG) funds from the Pennsylvania Department of Community and Economic Development (PA DCED) with said funds to be used to undertake housing and community development projects, which primarily benefit person of low-to moderate-income; and

WHEREAS, the Borough of Hollidaysburg has specifically designated the County of Blair to apply for and administer their Community Development Block Grant for Fiscal Year FY2018; and

WHEREAS, the Borough of Hollidaysburg has selected project(s) to be included within the application for Community Development Block Grant funds for Fiscal Year FY2018 and concur with the program contained therein; and

WHEREAS, the Borough of Hollidaysburg in cooperation with the County of Blair have conducted the required public hearings to obtain citizen input as well as to formulate a Community Development Plan, which identifies and prioritizes needs along with the activities to be undertaken with CDBG funds to address such needs; and

WHEREAS, the County of Blair on behalf of Hollidaysburg Borough have prepared an application for Community Development Block Grant Funds for Fiscal Year FY2018 including all Understandings and Assurances contained within the application for a Community Development Block Grant in the amount of \$105,705; and

NOW THEREFORE BE IT RESOLVED, that the person identified as the Chief Elected Official of the County of Blair may act in regards to the application for Community Development Block Grant for FY2018 funds and to provide such information as may be required; and the officers of the Borough, the President and Secretary, are hereby authorized to affix their signatures to the application for FY2018 funds.

DULY, adopted by the Council of the Borough of Hollidaysburg during a scheduled public meeting held on Thursday, October 11, 2018.

HOLLIDAYSBURG BOROUGH COUNCIL

Joseph A. Pompa, President

Patricia J. Duron, Secretary

AUTHORIZE EXECUTION OF THE COOPERATION AGREEMENT WITH BLAIR COUNTY FOR FY 2018 CDBG: A motion to execute the cooperation agreement with Blair County for FY 2018 CDBG was made by Mr. Leahey and was seconded by Mr. Shawley. A vote was taken and the motion carried unanimously, seven votes to zero votes.

POLICE INTERN: Chief Estep requested two interns for the Police Department to begin their internships in January 2019. A motion to approve the request was made by Mr. Leahey and was seconded by Mrs. Lowe. A vote was taken with the motion carrying, seven votes to zero votes.

RESOLUTION NO. 2018-40 CONDITIONAL USE APPROVAL: A public hearing was held on September 13, 2018 to consider a request for conditional use approval from Holliday Hills, a Limited Partnership for a two story-eight unit apartment building. A motion was made by Mrs. Lowe to approve Resolution No. 2018-40. Mr. Shawley seconded the motion. A vote was taken with the motion carrying seven votes to zero votes.

RESOLUTION NO. 2018-40
APPROVING A CONDITIONAL USE FOR A
A TWO-STORY EIGHT (8) UNIT APARTMENT BUILDING
ON HOLLIDAY HILLS DRIVE AT THE FORMER MATTERN ORCHARD PROPERTY,
HOLLIDAYSBURG, PENNSYLVANIA

WHEREAS, HOLLIDAY HILLS, A LIMITED PARTNERSHIP has submitted an Application for the

Conditional Use Approval for the property the partnership owns located in the Holliday Hills Development, being a portion of Blair County Tax Parcel No. 11.06-15..-007.00-000 (hereinafter “Applicant”) pursuant to the provisions of Chapter 27 (hereinafter “Zoning Ordinance”), Part 4, Section 402.2.A of the Hollidaysburg Code of Ordinances in order to construct a two-story eight (8) unit apartment building with each apartment being approximately 544 square feet and intended as single person units; and

WHEREAS, the application has been reviewed and approved and recommended by the Hollidaysburg Planning Commission (“HPC”); and

WHEREAS, the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, finds the following:

FINDINGS OF FACT

1. Notice of the public hearing was properly publicized pursuant to the provisions of the Borough Ordinance, proof of which was accepted into the record.
2. The Conditional Use Application submitted to the Council July 20, 2018, was properly completed, and the same was accepted into the record.
3. The Hollidaysburg Zoning Ordinance permits the use of a multifamily dwelling as a conditional use in the Planned Residential District. See Chapter 27, Section 210.3.D.
4. The HPC reviewed the Conditional Use Application and recommended that the Conditional Use Application be approved, proof of which was accepted into the record.
5. The Applicant will subdivide Blair County Tax Parcel No. 11.06-15..-007.00-000 prior to starting construction of the project so that only the planned conditional use is on the portion of the lot to be developed (approximately 1.68 acres).
6. The Applicant addressed in the “Justification for Granting of Conditional Use Application” attached to the Application the “General Standards & Criteria” as set forth in Chapter 27, Section 403, which are adopted and incorporated herein by reference.
7. The applicant’s plan calls for 18 off-street parking spaces (2 handicapped spaces and 16 regular spaces) meeting the minimum of 2 off-street parking spaces per apartment, which is consistent with the requirements of the Zoning Ordinance.
8. The plan calls for developed space less than the 60% maximum (58.8%) and usable open space in excess of the 20% minimum (21.4%).
9. No person appeared at the public hearing in opposition to the application or offering any other testimony either.
10. From the foregoing findings of fact, the Hollidaysburg Council makes the following:

CONCLUSIONS OF LAW

The Applicant has adequately shown that the conditional use, as requested, subject to the conditions herein imposed should be granted pursuant to the Hollidaysburg Borough Zoning Ordinance.

CONDITIONS

1. Prior to starting construction, the Applicant shall obtain subdivision approval in accordance with the Borough’s Ordinance so that the planned area for the two-story eight (8) unit apartment building is on its own parcel. Additionally, prior to the start of construction, the Applicant shall obtain land development approval including addressing stormwater management requirements, and Applicant shall meet all setbacks, parking and other requirements of the Zoning Ordinance.
2. In accordance with Resolution 2018-6, no building permits shall be issued until construction of the lower traffic circle of Holliday Hills Drive is completed.
3. As part of the land development, Applicant must provide a second suitable entrance for the

apartments onto Mattern Orchard Drive.

4. Prior to the issuance of any occupancy permit for any apartment in the apartment building, Applicant shall have completed the final construction of the second entrance onto Mattern Orchard Drive referenced above as well as completed the final construction of the currently unfinished portion of Mattern Orchard Drive between Bartlett Lane and the northern Holliday Hills traffic circle, such final road construction meeting specifications for dedication to the Borough of Hollidaysburg of such street.

5. All construction, which must begin within twelve (12) months of this conditional use approval, must comply with all applicable federal, state and local ordinances including the requirements of the Uniform Construction Code and be consistent with the design plans submitted with the application.

6. The project shall maintain the developed space and open space requirements of the Borough's Ordinances.

7. The Applicant shall control the development of the project as required by Chapter 27, Section 210.5.

8. The Applicant shall have a period of thirty (30) days to either accept or reject these conditions and to so notify Borough Council in writing. If the applicant fails to notify Borough Council within this time, the conditional use approval shall be rescinded automatically.

DECISION

The conditional use for development of the two-story eight (8) unit apartment along Holliday Hills Drive, Hollidaysburg, Pennsylvania, as shown on the sketch attached to the application is approved subject to the foregoing conditions imposed thereon.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the Conditional Use Permit for the use of a portion of the Holliday Hills Development for the construction of a two-story eight (8) unit apartment and associated off-street parking is approved for the reasons set forth in the foregoing Findings of Fact, Conclusions of Law and Decision subject to the conditions imposed as described more fully herein.

DULY ADOPTED by the Council of the Borough of Hollidaysburg, this 11th day of October, 2018.

BOROUGH OF HOLLIDAYSBURG

By: _____
Joseph Pompa, President

ATTEST:

Patricia Duron, Secretary

ORDINANCE NO. 886 ESTABLISHING LOCAL LIMITS: This ordinance updates the limits for industrial users of the Wastewater Treatment Plant. A motion was made by Mr. Plummer, seconded by Mr. Ketner and a roll call vote was taken. The motion carried with a vote of six votes in favor to one vote against, as follows:

- Mr. Plummer – yes
- Mr. Ketner - yes
- Mr. Burke – no
- Mrs. Lowe – yes
- Mr. Leahey – yes
- Mr. Pompa – yes
- Mr. Shawley – yes

BCS PAY REQUEST #1: A motion was made by Mr. Plummer to approve pay request #1 in the amount of \$21,179.92 to BCS for the municipal building outside renovations. Mrs. Lowe seconded that motion and a vote was taken. The motion carried, seven votes to zero votes.

BCS EXTENSION REQUEST: BCS had submitted an extension request of 45 days to complete the outside renovations to the municipal building. A motion was made by Mr. Plummer to approve the extension. Mrs. Lowe seconded the motion and a vote was taken. The motion carried, seven votes to zero votes.

ACCEPT PAUL PLUMMER'S RESIGNATION FROM THE CIVIL SERVICE COMMISSION: At this time, Council considered Paul Plummer's letter of resignation from the Civil Service Commission. A motion was made by Mrs. Lowe to accept that resignation. Mr. Shawley seconded the motion. A vote was taken and the motion carried unanimously, seven votes to zero votes.

EXECUTIVE SESSION: President Pompa announced an executive session to address legal matters related to assessment appeals at 7:55 PM. He also announced that council would not be returning to the chambers.

Patricia J. Duron, Secretary