

BOROUGH COUNCIL MEETING MINUTES
THURSDAY, APRIL 8, 2021
7:00 PM
TELECONFERENCE MEETING/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; James Mielnik; Sean Burke; Brady Leahey; Richard Scholton; Michele Baker; and Joyce Lowe. Also participating: Borough Manager Jim Gehret; Mayor Joseph Dodson; Borough Secretary Patricia J. Duron; Borough Solicitor Nathan Karn; Building Code Official Gerald Harbison; and Chief Rodney B. Estep.

PLEDGE OF ALLEGIANCE: President Pompa led the pledge of allegiance and a moment of silence.

MINUTES: The minutes from the March 11th meeting were presented for Council's approval. A motion to approve these minutes was made by Mr. Leahey and was seconded by Ms. Baker. A vote was taken and the minutes were approved, seven votes to zero votes.

MANAGER'S REPORT & MONTHLY FINANCIAL REPORT: Mr. Gehret advised that his reports were in the agenda binder and that he had nothing to add.

PLANNING AND ZONING REPORT: Mr. Harbison reported that the dangerous structure hearing had been rescheduled and also that he had been contacted by the Blair County Conservation District regarding a letter of support for a project.

MAYOR'S REPORT: The Mayor reported on a rosary rally on April 17th at 11 AM at St. Mary Church.

PUBLIC COMMENT:

Beth Futrick from Blair County Conservation District: Mrs. Futrick reported on a grant and some projects that the Conservation District is planning.

OPEN AGENDA: Councilman Burke requested that the discussion regarding the reopening process for the Borough's meetings and building be on the next agenda.

RESOLUTION NO. 2021-7: CONSENT AGENDA: Mr. Gehret asked for Council's consideration of Resolution No. 2021-7 for bill list number 4 totaling \$117,686.49 and for a COA for 215 Wayne Street to replace a roof. A motion was made by Mrs. Lowe and was seconded by Mr. Scholton to approve Resolution No. 2021-7. A vote was taken with the motion carrying, seven votes to zero votes.

**RESOLUTION NO. 2021-7
A RESOLUTION APPROVING THE CONSENT AGENDA**

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

- 1) **Bill List No. 4** dated April 8, 2021 authorizes payment of expenses totaling \$117,646.89 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.
- 2) **One Certificates of Appropriateness** is to be Approved and Authorize the Zoning Administrator to issue Certificates of Appropriateness/Zoning Permits as follows:
 - A. **215 Wayne Street – Overlaying of existing shingle roof roofing–Oliver Smith**
 - The applicant will overlay the existing shingles with a metal roof

DULY adopted by the Council of the Borough of Hollidaysburg this 8th day of April, 2021.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

DISCUSSION: REOPENING FOR THE PUBLIC: Councilman Burke began a discussion regarding the Borough reopening its building and its meetings for the public after closing a year earlier due to Covid-19. After some discussion about the logistics and the CDC's restrictions, the discussion was closed.

RESOLUTION NO. 2021-8 PURDUE PHARMA BANKRUPTCY: A motion was made by Mr. Burke to approve Resolution No. 2021-8. This motion was seconded by Mr. Scholton. A vote was taken with the motion passing seven votes in favor to zero votes against.

RESOLUTION 2021-8
RESOLUTION DESIGNATING EVEY BLACK ATTORNEYS LLC
TO CAST BOROUGH OF HOLLIDAYSBURG'S VOTE
ON THE PLAN IN THE PURDUE PHARMA, L.P., *ET AL.* BANKRUPTCY

WHEREAS, this governing body had previously directed Evey Black Attorneys LLC to file a claim in the Purdue Pharma, L.P., et al., bankruptcy filed in the Southern District of New York in the United States Bankruptcy Court to Case No. 19-23649 on behalf of the municipality with respect to

damages being sought as a result of the promotion of the use opioids by the bankruptcy debtors and the costly effects upon governments from the abuse of opioids by the public;

WHEREAS, on March 15, 2021, the debtors filed the Debtors' Motion to Approve (I) the Adequacy of Information in the Disclosure Statement, (II) Solicitation and Voting Procedures, (III) Forms of Ballots, Notices and Notice Procedures in Connection therewith, and (IV) Certain Dates with Respect Thereto [D.I. 2489] (the "Disclosure Statement Motion"), to which the Debtors attached a proposed disclosure statement order and annexed in Exhibit 1 thereto proposed solicitation and voting procedures (the "Solicitation and Voting Procedures");

WHEREAS, a response is/was required by April 5, 2021, if the governing body desires for Evey Black Attorneys LLC to file the voting documents on our behalf.

NOW THEREFORE, BE IT RESOLVED that the governing body authorizes Evey Black Attorneys LLC to submit votes on the approval of the Plan on a single master ballot for all municipalities represented by Evey Black Attorneys LLC in the bankruptcy consistent with the direction that the governing body shall give Evey Black Attorneys LLC prior to such vote and based upon the submission of information regarding the Plan provided by Evey Black Attorneys LLC to the governing body.

DULY ADOPTED, this 8th day of April 2021, by the governing body of the municipality, in lawful session duly assembled.

BOROUGH OF HOLLIDAYSBURG

By: _____
President

ATTEST:

Secretary

AGREEMENT WITH PENELEC FOR LED LIGHTING: A motion was made by Mr. Leahey to approve the execution of this agreement. Ms. Baker seconded this motion and a vote was taken. The motion passed, seven votes to zero votes.

RESOLUTION NO. 2021-9 TO APPROVE THE 2021 PAVING CONTRACT: A motion to award the 2021 paving contract to Grannas Bros, Inc. was made by Mr. Mielnik and was seconded by Mr. Leahey. A vote was taken and the motion passed seven votes in favor to zero votes against.

RESOLUTION NO. 2021-9

AWARDING THE 2021 CONTRACT FOR STREET PAVING PROJECTS

BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the 2021 contract for Street Paving Projects, is awarded to Grannas Bros. Stone &

Asphalt Co., Inc in the amount of \$577,939.83.

DULY adopted by the Council of the Borough of Hollidaysburg this 8th day of April, 2021.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

ACCEPT THE RESIGNATION OF JOSH PATT FROM THE HISTORIC PRESERVATION COMMISSION (HPC): Josh Patt submitted his resignation from the HPC. A motion to accept the resignation was made by Mrs. Lowe. A second was made by Mr. Scholton and a vote was taken. The motion passed with a vote of seven in favor to zero votes against.

RESOLUTION NO. 2021-11 TO EXONERATE AND/OR WAIVE INTEREST AND PENALTIES ON ALL TAXES REPORTED AND PAID UPON EARNED INCOME TAX RETURNS FILED BETWEEN APRIL 16, 2021 AND MAY 17, 2021: A motion was made by Mr. Burke to approve Resolution No. 2021-11. Mr. Mielnik seconded this motion. A vote was taken and the motion was passed, seven votes to zero votes.

RESOLUTION 2021-11

OF THE COUNCIL OF THE BOROUGH OF HOLLIDAYSBURG TO EXONERATE AND/OR WAIVE INTEREST AND PENALTIES ON ALL TAXES REPORTED AND PAID UPON EARNED INCOME TAX RETURNS FILED BETWEEN APRIL 16, 2021 AND MAY 17, 2021

WHEREAS, United States Department of the Treasury, Internal Revenue Service and the Commonwealth of Pennsylvania, Department of Revenue have delayed the filing date for federal and state income tax returns to May 17, 2021;

WHEREAS, this creates a burden on Borough residents who need to file local earned income tax returns by April 15, 2021, as the Local Tax Enabling Act does not allow for an extension of the due date without legislative action.

NOW THEREFORE, BE IT RESOLVED, by the Council of the Borough of Hollidaysburg that all interest and/or penalties that would otherwise accrue and be assessed upon any and all taxes reported upon the earned income tax return by virtue of a taxpayer's failure to file an earned income tax return by April 15, 2021, shall be exonerated and/or waived from April 16, 2021, until May 17, 2021, so long as every other taxing district in Blair County similarly exonerates and/or waives the same, it being understood that no interest and/or penalties shall be waived as of May 18, 2021, or thereafter with such interest and/or penalties being assessed and accrued as provided for by law starting May 18, 2021 (for purposes of clarity, if every other taxing district in Blair County does not similarly exonerate and/or waive such interest and/or penalties, then this Resolution shall be of no

effect).

DULY ADOPTED, this 8th day of April 2021, by the Council of the Borough of Hollidaysburg, in lawful session duly assembled.

BOROUGH OF HOLLIDAYSBURG

By: _____
President

ATTEST:

Secretary

RESOLUTION NO. 2021-10 DENYING A COA FOR 909 ALLEGHENY STREET:

Following discussion, a motion was by Mrs. Lowe to approve Resolution No. 2021-10. Mr. Scholton seconded the motion. A vote was taken and the motion was passed, seven votes in favor to zero votes against.

ADJOURN: President Pompa announced at 8:00 PM that they would have an executive session regarding personnel issues and would not return to the meeting.

Patricia J. Duron, Secretary