

BOROUGH COUNCIL MEETING MINUTES
THURSDAY, JULY 9, 2020
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; Brady Leahey; James Mielnik; Richard A. Scholton; Sean Burke; Michele Baker; and Joyce Lowe. Also participating: Borough Manager Jim Gehret; Mayor Joseph Dodson; Borough Secretary Patricia J. Duron; Attorney Jeff Muriceak; Building Code Official Gerald Harbison; Chief Rodney B. Estep; and Director of Community Relations & Events Katrina Pope. Fire Marshal David Zeek was absent.

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

MINUTES: The minutes, dated June 11, 2020 were presented for approval. A motion was made by Mr. Scholton to approve the minutes, and was then seconded by Mr. Leahey. The president asked for a vote and the motion carried in a vote of seven votes to zero votes.

MANAGER'S REPORT: Mr. Gehret advised that his manager's report was in their agenda binder.

MONTHLY FINANCIAL REPORT: Mr. Gehret advised that the Borough's finances were holding steady despite the effects of COVID-19.

PLANNING AND ZONING REPORT: Mr. Harbison advised that his report was in the agenda binder. He also advised that the Borough has received proposals for the update of the comprehensive plan from three entities. The Hollidaysburg Planning Commission has recommended that a committee of two commissioners and two council persons interview a representative from each company who submitted a proposal. Joyce Lowe and Sean Burke volunteered to represent Borough Council in the interview process. Mr. Harbison requested that the approval of a certificate of appropriateness be added to the consent agenda for 511 Mulberry Street.

DIRECTOR OF COMMUNITY RELATIONS AND EVENTS: Ms. Pope advised that at this time the July Downtown LIVE! Concert is canceled. She reported that the annual Farmers' Market began on June 9th and at this time the hours are changed to 11 AM until 2 PM. She has gotten some sponsorships. The new Welcome Video for the website will be completed soon.

MAYOR'S REPORT: The Mayor thanked the Hollidaysburg Police Department for their work and the Borough Manager for cutting the grass on Hart Street.

PUBLIC COMMENT: None.

OPEN AGENDA: No one had anything.

RESOLUTION NO. 2020-13, CONSENT AGENDA: Mr. Pompa asked for Council's consideration of Resolution No. 2020-13 for bill list number 7 totaling \$89,918.40 and two COAs'. A motion was made by Mr. Scholton and was seconded by Mrs. Lowe to approve Resolution No.2020-13, approving payment of Bill List number 7. A vote was taken with the motion carrying, seven votes to zero votes.

RESOLUTION NO. 2020-13

A RESOLUTION APPROVING CONSENT AGENDA

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

- 1) **Bill List No. 7** dated July 9, 2020 authorizes payment of expenses totaling \$89,918.40 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.
- 2) **Two Certificates of Appropriateness** are to be Approved and Authorize the Zoning Administrator to issue a Certificates of Appropriateness/Zoning Permits as follows:
 - A. 909 Allegheny Street — Renovations – Matthew Davis**
 - Enclose screened in porch
 - Replace roof on screened in porch
 - Install windows on screened in porch
 - Install new wood siding
 - B. 511 Mulberry Street — Renovations – Therese Gieg**
 - Install new vinyl siding
 - Replace porch roof
 - Replace porch floor

DULY adopted by the Council of the Borough of Hollidaysburg this 9th day of July, 2020.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

MANAGER'S EMPLOYMENT CONTRACT: President Pompa advised that all members of council were in agreement to approve Mr. Gehret's new employment contract. A motion was made by Mr. Burke to approve the execution of the contract. Mr. Leahey seconded the motion and a vote was taken. The motion carried seven votes in favor to zero votes against.

AMTRAN FUNDING REQUEST: At this time Council considered the request from AMTRAN for funding for 2021. A motion was made by Mr. Leahey to approve the request and was seconded by Mrs. Lowe. A vote was taken and the motion carried with seven votes in favor and zero votes against.

APPOINTMENT TO THE ZONING HEARING BOARD: A volunteer service application had been submitted by Mark Shawley to fill a vacancy for a regular member of the Zoning Hearing Board. A motion to appoint Mr. Shawley to the board was made by Mrs. Lowe and was seconded by Mr. Mielnik. A vote was taken and the motion was approved seven votes to zero votes.

RESOLUTION NO. 2020-14, APPROVE A MODIFICATION TO A FINAL PLAN FOR JHC HOLDINGS FOR 1313 BLAIR STREET: A motion was made by Mr. Scholton to approve Resolution No. 2020-14 to approve a modification to a final plan for 1313 Blair Street. Mr. Mielnik seconded the motion and all voted in favor and the motion carried seven votes to zero votes.

**RESOLUTION NO. 2020-14
APPROVING A MODIFIED FINAL LAND DEVELOPMENT PLAN
1313 BLAIR STREET for JOE CROSSMAN**

WHEREAS, on December 13, 2018 Borough Council of Hollidaysburg approved Resolution No.2018-47 granting FINAL PLAN approval of a land development filed with the Borough of Hollidaysburg by JLC Holdings, LLC, Joseph Crossman, owner (hereinafter referred to as the DEVELOPER) to develop a vacant parcel, Tax No. 11.04-08-15.00.000, located at 1313 Blair Street consisting of 0.475 acres; and (hereinafter referred to as the "PROJECT"); and,

WHEREAS, the approved PROJECT is currently under construction for a 2,500 square feet office building (front building), a 3,200 square foot contractor office and storage building (rear building), a paved parking lot with 8 spaces including 1 handicap space, and an underground storm water infiltration system and shown on a Site Development Plan Set entitled 1313 Blair Street Site Development for Joe Crossman prepared by The EADS Group dated October 2018; and,

WHEREAS, the DEVELOPER proposes to modify the interior of the front office building to include second floor offices for an additional 1,180 square feet of office area and provide additional off-street parking spaces for a total of 20 spaces by striping existing pavement as shown on an As-Built Plot of Survey – N/L Joe L. Crossman property prepared by Young Engineering Surveyors dated January 27, 2020 ((hereinafter referred to as the "MODIFIED FINAL PLAN")); and,

WHEREAS, Borough Staff reviewed the MODIFIED FINAL PLAN and found it to be in compliance with applicable provisions of the Borough's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the Hollidaysburg Planning Commission reviewed the MODIFIED FINAL PLAN at its July 7, 2020 meeting, and along with Borough Staff forwarded a recommendation of CONDITIONAL APPROVAL to Borough Council; and

WHEREAS, the BOROUGH has the power to APPROVE a MODIFIED FINAL PLAN, deemed to be in conformance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the DEVELOPER must file a MODIFIED FINAL PLAN in accordance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances, receive approval of the MODIFIED FINAL PLAN from the Borough of Hollidaysburg, and comply with the Pennsylvania Uniform Construction Code prior to issuance of a Certificate of Occupancy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the MODIFIED FINAL PLAN, as filed by the Developer, is hereby approved with the conditions that the DEVELOPER: 1) adequately address all of the comments identified in the review letter prepared by the Borough's Engineer dated June 29, 2020 and have the plan recorded no later than October 9, 2020 or prior to a Certificate of Occupancy, whichever comes first; 2) all conditions and obligations referenced in Resolution 2018-47 remain in place.

RESOLVED by the Council of the Borough of Hollidaysburg this 9th day of July, 2020.

ATTEST:

Patricia J. Duron, Secretary

Joseph A. Pompa, President

RESOLUTION NO. 2020-15 TO APPROVE A PRELIMINARY/FINAL PLAN FOR THE PRESBYTERIAN HOME FOR A RESUBDIVISION: A motion was made by Mrs. Lowe to approve Resolution No. 2020-15 and was seconded by Mr. Mielnik. A vote was taken and the motion passed seven votes to zero votes.

**RESOLUTION NO. 2020-15
GRANTING A WAIVER OF SUBDIVISION AND LAND DEVELOPMENT REVIEW
AND APPROVAL REQUIREMENTS OF THE BOROUGH OF HOLLIDAYSBURG
SALDO FOR A 16' X 16' ROOFED DECK ADDITION TO A RESTAURANT
ESTABLISHMENT KNOWN AS THE OLD CANAL INN AT 1004 BLAIR STREET,
HOLLIDAYSBURG**

WHEREAS, Champ and Cupcake, LLC ("Applicant") is the owner of 1004 Blair Street; and,

WHEREAS, the Applicant has submitted a building permit application for interior and exterior renovations for ADA accessibility upgrades to include a 16' x 16' roofed deck and stairs on the east of the building (herein referred to as the PROJECT); and,

WHEREAS, this proposal is reflected on plans prepared by McKissick Kasun Architects and dated May 28, 2020 entitled "Alterations to the Old Canal Inn - 1004 Blair Street" together with an annotated 2016 Minor Subdivision/ Lot Consolidation Plan – Old Canal Inn depicting the outline of the proposed deck; and,

WHEREAS, the Borough of Hollidaysburg Subdivision and Land Development Ordinance,

consistent with the Pennsylvania Municipality's Planning Code ("MPC"), sets forth regulations for formal review requirements, as well as drawing requirements, for property improvements defined as subdivisions and/or land developments; and,

WHEREAS, the Borough Council of Hollidaysburg believes that under the circumstances, it is unnecessary for the Project to be reviewed and approved as a subdivision or land development; and;

WHEREAS, the Borough Planning Commission reviewed the plans at its July 7, 2020 meeting and concurs with staff that a land development waiver be granted as the Project presents minimal planning implications and to be in full compliance with the Borough's Zoning Ordinance; and,

NOW, THEREFORE, BE IT ADOPTED AND RESOLVED that for the Project, the Borough Council of Hollidaysburg hereby grants to the plan entitled ***"Alterations to the Old Canal Inn - 1004 Blair Street" together with an annotated 2016 Lot Merger Plan depicting the outline of the proposed deck*** a waiver from the requirements for review and approval under the Borough Subdivision and Land Development Ordinance, so as to preclude the necessity for review by the Township Planning Commission of a formal site plan, specifically the waiver of Part 4 Plan Requirements Sections 403 and 404, with such waiver being subject to the Applicant's compliance with the following conditions:

1. This Resolution does not in any way waive or modify: any other requirements of The Borough of Hollidaysburg; any other applicable laws, ordinances, orders, or regulations; or applicable requirements of any County, Commonwealth of Pennsylvania, Federal or other governmental agencies. Any and all such requirements, including all permits and approvals incident thereto, are to be obtained by the Applicant and are not to be considered waived or modified by this Resolution. Such outside agency reviews, approvals and permits may include by way of example but not limitation the following: Highway Occupancy Permit requirements of the Pennsylvania Department of Transportation ("**PennDOT**"); stormwater-related requirements of the Blair County Conservation District ("**BCCD**") and/or the Pennsylvania Department of Environmental Protection ("**DEP**"); the Borough of Hollidaysburg Zoning Ordinance, the Borough of Hollidaysburg Building Code, and any other requirements of Borough of Hollidaysburg, including any requirements related to parking.
2. All costs and expenses of the Borough, including without limitation, the fees of the Borough Engineer and Borough Solicitor and/or other consultants relative to review and approval of Applicant's waiver request, this Resolution, and attending to the conditions in this Resolution following adoption of this Resolution, shall be the responsibility of Applicant. The failure of Applicant to promptly pay invoices in accordance with applicable Borough procedures for subdivision/developments review and approval shall give the Borough the right to refuse to issue any additional permits until such time as all invoices have been paid in full and the Borough escrow procedures have been complied with by the Applicant.
3. The Applicant shall satisfy all conditions of this Resolution within twelve (12) months from the date hereof. The Applicant's failure to do so shall render the approval null and void.

DULY approved by the Council of the Borough of Hollidaysburg this 9th day of July, 2020.

Joseph A. Pompa,
Council President

ATTEST:

Patricia J. Duron, Borough Secretary

ADJOURN: President Pompa announced an executive session at 7:20 PM, advising that council will not be returning to the regular meeting. The executive session was adjourned at 7:35 PM.

Patricia J. Duron, Secretary