

**BOROUGH COUNCIL MEETING MINUTES**  
**THURSDAY, MARCH 8, 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; Mark L. Shawley; Jeffrey Ketner; Sean Burke; Joyce Lowe; and Brady Leahey. Others in attendance: Borough Manager Jim Gehret; Borough Secretary Patricia J. Duron; Borough Solicitor Nathan Karn; Mayor Joseph R. Dodson; Interim Police Chief Sgt. Rodney B. Estep, Jr.; Director of Wastewater Operations Frank Hicks, Jr.; and Code Enforcement Officer Patrick Rabits. No one was absent.

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

**EXECUTIVE SESSION:** President Pompa announced that an executive session had been held on Thursday, March 1, 2018 to conduct interviews for the position of Police Chief.

**MINUTES:** The minutes dated February 8, 2018 were presented for approval. A motion was made by Mr. Leahey to approve the minutes, and was then seconded by Mr. Plummer. A vote was taken with the motion carrying in a vote of seven votes to zero votes.

**ORDINANCE NO. 880:** Patrick Rabits introduced Ordinance No. 880, zoning amendment 24. Following his presentation, public comment was taken as follows:

- Robin Redline, 1008 Walnut Street. Spoke in favor of the adoption of Ordinance 880.
- Pamela Blackman, 809 Walnut Street. Spoke in favor of the adoption of Ordinance 880.

Following these two comments, the public comment period was closed. A motion to adopt Ordinance No. 880 was made by Mr. Burke. This motion was seconded by Mr. Leahey. A roll call vote was taken with the adoption of Ordinance 880 passing unanimously with seven votes.

**CONDITIONAL USE HEARING:**

**411 & 413 OUTH JUNIATA STREET:**

An application for a conditional use had been submitted by Liberty Properties for the properties located at 411 and 413 South Juniata Street, which are located in the Residential/Business Zoning District (RB). Mr. Delozier, on behalf of Liberty Properties, is seeking permission to have a business/professional office at these addresses. This use within this zoning district requires conditional use approval.

Attorney Karn entered into the record the application, the proof of publication from the *Altoona*

*Mirror* public hearing notice, the public hearing notice signs that had been posted at the site, and the letters from the Hollidaysburg Planning Commission and the Historical Architectural Review Board recommending approval of the request. Mr. Delozier was there to offer information pursuant to this use. Attorney Karn asked for public comment regarding the application. One person came forward to speak.

1. Richard Latker, 703 Allegheny Street; noted that he was a member of the Historical Preservation Commission. He spoke in favor of the conditional use approval. He also lauded Mr. Delozier for the work that he does within the Borough.

At the conclusion of the hearing, Borough Council directed the solicitor to prepare a decision of approval for the April Council Meeting.

**MANAGER'S REPORT:** Mr. Gehret advised that his report was in the Council agenda binder. He reported that the paving program is being put together. Elevated crosswalks are to be considered for Montgomery and Hart Streets.

**MONTHLY FINANCIAL REPORT:** Mr. Gehret advised that the 2017 audit review has been completed and a formal report will be issued in June or July.

**PLANNING AND ZONING REPORT:** Mr. Rabits advised that his report was in the agenda binders. He also reported on the Planning Commission's decision to reevaluate their recommendations for an amendment to the parking requirements in the zoning ordinance. He advised that he was seeking direction from Borough Council at this time. Mr. Leahey recommended that Council support the decision by the Planning Commission.

**FIRE MARSHAL:** Dave Zeek reported that the fire company is practicing fire drills with some institutions in the Borough.

**MAYOR'S REPORT:** Mayor Dodson advised that the American Legion is making a donation of \$1000 to the Hollidaysburg Police Department.

**PUBLIC COMMENT:**

- Louis Mollica, 120 Newry Street: read a statement from a fellow Watchdog member that was against the zoning parking requirement changes.
- Laura Koss; 424 Clark Street: spoke in favor of hiring Rod Estep as police chief.
- Richard Latker, 703 Allegheny Street: Spoke about the PHMC grant to update the historic survey. Spoke negatively about the zoning parking requirement changes.
- Susan Rea, 413 Clark Street: spoke in favor of hiring Rod Estep as police chief.
- Walter Zolna, 602 Clark Street: Spoke against the sewer project. Spoke about the Borough's hiring process.

- Ethan Imhoff, Chairman of the Planning Commission, 1008 Allegheny Street: Spoke favorably about the members of the Planning Commission and their process toward the recommendations toward amending the zoning ordinance with regard to the parking requirements.
- Dave Zeek, 107 Walnut Street: Spoke against any changes to the residential handicap parking permits.

**OPEN AGENDA:**

- Patrick Plummer: Wants a written IRC report.
- Sean Burke: Wants to see the deliverables from McKissick regarding the fulfillment of the PHMC grant obtained by the Borough.

**RESOLUTION NO. 2018-10, CONSENT AGENDA:** Mr. Pompa asked for Council's consideration of Resolution No. 2018-10 for bill list number 3 totaling \$84,172.80 and a COA for 211 Allegheny Street for window and shingle business signage. A motion was made by Mr. Ketner to approve Resolution No. 2018-10 approving payment of bill list number 3. Patrick Plummer seconded this motion. A vote was taken with the motion carrying, seven votes to zero votes.

**RESOLUTION NO. 2018-10  
A RESOLUTION APPROVING CONSENT AGENDA**

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

- 1) Bill List No. 3 dated March 8, 2018 authorizes payment of expenses totaling \$84,172.80 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.
- 2) A Certificate of Appropriateness for 211 Allegheny Street for business signage as follows:
  - A window decal advertising "Heritage Barbers" that measures 4' by 5'.
  - A metal, two-sided shingle sign that measures 1' by 1' and will hang from an existing bracket on the building.
  - The signage is in compliance with zoning regulations for signage.

**DULY** adopted by the Council of the Borough of Hollidaysburg this 8<sup>th</sup> day of February, 2018.

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**Joseph A. Pompa, President**

ATTEST:

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Patricia J. Duron, Secretary

**RESOLUTION NO. 2018-11 APPROVING A CONDITIONAL USE:** A motion was made by Mr. Shawley to approve Resolution No. 2018-11 approving a conditional use for Orchard Park Townhouses. This motion was seconded by Mr. Plummer. A vote was taken with the motion carrying unanimously, seven votes to zero votes.

**RESOLUTION NO. 2018-11  
APPROVING A CONDITIONAL USE FOR THE  
ORCHARD PARK TOWNHOUSES 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 at 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 30 single family townhouses for sale and/or rent; 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 on January 10, 2018, was properly completed, and the same was accepted into the record.
3. The Hollidaysburg Zoning Ordinance permits the use of a townhouse dwelling as a conditional use in the Planned Residential District. See Chapter 27, Section 210.C.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 14.954 acres in total for the project with each townhouse use being its own separate subdivided parcel).
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 two (2) off-street parking spaces per townhouse,

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. Bob Colondo of 504 McIntosh Lane, Hollidaysburg, PA and Cindy Steele of 506 McIntosh Lane, Hollidaysburg, PA asked questions of the Applicant's representative but did not offer any testimony for or against the Applicant's request.

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 30 townhouses and associated open space is on its own parcel of approximately 14.954 acres (such subdivision plan may also provide for each townhouse lot to be subdivided into its own lot as well). Additionally, prior to the start of construction, the Applicant shall obtain land development approval including addressing stormwater management requirements, and Applicant shall meet all setback and other requirements of the Zoning Ordinance.

2. 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.

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

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

5. 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 Orchard Park Townhouses, Hollidaysburg, Pennsylvania, for the construction of 30 townhouses and associated off-street parking 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 construction of 30 townhouses 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 8<sup>th</sup> day of March, 2018.

BOROUGH OF HOLLIDAYSBURG

By: \_\_\_\_\_  
Joseph Pompa, President

ATTEST:

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Patricia Duron, Secretary

**RESOLUTION NO. 2018-12 APPROVING A CONDITIONAL USE:** A motion to approve Resolution No. 2018-12 approving a conditional use for a professional office on one side of 307 and 307 ½ Blair Street was made by Mr. Plummer. This motion was seconded by Mr. Shawley and a vote was taken. This motion carried unanimously with a vote of seven votes to zero votes.

**PARKING PERMIT DISCUSSION:** The group discussed the Traffic Code pursuant to the permitted parking requirements. Mrs. Lowe gave the opinion that there a lot of issues involved and that a committee should be formed to have further discussion. Mr. Leahey advised letting the ordinance as it is now and forming the committee. Some of the things that the committee should look at is the cost, policy and qualifications. Mr. Leahey, Mrs. Lowe and Mr. Plummer will serve on this committee.

**PARKING RECOMMENDATIONS FOR CHANGES TO THE ZONING ORDINANCE:** At this time, the group discussed the changes for parking requirements that had been recommended by the Planning Commission. Mr. Burke made a motion to recommend that the existing minimum requirements for parking spaces become the maximum requirements within commercial zoning districts only and that the de minimis exception shall remain, and that the parking requirements for development are kept in the Zoning Ordinance and not be moved to the Subdivision and Land Development Ordinance. This motion was seconded by Mr. Leahey and a vote was taken. The motion carried unanimously seven votes to zero votes.

**BOROUGH MANAGER'S CONTRACT:** Manager Gehret's employment contract was presented for consideration. A motion to approve this contract was made by Mr. Plummer and was seconded by Mr. Shawley. A vote was taken and the motion carried, seven votes to zero votes.

**TRASH HAULERS HOURS OF PICKUP:** Mr. Plummer asked that this item be added to this month's agenda. The group discussed the gentlemen's agreement with the commercial haulers briefly. Mrs. Lowe advised that the solid waste ordinance could be reviewed. Mr. Plummer advised that he would like to have some research into an ordinance for commercial pickup for the April Council Meeting.

**HIRE A MAIN STREET MANAGER:** At this time, Mr. Gehret advised that an offer had been made for the position of Main Street Manager to Jordan Futrick and that she had accepted the offer of employment. A motion to approve her hire was made by Mr. Ketner. This motion was seconded by Mr. Burke. She will begin on March 19, 2018.

**HOMETOWN HERO BANNER PROGRAM:** Mr. Gehret advised of the Hometown Hero Program that was proposed by the Hollidaysburg Community Partnership Design Committee which will allow banners honoring servicemen in the business district. A motion was made by Mr. Plummer to participate in the Hometown Heroes Banner Program. This motion was seconded by Mr. Shawley.

**POLICE COMMISSION:** Council President Pompa announced the creation of a Police Commission to consist of Council members: Jeff Ketner, Sean Burke and Brady Leahey.

**ADJOURN:** President Pompa adjourned the meeting at 8:40 PM.

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**Patricia J. Duron, Secretary**