

**BOROUGH COUNCIL MEETING MINUTES
THURSDAY, MAY 11, 2023, 7:00 PM
COUNCIL CHAMBERS**

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

PRESENT: A quorum was present including members of Council as follows: Joseph A. Pompa; Michele Baker; James Mielnik; Walter Kalista, III; Brady Leahey; and Sean Burke. Also participating: Borough Manager James Gehret; Borough Secretary Patricia J. Duron; Mayor Joseph Dodson; Building Code Official Gerald Harbison; Solicitor Nathan W. Karn, Sr.; Chief Christopher Storm; Director of Community Relations and Events Melanie Ramsey and Fire Marshal Amy Hazlett. Councilman Jeffrey Ketner was absent. Stenographer JoNell Snider was there for the public hearing.

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

MINUTES: The minutes from the meeting held on April 13, 2023 were presented for Council's review and approval. A motion to approve the minutes was made by Mr. Burke and was seconded by Mr. Leahey. A vote was taken and the minutes were approved, six votes to zero votes.

PUBLIC HEARING ORDINANCE NO. 906 STORMWATER UPDATE: A hearing was held to discuss the adoption of Ordinance No. 906 that updates the current stormwater ordinance. Stenographer JoNell Snider was in attendance to record the process and the public comments.

MANAGER'S/FINANCIAL REPORT: Mr. Gehret advised that his reports were in Council's agenda binder. He added an update to a recent public Hollidaysburg Borough (Water) Authority Meeting about extraction of minerals on land where the Borough Authority owns the mineral rights. Mr. Gehret advised that the Borough Authority owns the mineral rights, not Hollidaysburg Borough.

PLANNING/ZONING: Mr. Harbison's advised that a billboard will be erected on Blair Street.

FIRE MARSHAL REPORT: Fire Marshal Amy Hazlett presented her monthly report.

DIRECTOR OF COMMUNITY RELATIONS & EVENTS REPORT: Ms. Ramsey reported on sponsorships and upcoming events in the Borough, such as the Allegheny Street Cruise In will be held on May 26, 2023 at 6 PM and the Memorial Day Parade.

CHIEF OF POLICE REPORT: The Chief presented his report of the month's activity.

MAYOR'S REPORT: Mayor Dodson invited everyone to attend the Memorial Day Parade.

PUBLIC COMMENT:

Jim Fitch; 109 Bel Aire Road: Discussed the speeding, suggestions such as new sidewalks and traffic control devices for Bel Aire Road.

Shaun Leydig; 211 Newry Street: Spoke in support of the Borough hiring another police officer, street sweeping, and summer maintenance on Allegheny Street.

Joel Koss; 420 Wayne Street: Spoke about the Chimney Rocks maintenance.

Elda Jean Boose; 121 Bedford Street: Talked about the stormwater management, and monitoring speeding on Bedford Street.

Steve Albright; 421 Bedford Street: Spoke about hiring a ninth police officer, the vehicle logo on Borough trucks, and a tree on Garber Street.

OPEN AGENDA:

Ms. Baker: Flooding in Gaysport.

RESOLUTION NO. 2023-14: CONSENT AGENDA: Mr. Gehret requested Council's consideration of Resolution No. 2023-14 for bill list number 5 totaling \$102,041.91 and the approval of four Certificates of Appropriateness. A motion was made by Mr. Burke and was seconded by Mr. Kalista to approve Resolution No. 2023-14. A vote was taken with the motion carrying, six votes to zero votes.

**RESOLUTION NO. 2023-14
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. 5** dated May 11, 2023 authorizes payment of expenses totaling \$102,041.91 consisting of accounts payable and owing the Borough of Hollidaysburg from duly appropriated moneys is hereby approved.
- 2) **Four Certificates of Appropriateness** are to be Approved and Council Authorizes the Zoning Administrator to issue a Certificate of Appropriateness/Zoning Permit as follows:
 - A. **303 N. MONTGOMERY STREET – REMODELING AND ADDITION – DUCAT CAPITAL, LLC**

- Enclose a rear porch for a kitchen expansion with exterior wood siding to match the house
- Replace windows
- Repair the roof where needed
- B. 213 MULBERRY STREET – REPLACE FRONT PORCH SHINGLES AND INSTALL VINYL SOFFIT – TOM MAKOWIECKI FOR DAVID CONSIGLIO**
- Retroactive approval to replace the front porch roof shingles and install vinyl soffit for front porch on the house
- C. 408 ALLEGHENY STREET – BUSINESS SIGNAGE – PENNCREST BANK**
- Replace existing wall mounted sign and ATM sign
- The sign will contain an updated company design
- D. 413 CLARK STREET – REPOINT HOUSE BRICK – MATT BUTLER FOR ROBERT REA**
- Repoint the exterior brick of the house
- The job complies with R-2 zoning regulations

DULY adopted by the Council of the Borough of Hollidaysburg this 11th day of May, 2023.

Joseph A. Pompa, President

ATTEST:

Patricia J. Duron, Secretary

DANGEROUS STRUCTURE REPORT AND ORDER 117 FRANKLIN STREET: A motion was made by Mr. Kalista to accept the report and order to repair for 117 Franklin Street. Ms. Baker seconded the motion and a vote was taken with four votes in favor. (Only those members who attended the hearing were eligible to vote.)

UPDATE ON THE COMPREHENSIVE PLAN: Mr. Harbison advised that the consultant, Gannett Fleming, has the draft ready for the public comment period.

WATER DISCHARGE INTO THE STREETS: Mr. Pompa advised that this discussion item could be removed from future agendas.

STORMWATER/BEDFORD STREET UPDATE: Mr. Gehret advised that all of the applications for grant funding had been submitted.

BOROUGH SIDEWALKS: The Borough is continuing to approve sidewalk grant applications.

STREET SWEEPER: Mr. Gehret advised that the Borough is looking at various types of street sweepers.

ORDINANCE NO. 906: A motion was made by Ms. Baker to adopt Ordinance No. 906. Mr. Kalista seconded the motion. A roll call vote was conducted with the following results:

Mr. Burke – yes
Mr. Kalista – yes
Mr. Leahey – yes
Mr. Pompa – yes
Ms. Baker – yes
Mr. Mielnik – yes
Mr. Ketner – yes

The ordinance was adopted with six votes in favor.

RESOLUTION NO. 2023-15 FINAL LAND DEVELOPMENT PLANS JJ KELLER: Mr. Burke made a motion to approve Resolution No. 2023-15. Mr. Leahey seconded the motion and all members present voted in favor. The motion was passed with six votes.

**RESOLUTION NO. 2023-15
APPROVING A LAND DEVELOPMENT PLAN
FOR JJ KELLER FAMILY LP @ 400 ALLEGHENY STREET, HOLLIDAYSBURG**

WHEREAS, an application for a LAND DEVELOPMENT PLAN has been filed with the Borough of Hollidaysburg by JJ Keller Family, LP, property owner of 400 Allegheny Street, Hollidaysburg and identified as tax parcel 11.03-09.-007.00-000 (hereinafter referred to as the DEVELOPER); and

WHEREAS, the DEVELOPER proposes site improvements associated with the remodeling of the building located at 400 Allegheny Street being a 6,500 square foot lot at the southeast corner of the Allegheny Street and Wayne Street intersection (hereinafter referred to as the PROJECT); and,

WHEREAS, the DEVELOPER has filed an application for a LAND DEVELOPMENT PLAN approval of the PROJECT to remove and replace concrete curb, sidewalks and pedestrian access ramps; replace the rear macadamed area with concrete; install a new fire hydrant, utility service lines and storm sewers.; and

WHEREAS, Borough Staff has reviewed the proposed LAND DEVELOPMENT PLAN and has found it to be in full compliance, as a LAND DEVELOPMENT PLAN with all applicable provisions of the Borough's Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the Hollidaysburg Planning Commission reviewed the proposed LAND DEVELOPMENT PLAN at its May 2, 2023 meeting, and has forwarded a recommendation for CONDITIONAL APPROVAL to Borough Council; and

WHEREAS, the DEVELOPER has requested that the requirement of SALDO Section 303 requiring the submission of a Preliminary Plan be waived due to the scope of the project so as to permit the submission and processing of a combined Preliminary / Final Plan; and,

WHEREAS, the applicant has requested that the requirement of SALDO Section 602.5.B to generally provide a grass planting strip between the curb and sidewalk be waived, and the Planning Commission found the request reasonable since existing conditions do not have a planting strip; and,

WHEREAS, otherwise; BOROUGH COUNCIL has determined that the LAND DEVELOPMENT PLAN constitutes a LAND DEVELOPMENT PLAN in full compliance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinances; and

WHEREAS, the BOROUGH has the power to APPROVE a LAND DEVELOPMENT PLAN deemed to be in conformance with the Hollidaysburg Zoning and Subdivision and Land Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Hollidaysburg, Blair County, Pennsylvania, that the application and submission, as filed by the Developer, is hereby approved and the requirements of SALDO Sections 303 and 602.5B are hereby waived subject to the DEVELOPER following conditions:

1. That the applicant satisfactorily addresses the Borough Engineer's review letter dated April 24, 2023.
2. The applicant executes a developer's agreement to ensure installation and maintenance obligations for any improvements required by SALDR Section 601.1 for this development, all of which in a manner acceptable to the Borough Solicitor.
3. That the applicant shall contribute fees in an amount of two thousand five hundred dollars and zero cents (\$2,500.00) for the perpetual maintenance of the on-site storm water control facilities to be maintained by applicant.
4. That a Declaration of Covenants and Easement for Maintenance of Storm water Management Facilities prepared by the Borough of Hollidaysburg be executed for the maintenance of the on-site storm water control facilities.
5. If deemed to be necessary, the applicant shall obtain a letter from the Pennsylvania Department of Environmental Protection approving a sewage facility planning module or granting an exemption thereto.

6. That the applicant shall comply with the pending recommendation of the Shade Tree Commission.
7. That the applicant shall dedicate to the Borough a utility easement of sufficient size in an area acceptable to the Borough for accessing the relocated “Borough meter and distribution equipment”. The dedication shall occur prior to the plan being recorded and, in a form, acceptable to the Borough Solicitor. The developer shall furnish to the Borough Solicitor a description for the easement that has been approved by the Borough Engineer, a copy of the current deed for the property showing current ownership and cites the deed book volume and page reference.
8. That the applicant shall reconcile all open invoices for Borough engineering and legal services prior to the plan being recorded.

DULY approved by the Council of the Borough of Hollidaysburg this 11th day of May, 2023.

Joseph A. Pompa, Council President

ATTEST:

Patricia J. Duron, Borough Secretary

DISCUSSION: BEL AIRE ROAD AND SPEEDING: Mr. Leahy spent some time this day at this location to observe the drivers and activity there. He advised that the owners could put in sidewalks to help and that he had not observed speeding.

ACCEPT THE RESIGNATION OF GERALD HARBISON: Council Members reluctantly accepted Mr. Harbison’s resignation, wished him well in his new position and thanked him for his hard work.

ACCEPT STIPULATED ORDER: DAVIS LAWSUIT: The stipulated order was presented to Council. A motion to accept the order for an agreement was made by Mr. Leahey. Mr. Kalista seconded the motion and a vote was taken. The motion carried with six votes in favor.

HIRE A NINTH POLICE OFFICER: Chief Storm requested that the process to hire another officer be initiated. Ann Andrews, in the audience; and representing the Civil Service Commission, was consulted. Mr. Leahey made a motion to allow the Chief to consult the Civil Service Commission to begin the process. Mr. Kalista seconded that motion and a vote was taken. The motion passed with six votes in favor.

AWARD THE PAVING CONTRACT: A motion was made by Mr. Kalista to award the paving contract to Grannas Brothers. Mr. Burke seconded the motion and a vote was taken. The motion passed with six votes in favor.

AWARD THE STONE & BLACKTOP CONTRACT: A motion was made by Mr. Leahey to award the contract for stone and blacktop to Grannas Brothers. Ms. Baker seconded the motion and a vote was taken. The motion passed with six votes in favor.

APPOINT PATRICIA J. DURON AS INTERIM ZONING OFFICER: Mr. Burke made a motion to appoint Patricia J. Duron as the interim zoning officer for the Borough. Ms. Baker seconded the motion and a vote was taken. The motion was passed with six votes in favor.

ADJOURN: At 7:55 PM President Pompa adjourned the meeting.

Patricia J. Duron, Borough Secretary