

CARMICHAELS BOROUGH

COUNCIL MEETING

MARCH 11, 2020

5:00 p.m.

Pledge of Allegiance

**PRESENT:** Charles Walker, David Antonini, Elizabeth Walker, Marianne Gideon, Amber DeBolt, Mayor David Jack, Code Enforcement Officer Mark Gordon, Jim Petron, Solicitor Chris Furman, Bryan Lowe of Harshman Engineering, Jarrod D'Amico of Harshman Engineering

**VISITORS:** Donna Neino, Miranda Cumberland, Lloyd Miller, Kelly Graham, Charles Gabler, Cindy Kowalsky, Benjamin Scott, Bernie & Donna Kurincak, Mary Lewis

**Motion to Accept Minutes:** Motion made by Marianne Gideon to accept the Minutes of the previous meeting. Seconded by Elizabeth Walker. Motion carried.

**Motion to Pay Bills:** Motion made by Elizabeth Walker to pay the current bills. Seconded by Amber DeBolt. Motion carried.

**Correspondence:** Minutes from the Carmichaels-Cumberland Joint Sewer Authority.

**Visitor Comments:**

**Greensboro Borough:** Donna Neino, liaison between Greensboro Borough and the Carmichaels Borough Police Chief thanked the Borough for entering into a contract for police to patrol Greensboro Borough.

**Gabler's Drug Store:** Charles Gabler asked that Council proceed with allowing the permit to put a drive-thru pharmacy window in the Drug Store. Mark Gordon stated a resolution to abate traffic conflicts would be to make Spruce Alley a one-way alley from E. George Street to E. South Street. Jarrod D'Amico from Harshman Engineering said the building meets the code.

Motion made by David Antonini that Harshman Engineering proceed with issuing the permit applications and that the Borough proceed to write an Ordinance for the One-Way Alley. Seconded by Elizabeth Walker. Motion carried.

Motion made by David Antonini to advertise the Ordinance upon completion by the Solicitor. Seconded by Amber DeBolt.

**Goosehead Insurance:** Lloyd Miller spoke regarding the property owned by Brad Braddock, where Goosehead Insurance is located at 312 S. Vine Street and wishing to add a used car lot on the same property. Sketches were provided to Council. Solicitor informed Mr. Miller that they will need a Highway Occupancy Permit. Council also informed him that no 'guesses' of measurements can be submitted with the drawings - true accurate measurements have to be submitted.

Code Enforcement Officer, Mark Gordon, informed Mr. Miller that the permit request was put on hold due to the concern this may create a nuisance. No Highway Occupancy Permit has been issued by PennDot nor a permit for the sign they wish to erect so Borough Council cannot approve anything until that is taken care of.

Bryan Lowe asked for clarification regarding emails from Mr. Braddock wishing to also establish an antique business on the same property, which would be three separate businesses on the same property and in the same building. Mr. Miller states he knows nothing about an antique business.

Mark Gordon clarified that if the owner of the property is Brad Braddock, the property owner is the only one who can apply for and whose name needs be on the permits.

**Shear Expressions:** Bernie Kurincak stated there is an ongoing issue with water drainage and ponding next to the building where Shear Expressions is located on the corner of Gooseberry Alley and S. Market Street which began after the paving of Gooseberry Alley last year. Bryan Lowe of Harshman Engineering will meet with Bernie to assess the situation and how best to correct it.

**Carmichaels Service Center:** Mary Lewis states that an ex-employee at the Service Center stole a lot of money from them which was reported to Chief Miller. This ex-employee was hired somewhere else and lost that job, then filed for and is collecting unemployment from Carmichaels Service Center. Mary asked Chief Miller if there is something she can do to help speed up the criminal investigation process to stop this ex-employee from being able to collect unemployment. Chief Miller will set up a time to meet with Mary to discuss it.

#### **COMMITTEE REPORTS:**

**Administration:** Liz Walker reported that we have received notice of an incomplete filing for the 2018 Audit. Charles Walker stated he has spoken to Ami Cree and an email was sent regarding the Audit of 2012 being cleared, and that the DCED has questions for and is reopening the audits for years 2016, 2017 and 2018.

Liz Walker reported that a Quote to complete the 2019 Audit was received for \$6,500, but could not be done prior to April 1<sup>st</sup>, which is the filing deadline. It was suggested that we contact the DCED requesting an extension for filing the 2019 Audit. A request was submitted to Cypher & Cypher to submit a quote, however, has not yet been received.

Motion made by David Antonini that we contact the DCED requesting an extension for filing of the 2019 Audit. Seconded by Charles Walker. Motion carried.

Liz Walker reported that the books are almost ready for auditing. General Ledger entries were acquired from Cypher & Cypher and are almost completed in QuickBooks. Once they are finished Liz will go over everything.

David Antonini reported that due to a Right-to-Know Request being received it was brought to our attention that our Minutes do not have the name of the Secretary at the end of the Minutes or who took the Minutes.

Motion made by David Antonini that the current and previous Minutes of the Borough be corrected in the following manner. Minutes that Shelley Anderson has taken would state - Respectfully submitted

by Shelley Anderson, Borough Secretary; and Minutes done by previous secretaries would state: Prepared by and adding that Secretary's name. Seconded by Charles Walker. Motion carried.

### **COMMUNITY DEVELOPMENT**

**Code Enforcement** - Code Enforcement Officer Mark Gordon presented his report.

A notice was sent to one business that has not complied with the Business License Tax.

A written complaint was received from John Burnette regarding the neighbor's dog at 325 N. Market Street. This is a civil matter between two neighbors and Mr. Burnette would need to file a civil action himself regarding this issue.

There are some issues with the foundation and structure of the home at that address. Council agreed that the Code Enforcement Officer should begin issuing citations to the property owner regarding the issues with the structure.

Regarding the matter with the First Christian Church the record shows that Council President Charles Walker excused himself from any discussion or voting on this matter due to his employment with the company filing the complaint against the church. At this time Vice-President David Antonini took over the meeting.

Code Enforcement Officer Mark Gordon stated that the matter with the church is going remain as an open investigation for two years until the statute runs out. It is recommended that a copy of the bill for Harshman Engineering be sent to the First Christian Church. Motion made by Amber DeBolt to send a bill to the First Christian Church for reimbursement to the Borough for Harshman Engineering's bill. Seconded by Marianne Gideon. Charles Walker abstained from voting. Motion carried.

Meeting turned back over to President Walker.

Council and Chief Miller will review the sample Animal Ordinance and bring suggestions to next meeting.

### **SOLICITOR**

Solicitor Chris Furman will be sending the proposed Zoning Ordinance. If accepted then the Borough can advertise the proposed Ordinance.

**STREETS** -James Petron presented his report.

### **PUBLIC SAFETY**

**Police** - Chief Craig Miller presented reports for Carmichaels Borough, Rices Landing Borough and Greensboro Borough. AED Unit is by the time clock and all officers are trained in use.

Edward's Moving & Rigging is on-hold for movement of equipment. Borough is to be notified when they are ready to begin moving the equipment.

The Committee for the Academy Cadet Program met and went over the changes made to the Contract. Motion made by David Antonini to proceed with the Police Academy Cadet Program and advertise in the newspaper for potential candidates. Seconded by Marianne Gideon. Motion carried.

Chief Miller believes we need a Public Gathering Ordinance which addresses prohibiting of the use of drones at public gatherings. The current Ordinances will be reviewed and recommendations brought to the next meeting.

The Parking Ordinance will be reviewed by all and bring suggestions to the next meeting.

**Coronavirus** - information and links need to be posted on the Borough Facebook page and any updates handed down by Gov. Tom Wolfe. The school is working on how to handle children staying home and completing their classes.

#### **ENGINEERING FIRM**

**Harshman Engineering** - Bryan Lowe presented report. Harshman Engineering will look at what is involved in adding a second story to the borough building through grant money.

Kiewit has been contacted regarding the use of heavy hauling on Pine Street and they do not wish to bond Pine Street. It is recommended Paul Arthur be contacted regarding the re-pavement of Pine Street.

#### **UNFINISHED BUSINESS**

Public Gathering Applications and Ordinance for the Town Square will be updated by the Solicitor.

Door signs -- Chief Miller said someone from the school will be working on them

National Floodplain Ordinance and Resolution -- In order to be part of the Flood Insurance Program again, we need an updated Floodplain Ordinance and Resolution. Samples given to the Solicitor to review.

#### **NEW BUSINESS**

First National Bank Proposal packets for Council to review. Their credit card offers cash back. All accounts are set-up online and council has control before any funds are transferred from one account to another by two people having to enter information to authorize the transfer of funds. There are questions regarding a few of the accounts which are Money Markets requiring a minimum daily balance. David Antonini will speak with the branch manager regarding these questions.

Community Bank Credit Card Application - The bank manager stated that if we checkmark the area for a non-profit, no guarantor is needed and that they would change our non-interest bearing accounts to an interest bearing account.

The record shows that Marianne Gideon has abstained from voting on the banking matters due to her association with Community Bank.

Motion made by David Antonini to continue meeting at President's call. Seconded by Marianne Gideon. Motion carried.

Respectfully submitted  
Shelley Anderson, Borough Secretary

