

DANVILLE BOROUGH COUNCIL MEETING MINUTES

June 13, 2023

Danville Borough Council held a meeting on Tuesday, June 13, 2023 at the Borough Building, 463 Mill St., Danville at 6:00PM. President Woodruff presided.

Present were Councilpersons Woodruff, Walters, Gregg, Beers Jr., Humphries, Deroba, Herritt and Mayor Swank. Also present were staff members Mordan, Roberts, Fire Chief Buckenberger, Police Chief Swank and Solicitor Mike Dennehy.

The invocation was given by Reverend Sullivan, Iron Mill Church, and followed by the Pledge of Allegiance to the Flag.

Public Comments

Ben Yagle, owner Rock God Brewing Company, is requesting permission to use the Borough parking lot for a community event that was a great success last year with 600 people over the age of 21 in attendance. He understands Council is worried about losing revenue, but the focus should be on helping the community. Rock God has always been a good neighbor by letting the Borough use the parking lot at Rock God Brewing.

Chas Bartholomew, owner of The Doctors Inn Bed and Breakfast and neighbor of Rock God Brewing, stated the event brings people into Danville and showcases what Danville is all about. He is in favor of the event.

Beth Goldman, Danville Borough Resident, requested a lemonade clause in the Food Truck Ordinance so minor entrepreneurs don't need to pay a fine.

Tina Bartholomew, mother of the daughters owning Four Girls Bakery, addressed Council with concerns of the Food Truck Ordinance and how it will affect her daughters. They are contributing to their savings from the bakery and are in favor of the lemonade act.

Chas Bartholomew, father of the daughters owning Four Girls Bakery, stated they use Doctors Inn and Breakfast kitchen and the food truck proposal fee of \$80.00/two weeks is not feasible.

Charli Bartholomew, owner of Four Girls Bakery, stated the cost is not likely for this small business. We don't make much money in two weeks, supplies are rising and we would like to keep cost of product down.

Victoria Bartholomew, owner of Four Girls Bakery, says she has learned a lot about small business from the bakery, she's saving for college and it has brought the family closer.

Coyla Bartholomew, owner of Four Girls Bakery, stated the fee suggested takes away from their dream as young entrepreneurs. We learned skills from this bakery that have not been learned by schooling. For other local food vendors this is their main income. Consider lowering the expense or removing it all together. Also, the bakery brings people into the community.

Diane Zamboni, curator of Montour Historical Society, addressed Council. She received an email from Mr. Ken Roberts, Code Administrator regarding code violations with the roof at the Historical Society. She has several issues in regards to the code violations: The inspector was trespassing; he went in without permission from the contractor and permit states inspection must occur with permission from property owner, she thought since the building was commercial and historical it did not need permit, she did not receive the code violations until after she received the appeal paperwork, the variance requires \$500 and they have no money to pay for it.

Mike Kuziak, Historical Society Board Member and property owner in Danville, stated the problem could have been avoided by not allowing contractors to get building permits. He had commercial tenants alter his building without his permission. He is suggesting adding a line to the existing building permit for the property owner to sign off on it.

Kevin Mentrikoski, resident of West Market Street and owns & operates Stuccio's Pizza in Berwick, is concerned with the food truck length restriction in the proposed Food Truck Ordinance.

Consent items Including Financial Reports & Payment of Bills

Motion was made by Wes Walters and seconded by Mark Deroba with a unanimous vote to approve the following:

1. Minutes May 9, 2023.....Regular meeting
2. List of checks- Jim Gregg abstains from check paying, "Gregg's Small Engine Repair" invoices. This is on record as a standing abstention.
3. List of General Journal Entries
4. Month end Financial Reports and monthly List of Bills for payment

Action items from previous meetings.....President Woodruff

1. Mark Debora stated, a request was made for the approval of the Annual Rock the Block Party. When requesting the parking lot with keeping things fair, where do we draw the line? I am not concerned about losing money on the ballroom, it's already subsidized. The Thomas Beaver Library is requesting to lift the open container law in Canal Park next week. If more people rent Canal Park and request the parking lot, the ballroom will no longer be able to be used. Instead of the ballroom fee I am suggesting a \$100 fee. As far as people using the Rock God parking lot thank you it's never been an official request. The event is great I just want it to be fair. A motion was made by Mark Deroba to approve the parking

lot, street shut down, and open container law lifted if they agree to pay \$100 fee. Seconded by Jim Gregg, motion passed with nays from Kevin Herritt and Steve Humphries.

2. Motion was made by Mark Deroba and seconded by Jim Gregg with a unanimous vote to adopt Ordinance No. 577 amending Chapter 237 Vehicles and Traffic.
3. Motion was made by Wes Walters and seconded by Kevin Herritt with a unanimous vote for approval to send the requested correspondence to East Central Emergency Network regarding dispatching the Danville Fire Department Quick Response Service team.

Topics / New Business.....President Woodruff

1. Motion was made by Mark Deroba and seconded by Steve Humphries with a unanimous vote to approve the CDBG FFY 2023 Project Review and Finalization - Foust Street Flood Gate. The flood gate will benefit the entire Borough and requires two years of funding.
2. Motion was made by Kevin Herritt and seconded by Mark Deroba with a unanimous vote for approval to proceed with the Subdivision Plan for the sale of land to DASD in the amount to not exceed \$2,600.00 to Orangeville Surveying Consultants, Inc.
3. Motion was made by Mark Deroba and seconded by Howard Beers with a unanimous vote to approve the transfer of Casey Stine to the Water Department. The transfer date is June 19th. It was also approved to post the Street Dept Equipment Operator B position internally.
4. Motion was made by Wes Walters and seconded by Howard Beers with a unanimous vote to approve the Water Superintendent recommendation to appoint Tyler Gregg second in command with distribution at the Water Department with an additional \$1/hour raise for taking on the added responsibility. Jim Gregg abstained from voting.
5. Motion was made by Wes Walters and seconded by Howard Beers with a unanimous vote to approve Water Superintendent Recommendation to appoint Lester Albright III as second in command with plant operations at the Water Department with an additional \$1/hour raise for taking on the added responsibility.
6. Motion was made by Mark Deroba and seconded by Howard Beers with a unanimous vote to approve Resolution No. 2023-04 – Fire Insurance Proceeds Fee.
7. Motion was made by Wes Walters and seconded by Steve Humphries with a unanimous vote to approve Resolution No. 2023-05 – Duplication Fee.
8. Motion was made by Wes Walters and seconded by Kevin Herritt with a unanimous vote to approve Resolution No. 2023-06 – Danville Borough Emergency Action Plan re-adoption.
9. Motion was made by Wes Walters and seconded by Jim Gregg with a unanimous vote to approve the renewal of the MOU with Ferry Street Grower’s Market.
10. Motion was made by Mark Deroba and seconded by Wes Walters with a unanimous vote to approve the Danville Boat Club Lease.
11. Motion was made by Mark Deroba and seconded by Wes Walters with a unanimous vote to approve the request from the Friends of the Thomas Beaver Library for open containers for June 22nd at Canal Park 6-9pm.
12. Andrea Dietz and Loreen Comstock, United in Recovery, informed Council Naloxbox’s are distributed across the five counties (2362 boxes). The boxes contain lifesaving tools and naloxone for someone who is overdosing on opioids. Many people won’t or cannot attend the distribution giveaways so the box is a great tool for communities. Concerns of liability to the Borough were brought up and if the Borough is the best location. Solicitor Dennehy

stated you can't stop anyone from suing but he has never seen any cases. Chief Swank stated yes this is needed in the Borough. Motion was made by Kevin Herritt and seconded by Mark Deroba with a unanimous vote to approve the request from United in Recovery to install a Naloxbox in the Danville Borough. The location will be determined at a committee meeting. The Street Department will need to aid in the installation of the box. The box will be restocked twice a week by United in Recovery but the Borough can call if they see it is empty.

- 13. Motion was made by Wes Walters and seconded by Kevin Herritt with a unanimous vote to accept the proposal from Evergreen Exteriors to power wash upper portion of Municipal Building in the amount of \$850.
- 14. Motion was made by Kevin Herritt and seconded by Wes Walters with a unanimous vote to approve the Services Agreement with Riverside Technologies, Inc. for IT Services.

Correspondence & FYI items.....President Woodruff

- 1. Route 11 Flood Wall Closure exercise scheduled for Sunday, June 25th from 6am to 12pm.

Unfinished / Old Business.....President Woodruff

Committees

Finance.....Mr. Walters

Personnel.....Mr. Walters

- 1. Howard Beers recommended Michael Walters for the hiring of the Permanent Part-time Laborer Position at a starting hourly rate of \$18/hour. Motion was made by Jim Gregg and seconded by Mark Deroba and Wes Walters abstaining from voting, hiring was approved.

Property.....Mr. Humphries

Water.....Mr. Gregg

Public Safety (fire).....Mr. Walters

- 1. John Buckenberger stated with the dry conditions to be careful with Fourth of July fireworks.

Flood.....Mr. Gregg

- 1. Bruce Earlston, Street Superintendent, is unable to attend the meeting but he would like to inform Council the Flood Technician, Troy Patterson, is going above expectations and was an excellent hire for the position.

Police.....Mayor Swank

1. Chief Swank reported Community Night Out scheduled for tomorrow is postponed at this time due to weather. They will announce a new date later in the year.

Streets.....Mr. Stigerwalt

Sewer.....Mr. Gregg

COG.....Mr. Humphries

DBA.....Mr. Stigerwalt

1. Becca Dressler reported Junes Third Thursday is this week and it will be a fundraiser with raffles and other activities throughout the downtown.

EMA.....Mr. Beers

Mayor’s Report.....Mayor Swank

1. The Chief and herself had several meetings and they have been productive.

Codes, Zoning & Health.....Mr. Deroba

1. Discussion occurred on Ordinance No. 578, Chapter 121, Food Vendors and Street Vendors. Ken Roberts addressed the concerns from public comments. If it doesn’t have wheels or is a home business, it is not affected by this ordinance. Lemonade stands are covered by the Zoning Ordinance and he would never stop a kid from having a stand. This ordinance was requested by an individual inquiring on starting a food cart. The trailer length was made to be 20ft because that is the typical size of a parking stall. This ordinance is for public property not private property. Motion was made by Kevin Herritt and seconded by Mark Deroba for intent to adopt Ordinance No. 578 adding Chapter 121 Food Vendors and Street Vendors. Wes Walters voted Nay.
2. Code Administrator’s report was attached
3. Health Officer’s report attached was attached.

Mike Dennehy thanked the Mayor for setting up a meeting to discuss the issue with the Historical Society. Thank you, Ken and BIA for providing information promptly for it.

Betty Ann Moyer, resident of Danville Borough questioned the quiet hours violation on the Code Administers monthly report. Ken Roberts responded; quiet hours are 10pm to 7am set by Borough Council. He received a complaint regarding grass being mowed at 6am. Ms. Moyer then questioned if people go to work early when are they supposed to mow their grass. Ken Roberts responded; this was a commercial property that has a lawncare business mowing the grass. They were not aware of the quiet hours and apologized for the misunderstanding.

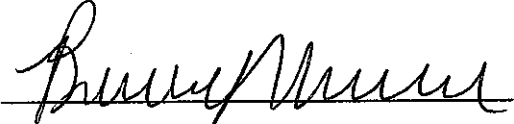
Other BusinessPresident Woodruff

Kevin Herritt reported MARC will most likely no longer be managing Montour Preserve, Talen Energy will be taking over the land. Funding is not there for the State to takeover. Anyone that can contribute to MARC and/or call your State Representative to save the preserve.

News MediaPresident Woodruff

AdjournmentPresident Woodruff

There being no further business, Council adjourned at 7:15pm.



Brindy Mordan, Borough Manager