

CATAWISSA BOROUGH COUNCIL MEETING
MONDAY June 11, 2018 – 6:30 P.M.

Executive Session took place before regular meeting at 5:30 p.m.

CALL TO ORDER:

- The meeting was called to order by Council Vice President Gary Steinruck.
- The pledge of allegiance was recited.

ROLL CALL:

- Present were: AJ McKenney, Roy Klinger, Patty Hess, Gary Steinruck, Linda Kashner, Barbara Reese, Mayor Tim Benner, Attorney Anthony McDonald. Absent: Doug Krum

READING OF MINUTES:

- A motion was made by Barb Reese, 2nd by AJ McKenney to approve the minutes from previous month's meeting. All Aye.

GUESTS TO BE HEARD:

- Guest Victoria Waugh shared her concerns about the cats being fed in the Borough and the cats using her yard as a litter box. Ms. Waugh stated she would like to see something done about the cats. Ms. Waugh feels it is unhealthy or safe to have all the cats around. Council Vice President Gary Steinruck gave Ms. Waugh a suggestion that if she puts dried blood around her property it is said an animal will not come back if they get this on their paw.
- Guest Lori Smith shared her concern about her neighbor's cat. It keeps coming into her yard and using it as a litter box. She feels there are more cats in the borough than on a farm. Attorney Tony McDonald explained there is no state statute that deals with cats. Attorney McDonald also explained you are not allowed to kill them or hurt them in anyway. The attempt to try and force the people who are taking care of and feeding the cats fail. Until the legislator does something towards feral cats there is only so much the Borough can do. Councilwoman Linda Kashner asked Attorney McDonald if the Borough can make a policy not to feed the cats on Borough Property. Attorney McDonald replied yes they can.
- Guest Gretchen Johanson stated that she is one of the people that feeds the cats. Ms. Johanson explained there are 2 people from South Street that are active in trapping and having the cats spayed or neutered. Ms. Johanson said maybe the ones that are concerned with the cats might want to consider trapping because PA Pets has the availability to spay or neuter. Councilwoman Barb Reese stated there are neighbors that are unhappy about the cats because they pee and poop all over. Attorney Anthony McDonald explained again with the law there is nothing that can be said that Gretchen Johanson cannot feed the animals on her own property.
- Councilwoman Linda Kashner asked Attorney McDonald if an Ordinance or Resolution to forbid the feeding of cats on Borough Property could be done. Attorney McDonald replied just make a policy and post it.
- Guest Victoria Waugh asked what can be done about cats going to the bathroom on private property. Attorney Anthony McDonald stated the law considers a feral cat a wild animal so it is no different than someone feeding a raccoon, until the law changes that is what it is.
- Councilwoman Barb Reese asked if there is a County Animal Control Officer. Attorney McDonald stated not that he is aware of.

- Guest Sharon Krum shared that she believes some of the cat issue is coming from tenants that are moving out and they are letting cats behind. Councilwoman Barb Reese stated council instituted a program to have the cats fixed and the cat problem is twice as bad as before the program was started. Guest Kathy Hinterliter stated no one has used the program according to PA Pets.
- Guest Lori Smith expressed her appreciation of what Gretchen has done with the cats. Ms. Smith stated her issue is from a cat that she knows where it is coming from. Attorney McDonald suggested Ms. Smith go knock on the door.
- Councilwoman Linda Kashner asked Attorney Anthony McDonald if council can make a policy tonight that feeding the cats on Borough Property will be considered littering. Attorney McDonald replied yes you can do that and make sure it is posted on the website, the building and in the parks.
- Councilwoman Barb Reese asked if there are companies around here that do animal control. Attorney McDonald explained it is against the law to harm a cat. Attorney McDonald also explained you can trap them and have them fixed but you must release them.
- Guest Kathy Hinterliter asked if there is any ordinance Catawissa Borough can pass that will supersede Pennsylvania Legislator. Attorney McDonald replied no. Ms. Hinterliter read Pennsylvania Legislator 5511, "Cruelty to animals is an act of omission if you withhold nourishment, sustenance and protection from cats". Attorney McDonald stated he wouldn't know who would enforce that because there is no Animal Control Officer.
- Guest Cindy Bachman asked if the Borough could do anything about Lorie's problem since she knows who owns the cat. Attorney McDonald explained there is nothing that can be done because there is no statute.
- Guest Lorie Smith read Catawissa Ordinance 203 and asked why the Borough Officers are not trapping the cats. Attorney Anthony McDonald explained the issues with trapping the cats and asked what does the Police do with the cats. Attorney McDonald suggested that Police Chief Laidacker talk to the District Attorney before people are fined for feeding cats and trapping cats.
- Council Vice President Gary Steinruck asked Mayor Tim Benner to take care of talking to the District Attorney. Mayor Benner replied yes.
- Council Vice President Gary Steinruck asked Attorney Anthony McDonald if he could have something for council at the end of meeting to post about feeding feral cats. Attorney McDonald stated he would need a few days to do some research.

CORRESPONDENCE:

- Secretary Connie Cole read a letter received from the Columbia County Commissioners regarding they are applying for a State Grant in the amount \$250,000 for a Baseline Quality Data Program.
- Councilwoman Barb Reese received a thank you card from the teachers and kids from the Grace Bible School for opening the Quaker Meeting House for Bible School.

MAYOR:

- Mayor Tim Benner stated the Police will be present at Kid's Day. They will be doing finger printing, a bicycle safety program and the Bearcat will be present.

WATER:

- Water Authority Superintendent, Cindy Bachman had nothing to report.

CODE ENFORCEMENT REPORT:

- Code Enforcement Officer, Larry C. Frace read the report for the month of May which stated the following: (6) investigations, (11) letters, (8) door hanger, (2) verbal warnings and (3) permits were issued.
- Mr. Frace submitted a detailed report and is available for review in the Borough Office.
- Mr. Frace also stated he may need assistant from Attorney Anthony McDonald with a property at 102-104 Main St.

POLICE:

- Police Chief Joshua Laidacker read the monthly report which stated during the month of May, 2018 the department responded to (222) calls for service, as reported by the Columbia County Communications Center.
- The new radios arrived and were placed into service.
- Two of the three vests needed were ordered.
- The department signed up for the 2018 Bullet Proof Vest Grant.
- The new window for the station arrived, and needs to be installed.

PUBLIC SAFETY:

- Committee Chairperson Barb Reese reported the committee met with Mike Lindenmuth and Councilman Roy Klinger and Council President Doug Krum will be going to the next Fire Company meeting to discuss using the Fire Hall as a command center.
- Guest Gretchen Johanson stated she is no longer at the Lutheran Church and suggested council look for another place to house people in case of another flood. Councilwoman Barb Reese explained Mike Lindenmuth is already working on this issue.

UTILITIES:

- Committee Chairperson Linda Kashner reported there were (53) electric door hangers, (23) sewer door hangers and (5) meters were pulled. By the end of the work day, (3) meters were already put back on.
- Committee Chairperson, Linda Kashner read the totals for outstanding utility accounts.

PARKS RECREATION AND ECONOMIC DEVELOPMENT:

- Committee Chairperson Barbara Reese reported Kid's Day is set for June 16th from 11 a.m. to 1 p.m. Ms. Reese stated this is a borough sponsored event, if anyone can please help with setup, clean up and cooking hot dogs to let her know.
- Summer Breeze starts with Salute to the Veterans on June 26th with the Quilts of Valor at 6:15 p.m. and the Catawissa Military Band at 7:00 p.m. On July 10th Avenue E, July 17th the Monkeephiles and July 24th is Double Talk.
- Senior Day is August 24, 2018 from 10 a.m. to 1 p.m. at the Community Center.

PROPERTY & BUILDING MAINTENANCE:

- Committee Chairperson Gary Steinruck reported there is an ongoing battle with the floor at the Community Center. The flooring was not installed properly. The manufacturer and the installer keep going back and forth. Chairperson Steinruck said he calls Home Depot for answers but has not gotten any yet.

- Committee Chairperson Gary Steinruck stated he was asked to get quotes on sound deadening at the Community Center because of the echoing. The quote came in at \$12,000.00. After a brief discussion this matter was tabled.

FINANCE & ADMINISTRATION:

- Committee Chairperson Linda Kashner read the Borough's account balances.
- Committee Chairperson Linda Kashner reported a \$350,000 CD is coming due. Currently the CD is at First Columbia Bank and Trust at .70% interest. Keystone Bank gave two quotes: 11 months 1.25, 35 months 2.22 and First Columbia Bank and Trust gave (3) quotes: 12 months 1.65, 24 months 2.0, 36 months 2.30. After a brief discussion a motion was made by Linda Kashner, 2nd by Roy Klinger to go with First Columbia Bank and Trust for 36 months at a rate of 2.30. All Aye.
- Committee Chairperson Linda Kashner reported we received something from Principal Fidelity Financial stating they are being bought out. The Borough was given the shares with Principal Fidelity Financial from a gentleman many years ago that was on council. Over the last 6 years the borough received \$3000.00 in interest. The Borough has the option to sell the shares and get \$20,000 before the company is bought out. After a brief discussion Attorney Anthony McDonald suggested to talk with a trustee from First Columbia Bank and Trust before a decision has to be made by July 9, 2018. A motion was made by Barb Reese, 2nd by Gary Steinruck giving the Finance Committee permission to make a decision regarding the shares with Principal Fidelity Financial after the talk with a trustee from First Columbia Bank and Trust. All Aye.

PERSONNEL COMMITTEE:

- Committee Chairperson Gary Steinruck reported there are no issues at this time.

UNION:

- Committee Chairperson Gary Steinruck stated there was a short executive session before the regular meeting to discuss the Police contract.

UNFINISHED BUSINESS:

- A motion was made by Barb Reese, 2nd by Patty Hess for Elected and Appointed Officials to sign the Discrimination and Harassment Policy. All Aye.
- A motion was made by Patty Hess, 2nd by Barb Reese for Elected and Appointed Officials to sign the Disability Accommodation Policy. All Aye.
- A motion was made by Linda Kashner, 2nd by Patty Hess to discuss the Sewer Truck. After a discussion on what is needed for the job and the safety of doing the job. Water Authority Superintendent Cindy Bachman stated the Water Authority upgraded to a F350 and stated there is a world of difference in towing. Guest Harold Kitchen asked if the F350 is a single axle. Councilman Roy Klinger stated yes because the Borough Employees needed something narrow to get down side streets. A motion was made by Roy Klinger, 2nd by Linda Kashner to purchase the F350 truck with Bradco Supply with extra equipment on it for \$45,720.94. All Aye.
- A motion was made by Linda Kashner, 2nd by Barb Reese to discuss the grinding of the tree stumps in the borough. The bids are Kennedy Tree Service \$3,250 Certified Arborist \$4010.00, Northeast Tree Service \$4750.00, Allegheny \$8740.00, Susquehanna \$85/hr without looking at the project. Councilwoman Linda Kashner questioned the trees that were listed on the Kennedy bid. Councilman Gary Steinruck stated they are the ones by the retaining wall at the Quaker Cemetery. Councilwoman Barb Reese stated that eventually the Borough will need to plant

trees. A motion was made by AJ McKenney, 2nd by Barb Reese to accept the bid by Kennedy Tree Service for \$3250.00 to grind the tree stumps and remove the 2 trees. All Aye.

- A motion was made by Barb Reese, 2nd by Linda Kashner to discuss the fabrication of new outside stairs at the Borough Hall. A bid was received from S & R Custom Homes for \$15,200 to prepaint prep & painting. This bid does not include any repairs. A bid was received from Precision Millwright & Fabricating in the amount of \$17,438.54. This bid includes fabricating, painting and installing new stairs. Council Vice President Gary Steinruck stated another gentleman who done work for the Borough was asked about bidding the stairs and he was not interested. Gray Builders was also approached about bidding the stairs and they never got back to him. A motion was made by Linda Kashner, 2nd by Roy Klinger to accept the bid from Precision Millwright & Fabricating for the new steps. All Aye.
- A motion was made by Barb Reese, 2nd by Patty Hess to discuss the retaining wall at Quaker Meeting House. A bid from Creative Landscapes was received for \$3664. This bid is to remove the top of the wall where it is crack and broken away from the rest of the wall. The area of the lower wall that is bulging out will be filled with mortar where needed. The wall will not be repaired. Council Vice President Gary Steinruck does not recommend accepting this bid. A bid was also received from Doo Little Construction to include relaying a section of the stone wall approximately 12' x 8', install drainage and 2B stone behind it, use color mortar for a better match, raise and fill in dirt level at the top, seed and grass it, The one that comes down in between the 2 walls raise it and do all repairs that needs to be done for that section for a total of \$14,420. Councilwoman Barb Reese stated she thought this was only supposed to be for the wall between the Quaker Meeting House and the Quaker Cemetery, Council Vice President Gary Steinruck replied what are you going to do about the other wall when it crumbles? Mr. Steinruck read the bid from Potter Construction to repair just the one wall Ms. Reese was referring to. The bid included removed stone wall for approximately 16' x 8' x 18" thick, remove 6' wall above and reset, install drain pipe and back fill with 2B stone, topsoil and seed area when done for \$14,700. Councilwoman Barb Reese asked for a copy of the bids so she can take a look at the wall. After a brief discussion a motion was made by Barb Reese, 2nd by Patty Hess to table this matter until next month. All Aye.

NEW BUSINESS:

- A motion was made by Linda Kashner, 2nd by Barb Reese to discuss the Borough Copier. Councilwoman Linda Kashner asked Connie Cole if she had any information on this matter. Ms. Cole explained the information was discussed with Council President Doug Krum and explained the information provided on the sheet in the packet to the best of her knowledge. A motion was made by Linda Kashner, 2nd by Barb Reese to table this matter until next month. All Aye.
- A motion was made by Barb Reese, 2nd by Linda Kasner to discuss the purchase of a new bill printing machine. Councilwoman Linda Kashner explained that they went over to Diversified to look at this machine. The billing machine is very fast and prints up to 6000 bills/ hour and that newsletters can also be done with this machine. Council Vice President Gary Steinruck stated this machine folds and seals the bills. Councilwoman Linda Kashner stated it may help with the issue with customer's lost bills. Councilman Gary Steinruck stated this could be utilized for getting the word out to residents with what is going on in the Borough. Councilwoman Linda Kashner asked Connie Cole how long it takes to print and pulling apart the bills. Ms. Cole replied it takes about 32 minutes to print, pull apart and sort the bills. Mayor Tim Benner asked Connie Cole if the machine would help with her job much more. Ms. Cole replied she didn't think so with the bill printing end of it. Ms. Cole feels it would come down to using the machine for the newsletter. Councilman Gary Steinruck stated again he felt the machine was a good idea to get

the word out to residents about events. Councilwoman Linda Kashner stated we could hold off for now if council wanted to. A motion was made by Patty Hess, 2nd by Linda Kashner to table the bill printing machine until next month. All Aye.

- A motion was made by AJ McKenney, 2nd by Linda Kashner to discuss the renewal of the Flood Insurance Policy. Councilwoman Linda Kashner read the current rate and the rate if we want to increase the coverage for a difference of \$18. A motion was made by Gary Steinruck, 2nd by Roy Klinger to renew the Flood Insurance Policy with the increased coverage for the amount of \$586. All Aye.
- A motion to discuss heating & air conditioning at the Community Center was removed from the table.
- A discussion on an Ordinance for Feral Cats was tabled until Attorney Anthony McDonald can do some research
- A motion was made by Barb Reese, 2nd by Roy Klinger to discuss upgrading the sidewalks to handicap accessible at the location of Mill & Cemetery Streets. Councilwoman Linda Kashner asked if the sidewalks were not handicap accessible now. Councilman Gary Steinruck stated he asked Council President Doug Krum when the Borough was going to get something done with the crosswalk that was approved in December. So to proceed with the crosswalks the sidewalks need to be made handicap accessible. Councilwoman Linda Kashner stated she thinks it should be done. Councilman Gary Steinruck explained he keeps getting it thrown at him that Penn Dot does not recommend it. Penn Dot does not recommend it but they do not tell you not to do it, Penn Dot points out the faults. The fault is we are creating a false sense of security. Councilman Steinruck asked what conditions did we create on Main St. that are not going to be out at Mill & Cemetery Sts. Councilwoman Barb Reese stated she thought we are only discussing the sidewalks being handicap accessible. Councilman Steinruck explained the reason to make the sidewalks handicap accessible is to proceed with the crosswalk. Attorney Anthony McDonald asked if you wanted a wheelchair crossing out there. Chief Laidacker stated the department did a speed study on Mill St. at that location and the highest speed was 52 mph. Chief Laidacker also stated with vehicles coming up around the corner at 52 mph the line of sight is going to be a problem and the borough is going to be liable because we are putting a crosswalk where there is not a clear line of sight. Chief Laidacker also stated Penn Dot said the same thing the difference between the crosswalk you are proposing and Main St. is line of sight. If someone is crossing at 2nd St. the Chief explained he can see it from Five Points and you do not have that at the other location. Councilwoman Barb Reese said you have elderly people trying to cross at that Mill & Cemetery location now and vehicles coming at 52 mph, someone is not going to make it across the street. Attorney Anthony McDonald asked Councilman Gary Steinruck what Penn Dot said about putting the crosswalk there. Councilman Steinruck stated Penn Dot said we are creating a false sense of security. Mayor Tim Benner stated he would like to make it handicap accessible in case someone in a wheelchair is crossing and needs to get out of the street in a hurry. Attorney Anthony McDonald asked if Penn Dot's Attorney's stated it is not a good idea to not have a crosswalk there. Councilman Steinruck replied no. Mr. Steinruck stated Penn Dot said any place you are putting a crosswalk in you are creating a false sense of security for the pedestrian. Penn Dot does not recommend one way or the other they tell you what they feel is the bad points. Attorney McDonald asked Councilman Steinruck if Penn Dot feels it is a bad point to put a crosswalk there. Councilman Steinruck said yes for those reasons. Attorney McDonald said it sounds to me like they are not recommending putting one there. A motion was made by Patty Hess, 2nd by Gary Steinruck to not put in the handicap accessible ramps. AJ McKenney, Nay; Roy Klinger, Aye; Patty Hess, Aye; Gary Steinruck, Aye; Linda Kashner, Nay; Barb Reese, Nay; Tim Benner, Nay. Motion does not carry.

- A motion was made by Barb Reese, 2nd AJ McKenney to upgrading the sidewalks at Mill & Cemetery Streets to handicap accessible. AJ McKenney, Aye; Roy Klinger, Nay; Patty Hess, Nay; Gary Steinruck, Nay; Linda Kashner, Aye; Barb Reese, Aye; Tim Benner, Aye. Motion carries.
- A motion was made by Barb Reese, 2nd by Roy Klinger to recind the motion and table the upgrade of the sidewalks to handicap accessible until next month. All Aye.
- Guest Harold Kitchen stated he thinks the handicap accessible has to go to where they can go either way on the street.
- A motion was made by Linda Kashner, 2nd by Barb Reese to discuss putting the demand and multiplier on the electric bill for small power customers. After a brief discussion a vote was taken. All Aye.
- A motion was made by Barb Reese, 2nd by Patty Hess to adopt Resolution 2018-06 regarding Joinder Agreement and the terms of the Pennsylvania State Association of Boroughs Municipal Retirement Plan. All Aye.
- A motion was made by AJ McKenney, 2nd by Roy Klinger to open the bids for the Pfahler Street project. Councilwoman Linda Kashner asked if this is the project that we have a grant from CDBG and the Borough has to contribute \$10,000. Councilman Gary Steinruck replied I think that is right. Councilman Gary Steinruck explained that a vote can be made to accept the lowest bid tonight but it is contingent on the approval by CDBG. The following bids were received: HRI \$49,825, M & J Excavation \$ 55,373, Sokol \$56,944. A motion was made by AJ McKenney, 2nd by Roy Klinger to accept the bid from HRI in the amount of \$49,825 contingent on CDBG approval. All Aye.

FINANCE PAYMENT OF BILLS:

- A motion to accept payment of bills as written was made by Linda Kashner, 2nd by Patty Hess. All Aye.

GUESTS TO BE HEARD:

- Guest Harold Kitchen asked how many and who was going to the meeting next Monday. Councilwoman Barb Reese stated Roy Klinger and Doug Krum will be coming.
- Councilman Roy Klinger asked if the trees to being taken down at the cemetery can be taken down in mill able size so the lumber can be repurposed somewhere in the borough. Councilman Roy Klinger stated this service will be a donation. Councilman Gary Steinruck said it would have be at the discretion of the service provider now. Mayor Tim Benner stated it is something that can be checked on.

ADJORNMENT:

- Motion made by Linda Kashner, 2nd by Roy Klinger. All Aye.

MEETING ADJORNED

Submitted by:

Connie M. Cole
Borough Secretary