

MINUTES OF THE REGULAR MONTHLY MEETING OF THE INDIANA  
BOROUGH COUNCIL HELD TUESDAY, OCTOBER 6, 2009, AT 7:00 PM, IN THE  
COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING.

PRESENT: President Fruehstorfer, Presiding; D. Peffer, Recording; Council Members Bricklemyer, Gallo, Hartman, Hogan, Jones, Kravetsky, Petrosky, Shively, Simmons, Thompson and Thorell; Borough Manager Gabler; Police Chief Sutton; Mayor Hood; Wayne Kablack, Esquire; Public Works Director Fairman; Code Officer Kirk; Chuck Kelly, Indiana Fire Association; Randy Wells, Indiana Gazette; Celeste Gossman, Renda Broadcasting; Alan Haycock; Jim Wakefield; Representatives of United Workers Union of America Local 580; and several visitors.

President Fruehstorfer called the meeting to order, at 7:00 PM.

After a moment of silent reflection, Councilman Thorell led the Pledge of Allegiance.

Pres. Fruehstorfer asked for a Roll Call. All Council members were present.

There was a motion by Bricklemyer, second by Jones, to approve the minutes of the two Public Hearings held September 8, 2009, as written. Motion Carried.

There was a motion by Kravetsky, second by Simmons, to approve the minutes of the Regular Meeting of September 8, 2009, as written. Motion Carried.

There was a motion by Gallo, second by Hogan, to approve the Financial Reports for September 2009 as presented. Motion Carried.

The following action occurred during Public Participation:

- ◇ Alan Haycock, 658 Grant Street, once again complained about the way he has been treated for expressing his frustration and disappointment with the Elm Street Project. Haycock stated Victoria Rosenberger revealed personal information to an outside party, and he didn't appreciate the tone of a letter he received from Borough Manager Gabler. Haycock isn't happy with the way things are being handled, and he feels some changes need to be made.
- ◇ Jim Wakefield, 209 Papermill Avenue, thanked Council for adopting a resolution asking IUP to reopen South 11<sup>th</sup> Street. Unfortunately, that request has been turned down. Wakefield then spoke in regard to the projected deficit in the 2010 budget. Rather than raising taxes, Wakefield suggested Council eliminate the 400 foot rule ordinance that prohibits the creation of a new rental property for three or more unrelated people in residential areas if one already exists within a 400 foot radius.

The following action occurred during the Committee Reports:

**ADMINISTRATION/PUBLIC WORKS:** No action required.

**COMMUNITY DEVELOPMENT/PUBLIC SAFETY:** No action required.

**SHADE TREE COMMISSION:**

- ◇ The fall planting has begun. Eleven small trees were already planted, and nine large trees still need to be planted as part of the Grant Street Project.

**RECREATION COMMISSION:**

- ◇ A routine business meeting was held last night.
- ◇ They are checking into some new programming opportunities, which may include offering guided tours and cruises.
- ◇ The Commission is looking at the 2010 budget, and they are very positive that things will work out with the three entities.
- ◇ The fall brochure is out. People are encouraged to take advantage of the opportunity to advertise in the Commission's program booklet that is published several times a year.

Borough Manager Gabler invited all Council members to attend tomorrow night's Administration/Public Works Committee meeting. After the regular portion of the meeting is held, there will be discussion on the proposed 2010 budget.

The following action occurred during Chief Sutton's report:

- ◇ Everyone received a copy of the Police Department Activity Report for September 2009.
- ◇ Council also received a copy of the Parking Department statistics for September 2009, as well as September 2008 for comparison.
- ◇ IUP's Homecoming is this weekend, and we will be getting assistance from the Homer City and Punxsutawney Police Departments, as well as troopers from the State Police, who will be providing a mounted horse patrol again this year. If any member of Council is interested in riding along with one of our patrols, please contact Chief Sutton as soon as possible.
- ◇ Councilman Brickleyer asked about the current occupancy rate of the Parking Garage. Chief Sutton offered to get those numbers from Sergeant Kovalcik. Councilman Hartman stated it would be nice to have that information for tomorrow night's budget meeting.

The following action occurred during Code Officer Kirk's report:

- ◇ Each member of Council received a copy of the Code Department's monthly report.
- ◇ Kirk has received a map of all the rental properties in the borough. He is in the process of reviewing it, and should have it available by the end of the week.
- ◇ Councilman Brickleyer has heard rumors that one or more of IUP's new dorms are being over-occupied, and that some students are staying in common areas of the dorms. Brickleyer asked if Kirk has had an opportunity to inspect those facilities yet. Kirk replied no. Brickleyer feels this would affect the PILOT (Payment in Lieu of Taxes) agreement that IUP has with Indiana Borough,

Indiana County and the Indiana Area School District. The PILOT agreement is based on a specified number of beds in use in the new dorms during various phases of the dorm construction project, and over-occupying a dorm could be a violation of the PILOT agreement. Councilman Gallo stated we are making assumptions without any factual numbers of how many students are living there. Council instructed Kirk to inspect the dorms and report back to Council on whether students are bedding down in hallways or other common areas of the new facilities.

IFA Representative Chuck Kelly gave Council a statistical report, and they had 42 fire alarms in the month of September. Kelly also stated 20% of the IFA's calls so far in 2009 have been false alarms, and he has given that documentation to both Borough Manager Gabler and White Township.

As a member of the YMCA Board, Councilman Gallo wanted to publicly thank the Indiana Fire Association for their assistance during the recent pool leak.

President Fruehstorfer announced there would be an Executive Session after adjournment, for the purpose of property negotiations.

The following action occurred during Mayor Hood's report:

- ◇ Hood thanked everyone for their public participation.
- ◇ Mayor Hood commended the Indiana Fire Association for their involvement with the recent funeral of former firefighter Tex Campbell.
- ◇ Indiana Borough's Trick-or-Treat will be held on Saturday, October 31<sup>st</sup>, from 6-8 PM.
- ◇ Hood asked that everyone keep the military personnel in their thoughts and prayers.
- ◇ Several representatives from Indiana Borough and the County Planning Office will be attending the University-Community Network meeting next Tuesday in State College.

The following action occurred during Unfinished Business:

- ◇ There was a motion by Thorell, second by Hartman, to approve Grievance No. 2009-2 filed by the Utility Workers Union of America Local 580 following disciplinary action against a borough employee. The vote was: 0 yes, 12 no. Motion Defeated. The grievance is denied.
- ◇ Councilwoman Hogan was recently contacted by Jim Boyle regarding a sidewalk complaint. Borough Manager Gabler has been in touch with him, and will go down to take a look at the situation.

There wasn't any New Business.

The meeting was adjourned at 7:50 PM, upon a motion by Gallo and a second by Shively.