

MEETING MINUTES

April 5, 2022 - 5:00 PM

Being a quorum present, the meeting was called to order with the Pledge of Allegiance at 5:00 PM by Robert G. Holzer, President. Those in attendance were:

Robert G. Holzer, President
Christine Hendryx
Rowan Rose

Dennis W. O'Toole, V. President
Christi Black
Cindy Crytzer, Secretary

Public Comment: None.

Minutes: A motion was made by Rowan Rose to approve the March 15, 2022 Council minutes as presented, 2nd by Christine Hendryx, motion carried.

Bills: March bills and bill list reviewed. A motion was made by Denny O'Toole to approve payment of the March, 2022 bills as presented, 2nd by Rowan Rose, motion carried.

Correspondence:

- Email from Library Director dated 3/31/2022 reviewed. Tell Carla to attempt to get 2 bids on the project.

Old Business:

- **Payment from Forest County for 2021 Tax Collection:** Letter from Andrea Stapleford dated 3/4/2022 reviewed. Cindy was directed to tell Andrea to proceed with collection.
- **GIS Mapping:** Waiting on final product.
- **Walnut Street Storm Water Line Replacement:** Project expected to begin next week. Cindy sent out letters to all property owners affected by the project to notify them construction will begin soon.
- **Electronic Recycling:** Nothing new.
- **Enforcement Notices:** Memo from Cindy to Council dated 4/4/2022 reviewed. Cindy will proceed with the next step in the enforcement/violations for 129 Elm St, 214 Elm St & 101 German Hill Rd. Christine moved to adopt Resolution No. 2022-2 declaring 214 Elm St blighted and condemned, 2nd by Christi Black. Roll call vote as follows: Denny O'Toole, Aye; Christine Hendryx, Aye; Christi Black, Aye; Rowan Rose, Aye; and Bob Holzer, Aye. Resolution 2022-2 adopted.
- **Council Run Rip-Rap:** Cindy submitted additional documentation this week to the Forest County Conservation District for a grant.

- **Dale Street Water/Sewer Project:** Cindy applied for a Proper grant for the \$25,000 engineering needed for this project.
- **Library Storm Water & Sanitary Sewer Project:** Nothing new.
- **Beach Park Project:** Quote dated 3/18/2022 from Jeffrey Associates reviewed. The quote is for a new piece of playground equipment. The grant money that Cindy received for the equipment has to be spent by this fall. Jeffrey Associates is a COSTARS representative, therefore no more bids are required. Christine Hendryx moved to approve the purchase of the equipment for the playground at \$30,185, 2nd by Rowan Rose, motion carried.
- **Beach Park Shed:** The TCA can use the shed as long as its painted and maintained. Bob will pass this along to the TCA.
- **Downtown Park Refresh:** Cindy will be contacting the probation department to have this project put on the schedule.

New Business:

- **Street Sweeping:** To be done the first week in May. The hourly rate increased from last year. The estimate for the service this year is approximately \$110 more than budgeted. If the invoice is for more than budgeted, Cindy will transfer the overage needed funds from 01-405-311 to balance the budget.
- **Short-Term Rental Application:** Application reviewed. The fees for Short-Term Rentals will be \$150 for initial application and \$50 each year thereafter. These fees have been added to the Borough's Fee Resolution. Denny O'Toole moved to adopt Resolution No. 2022-3, 2nd by Christine Hendryx. Roll call vote as follows: Denny O'Toole, Aye; Christine Hendryx, Aye; Christi Black, Aye; Rowan Rose, Aye; and Bob Holzer, Aye. Resolution 2022-3 adopted.

Executive Session: Called by Bob Holzer at 6:04 pm. Regular session resumed at 6:18 pm

Reports:

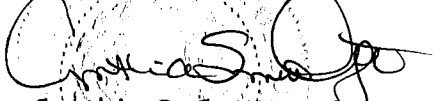
- **Mayor** - None.
- **President** - None.
- **Committees** - None.
- **Sheriff** - April Patrol Schedule reviewed.
- **Library** - None.
- **EHB** - None.
- **COG** - Cindy reported the COG met 3/30/22 and the blight ordinance draft is in process with Andrea Stapleford.
- **TCC** - None.
- **Ambulance Board** - None.
- **Zoning Hearing Board** - None.

- **TMA** - Elm Street Sewer Project. Awaiting formal approval for additional grant funding for the project. Not bid out yet.
- **Planning Commission** - None.

Roundtable: None.

Rowan Rose moved to adjourn, 2nd by Christi Black. Meeting adjourned at 6:30 pm.

Respectfully submitted;



Cynthia S. Crytzer, Secretary

TIONESTA BOROUGH RESOLUTION NO. 2022-3

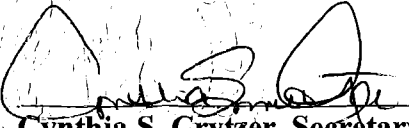
BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF TIONESTA, FOREST COUNTY,
AND IT IS HEREBY RESOLVED AS FOLLOWS:

The following fee schedule shall be in effect for services provided to residents/property owners by
Tionesta Borough:

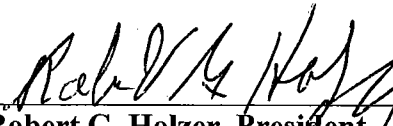
MUNICIPAL PERMITS:	\$0 - \$1,000	\$50.00
	Over \$1,000	\$50.00 + \$5.00/\$1,000
SIGN PERMITS:	C, R-1, and R-2	\$5.00
	HC, B and I	\$25.00
SHORT TERM RENTAL APPLICATION:	Initial Application Fee	\$150.00
	Annual Renewal	\$50.00
ZONING APPEALS:	Variance	\$200 + advertising/postage
	Special Exception	\$200 + advertising/postage
	Conditional Use	\$250 + advertising/postage
	Curative Amendment	\$300 + advertising/postage
TAP FEES:	Water	\$300 + all related costs *
	Sewer	\$480 + all related costs * per unit or tap (TMA Reso #2017-2)
* related costs include tap, meter, fittings, etc. boring, service line, etc.		
WATER TURN-ON FEE:	Customer Request	\$40
	Non-Payment of Bill	\$50
WATER LEAKS/REPAIRS:	\$20.00 hourly rate per man	
OPENING PLUGGED SEWER:	\$30/hour + \$20.00 hourly rate per man (electric snake)	
SEWER JET CLEANER:	\$50/hour + \$20.00 hourly rate per man	
BOUNCED/RETURNED CHECK ADMINISTRATIVE FEE:	\$50.00 (includes the bank charges and will be charged for each bounced/returned check)	

RESOLVED THIS 5th day of April, 2022.

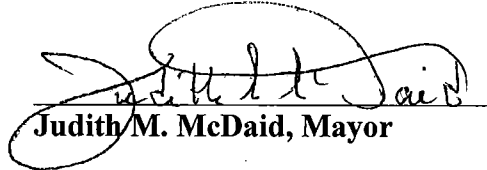
ATTEST: (SEAL)


Cynthia S. Crytzer, Secretary

TIONESTA BOROUGH

By: 
Robert G. Holzer, President

APPROVED this 5th day of April, 2022.


Judith M. McDaid, Mayor

**TIONESTA BOROUGH
FOREST COUNTY, PENNSYLVANIA**

RESOLUTION NO. 2022-2

**RESOLUTION OF TIONESTA BOROUGH, FOREST COUNTY,
PENNSYLVANIA, AUTHORIZING THE COMMENCEMENT AND
COMPLETION OF PROCEEDINGS UNDER THE EMINENT
DOMAIN CODE, ACT OF MAY 4, 2006, P.L. 112, No. 34, 26 Pa.
C.S.A. §101 ET SEQ., FOR THE PURPOSE OF DEMOLISHING
ANY AND ALL STRUCTURES LOCATED ON THE PREMISES.**

WHEREAS, Section 205 of the Eminent Domain Code (26 Pa.C.S.A. §205) provides that properties may be declared blighted and condemned is any of the enumerated criteria exist; and

WHEREAS, the Borough Council Members of Tionesta Borough (the “Borough”) have made inspection of the condition of premises located at 214 Elm Street, Tionesta, Pennsylvania and further identified in the Tax Assessment Records of Forest County as Parcel No. 19-08-119-00 (hereinafter, the “Property”); and

WHEREAS, as a consequence of said inspection, the Borough Council Members have found upon said Property the following conditions which qualify the property as being blighted and, consequently, subject to condemnation:

(1) Premises which, because of physical condition or use, is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with the municipality housing, building, plumbing, fire or related codes.

(2) Premises which, because of physical condition, use or occupancy, is considered an attractive nuisance to children.

(3) A dwelling which, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by statute or an applicable municipal code, has been designated by the agency responsible for enforcement of the statute or code as unfit for human habitation.

(4) A structure which is a fire hazard or is otherwise dangerous to the safety of persons or property.

(5) A structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use.

(6) An unoccupied property which has been tax delinquent for a period of two years.

(7) A property which has environmentally hazardous conditions, solid waste pollution or contamination in a building or on the land which poses a direct and immediate threat to the health, safety and welfare of the community.

(8) A property having three or more of the following characteristics:

(i) has unsafe or hazardous conditions that do not meet current use, occupancy or fire codes;

(ii) has unsafe external and internal accessways;

(iii) violates the applicable property maintenance code adopted by the Borough and is an immediate threat to public health and safety; and

(iv) is vacant; and

WHEREAS, the Property Maintenance Ordinance No. 291 of the Borough, adopting the 2015 International Property Maintenance Code, further provides that properties which are in violation of the Property Maintenance Ordinance may be condemned; and

WHEREAS, the Borough desires to improve the health and safety of the conditions of the Borough and of the residents of the Borough and finds it necessary and appropriate to see to the demolition of the structures located on the Property; and

WHEREAS, it is necessary to condemn the Property for the purposes stated herein.

NOW, THEREFORE, BE IT RESOLVED and IT IS HEREBY RESOLVED, that Tionesta Borough does declare that the Property is condemned, is in violation of the Borough's Property Maintenance Ordinance No. 291 and, further, that it satisfies the

criteria set forth in the Eminent Domain Code for blight for the reasons that the Property constitutes or contains

(1) Premises which, because of physical condition or use, is regarded as a public nuisance at common law or has been declared a public nuisance in accordance with the municipality housing, building, plumbing, fire or related codes.

(2) Premises which, because of physical condition, use or occupancy, is considered an attractive nuisance to children.

(3) A dwelling which, because it is dilapidated, unsanitary, unsafe, vermin-infested or lacking in the facilities and equipment required by statute or an applicable municipal code, has been designated by the agency responsible for enforcement of the statute or code as unfit for human habitation.

(4) A structure which is a fire hazard or is otherwise dangerous to the safety of persons or property.

(5) A structure from which the utilities, plumbing, heating, sewerage or other facilities have been disconnected, destroyed, removed or rendered ineffective so that the property is unfit for its intended use.

(6) An unoccupied property which has been tax delinquent for a period of two years.

(7) A property which has environmentally hazardous conditions, solid waste pollution or contamination in a building or on the land which poses a direct and immediate threat to the health, safety and welfare of the community.

(8) A property that:

(i) has unsafe or hazardous conditions that do not meet current use, occupancy or fire codes;

(ii) has unsafe external and internal accessways;

(iii) violates the Borough Property Maintenance Code Ordinance No. 291, adopted by the Borough and is an immediate threat to public health and safety; and

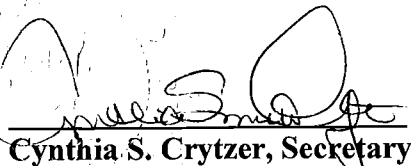
(iv) is vacant.

BE IT FURTHER RESOLVED, and it is hereby resolved, that the President, Vice President and Secretary of Tionesta Borough or the Solicitor for the Borough (Stapleford & Byham, LLC) are hereby authorized and directed to prepare, execute, attest, file and serve all such documents relating to said condemnation and declaration of blight and other proceedings and to do all other such acts as shall be necessary, proper and convenient for the carrying out of the Resolution hereby adopted and that said parties or persons shall further be authorized to retain a duly licensed real estate broker to prepare and submit an appraisal of damages, if any, experienced by the condemnee as a result of the implementation of the Resolution hereby adopted.

ADOPTED as a Resolution for Tionesta Borough, Forest County, Pennsylvania, this 5th day of April, 2022.

ATTEST: (SEAL)

TIONESTA BOROUGH


Cynthia S. Crytzer
Cynthia S. Crytzer, Secretary

BY: Robert G. Holzer
Robert G. Holzer, Council President

APPROVED this 19th day of March, 2022.

Judith M. McDaid
Judith M. McDaid, Mayor