

PORT ROYAL BOROUGH COUNCIL

June 10, 2024

The Port Royal Borough Council held their monthly meeting on Monday, June 10, 2024, at 7 pm at 111 East Eighth Street, Port Royal, PA 17082.

Members present were President, Adam Bryner, Vice-President Glenda Leister, Council Members, John Towsey, Teresa Murphy, Grace Goss, Steve Bargo, and Mayor, Dylan Cisney. Council member Nicholas Walters was not in attendance.

Others present were Kimbra Jo Gray, Borough Secretary/Treasurer, Randy Williamson, Borough Maintenance, Brian Book, Engineer cb3 Solutions, Solicitor Donald Zagurskie, Becky Lock, Juniata Sentinel and Paulette Forry, Port Royal Times.

FIRST ON THE AGENDA

Solicitor Donald Zagurskie updated the Council on Pre-hearing Conference Call conducted on Wednesday, June 4, in regards to an application for approval to replace the existing public above grade crossing by construction of a new bridge where State Route 0075 (Market Street) crossed the tracks of Norfolk Southern Railway Company, DOT No. 506.587.S in Port Royal Borough, Juniata County, and the allocation of costs incident thereto Docket No. A-2019-3008365 that has been filed with the PA Public Utility Commission.

The Pre-Hearing Statement includes Port Royal Borough as a party in the issue of who should be responsible for the future maintenance and costs of the drainage pipe under the Norfolk Southern's railroad tracks.

After a lengthy discussion regarding how the Borough Storm Water drains to the subject area of State Route 0075, the Council made the decision that very little drainage from Borough Streets flow to the storm drain in question and the Borough could divert any storm water somewhere else. The Council agreed that the drainage pipe was not property of the Borough, and they need to have the Borough withdrawn from this proceeding. Solicitor Zagurskie will prepare a letter stating the Borough's position and request that the Borough be removed from any further action regarding the drainage pipe under the Norfolk Southern's Railroad tracks.

On another matter, Mid-State Paving requested a release from the 1-year warranty clause in the contract for their work on Eighth Street due to some issues caused by the heavy rains. Engineer, Brian Book, recommended that the Council only waive the part relevant to change order #2 and release them of the warranty, but the balance of the work should remain under 1-year warranty per the contract.

MOTION was made by Steve Bargo to authorize Brian Book to prepare a letter to Mid-State Paving to grant a partial release of the 1-year warranty for the Eighth Street project stipulating only work regarding change order #2 to the original contract apply, the balance of the work for the Eighth Street project would remain under the 1-year warranty, 2nd by Glenda Leister, approved by all, motion carried.

MOTION was made by Glenda Leister to approve Minutes of the May meeting, 2nd by Teresa Murphy, approved by all, motion carried.

MOTION was made by Teresa Murphy to approve Borough Bills for the month of May, 2nd by Grace Goss, approved by all, motion carried.

There were two new Land Use Permits applied for.

Imes – Fourth Street (Swimming Pool)

Verizon – Fairgrounds – Remove old hardware and install new

Public Comments – There were no public comments.

Brian Book, Engineer cb3 Solutions, LLC

Milford & Eighth Street

Work has gone well on Eighth Street; several actions need to be taken:

- **Change Order #1** – Test Pits establishes a Unit Price of \$555.00 for 4'x4'x4' Test Pits with spoil fill and a Unit Price of \$1,485.00 for 6'x8'x4' with stone back bill. This is a result of Work Change Directive No. 1 provided to Mid-State Paving. The Change Order results in a net increase to the project of \$4,815.00.

MOTION was made by John Towsey to approve Change Order #1 increasing the Eighth Street project in the amount of \$4,815.00 to complete Test Pits, 2nd by Grace Goss, approved by all, motion carried.

- **Change Order #2** – Over Excavation and Stone Fill establishes a Unit Price of \$21.50 per cubic yard to remove the wet soil within Eighth Street and a Unit Price of \$91.50 to place #4 stone under the proposed road surface. This Change Order results in a net increase to the project \$26,203.00.

MOTION was made by Glenda Leister to authorize President Adam Bryner to sign Change Order #2 increasing the Eighth Street project in the amount of \$26,203.00 to over excavate and place stone fill in the wet areas, 2nd by Steve Bargo, approved by all, motion carried.

- **Change Order #3** – 4-inch Drainage Pipe established a unit price of \$38.25 complete in trench. This Change Order represents an increase to the project of \$1,950.75.

MOTION was made by Grace Goss to approve Change Order #3 to install 4-inch drainage pipe, 2nd by Teresa Murphy, approved by all, motion carried.

- **Pay Application No 1** – Mid-State Paving has submitted Application for Payment No 1 which shows they have completed \$291,838.93 inclusive of the Change Orders above. 5% retainage is withheld. A payment of \$277,246.98 is recommended for Pay Application No 1.
- **Substantial Completion** - On June 4th, Randy Williamson, John Towsey and Brian Book completed a Punch List Walk through with representatives of Mid-State Paving on the Phase 1 (Eighth Street) Project. All Individuals present felt that the work was substantially completed and noted that the attached punch list representing \$1,000 dollars was all that remained to be completed. The Borough is in receipt of the SC certificate. You have 7 days from receipt of the SC Certificate to object to this determination.

- **Authorization to begin Phase 2** – Brian Book spoke to several members of the Authority, and they are aware of a recommendation to provide carrier pipes under Milford Street. This alleviates their objections to the work proceeding. Therefore, we could avoid the additional mobilization cost and authorize Phase 2 immediately. We spoke about this with MidState during the Job conference and believe the schedule would avoid impacts to the July 4th Races and the Juniata County Fair.

MOTION was made by Steve Bargo to authorize Brian Book to draft a letter to Mid-State Paving to begin Phase 2 of the Milford & Eighth Street Project, 2nd by Teresa Murphy, approved by all, motion carried.

- **WCD #4** - This is a work change directive authorizing Mid-State to install the necessary carrier pipes at locations to serve the homeowners on the western side of Milford Street as well as the vacant lots and the main line on Ninth Street. We anticipate that the total impact of the directive will be approximately \$10,000.

MOTION was made by John Towsey to install carrier pipes at the designated locations for future services to the homeowners on the western side of Milford Street, 2nd by Glenda Leister, approved by all, motion carried.

- **WCD #5** - This is a work change directive authorizing Mid-State to install the Stormwater Pipe on the Western edge of Milford Street. This will remove the potential interference with the sewer that is to remain (and be lined). We anticipate that this WCD will have a marginal impact on the overall construction price.

MOTION was made by Teresa Murphy to approve WCD #5 authorizing Mid-State Paving to install the stormwater pipe on the western edge of Milford Street, 2nd by Grace Goss, approved by all, motion carried.

MOTION was made by John Towsey to accept the Engineers Report for May, 2nd by Glenda Leister, approved by all, motion carried.

Maintenance Report

Military Banners –Calls are being received for new banners and Mayor Dylan Cisney will be follow up. If any banners need to be replaced, the purchaser will be contacted.

Discussion was held about the possibility of doing a 3-year application fee for banners. Due to the costs, the Borough is not able to replace the damaged banners. The lifetime guarantee is no longer an option. The issue was tabled to gather more information to be discussed later.

A date is needed to coordinate with Don Bratton on the completion of the Tennis Court project at Moyer Park. A crew of two to mix the paint and two to roll it over the court. Project should only take between 2 and 4 hours to complete.

Randy Williamson wanted thank John Towsey and to bring to everyone's attention the amount of time that he spends taking care of street projects within the Borough.

MOTION was made by Teresa Murphy to accept the Maintenance Report for May, 2nd by Steve Bargo, approved by all, motion carried.

Grace Goss would like it to go on record that she believes that Randy's time helping Duane Hart needs to be paid for when he is assisting the Municipal Authority. Randy addressed those concerns, stating that he has only been assisting with the changing of the chemical barrels and that would soon no longer be a concern after the updates are made to the system. He no longer has time available, and the Municipal Authority has been using other avenues to get help.

Council member Glenda Leister asked for volunteers to assist with the Low-Moderate Income Survey necessary for the Borough to apply through the Juniata County Commissioners for CBDG funding. The survey will be for 2025 funding, but she would like to have a deadline established. If approved, the survey will be in effect for five years. Council members Teresa Murphy, Grace Goss, Steve Bargo, Dylan Cisney and Adam Bryner along with Glenda Leister will help with the survey as time allows.

Ordinance Committee

The struggle continues to find someone to fill the position of Code Enforcement Officer. Glenda Leister remarked that we have a nice town, and it needs to be maintained. Suggestion was made that Mayor Dylan Cisney or President Adam Bryner speak with District Magistrate Joshua Imes about how ordinance violations could be filed. Solicitor Zagurskie suggested maybe the Borough could partner with Mifflin and Mifflintown as they were also without a Code Enforcement Officer.

Ordinance book updates were discussed. It was noted that Adam Bryner had the most current/up to date book and could be used to update the information on the website. Mayor Cisney suggested that an updated printed copy be available at the office.

OLD BUSINESS

Townwide Yard Sales – July 5th & 6th

Dedication of the Parklet -- Saturday, July 6th in conjunction with the Town-Wide Yard Sales

Port Royal Speedway Track Rentals – Requests for rental of the track need to be approved by council on a request-by-request basis.

NEW BUSINESS – There were no new items of business to discuss.

General Discussion

Teresa Murphy once again addressed the council as a resident. She is concerned about the speedway not maintaining the fenced area that is growing up in weeds. Although the field gets mowed, there is nothing being done about the weeds growing around the fence and on the fence posts. She does not believe that it should be the homeowners' responsibility to maintain the fence along their property lines.

Council member Steve Bargo made the request to have the monthly minutes from the Port Royal Municipal Authority be provided as part of the monthly meeting information.

MOTION was made at 9:01 pm by Glenda Leister to move the meeting to an Executive Session on a personnel matter, 2nd by John Towsey, approved by all, motion carried.

MOTION was made at 9:59 pm by Steve Bargo to exit the meeting to an Executive Session, 2nd by Teresa Murphy, approved by all, motion carried.

MOTION was made by Steve Bargo to hire Banks Imes at the rate of \$7.25 (minimum wage) as a summer helper to Randy Williamson/John Towsey, 2nd by Teresa Murphy, approving council members included: John Towsey, Teresa Murphy, Steve Bargo, Glenda Leister, Adam Bryner; council member Grace Goss opposed, motion carried.

MOTION was made at 10:07 pm by Glenda Leister to adjourn the meeting, 2nd by Grace Goss, approved by all, motion carried.

Respectively Submitted,
Kimbra Jo Gray
Borough Secretary/Treasurer

Next Meeting: Monday, July 8, 2024, at 7 pm