

Meeting Minutes
December 28, 2023

Meeting called to order by President Scott 7:00 pm

Pledge of Allegiance and Prayer by President Scott

Roll Call: Rachelle Hop, Joel, Jane, Mike, Judy Scott, Ashley The Daily News; Jen Bellis; Ron Dively; Dan Coffman; Solicitor Jeff Stover;

November 13th, 2023 Meeting Minutes - motion to accept as presented, VP Pheasant, seconded Jane Pilch, All in favor, Motion Carried

Authorization of Bills and Financial Report Accepted - Mike Peters motioned to accept and authorize, Rachelle Hopsicker seconded, All in favor, motion carries

Representative Reports, not many in attendance this evening

Jen Bellis - Long Story details of Holly Jolly Hartslog paper handed to all of council. She thought they'd come up \$600 short, but a week before event the large sled was broken so they only had a 6 seater to fill, all tickets ended up selling. So, night of the 6 seater was actually 4 adults, 2 children - we were about 15 minutes behind... but we had to end up turning away 17 people and refunding them.

\$1,396.00 was collected and we owe them \$1,450

We are requesting the Borough to cover the difference of \$149.04 - if we hadn't turned the 17 people away we would have met the finances.

All of the over \$600 prizes we received have been distributed. We learned some things and have a take away to improve. The luminaries were lit, but the candles didn't hold up so well. We have gotten different types of candles to test and find out which will hold up better. We aren't sure if it was the weather or what, but we'll run some tests to figure out which are the best for the money.

Other than that I think it went well.

With the request of council covering \$149.04 does anyone want to make a motion? President Scott

VP Pheasant asked if the company adjusted at all based on the sleigh changes?

Jen Bellis felt we do have a leg to stand on if they'd like her to try and negotiate that down? Especially due to the communication confusion regarding a true 6 sleigh.

VP Pheasant said did they give us the right amount of time or did they count that short too? Jen said they actually gave us 15 more minutes to try and accommodate.

Mike Peters said I don't think that's a big deal. Jane Pilch said I don't either.

I make a motion to pay the 149.04, Mike Peters, Jane Pilch seconded. All in favor. Motion Carries.

Jen said next year we will make sure to actually complete all of the reservations. She said any other questions or ideas that pop up you can reach out. All the details are in the report.

President Scott thanked Jen and Mike Peters did also.

Thank you to the museum for letting us use electricity and also thank you to the Boy Scouts for handing out the luminaries. President Scott asked if anyone has any questions for Jen.

RON DIVELY

I don't want to take up your time, but I'm still trying to get my land use permit to replace the building that was there at one time. I'm ready to build and I got denied by the Flood Water Administrator which is Judy - I believe there's a misinterpretation of the ordinance. I'm removing an over 400 sq ft structure and it's saying I can't put one up bigger than 200 sq ft. One reason I want this structure is so I can move the furnace out of my basement and put up to heat my house. We would have to do flood gates and variances, etc... I'm not below flood grade - I paid for ones to come in and adjust this. So hopefully someone can shed light on this ordinance so we can get underway. Dain Davis said our engineer who is working for you should look at his plan and review it for the borough and in concordance with the borough's ordinance then you'd have an engineers opinion that will include the ordinances. He can talk, Lucas can talk to Young. We should've done this month's ago. But this would be an offer - you don't have to do that, but it would help I think. Dan C. If the building is larger than 200ft you either need flood gates or above the floodplain - we're building something larger, but we are above flood plain... Rain said with Lucas having experience with this he could work for you and the borough to make it work together. Dan said what does line 9 mean - the 2020 flood plain ordinance that FEMA enacted, all the municipalities can agree to it and Judy signed it. Solicitor Jeff said that it's pretty much a statewide ordinance. Ron Dively says there's says 100 sq ft... that meant under 100 sq ft nothing needs done... but what Ron is building is a non residential structure that will have a furnace in it to heat his house. Dan Coffman read line 9 of the ordinance... and said that we will be above the flood plain.... Ron said so really we have to go further on with the engineer. Dan said we really don't - it's in the ordinance. Solicitor Jeff said, I haven't read the ordinance in detail... the problem right now is that you already have a decision that denies it and you have 30 days to appeal and you didn't appeal. You still have a right to go to have a variance to the zoning hearing board. If council wants to give you a second bite of the apple with the engineer you can do that, other wise you can support a form to the Zoning Hearing Board and they have to give you a decision within 60 days.

Jane asked if council has a say to the variance.

Solicitor said you have a right to give your say to the zoning board, but they have final say

Jane said so we can give our input

Zoning Hearing Board can take a look at that line Solicitor said to Ron, Dan said the plans are already pre-approved, but we're waiting on the Building Permit. He said Hollidaysburg has exactly the same thing and their building it up there... Jane said do we have an accessory structure definition in our ordinance. Dan said on page 15 FEMA Ordinance... all read. Ron said also I interpret it that this flood plain ordinance is the entirety of the borough - the 200 sq ft there's five other garages built at our end of the town and she said that was under previous jurisdiction and Ron said that was before she was king. So if Danny Kyper's was 38 ft . 26 ft - on Shelton Ave. why was it different.

Solicitor Jeff Stover - I don't know what to tell you other than it's been well over 30 days since you've been denied and you didn't appeal - so where you're at is going to the Zoning Hearing Board. Dain asked if he had the copy of the application - Lucas may have worked with John Young before, but if you have his phone number they could get in touch - the engineer and municipality can be in touch... Ron said so we wait to talk to the engineer and if there's a form I need to fill out I need that. Solicitor Jeff said we'll find the form for you. President Scott said reach out to Andy Parks too - he's on the Zoning Board...

Jane Pilch said it almost looks as though you can't have flood area to exceed 200 ft... but then when we define accessory structures 200 ft or larger... we haven't defined it. This isn't terribly clear, below the flood elevation a variance is required. Dan said we'll be above it so we shouldn't need a variance. Dan said put it in the pole so no one tampers with it - we'll be above flood plain.

President Scott I don't remember the feet and inches - every avenue I could go through I went through.

Mike Peters said it's also a point of contention is that we believe it's not entirely above the flood plain.

Solicitor Jeff Stover said this is why you really need a hearing to discuss the facts - this is not the forum to do that.

Rachelle Hopsicker said there's nothing we can do today, but we need to move forward.

Dain said it'll just take time, Dan said we have to row the boat - there's a lot we're running into. It's puzzling that in Blair County the ordinance is the same thing, the Blair county and township just gave me the permit then I dealt with code lines - Jane said, but we aren't Blair County

