



CITY OF TITUSVILLE

City Council Special Meeting Proceedings – April 26, 2012

CALL TO ORDER

The special meeting of Titusville City Council was called to order by Mayor Smith in the Conference Room at the Titusville Redevelopment Authority at 6:00 p.m.

MOMENT OF SILENCE

Observed

PLEDGE OF ALLEGIANCE

Led by Mayor Smith

ROLL CALL

Mayor Esther Smith, Deputy Mayor Bill Adelman, Councilman Keith Bromley, Councilman Pat Cartney and Councilman Jay Reese were present.

OTHERS PRESENT

Solicitor Richard Winkler, Fire Chief Joe Crotty, Public Works Director Randy Nebel, and TRA Executive Director Jim Becker.

ADOPTION OF AGENDA

It was moved by Mr. Bromley, seconded by Mr. Cartney, and carried unanimously to adopt the Agenda as prepared.

**PUBLIC PARTICIPATION
PERTAINING TO
AGENDA ITEMS**

Don Frazier – 206 West Elm St

Commented on the Marcellus Water Agreement and the possibility of using effluent from the waste water treatment plant.

*Resolution No. 13 of 2012 -
City Fair Housing Policy*

It was moved by Mr. Bromley, seconded by Mr. Adelman, and carried unanimously to adopt Resolution No. 13 of 2012.

BE IT RESOLVED, that within available resources, the City of Titusville will assist all persons who feel they have been discriminated against because of race, color, religion, ancestry, sex, national origin, handicap or disability or familial status (families with children), to seek equity under federal and state laws by filing complaint with the Pennsylvania Human Relations Commission and the U.S. Department of Housing and Urban Development.

Mayor Smith explained this is a requirement when the City applies for CDBG Funds. Mr. Becker confirmed for Mr. Reese that this is the same resolution as last year.

*Resolution No. 14 of 2012 -
2012 CDBG Funds*

It was moved by Mr. Adelman, seconded by Mr. Bromley, and carried unanimously to adopt Resolution No. 14 of 2012.

A RESOLUTION OF THE CITY OF TITUSVILLE authorizing the filing of an application for funds with the Department of Community and Economic Development, Commonwealth of Pennsylvania. (DCED)

1. That blighting influences exist because of certain unacceptable and deteriorated site conditions existing within Titusville's Corporate Limits and the proposed projects will assist low-moderate income persons and will prevent further blight and/or eliminate the blighting influence by providing funds necessary for S. Brown Street sanitary and storm sewer improvements, downtown street light rehabilitation, fire equipment purchase, residential condemned building demolition, and handicapped ramp construction, and
2. That the filing of an application for financial assistance in the amount of \$300,000 with the Department of Community and Economic Development, Commonwealth of Pennsylvania, is hereby authorized.

Mr. Bromley thanked Mr. Becker and his staff for their efforts in putting the application together. Mr. Reese stated for years he has wanted to see this discussed a little further at a Work Session. This year it was done and he appreciated that and liked the whole process. Mayor Smith stated she appreciated that the process went smoothly.

Hunt Marcellus Water Supply Agreement

It was *moved* by Mr. Bromley, *seconded* by Mr. Adelman, and *carried unanimously* to authorize the proper officials to enter in to a water supply agreement with Hunt Marcellus contingent upon language changes regarding roads.

Public Works Director Nebel updated Council on the meeting with Solicitor Winkler, City Manager Manross, two representatives of Hunt Marcellus and himself to discuss some of Council's joys and concerns. He feels 90% of those concerns were ironed out. Hunt is very amicable to deal with the City and what our needs were and what we wanted. *Number 1* – The language will be changed to treated/untreated so in the event the City is able to develop a site this will not be a problem. *Number 2* – The City does not have actual weight limit signs on the one road so we have no legal standing to get in to a bonding agreement with Hunt. Language will be developed with Solicitor Winkler that Hunt will identify when they are coming and moving in and out with their trucks. The City will record the condition of the road prior to and afterwards. Hunt is willing to add whatever language to the agreement that will make Council feel good about the fact that Hunt will do restoration on the road. *Number 3* – the condition of the site. Hunt is going to maintain the site for their usage for the duration of their contract and the site will be left in as pristine condition when they are done. Mr. Reese asked for more detail on the site. Mr. Nebel described the space as in between the two gates on the left hand side in proximity of the water line feeding the waste water treatment plant. The site will be approved by the City and Engineers. Hunt will excavate and push

the topsoil off to the side for the City's use and/or if the City wishes they will hydro-seed and let it sit there until they are done with the site and if the City decides to remove the site completely when they are done which is not Mr. Nebel's intention, Hunt will move the topsoil back, reseed it and put it in place. There will be 12 inches of base, 12 inches of stone and 6 inches of top. A site is available and able to be looked at on 62 just north of Tionesta along side the Evenflo plant. Hunt did a beautiful job in developing that area. Mr. Reese confirmed the location would be outside of the Federally mandated homeland security gate.

Mr. Nebel said effluent is a viable possibility in the future, however, there would have to be a lot of study, design, and implementation. The City's effort here is to create a cash flow that comes to the City which we feel is not going to be detrimental to our water supply.

Mr. Becker added a community just south of us in Ellwood has done this with the effluent outflow. The community is a little bit bigger than Titusville but is within reach.

Mayor Smith asked what the language would be in regards to the roads. Mr. Winkler said the City might have to negotiate with Hunt, but it might be language to the effect that they would repair the road to the condition it was before they started.

Mr. Becker confirmed for Mr. Reese that the rail line is a Short Line that connects OC&T, Oil Creek Plastics, IGI, & Weyerhaeuser-East. Mr. Becker also suggested the City check with the railroad.

Mr. Nebel confirmed for Mr. Adelman that the gallons per day were changed to 600,000 gallons so Hunt would not have to come back and negotiate from the original offer should they need 200,000 gallons more per day. Mr. Nebel also explained that once the contract was signed there would not be trucks rolling in here for the next three years. Hunt is in the midst of developing a well site. The process would run from 3-6 weeks at a time to stock the well site. They would be back again whenever they develop the next well site. It's not a constant pull on the system or something that will happen 24/7. Mr. Nebel discussed a start time possibly in June. Mr. Nebel addressed Mr. Bromley's question in regards to drilling another well. Mr. Nebel thinks it is an excellent idea and perhaps this is the funding that could develop that well. A well on the east side of town could be used as a back up solution to supply the City. He cited examples in town of sites with wells. He said the top priority should be to protect the water supply for our residents. Mr. Nebel said when it was looked at 5 years ago it was \$100,000 to develop the well, case it, and tie it in to the system. He can only speculate on what that cost would be now. Mr. Reese stated the money is there through the Municipal Authority.

Mr. Reese said he has asked a lot of questions and as far as the nuts

and bolts of selling water to anyone he thinks that seems to be a good idea. He is getting a little concerned on everything that Council is not voting on tonight. He cited how to spend the money, liability issues, railroad crossings, and damage. He went on to say the water that he pays for in house is expense enough as it is and added he would like to see people that are going to see these trucks go by have property tax relief or something Council can specify.

Mr. Bromley asked the Mayor to find out from the City Manager where the money can legally be spent.

Mayor Smith thanked Mr. Nebel for all of the work he has done regarding this agreement.

None

Mr. Cartney congratulated Mr. Becker on the girl's softball team being 10 and 0.

Mr. Bromley commented that one of his big concerns with shale an moving forward is monies being returned to the municipality. He has not seen enough of that and it makes him nervous. He went on to say he thinks the water supply agreement is a good thing for Titusville.

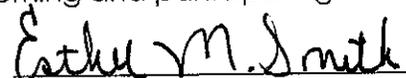
PUBLIC PARTICIPATION

**COMMENTS BY
MAYOR/COUNCIL**

Mayor Smith recommended the May 1st work session be cancelled due to lack of agenda items. Mr. Reese asked the Mayor to keep in mind that the article in today's paper said the water agreement would be discussed at Tuesday's meeting. Mayor Smith asked that the cancellation of the meeting be advertised.

It was *moved* by Mr. Reese, *seconded* by Mr. Bromley and *carried unanimously* to adjourn the meeting at 6:35 p.m.

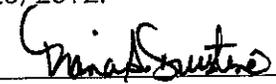
Mayor Smith thanked everyone for coming and participating.



Mayor Esther M. Smith

ADJOURNMENT

I hereby certify the foregoing to be a true and correct copy of the minutes of the Council Meeting of April 26, 2012.



Diana A. Durstine
Recording Secretary

APPROVED BY COUNCIL

THIS 15th DAY OF May, 2012