

**COUDERSPORT BOROUGH COUNCIL
REGULAR MONTHLY MEETING
AUGUST 15, 2018
6:30 PM**

The Coudersport Borough Council held its regular monthly meeting on Wednesday, August 15, 2018 at the Coudersport Borough Maintenance Facility on Damascus Street.

Council President George Hults called the meeting to order at 6:30 pm and led all present in the Pledge of Allegiance.

ROLL CALL

Present were Council members George Hults, Wayne Hathaway, Todd Husson, Gary Walaski and, April Castano.

Also present were Mayor Andy Dubots, Manager Beverly Morris, Solicitor Glassmire, Holly Hyde, Chief McClain, Tom Majot, Kathy Majot, Attorney Mike Plummer, Jason Holmberg, Lonnie Jo Hynds, Robert Wagner, Valerie Mosch, Wayne Wentzel, Robin Fink, Gary Gunzburger, Christine Herzig, Kim Kudrick, John Wright, Haile Kines, and Laurie Barr.

Executive session called to discuss possible litigation at 6:30 PM

Executive session ended at 6:43 PM

VISITORS REQUESTS AND COMMENTS

Solicitor Glassmire asked Council if he could make a public announcement. He stated “As most of you know since you have been here, I have the proposed agreement of sale from Attorney Plummer which is a good agreement of sale under normal circumstances.” Solicitor Glassmire has proposed an addendum, if Council is planning on going ahead with putting the Arboretum up for sale, this has to be a package deal. With the agreement of sale drafted by Attorney Plummer the high bidder will have to agree in advance to sign the addendum as well. What the addendum does is (1) whomever is the high bidder will be appointed as the agent for the Borough of Coudersport, kind of like a power of attorney. (2) Whomever is the high bidder not only will get the right to be agent, the agent will be able to nominate a person to be special counsel, to take the matter into court to seek court approval from the Orphans court under the act. That special Counsel will answer directly to both the agent and Borough Council. Borough Solicitor Glassmire will be kept informed, but not be reviewing it. Solicitor Glassmire has tried to protect the residents of Coudersport, so if we are going to proceed, this is his suggestions. The agreement of sale proposes an exchange of property and has also made it clear in the addendum that whoever is going to exchange the property has to agree in writing in advance to not insist upon a reversion unless the court feels that it’s a non starter.

Robert Wagner states that they have filed articles of incorporation 501©3 to challenge any sale. Mr. Wagner provided photos of the entrance of the arboretum. Mr. Wagner stated “we are going to court

saying that the Downingtown decision is in agreement with what we know is true, that the arboretum can't be sold."

Solicitor Glassmire states that the addendum recognizes that concern and recognizes that situation and clearly makes any sale condition preceding that first has to approve by the Orphans Court of Common pleas of Potter County, so no sale shall take place until the court has spoken.

Solicitor Glassmire called upon Attorney Plummer to please indicate if he and his client have reviewed the addendum. Attorney Plummer stated that it is more strict and stringent than the draft he put together but we will review the addendum.

Robin Fink is asking how long the bids will be out. Solicitor Glassmire states Council first has to decide to put it out for bid with the addendum or table it. If they decide tonight then Solicitor states it could be ready to open bids in meeting in September or at the latest the meeting in October but then this is still conditioned on Court approval.

Wayne Wentzel asked if there will be a minimum bid. Solicitor states they can reject any and all bids.

APPROVAL OF MINUTES

Council President Hults asked if there were any changes or corrections to the minutes of the meeting of August 15, 2018. As there were none the minutes will stand as presented.

VOUCHER LIST

It was motioned by Councilman Husson, seconded by Councilman Walaski to approve the voucher list in the following amounts: General Fund \$56,778.00, Water Operating \$24,883.47, Sewer Operating \$31,428.45, Street Lighting Fund \$2,755.22, Recreation \$5,585.54, Library \$75.00, and Act 13 Gas Well Impact Fund \$ 1,856.85. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

Reports received were the Police, Meeting notes, Voucher List, Fund Balance and Treasurer's Report.

OLD BUSINESS

ARBOETUM

It was motioned by Councilman Husson, seconded by Councilman Hathaway to advertise sale of the Arboretum with the agreement of sale and addendum. Roll Call vote taken: Councilman Walaski No, Councilman Husson Yes, Councilperson Castano No, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 3 Yes 2 No.

Our Town Sponsorship

Manager Morris asked if Council would like to sponsor for the Our Town Project with no response from Council.

NEW BUSINESS

RESOLUTION 2018-9 BANNER FOR MOVING WALL

It was motioned by Councilman Hathaway, seconded by Councilperson Castano to approve Resolution 2018-9 to hang the Banners for the Moving Wall for September 13-17, 2018. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

RESOLUTION 2018-10 COUNTY AID APPLICATION

It was motioned by Councilman Husson, seconded by Councilperson Castano to approve Resolution 2018-10 for County Aid application in the amount of \$5994.19. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

Agreement with North Central

North Central ADA Grant

It was motioned by Councilman Hathaway, seconded by Councilman Walaski to approve the signing subject to Solicitor Glassmires approval. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

MANAGER'S REPORT

Coudersport Borough Authority meeting will be held August 16, 2018 at 6:30 pm

Coudersport Area Municipal Authority meeting is August 27, 2018 at 6:30pm and will be held at the Waste Water Treatment Plant.

Manager Morris has sent a request for a speed study and traffic study to PennDot for the intersection of Route 872 and Route 6 East.

The bridge on Avenue A will be dedicated to Commander Palmatier on August 18, 2018 at 2pm by the American Legion and his family.

Leadership Potter County will be holding a First Responder Day at CARP field on August 24, 2018

“Our Town” will preview on August 28, 2018 at 6:30pm at the Coudersport Fire Hall.

The Dingman Run Bridge will be opening Friday August 17, 2018.

POLICE CHIEF'S REPORT

Nothing additional at this time

MAYORS REPORT

Mayor Dubots will be performing a wedding this weekend.

SOLICITOR'S REPORT

Solicitor Glassmire stated working on various projects but the major ones have been presented in the beginning of the meeting,

PERSONNEL / POLICE

Union negotiations are under way

Teresa Kisiel has requested approval to attend the Tax Collectors conference on October 19 & 20, 2018 in Camp Hill, PA. The request is for \$160 plus meals and lodging. It was motioned by Councilperson Castano, seconded by Councilman Hathaway to approve Teresa Kisiel to attend the tax collectors conference in October. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

UTILITIES, STREETS, BRIDGES, TREES

Manager Morris has talked with Chris Ernst at E & M Engineers on a proposed storm drain project in the area of Mill Street and Ross Glen.

RECREATION/LIBRARY

DCNR is scheduled to review the final pool design by August 27, 2018. DCNR has been reviewing portions through the design stage and this will be the final complete design. The plan is to advertise for bids on August 20 -27, 2018, set a prebid meeting for the first week in September, plan on having bids due and open them at a special meeting at the office on September 12, 2018. This will give Council, Engineering, and Solicitor a week to review before the regular Council meeting on September 19, 2018. It was motioned by Councilperson Castano, seconded by Councilman Walaski to approve the advertise for bids on August 20-27, 2018, Pre bid meeting first week of September, open bids on September 12, 2018. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

Manager Morris stated there was an individual who raised funding for a score board to be placed at the Little League Field. It was motioned by Councilman Husson, seconded by Councilman Walaski to have them fill out a lease to have the score board installed and maintained. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes. Motion carried 5 Yes 0 No.

FINANCE & ORDINANCE

Manager Morris has been working on the budget

ADJOURNMENT

It was motioned by Councilman Husson, seconded by Councilman Walaski to adjourn at 7:25 pm

Respectfully submitted,

Holly Hyde