

**COUDERSPORT BOROUGH COUNCIL
REGULAR MONTHLY MEETING
OCTOBER 17, 2018
6:30PM**

The Coudersport Borough Council held its regular monthly meeting on Wednesday, October 17, 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, Attorney Mike Plummer, Bill Pekarski, Chris Herzig, Janet Bober, John Bober, Halie Kines, Gayla Yentzer, Valerie Mosch, Janise Ahearn, Mark Ahearn, Kelly Ahearn, Georganna Decarlo, Macalla Hults-Lowe, Wayne Wentzel, Laurie Barr, Robert Wagner, Lou Karija, Todd Brown, Ron Mania, Bob Cross, John Wright, Jamea Rigas, Lonnie Hynds, and Robin Fink.

VISITORS REQUESTS AND COMMENTS

James Rigas has worked with the County and School board to come to a compromise about the tax on the building at 102 South Main Street. He feels it is a fair agreement, he enjoys the community and being able to continue with more jobs in future.

Solicitor Glassmire was told months ago that all parties have to agree and all have veto power. It's important to realize Council is going last and has the final decision. The Redevelopment Authority owns the land so there are several entities that are a part of this agreement. Now that everyone has agreed it can be placed back on the tax rolls. Solicitor Glassmire has recommended someone make a motion to authorize the Borough Officials such as President, Secretary, and other officials to sign the settlement agreement as presented tonight. Councilman Ruane stated so moved, seconded by Councilman Walaksi. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane Motion Yes carried 6 Yes 0 No.

Kelly Ahearn asked how to file an official police report. Police Chief provided her with the papers needed to file a claim. Second question was asked to see if there are any ATV trails and Council stated there are none.

Georganna Decarlo stated Ann Feldman gave a public presentation during the Falling Leaves Festival. Ms Feldman wrote letters to the Councilmember's and Ms Decarlo if there are any Councilmember's that would like to comment on the letter. Councilman Ruane stated all have received but not sure if everyone has read it. Councilman Ruane stated he has taken her comments under consideration and agrees with her comments and the direction as well.

Solicitor Glassmire stated he took the responsibility of advising the Borough Manager to advise Council not as the entire Council to meet with Ann Feldman for fear that the Sunshine law would have been raised because it wasn't advertised as a public meeting.

Robin Fink stated that Laurie Barr had sent a letter regarding the disparity and the exchange plan for the Arboretum. Manager Morris had sent to Council and the request was completed. Solicitor Glassmire states that it was put in the package about having an exchange property.

Robin Fink is asking the Council members who voted yes before they read the bid package. Solicitor Glassmire stops her and stated that Council Members would not be cross examined at a public meeting.

Robert Wagner stated before the bids went out they were certainly kept under wraps and was only put out to one newspaper and only for a short time. Mr. Wagner states this was not an open bidding process. Solicitor Glassmire states there are requirements under the Borough code of how to bid real-estate and every requirement under the Borough code was strictly followed.

Solicitor Glassmire read the documents from Judge Williamson. The Judge Williamson basically stated there is no problem with the bidding process.

Lonnie Jo Hynds gave her opinion about the sale of or arboretum being dishonorable.

Laurie Barr presented a petition with 77 signatures and asked Council to decline the offer for the Arboretum. Laurie Barr gave her opinion about the CAMA board appointment requesting Council to appoint a female to the board.

Chris Herzig asked if the land that was part of the arboretum now was previously surveyed. Solicitor Glassmire stated yes and no. Yes in the sense that a drawing was submitted by Sheetz, it all had all the ear marks that a surveyor had some it and no that the Borough Council did not survey it, the bid package makes it clear that it has to have subdivision approval and that will require a survey and both parties will have to consent and give their approval.

The second question from Chris Herzig was, "was the land appraised by a bona fide real-estate appraiser?" Solicitor Glassmire stated, "No not to my knowledge and it's not required. The high bidding process speaks for itself."

It was motioned by Councilman Husson, seconded by Councilman Hathaway to accept the bid package subject to the solicitor comments from Tomas A Majot in the amount \$352,500.

Solicitor Glassmire comments and suggestions stated wanting Thomas Majot and his Solicitor Plummer that are present to initial and draw a line through the part of request for bids that talks about lease. There will be an additional paragraph that makes it clear that it's going to require a deed not a lease. We will take a short recess and this is completed. Councilman Husson will accept the amendment and Councilman Hathaway accept the amendment also. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano No, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane No Motion carried 4 Yes 2 No.

Jan Ahearn asked if the exchange property was the same size as the current arboretum. Solicitor Glassmire stated he does not know the square footage and neither does Attorney Plummer. She feels there should be no sale if they are not same size.

Recess was taken for Thomas Majot and Attorney Plummer to complete the signing.

Solicitor Glassmire stated to let the record reflect that all the agreement of sale, the addendum, and all the documents have been signed by the parties in the presence of the public. In accordance with the bid documents there has been prepared a Resolution which is title 2018-11. This basically states this Resolution has been adopted pursuant to the bid or bids that have been submitted for the purchase and exchange of property. The deposit from the highest bidder in the amount of \$150,000 will be deposited into a separate account. The official signers on the new account will be Wayne Hathaway, George Hults, and Beverly Morris.

It was motioned by Councilman Hathaway, seconded by Councilman Husson to accept Resolution 2018-11. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano No, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane No Motion carried 4 Yes 2 No.

Let the record reflect that the Resolution has been passed by roll call vote and has been signed by the President of Council and attested by the signature of the secretary. All the documents that have been signed have been handed back to Manager Morris.

Annie Maher stated there needs to be an Ordinance in place to make some of these landlords clean up their properties. She doesn't understand why this cannot be done. Councilman Hathaway stated there is an Ordinance in the books and feels very strongly about properties with trash on residents properties. Mayor Dubots stated there have been citations filed against this property owner.

Manger Morris has been to Conferences and this has been one of the topics of discussion. Different areas have what is called a Rental Inspection Ordinance.

Councilman Ruane states he is chairman of the Ordinance committee and will check into how it's worded and be sure it's enforced.

APPROVAL OF MINUTES

Council President Hults asked if there were any changes or corrections to the minutes of the meeting of September 19, 2018. As there were none the minutes will stand as presented.

VOUCHER LIST

It was motioned by Councilman Husson, seconded by Councilperson Castano to approve the voucher list in the following amounts: General Fund \$236,332.63, Water Operating \$45,103.45, Sewer Operating \$67,633.33, Street Lighting Fund \$2,764.57, Recreation \$8,931.04, Library \$3,075.00, and Pool Fund \$17,000.00. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane Motion Yes carried 6 Yes 0 No.

REPORTS RECEIVED Police, Meeting notes, Voucher List, Fund Balance and Treasurer's Report.

Solicitor has asked to be excused for the remainder of the meeting.

OLD BUSINESS

Bids for 2005 Chevy Truck

Luke Faulstick bid \$4,050

Bears Auto Body \$ 3,200

It was motioned by Councilman Hathaway, seconded by Councilman Walaski to accept Luke Faulstick bid in the about of \$4,050. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane Motion Yes carried 6 Yes 0 No.

RESOLUTION 2018-10

CAMA Appointment

There were several letters of interest sent into the office from

Minelle Snay, Jack Keifer, Mark Peet, Wayne Wentzel, and Aaron Wright. The CAMA Board states they don't have a preference over Mark Peet and Wayne Wentzel.

It was motioned by Councilman Hathaway to accept Wayne Wentzel. Councilman Hathaway withdraw the motion.

Gayla Yentzer spoke up and wanted to know why her name was not mentioned. She emailed her letter into Manager Morris. Manager Morris stated she did not receive her letter. It was

motioned by Councilman Husson , seconded by Councilman Ruane to table this until next month's meeting. Roll Call vote taken: Councilman Walaski Yes, Councilman Husson Yes, Councilperson Castano Yes, Councilman Hathaway Yes, and Councilman Hults Yes, Councilman Ruane Motion Yes carried 6 Yes 0 No.

Manager Morris have been to a PSAB fall leadership conference. Topics of discussion were lack of EMS services throughout the state, rental inspections, blight, and zoning for medical marijuana.

Cameron, Mckean and Potter County are all banning together to do a Northern PA Tri-County Comprehensive Plan. This is all being funded by the county. A focus group meeting will be held on October 30, 2018 1-3pm for anyone able to attend.

On Saturday November 3, 2018 Potter County Township official convention will be held at the Fire Company meeting hall from at 7:30 am until noon.

POLICE CHIEF'S REPORT

Nothing further

MAYORS REPORT

Trunk or Treat will be held October 31, 2018 at the Borough Office and starts at 5:30pm

Halloween Parade will be on Saturday October 27, 2018

PERSONNEL / POLICE

Still in negotiations with Union. Hopefully it will be finalized by the next meeting.

UTILITIES, STREETS, BRIDGES, TREES

Hawbakers will be back to fix the Main Street bridge.

Councilman Hathaway stated there is holes in front of the courthouse that will need covered before winter. Manager Morris stated she will contact them. Mayor Dubots stated the corner by Olga's is settling and would be a trip hazard. Councilman Walaski mentioned signage downtown will need moved.

Mr. Leafy being put back together and should be out by the end of the week.

We still have paving to finish.

PROPERTY & EQUIPMENT

Shannon Lane had a daughter that was killed in NY and has a connection to Coudersport through a Grandmother. She would like to place a bench behind the library at Mitchell Park because this is where they watched the ducks together. There was discussion on putting a bench at the park because of the possibility of a new library with construction and it being in the way.

Councilperson Castano would like to have the benches all uniform. It has been referred to the recreation committee.

RECREATION/LIBRARY

Update on the pool Engineer Chris Ernst has been there and stated there is nothing to worry about.

FINANCE & ORDINANCE

Planning Commission meeting will be held on November 7, 2018 for a lot add on at Mr. Dubois property.

2019 proposed budget is still being worked on

Ambulance Association request for half a mill. It was motioned by Councilman Ruane would like to have this put in the budget under General funds. This motioned died for a lack of a second. This has been referred to the Finance Committee.

ADJOURNMENT

It was motioned by Councilman Husson, seconded by Councilman Ruane to adjourn at 8:16 pm

Respectfully submitted,

Holly Hyde