

COUDERSPORT BOROUGH COUNCIL

REGULAR MONTHLY MEETING

FRIDAY, FEBRUARY 17, 2023

5:30 PM

The Coudersport Borough Council held their regular monthly meeting on Friday, February 17, 2023 at the Coudersport Borough Maintenance Facility on Damascus Road.

The meeting was called to order at 5:30 pm by Council President Wayne Hathaway who led all in the pledge of allegiance.

MEMBERS PRESENT

Present were Council members Wayne Hathaway, George Hults, Marty Fry, Jesse Minor, Todd Husson, Jack Keifer.

Also present were Manager Beverly Morris, June Moore, Solicitor Dan Glassmire, Police Chief Curt McClain, Police Officer Ian Creech, Recording Secretary Georgeanna DeCarlo, Wayne Wentzel, Drew Kyle, Abigail Rossman, Robert Rossman, Todd Brown, Micki Brown, Potter Leader-Enterprise Reporter Donna LeSchander, Sarah Batson, John Abplanalp, Drew Kyle, Kevin Gledhill, Paul Simcoe, Craig Mancina, Annette Buckler, David Buckler, Jerry Chitester, Doug McClintick, Chris Fink, Brenda Whitman, Tom Storey, Parker Sherry, Kevin Sherry, James Maiuro, Cynthia Kelly, Penny Kinter, Aaron Kinter, Keri Powell, Teresa Kisiel.

MOTION TO ADD STATEMENT TO AGENDA

Councilman Fry made a request to Council President Hathaway to make a motion to have Councilman Keifer deliver a statement in reference to CARP Park. President Hathaway clarified that a motion needed to be made to add the statement to the agenda. Councilman Fry said that was the motion that he was making. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion carried unanimous; 6 Yes, 0 No.

COUDERSPORT BOROUGH RESPONSE TO CARP LEASE

Councilman Keifer read the Coudersport Borough Response to CARP Lease:

A vision of Borough and School District appointed representatives; through hard work and commitment worked together to create what we now call CARP. These representatives, Mr. Carl

Karhan, Mrs. Lillian Mitchell and Mr. Clifford Carts from the Borough along with Mr. Robert McNary and Mrs. Shear from the School District met for the first time on March 14, 1957.

Membership changed throughout the years, community names William "Doc" Mitchell, Robert "Bud" Tombs, Birdella Haskins, David Matzinger, Louis Schaub, Wick Furman, Wayne Hathaway, Richard Russell, Doris Mosch, Joe Wiltrout to name a few. There were many, many more and we apologize for anyone omitted.

In 1972 the School District, for the consideration of \$1 obtained a 99 year lease for the stadium - all property inside the fence along with ingress, egress and parking.

From 1957 until the Rec Board's demise in the 2000's, the Borough and School District worked together to maintain year round recreation in Coudersport for all the youth. This included a common commitment by the School District and the Borough to address all of the recreational areas in the Borough including CARP and the swimming pool. Coudersport Borough believes that recreation is educational. When the new stadium was constructed, field events for track were now located outside the leased area. The School District promised to Borough Council that the new stadium would not affect the levee. This turned out to be not true. The Borough spent approximately \$175,000. Had the Borough Council not done this many property owners would have experienced extreme increases in property insurance due to flooding issues.

The School District continued to be the biggest user of the park and their participation in the costs had been for many years \$25,000. This level of participation continued for many years until approximately the year 2000 when the School District unilaterally decreased their contribution to \$15,000. The School District progressively installed baseball, soccer and cross country into their sports programs around the year 2000 expanding their use of the park to what was then known as the Legion field. The Borough continued the maintenance on these fields. This level of funding continued for several years but this contribution shrank to \$7,500 in 2014 and has remained at this amount. There was no justification ever given by the School District for this dramatic decrease in funding. The expenses to the Borough of Coudersport have dramatically increased while contributions from the School District have reduced. Coudersport Borough believes that recreation is educational. The money we are requesting is for recreational educational expense. Borough tax payers, and not the taxpayers from surrounding areas, are now saddled with most of the expenses for most users.

The Borough has recently been trying to negotiate a correction to this unfair situation. The Borough has tried to do it gently by having the contribution for 2023 being \$9,000 plus mowing and then each year have an increase of \$1,000 if option(s) are exercised.

The truth is that the Borough is requesting the School District for 2023 to increase from \$7,500 to \$9,000 plus mowing. The School District wishes to ignore its substantial abandonment of the recreational education program which as indicated herein was originally approximately \$25,000.

It is in this context one should evaluate the requested increase which the borough has attempted to obtain.

Solicitor Glassmire said to make the record clear, that a motion should be made to adopt the statement that was just read as the position of the borough of Coudersport. Motion made by Councilman Hults to make the motion as recommended by Solicitor Glassmire. Seconded by Councilman Minor. Roll call vote taken: Councilman Fry, Yes; Councilman Husson, Yes; Councilman Keifer, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Minor, Yes. Motion passed unanimous; 6 Yes, 0 No.

VISITOR'S REQUESTS AND COMMENTS

Cynthia Kelly said that she graduated from Coudersport High School in 1971, and had visited Louis Schaub and spoke with Barb Heimel earlier that day who told her to visit the Potter County Historical Society where she obtained a copy of the Enterprise newspaper, April 19, 1972. She read a portion of the article, "The Council accepts the school's plan for debt reduction. A solution may be at hand for erasing the \$19,000 debt incurred by Coudersport Borough through construction of the new community park. The subject topped several items of pressing business at the April session of borough council held last Tuesday in the municipal building. At the request of the local school board, council has drawn a lease proposal for the football field at Coudersport Area Recreation Park. Terms are that the school is to lease the field for 99 years for the sum of \$19,000, the amount still due in the CARP debt. The entire rental fee is payable upon execution of the lease.

"Discussing the issue, Councilman Carl Weicker mentioned that the current high school was constructed on property originally left to the borough as a recreation park, he said councilmen then in office turned the property over to the school district for the sum of \$1.00. The newly proposed contract gives jurisdiction for maintenance of the field and athletic fields to the school district with borough being responsible for maintaining access roads. Council members approved the proposal and it will now be submitted to the school board. Help from the mainstreamers - maintenance of CARP was also discussed, four to six mainstream workers will be available for mowing, trimming, and other chores at no cost to the borough if the borough can supply supervision. Council members suggest that if the school does lease the field thereby clearing the CARP debt, funds which had been going to interest and reduction of the debt could be applied to paying for supervision during the summer months." Kelly said that she wanted to make the point that the Borough and School Board solved the problem in the past as friendly as possible and that is what she would like to see at the meeting.

President Hathaway asked Coudersport School Superintendent Drew Kyle if he wanted to speak. Mr. Kyle said that there were many people at the meeting that came to speak and he would like to hear from them first, and comment afterward. Jerry Chitester asked Council whether it was true that if the school didn't pay its bill that the kids would be held out of being able to play sports this year.

Councilman Fry said that the Council has been attempting to negotiate a lease since last spring. He said that Council had originally recommended \$19,500 as a figure, considering that 10 years ago the borough was getting paid \$15,000 for that same service and that expenses have gone up. He said that after more discussion, at the July meeting that he didn't attend, the Borough Council made a motion to change it to \$20,000 and after that the School Board Committee and

the Borough Council Committee met to negotiate those factors; original discussion offered by the School Board was to pay \$1,500 and mow it, and after the Sept. 15th meeting, the Borough proposed a four-year lease; first year, \$9,000 plus the school using their contractor mowing for \$2,000, with incremental annual increases of \$1,000 for four years. He said that the amount of \$11,000, which is \$9,000 plus the School District's figure of \$2,000 for mowing is \$4,000 less than the amount the School District was paying the Borough 10 years ago and that was the proposal sent to the school on October 24th. He said that he attended the November, December and February School Board meetings, and the subject was not on any of those agendas but at the February meeting it was brought up by motion and the proposal was once again offering the Borough \$7,500, and the Borough would be responsible for any repairs to the field and a figure determined by the school district - approximately \$4,000 potential expenditure averaged over four years if and when high waters came and disrupted the baseball field. He said that the School District's proposal in December put that burden for repairs within their lease proposal on the Borough which is unfair to the Borough residents to be subjected to the continuing increase in cost while the School District is a taxing body that could obtain those funds for those purposes and that it was the opinion of the Board that that was not an acceptable proposal.

Councilman Fry said that on Tuesday the Borough received in reference to Monday's School Board Resolution, a statement suggesting alternatives by the School District: first, a proposal already presented; second, acquisition of CARP; third, using a figure derived by the School District of \$22,000 as a potential cost for an annual fee and dividing that by 12 and paying the Borough for three months to have the field for the spring which he said that \$22,000 was not a realistic figure. He said there were differences in the amounts that the Borough had stated, and what the School District was presenting, and that part of the issue was incorporating the \$7,500 from the previous year, typically owed after March 23 for the previous year. He said that because the Borough did not receive payment until October for the previous year, the Borough wanted to make sure that payment was incorporated and that after a consensus of speaking with the Board members, a revised proposal was sent to the School District proposing a one-year lease keeping the figures the same, or the option to sign for two, three or four years and opt out of the lease at the end of the first year by notifying the Borough by Jan. 2 prior to next March lease; the School District could opt out or the borough could opt out and subsequently for the following years.

Councilman Fry said that the issue has gone on for many years without being addressed- the Borough proposed to have a contract by the first which also included a revision that wasn't in the October proposal - that the first payment that would be due, that the contract would start on the first payment, due on the tenth of March which included the \$9,000 plus last year's \$7,500 user fee, and that the Borough has more invested than that with mowing and taking care of the facility. He said that after a high school football game the school personnel only clean up within the fence, and that June picks up bags of garbage in the parking lot and throughout the park and takes care of the field after track meets where shot puts and javelins create divots, and that the Borough maintains the road and parking. He said that the Borough is donating beyond what it has ever received in compensation, and that the Borough has tried to work it out. After sending the proposed lease the day before, he said that he spoke with Mr. Kyle who said that he expected to have a discussion in an executive session at the School Board's next committee

meeting on March 6th. He said that the Borough has been forced into looking like the bad guys but it's the Borough's position that the School District can address the issue.

Solicitor Glassmire asked Jerry Chitester if he recalled, because he was involved, when the school was contributing \$25,000 through the recreation fund and he did. Chitester asked Manager Morris if there was a year when the school didn't pay, and she said there were years when it ran over to the next year. Solicitor Glassmire said that \$3,500 is not a difficult gap and he hopes that everyone can come to an agreement, that the Borough does not have as big of a taxing base as the School District and there are many reasons that the Borough wants to get the situation resolved. Chitester offered to pay the \$3,500 and President Hathaway said that there are other points to be considered including that the School's proposal states that the Borough be responsible for picking up and disposing of garbage after an athletic event. Discussion was held from attendees about debt reduction for the Borough during the months that the school mowed the fields. Councilman Fry said that the fields require continual maintenance including mowing, and caring for the pavilion and roads year round, and additional costs landowners incur.

Doug McClintick said that he does not live in the Borough but has been here about 20 years. He is a high school baseball coach, has been coaching in Coudersport nearly all that time, and teaches first grade, appreciates the small town dynamics, no place he'd rather raise his three boys. He said that the School District and the Borough are going to have to find solutions for the students and make this work, that the field has been a blessing and a thorn in his side but there is no better place to watch a baseball game than up on the dike. He said there have been many changes in 20 years and he suspects that a reason that the donation from the school changed was because of a big tax base drop when the big building in town was sold. He said that the fields hardly flooded prior to 2000 but since then have been flooded at least four times due to a change in the river, and recalled John and Mr. Merrick being part of the crews that helped to repair the damage.

President Hathaway said that before the flood of 1972 the Allegheny was free flowing through that area but the flood caused a big island of sediment to form which keeps getting bigger and that many government agencies including the DEP, EPA, Army Corps have reviewed the problem but will not allow the island to be removed. McClintick said that his father-in-law, Tom Bowman, was part of the group that worked to try to have the island removed. Chitester said that he understood that part of the agreement was that the Borough was responsible for cleaning the river out. McClintick said that was what he understood as well- that sediment at the basin was supposed to be removed, that there were matching grants that were let go, that were not obtained by the Borough to get in there and clean that basin out, and now approximately yearly or every three years that backs up and floods. President Hathaway asked for input from Manager Morris who said that the Borough is only allowed to enter a limited distance. President Hathaway said that large logs were used, similar to the ones at Mitchell Park, but that the logs were installed wrong. McClintick said that flooding is an ongoing problem and that the School District has paid every time to repair those fields. He said that the baseball teams try to do things the right way and if the teams need to pick up trash and take it out, these things can be remedied. President Hathaway said that according to a history of CARP from the late 60s, the

soccer field, baseball field and probably the football field are there for the event of flooding, a flood zone, but that if the islands are taken out the channel will handle a lot more water. McClintick asked what would happen to the fields if nobody is playing on them, whether the dugouts would be torn out and if the fields would be mowed. Councilman Fry said that would only be addressed if it was an issue. Chitester suggested the Borough consult with authorities to remove the dirt from the river. Manager Morris said that she consistently checks with different departments about remedying the situation but they do not offer any solutions.

Brenda Whitman asked how much money was raised by this town to build our pool, three-quarters of a million dollars? Manager Morris said, \$240,000. Councilman Fry said that the Borough still owes \$200,000 above what was received for donations for the pool. Whitman said this situation is all over \$3,500 for a park that everybody uses- Little League, not just the school- including other townships. Councilman Husson said townships do not have a recreational tax, that Coudersport Borough has millage and township residents could ask to have a recreation tax for Coudersport Area Recreational Park. Discussion was held about the number of townships in the school district and about keeping taxes affordable. David Buckler asked how the amount decreased from \$25,000 to \$7,500. Solicitor Glassmire said that unilaterally the school district quit paying as much as they had been paying. Buckler said flooding has been an issue since he's been involved with baseball, that he helped erect the scoreboard, concreted the dugouts and storage unit pad and has removed garbage after baseball games and that he feels that if the Borough proved their expenses, it shouldn't be a problem. June Moore said that the problem is that after each football game, soccer, baseball, track, cross country - janitors will not go out in the parking lot and pick up garbage. Buckler said that parks and recreation is a money loser in any city but it is something that is provided to the citizens of the community, and that the river needs to be dealt with.

Drew Kyle introduced himself, said that he is the superintendent and has lived in many places, most recently Shade Gap, and worked in Tuscarora School District and that he and his wife love being in Coudersport, a great community. He said Mr. Chitester's question about whether the kids are going to be able to be on the baseball field had not been answered, that two sides of an issue should be able to be deliberated without affecting the kids. He said that there have been offers and counter offers by both sides which indicates negotiation in good faith and as long as negotiation in good faith is happening, then the kids shouldn't suffer the consequences of adults not being able to come to an agreement. He said that in the three years that he's been in this community, he would say that it's the best place that he's lived; people step up for every cause that has presented itself and he's seen people come together on issues that are significantly larger and more divisive than this. He said that it's a problem that students who have been impacted by so many things over the last three years will continue to be impacted because the School District and the Borough can't have a rational discussion together as adults. He said that as he told Bev Morris, who he has a lot of respect for and considers having a good working relationship with, that the School Board will discuss this issue again on March 6th at the executive session. He said some people may not know that he has been accused of negotiating without the Board's permission which is absolutely false, and that the Board will have an opportunity to discuss the proposal that is on the table now from the Borough and then will respond. Kyle said that the School District, as Bev mentioned earlier, has made payments to the

Borough every year and though the payments may be unsatisfactory to some members, the payments were made consistently, the School District has fixed the field consistently and he finds it difficult to understand why the School District might have to mow a field that the District will be renting, particularly when the Borough has been doing it, but he said all those items are negotiable, and in his opinion what is not negotiable is the kids' use of that field. He asked the Borough Council to agree that the least people who should be responsible won't be impacted, that the kids should be able to use the fields while, speaking from the School District's side, they will continue to negotiate in good faith. He said that one of the reasons that he was at the Borough Council meeting was because that wasn't the message that was shared by both sides at one point. He said people can contact him any time to discuss this further. He expressed appreciation to the Borough and the Police Department for their services, and that he doesn't want to see any negative impact from the situation, especially towards the kids.

John Abplanalp said that he's been at the School District since 2010 and payments have been made to the Borough every year, usually in March or April, but in negotiations this last year the Board asked that they be paid and they were paid on September 16th for the previous year. Kyle offered to meet with Manager Morris if Council approved that, in order to expedite the process. He said that the School District could meet earlier, but it would need to be advertised. President Hathaway said that he does not want to lock the kids off the fields, but is only one member of this Board, and that the issue is overdue to be settled. He said that baseball starts on March 6th, and that he would not block the kids out but would pick an arbitrary date that the issue needs resolved by, maybe August or September, that there needs to be a signed agreement. Wayne Wentzel asked if the ballpark flooded that night, who would be responsible to take care of it. Councilman Fry said that without a lease the borough is technically responsible but not obligated to do it. McClintick said that the school has been doing it. Abplanalp said that the school has been paying for it and although volunteers have helped, the cost has been significant.

Kyle asked if the Council would be willing to maintain the current basic agreement that has been for years for \$7,500, and the School District will fix the field if it floods until an agreement for the 2023-2024 school year since the School District has already gone through soccer and cross country and will just be finishing with baseball and track. President Hathaway said the Borough received a letter from the School District's solicitor that said any future discussion on this subject will be handled between Solicitor Chris Lantz and Solicitor Glassmire, and that other matters would need to be settled such as the School District's request for an accounting of money paid to the Borough. Kyle said that he is suggesting to work on the details later, but for the 2022-2023 school year to agree to maintain what has been done for the past decade, so that the kids can be on the field and then an agreement can be made for the 2023-2024 school year.

Solicitor Glassmire said that people should know that when you go to a School Board meeting, you're not allowed to talk unless your topic is on the agenda, unless they recognize you, but at Borough Council meetings, everyone gets to talk, and Council tries to get it done orderly- even if it is not on the agenda- if somebody shows up they get to be heard. Kyle said that he was not trying to be combative, but that is false, that there are two public comments, one for agenda items and one for anything that people want to talk about. Solicitor Glassmire asked Councilman

Fry whether he understood that he was not allowed to talk because it was not on the agenda. Councilman Fry said that what is stated at the beginning of the agenda is that only items that are on the agenda can be discussed. Kyle clarified that is only for the first public comment, and that the second public comment at the end is for any items. Councilman Fry said that as a visitor, that was how he interpreted it.

Solicitor Glassmire said that the School District has been ignoring the matter, then the kids are put in the middle and the Borough always backs down. He said that the Borough put in the swimming pool. He said that this issue gets dragged out into another season and another season and the taxpayers in Coudersport Borough are suffering the economic burden, that when asking the School District for an increase from \$7,500 to \$9,000, the School District made a Resolution that included saying that the Borough as a negotiation tactic decided to make public statements regarding the negotiation process, which he doesn't know any of those- and to incorrectly accuse the administration - nothing was done publicly. He said that the School District published the Resolution to basically rile up the public and to make the allegation that it's the Borough that is jeopardizing the children- but that the School District has had options.

Discussion was held about the cost to maintain the fields. Abplanalp said that when the District asked what the cost was to maintain the fields, \$7,500 was the amount given to the School District in an email from the Borough. Manager Morris said that was an estimate. Abplanalp said the question was how much is it costing and that was the answer, so that's where the School District started. Councilman Fry said that the Borough is asking for a nominal figure, that there are more expenses than just mowing. Solicitor Glassmire said items need to be considered such as depreciation of equipment, manpower, pensions. Abplanalp said that the money that was contributed to the Borough was never earmarked for anything, it was a contribution, not specifically for maintenance of the field. Solicitor Glassmire said that when the recreation board was functioning, it was for all of these things including the swimming pool. Abplanalp said that regarding responsibilities to taxpayers, the School District needs to know what it is paying for. June Moore said that the only thing she wants from the School District is more help picking up garbage after sports meets. Mr. Smith asked how much the insurance on the park costs. Abplanalp said that the School District is required to cover that and has a certificate of insurance that the Borough is named as an insured party for events that the School District holds on the field. Manager Morris said that the Borough pays about \$600 a year for insurance.

Councilman Fry said that it was difficult to break down the figures to an actual amount due to inflation, rise in gas prices, employee raises and benefits. He said that incorrect figures were given at the School Board meeting which he tried to correct. Solicitor Glassmire offered to pay the \$1,500, saying that would resolve it for this year, that the school needs to step in and do something that is correct and not spread its bad faith negotiation of how the Borough is being excessive and how it's abrupt and unforeseeable which was not constructive.

Micki Brown said that she is on the School Board, and does not represent everybody on the Board. She said that tensions are high and that probably not everybody realizes that there have been counter proposals since that Resolution. She said that there has probably been some misunderstanding about the payment which has always been in the school board's mind, a

donation, a contribution, and that the School District does care about the pool. She said in 2014 when the "Taj Mahal" was sold, the School District was letting teachers go because the School District was watching its budget and the Board had to make many difficult decisions to keep the school running including cutting home-ec and shop, and whether to replace teachers. She said that the school's budget has gotten smaller as properties have come off the tax rolls, some return and some don't. She said that the School Board cares- that when the pool was in trouble, the Board had to make sure that the school is their most important responsibility- it was a close vote and there was almost no donation that year but some board members held their ground, barely passed it and the compromise was \$7,500. That donation, in the board's mind, she said, was something that the School Board thought that the Borough still wanted and in the counter proposal, it became clear that the Borough does not want that as a donation ongoing, that the Borough wants to more or less just have the lease so they don't have to wonder if the school is going to approve a donation should they get in trouble again financially. Solicitor Glassmire commended her, and she said that her point is that the school cares, that the Borough and the School District need each other, and she hopes that they can find a way through this.

Solicitor Glassmire said that the School's mindset, that it's a gift or donation, is the reason that the council seized upon this using of the fields as something that the School Board might see that the School District is not just gifting the Borough, the School District is helping the Borough have a program that provides sources and areas for recreation. He said that it's not a gift and this was the vehicle to try to get the point across. He said one of the things on the agenda is that there is going to be a motion to ratify, which he suspects will pass, the tentative document that had been sent to the School that takes away a whole bunch of things that the Borough had been asking for and it makes it totally optional on the School District's part so that they can get out of it, and it's just \$9,000 instead of \$7,500, and that is really not valid or legal until it's authorized by Council. He said that Council will probably, when the motion is made, ratify and authorize that to be an offer. He suggested that the Council could, if somebody wants to make a motion to ratify and extend to the School Board the offer that was physically delivered to them this week, make that motion. Councilman Hults made the motion as stated by Solicitor Glassmire. Seconded by Councilman Keifer. Discussion was held concerning whether the proposal had to be signed by a certain time or the kids wouldn't be allowed on the field, and that that was the Borough's only leverage. Solicitor Glassmire clarified that Council was voting whether to approve the offer that had been made to the school. Roll call vote: Councilman Fry, Yes; Councilman Hults, Yes; Councilman Hathaway, Yes; Councilman Husson, Yes; Councilman Keifer, Yes, Councilman Minor, Yes. Motion passed unanimous; 6 Yes, 0 No.

John Abplanalp asked regarding paragraph 3 of the Borough's agreement, that it states that the first year is \$9,000 plus \$7,500 for last year but the School District wrote a check out in September for last year, so he is not sure why that is in there. Manager Morris said that as she understands it, it is because the school's year runs July through the end of June, so what the School District paid for last year was 2021 and 2022, and what the Borough is calling last year is 2022 and 2023. Abplanalp said that the District should have it in their fiscal year so what he's confused about is whether the Borough is asking for \$9,000 or \$9,000 plus \$7,500 for the first year, that that is the problem that the School District has had with the \$7,500 all along. Solicitor Glassmire said that if the School District has already paid the \$7,500 they will get credit for it.

Manager Morris said the confusion is because the School's fiscal year is different from the Borough's, but as she understands it, the \$9,000 would be for 2023-2024, going forward. Abplanalp said it would be easier for the School District if the lease ran on the School's fiscal year. Solicitor Glassmire said that he respects Abplanalp, and would recommend to council to accept Abplanalp's determination at face value, and that Abplanalp and Manager Morris could meet to clear up the confusion regarding the dates and payments because the Borough is not trying to get a double dip. Councilman Fry suggested that the \$7,500 could be prorated for four months with the contract starting on the first of March as it states. Manager Morris said she is confident that they can work through the confusion about the dates because of the fiscal years.

Solicitor Glassmire said that the proposal that Council voted on to make official says that the parties intend this as a four-year agreement. Councilman Fry said that the proposed contract states that it would start on the first of March and go through February 28th, 2024. Manager Morris said that people are wondering what the Council is going to do about the baseball practices and track practices. President Hathaway said that he does not support blocking students from participating in sports, but that there should be an agreement in place by August. Solicitor Glassmire said that he understands that the President has invited someone to make a motion that Council goes ahead with the agreement as Council has submitted it but that Council does not close or stop the activities for the school sporting events until August first of this year. Motion made by Councilman Minor as stated by Solicitor Glassmire. Seconded by Councilman Hults. A brief discussion was held about advantages, disadvantages of allowing spring sports to be played on the fields before a contract is signed. Roll call vote: Councilman Fry, No; Councilman Hults, No; Councilman Minor, Yes; Councilman Hathaway, Yes; Councilman Husson, No, Councilman Keifer, No. Motion defeated: 2 Yes; 4 No.

President Hathaway asked for clarification from Councilmen, whether students will not be able to start baseball. Solicitor Glassmire said that is a legal question and he will give his best answer - the motion that was made to establish a time parameter and a time table was defeated. He said that Council can later on in this same meeting come up with a new time table which is agreeable but that if action is not taken, in his opinion, would be that Council is in a status quo and his advice would be not to change the status quo without an affirmative vote of all council. He said that status quo historically has been that the School District use the fields, leading into Councilman Husson's point, that Council is kicking the can down the road, but at any moment Council could have a special meeting and say the School District hasn't responded, Council is having a special meeting and Council could put one of those together and then there is a vote, so, to some extent, having it be ambiguous and unresolved creates a dynamic, too. And hopefully, he said, the School District would be well advised in his opinion, and he's not giving them advice, he's giving Council advice, the School District would be advised to take that offer.

Councilman Fry asked Mr. Kyle if he would be willing to have a special meeting before the first of March with the School Board. Mr. Kyle said that the District would need to vote to counter, and that he is willing to get the School Board together to discuss a counter and present one, and could have a counter to the Borough by Tuesday, the 28th, that the offer is with the School Board whether they would like to accept the Borough's offer or counter.

Solicitor Glassmire said that he would like to leave, but wanted the Council to know that he will have the parking proposal ready to be voted on at the next meeting. President Hathaway asked for any other comments or questions and Chitester said that he wanted to leave the meeting with a statement from the Borough Council about if they're going to be able to start baseball. Manager Morris said that the Borough will have a meeting with the School District on the 28th. President Hathaway said that March 6th is the first day of practice.

APPROVAL OF THE MINUTES

Motion to approve Minutes for the January 20, 2023 meeting as presented made by Councilman Hults. Seconded by Councilman Fry. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion carried unanimous: 6 Yes, 0 No.

VOUCHER LIST

It was motioned by Councilman Husson to approve the voucher list as presented in the following amounts: General Fund, \$39,616.39; Water Operating Fund, \$20,123.93; Sewer Operating Fund, \$28,765.80; Capital Reserve Fund, \$14,579.90; Street Lighting Fund, \$3,746.63; Fire Protection Fund, 1,237.00; Recreation Fund, \$3,143.59; Library Fund, \$63.00. Seconded by Councilman Keifer. Roll call vote: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion passed unanimous; 6 Yes, 0 No.

REPORTS RECEIVED

Council members confirmed receipt of meeting notes, voucher list, fund balances, treasurer's report and police report from Manager Morris. No one had questions.

OLD BUSINESS

Manager Morris said that she has not heard back regarding the easement for electric for Tractor Supply- line to run from pole on Borough lot to Tractor Supply.

NEW BUSINESS

SALE OF 2014 CAPRICE

Regarding sale of the 2014 Chevrolet Caprice, the old police car, Manager Morris said that the borough had a high bidder, Adam King from Baine, Pennsylvania who bid \$9,400. Motion made by Councilman Fry to accept the bid. Seconded by Councilman Husson. Roll call vote taken: Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes; Councilman Hathaway, Yes; Councilman Husson, Yes; Councilman Keifer, Yes. Motion passed unanimous; 6 Yes, 0 No.

NESS FESTIVAL PARADE, BANNERS, STREET CLOSURES

Borough has received a request from the Eliot Ness Festival that a parade be held on Saturday, July 15th beginning at 5 pm, line-up on Allegheny Avenue to proceed up North Main Street to

Third Street. The group is requesting help from the police department. Manager Morris will contact the fire department for fire police. The group is requesting banners in the usual two locations, and additionally across at Seventh Street which Manager Morris said that the borough is unable to do since the borough does not have a wire, coordinators said that it would not be a problem. Manager Morris read an itemized request from the Eliot Ness Festival coordinators - garbage cans, help from the police, allowing businesses to display and sell products on the sidewalk, street musicians, portable toilets on the side streets, fireworks to be set off from Todd and Micki Brown's property at the end of Maple Street on Saturday, July 15th at 10 pm with a rain date of Friday, the 14th. The group is also requesting the closing of the following streets: Third Street at North Main to North East from Friday through Sunday which has been changed from Friday to Saturday evening so roadblocks can be removed before church services on Sunday, closing of North Main from Water to West Fourth and East Second from North East to the alley behind the Crittenden from Friday at 5 pm through Saturday night. Regarding the Rotary sponsored beer garden, the group is requesting to be located on East Second Street between Olga's and the courthouse square and a raised stage on the other corner which would be removed on Saturday when the detours are removed on West Second Street between the Ness Museum and the Crittenden. The group has insurance and insurance documents will be forthcoming from the fireworks company and is requesting no parking around the courthouse square, no parking Main Street to Water to West Fourth on both sides of the street and East Second Street in that first block.

Motion made by Councilman Husson to accept the Ness Fest request. Seconded by Councilman Fry. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion passed unanimously; 6 Yes, 0 No.

Motion made by Councilman Husson to accept the Ness Fest Parade. Seconded by Councilman Fry. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motioned passed unanimously; 6 Yes, 0 No.

BOROUGH'S 175 YEAR ANNIVERSARY

Manager Morris said that this year is the Borough's 175th year anniversary. She had several ideas for the council if they were interested; a meet and greet booth on Saturday at the Maple Festival where councilmen can answer questions and hand out trinkets, was considering doing a float. She asked the council for ideas about how they want to recognize this anniversary, and suggested that planning be started as soon as possible. Discussion was held about creating a schedule for councilmen to split hours from 9 am to 3 or 4 pm at a booth. Manager Morris asked council members to consider if they want to create a budget to purchase memorabilia.

5 K COUDERSPORT AREA EDUCATION ASSOCIATION

Manager Morris said that the Coudersport Area Education Association is requesting to have a 5K race on April 29th beginning at 9 am. The race will start and end at the elementary school, basically the same route as the Library race and other Fun Runs. The group will provide

crossing guards at intersections, especially across South Main Street. Motion made by Councilman Fry to accept the proposal. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motioned passed unanimously; 6 Yes, 0 No.

MANAGER'S REPORT

Coudersport Borough Water Authority met the previous evening, February 16th at 6:30 pm; the Sewer Authority will meet on Monday, February 27th at the Wastewater Treatment Facility at 6:30 pm.

PSAB CONFERENCE

Manager Morris requested permission to attend PSAB, the borough's conference, on June 4th through June 7th in Hershey and to be a voting delegate. Motion made by Councilman Hults to approve as requested. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion passed unanimously; 6 Yes, 0 No.

DOWNTOWN FLOWERS

Manager Morris said that the FFA has done a very good job the last few years, has been very gracious and have earned enough money in the past that they have generously donated the flowers for the downtown baskets but cannot afford to do that this year. Manager Morris said that a few of the Arboretum members have offered to do something different with the planters at a cost of about \$300. The school will charge about \$600. Council agreed to continue using FFA.

WATER AUTHORITY RESIGNATION

Manager Morris said the Water Authority accepted the resignation of Chris Ianson at the previous night's meeting. Chris said that his job was preventing him from being able to attend the meetings. Manager Morris asked council whether to follow regular procedures and advertise and as usually happens by the next council meeting, the Water Authority will make a recommendation and council will appoint someone to fill that position. Council agreed to follow the usual procedure.

FEDEX & UPS BOXES ON MAIN STREET

Manager Morris said that Karen Cahilly is requesting that FedEx and UPS boxes be placed on Main Street and is offering space at the front of her building. Discussion was held about whether the boxes would impede traffic; the boxes come out 18 inches and discussion was held about borough code, and it was determined that a side street would be a better location.

MAYOR'S REPORT

Chief McClain said that he had spoken with Mayor Dubots who said that there was nothing to report.

POLICE CHIEF'S REPORT

Police Chief McClain said that the new vehicle is in service, needs some service but nothing major. The old car has been turned over for use by the borough manager but the lights have all been left in place in case it needs to be used by the police department.

Motion made by Councilman Husson to purchase a new AED, defibrillator, for the new police car. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Hathaway, Yes; Councilman Hults, Yes; Councilman Fry, Yes; Councilman Minor, Yes. Motion passed unanimously; 6 Yes, 0 No.

COMMITTEE REPORTS

PERSONNEL/POLICE

Manager Morris asked whether the employee agreements could be approved, or if discussion would require an executive session. Councilman Fry said the agreements had been accepted by the borough manager and the police chief and the officers. Motion made by Councilman Husson to accept the agreements. Seconded by Councilman Keifer. President Hathaway asked why the council is requiring Manager Morris and Chief McClain, the only two salaried employees, to use the time clock. Councilman Fry said that was a discussion held by the committee, and the committee's recommendation. Roll call vote taken: Councilman Husson, Yes; Councilman Fry, Yes; Councilman Hults, No; Councilman Hathaway, No; Councilman Minor, Yes; Councilman Keifer, Yes. Motion passed; 4 Yes, 2 No.

FINANCE & ORDINANCE

Manager Morris said that a motion be made to add to the agenda the signing of the auditor's engagement letters. Motion made by Councilman Hults as requested. Seconded by Councilman Fry. Roll call vote taken: Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes; Councilman Hathaway, Yes; Councilman Husson, Yes; Councilman Keifer, Yes. Motion passed unanimously; 6 Yes, 0 No.

Manager Morris said that the engagement letters increased a couple hundred dollars from previous years to \$12,500, reasonable and necessary out of pocket expenses as normal. Motion made by Councilman Husson to accept the engagement letters. Seconded by Councilman Fry. Roll call vote taken: Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes; Councilman Hathaway, Yes; Councilman Husson, Yes; Councilman Keifer, Yes. Motioned passed unanimously; 6 Yes, 0 No.

COUNCIL COMMENTS

Councilman Fry thanked Manager Morris and the committees that were involved in the contracts for all the members of the borough. Manager Morris helped tremendously in those procedures which he greatly appreciates, and in all of the information and negotiations that were attempted with the school board. There's been a lot of time involved with members and he just wanted to acknowledge Manager Morris's over the top help in all those endeavors.

ADJOURNMENT

As there was no further business, the meeting adjourned at 7:54 pm.

Respectfully submitted,

Georgeanna DeCarlo, recording secretary