

COUDERSPORT BOROUGH COUNCIL

REGULAR MONTHLY MEETING

FRIDAY, October 21, 2022

5:45 PM

The Coudersport Borough Council held their regular monthly meeting on Friday, October 21, 2022 at the Coudersport Borough Maintenance Facility on Damascus Road.

The meeting was called to order at 5:45 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, Jack Keifer, Todd Husson.

Also present were Manager Beverly Morris, Mayor Andy Dubots, Police Chief Curt McClain, Solicitor Dan Glassmire, Recording Secretary Georgeanna DeCarlo, Wayne Wentzel, Kathy Hoffman, Nicole Slovel, Abbie Rossman, Potter Leader Enterprise Reporter Donna LeSchander.

VISITOR'S REQUESTS AND COMMENTS

DOCTOR BLAKE PAVING ISSUE

Kathy Hoffman was present to address the paving issue with Dr. Blake's parking lot. Hoffman said that Dr. Blake is asking for reconsideration to help pay what it cost for Taylor and Armstrong to pave around the catch basin. Hoffman said that she'd already submitted an invoice from Taylor and Armstrong to the borough for \$890. She said that since they were having the lot paved, Dr. Blake thought it made sense to have the area around the catch basin done at the same time. Hoffman said that Dr. Blake is asking for 50 percent, roughly \$450 of \$890, and that the cost for paving the entire lot was \$7,970. Council members held a discussion, citing the reasoning for the council's decision to pay \$50- the material cost for the borough to have paved that area, the portion that the borough is responsible for. Council President Hathaway told Hoffman that the price was determined by borough crew members. Borough Manager Bev Morris said that borough workers used the same formula to generate an amount for any paving project, and that the crew had recently repaired the basin, put binder in, and planned to pave the area, expecting to use about ¼ ton of material.

Councilman Fry suggested reimbursing about one fourth of the cost incurred by Dr. Blake's office; \$225 of which the borough has already paid \$50. Councilman Fry made a motion to pay an additional \$175 toward the project. Seconded by Councilman Hults. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry,

Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

Solicitor Glassmire asked council to consider acknowledging that if council's intention is to pay \$175 to resolve the issue, that that should be clarified. Councilman Fry amended the motion to say that would be a final payment, period. Solicitor Glassmire interjected, "provided that they accept it," to which Councilman Fry agreed. Councilman Hults seconded the motion, accepting the friendly amendment, as did all council members. Council members expressed appreciation for Dr. Blake's service in the community, but clarified that the borough had not given prior authorization to pay the cost, and the necessity of the borough to adhere to its paving budget. Hoffman asked whether she should return the \$50 check that Dr. Blake had received from the borough. Solicitor Glassmire said that she could cash it, along with the pending \$175 check, and consider the issue resolved.

REQUEST FOR NEW MURAL

Abbie Rossman was present on behalf of herself and Cori Wagner. She and Wagner do projects in town and are planning Christmas In A Small Town, to be held on November 26, and are requesting that the banner be hung two weeks prior. Manager Morris said yes, banners are usually hung as soon as the borough receives them. Rossman said that she and Wagner would like to do a graffiti style postcard of Coudersport. She has already spoken with Mrs. Batson, the high school art teacher who led the project to do the mural on the wall of the building on the corner beside the post office. She said that the plan is to put the mural on the wall of Buchanan's building facing the Coudersport movie theater. They have already received permission from Buchanan's for the mural to be painted, and that Julie Buchanan asked for assistance with removing the old metal fire escape.

Rossman shared a picture of what the proposed mural would look like. They will encourage community involvement by inviting people to share photographs and artwork of Coudersport. Another artist is interested in helping as well. Rossman said that there would be no cost to the borough, they are just requesting permission from the borough to implement it. After they get a rough draft, they will return to the council to present it for approval. A short discussion was held by council members about removing the fire escape. Council felt that Buchanans should present the issue to their insurance carrier. Input was requested from Solicitor Glassmire who said that he is not aware of any ordinances that put the borough in the position of monitoring insurance issues, but that the borough has a basic responsibility to public safety and that the best approach would be to recommend that Buchanans discuss the issue with their insurance provider, and that council should also consider referring the issue to the zoning board.

Rossman said if council approves creation of the mural, the next step will be to announce the plan and ask for input from Coudersport residents. Councilman Husson made a motion to give permission for the group to do the mural on the Buchanan's building subject to the zoning hearing board's approval, addition of a friendly amendment acknowledging that it was conditional on the group returning with a final draft of the proposed mural for approval. Seconded by Councilman Fry. Roll call vote taken: Councilman Keifer, Yes; Councilman

Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

APPROVAL OF THE MINUTES

Motion to approve Minutes for the August 19, 2022 meeting and September 16 2022 meeting as presented made by Councilman Hults. Seconded by Councilman Keifer. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

VOUCHER LIST

It was motioned by Councilman Husson, seconded by Councilman Minor to approve the voucher list as presented in the following amounts: General Fund, \$47,900.01; Water Operating Fund, \$18,815.28; Sewer Operating Fund, \$36,196.51; Capital Reserve Fund, \$5,698.00; Highway Aid Fund, \$179,945.79; Street Lighting Fund, \$3,780.95; Fire Protection Fund, \$1,057.58; Recreation Fund, \$5,879.83; Library Fund, \$63.00; Swimming Pool Fund, \$453.97. No discussion.

Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

REPORTS RECEIVED

Council members confirmed receipt of meeting notes, voucher list, fund balances, treasurer's report and police report for August and September 2022 from Manager Morris. No one had questions.

OLD BUSINESS

FLAG POLE AT CARP- BEAUTIFICATION PROJECT

Motion made by Councilman Husson to table action until the next meeting after council talks with Linda Russell about what their need is to complete that project. Seconded by Councilman Keifer. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

NEW BUSINESS

2021 AUDIT

Manager Morris said that there were no findings in the 2021 audit, everything appeared in good shape and that every penny had been accounted for. Motion made by Councilman Husson to advertise the audit. Seconded by Councilman Keifer. Councilman Fry asked for clarification, whether signing of the representative letters needed to be included in the motion. Manager

Morris said that the actions could be approved in one motion or separately. Councilman Fry acknowledged the original motion. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

Motion made by Councilman Keifer to sign the audit. Seconded by Councilman Husson. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

RESOLUTION 2022-10 ELIMINATION OF POLICE CONTRIBUTIONS TO PENSION

Manager Morris said elimination of police contributions to pension is an annual action, and cited the eligibility requirements that the borough has met which includes making an annual resolution. Motion made by Councilman Fry to adopt Resolution 2022-10. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

RESOLUTION 2022-11 WAIVING OF ADDITIONAL CHARGES FOR REAL ESTATE TAXES IF ALL REQUIREMENTS ARE MET PER ACT 57 OF 2021

Manager Morris said the resolution addresses Act 57 of 2021 that requires tax collectors to waive additional charges for real estate taxes if the taxpayer complies with all requirements of Act 57, noting that all requirements are listed in the packets councilmen had received. Manager Morris said that it relieves taxpayers from having to pay penalties if they can state that they did not receive their tax bill on time, or if there was a transaction of the sale of the property and the property owner did not receive their tax bill on time. A brief discussion was held regarding whether the waiver applied to all homes, or just manufactured homes. Manager Morris clarified that the waiver applies to all properties. Motion was made by Councilman Husson to adopt Resolution 2022-11. Seconded by Councilman Keifer. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

REQUEST FOR AUTHORIZATION TO OBTAIN QUOTES FOR GAS AND OIL

Manager Morris said that the request to the council for authorization to receive quotes for gas, diesel fuel, etc... is an annual action. Motion made by Councilman Fry to authorize Manager Morris to obtain quotes for gas and fuel. Seconded by Councilman Hults. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

MANAGER'S REPORT

The Water Authority (Coudersport Borough Authority) held their meeting the previous evening, Oct. 20th at 6:30 pm at the maintenance facility, the Sewer Authority (Coudersport Area

Municipal Authority) will meet on Monday, October 24 at the Wastewater Treatment Facility at 6:30 pm. All council members and Solicitor Glassmire are invited to attend the Potter County Township Officials Annual Convention to be held at the fire department training center on Saturday, October 29th, registration at 7:30 am, breakfast is provided. Manager Morris said that she attends and finds it helpful to receive insight from township and borough officials.

MAYOR'S REPORT

Mayor Andy Dubots said that on October 29th Trunk 'n Treat will be held from 4-6 pm and Trick or Treat from 6-9 pm.

POLICE REPORT

Police Chief Curt McClain said one application was received for the full-time police officer, and one for the part-time police officer. He has reviewed prices of vehicles; Ford, Chevy and Dodge, and he prefers to have the Durango. There is one in stock, a 2022, that is probably the best financial option for about \$54,000.

PARKING TICKET INCREASE

Chief McClain said that the department is preparing to print new parking tickets. He asked whether the council is considering increasing the price of parking tickets before he places an order. Current fee for a parking ticket is \$5.00. Solicitor Glassmire said that a price change would need to be implemented by ordinance. Council held a discussion about a potential increase, including comparing fees charged by other municipalities in the area that use parking meters, cost of the parking meter heads and that all funds received, approximately \$1,200 to \$1,600 monthly, belong solely to the borough. Councilman Husson made a motion to increase the parking ticket fee to \$20. Motion died for lack of a second. Councilman Husson made a motion to increase the parking ticket fee for all citations listed including parking over the time, parking over the line, parking on the sidewalk, facing the wrong way against traffic, to \$10.00. Chief McClain clarified that all citations are currently listed at \$5.00 except for parking in a "No Parking" spot and that the \$5.00 fee has not increased for about 20 years. Discussion was held about the elimination of the meters, and the expense of updating the heads to accept digital payment. Councilman Keifer seconded the motion. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, No; Councilman Fry, No; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried: 4 Yes, 2 No. The ordinance will be advertised and signed before it goes into effect.

SOLICITOR'S REPORT

POOL

Solicitor Glassmire said that there is documentation that he and Chris Ernst have worked on regarding the pool. The plan is that Chris will work up a bid to cover everything that is not done on the punch list to put it up for bid. The action will put the borough in the position to meet the most recent letter from DCNR which basically relates to the grant. As Solicitor Glassmire has read the letter, it says that the borough has paid all outstanding pay requests and that all punch

items are done and most importantly is the sign that says the Commonwealth of Pennsylvania gave the borough the grant to finish the job. He said that the borough has indications from the state officials that the grant can be closed, but the borough is getting static because the department does not want to close out the grant because the punch list items are not done. He said that it is highly unusual that there has been no request for any more payments from Premiere despite the fact that the borough is still retaining money because Premiere has shown no desire to finish the punch list items- usually, regardless of finishing the project, the contractor still wants payment in full. The amount of money that the borough is retaining should be more than enough to take care of whatever the amount of the new contract is. After the amount to be bid out has been determined by Chris, the borough will take the remaining monies to apply to the liquidated damages that has been accruing, then the borough will move on. Solicitor Glassmire said that the paperwork is being generated and at some point, Chris will need approval to move on, and that the money that Chris charges the borough will be a legitimate expense that the borough will be able to pay out of monies that have been retained. He said that Coudersport Borough is still in much better shape with the pool situation than other communities including Bloomsburg and Loyalsock. He sent a letter to Chris, dated Oct. 11th, that he will have Manager Morris share with the council.

CARP PARK & SCHOOL

Solicitor Glassmire tried to draft an agreement that he thought was protective of the borough's interests and used as his guiding principles the instructions from Marty Fry that he shared with Manager Morris to share with council. If the council feels it is appropriate, the agreement can be forwarded to the school or if a change is needed, he will make the change. Councilman Fry said that he felt Solicitor Glassmire had done an excellent job, that the agreement covers the points that council has identified needed to be addressed and presented to the school district for their consideration. Councilman Hults made a motion to authorize Manager Morris to send the agreement to the school district. Seconded by Councilman Minor. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

UNION CONTRACT

Solicitor Glassmire received from Manager Morris the old language in the union contract dealing with Article 4 for Union Security and the old language set forth in Article 5, Dues Deduction and the old language has been in existence for some time and is extremely union and employee favorable. As he understands it, the borough has received a proposal from the union and the language that the union has for Articles 4 and 5, he is in complete agreement with and thinks is more favorable to the borough. His hunch is that the law has evolved to the point that they are just trying to catch up and do what the law requires, that's the only logical reason that they would suggest language that is more favorable to the borough than the old language is, is

because it is required language. He is in complete agreement with it. His only very minor suggestion is that in Section 5 where it is talking about "this agreement shall immediately and automatically be amended to provide for whatever is required at law" he would simply like to add a clause. On Section 7, the overtime call in rate, which states that employees can choose to get compensatory time, he said, has language that is a little fuzzy; citing an "appropriate rate" which is not defined. He would suggest that it be made clear, that for example, if a borough employee works an hour of overtime and elects to not get paid and instead take compensatory time, that since the employee is free to make the election he would suggest that it be one hour, and maybe they're thinking that it should be time and a half or double time but rather than leave it vague, it needs clarification at whatever standard council elects to adopt to avoid future disputes. Council held a discussion noting that compensatory time is part of what is being discussed in negotiations. Solicitor Glassmire said that details can be discussed at a later time.

JUNIOR COUNCIL

No members were present.

PERSONNEL/POLICE

Manager Morris said that the borough has received applications from two individuals; one application for full-time police officer and one application for part-time police officer. Deadline to apply for the positions ended at 4:00 pm. If the council decides to pick full time, the applicant would need to go through the Civil Service process. Council asked Chief McClain what his preference was- full-time or part-time. Chief McClain said that in the long run, the full time would definitely work out better for the police department. Solicitor Glassmire asked Chief McClain whether he was satisfied with the full-time applicant. Chief McClain said that he is completely satisfied with the applicant. Councilman Husson made a motion to hire a full-time police officer pending the council's review of the applicant's application to see if they would be a good fit for the borough. Seconded by Councilman Hults. Chief McClain said that the applicant is Ian Creech. Councilman Husson made a motion to hire Ian Creech. Seconded by Councilman Keifer. Manager Morris said that he will still need to go through the Civil Service. Councilman Husson amended the motion to include, subject to the applicant passing the Civil Service and the borough's screening process. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

Chief McClain said that Ian Creech is currently the Chief of Police in Galeton, a position that he has held for about three years and works part-time for Emporium. Creech is prepared to take the full-time position in Coudersport.

PROPERTY AND EQUIPMENT

DODGE DURANGO

Manager Morris asked council's preference about vehicles being considered; police vehicle- 2022 Dodge Durango including upfitting by Utilitrac or order a Ford Explorer for delivery sometime in 2023. A 2022 Tahoe is also available for approximately \$7,000 more. Ford F550 (Dump/Plow truck) - order a new vehicle by Nov. 4th or wait until Nov. 2024 to order. The 2016 F550 is the truck that has hydraulic issues. She has made arrangements on the Durango that they can hold it until 2023, and it will be in the budget for next year. Councilman Hults made a motion that council proceed with making arrangements to get the Dodge Durango 2022 with delivery in 2023. Seconded by Councilman Husson. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

FORD F550

Manager Morris said that the 2016 Ford F550 that the borough has in the shop has a hydraulic and a pressure issue. The trucks are used a lot for plowing and daily work. Discussion has been held for quite a while about the issues that the truck has. Workers must manually move the sand off the truck because the spinner won't spin with weight and that the bed is cracking. She said that Ford is opening up orders for the F550s on Nov. 4th for a limited quantity and when they're gone, will not be able to be ordered until next year with no guarantee of availability. She said that a truck that is ordered by Nov. 4th, probably will not be received until next summer. Discussion was held about Ford being the only type of vehicle that is able to be serviced locally, and that it is unlikely that a truck would be able to be found on a lot. Price for the F550 will be between \$85,000 to \$95,000 and would be paid for with capital reserve and Act 13 monies- the gas tax monies, and the American Rescue Fund. Motion made by Councilman Minor for the borough to proceed with getting on the list to purchase an F550. Seconded by Councilman Keifer. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

FINANCE & ORDINANCE

Manager Morris said that the 2023 budget will be out within the week for the council to review and discuss. She said it is not a solid budget because the union negotiations are incomplete. She said that the council needs to make a decision by December regarding the 2023 Fire Contract for the amount of \$57,801.58 which comes out of the borough's fire protection tax fund. Motion made by Councilman Hults to authorize the borough to execute the 2023 Fire Contract and pay with the monies collected. Manager Morris said that half is paid in June, and the other half in December, that the amount due now is for next year. Seconded by Councilman Keifer. Roll call vote taken: Councilman Keifer, Yes; Councilman Husson, Yes; Councilman Minor, Yes; Councilman Fry, Yes; Councilman Hults, Yes and Councilman Hathaway, Yes. Motion carried unanimous: 6 Yes, 0 No.

FRANCHISE AGREEMENT WITH ZITO

Manager Morris recommended waiting until after the first of the year to proceed. Council agreed.

MEDIA QUESTIONS

Potter Leader Enterprise reporter Donna LeSchander asked for the price of the 2022 Dodge Durango, council members told her that it is \$54,501 which includes the upfitting.

ADJOURNMENT

As there was no other business, the meeting adjourned at 6:58 pm.

Respectfully submitted,

Georgeanna DeCarlo, recording secretary