

REGULAR MEETING OF WELLSBORO BOROUGH COUNCIL

June 27, 2011

Council President Joan Hart called the regular monthly meeting of the Borough Council for the Borough of Wellsboro, Pennsylvania, to order with a quorum of six members present at 6:00 p.m., Monday, June 27, 2011, in the council room of the John E. Dugan Fire Station Municipal Building, 28 Crafton Street, Wellsboro, Pennsylvania.

PLEDGE TO FLAG- The pledge of allegiance to the American Flag was given by all present.

ELECTED OFFICIALS:

The following elected officials of the Borough of Wellsboro were present

First Ward Council Member- Michael Wood
First Ward Council Member- Rudolf Scharf
First Ward Council President- Joan Hart
Second Ward Council Member- John Sticklin
Second Ward Council-Vice President- John E. Wheeler
Second Ward Council Member- Terry Bryant

APPOINTED OFFICIALS: .

The following appointed officials of the Borough of Wellsboro were present

Solicitor- Chris Lantz
Superintendent of Public Works- Mark Dieffenbach
Superintendent of Water & Sewer Plants- Daniel Brought
Secretary/Treasurer- Susan Keck
Assistant Secretary- Florence Martino

PRESS:

Wellsboro Gazette- Natalie Kennedy Williamsport Sun-Gazette- Bryan Robinson

VISITORS:

Kevin & Jennie Connelly

SOLICITOR- TAX COLLECTION ORDINANCE- Chris Lantz explained at the last meeting of the Tioga Tax Committee they created a sample ordinance re-enacting the borough's current earned income tax ordinance. The company that is contracting with the Tioga County Tax Committee has asked that all county municipalities update their earned income tax ordinance. All county municipalities will be using this taxing agency for enforcement and collection of this tax beginning in 2012.

One provision lacking in many ordinances is the ability to allow for taxing non-residents working within the municipalities. The proposed ordinance also allows the same penalty throughout the county. Keystone is the company that would be collecting the tax. Council Member Scharf said the borough would be giving up the power and giving it to this other agency. Chris Lantz said he wouldn't say Wellsboro gave up the power; the Commonwealth took the power and gave it to the Tioga County Tax Committee. Council Member Wood asked what happens if the borough votes no and keeps it the way it is and the school district votes yes to go with the taxing agency. Chris Lantz said the school

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district has a different set of provisions. They have Act 1 and other provisions they need to go through, they also have different definitions as to who is a resident or non-resident.

Chris Lantz said if the borough doesn't update the ordinance it would not have the leverage to collect the tax from non-residents and could possibly be missing some people who should pay the tax however are not now paying. This ordinance has to be advertised differently than most other notices. Council President Hart asked if the borough could tax non-residents if we did not sign this ordinance? If the ordinance were silent on it you would be unable to collect the tax that is why they want one tax so everything is the same.

Council Member Wood said he could see updating the ordinance so it is fair for everyone working here to pay the same tax and the local taxes and perhaps eventually be able to abolish the real estate tax. Chris Lantz said Keystone could also collect the local services tax. Council Member Wood asked what the percentage would be? Chris Lantz said it might be 1.9 he needs to get the exact amount, and that he could do a draft ordinance with the rates. Council President Hart said this would be tabled until the meeting on July 11th. Chris Lantz said it would not be ready by July 11th but would be working on it.

VISITOR- WEST END MARKET ADVERTISING SIGN ON PROPERTY- Jennie Connelly asked about off premise advertising. Secretary Keck said the zoning ordinance prohibits off premise signs, but she could apply for a variance. Council Member Bryant said on the side of the building at Main & Crafton there is a sign which advertises businesses on the side-street and she could use a space on the board with directions to her location on Main Street. Ms. Connelly agreed to look into that alternative.

SUPERINTENDENT OF PUBLIC WORKS-LAUREL FESTIVAL- Superintendent Dieffenbach said there were no problems with the festival for the public works department.

WOODLAND PARK- Superintendent Dieffenbach said except for the landscaping the crew had finished the work at the restroom and Pete Herres can set the restroom anytime.

PLANT SUPERVISOR- SCREW PUMP- Dan Brought said they used a crane and have the screw pump at the shop; they'll sand blast one end and when Mark Reese can, he will be working on it. Council Member Scarf said the last one cost \$35,000.00 what will it cost to refurbish this one? Dan Brought said it won't be cheap but should not cost \$35,000.00. Superintendent Dieffenbach said once it is finished it will last a long time. Superintendent Dieffenbach said it was new in 1988 and cost \$90,000.00.

KECK WELL SWIP TEST- Dan Brought stated the SWIP test has started today and needs to run a minimum of three hours per day for 6 months. Dan Brought said they start each morning at 7 a.m. and it runs until 11 a.m. Dan Brought said the shed has been delivered down there.

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WASTEWATER PLANT- Superintendent Dieffenbach said while Dan was gone they had discovered a leak at the wastewater plant. Superintendent Dieffenbach said they need to redo the distribution system, its 1 ½" pipe, he said this is the third time it has blown out and first time they isolated part of the plant.

SAND FILTERS- Dan Brought informed the Council, sand filter #1 is .8 and sand filter #2 is not online it is under 2.

W.M.A. WATER SYSTEMS- Superintendent Dieffenbach informed the Council, the Authority had asked him and Scott Bray to travel to view other water systems. Superintendent Dieffenbach said they went to New York State and viewed a membrane filter plant the system looks good. The unit is placed on a concrete pad or gravel base or can be built in an air-conditioned tractor-trailer. Superintendent Dieffenbach said he did not want to go into a lot of detail because Scott Bray is preparing a detailed report. Superintendent Dieffenbach said this unit would go between the sand filters and the water source. Council Member Scharf asked if we needed more water would there be room for more capacity? Council Member Bryant requested a presentation on this new system. Superintendent Dieffenbach said these new units backwash and would require a 440 electrical system. Council Member Wood said we need to determine what system would work for us and then we need to look for grants to offset the expense

SECRETARY/TREASURER'S REPORT-RATIFY PAYMENTS JUNE 15th & 23rd Council Member Sticklin made a motion to approve the bills, seconded by Council Member Wheeler motion carried 6-0.

FINANCE COMMITTEE REPORT- AUTHORIZE MID-YEAR TRANSFERS- Secretary Keck stated the transfers were \$19,484.18 from the Police line item 01.410.4750 and \$8,000.00 fro Recreation C.R. line item 01.492.4754. Council Member Bryant made the motion to approve the transfers seconded by Council Member Sticklin motion carried 6-0.

AUTORIZE NOTICE OF INTENT TO AMEND THE FOLLOWING LINE ITEMS IN THE BUDGET-

01.392.3160	Transfer from Ins. Premium Savings	\$ 47,000.00
01.430.4100	Salary- Public Works	\$181,417.79
01.492.4727	Transfer to PLGIT Garbage Truck Sav.	.00
01.492.4733	Transfer to PLGIT Broom Savings	.00
01.492.4737	Transfer to PLGIT Single Axle Dump Sav.	.00
06.378.3100	Metered Sales to General Customers	785,097.00
06.392.3000	Sand Savings & Water Rainy Day	40,000.00
06.421.4100	Salary- Water Revenue	123,856.82
08.372.3450	Charleston/Delmar Townships	135,000.00
08.422.4100	Salary- Sewer Revenue	126,856.82

Council Member Sticklin made a motion to amend the line items in the budget as presented in line item #2 of the Finance Committee Report, seconded by Council Member Bryant motion carried 6-0.

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FINANCE COMMITTEE RECOMMENDATION- Secretary Keck explained to Council the additional of \$3,000.00 in the Energy committee's project list to allow for an air conditioner unit in the Borough council room. This would allow the borough to go after the boiler now so that it is ready for the heating system.

PENN DOT RESPONSE LETTER – PIZZA HUT- Secretary Keck explained Penn DOT said the pavement over the sidewalk at the entrance of Pizza Hut is not in violation of the borough's ordinance. Penn DOT said the entrance to Pizza Hut at the Tioga/Charleston Street intersection is a roadway approach to a traffic signal and is not a driveway. Council Member Bryant said Penn DOT states if it is a concrete sidewalk, people will walk and there will be pedestals and buttons for people walking to use to cross the intersection. Council Member Sticklin said Penn DOT should be held accountable to the Borough's ordinance. Council Member Sticklin said it is a driveway into Pizza Hut and should be according to the ordinance. Council Member Wood said residents who had to replace sidewalk know the ordinance and Penn DOT knew the ordinance when drawing up the plan. Council Member Wood said this would cause problems in the future, when anyone is putting in a new sidewalk. Council Member Bryant asked if once Penn DOT is finished if the borough could go in and redo it? Council President Hart said we could go to Representative Baker or Senator Scarnati.

TCDC 18th ANNUAL DINNER JULY 25TH 6-9 P.M. Secretary Keck said the meeting will be held on the regular 4th Monday of July meeting. Secretary Keck asked which members of Council would be attending the TCDC meeting? Council Member Bryant said the 4th meeting of Council could be advertised for a different night. Council Member Scharf, Council President Hart, Council Member Bryant, Council Member Wood and Council Member Wheeler said they would attend the TCDC meeting on July 25th.

ADJOURNED 6:55 p.m.