

WELLSBORO BOROUGH COUNCIL.

August 22, 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 five members present at 6:00 p.m., Monday, August 22, 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

Mayor James Daugherty

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 Member- Terry Bryant

APPOINTED OFFICIALS:

The following appointed officials of the Borough of Wellsboro were present

Superintendent of Public Works- Mark Dieffenbach

Superintendent of Water & Sewer Plants- Daniel Brought

Police Chief- Jim Bodine

Secretary/Treasurer- Susan Keck

Assistant Secretary- Florence Martino

PRESS:

Wellsboro Gazette- Natalie Kennedy

VISITORS:

Chris Shaffer- Larson Design Group

Candace Delong

PENN-WELLS LODGE EXPANSION- Mr. Shaffer explained the Wellsboro Planning Commission and the Borough Council had previously approved the expansion project, which is currently under construction. Mr. Shaffer said they have run into some problems with the utilities from the two existing buildings. They are unable to outlet the storm water as planned due to the utilities being there. The plan they have now proposed to Scott Bray is to have the same design and the same flows, just moving the outlet location to an existing outlet for an existing 8" clay pipe. This outlet is located on the Borough's property near Packer Park. They'd like approval and acceptance of the change and to improve and maintain the condition at the site.

Council Member Bryant asked if the 8" pipe and the pipe to the creek would take the additional water. Mr. Shaffer said they would replace the 8" pipe with a 15' pipe per the ordinance. Mr. Shaffer said the pipe from the inlet that goes to the creek is an 18" pipe. Council Member Sticklin asked Superintendent Dieffenbach if he had any concerns about

WELLSBORO BOROUGH COUNCIL.

August 22, 2011

the change in the plan. Superintendent Dieffenbach said he had talked with both Scott Bray and Pete Herres, and they are going with Scott Bray's recommendation. Superintendent Dieffenbach said the Y that is there now is inefficient and the line is flat. Scott Bray said the plan is a controlled released underground retention system so we will not get any more water on us then presently handling. Superintendent Dieffenbach said Scott Bray pointed out if the plan didn't perform as anticipated, Larson Design Group would need to come back and redo the plan. Council Member Scharf asked if they planned to replace the 8" pipe with a 15" pipe and take it into an 18" pipe would there be a check valve where the 15" pipe connects to the 18" pipe to allow for slower drainage. Mr. Shaffer said the 18" pipe is above the check valve. Council Member Bryant made a motion to have a written agreement that they would handle any future problems, seconded by Council Member Sticklin motion carried 5-0.

DELMAR RESIDENT- Candace Delong handed out a petition to the members of Council. She explained her home is in Delmar Township however she also has land in the borough and she pays taxes to the borough. She asks for bi-yearly clean-up from the borough. Council Member Bryant said the Council should contact the Solicitor for a determination. Council President Hart said the problem is the residents not only pay taxes they also pay a charge for the water, sewer and garbage pick-up and the borough offers the clean-up as a service for the garbage fee paid by the residents of the borough. Candace Delong said she also pays to have her garbage picked up. Candace Delong said she pays taxes and does not create an expense to the borough for weekly pick-ups. Council Member Wood said he agrees with Council Member Bryant the issue should go to the Borough Solicitor. Council President Hart said Council would table the issue and asked Secretary Keck to contact the Solicitor.

MAYOR'S REPORT- Mayor Daugherty reported this has been an ultra busy month with overtime for the officers due to a number of drug investigations and apprehensions.

NEW OFFICER- Mayor Daugherty reported Chad Boyce is in service and will be working on his own within the next week.

ADOPTION DAY- Mayor Daugherty requested Council approve Saturday, November 19th 2011 National Adoption Day in Tioga County. Council Member Sticklin made a motion to approve the date of November 19th as Tioga County Adoption Day, seconded by Council Member Scharf motion carried 5-0.

PURCHASE OF POLICE CAR- Mayor Daugherty informed the Council the department would be ordering the new police car at the end of October so it would be in service by the first of the year.

CHIEF OF POLICE- Chief Bodine said the department has been extremely busy and the overtime is climbing, due to investigations and arrests. Chief Bodine said he is paying close attention to the cases on each of the officers. Chief Bodine said they had a heavy drug arrest over the weekend the officers did a very good job.

WELLSBORO BOROUGH COUNCIL.

August 22, 2011

Chief Bodine also had a theft this morning in the amount of \$43,000.00. The officers are on the case and should have an arrest within the next hour. Chief Bodine said the department is handling more DUI's and check fraud. Chief Bodine said he is planning to have a departmental meeting to discuss case loads.

Council President Hart asked about the trailer located at Mitchell's garage. Chief Bodine said the department has been watching for trailers around town to see if they are there preparing to go on vacation or if they are parked and becoming housing. Chief Bodine said that trailer did have the electric hooked up and they were using it as an office for the contractor doing work on the garage. Chief Bodine said he spoke with Bruce concerning the ordinances. Chief Bodine said they found four within the borough and the department is on the concern.

SUPERINTENDENT OF PUBLIC WORKS- WATER LEAKS- Superintendent Dieffenbach reported the crew had repaired two water leaks; one being the fire line at the Carleton's Funeral Home on East Avenue and the second being the DeCamp property on Wetmore Street.

PAVING & SIDEWALKS- Superintendent Dieffenbach reported Handwerk will begin the paving either next week or the week after and Lundy will be in town on 8/29th.

HYDRANTS- Superintendent Dieffenbach said the hydrant on Tioga Street near Harsch's is in service however the hydrant in front of Dunkin Donuts is not yet in service the lateral needs to be restored.

ALLEY BEHIND GARRISON'S- Superintendent Dieffenbach said the alley had been paved today.

WATER TAP INVOICES- Superintendent Dieffenbach said Dante Cimerolli's invoice has been mailed and he will be sending the Deane Center invoice this week. Superintendent Dieffenbach said the two taps were expensive and the line items for the materials need to be reimbursed when the invoices are paid. Superintendent Dieffenbach said the three girls in the front office did a good job on keeping the information of the expenses and getting the first invoice in the mail.

PLANT SUPERVISOR- Dan Brought said he had the crew scraping the sand filter and it is being bottom feeding now. Dan Brought said sand filter #2 is keeping up and is looking good. Dan Brought said the sand filters will be cleaned again this fall so there will be three cleanings this year. Superintendent Dieffenbach thanked Dan Brought and Jake for doing an excellent job scraping the filter to drain faster.

SECRETARY/TREASURER'S REPORT- RATIFY PAYMENTS FOR 8/11TH -
Council Member Sticklin made a motion to approve the bills, seconded by Council Member Scharf motion carried 5-0.

WELLSBORO BOROUGH COUNCIL.

August 22, 2011

FINANCE COMMITTEE REPORT- PURCHASE OF GRADER- Council Member Bryant said the Highway Committee met and are considering some options before committing to buy a grader. Council Member Sticklin is working with the townships to come up with an agreement for grading. Council Member Bryant said in the past the borough had rented Gra-Hil's grader, at this time it is extremely busy however Gra-Hil's is looking at purchasing a larger grader and, if so, the opportunity maybe we could rent the current grader. Council Member Sticklin said he had contracted Delmar and on Bodine Street so for them to do the work Delmar would charge \$85.00 an hour to furnish the machine, the manpower, and fuel. Council Member Bryant said this would allow the borough crew to do the back log of work.

Council Member Scharf said the Finance Committee was not asking for a new grader; they were asking to purchase a used grader; that Ray Statts said a grader could make snow removal faster. Superintendent Dieffenbach said when we rent Gra-Hil's \$40-\$45.00 per hour we have our own operator. If Delmar were to clean out the ditches along the streets it would still take our crew to be there with trucks and backhoes to clean off the street. Superintendent Dieffenbach said backhoes are not meant to clear snow; the back and forth motion burns the motor. Council Member Wood said a grader can do in one hour what it takes a backhoe eight hours to do. Council President Hart tabled the issue until Council has more information.

AUTHORIZE LST PAYMENTS- Secretary Keck asked Council to authorize the payments for the LST to the Fire, Police and Ambulance. Secretary Keck said the audit shows the total due is \$11,000.00 and some change. Secretary Keck said the budget had \$15,000.00 for each line item, the Finance Committee is recommending the overage in each account be deposited into the General Rainy Day Fund account. Council Member Wood made a motion to pay the three agencies and deposit the balance in the General Rainy Day Fund, seconded by Council Member Scharf motion carried 5-0.

PARKING METER REPLACEMENTS- Council Member Bryant said after the meeting today with Hershel Holsomback the request has changed. Council Member Bryant said the request now is for 12 internal housings at a cost of \$90.00 each for a total of \$1,080.00 and also 2 double housings for a cost of \$570.00 for a total of \$1,650.00. Council President Hart said the account is over budget as of the payment today for \$2,800.00. Council Member Bryant made a motion to approve the purchase of 12 internal housings and 2 double housings for a total cost of \$1650.00, seconded by Council Member Sticklin motion carried 4-1 Council Member Wood voted NO.

KING STREET BRIDGE ACCOUNT- Secretary Keck explained the Finance Committee is recommending any balance in the account 01.438.4751 be transferred into the PLGIT Bridge Account at year end. Council Member Bryant made a motion to approve the request, seconded by Council Member Wood motion carried 5-0. Superintendent Dieffenbach requested Secretary Keck set up a meeting with Borough Council and Larson Design Group to discuss the bridge project. Secretary Keck said they would be here on September 26th which is a Council meeting night. Secretary Keck said Penn DOT has approved the plan.

WELLSBORO BOROUGH COUNCIL.

August 22, 2011

CONSIDER ADVERTISING NOTICE OF INTENT TO ADOPT SIGN ORDINANCE AMENDMENT- Secretary Keck said Chris Lantz was unable to have the Zoning Ordinance Amendment available this soon.

RE-CONSIDER ADOPTING PLANNING COMMISSION COMP PLAN SECTION 1-5- Secretary Keck asked if Council were ready to adopt this section of the updated plan. Council President Hart said the section on rental units would need to be rewritten. Council Member Wood said Council needs more discussion before approval.

CHAMBER REQUEST FOR DICKENS OF A CHRISTMAS- Secretary Keck asked if Council would approve the request for Dickens of a Christmas, she stated the same request as last year. Council Member Wood made a motion to approve the request, seconded by Council Member Bryant motion carried 5-0.

MODEL RESIDENTIAL RENTAL UNIT REGULATIONS ORDINANCE- Secretary Keck requested Council read over the ordinance and consider incorporating into the borough's ordinance. Council Member Bryant said he read through this ordinance and spoke with Mansfield concerning their ordinance. Mansfield inspects rental units every four years this one has no time table as to when to inspect the apartments. Secretary Keck said once the property passes inspection, there would be no other inspection until either the owner or the renter would change.

Council Member Wood said this is too much government going into people's homes. Council Member Scharf said it is too dictatorial, as a landlord you have to pay a fee for an inspection. Council Member Wood said if the ownership changes then he would agree to another inspection however not if the tenants changes. Secretary Keck said the Building Inspector Erb will address the Planning Commission on Wednesday-night to discuss how this issue was handled in another town. Council Member Bryant said the borough needs to get a handle on the rentals in the borough. Secretary Keck asked Council to write down the concerns and bring the list to Sue so she can create a list of the concerns.

TENNIS COURTS- Council Member Sticklin informed the Council the tennis court is in the curing stage this will take 10 to 14 days and then it will be painted.

WOODLAND PARK- Council Member Sticklin said the restroom is near completion. Warren Berg had a little more plumbing to be done and they are waiting for the contractor to install the handicap accessibility. Council Member Sticklin said the bathroom fan counts the number of people during peak times of the day. It keeps it in memory for ten days.

EXECUTIVE SESSION 7:05 p.m. – 7:30 p.m. Council Member Bryant made a motion to accept and sign the memorandum of understanding with the three foundations in Wellsboro (Packer, Sweet & Etner)the second part is we start advertising for a borough manager, and the applicant must live in the Borough of Wellsboro, seconded by Council

WELLSBORO BOROUGH COUNCIL.

August 22, 2011

Member John Sticklin. Council Member Bryant said the foundations have stepped up and will fund a borough manager.

Council Member Wood said the three foundations have done a fabulous job in this town helping people and this town. Council Member Wood said he did not agree with this memorandum of understanding in assisting the Borough of Wellsboro look for a Borough Manager; he did not agree with Item # 2 concerning the Borough of Wellsboro performing the search and then in Step 8 the three foundations would meet with the final candidate. Council Member Wood said there were three and a half pages of qualifications; however three pages could be anyone in this room. There is only one sentence stating his qualifications. The last time Wellsboro had a borough manager the town had a population of 1500 people; and after the three year time period the burden to pay for a borough manager would fall on the taxpayers of the borough.

Council President Hart said with all of the gas people there is more to be done. Council President Hart called for a roll call vote:

Council Member Scharf – Yes
Council President Hart – Yes
Council President Bryant- Yes

Council Member Wood- No
Council Member Sticklin- Yes
Motion approved 4Yes – 1No

ADJOURNED 7:35 p.m.