

**KANE BOROUGH COUNCIL
JULY 12, 2017**

CALL TO ORDER

The regular monthly meeting of Kane Borough Council was called to order at 6:30 p.m. by President Gary Schul. The meeting was held at the Kane Borough Building, 112 Bayard Street, Kane, PA 16735.

ROLL CALL

Present: William Osmer (Mayor), Gary Schul (President), Tom Kase (Vice-President), Dennis Drost, Melanie Clabaugh, Brandon Johnston, Shana Snyder, Donald Payne (Secretary), Lori Feldbauer (Recording Secretary), Tim Holt (Fire Chief), Philip Lingenfelter (WWTP Foreman)

Excused: Heath Boyer (Police Chief)

Absent: Joe Couch (Street Department Manager), Linda Cecchetti (Grant Writer)

VISITORS

Michelle Anthony, Jonathan Cornelius, Phillip Snyder, Karen E. Fox, Martin Berrigan, Terry Carlson, Lynda Schul, Paula Santilli, Brenda Baker, Rev. David Pflieger, Steve Dyne, Brandy Schimp, Fred Johnson, Mick Petruney, Pamela Miles

STATEMENT OF CITIZENS ON AGENDA ITEMS

None

APPROVAL OF MINUTES

A motion was made by Mr. Johnston, seconded by Mr. Drost, to approve the June 14, 2017 regular meeting minutes, as presented. Motion carried.

UNFINISHED BUSINESS

Nuisance Abatement - 508 Hacker Street – Received a letter from Building Code Official Russ Braun on his recent inspection. It was noted that he had just inspected the outside of the building. Council asked that Mr. Braun also inspect the inside of the building.

Nuisance Abatement - 328 Haines Street – Correspondence was received from the Barber's attorney. This issue will be discussed in Executive Session.

Social Media – Mrs. Clabaugh stated that the Borough's Facebook page was launched recently. She asked if anyone had posts for the page to contact her. She noted that Mr. Alfieri reviewed the Social Media policies and these have been put on hold for now.

Zoning Ordinance Amendment (Mobile Homes) – Mr. Schul and Mr. Payne will appoint a committee to look into this issue.

CORRESPONDENCE

- 1) Christopher Wencker, Esq. – Letter stating that he is the attorney representing Claude & Kathleen Barber, 328 Haines Street.
- 2) Kane Borough Parks Commission – Recommendation to fill the vacancy on the board.

A motion was made by Mr. Kase, seconded by Mr. Johnston, to appoint Mr. Garth Magnuson to fill the unexpired term of Nelson Aponte on the Parks Commission. Motion carried.

- 3) Lumber Heritage Grant – Official notice that Kane Borough's application for the grant was not funded.

MONTHLY REPORTS

Budget Report – Submitted to Council

A motion was made by Mr. Johnston, seconded by Mr. Walker, to approve the Budget Report, as presented. Motion carried.

Tax Collector – Balance on duplicate - \$136,665.57

A motion was made by Mr. Drost, seconded by Mr. Kase, to approve the Tax Collector's Report, as presented. Motion carried.

BILLS FOR PAYMENT

Check detail in the amount of \$30,814.35 was presented to Council for approval. A motion was made by Mr. Kase, seconded by Mr. Drost, to approve the bills for payment and any other outstanding utility bills or bills due for discount. Motion. Carried.

STAFF REPORTS

Office – Mr. Payne submitted his report to Council.

Mr. Payne suggested that a screen be purchased for the Council room. It was the consensus of Council to purchase such a screen.

Solicitor – Mr. Alfieri reported:

- 1) Also attended the blight meeting in Smethport, along with Mr. Schul and Mr. Payne.
- 2) Had an initial meeting with the union representatives for the Street and Sewer workers.
- 3) Requested an Executive Session for a personnel issue.

Police

WWTP

Street

Fire Department

Building Permits

Health Board

Reports submitted to Council

A motion was made by Mr. Johnston, seconded by Mr. Drost, to approve the staff reports, as presented. Motion carried.

COMMITTEE REPORTS

Personnel – Mr. Kase reported:

- 1) Mr. Payne, Mr. Couch and himself interviewed 5 candidates for the Assistant Street Manager position recently. It was decided to hire Mr. Dominic O'Rourke, Jr. for the position. He will have a 6 month probationary period.

Borough Properties - Mr. Drost reported:

- 1) Hedges need trimmed at the Edgar James Street and Greeves Street intersection and at the Pennsylvania and Hemlock Avenue intersection.
- 2) 14 stumps need removed in Evergreen Park.
- 3) 2 stumps that were ground on Chestnut Street / Route 66 need cleaned up.
- 4) Tree needs trimmed at the corner of South Edgar Street and Pine Avenue.
- 5) Asked if any calls were made to PennDOT regarding patching the holes on Greeves Street.
- 6) Asked the status of the depot property. Mr. Kase stated that there was a grant awarded for the purchase of this property and Mr. Alfieri noted that he is still awaiting the abstract.
- 7) Asked why there were no flags flown on Fraley Street on the 4th of July.
- 8) Asked about replacement of the stop signs.

NEW BUSINESS

Resolution #08-17 – New “Special Projects” Checking Account at Northwest Bank

A motion was made by Mr. Kase, seconded by Mr. Drost, to approve Resolution #08-17 authorizing the opening of a “special projects” checking account and authorizing the signers for this account at Northwest Bank. Motion carried with Mrs. Clabaugh abstaining because she is employed by Northwest Bank.

Resolution #09-17 – USDA Grant/Loan Resolution

A motion was made by Mr. Kase, seconded by Mr. Walker, to approve Resolution #09-17 for the USDA Grant / Loan for the Fire Hall. Motion carried on a 7 – 0 vote.

County Liquid Fuels Application

Mr. Payne stated that the 2017 County Liquid Fuels Allocation is in the amount of \$7,258. It was suggested that this amount be encumbered for a future project.

A motion was made by Mrs. Clabaugh, seconded by Mr. Drost, to apply to the McKean County Commissioners for the amount of the 2017 County Liquid Fuels, \$7,258, encumbering the funds for a future project. Motion carried.

Negotiating Committee

Mr. Schul stated that he will appoint a Negotiating Committee for the public works negotiations for the new contract. Mr. Schul appointed three members to this committee, Mr. Kase, Mr. Drost and himself. He noted the upcoming union meetings scheduled.

401K for New Hires

Mr. Payne stated that there was a meeting with the actuary (Colleen Deer from Mockenhaupt Benefits Group) to talk about starting a 401K for new hires instead of the pension. He said that another meeting to come up with a plan and options will be scheduled.

MAYOR'S REPORT

None

STATEMENT OF CITIZENS

Mr. Phillip Snyder – Kane, PA

Mr. Snyder stated that he was here to ask Council to appeal the decision of the Borough Manager to demolish the structure at 122 Maple Street. He said that he has begun repairs on the building and nothing about it is unsound. Mr. Snyder stated that the house is now in his name and he intends to get it fixed up within 90 to 120 days. He submitted a building materials list to Council members. The total of the materials is \$4,500 for the repairs. He stated that he would like the opportunity to fix it up and that all of the taxes would be paid up by the end of the month. Mr. Payne noted that there is an outstanding sewer bill on this property in the amount of \$828. Ms. Karen Fox stated that she did not receive any information in the mail and that she has no income and is disabled. She stated that the roof is new and the house needs painted and the electric will be fixed.

Mr. Payne stated that he would like each Council member to personally look at this house and he will delay the demolition.

Mr. Schul stated that this meeting will be reconvened at 6:30 p.m. on Monday, July 17, 2017 after everyone has had a chance to view the property.

Mrs. Paula Santilli – Haines Street, Kane, PA

Mrs. Santilli was present to ask for an update on the 328 Haines Street property. She stated that she was afraid of the propane tank that is in the back yard of this residence.

Mr. Payne stated that he is trying to set up a hearing for the Barber's for July 21st in the back yard of either 328 Haines Street or at the Santilli's or at Brenda Baker's.

Ms. Brenda Baker – Haines Street, Kane, PA

Ms. Baker stated that 328 Haines Street does not have any regular garbage pickup and doesn't know where their garbage is going. Mr. Payne stated that he called all of the Kane haulers and no one had them as a customer. He sent a letter to them giving them 10 days to produce evidence that they have a garbage hauler. Ms. Baker stated that the smell has gotten worse. She felt that the SPCA should go it to check on the animals.

EXECUTIVE SESSION

Council entered into Executive Session at 7:53 p.m.

REGULAR SESSION

Council re-entered Regular Session at 8:45 p.m.

A motion was made by Mr. Drost, seconded by Mrs. Clabaugh, to authorize Mr. Schul to bid on the 330 Reynolds Street property at the McKean County Upset Sale on Monday, July 17, 2017. Motion carried.

A motion was made by Mr. Johnston, seconded by Mrs. Clabaugh, to authorize Mr. Payne to purchase the 501 Chase Street property. Motion carried.

ADJOURNMENT

A motion was made by Mr. Drost, seconded by Mr. Johnston, to not adjourn this meeting but to reconvene this meeting on Monday, July 17, 2017 at 6:30 p.m. to discuss the 122 Maple Street property. Motion carried.

Lori A. Feldbauer, Recording Secretary

RECONVENE OF MEETING

The July 12, 2017 Council Meeting was reconvened at 6:30 p.m. on Monday, July 17, 2017 at the Kane Borough Building, 112 Bayard Street, Kane, PA 16735.

Council Members Present

William Osmer (Mayor), Gary Schul (President), Tom Kase (Vice-President), Dennis Drost, David Walker, Brandon Johnston, Shana Snyder, Donald Payne (Secretary)

Excused: Melanie Clabaugh

Visitors

Phillip Snyder, Michelle Anthony, Jonathan Cornelius, Selina Winston, Chrissy Paul, Scott Paul, Pauline Paul, Greg Oyler, Jenna Oyler, Dakota Hawk, Steve Dyne, Ted Lutz (Kane Republican)

122 Maple Street Property

At this time, Mr. Schul asked each Council member to give their thoughts and opinions on this property.

After Council's comments, a motion was made by Mr. Johnston, seconded by Mr. Kase, that Mr. Phillip Snyder, owner of 122 Maple Street, pay the outstanding taxes and sewer bill in full by July 31, 2017 or he recommends the property come down and, in addition, if the taxes and sewer bill are paid Borough Council will then do another inspection on the property on August 21, 2017.

Following additional discussion, Mr. Johnston amended his motion, also seconded by Mr. Kase, to approve giving the Phillip Snyder family until July 31, 2017 to pay all outstanding taxes in full along with the sewer bill and fire insurance must be acquired for the property listed as 122 Maple Street, Kane, PA, additionally, thirty (30) day inspections will be made. Mr. Schul stated that Ms. Snyder is disqualified from voting because she is related to the Snyder family. Ms. Snyder stated that she has researched the Code of Ethics in the State of Pennsylvania and verified that she would be able to vote because she is not actually blood-related to the Snyder family. Motion carried on a 6 – 0 vote.

ADJOURNMENT

Being no further business, a motion was made by Mr. Johnston, seconded by Mr. Drost, to adjourn the meeting. Motion carried. The meeting was adjourned at 7:02 p.m.

Karen A. Walter, Recording Secretary