

MUNCY BOROUGH COUNCIL MEETING
Minutes
December 18, 2008, 7pm

The Muncy Borough Council met in regular session with the following members present: President Vivian Daily, Vice President Galen Betzer, Karen Richards, Lloyd Wurster Linda Stein and Alicia Myers. Councilman Dana Bertin was absent. Also attending were Police Chief Richard Sutton, Solicitor Wilfred Knecht, Borough Manager Ed Coup, and Borough Secretary/Office Manager Mary Lynné Rager.

Guests: Patrick Donlin, Williamsport Sun Gazette

President Daily called the meeting to order at 7:01pm in the Muncy School District Board Room located in the Margaret Waldron Building. Invocation was provided by Mrs. Daily followed by the Pledge of Allegiance.

Executive Session

Not held

Old Business

Report on meeting with Municipal Authority at Special Budget Meeting: Ms Stein reported on the meeting with the Authority's Special Budget Meeting as very productive. Since the Council's November preliminary approval of the budget, no changes were made to the operating portions of the sewer and water budgets.

Format changes were made to the water budget to provide greater transparency and clarification in regards to the reimbursement for the Industrial Park water tower; an additional line was added showing an estimated \$20,000 as both Revenue and Expense. This did not change the bottom line monetary figures of the water budget.

Sewer Revenues were increased \$10,000 in the sewer budget as recommended by the Authority. However; this did not impact or change the operating costs in any way. This changed only the Chesapeake surcharge and Capital Purchase line items. The formatting changes were made to provide greater transparency. The 15% surcharge was re-figured based upon the increased Revenue and was shown as a separate line item as both Revenue and Expense, thus addressing considerable prior confusion.

Rescind no parking: Chief Sutton requested that Council rescind the motion that approved the no parking restrictions near the new Pick auto dealership since the signs haven't been installed to date. Council agreed it is not needed yet but in the future years ahead it probably will be re-instated.

Motion to rescind no parking on New Street between South Main to Green Alley on north side of the street by Mr. Betzer and **seconded** by Mrs. Daily. Motion **passed** with all voting in favor.

New Business

Appointing Auditors for 2009: Mrs. Daily noted that Larson, Kellett & Associates pricing is very comparative to last years with having only a slight increase.

Motion to retain Larson, Kellett & Associates as Auditors for 2009 General Fund, with their pricing not to exceed \$10,800, by Mrs. Daily and **seconded** by Mr. Wurster. Motion **passed** with all voting in favor.

Open Records Officer and Assistant: Following the state's new open record law effective January 1, 2009, the borough needs to appoint officers. Mr. Knecht said it is best to have the open records officers be people who have convenient access to records. He stated they should be municipal employees, instead of elected officials. Mr. Knecht will check and see if the police department can be included with the Borough's form.

Motion to appoint Borough Manager Ed Coup as Officer and Secretary Mary Lynné Rager as Assistant Officer by Mrs. Daily and **seconded** by Mrs. Myers. Motion **passed** with all voting in favor.

Fire company recommendation: Ms Stein recommended the need to put our focus on the fire company's needs, which goes beyond finance. Ms Stein addressed Madame President that in assigning new committees in January 2009, she is requesting she also create one for fire. Mrs. Daily noted it is the Borough's responsibility for fire protection. Ms Richards noted the need to add a line item to pay fire hydrant costs. Mr. Betzer would like to see more accountability from the fire company.

Appointment of Emergency Management Coordinator holding until January: It was discussed that the resignation of Corky Blaker has not yet been properly accepted. While the Personnel Committee will take care of finding Mr. Blaker's replacement, Chief Sutton will be the Acting EMA Coordinator.

Motion to approve Chief Sutton as Acting EMA Coordinator by Ms Stein and **seconded** by Mr. Wurster. Motion **passed** with all voting in favor.

Equipment, Property, and Grounds

Discussion of holding an auction at FEMA house at 102 N. Market St. prior to demolition: Mr. Coup reported that there are some items worth salvaging from the FEMA property. The maintenance garage is in need of a heating plant and the property's heating plant is only four years old. The property also has newer replacement windows and doors.

Permission to bid out FEMA demolition at 102 N. Market St.: Mr. Knecht to work with Mr. Coup in writing two bids; one with salvage rights and one without. Mr. Coup reported the property is being tested for asbestos and is awaiting the results. This could impact the cost of the demolition.

Motion to approve demolition of the FEMA house at 102 N. Market St. with and without salvage rights by Mrs. Myers and **seconded** by Mr. Wurster. Motion **passed** with all voting in favor.

In regards to demolition ordinances, Ms Richards requested that we need to look into the new zoning ordinance and the Historic Preservation ordinance to make sure they line up properly. Mr. Knecht to research the ordinances and report to Council his findings.

Discussion of card swipe system for fuel: Mr. Coup reported the quote from the West Branch Petroleum Company for a used swipe machine has a one time charge of \$5245. This quote is with borough employees helping supply man power and the borough supplying the computer. Mr. Coup to check on discount we now are getting on gas (no taxes charged), Fleet Card pricing, guarantees on swipe machines, and obtaining competitive pricing from other companies in regards to the swipe machine. It was also noted that security lights are needed at the fuel station. Also discussed was the option to offer the fire company to use fuel at our site (and paying for) since we have diesel fuel as well.

Sewer

The pre-bid meeting for December 19, 2008 has been rescheduled, because of weather, to December 29, 2009 at 10:00am.

Personnel

Approval for PA DEP Training, Plant Operators Using Computers, for John D. Klim to attend Bloomsburg University has been tabled until verification is made to see if this training is needed.

Chief Sutton looked into using FaxPro, a computer program to receive/send faxes. This would eliminate one of two printers and save drastically on printer ink and paper. He noted the County provides free internet which makes this program very feasible. The Chief also has IT scheduled to work on his computer on December 31. Mrs. Daily asked if he could have him also network Mr. Coup and Mrs. Gardner's computers to the scanner in addition to the police departments.

A letter was received from Al Poff, Health Officer. As of January 1, 2009 he will no longer be considered an employee of the Borough and will be considered contractual. He requests that he still be covered under Workman's Comp. Mr. Coup stated that we cannot legally cover him under Workman's Comp but we can add him to our insurance. It was discussed that the Borough is hesitant on setting

a new precedence and suggested Mr. Coup look into PSAB or call other municipalities as how they handle this situation or possibly the Dept. of Health.

Discussion on employee Christmas gifts from Council: Mrs. Rager confirmed that the gift cards to the employees must be put thru payroll to be taxed as reportable income. Since the gift cards are charged a fee, it would be more practical to give the employees a separate payroll check. In order for the employee to net the approved gift amount, Ms Richards proposed the gross be \$125 for full-time employees, \$60 for part-time, and \$30 for crossing guards.

Motion to approve giving a separate payroll check as Christmas gifts instead of a gift card with the gross to be \$125 for full-time employees, \$60 for part-time and \$30 for crossing guards in order to obtain the original net dollar approved, by Ms Richards and **seconded** by Mrs. Myers. Motion **passed** with all voting in favor.

On December 22, 2008 at 8:30am Council will provide a Christmas breakfast at the Council Chambers for Borough employees. Christmas payroll checks will be distributed to each employee as well.

Executive Session

An Executive Session was called at 9pm to discuss legal issues.

The meeting was reconvened at 9:55pm.

Discussion on pursuing a declaratory judgment against the Muncy Municipal Authority for seating a new Authority member. Council members felt, after discussions with the Borough's solicitor, that they had the responsibility for appointing Authority members. Further discussion took place, and there was a consensus, that prior to any legal action, the Borough's solicitor was to send a letter to Mr. Howard Langdon, the Authorities solicitor, outlining Council's opinion and what they would do in the case of the Authority seating a new member.

Ms. Myers asked the solicitor what a declaratory judgment was. Mr. Knecht said that a declaratory judgment would decide who has the authority to appoint members to the Municipal Authority.

Ms. Myers asked the solicitor if Chuck Leonard would be able to vote on Authority issues while legal action is being taken. Mr. Knecht said he would have to do further research on that question.

Ms. Richards commented that Council did not have to address the issue of Harold Davis' reappointment to the Authority.

Motion to approve pursuing a declaratory judgement against the Authority for seating a new member. This would only be done after a letter was sent to the Authority Solicitor and dependent on the response that was given. If the Authority does not agree with Councils position, legal action will be pursued.

Motion was made by Ms. Richards and **seconded** by Ms. Daily. Motion **passed** 5-0-1 with Mr. Betzer abstaining.

There being no further business, Ms. Myers made a **motion** to adjourn the meeting at 10:05pm with Ms. Richards making the **second**. Motion passed with all voting in favor.

Respectfully submitted,

Mary Lynné Rager
Borough Secretary/Office Manager