

## June 19, 2008

The Muncy Borough Council met in a work session with the following members present: President Vivian Daily, Karen Richards, Linda Stein, Dana Bertin, Rodney Knier, Rodney Manger Ed Coup and Police Chief Dick Sutton.

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|--------------------------------|-------------------------------------|
| Guests: Dan Arnold – Resident  | Marcia Arnold – Resident            |
| Barron Zimmers – Resident      | Darla Zimmers - Residents           |
| Patrick Donnelly – Sun-Gazette | Wayne Wolfgang – Resident           |
| Gary Phillips – Resident       | Tucker Frederickson, Larson Kellett |
| Mike McAleer – Resident        | Tom Gardner - Resident              |
| Jeff Kyle, DGK Insurance       | Sam Burleigh - taxpayer             |
| Elaine McAleer – Resident      | Betty Baker – Resident              |

The meeting was called to order at 7:03 PM in the Muncy School District Boardroom located in the Margaret Waldron Building with President Daily presiding.

Daily made a motion to appoint Borough Manager Ed Coup as the Acting Treasurer of the Muncy Borough. Rodney Knier seconded the motion, and all voted in favor.

Richards made a motion to approve a bank resolution that appointed Ed Coup, Virginia Gardner and Vivian Daily as authorized signers on all Muncy Borough financial accounts. Knier seconded the motion and all voted in favor.

Being no further business at this point, the meeting was adjourned at 7:30pm by motion of Karen Richard and seconded by Linda Stein. All were in favor. Motion carried.

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Fornwalt made a motion to reopen the meeting at approximately 8:15pm. Knier seconded the motion and all approved. Motion carried.

Elaine McAleer addressed council. She asked to know the reason for being terminated. She indicated that she was threatened by Council. She requested to be reimbursed for her remaining 2008 vacation and personal days, and any accumulated 2009 vacation. She also said that the borough could return her air conditioner to her at anytime.

Mr. Fornwalt stated that he was not notified of Mrs. McAleer's termination.

Tom Gardner talked about how he was voted to be on the authority. He felt that by having council members on the authority board handcuffed them. He then talked about laws and rules. He feels that there is widening concern in the community and that every person working for the borough is worried about their positions.

Fornwalt commented that council should follow the law and procedures. He felt we took the wrong legal advice, and that council wasn't following the Sunshine Law.

Knier commented that council is to take all official action at a public meeting.

Fornwalt felt that there was a violation of the Sunshine Law.

Knier said that the termination of the Secretary/Treasurer was a management right.

Fornwalt said we should get a new solicitor.

Dan Arnold said we should be consistent with our termination policy.

Fornwalt said we have to have a vote in public. Minutes should be recorded.

There was then a discussion by Gardner on a banking resolution that the Sewer Secretary didn't want to sign because a date on it was incorrect. Coup explained that it was a mistake, and that he didn't see the date on it prior to giving to the secretary.

Gary Phillips then commented that Vivian, Karen and Linda don't know what is going on.

Gardner said we aren't acting like a community. He commented on the management agreement between the Authority and the Borough.

Fornwalt commented on the agreement and indicated that our solicitor erred when setting up the relationship between the two entities. He felt we are open to liability and feels we should change solicitors.

Gardner again expressed concern about the relationship between the two entities. He didn't think that we should be digging up dirt.

Fornwalt then challenged the solicitor on action being taken with Elaine. He indicated that she has given far more to the borough than any mistake she made. He believes in the right of all citizens to give orderly time to speak and that he comes to meetings to represent the people.

Sam Burleigh then said that the only one paid to know is Borough Manger. He then spoke on behalf of Mrs. McAleer. He said she saved money for the borough by transferring accounts. He talked about how during the

election, it was a big issue that there was a conflict of interest that Mike McAleer was on council and Elaine was an employee. Mr. Burleigh didn't think it was right that the Borough Manager be the Treasurer, Secretary and Zoning Officer.

Daily stated that Coup's appointment as Treasurer is temporary and his appointment as Zoning Officer will be reviewed at 90 and 180 days as council previously voted.

He then talked about how there was campaigning done in the last election. He said that Elaine shouldn't have been terminated, and that Council shouldn't put all their eggs in one basket. He then mentioned the issue about the water problem at Painter/Pepper Street. He was told by a rumor on the street that he didn't do something right with the water problem, and that he needed to come to the meeting and stick up for himself.

Fornwalt thought that the issue was given to the township in order to get their blessings before any remedial work was started. He indicated that he made a mistake on this and screwed up. Burleigh said that he was trying to clear things up. He talked to Wayne Wolfgang to see if the problem was taken care of.

Fornwalt wanted to take a look at the October 2007 minutes.

Burleigh again took issue with the action council took with Mrs. McAleer. He felt council should reconsider their action. He indicated that everyone makes mistakes. Richards commented that there was more than one mistake. Burleigh then indicated that he never had known Mrs. McAleer to make mistakes. He then stated that as a taxpaying citizen, he felt council made a big mistake.

Fornwalt noted Mrs. McAleer bought an air conditioner and didn't ask for reimbursement. He indicated that Mike McAleer initially refused to serve on the Personnel and Finance Committee. Mike McAleer made it known to council he didn't want to serve on the committee and would abstain if any issue came up that affected his wife. Fornwalt said we had other options than to appoint Borough Manager as Zoning Officer, and that Kathy Hunter presented other options. He felt there was a bad perception of a "multi-hat" person.

Burleigh said that there is a perception in the community that council was conducting secret meetings.

Daily said at least five persons present had suggested getting rid of Elaine two years ago.

Barron Zimmer said that the Borough should enforce the law and their own Ordinance 466. He wanted to know if any of the positions were advertised. He said that Ordinance 466 required the Borough Manager to live in town. He felt Coup should move into town.

Coup stated he was interviewed twice during the hiring process for his position, and both times he was told by Council he did not have to live in town. Coup stated there still were two people on the current council that were in office when he was hired and know the truth. He then said that Fornwalt was one of those people. Fornwalt said he remembered Coup being told he didn't have to live in town, and that Coup had mentioned that to council several times after being hired.

Arnold spoke about the proposed zoning ordinances. He indicated that he wrote a letter to the editor, and got reprimanded by the Planning Commission. He felt that Zoning issues need to be addressed. He said to look under the PA Municipal Code. He said that committees can't make decision and then come to council.

Fornwalt said again that certainly council and committees have made mistakes in the past.

Arnold said he want to be involved but keeps being "blown off."

Daily said the borough always has an open call for volunteers and that Arnold was asked to serve on several committees but indicated no interest.

Arnold indicated he wants to be on the Zoning Committee.

Richards then commented on how the Zoning Ordinance process works.

Fornwalt commented that council should have repealed the original historic zoning ordinance.

Richards said that the historic ordinance was discussed in two separate meetings. She indicated that the zoning ordinances will be changed again.

Mrs. Arnold says that council passes motions and doesn't discuss them.

Zimmer said that committees spawned from council should include volunteers, and he asked if they did.

Knier said it feels as if the public is at war with council. He said that nobody knows what really is happening and that they shouldn't be listening to rumors. He said that the public should send letters of interest to council if they want to be involved.

Betty Baker indicated people have to be open and honest. She said things just don't look right.

Daily responded that she sees many things in the borough's operation which need to be changed or corrected to better the community.

Baker said the commissions shouldn't meet when people can't get there.

Fornwalt mentioned that the image of the Borough is that it is a bureaucracy. He wanted to know if we could have a blog on the website where residents can write comments. Fornwalt made a motion to update the website to add a general email account for comments to be forwarded to all council. Knier seconded this motion and all approved. Motion passed.

There being no further business, the meeting adjourned at approximately 11:45pm.

Respectfully submitted,

Edward Coup, Assistant Secretary