

September 13, 2023

**KANE BOROUGH COUNCIL
SEPTEMBER 13, 2023**

CALL TO ORDER

The regular monthly meeting of Kane Borough Council was called to order at 6:30 P. M. by President Tom Kase. The meeting was held at the Kane Borough Building, 112 Bayard Street, Kane, PA 16735. Members were notified of the meeting on September 13, 2023.

INVOCATION

Pastor Pflieger led Council in prayer, followed by the Pledge of Allegiance.

ROLL CALL

Present: Tom Kase (President), Gary Schul (Vice President), Brandy Schimp (Mayor), Melanie Clabaugh, Scott Rudolph, Don Payne (Secretary), Tony Alfieri (Solicitor), Jo Beth Brinkley (Recording Secretary), Heath Boyer (Police Chief), Mick O'Rourke (Street Department Manager), Joe Geer (Code Compliance)

Telecommunications: Jack Zelina

Excused: Linda Kerek, Katie Johnson

Absent: Matt Bressler (Fire Chief)

VISITORS

Pastor Pflieger, Beth Koop, Kamryn Greenawalt, Steve Dyne, Tammy Barr, Bob Barr, Lewis Andrus Sr., Zelda Andrus, Liz Farnsworth

STATEMENT OF CITIZENS ON AGENDA ITEMS

None

Officers John Hartman and Mitchell Labesky were sworn in for duty to the Kane Borough Police Department by Mayor Brandy Schimp.

APPROVAL OF MINUTES

A motion was made by Mr. Rudolph, seconded by Mrs. Clabaugh, to approve the minutes of the August 7, 2023, regular monthly meeting. Motion carried.

UNFINISHED BUSINESS

- a. Ordinance A-1069 permitting parking on Chase Street overnight was read for the second time. A motion was made by Mr. Schul, seconded by Mr. Rudolph to pass this Ordinance. Motion carried.

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- b. Linda Kerek submitted a letter of resignation from the Council. A motion was made by Mrs. Clabaugh, seconded by Mr. Schul. Motion carried. Council has until October 12, 2023 to appoint someone to this position.

CORRESPONDENCE

- a. PSAB Fall Conference – McWaPEC has offered to pay for new participants to attend. RSVP is due by September 25, 2023.
- b. The McWaPEC Dinner is hosted by Lewis Run September 28, 2023. RSVP by September 21, 2023.

MONTHLY REPORTS

Budget – Report submitted to Council

A motion was made by Mr. Rudolph, seconded by Mrs. Clabaugh, to approve the Budget Report, as presented. Motion carried.

Tax Collector – Balance on duplicate = \$93,962.71

A motion was made by Mr. Schul, seconded by Mr. Rudolph, to approve the Tax Collector’s Report as presented. Motion carried.

BILLS FOR PAYMENT

Check detail in the amount of \$102,552.85 was presented to Council for approval. A motion was made by Mr. Schul, seconded by Mr. Rudolph, to approve the Bills for Payment. Motion carried.

DEPARTMENT REPORTS

Office – Mr. Payne submitted his report to Council. He will be attending the Upset Sale to protect the interests of the Borough. IA will be coming to plan the replacement of six (6) storm boxes and eight (8) ADA compliant crosswalks. Following that meeting the milling and paving will begin.

Solicitor Report Submitted

Code Compliance Report Submitted

Police – Report submitted. Chief Boyer commented that with the two new officers, we will now be back to 24/7 patrol service.

Street Report Submitted

Assessment Report submitted

Health Board Report submitted

Fire No report submitted

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A motion was made by Mr. Schul, seconded by Mrs. Clabaugh, to approve the Department Reports, as presented. Motion carried.

COMMITTEE REPORTS

Finance - Mr. Kase requested a meeting be scheduled for the budget.

IT - Mrs. Clabaugh reported that the kanepa.org website is not redirecting individuals to the new kanepa.com website. Mrs. Klaiber will work on this.

Parks Commission - Parks Commission minutes from the August 23, 2023, meeting were submitted.

NEW BUSINESS

- a. Mr. Rudolph made a motion to appoint Laura McDonald as the Kane Borough Treasurer, seconded by Mr. Schul. Motion carried.
- b. Resolution #05-23 – A motion was made by Mrs. Clabaugh to pass this resolution appointing the Berkheimer Liaison, seconded by Mr. Rudolph. Motion carried.
- c. Resolution #06-23 – The resolution was read aloud announcing the intent to sell 68 Fraley Street to Zach and Lacey Myers. The building was appraised and all requirements for this sale have been met. A motion was made by Mr. Rudolph, seconded by Mr. Zelina to pass this resolution permitting the sale of 68 Fraley Street. Motion carried.
- d. Resolution #07-23 – A motion was made by Mr. Rudolph, seconded by Mrs. Clabaugh to pass this resolution authorizing a Statewide Local Share Assessment Grant application be submitted for the purchase of a new Street Sweeper. Motion carried.
- e. Resolution #08-23 – A motion was made by Mr. Rudolph, seconded by Mrs. Clabaugh to pass this resolution authorizing a Statewide Local Share Assessment Grant application be submitted for the purchase of a Hot Mix Transporter. Motion carried.
- f. Resolution #09-23 – A motion was made by Mrs. Clabaugh, seconded by Mr. Schul to pass this resolution authorizing a Statewide Local Share Assessment Grant application be submitted for the Design and Engineering of the Knox & Kane Rail Trail Trestle Rehabilitation. Motion carried.
- g. Resolution #10-23 – A motion was made by Mrs. Clabaugh, seconded by Mr. Rudolph to pass this resolution authorizing a Statewide Local Share Assessment Grant application be submitted for the Sidewalk and ADA Ramp Improvement Project. Motion carried.
- h. A motion was made by Mr. Schul, seconded by Mr. Zelina to accept the bid of Dyne Excavating for the demolition of 220 Chase Street. Motion carried.
- i. A motion was made by Mr. Rudolph, seconded by Mr. Schul for the request a Municipal Recovery Grant utilizing American Rescue Plan dollars for the Evergreen Park Pavilions Improvements Project. Motion carried.
- j. A motion was made by Mrs. Clabaugh, seconded by Mr. Rudolph to accept, certify, and pay the minimum municipal obligation for 2024 for the Kane Police Pension Fund. Motion carried.
- k. A motion was made by Mr. Schul, seconded by Mr. Rudolph to accept, certify, and pay the minimum municipal obligation for 2024 for the Kane Employees Pension Fund. Motion carried.
- l. A motion was made by MR. Rudolph, seconded by Mrs. Clabaugh to purchase a new Front Loader and file for a USDA Reimbursement fund after the purchase. Motion carried.

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MAYOR'S REPORT

Report Submitted to council for July and August 2023

STATEMENT OF CITIZENS

Mrs. Liz Farnsworth – An incident occurred on August 23rd, she is looking for fairness and is open to reasonable negotiating. Mrs. Farnsworth wrote and read a letter that she left with Mr. Kase. She asked, “How are Police hired in Kane?”

She also asked, “Is it apropos for law enforcement personnel to inform a citizen who reports a violation and financial intimidation, ‘You just wasted a lot of my time’?”

“Under equal protection under the law, should police investigate a reported theft of a citizens’ property rather than call it a ‘fluke’ unworthy of their attention? I know usually a call elicits a police visit to the scene. This did not. When I asked the police about it he said ‘there is no crime where there is no intent.’ But I know law enforcement deals not only with crimes but with misdemeanors, domestic matters and harassment, and by visiting the scene, it can be better ascertained just what was the extent of the offense.”

“Job descriptions, are the borough authorities given clear guidelines? In link with that, what are procedures and requirements for one applying for a license to perform a public service for our Borough citizens? I have been there and I have seen rules for granting to the licensees, and also there must be rules for the businesses and employees of businesses. If a citizen’s property is removed and subsequently destroyed by confuse and mistaken employees of such a licensed public services business, should there not be fair compensation for such error?”

“Apparently rules vary a lot from one waste disposal company to another. Most concerning I have experienced what seems to be a concerted effort to quell my citizen complaint.”

“So all these things concern me greatly and I hope they concern you and I ask you to please contact me.”

Mrs. Tammy Barr – “I am here about the banners for our Hometown Heroes. I have gotten together with the VFW and we have done a petition. I have 785 signatures on this petition. I don’t understand why this is being denied. I will not touch Fraley Street so you can keep that toward the future. I would like to do Chestnut Street, Birch and then if more space is needed go out Route 66 basically from Welcome to Kane sign to Welcome to Kane sign skipping over Fraley Street. So, if we can run it up 66 and up route 6 onto Greeves Street and out to Biddle. Then from the Kane Republican to the Hospital if need be.”

“I have information from the electric company to get the tag numbers off of every single pole.”

“The last request was in October 2018. I was told it was just a couple of years ago, but it was actually in 2018.” Tammy provided information from the electric company and all the information on the banners themselves. She has established a website for the ordering of banners and to submit photos. The families or friends of the Heroes will be purchasing the banners. She would like to put them up right before Memorial Day and weather permitting take them down right after Labor Day. She is not asking the Borough to send their people to do anything, all the work will be done by volunteers and the VFW. The form to purchase a banner is very detailed and the photo would come from the family. If the Vet is still living, it would require the Vet’s approval. Tammy was invited to attend the Council Workshop on October 4th when the council will have open discussion on the topic.

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EXECUTIVE SESSION

Council entered Executive Session at 7:45 P. M. regarding Personnel.

REGULAR SESSION

Council re-entered Regular Session at 7:58 P. M.

A motion was made by Mr. Rudolph, seconded by Mrs. Clabaugh to deny the request to change the ordinance for the Borough Contribution to retirees with over 25 years employment. The payment will remain at \$100.00. Motion carried.

ADJOURNMENT

Being no further business, a motion was made by Mrs. Clabaugh, seconded by Mr. Rudolph, to adjourn the meeting. Motion carried. The meeting was adjourned at 8:04 P. M.

Carrie Klaiber, Recording Secretary