

December 13, 2023

KANE BOROUGH COUNCIL

December 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 November 8, 2023.

INVOCATION

Pastor Bruce Kumher 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, Jack Zelina, Katie Johnson, Don Payne (Secretary), Kelle Bari, Tony Alfieri (Solicitor), Carrie Klaiber (Recording Secretary), Heath Boyer (Police Chief), Mick O'Rourke (Street Department Manager)

Telecommunications: None

Excused: Scott Rudolph

Absent: Matt Bressler (Fire Chief); Joe Geer (Code Compliance)

VISITORS

Pastor Kumher, Sam Cummings, Jerry Milliron, Tracy Hodgdon, Julie Hodgdon, Nikki O'Rourke, Steve Dyne, Larry Wise

STATEMENT OF CITIZENS ON AGENDA ITEMS

None

APPROVAL OF MINUTES

A motion was made by Mrs. Clabaugh, seconded by Mr. Zelina, to approve the minutes of the November 8, 2023, regular monthly meeting. Motion carried.

UNFINISHED BUSINESS

- a. Ordinance #A-1072 Elimination of Per Capita Tax was read for the second time. A motion was made by Mrs. Johnson and seconded by Mr. Zelina to approve the ordinance as read. Motion carried.
- b. Ordinance #A-1073 Setting the Tax Rate for 2024 without change was read for the second time. A motion was made by Mr. Schul and seconded by Mrs. Johnson to approve the ordinance as read. Motion carried.

CORRESPONDENCE

- a. Scott Rudolph Resignation – a motion was made by Mr. Zelina and seconded by Mrs. Clabaugh to accept Mr. Rudolph's resignation. Motion carried.
- b. Email from PA American Water

December 13, 2023

MONTHLY REPORTS

Budget – Report submitted to Council

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

Tax Collector – Balance on duplicate = \$84,464.46

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

BILLS FOR PAYMENT

Check detail in the amount of \$183,547.75 was presented to Council for approval. A motion was made by Mrs. Johnson, seconded by Mrs. Bari, to approve the Bills for Payment. Motion carried.

DEPARTMENT REPORTS

Office – Report submitted. Mr. Payne updated the Buckhorn demo is completed.

Code Compliance - Report Submitted

Solicitor – Report Submitted. Turned in the Street Department Labor Contract for approval.

Police – Report submitted

Street - Report Submitted

Assessment – No Report submitted

Health Board - No Report submitted

Fire - No report submitted

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

COMMITTEE REPORTS

Cable/Technology – Mr. Jack Zelina reported that he is still working with Comcast to get PA channels and has meetings for the new year. He appreciates all the help and support he has received.

Library – Ms. Nikki O’Rourke reported that the library is in the process of planning 2024 programming and requests and suggestions are appreciated.

NEW BUSINESS

- a. Police Pension Fund Minimum Financial Obligation of \$0 for 2024 was accepted. A motion was made by Mr. Schul and seconded by Mrs. Clabaugh approving Mr. Donald Payne to sign. Motion carried.
- b. Employee Pension Fund Minimum Financial Obligation of \$13,151.00 was accepted. A motion was made by Mr. Schul and seconded by Mrs. Clabaugh approving Mr. Donald Payne to sign. Motion carried.
- c. The 2024 budget was approved with revisions made since the first reading and allowing the deficit of \$302,167.28 to be paid from the Controlled Funds Account. A motion was made by Mrs. Clabaugh and seconded by Mr. Schul. Motion carried.

NEW BUSINESS (cont'd)

- d. The 2024 Meeting Dates were presented. A motion to approve them was made by Mr. Zelina, seconded by Mrs. Bari. Motion carried.
- e. 2024 Committee Reappointments consisted of Mr Lowell Watts, Civil Service Commission; Mrs. Mary Bizzak, Parks Commssion; and Mr. Rodney Fiscus, Vacancy Board. A motion was made to approve these appointments by Mrs. Johnson and seconded by Mrs. Clabaugh. Motion carried.
- f. Resolution #12-23 to advertise the old Front-end Loader for sale on Municibid and sell it to the highest qualified bidder was approved. A motion was made by Mr. Schul and seconded by Mr. Zelina. Motion carried.
- g. Resolution #13-23 which declares Trick or Treat to take place on October 31st each year from 5:30 pm and 7:30 pm by porchlight invitation was approved. A motion was made by Mrs. Johnson and seconded by Mrs. Clabaugh. Motion carried.
- h. Ordinance # 1074 increasing the Mayor's salary to \$2,500.00 per year (the maximum allowed by the state) upon the start of the next Mayoral term was read for the first time. A motion to accept this reading was made by Mrs. Clabaugh and seconded by Mrs. Bari.
- i. The Repository Bid for 422 Greeves Street was accepted from Bruce Schleicher for the amount of \$2,526.00 in a motion made by Mr. Zelina and seconded by Mr. Schul. Motion carried.
- j. The Repository Bid for 611 Biddle Street was accepted from Big Level Properties, LLC for the amount of \$650.00 in a motion made by Mr. Zelina and seconded by Mr. Schul.
- k. Approval for the purchase of two (2) Portable Radios for the police officers for \$16,342.00 from the Controlled Funds Account was approved. A motion was made by Mr. Schul and seconded by Mrs. Clabaugh. Motion carried.
- l. Approval for the purchase of a new police vehicle for \$87,451.15 from the Controlled Funds Account was approved. A motion was made by Mr. Schul and seconded by Mrs. Clabaugh. Motion carried.
- m. Approval to pay the invoices for the paving projects in the amount of \$308,000.00 from the Controlled Funds Account was approved with the understanding that this money will be reimbursed to the account when the already approved reimbursement grant money is received. A motion was made by Mr. Zelina and seconded by Mrs. Clabaugh. Motion carried.
- n. A motion was made by Mrs. Bari and seconded by Mrs. Johnson to approve the installation of monitoring wells near the trailhead. Motion carried.
- o. Approval for Thomas Kase and Donald Payne to sign the Street Department Collective Bargaining Agreement per the recommendation of Solicitor Tony Alfieri was granted by motion made by Mrs. Johnson and seconded by Mrs. Bari. Motion carried.
- p. Mr. Sam Cummings, Jr, Mr. Thomas Kase and Mr. Jack Zelina were sworn into their positions on the Kane Borough Council by Mayor Brandy Schimp.

MAYOR'S REPORT

Report Submitted.

STATEMENT OF CITIZENS

a. Mr. Tracy Hodgen asked “Who authorized the Sale of the Sewer Company?”; “Why was it sold?” and “Where is the money from the sale?”. Mr. Don Payne responded that the Sewer Authority, which owned all of the assets, was approached about nine years ago by PA American Water to sell the sewer company to them.

The Sewer Authority was faced with knowing if they keep it, they would have to do these improvements and at that time there was still a loan from 1994 which would not have been paid off until 2033. The Sewer Authority would have had to take out another loan, which would have increased the sewer rates. We had 2100 customers at that time that we could spread this cost over and it was estimated to be \$12 million in repairs. The other option was to sell the assets to PA American Water, who has the resources to fix it and can spread the costs over a much greater customer base. For years the Sewer Authority did not do repairs because they did not want to raise the rates. PA American water is bringing the sewer system up to standard.

\$10 million of the money from the sale is invested and can only be released for use by vote of the citizens on the ballot. The other \$2.7 million is in a controlled investment account that can only be used by vote of Borough Council. If we manage our funds right and interest rates on the investments stay up, we will have these funds in perpetuity. The controlled funds will be used for vehicle and equipment purchases, road paving and other major projects, which will allow us to offer the types of services that citizens would like to see from their tax dollars. Another gorilla in the room is the storm drain system which we are working on.

Mr. Payne did mention that we have the paperwork for the payment assistance program with PA American Water. He also suggested that we change our lifestyles a bit to conserve water.

b. Mr. Larry Wise stated that he used less water this year than last year and his bill is much more this year. He asked, “Does the Borough have any say in the rates being charged by PA American Water?” Mr. Payne stated that the PUC regulates that and offered to provide the documentation about the process and the forms that can be submitted to PUC to state objection to the rate increase. Solicitor Tony Alfieri also stated that there may potentially be help available from the Office of Consumer Advocates.

EXECUTIVE SESSION

Council entered Executive Session at 7:36 P. M. regarding properties.

REGULAR SESSION

Council re-entered Regular Session at 7:52 P. M.

A motion was made by Mrs. Johnson and seconded by Mr. Zelina to authorize Mr. Payne to continue to pursue the real estate plans as discussed in executive session. Motion Carried.

ADJOURNMENT

Being no further business, a motion was made by Mrs. Johnson, seconded by Mrs. Bari, to adjourn the meeting. Motion carried. The meeting was adjourned at 7:54 P. M.

Carrie Klaiber, Recording Secretary