MINUTES

The Athens Borough Council met in regular session on December 09, 2024, Council Chambers, Athens Borough Municipal Building.

Present: President Scott Riley, President Pro Tem Joanne Polzella, Council members Walter Chaykosky, Matthew Patton, Anthony Smith, Robert Williams and Mayor Francis Roupp III.

Absent: Vice-President Sharon Sporn

Mayor Francis Roupp III led in the Salute to the Flag.

President Scott Riley called the meeting to order 7:00PM.

President Scott Riley stated that this meeting is being tape recorded to assist the Borough Secretary in the preparation of the Minutes. When approved by Council the tapes will be reused and not preserved. If you have a recording device, please announce so at this time.

PRESS

Sayre Morning Times announced they were recording the meeting.

PUBLIC

No one present to address Council.

PRESIDENT RILEY

MONTHLY BILLS

It was moved by Chaykosky and seconded by Polzella that the December 2024 monthly bills be approved as follows:

General Fund **$136,903.08**
Sewer Fund **$3,198.09**
Fire Fund **$482.52** – Loan Payment #62

AYES: Chaykosky, Patton, Polzella, Smith, Williams, Riley
NAYES: None
Absent: Sporn
Motion carried.

MINUTES

It was moved by Polzella and seconded by Chaykosky that the minutes of the regular meeting on November 12, 2024 be approved as written. Motion carried.

ORDINANCE NO. 734

It was moved by Chaykosky and seconded by Polzella that Ordinance No. 734, setting the tax rate for 2025 as advertised on November 22, 2024 be adopted. Motion carried.

ORDINANCE NO. 734

AN ORDINANCE OF THE BOROUGH OF ATHENS FIXING THE TAX RATE FOR THE FISCAL YEAR 2025.

SECTION NO. 1

That a tax be and the same is hereby levied on all property within the Borough of Athens subject to taxation for the Borough purposes for the fiscal year 2025 as follows:

General Purposes..... 20.25 mills

Library Purposes..... .25 mill

Fire Equipment Purposes..... 1.00 mills

Making a total tax rate of 21.5 mills for all Borough purposes on each dollar of assessed valuation.

ORDINANCE NO. 735

It was moved by Williams and seconded by Patton that Ordinance No. 735, discontinuing contributions by either the Borough of Athens or the Police Force for the calendar year 2025 based on the Actuarial Valuation Report of the Police Pension Fund as advertised on November 22, 2024 be adopted. Motion carried.

ORDINANCE NO. 735

AN ORDINANCE AMENDING CHAPTER 22, POLICE PENSION FUND, OF THE CODE OF THE BOROUGH OF ATHENS, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

The Borough of Athens hereby ordains and enacts as follows:

Under Section 22-4, Contribution Rate of the Code of the Borough of Athens hereby deletes the following:

No contribution shall be required by either the Borough of Athens or the Police Force for the calendar year 2024 based on the Actuarial Valuation Report of the pension of the Police Pension fund.

Under Section 22-4, Contribution Rate of the Code of the Borough of Athens, hereby adds the following:

No contribution shall be required by either the Borough of Athens or the Police Force for the calendar year 2025 based on the Actuarial Valuation Report of the pension of the Police Pension Fund.

This ordinance shall take effect immediately upon adoption.

2025 PENSION BOARD MEETINGS

The Athens Borough Pension Fund Board will meet on March 20, 2025 and September 04, 2025 at 3:00PM at the Athens Borough Municipal Building.

ATHENS BOROUGH PUBLIC COMMENT POLICY

Council will review the policy sent via email by Solicitor Foster and discuss or adopt the policy at the January 13, 2025 meeting.

CALL FOR AN EXECUTIVE SESSION

No one called for an Executive Session after the meeting.

COMMUNITY AND DEVELOPMENT

President Riley stated:

ORDINANCE AMENDMENT – VEHICLES AND TRAFFIC

Solicitor Foster was authorized to draft an ordinance amendment at the October 14, 2024 meeting.

SHADE TREE MEETINGS

The Shade Tree Commission met on November 18, 2024 at 6:00PM at the Athens Borough Municipal Building. There is no meeting in December.

The Athens Borough Shade Tree Commission will meet on the third Monday of each month for the calendar year 2025, no meeting in December.

SHADE TREE APPOINTMENT

It was moved by Chaykosky and seconded by Williams that Nikki Shadduck be appointed to fill the vacancy on the Shade Tree Commission, term ending on December 31, 2026. The term will automatically renew unless Ms. Shadduck resigns. Motion carried.

CODE ENFORCEMENT COMMITTEE

President Pro Tem Polzella stated:

The Zoning Officer's monthly report was made available to Council on December 05, 2024.

Zoning Permits Issued: 3
Zoning Permits Denied: 1
Zoning Permits to Date: 39

Property Maintenance Violation Notices Issued:

Total to Date (2024): 182

Contractor Permits through 11/30/2024:

Issued: 118 Pending: 8 Void: 0

P&Z MEETING

The Planning and Zoning Commission will meet on December 11, 2024 at 6:00PM at the Athens Borough Municipal Building.

2025 PLANNING AND ZONING MEETINGS

The Athens Borough Planning and Zoning Commission have set their meeting dates for the calendar year 2025 at 6:00PM at the Athens Borough Municipal Building on the following days:

*January 08, 2025, April 09, 2025, July 09, 2025 and October 09, 2025. Any and all changes or additions will be advertised separately.

ORDINANCE NO. 736

It was moved by Patton and seconded by Smith that Ordinance No. 736, amending dwelling, double-wide trailer/home, permanent as advertised on November 23, 2024 be adopted. Motion carried.

ORDINANCE NO. 736

BOROUGH OF ATHENS BRADFORD COUNTY, PENNSYLVANIA AN ORDINANCE AMENDING CHAPTER 540 ZONING, ARTICLE VIII RESIDENTIAL I DISTRICT, SECTION 540-40 PERMITTED USES, SECTION 540-42 SPECIAL USES AND ARTICLE II TERMINOLOGY, SECTION 540-9 DEFINITIONS, OF THE CODE OF THE BOROUGH OF ATHENS, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

Athens Borough hereby ordains and enacts as follows: Under Chapter 540 Zoning, Article II Terminology, Section 540-6 Definitions, of the Code of the Borough of Athens hereby deletes the following:

DWELLING, DOUBLE-WIDE TRAILER/HOME PERMANENT – A transportable, single family detached dwelling intended for permanent occupancy, constructed as two units designed to be joined into one integral unit capable of again being separated for repeated towing and relocation, which arrives at the site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. For Federal Emergency Management Agency (FEMA) floodplain management purposes, this definition includes park trailers, travel trailers and other similar vehicles located on site for greater than 180 consecutive days. This definition excludes modular homes, single-wide trailers, and includes units that may have titles. After this double-wide trailer is located on a permanent foundation and is not capable of repeated towing and relocation, it shall be considered a permanent structure for purposes of this Zoning Ordinance. This definition shall also apply to any double-wide trailer installed in the Business District on a permanent foundation and utilized for business or residential purposes.

Under Chapter 540 Zoning, Article II Terminology, Section 540-6 Definitions, of the Code of the Borough of Athens hereby adds the following:

DWELLING, DOUBLE-WIDE TRAILER/HOME PERMANENT – A transportable, single family detached dwelling intended for permanent occupancy, constructed as two units designed to be joined into one integral unit capable of again being separated for repeated towing and relocation, which arrives at the site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used without a permanent foundation. For Federal Emergency Management Agency (FEMA) floodplain management purposes, this definition includes park trailers, travel trailers and other similar vehicles located on site for greater than 180 consecutive days. This definition excludes modular homes, single-wide trailers, and includes units that may have titles. After this double-wide trailer is located on a permanent foundation and is not capable of repeated towing and relocation, it shall be considered a permanent structure for purposes of this Zoning Ordinance.

This definition shall also apply to any double-wide trailer installed on a permanent foundation and utilized for residential purposes in the Residential I District, Residential II District or utilized for business or residential purposes in the Business District. Only newly constructed units shall be allowed as permitted uses in the Residential I District and Residential II District. Only newly constructed units shall be allowed as a special use in the Business District.

Under Chapter 540 Zoning, Article VIII Residential 1 District, Section 540-42 Special uses, of the Code of the Borough of Athens hereby deletes the following: C. Dwelling, double-wide trailer/home, permanent.

Under Chapter 540 Zoning, Article VIII Residential 1 District, Section 540-40 Permitted uses, of the Code of the Borough of Athens hereby adds the following: (9) Dwelling, double-wide trailer/home, permanent. (New Construction only)

Under Chapter 540 Zoning, Article IX Residential II District, Section 540-49 Special uses, of the Code of the Borough of Athens hereby deletes the following: H. Dwelling, double-wide trailer/home, permanent.

Under Chapter 540 Zoning, Article IX Residential II District, Section 540-47 Permitted Uses of the Code of the Borough of Athens hereby adds the following: (16) Dwelling, double-wide trailer/home, permanent. (New Construction only)

This Ordinance shall take effect immediately upon adoption.

ORDINANCE NO. 733

It was moved by Smith and seconded by Chaykosky that Ordinance No. 733, deleting Garage/Yard Sales as advertised on November 23, 2024 be adopted. Motion carried with a Nay from Williams.

ORDINANCE NO. 733

BOROUGH OF ATHENS BRADFORD COUNTY, PENNSYLVANIA AN ORDINANCE AMENDING CHAPTER 540 ZONING, ARTICLE II TERMINOLOGY, SECTION 540-5 WORD USAGE, OF THE CODE OF THE BOROUGH OF ATHENS, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA. Athens Borough hereby ordains and enacts as follows:

Under Chapter 540 Zoning, Article II Terminology, Section 540-5 Word Usage Home, of the Code of the Borough of Athens hereby deletes the following:

GARAGE/YARD SALES – A temporary accessory use on a residential lot that includes the display of personal possessions within a garage, porch or front yard, and those of friends, relatives and neighbors, for sale to the general public upon the property of one's residence. A. One four-foot-square (four feet by four feet) sign or smaller in size shall be allowed on the property, no sooner than seven days prior to the sale, and removed promptly upon the completion of the sale. B. The conduct of garage or yard sales beyond the extent described herein represents a commercial or retail business and requires appropriate compliance with those specific standards found within the current Zoning Ordinance. C. In no case shall any aspect of the garage or yard sale be conducted in the street right-of-way. D. Garage and yard sales shall operate between the hours of 8:00 a.m. and 6:00 p.m.

E. The property owner shall obtain a temporary use permit from the Borough for garage and yard sales in order that the temporary use does not exceed the three-day limit and twice per year. The cost of the permit will be established by resolution of the Borough Council. F. There shall be no sale of retail property purchased solely for resale by the property owners/tenants and not for the property owners'/tenants' personal use. G. After the sale period has expired, the personal property in the sale must be removed from the outside of the premises, including the yard, driveway, and open porches, and stored inside an enclosed porch, the dwelling, inside the garage, and/or inside sheds unless the personal property is utilized for a specific purpose on the outside of the premises.

H. Plastic tarps and open-walled structures are not considered sheds and will not be allowed for the storage of the personal property after the three-day sale period has expired. I. The property owner shall only be allowed a total of two sales per year, whether they are advertised as a garage sale, a yard sale, or a combination garage and yard sale. Under Chapter 540 Zoning, Article II Terminology, Section 540-5 Word Usage Home, of the Code of the Borough of Athens hereby adds the following:

GARAGE/YARD SALES – A temporary accessory use on a residential lot that includes the display of personal possessions within a garage, porch or front yard, and those of friends, relatives and neighbors, for sale to the general public upon the property of one's residence.

ORDINANCE NO. 737

It was moved by Chaykosky and seconded by Patton that Ordinance No. 737, amending Home Occupation, Zoning, as advertised on November 23, 2024 be adopted. Motion carried.

ORDINANCE NO. 737

BOROUGH OF ATHENS BRADFORD COUNTY, PENNSYLVANIA AN ORDINANCE AMENDING CHAPTER 540 ZONING, ARTICLE XI GENERAL PROVISIONS, SECTION 540-63 HOME OCCUPATIONS, OF THE CODE OF THE BOROUGH OF ATHENS, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

Athens Borough hereby ordains and enacts as follows:

Under Chapter 540 Zoning, Article XI General Provisions, Section 540-63 Home Occupations, of the Code of the Borough of Athens hereby deletes the following: B. (1) The occupation will be conducted entirely within a dwelling or existing accessory structure.

Under Chapter 540 Zoning, Article XI General Provisions, Section 540-63 Home Occupations, of the Code of the Borough of Athens hereby adds the following: B. (1) The occupation will be conducted entirely within a dwelling or an accessory structure.

This Ordinance shall take effect immediately upon adoption.

DRIVEWAYS AND SIDEWALKS

The Borough Manager and Code Officer are reviewing the construction standards provided by GHD Engineering.

RESOLUTION NO. 2024 – 5

It was moved by Patton and seconded by Chaykosky that Resolution No. 2024 – 5 the updated 2024 Athens Borough Comprehensive Plan be adopted. Motion carried.

President Riley took a moment to thank all parties involved in this update.

RESOLUTION NO. 2024 – 5

WHEREAS, the Council of Athens Borough, Bradford County, PA, in conjunction with Bradford County Department of Community Planning and Mapping Services are adopting its amended Athens Borough Comprehensive Plan; and

WHEREAS, the Borough of Athens, PA, possess the legal authority under Article III of the PA Municipalities Planning Code, Act 247 of 1968, as reenacted and amended, to adopt and amend a municipal Comprehensive Plan; and

WHEREAS, the Council of Athens Borough, PA, authorized the Athens Borough Planning Commission to commence work on updating the Athens Borough Comprehensive Plan in September 2022 with the assistance of the Bradford County Office of Community Planning and Grants; and

WHEREAS, in August 2024, the Athens Borough Planning Commission and the Bradford County Office of Community Planning and Grants completed the development of the Athens Borough Comprehensive Plan; and

WHEREAS, Athens Borough held a public hearing on August 12, 2024 to present the "draft" of the Athens Borough Comprehensive Plan and begin the forty-five (45) day public review process; and

WHEREAS, Athens Borough presented the "draft" of the Athens Borough Comprehensive Plan including a request for comment on October 21, 2024 to Athens Area School District, Bradford County Planning Commission and on October 23, 2024 to contiguous municipalities to begin the forty-five (45) day public review process; and

WHEREAS, the draft open comment period expired on December 07, 2024 with no adverse comment.

NOW THEREFORE, BE IT RESOLVED, that the Athens Borough Council, PA do hereby adopt the 2024 Athens Borough Comprehensive Plan.

PUBLIC WORKS COMMITTEE

Council Member Williams stated:

The Public Work's Department report was made available to Council on December 04, 2024.

POLICE COMMITTEE

Council Member Patton stated:

The Police Chief's monthly report was made available to Council on December 06, 2024.

Monthly Report

Month of November		Total for the Year
109	Total Number of Calls:	1648
3	Felony Arrests:	18
19	Misdemeanor Arrests:	64
10	Non-Traffic Arrests:	37
9	Traffic Citations:	71
8	Traffic/Parking Reports:	224
0	Truancy Reports:	16

1	PFA Violations	30
0	Parking Tickets/Warnings	89
	Mileage:	
660	2017 Tahoe	91,891 Overall
526	2019 Tahoe	53,768 Overall
1,130	2023 Tahoe	17,659 Overall
	District Court:	
5	Criminal Cases:	35
9	Traffic Cases:	64
10	Non-traffic Cases:	36
0	Truancy	16
24	Total Cases	151

S. MAIN STREET/199 TRAFFIC ISSUE

CEC Engineering is working on the permitting process through DEP.

NO PARKING 3AM TO 6AM

The Borough Manager and Chief of Police will hold a meeting to compile Council's recommendations for parking changes in order to move forward with amending the No Parking Ordinance.

PARKS AND RECREATION COMMITTEE

Council member Chaykosky stated:

HOLIDAY BANNERS

Council member Chaykosky took a moment to thank Seth Barnes for the use of his man lift to hang the Christmas Banners in downtown Athens.

TEAOGA SQUARE

A tree lighting ceremony was held on December 04, 2024 at Teaoga Square.
Council extends a thank you to Dale McConnell, Volunteer Fireman for his Christmas decoration donation for the event.

FIRE COMMITTEE

Council member Smith stated:

The Fire Department's monthly report for November was made available to Council on December 09, 2024.

FD GRANT

Fire Chief, Mike Polzella stated the Fire Department applied for and received a $10,000 grant from Tioga Downs Casino to be used to purchase turnout gear.

MAYOR

The Mayor attended a ribbon cutting ceremony for Shipwreck Bargains in downtown Athens on November 20, 2024.

SOLICITOR

The Solicitor's report was made available to Council on December 06, 2024.

ADJOURN

It was moved by Polzella and seconded by Williams that the meeting be adjourned at 7:17PM. Motion carried.

ATTEST:

_____
Tara R. Campbell, Secretary