MINUTES

The Athens Borough Council met in regular session on October 10, 2022 Council Chambers, Athens Borough Municipal Building.

Present: President Scott Riley, Vice-President Scott Molnar, President Pro Tem Sharon Sporn, Council members Walter Chaykosky, Joanne Polzella, Anthony Smith, Robert Williams and Mayor Francis Roupp III.

Mayor Roupp led in the Salute to the Flag.

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

President 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 devise please announce so at this time.

PRESS

The Morning Times announced they are recording the meeting.

PUBLIC

Paul Gilbert, 606 Dogwood Avenue question why the Local Service Tax was not mentioned in the newspaper prior to this October Council meeting to make the public more aware of Council's intentions to institute the Local Service Tax.

President Riley stated that the advertisement of the proposed Ordinance was published in the Morning Times prior to the October 10, 2022 Council meeting to let the public know that the Local Service Tax Ordinance will be voted on at the October meeting.

Mr. Gilbert stated that there was no mention of the Local Service Tax prior to the Ordinance advertisement so that people could address their concerns for the tax. He stated that the people have a right to voice their concerns.

Council member Smith stated that the Ordinance is not a done deal because it has not been voted on and that the newspaper advertisement served a notification to the public that the Council is entertaining an ordinance.

President Riley stated that the advertisement of the proposed Ordinance was the notification to the public and that Council meetings are always open for public to attend.

Mr. Gilbert then stated that he would like the number of working people in the Borough who would have to pay this tax, as he does not believe Berkheimer is correct with their reporting of the exact number.

President Riley questioned why Mr. Gilbert would think that Council wouldn't trust the number coming from Berkheimer. President Riley stated that Council fully trusts the accuracy of the 952 working people in Athens Borough as Berkheimer has reported.

Mr. Gilbert continued with his concerns and questions and was advised to request the full Ordinance to get a better understanding. President Riley and the Borough Manager both stated that the advertisement that was published in the Morning Times specified that the public could obtain a copy of the full Ordinance either at the office of the Morning Times or the Athens Borough Offices. Borough Manager Burgess explained that the cost of advertising the full Ordinance was outrageous.

Mr. Gilbert requested a copy of the Ordinance and the Borough Manager stated that he had sent a copy of the Ordinance to Mr. Gilbert via email prior to this meeting.

Jack Ryan, 810 S Main Street voiced his concerns with the Krigger Construction trucks that are speeding on the lower end of S Main Street. He requested Krigger Construction be contacted and requested to have their trucks slow down. Mr. Ryan also stated the potholes in town are going to make snow plowing difficult. He also wanted to let Council know he was not in favor of the Local Service Tax, stating that it was unfair.

Council thanked Mr. Ryan for addressing Council with his concerns.

PRESIDENT RILEY

MONTHLY BILLS

It was moved by Chaykosky and seconded by Sporn that the October 2022 monthly bills be approved as follows:

General Fund **$113,161.95**
Sewer Fund **$2,669.65**
Fire Fund **$670.29** – Loan Payment #32

AYES: Chaykosky, Molnar, Polzella, Smith Sporn, Williams, Riley
NAYES: None
Motion carried

MINUTES

It was moved by Chaykosky and seconded by Sporn that the minutes of the regular meeting on September 12, 2022 be approved as written. Motion carried.

VENDOR – HOMEOWNERS ASSISTANCE FUND PROGRAM

It was moved by Molnar and seconded by Sporn that Athens Borough be authorized to participate in the Homeowners Assistance Fund Program as a Vendor with the Pennsylvania Housing Finance Agency. The Homeowners Assistance Fund Program assists homeowners experiencing financial hardship associated with the Covid-19 pandemic by providing funds to reinstate their mortgage along with other eligible expenses, such as delinquent utilities. Motion carried.

ORDINANCE 721 – LOCAL SERVICE TAX

President Riley requested a motion to adopt the Ordinance Amendment to Chapter 93, Taxation, to enact the Local Service Tax in Athens Borough as advertised on October 01, 2022.

Council member Williams stated the he is also questioning the accuracy of the 952 employees working in the Borough as provided by Berkheimer. He stated that he finds it hard to believe with the number of businesses in the Borough that there are 952 employees that are making over $12,000.

Borough Manager Burgess advised that as Council members, Council is not responsible to verify each business or each employee. Council is responsible to trust the tax collector's (Berkheimer if Council chooses to appoint them as the Local Service Tax Collector) accuracy in the number of employees provided in their report. Mr. Burgess explained that the Borough is fortunate to have the opportunity to levy this tax to help with future budgets.

Vice-President Molnar addressed Council with his concern of the language stated within the Ordinance.

It was moved by Molnar and seconded by Polzella to adopt Ordinance No. 721, striking the gender language in the definitions.

President Riley requested a Roll Call Vote

AYES: Molnar, Polzella, Smith
NAYS: Chaykosky, Sporn, Williams, Riley

It was moved by Chaykosky and seconded by Sporn to adopt Ordinance No. 721 as written.

President Riley requested a Roll Call Vote

AYES: Chaykosky, Sporn, Riley
NAYS: Molnar, Polzella, Smith, Williams

Council member Williams stated that he would like the number of employees confirmed.

President Riley stated the list received was provided by Berkheimer and there is no reason not to trust in the numbers provided. He also stated that this Ordinance with supporting documentation has been provided to Council for weeks and questions or concerns should have been brought to Council prior to the adoption of the Ordinance.

POLICE DEPARTMENT AGREEMENT

It was moved by Molnar and seconded by Polzella that the Agreement by the Athens Borough Police Department and the Teamsters Local 118, dated January 01, 2023 through December 31, 2027 be approved. Motion carried.

PRESENTATION OF THE 2023 BUDGET

On November 14, 2022 the Borough Council will hold a public hearing at 7:00PM, at which time the public may address the Council concerning the 2023 budget proposal.

The Ordinance setting the tax rate for 2023 will be presented at the November 12, 2022 meeting of Council. The Ordinance is scheduled for adoption at the December 12, 2022 meeting of Council.

2023 TENTATIVE BUDGET

	2022	***2023 PROPOSED BUDGET***
1. General Fund	$1,733,130.00	$1,670,027.00
2. Library Fund	$ 12,500.00	$12,000.00
3. Street Maintenance Fund	$ 99,500.00	$99,400.00
4. Fire Equipment Fund	$ 50,000.00	$47,700.00
5. Sewer Revenue Fund	$1,042,550.00	$1,006,970.00
TOTAL	$2,937,680.00	$2,836,097.00

REAL ESTATE TAX LEVY

	2022	**2023 PROPOSED**
1. General Fund	18.75 mills	18.75 mills
2. Fire Equipment Fund	1.00 mills	1.00 mills
3. Library Fund	.25 mills	.25 mills
TOTAL LEVY	20.00 mills	20.00 mills

SEWER RENT CHARGES

	2022	***2023***
1. Residential	$145.00/edu/quarter	$145.00/edu/quarter
2. Commercial/Public	$145.00/edu/quarter or $11.62/thousand gal water/quarter (whichever is greater)	$145.00/edu/quarter or $11.62/thousand gal water/quarter (whichever is greater)

CALL FOR AN EXECUTIVE SESSION

Council member Smith called for an Executive Session for better clarification from the Solicitor for the Local Service Tax Ordinance proposal.

POLICE COMMITTEE

Vice-President Molnar stated:

The Police Chief's monthly report was made available to Council on October 05, 2022.

Monthly Report

Month of September		Total for the Year
107	Total Number of Calls:	1207
0	Felony Arrests:	3
3	Misdemeanor Arrests:	9
0	Non-Traffic Arrests:	9
2	Traffic Citations:	22
16	Traffic Reports:	150

0	Truancy Reports:	24
2	Parking Warnings:	13
2	Parking Tickets:	15
	Mileage	
89	2013 Tahoe	106,854 Overall
878	2017 Tahoe	71,094 Overall
806	2019 Tahoe	34,898 Overall
	District Court:	
11	Total Cases:	75
4	Criminal Cases:	14
4	Traffic Cases:	20
3	Non-traffic Cases:	14
0	PFA Violations:	3
0	Truancy Cases:	24

POLICE DEPARTMENT GRANT

The Borough Manager is applying for funding through the Pennsylvania Commission on Crime and Delinquency for the purchase of Police Department Body Cameras, Computer System Upgrades, Portable Radios and new Patrol Vehicle with upfits.

COMMUNITY AND DEVELOPMENT

President Pro Tem Sporn stated:

The Shade Tree Commission met on September 19, 2022 at 6:00PM at the Athens Borough Municipal Building. Their next meeting is scheduled for October 17, 2022 at 6:00PM at the Athens Borough Municipal Building.

PUBLIC WORKS COMMITTEE

Council member Williams stated:

The Public Work's Department report was made available to Council on October 07, 2022.

2022 LEAF COLLECTION SCHEDULE

FIRST and FOURTH WARDS:	November 1 through November 4 November 7 through November 10
SECOND and THIRD WARDS:	November 14 and November 18 November 21 through November 25

All leaves must be raked to the curb line. If there is no area between the curb and sidewalk, place the leaves as close to the sidewalk as possible. Per Athens Borough Ordinance, DO NOT PLACE LEAVES IN THE STREET, Violators will be subject to a fine. Do not place sticks, brush or garbage in the leaf pile. If there are any sticks, brush or garbage in the leaf pile, the pile will not be picked up. The Borough understands that the leaves may not have fallen at your time of scheduled collection, once your leaves fall, please place them along the sidewalk as directed.

CODE ENFORCEMENT COMMITTEE

Council member Polzella stated:

The Zoning Officer's monthly report was made available to Council on October 03, 2022.

Zoning Permits Issued: 3
Zoning Permits Denied: 0
Zoning Permits to Date: 37

Property Maintenance Violation Notices Issued:

Total to Date (2022): 100

Contractor Permits through 10/07/2022:

Issued: 96 Pending: 10 Void: 0

P&Z MEETING

The Planning and Zoning Committee will meet on November 09, 2022 at 6:00PM.

The Zoning Hearing Board will meet on November 16, 2022 at 5:00PM in reference to the Zoning Hearing for 408 S Elmira Street.

PARKS AND RECREATION COMMITTEE

Council member Chaykosky stated:

ICE CREAM STAND LEASE – PENN YORK OPPORTUNITIES

It was moved by Chaykosky and seconded by Polzella that the lease with Penn York Opportunities for the use of the ice cream stand located at 402 S Main Street be continued for the 2023 calendar year. Motion carried.

FIRE COMMITTEE

Council member Smith stated:

The Fire Department's monthly report for September was made available to Council on October 04, 2022.

MAYOR ROUPP

CODIFICATION INTRODUCTION

Mayor Roupp introduced a Codification Adoption Ordinance to approve, adopt and enact a Codification Ordinance for the Borough of Athens with this introduction being at least thirty days in advance of adoption. The Borough intends to adopt the Codification Ordinance at the December 12, 2022 council meeting. A copy of the adoption ordinance and the code is available for examination at the Borough Hall.

HALLOWEEN PARADE

The Valley Halloween Parade will be held in Athens Borough on Saturday, October 29, 2022 at 10:00AM. This parade route will be the same as the Athens Homecoming Parade.

TRICK OR TREAT NIGHT

Trick or Treat Night will be held on Monday, October 31, 2022 from 6:00PM to 8:00PM.

SOLICITOR

President Riley stated:

The Solicitor's report was made available to Council on October 07, 2022.

EXECUTIVE SESSION

START: 7:37PM
STOP: 8:35PM

Council took time during Executive Session to consult with Attorney Jon Foster Sr for further clarification/explanation of the Local Service Tax as Jonathan Foster Jr was unable to attend the meeting.

ORDINANCE NO. 721

It was moved by Molnar to adopt Ordinance No. 721 as amended to remove the language neutral gender. Motion died due to lack of a second.

It was moved by Williams and seconded by Smith that Ordinance No. 721, enacting the Local Service Tax in Athens Borough as advertised on October 01, 2022 be adopted. President Riley requested a Roll Call Vote.

AYES: Chaykosky, Polzella, Smith, Sporn, Williams, Riley
NAYS: Molnar
Motion carried.

ADJOURN

It was moved by Sporn and seconded by Williams that the meeting be adjourned at 8:38PM. Motion carried.

ATTEST:

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Tara R. Campbell, Secretary