MINUTES

The Athens Borough Council met in regular session on October 14, 2024, Council Chambers, Athens Borough Municipal Building.

Present: Vice-President Sharon Sporn, President Pro Tem Joanne Polzella, Council members Walter Chaykosky, Matthew Patton, Anthony Smith and Robert Williams.

Absent: President Scott Riley and Mayor Francis Roupp III.

Vice-President Sharon Sporn led in the Salute to the Flag.

Vice-President Sharon Sporn called the meeting to order at 7:00PM.

Vice-President Sharon Sporn 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

The Morning Times announced they were recording the meeting.

PUBLIC

Mary Robbins, 119 S Main Street addressed Council requesting an update on the parking on Borough streets study that is being conducted by the Borough Manager and Chief of Police. Mrs. Robbins is hopeful that Council will take into consideration removing parking on the street of the 100 block of S Main Street. The Borough Manager advised that Council received a list of recommended changes at the September meeting but a decision has not been made on those changes yet.

Mrs. Robbins also stated concerns of blighted properties in the Borough and believes the town needs to have clean up enforced more as she has noticed properties in her neighborhood that need better clean up effort by the property owners.

Council and the Code Enforcement Officer advised they will take her statements under consideration.

VICE-PRESIDENT SPORN

MONTHLY BILLS

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

General Fund **$168,416.81**
Sewer Fund **$2,630.58**
Fire Fund **$482.52** – Loan Payment #60

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

MINUTES

It was moved by Chaykosky and seconded by Polzella that the minutes of the regular meeting on September 09, 2024 be approved as written. Motion carried.

VETERAN'S TAX EXEMPTION

It was moved by Chaykosky and seconded by Williams that the real estate tax exempt request of Eric Shannon, 113 E Vanderbilt Street effective 07/02/2024 be approved. The Bradford County Commissioners approved the exempt status on 09/11/2024. Motion carried.

COUNCIL MEETING CHANGE

It was moved by Chaykosky and seconded by Williams to keep the monthly Council meetings the same in 2025. Motion carried.

COUNCIL STIPEND

Vice-President Sporn asked Council if they wished to continue receiving the Council stipend for each Council meeting or if it can be a cost savings to the 2025 budget.

It was moved by Williams and seconded by Chaykosky that the Council stipend continue to be paid. Motion carried with Nays from Sporn and Polzella

PRESENTATION OF THE 2024 BUDGET

The Borough of Athens 2025 Budget has been prepared and presented with a 1.5 mill tax increase. The proposed increase is due to the substantial rise in inflation that has affected nearly every cost within the Budget. As always, Athens Borough focuses on maintaining the current services provided as well as expanding services to the Borough, an increase in taxes is necessary to continue operating as planned.

On November 12, 2024 the Borough Council will hold a public hearing at 7:00PM, at which time the public may address the Council concerning the 2025 budget proposal.

The Ordinance setting the tax rate for 2025 will be presented at the November 12, 2024 meeting of Council. The Ordinance is scheduled for adoption at the December 09, 2024 meeting of Council.

2025 TENTATIVE BUDGET

	2024	***2025 PROPOSED BUDGET***
1. General Fund	$1,675.388.00	$1,921,745.00
2. Library Fund	$11,300.00	$12,000.00
3. Street Maintenance Fund	$100,130.00	$99,135.00
4. Fire Equipment Fund	$47,000.00	$48,600.00
5. Sewer Revenue Fund	$1,322,890.00	$1,011,660.00
TOTAL	$3,156,708.00	$3,093,140.00

REAL ESTATE TAX LEVY

	2024	**2025 PROPOSED**
1. General Fund	18.75 mills	20.25 mills
2. Fire Equipment Fund	1.00 mills	1.00 mills
3. Library Fund	.25 mills	.25 mills
TOTAL LEVY	20.00 mills	21.5 mills

SEWER RENT CHARGES

	2024	***2025***
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

Vice-President Sporn called for an Executive Session to discuss personnel and litigation issues.

COMMUNITY AND DEVELOPMENT

Vice-President Sporn stated:

ORDINANCE AMENDMENT – VEHICLES AND TRAFFIC

It was moved by Williams and seconded by Smith that the Solicitor be authorized to draft an amendment to Chapter 498, Vehicles and Traffic, prohibiting tractor trailers on Longway Street from N Elmira Street to Fourth Street, Laurel Avenue, Ann Street, Hugh Street, Willow Street from Fourth Street to N Elmira Street, Tyler Street and Wheelock Avenue. Motion carried.

The Shade Tree Commission met on September 16, 2024 at 6:00PM at the Athens Borough Municipal Building. Their next meeting will be held on October 21, 2024 at 6:00PM at the Athens Borough Municipal Building.

SHORT TERM RENTAL TAX

Solicitor Foster researched Athens Borough's ability to levy a short term rental tax on properties and determined it was not an allowable tax to levy in Pennsylvania.

SAFETY COMMITTEE

Danile Kizale with Endless Mountains BHC will be attending the November 13, 2024 Safety Meeting to provide training on the use of Naloxine.

CODE ENFORCEMENT COMMITTEE

President Pro Tem Polzella stated:

The Zoning Officer's monthly report was made available to Council on October 07, 2024.

Zoning Permits Issued: 1
Zoning Permits Denied: 1
Zoning Permits to Date: 29

Property Maintenance Violation Notices Issued:

Total to Date (2024): 160

Contractor Permits through 09/30/2024:

Issued: 99 Pending: 10 Void: 0

P&Z MEETING

The Planning and Zoning Commission met October 09, 2024 at 6:00PM at the Athens Borough Municipal Building. Their next meeting will be held on December 11, 2024 at 6:00PM at the Athens Borough Municipal Building.

ORDINANCE AMENDMENT – DWELLING, DOUBLE-WIDE TRAILER

It was moved by Patton and seconded by Williams that Solicitor Foster be authorized to advertise the Zoning amendment for Dwelling, double-wide trailer/home, permanent. Motion carried.

DRIVEWAYS AND SIDEWALKS

The Borough Manager is waiting for an email response in detail in reference to minimum standards for driveways and sidewalks.

ORDINANCE NO. 733 – RUMMAGE SALES - DELETION

It was moved by Chaykosky and seconded by Smith to authorize Solicitor Foster to delete the rummage sale ordinance from the Athens Borough Code. 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.

PUBLIC WORKS COMMITTEE

Council Member Williams stated:

The Public Work's Department report was made available to Council on October 09, 2024.

2024 LEAF COLLECTION SCHEDULE

FIRST and FOURTH WARDS:	November 4th through November 8th November 11th through November 15th
SECOND and THIRD WARDS:	November 18th and November 22th November 25th through November 29th

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.

POLICE COMMITTEE

Council Member Patton stated:

The Police Chief's monthly report was made available to Council on October 04, 2024.

Monthly Report

Month of September		Total for the Year
169	Total Number of Calls:	1377
2	Felony Arrests:	15
11	Misdemeanor Arrests:	45
2	Non-Traffic Arrests:	26
8	Traffic Citations:	59
27	Traffic/Parking Reports:	196
0	Truancy Reports:	16
2	PFA Violations	27
0	Parking Tickets/Warnings	85
	Mileage:	
580	2017 Tahoe	90,148 Overall
474	2019 Tahoe	52,629 Overall
1,368	2023 Tahoe	14,926 Overall
	District Court:	
4	Criminal Cases:	27
6	Traffic Cases:	53
2	Non-traffic Cases:	24
0	Truancy	16
12	Total Cases	120

ORDINANCE NO. 732 – POLICE PENSION EARLY RETIREMENT

It was moved by Chaykosky and seconded by Smith that the amendment to the Police Pension Ordinance, adding the language for early retirement to be the same as the Teamsters Contract and to be compliant with the Department of the Auditor General be adopted. Motion carried.

BOROUGH OF ATHENS ORDINANCE NO. 732

AN ORDINANCE AMENDMENT TO CHAPTER NO. 91 POLICE PENSION FUND, ARTICLE III RETIREMENT BENEFITS, SECTION 91-10 EARLY RETIREMENT 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 Article III Retirement Benefits, Section 91-10 Early Retirement of the Code of the Borough of Athens hereby deletes the following: No early retirement benefit is provided under this plan. Under Article III Retirement Benefits, Section 91-10 Early Retirement of the Code of the Borough of Athens hereby adds the following:

Early retirement benefit is provided to a member of the police force with twenty (20) or more years of service who terminates employment prior to the completion of superannuation retirement age and service requirements and who files a written application for an early retirement benefit with the Borough. The early retirement benefit shall become effective as of the date the application is filed with the governing body or the date designated on the application, whichever is later, and shall be the actuarial equivalent of a partial superannuation retirement benefit calculated as follows:

a. A partial superannuation retirement benefit shall be determined by applying the percentage that the member's years of service bear to the years of service that the member would have rendered had the member continued to be employed until his superannuation retirement date to the gross pension amount calculated using the monthly average salary during the appropriate period prior to his termination of employment. b. The actuarial equivalent of the partial superannuation retirement benefit shall be determined by actuarially reducing the partial superannuation retirement benefit to reflect that it will commence on the effective date of the early retirement rather than on the date on which the member would have completed superannuation age and service requirements. The actuarial reduction shall be calculated using the actuarial assumptions reported in the last actuarial valuation report filed with the Public Employee Retirement Commission under the Act of December 18, 1984 (P. L. 1005, No. 205), known as the "Municipal Pension Plan Funding Standard and Recovery Act." This Ordinance shall take effect immediately upon adoption.

S. MAIN STREET/199 TRAFFIC ISSUE

It was moved by Williams and seconded by Chaykosky that the Borough Manager be authorized to optain request for proposals from consultants to prepare the plans and permit for Penn DOT review of a solar powered flashing sign. Motion carried.

NO PARKING 3AM TO 6AM

Council is still in the process of reviewing the recommendations provided by the Borough Manager and Chief of Police.

FIRE COMMITTEE

Council member Smith stated:

The Fire Department's monthly report for September was made available to Council on October 10, 2024.

SOLICITOR

The Solicitor's report was made available to Council on October 11, 2024.

EXECUTIVE SESSION

START – 7:47PM
STOP – 8:37PM

ADJOURN

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

ATTEST:

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Tara R. Campbell, Secretary