

**Watson town Borough
Committee Meeting
November 24, 2014**

OPENING: The November 24, 2014 Watson town Borough Committee Meeting was called to order by President Miller at 7:30 PM. The meeting was held at the First Lutheran Church, 400 Main Street.

MEMBERS PRESENT: President Harriet Miller, Vice President Ralph Young, Jack Marshall, Janet Rump, Dan Folk, Harry Hefty, Solicitor Ryan Tira, Mayor Dave Hontz, Borough Manager Edie Moser, Acting Chief of Police Richard Faux and Secretary/Treasurer Brendi Brooke.

OTHERS PRESENT: Chris Wolfe, Dane Hanford, Mary Phillips, Judy Marshall, Jim Ritter, Buzz Reynolds, Vera Young, Hal Crozier, Dave Powell, Earl Sheatler, Joanne Aderhold, Terry Kirchner, Amy Pitou, William West, Liz Folk, Ken Hollenbach, Virginia Wirth, Viola Ranck, Tim Ranck, Sandy Hendricks, Gary Harmon and Judy Bergman.

WILLIAM WEST: Bill West of 703 Main Street spoke regarding raising taxes to help businesses pay their electric bills. He mentioned Moran and reminded Council they are representing constituents. President Miller said there has been a lot of issues with demand meters for our business customers and we don't want to discourage business in this town. She said there are a lot of empty store fronts so it was decided they would decrease the demand meter rates by 3.23% and increase real estate taxes by 2 mills. There was further discussion about the dollar range of 2 mills. President Miller said any business in town should have a demand meter and if they don't, we need to be notified. Harry Hefty spoke regarding residential electric rates versus demand electric rates; he also spoke regarding the increase in taxes. President Miller said we can't pick and choose businesses; all businesses will be reduced 3.23%.

Bill West asked Harry to elate on his previous statements regarding the Council has money but in 2 years when the new Council takes over they won't have money. Harry said based on discussion from the past 1 ½ years, Councils will no longer be able to increase the electric rate to generate revenue as Councils have done in the past. In the future, increases in revenue will require increases in real estate taxes. Bill mentioned belt tightening; Jack Marshall said the police department alone is at a cost of \$550,000.00 per year. Bill asked if we could have a comparison of the cost to keep Watson town safe versus another town similar to our size; the police budget per capita. Jack said Hughesville has a similar population and their police budget is \$228,000.00 Harry said 24/7 police coverage is paid for in the 2015 budget; is that what the

Borough wants or are you willing to give it up the 24/7 coverage. That is the discussion that needs to take place to decide whether we do or we do not replace police officers. Janet Rump said if we don't have coverage from our town police than the state police would be called just as they are to the outlying areas; Harry said are you willing to tolerate a 1 to 2 hour delay. President Miller said it's something we will need to look at; we are down to 3 full time officers; whether we replace those who have left and whether they are replaced with part-timers. Harry said it's not that future Councils will have no money; they will need to discuss increases in real estate millage.

BUZZ REYNOLDS:

Buzz Reynolds of Buzz's Pizza of 8th Street spoke regarding "taxes and the break for businesses". He said Edie broke it down for him: his real estate taxes on the business will go from \$306.00 to \$344.00, an increase of \$37.70; his electric bill averages \$1000.00 per month and will be reduced by \$403.00 per year. His savings will be approx. \$365.00 per year savings; \$1.00 per day. He said it is at least "started" and it's all about this demand meter, why they can't cut the rate or eliminate it all together. Harry confirmed that Buzz is able to deduct the cost of electricity from his taxes but homeowners cannot. President Miller said no matter if it was the Borough electric or PPL, Buzz would still have a demand meter. Buzz offered an example regarding the demand rate and said in a past business near his home PPL had a "commercial rate, not a demand rate" for his other business. He said people are talking about the "big" break he'll be getting on his electric bill; a buck a day won't buy a cup of coffee at most places.

CEMETERY:

Janet Rump spoke regarding the cemetery. She said the live flowers and flags have been removed; people are starting to place wreaths. General maintenance is taking place.

ELECTRIC LATE FEES:

Harry said he's done some research and found PPL late fees on electric bills are 2%, the Borough currently charges a late fee of 10%. He'd like to see Council consider revising the resolution for electric in 2015 to a 2% late fee. There was further discussion regarding late charges in the Borough.

ELECTRICAL APPRAISAL:

The Mayor asked if the Electric Committee was still pursuing a real value of the electrical equipment. Edie said it's in Jim Harvilla's hands, Harry Hefty agreed. The Mayor said he has figures that were compiled by Mr. Winters. President Miller said "we're getting our own; the Mayor said we've already paid for one last year; he read down over the list for Harry Hefty. Edie reminded Harry that the Electric Committee instructed her to get in touch with Jim Harvilla and the electricians; she did that under the command of the Electric Committee. The Mayor stated this was just another repetitive function, a waste of money; Harry said we have our own

employees keep track of what we have. He said someone had mentioned our biggest concern should be loss of revenue for a week. Harry said with our liability insurance, we are covered for approx. \$600,000.00 for loss of income should the power go out for a week, per Gloria Buhl. A resident asked if we already have data compiled why are we doing it again, to which Dan Folk said it was outdated and President Miller said we have had issues with others jobs that had to be redone, therefore we prefer to have our own data compiled by our own employees. Edie also said it was done during a regular work day.

**PAYMENT
OF ELECTRIC
BILLS:**

Harry said he has recently talked with a representative from FNB Bank; they close their books for the day at 4:00 pm. He said there are a lot of people who like the convenience of a drive through and dropping off payments. The Borough was also paying over \$1,000.00 per year to the bank to collect our electric bills; he also said he understood over 80% of the Borough electric bills were paid at the bank. Edie said she needed to correct herself; she said she was way off. She had the girls in the office count payments made at the bank versus those paid in the office and mailed. There are approx. 1100 bills sent out each month and 33% pay in their bills at West Milton State Bank. Edie said she wanted it in the minutes; she was wrong. Harry said it doesn't change the fact that people want to pay their electric bill at the bank and West Milton closes their books for the day at 2:00 pm and that creates an accounting problem; the postings are split between 2 days. FNB Bank closes their books at the end of the day, thus eliminating that problem; Edie said she talked with FNB today and is getting information together for them. Harry said we are still checking into paying at a bank with a drive through, the question is do we have to pay \$1,200.00 per year and there is a bank that allows people to pay up until closing and we will get one report for the day. Jack Marshall said he thought the Council was looking at putting a drop box in as well; Harry said it would eliminate the need for a drop box if you're dealing with the bank.

**PARKS -
LIST FOR
SPRING
2015**

Janet said they are compiling a list to get started in the spring, such as painting the 8th Street gazebo and budgeting for tan bark, the dogwood tree, etc. She said if anyone sees anything, they are to let her know and they will add it to the list for spring.

**REVISIONS
TO THE
EMPLOYEE
HANDBOOK:**

Solicitor Tira said he was contacted about two issues concerning revisions to the Employee Handbook. He has provided Council with drafts of the revisions; one on page 17 and one on page 25 of the original Employee Handbook. The first is the inclusion on the Monday after Thanksgiving Day; it is his understanding that it was previously included but not included in the current handbook. There are 12 paid holidays, not 11 as written in the handbook. The second revision is regarding jury duty; the handbook currently states it is unpaid but it is his understanding that

employees serving on jury duty were previously compensated. Harry Hefty made a motion, seconded by Jack Marshall to amend the Employee Handbook as stated, effective immediately. A roll call vote was taken as follows:

Rump	- yes	Miller	- yes
Hefty	- yes	Folk	- yes
Marshall	- yes	Young	- yes

All in favor. Motion carried

**PAYMENT
FOR RECENT
JURY DUTY:**

Edie said she had an employee that recently served on jury duty; the judge asked about those not being paid for their service and asked where these individuals worked. The judge laughed when our employee said where she worked and not paid for the two day she served. Edie asked Council to consider allowing her to pay the employee for her time serving on jury duty, as it was paid in the past. Harry Hefty made a motion authorizing payment to Lisa Davis for two days served on jury duty. A resident asked how much Lisa received, it was \$9.00 per day though not yet received. Dan Folk gave a second. A roll call vote was taken as follows:

Hefty	- yes	Folk	- yes
Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes

All in favor. Motion carried.

**STREET
CREW:**

Dan Folk said the crew has been busy putting up Christmas decorations, picking up leaves, the Santa House, the deer pen and the horse sleigh.

**LEAF
PICKER:**

President Miller asked how long the crew will be picking leaves. Edie said as of this morning, the leaf picker isn't running. They were able to take it apart today and order parts that are expected to be delivered tomorrow (Tuesday). They expect to have the leaf picker repaired as soon as possible and will continue to pick leaves as long as they continue to come down. Edie said this was the reason people didn't see the leaf picker out this afternoon.

**RED ZONE -
SEWER
MAPPING:**

Jack said Red Zone has been in the Borough mapping the sewer system. He said that Red Zone was pleasantly surprised at the condition of the Borough's lines; they are pretty good. The Mayor said if Jack talks with them again he is to get them to wear their safety vests because they are not visible. Numerous members of Council said they are wearing them; Janet said they were working on Matchin Street and in the alley on Sunday and they had safety vests on. Dan also said he has seen them wearing their safety vests.

**SOLICITOR
FEES IN
2015 BUDGET:**

The Mayor said he reviewed the budget worksheet and noticed a few things that weren't discussed. He spoke concerning the increase in Solicitor's fees from \$34,000.00 to \$60,000.00; Council said they talked about the increase in Solicitor's fees; he apologized.

**SPECIAL
LEGAL
SERVICES:**

The Mayor asked about the allotment of \$4,000.00 for Special Legal Services; he asked why the fees associated with police department grievances were included in "his account". Edie said Special Legal Services is not exclusive to the Mayor; this was a line item that was created, it was not included in the 2014 budget. The Mayor said Mr. Tira told him he would have to get his own lawyer for disputes and the conflict that's been created. Edie offered to talk with Peg for another "line item number" for those things not related to the Mayor; Solicitor Tira stated under a legal perspective the Mayor has the right to spend up to \$4,000.00 per year. The Mayor said he understands that it's a bookkeeping matter; he recommends breaking it out for future reference; President Miller agreed. Edie is going to check with Peg and will break it out for clarification.

**CONFLICT
BETWEEN
COUNCIL &
MAYOR
DISCLOSED:**

Viola Ranck of 248 Fourth Street asked "what conflict has been created to necessitate the need for the Mayor to have a \$4,000.00 stipend at his disposal for attorney fees". Solicitor Tira said from a legal prospective – the Borough Code is set up that the \$4,000.00 is based on state law; in matters of conflict between the Council and the Mayor he has the legal right to employ outside counsel for advice. It's not an arbitrary decision by the Council or the Mayor. Viola asked what conflict exists between Council and the Mayor that precipitates the use of this money; she said "we've yet to receive an answer". The Mayor said it was a good question. He said he's been told that he's opposed Council in their handling of Mr. Winters' dismissal but he thinks the conflict goes back further than that. He said she might find it interesting that he's tried to limit formal requests and running that bill higher than it needs to be; to date his bills amount to \$1,095.00. He claims that her (Viola's) Right to Know requests have cost the Borough \$1,742.00, per the Solicitor's bills and an additional \$750.00 to answer those "Right to Know requests. "Your bills exceed mine, for the record" the Mayor said. Viola said she wouldn't need to use Right to Know if she understood his actions; the Mayor said he is still waiting and he's never gotten a real clear answer; Viola said "we are still waiting to get it from you". The Mayor said "I didn't say there was a conflict, Ryan Tira did so there's the guy you want to ask the questions to". Solicitor Tira said there is some attorney/client privilege but the conflict is there is a pending lawsuit by Mr. Winters versus Council against this Borough; the Mayor has made it well known his position is adverse to the Council on that issue. Solicitor Tira said he is not able to advise him on that if he has a different position than this Council; he has told the Mayor publicly and

privately in the interest of the Council and the interest of the Mayor that it would be a conflict to advise him. The Mayor said basically his interest in the fair treatment of an employee and there seems to be a conflict along those lines with a lot of the people who sit at this table. Viola Ranck asked the Mayor if he was “publicly siding with Mr. Winters”; the Mayor said he applauded his work when he was here; they (Council) ignored approx. 2 weeks of diligent work that was probably paid an employee of public works for; he did an excellent job. Viola asked again if that was the Mayor’s answer; “are you publicly siding with Mr. Winters”; to which the Mayor said “what difference does it make?” She asked “are you publicly siding with Scott Winters against the Borough”? The Mayor continued “against the Borough”; “I’m an associate of Mr. Winters, I believed in Mr. Winters from the time he came here and still do”; “the conflict, the degree of that conflict exists right here”. President Miller tried to move on; Viola asked “would it not be then a conflict to have a Mayor in a position of authority when he’s in direct conflict with the Council?” The Mayor asked because he has an opposing political position should he be dismissed? Viola said “when you’re siding with someone who is suing the Borough and costing us money, yes”. The Mayor said he’s not costing the Borough money, \$1,095.00. The room erupted. The Mayor stated he feels he has certain rights as an elected official and since this lawyer can’t offer him advice then it’s allotted for in the state law. Viola stated the Mayor rights do not supersede the rights of the rest of us. The Mayor asked what rights he’s infringed on. President Miller moved the meeting forward.

**POLICE -
FULL TIME
ELIGIBILITY
LIST:**

Acting Chief Faux said the Civil Service Commission conducted the oral exams were today and that completes the exam process for the eligibility list. They will meet with the commission to approve the list and get it to Council in the very near future.

**JESSE
SPERL:**

Acting Chief Faux spoke concerning Jesse Sperl and his problem that was discussed at the November 3, 2014 Council Meeting. He said he talked to the managers at Data Processing and Moran’s and got almost immediate action from both parties working together to alleviate the problem. As far as he knows, things are working out and he hasn’t heard anything else about it. There was applause; President Miller thanked Faux.

**INT’L
PROPERTY
CODE:**

Jack Marshall spoke concerning the International Property Code. He said Edie is getting some pricing; there are certain things that are not needed but are included in the International Code; Jack has enlisted the help of the Zoning Officer. He said we should look at the cost of having what we want versus paying the cost to adopt the entire code. Edie said she talked with Marty of Light-Heigel; he would like Council to appoint a committee unless all of Council is interested to discuss what should be in and what

needs taken out. President Miller said it would be put on the “old business” list for after the first of the year.

THIRD STREET PAVING:

Solicitor Tira met at Third Street with Dan and Edie to look at the work completed on the street opening by the water company. After reviewing the ordinance, the Borough has the ability to require the water company to overlay that area. The area includes Pennsylvania Avenue up Third Street to the Borough line at the cemetery. There are street opening permits still held by UGI on Third Street; Edie has attempted to contact UGI to find out if they are continuing with the street openings. It will not make sense to have one entity overlay the street and have another entity come through and re-open the street. If UGI is going to proceed within the next year his advice would be that once UGI is done, the Borough would direct both the gas company and the water company to conduct they would both share the cost equally. If UGI will confirm they are not going to proceed then would be the time to direct the water company to overlay the street in the disturbed areas. He said permits were issued in 2013 but the work wasn't done until this year; it took a long time from what they could piece together.

COPY of INT'L PROPERTY CODE:

Janet stated she hadn't yet received a copy of the International Property Code. The Mayor offered to give his extra copy to Janet.

JOIE DOZPAT:

Joie Dozpat was introduced by Acting Chief Faux. She is our 4th part-time police officer and has worked for the Borough before. She was greeted with a welcomed round of applause.

JOSHUA DREISHBACH'S RESIGNATION:

President Miller said Council received Officer Dreisbach's resignation effective November 15, 2014. He has accepted a full-time position with the Milton police department. Ralph Young made a motion to accept his resignation with regret, seconded by Jack Marshall. A roll call vote was taken as follows:

Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes

All in favor. Motion carried.

RETURN OF EQUIPMENT:

Janet Rump asked if a check list was made up and who Joshua returned his equipment to when he resigned; was it documented. Acting Chief Sargeant Faux said yes, his equipment was logged when it was turned in and was witnessed. A copy is in Joshua's file. Janet asked if he was able to take his clothing with him because those things were made especially

for him; it was allowed. Faux answered the uniform is kept by the officer; the insignia stuff was returned to the department.

**ALLEGHENY
ELECTRIC
AGREEMENT
OF SERVICE:**

Edie asked Jim Harvrilla to review the proposed Agreement of Service between Allegheny Electric Cooperative and the Borough. She said Allegheny is the bargaining agent for the PA hydroelectric allocations received from the New York Power Authority. Jim's advice is to execute by signing the agreement. Based on Jim's recommendation, Jack Marshall made a motion to sign and execute the agreement. A second was given by Janet Rump. A roll call vote was taken as follows:

Miller	- yes	Rump	- yes
Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes

All in favor. Motion carried.

**TCC DELEGATE
& ALTERNATES:**

Edie said she is the TCC Delegate and Ralph Young is the TCC Alternate for the Borough. Warrior Run School District has appointed Edie as their 2nd Alternate to the TCC. The TCC in Sunbury has asked the Borough to appoint a 2nd Alternate; she is requesting Council to appoint the Warrior Run School District as the Borough's 2nd Alternate. The motion was made by Harry Hefty, seconded by Dan Folk to appoint the Warrior Run School District as the Borough's 2nd Alternate to the TCC. A roll call vote was taken as follows:

Folk	- yes	Hefty	- yes
Young	- yes	Marshall	- yes
Rump	- yes	Miller	- yes

All in favor. Motion carried.

**ACCOUNTS
TRANSFERRED:**

Edie said the Mayor had asked at the last budget meeting if we could transfer budgeted monies from 2014 to special accounts. The accounts are as follows:

- Emergency Operation Center - \$10,000.00
- Borough Building Updates - \$5,500.00
- Cemetery Fence Restoration - \$13,000.00

After much discussion, a motion was made by Ralph Young, seconded by Harry Hefty to transfer the following into a separate account:

- \$10,000.00 – Emergency Operation Center

A roll call vote was taken as follows:

Young	- yes	Marshall	- yes
Rump	- yes	Miller	- yes
Hefty	- yes	Folk	- yes

All in favor. Motion carried.

After further discussion, a motion was made by Ralph Young, seconded by Jack Marshall to transfer the following into a separate account:

- \$13,000.00 – Cemetery Fence Restoration

A roll call vote was taken as follows:

Rump	- yes	Miller	- yes
Hefty	- yes	Folk	- yes
Marshall	- yes	Young	- yes

All in favor. Motion carried.

**BOROUGH
BUILDING
UPDATES:**

Acting Chief Faux stated he's pricing security cameras for the entire Borough Building. He hopes to have this information for Council at the next meeting on Tuesday, December 2, 2014. Therefore a decision on the transfer of \$5,500.00 for Borough Building updates was postponed.

**DISPLAY
2015 PROPOSED
BUDGET:**

The Proposed 2015 Budget was presented in the amount of \$4,180,607.00. This is a balanced budget with an increase in real estate by 2 mills and a reduction in electric for businesses by 3.23%. It was a decrease of \$48,433.00 from the 2014 Budget. A motion was made by Ralph Young, seconded by Janet Rump to advertise the 2015 Proposed Budget, to be placed on public display for 10 days. A roll call vote was taken as follows:

Hefty	- yes	Folk	- yes
Marshall	- yes	Young	- yes
Miller	- yes	Rump	- yes

All in favor. Motion carried.

**COMMUNITY
DEVELOPMENT
FUND:**

There was also discussion regarding the use of the Community Development Fund. There appears to be confusion regarding the Pathways, the Greenway. In 2015, Harry would like Council to appoint a Community Development Committee to work with numerous groups in the Borough to improve the community.

SOLICITOR FEES:

Residents raised questions again about the increase in attorney fees for 2015. When asked, the Mayor stated as of September 2014 the solicitor fees for 2014 were already up to \$48,000.00. Council was asked if they anticipated using the entire \$60,000.00 next year. Council nor Edie would give a guess; Harry said Council would defend itself, but has no intention in suing anyone. Edie listed many factors that play into the Borough's payment of solicitor fees.

ORDINANCE - CITY OF WILLIAMSPORT:

Edie spoke briefly regarding an ordinance from the City of Williamsport that was provided to her by Amy Pitou. She asked Council to review the ordinance and she will include it on the agenda for next week's meeting. There was further discussion between members of Council and members of the audience. Solicitor Tira has not reviewed the policy yet; he's waiting on the advice of Council before spending time on the ordinance.

COUNCIL MEETING:

Edie reminded Council and the public that next week's meeting is on Tuesday, December 2, 2014. At this time, President Miller wished everyone a Happy Thanksgiving.

EXECUTIVE SESSION:

Solicitor Tira announced an Executive Session would follow tonight's meeting for current and pending litigation and will not return to Public Session.

MAYOR'S REPORT NOTED:

Mayor Hontz had a question for the Solicitor. On the meeting of November 3rd, Mayor Hontz said he asked to have his Mayor's Report entered into the public record. He assumed that meant it would be a part of the minutes. Do you want it to be something submitted to Council and someone to see it, it does become public record the Solicitor said. The Mayor said he read part of the report, but not verbatim and the minutes do not say the Mayor's Report was written. He would like to resubmit the report and have it be a part of the record. Solicitor Tira said to reference it was submitted in writing. After further discussion, the Mayor again clarified he wanted the minutes of November 3rd to note that the Mayor's Report was submitted in writing.

DERR:

Ralph Young stated the Mayor's written report from the last meeting was handed out at the end of the meeting and no one had a chance to review it. Janet stated there were things listed as Rick Faux said tonight that are taken with them. Ralph said he went over the Mayor's list and found 20 items that could have been our ex-Chief Derr's property because they get a uniform allowance of \$625.00 per year. Ralph referenced 8 navy blue long sleeved shirts with patches that didn't need to be turned in as an example. The Mayor said this report is not meant to be an assessment but it is simply submitted as a list at the time; it is simply a list; as to whether he should have submitted those things is his business. Janet asked "when Josh handed in his resignation, did he have shirts on a hanger and have to

turn them in”? She cannot understand what’s good for one is not good for another. Ralph said before this list is submitted, he thinks it should be gone over and include items that need to be turned into the Borough that’s Borough property. “Ties, hats, vests, there’s not a person in this town that’s going to wear Chief Derr’s vest” Ralph stated. Ralph said “this is bull”. Hontz said “this is just Sargeant Faux’s inventory of what was received and why they were turned in, I don’t know”. Mayor Hontz said he didn’t ask for these things to be returned; just equipment that was due to come back should come back and this is what was returned. “I had no discussion with Mr. Derr” said the Mayor. Dan Folk asked if there was a report of what the other officer turned in who just quit; we need a report for him too. Council agreed.

The Mayor just wants to make sure his documents and Sargeant Faux’s documents which are a record of what was turned in are the same and a part of the public record. Solicitor Tira said the minutes can reflect the Mayor submitted a 3 page written report to Council.

SEMINAR: Edie informed Council that she and Janet attended a free grant writing seminar, Friday November 21st at State College. It was very informative. She intends to attend a third seminar.

ADJOURN TO EXECUTIVE SESSION: There being no further business to come before Council, a motion was made by Ralph young, seconded by Dan Folk to adjourn to Executive Session at 8:52 pm.

Respectfully submitted

Brendi L. Brooke
Secretary/Treasurer