

**Home Rule Borough of Edinboro
COUNCIL MEETING MINUTES
January 2, 2018**

CALL TO ORDER:

Tuesday, January 2, 2018 the regularly scheduled meeting was called to order by Mayor Aaron Gast at 6:40 P.M.

Pledge of Allegiance

ROLL CALL:

Council members present were Pat Davis, Jim Kiley, Aaron Gast, Alyssa Dobson, Mary Ann Horne, Nathan Latimer, and Fred Langill.

Also present were Solicitor Julia Herzing, Manager Kevin Opple, Finance Director Jason Spangenberg, Maryann Mook, Debbie McElroy, Mary Ann Schenck, and John Ponsoll.

MINUTES:

Mary Ann Horne moved to approve the December 11, 2017 regular meeting minutes as presented. Pat Davis seconded, and the motion passed 7-0.

PUBLIC PARTICIPATION:

No speakers were present.

COMMITTEE REPORTS:

Finance Committee:

Jim Kiley moved to approve bills paid December 29, 2017 totaling \$45,521.70, as well as payroll ending December 16 and paid December 22, 2017 totaling \$75,205.35. Mary Ann Horne seconded, and the motion passed 7-0.

MANAGEMENT REPORT:

Manager Opple presented his report to Council. Work on the new water building is progressing on schedule. All rooms inside have been framed, and floors will be poured this week. Work on the Dundon Road water tank will begin in the spring. Water meter installations are going well. Some meters have had leaks after being installed, but the contractor has been able to fix the leaks.

LeBoeuf Industries has not been able to start work on the Adams Street sewage lift station project due to the weather, but we are alright with the delay. The new backup generator has been installed, though.

Storm sewer work on Beau Drive is complete.

The bankruptcy auction of the Perkins property is scheduled for January 9. The auction will be for all of the approximately 30 properties owned by Unique Ventures. We are unsure if the potential new owner will operate the restaurant or will sell it again.

Manager Opple met with downtown business owners to discuss the ECGRA Façade Grant that we are likely to receive. The Committee that was formed will meet to discuss criteria for eligible projects.

Two students were interviewed for a potential internship to work on a multi-year plan for upgrading and maintaining our parks. One student has been offered the internship, which will be funded in part by APMM.

Manager Opple will be having lunch with Township Manager Dave Anthony, GM Superintendent Rick Scaletta, and EU President Fred Walker on January 9 to discuss ways for all parties to work better together. One party had suggested that a meeting be held with all of the Council members for each organization, but that may not be possible due to the Sunshine Act.

Employee Dave Mihalak has reached his 30 year employment anniversary, and Al Donahue will reach his 20 year anniversary in April.

Finance:

Mayor Gast asked for a motion to approve Resolution 5-2018 for the disposition of records, which is shown below:

HOME RULE BOROUGH OF EDINBORO RESOLUTION NO. 5-2018

WHEREAS, by virtue of Resolution No. 12-2001, adopted October 8, 2001, the Home Rule Borough of Edinboro, Erie County, Pennsylvania declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved on July 16, 1993, and,

WHEREAS, the Municipal Records Manual was updated and approved on December 16, 2008 and amended on July 23, 2009, and Edinboro Borough Council intends to follow the most up-to-date version, and,

WHEREAS, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

NOW, THEREFOR, BE IT RESOLVED by Council of Home Rule Borough of Edinboro, Erie County, Pennsylvania, assembled this 2nd day of January, 2018 in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Records per the Municipal Records Manual:

Prior 2011 – records requiring 7 year retention:

*Insurance claims and policies Public Utility Realty Reports
Treasurer Bond Certificates Job Announcements
Workers Compensation records Realty Transfer records
Civil Service examination records and answer sheets
Recommendations of Civil Service Applicants for appointments
Earned Income Tax ledgers/journals/forms/receipts
Bills/invoices Accounts payable files & ledgers
Cancelled checks Employee expense reports
Purchase Order files Any other records require 7yrs
Accounts Receivable files & ledgers Cancelled notes Rental permits
Daily Cash Records Deposit slips Soliciting permits
Surplus property sales files Utility and Paid Service Receipts
Voucher files Bank statements
Bank reconciliations Check registers*

Prior 2013 – records requiring 5 year retention:

*Ethics Commission Statements of Financial Interest
Delinquent Tax Remittance - any other items requiring 5 years
CSC appeals, removal, eligibility lists, examinations
CSC recommendations records
HRA records*

Prior 2007 – records requiring 10 year retention: *Proof of publications Press releases*

Prior 2014 – any other document requiring 4 year retention

*Time Cards Supply Requisitions
Animal Law Enforcement Records Water Daily Operating Reports
Requests for service forms Survey of Financial Condition (DCED)
Parking tickets*

Prior 2016 – 2 year retention of not hired application including CSC

Also Other Borough Department's disposal per their section of the Municipal Records Manual

Mary Ann Horne moved to approve Resolution 5-2018, Jim Kiley seconded, and the motion passed by 7-0 roll call vote: Pat Davis, yes; Jim Kiley, yes; Fred Langill, yes; Nathan Latimer, yes; Aaron Gast, yes; Alyssa Dobson, yes; Mary Ann Horne, yes. Manager Oppe stated that these disposals are all in accordance with State regulations.

Mary Ann Horne moved to approve Resolution 6-2018 for the Tax Collector's compensation, shown below:

**Home Rule Borough of Edinboro
Erie County, Pennsylvania
Resolution 6-2018**

A RESOLUTION OF THE HOME RULE BOROUGH OF EDINBORO, ERIE COUNTY, PENNSYLVANIA, ESTABLISHING COMPENSATION, BILLING AND COLLECTION PROCEDURES FOR THE MUNICIPAL TAX COLLECTOR OF EDINBORO BOROUGH, ERIE COUNTY, PENNSYLVANIA, FOR COLLECTION OF REAL ESTATE TAXES.

WHEREAS, the Home Rule Borough of Edinboro (Borough) desires to establish the compensation of the elected tax collector (Tax Collector) effective for their term commencing January 1, 2018, pursuant to Pa.Cons.Stat.Ann. tit 72, Section 5511.36a; and

WHEREAS, the Tax Collector was included in the municipal election of November 7, 2017, at which time an eligible person was elected to that office for a four-year term commencing January 1, 2018; and

WHEREAS, Section 36.1 of the Local tax Collection Law, PA.Cons.Stat.Ann. tit. 72,Section 5511.36a, provides:

“When any taxing district or taxing authorities propose to either raise or reduce the compensation or salary for the office of an elected tax collector, such action shall be by ordinance or resolution, finally passed or adopted prior to the fifteenth day of February of the year of the municipal election.”; and

WHEREAS, there will be no change from the previous term to Tax Collector compensation for the four-year term commencing January 1, 2018; and

WHEREAS, the office of Tax Collector for the Borough of Edinboro, Erie County, PA, as pertain to the collection of real estate taxes during the four-year term commencing January 1, 2018, shall be subject to the following enumerated procedures, terms, and conditions, and the compensation therefor shall be computed as a flat rate paid biweekly as set forth in this Resolution.

NOW, THEREFORE, it is hereby RESOLVED and ENACTED by the Home Rule Borough of Edinboro Council as follows:

A. COMPENSATION:

- a. It is hereby resolved that the compensation to be paid by the Home Rule Borough of Edinboro to the municipal Tax Collector, Erie County, PA, as it pertains to the collection of real estate taxes, during the four-year term commencing January 1, 2018, shall be \$263.00 every two weeks for a maximum **total of \$6,838.00 per year by direct deposit.**
- b. The Tax Collector shall process interim tax bills in the same manner, and according to the same terms and conditions set forth herein for annual Borough tax bills and shall be compensated at **\$3.00 per interim bill** each December, by providing a recap of total interim bills to the Assistant to the Manager of the Borough by December 1st each year and will be paid in the first Borough payroll run of December.

B. Borough to provide:

- a. Compensation as described in Section A, provided he or she has complied with Section C.
- b. Borough will provide tax bills, duplicates and envelopes and reimbursement for first class postage to the Tax Collector.
- c. The Tax Collector will be given a room in the Municipal Building, 124 Meadville Street, Edinboro, PA to hold office hours weekly as printed on the bills. The electric and heating costs will be paid by the Borough. The Tax Collector will be responsible for his or her own phone in the office.
- d. The Tax Collector will also be granted use of the Borough Office copier to help in providing the necessary reports to the Borough for real estate taxes.
- e.

C. Tax Collector shall comply with the following procedures, terms and conditions:

- a. The Tax Collector shall promptly stuff and mail preferably organized for pre-sorted rat first class postage.
- b. The compensation of the Tax Collector shall be deemed to have been earned upon collection and remittance or settlement as described herein.

- c. *The Tax Collector must make daily deposits of all taxes collected for the Borough in a bank account maintained by the Tax Collector and approved by the Borough.*
- d. *Immediately upon receipt of payment, the Tax Collector shall stamp the receipt of the taxpayer and the receipt for the Borough with the date on which the tax was paid to the Tax Collector.*
- e. *The Tax Collector shall, at any time he or she is holding \$25,000 or more (except during the discount period \$100,000 or more), for the benefit of the Borough, but in no event less frequently than the tenth day of each month, submit a true statement, in writing in a format approved as to form and content by the Borough, to the Assistant to the Manager of the Home Rule Borough of Edinboro for all taxes collected for the Borough during the previous month or period, giving the names of taxable, the amount collected from each, along with the discounts granted or penalties applied, if any, and the total amount of taxes received, discounts granted, and penalties applied. The Tax Collector shall submit with each such statement all monies collected as taxes on behalf of the Borough during the previous month or period and shall take his or her receipt for same.*
- f. *The Tax Collector shall make a complete settlement of all taxes for each year with the proper authority of the County of Erie as designated by the Borough within the time period provided by law; however, no such settlement, nor the return of delinquent taxes included therein, shall be made prior to the date of settlement established by the County of Erie in that year of the assessment of said taxes by the Borough.*
- g. *The Tax Collector shall receive no additional compensation, if the Homestead/Farmstead exemption results in a zero liability tax bill.*
- h. *The Tax Collector shall receive no compensation on delinquent taxes collected by the County of Erie.*
- i. *The Tax Collector shall comply with all reasonable requirements, procedures, policies, and resolutions adopted by the Borough for the collection of Borough real estate taxes.*
- j. *The Tax Collector shall comply with all applicable statutes and regulations regarding continuing education. Costs associated with the continuing education program will be the responsibility of the Tax Collector.*

BE IT RESOLVED AND ENACTED THIS 2nd day of January, 2018 of the Home Rule Borough of Edinboro.

Jim Kiley seconded the motion. Manager Opple stated that there has been no change to the compensation from the previous four-year term. The motion passed by 7-0 roll call vote: Jim Kiley, yes; Fred Langill, yes; Nathan Latimer, yes; Alyssa Dobson, yes; Pat Davis, yes; Aaron Gast, yes; Mary Ann Horne, yes.

Police:

Mayor Gast stated that a letter was in the packet, thanking Officer Silva and police dog Kenzo for their demonstration and presentation at the ECATO annual convention.

NEW BUSINESS:

Mary Ann Horne moved to approve Resolution 7-2018, establishing rules and procedures for running Council meetings. Jim Kiley seconded the motion. Mayor Gast stated that he had asked Solicitor Wachter to draft this Resolution. Fred Langill said that he did not believe that the section regarding procedure for handling motions was sufficiently clear. Council discussed

briefly. Jason Spangenberg suggested delaying the vote until the next meeting. Jim Kiley moved to withdraw the motion to approve and Nathan Latimer seconded. Jim Kiley then moved to postpone the vote to the February meeting. Nathan Latimer seconded, and the motion passed 6-1, with Mary Ann Horne opposed.

ADJOURNMENT:

Mary Ann Horne moved for adjournment, and the meeting was adjourned at 6:59 p.m.

ATTEST:



Manager Kevin Oppe



Mayor Aaron Gast