

CATAWISSA BOROUGH COUNCIL MEETING
MONDAY March 7th, 2022 - 6:30 p.m.

CALL TO ORDER:

- The meeting was called to order by Council President, Sue Helwig.

ROLL CALL:

- Present were: Sue Helwig, Kevin Ferris, Jeff Fleming, Roy Klinger, Gary Steinruck, Andrew Detwiler, AJ McKenney, Mayor Todd Burke, Attorney Anthony McDonald

READING OF MINUTES:

- A motion was made by Roy Klinger, 2nd by Jeff Fleming to dispense reading of and approve minutes of the previous month's meeting. All Aye

PRESIDENT'S REPORT:

- Council President Sue Helwig reported the following:
- When Council became aware of financial issues looming within the Borough, this made Council move rather quickly on items they would rather not be dealing with in the first place within the first few months.
- Ms. Helwig stated she was very glad the community was in attendance of the meeting, so they can be heard and concerns be addressed.
- The misinformation on where Council stands with the Police Department that has been circulating in the community and the newspaper was addressed.
- This Council is not intent on defunding the Police nor critical of the Police. Council wants a police presence but is worried about the costs.
- Choices of measures that may need to take place were given if the Borough cannot stay within budget.
- The provision Council would like to remove from the police contract was announced.
- Ms. Helwig wanted to know what the community wanted Council to do if expenses exceeded the budget. Options were given to the guests of what would be available.
- This Council is in no way considering defunding the Police was expressed again.
- New ways to generate revenue needs to be look at.

GUESTS TO BE HEARD:

- Guest Doug Krum asked if Council looked at the regionalization study and if Council did, they would see the Borough will get less for more. Mr. Krum also asked about his email asking for dates and times of committee meetings. Mr. Krum stated he never received a response. Attorney Anthony McDonald suggested he meet with at least 2 Council members to discuss rules & regulations for committee meetings to come up with a policy.
- Guest Stephen Shultz asked if the Labor Attorney was involved in reviewing the Police contract. Mr. Shultz also brought up that the same Attorney is handling the repudiation. Mr. Shultz also expressed his concern with the money it is costing the residents to repudiate the contract. Councilman Andrew Detwiler announced the Attorney stated at a meeting the Borough most likely will not win. Council President Helwig stated the insurance for the Borough will probably go up because they are dealing with a lot right now.
- Guest Victoria Waugh asked if the repudiation case was approved by the insurance company. Ms. Waugh asked Attorney McDonald if the public can find out on what grounds the insurance company took the claim. Attorney McDonald referred Ms. Waugh to the attorney handling the

case. Ms. Waugh asked what creative ways did Council have to help the police department. A few ideas were given by Council President and Vice President. Ms. Waugh proceeded in sharing the costs incurred by the Borough's Labor Attorney for the month of February which was \$3787.55. Councilman Andrew Detwiler stated the cost is more like \$7000.00. Ms. Waugh thanked Councilman Detwiler for his honesty and his integrity.

- Mayor Todd Burke reported the repudiation case can take years and some Council members probably won't even be on Council at that point.
- Guest Lewis Carl stated Mr. Shultz's point was why is the same attorney being used for doing both. Mr. Carl stated the contract passed and you're trying to reopen it. Mr. Carl asked what the correlation of the study has to do with opening the contract. Mr. Carl stated if any one of council had a doubt and voted to open the contract you are putting the burden on the citizens.
- Guest Jamie Cotner on behalf of herself and The Halloween Parade Committee asked Council if they will be out helping with the parade if they get rid of the police force? Council President Sue Helwig stated Council is not getting rid of the police force. Ms. Cotner discussed the back pay that will be owed to the Officers if the Borough loses the lawsuit.
- Guest Abbey Heaps asked about cutting costs and if that means getting rid of third shift. Ms. Helwig stated cutting costs over all the borough because the Borough does not have the same income sources. Ms. Heaps asked Council if they looked at any other departments budget for cost savings. Councilwoman Helwig stated employees is the biggest cost of the budget.
- Guest Daniel Patel asked Council if they feel other municipalities would be interested in entering into a contract knowing the Borough does not honor or abide by contracts. Council President Helwig said this is not an option right now so that is a moot point. Mr. Patel asked if regionalization was on the table. Council President Sue Helwig stated Council is not exploring anything. Mr. Patel asked Council if they ever heard the results of the last regionalization study. Mr. Patel stated zero municipalities wanted to regionalize.
- Guest Kelly Fleming asked if the cost is the reason they went after the contract and if the contract was already signed. Ms. Fleming suggested brainstorming of more income instead of fighting. Ms. Fleming also asked about recycling and can revenue be made from it. Council President Sue Helwig stated recycling costs money. Ms. Fleming suggested residents paying so much per month for recycling.
- Guest Trish Bauman referred to Councilman Roy Klinger and Councilman AJ McKenney being on Council when the contract was signed. Ms. Bauman asked why they went back on their word? Ms. Bauman asked how could you do this to them?
- Guest Russell T. Levan expressed his concern with paying for something you don't have. Mr. Levan feels a contract is a binding document. Mr. Levan feels what he pays in electric, water and great snow removal costs are not adsorbent. Mr. Levan stated the police are the first ones on the scene and he knows from experience. Attorney Anthony McDonald stated this is probably the first ever someone has come to a meeting and praised the electric company. Mr. Levan feels Catawissa Borough is a great place to live why is Council trying to change it.
- Councilman Roy Klinger stated that the Borough is in a financial bind. Councilman Klinger stated Council was looking to have an economic study done for free by the state. Mr. Klinger feels Council needs to know if the Borough is solvent. Once that answer is determined then they can move forward and look for other sources of income such as grants. The economic study will be the base line where to start. Councilman Detwiler expressed he feels residents think Council is tearing stuff apart instead of building the borough up. Councilman Klinger explained if there wasn't a financial crisis none of us would be here tonight. Councilman Klinger stated there is the possibility of more subsidies once the economic study is completed.
- Guest Dan Bosworth expressed with all the legal issues did Council think about an accountant. Council President Sue Helwig replied the Borough has a Treasurer who works in the office.

Councilman Klinger stated the treasurer does day to day and the study does a projection for years down the road.

- Guest Mike Fleming stated he has negotiated multiple contracts in Pennsylvania. Mr. Fleming explained what Council is trying to do is illegal. Mr. Fleming expressed his concern with Council taking the Borough down a path that will cost money. Mr. Fleming explained he has never seen a contract over turned. The only way this is legal is if both parties agree to settle. Mr. Fleming stated Council is taking the Borough down a path that we will not win.
- Guest Pat Hess asked about the other lawsuits.
- Councilman Jeff Fleming stated the crowd is not happy and he is not happy. Mr. Fleming expressed his support for the Police Department. Mr. Fleming asked the crowd to help the borough grow economically.
- Council Vice President Kevin Ferris asked where do we make up this cost and raise money. Councilman Fleming stated an Economic Development Meeting was just held and 10 people showed up, let's start there.
- Guest Kelly Fleming asked about getting in on the marijuana industry. Council President Sue Helwig stated Council would take that under advisement. Ms. Helwig invited Ms. Fleming to the next Economic Development meeting.

CORRESPONDENCE:

- The Borough received notice on the following items:
- Liquid Fuels Funds were received on March 1st, 2022 in the amount of \$50,674.22.
- Road Turnback Annual Maintenance Funds were received on March 1st, 2022 in the amount of \$2,320.00.
- Water Authority's base rate for water will increase by \$4.00/month starting with March billing.

MAYOR:

- Mayor Todd Burke thanked everyone for attending the meeting.
- Mayor Burke read a Letter of Commendation for Corporal Hayes.
- Mayor Burke expressed his concerns with the repudiation of the police contract costing money.
- The severance package for Chief Laidacker was brought to the table.
- Guest Doug Krum asked questions about Borough Labor Attorney Eric Brown moving forward with the severance package without being asked to do so. Council President Sue Helwig stated there must have been a miscommunication because no Council member talked to the attorney.
- Chief Laidacker stated the conversation between his Attorney and the Borough Labor Attorney happened on February 15th, 2022. Chief also stated there are bills for February 15th from the borough. What are they for? Chief Laidacker spoke to Councilman Roy Klinger about how the economic study should have been done before throwing out the police contract. Chief Laidacker stated Council has no plan to provide 24-hour coverage for the borough if they cut police officers. Chief Laidacker stated no one has talked to him about scheduling. Chief proceeded to state in the settlement agreement Council stated it does not plan on regionalizing, sub-contracting or laying off. Chief questioned Council on why would they put Borough Employees through this if they have no intentions. Chief stated also in the settlement agreement that the Borough would drag this out for years to come and exhaust all appeals. Council President Sue Helwig stated she would like to come talk to work this out. Chief replied Ms. Helwig you can come talk about anything else but I can't talk about the contract because we are suing you. Attorney Anthony McDonald explained both parties can talk and maybe come to a resolution to take back to their attorneys. Guest Victoria Waugh asked Chief what day the severance package was offered to him. Ms. Waugh mentioned on the Labor Attorney's bill there was charges that add up to 30 minutes for something to be discussed. Council President Sue Helwig expressed

she feels something went wrong. Chief Laidacker explained the attorneys were having a conversation about something else, it came up and was discussed.

- Mayor Burke stated he feels there needs to be an investigation into the severance package. Attorney Anthony McDonald explained the Borough will need to hire someone to investigate and it will cost money.

WATER:

- Water Authority Superintendent Cindy Bachman had nothing to report.

CODE ENFORCEMENT REPORT:

- Councilman AJ McKenney read the code enforcement report.

POLICE:

- Chief Laidacker reported for the month of February the department responded to (130) calls for service. Chief Laidacker read his report which stated the following:
- The 2019 SUV was taken for an oil change.
- The 2014 sedan was determined to be in need of a replacement catalytic converter. This is covered as a recall part.
- The Officers hosted Coffee with a Cop on February 3rd. The event was well received and another event is being planned for April 2022.
- The surveillance system was installed for the planned safe exchange zone. The department will now be partnering with an Eagle Scout for completion.

PUBLIC WORKS:

- Nothing to report.

PUBLIC SAFETY:

- A motion was made by Roy Klinger, 2nd by Jeff Fleming to approve the removal of the handicap signs at 300 Main and 105 S. 4th Streets. All Aye

UTILITIES:

- Committee Chairman Jeff Fleming read the Utilities Report including the closed electric balance in the amount of \$4802.33 and closed sewer balance in the amount \$370.75.

PARKS & RECREATION/ECONOMIC DEVELOPMENT:

- A motion was made by Jeff Fleming, 2nd by Roy Klinger to approve Columbia County Conservation District to hold its 1st Annual Watershed Festival on Saturday July 30th, 2022 at Cara Park. All Aye
- A motion was made by Roy Klinger, 2nd by Andrew Detwiler to approve removing the cement steps that lead to Wolfgang Park from Mill St. All Aye
- A motion was made by Gary Steinruck, 2nd by Roy Klinger to approve the purchase of 60 yds of Fibar from R.J. Hoffman for use in the town parks at a cost \$1000.00 (includes delivery). All Aye
- A motion was made by Roy Klinger, 2nd by AJ McKenney to discuss an Economic Study done on the Borough of Catawissa, completed by the State of Pennsylvania for free. A motion was made by AJ McKenney, 2nd by Roy Klinger to approve an Economic Study done on the Borough of Catawissa, completed by the State of Pennsylvania for free. All Aye
- Committee Chairman Sue Helwig announced Summer Breeze Concert Series will run every Tuesday from June 28th thru July 26th, 2022. Ms. Helwig announced the Economic Development Committee held a meeting with concerned citizens regarding vacant properties and bringing

businesses back to Main Street. Ms. Helwig thanked everyone for coming and bringing good information to the Committee Members.

PROPERTY & BUILDING MAINTENANCE:

- A motion was made by Gary Steinruck, 2nd by Roy Klinger to approve advertising the South Street Paving Project for bids in the Press Enterprise. All Aye

FINANCE:

- After a brief discussion, a motion was made by Andrew Detwiler, 2nd by Jeff Fleming to table until August meeting to taking 10% of the principal of the Eyer Fund or letting all funds remain in the Eyer Fund. All Aye
- A motion was made by Roy Klinger, 2nd by AJ McKenney to approve renewing the Columbia Montour Visitors Bureau Membership for \$99. All Aye
- A motion was made by AJ McKenney, 2nd by Roy Klinger to approve Linda Kashner auditing the Tax Collector records for 2022 at no charge. All Aye
- A motion was made by Andrew Detwiler, 2nd by Jeff Fleming to approve a donation in the amount of \$825.00 to Catawissa Baseball. All Aye
- A motion was made by AJ McKenney, 2nd Roy Klinger to approve \$1,000 for 1-2 Council members to attend the PSAB 110th Annual Conference & Exhibition in May 2022. Attorney Anthony McDonald explained the benefits of new Council Members attending. Council President Sue Helwig reported this is a partially unbudgeted item. Council Members going to attend will need to pay the difference themselves. 5 - Nay, 1- Aye; Sue Helwig Motion fails.

PERSONNEL COMMITTEE:

- Committee Chairperson Sue Helwig announced the Committee met on February 25th to discuss a discrimination complaint between 2 employees, grievance for Chief Laidacker and benefit package for employees. Attorney Anthony McDonald informed Ms. Helwig it should have been announced as an executive session.

UNFINISHED BUSINESS:

- A motion was made by AJ McKenney, 2nd by Jeff Fleming to discuss the Blight Program regarding 102 Main Street. Council President Sue Helwig reported the property was inspected and the owner does not want to fix any of the issues. The tax bill is \$2800, water, sewer and electric are being paid on the property. Guest Victoria Waugh asked why they were allowed in the property when it is in the flood zone. Councilman Kevin Ferris stated you can't tell someone they can't be in a property in the flood zone. It may not be a good idea but you cannot let them. Council President Sue Helwig stated there is funds from the county to blight the property. After more conversation the Economic Development Committee is going to look into more ideas for the property.
- A motion was made by Kevin Ferris, 2nd by Jeff Fleming to discuss denying American Tower's request to adjust the terms of the contract. Council President Sue Helwig explained the two options American Tower provided. A motion was made by Jeff Fleming, 2nd by Andrew Detwiler to table the matter for more consideration.
- A motion was made by Roy Klinger, 2nd by AJ McKenney to discuss each project the American Rescue Funds will be used for: (WWTP, A/C at Community Center, Generator for Police Station, PPE for Fire Company). The projects were placed in order of importance as following: 1. Waste Water Treatment Plant, 2. Generator for Police Department & Borough Hall, 3. PPE for Fire Company, 4. A/C at Community Center. A motion was made by Kevin Ferris, 2nd by Roy Klinger to approve applying for American Rescue Funds for the WWTP, Generator for Police Department

to possibly include the Borough Hall, PPE for Fire Company and A/C at Community Center. All Aye

NEW BUSINESS:

- A motion was made by Roy Klinger, 2nd by Gary Steinruck to approve Resolution 2022-03 regarding Authorization to the Submission of a Commonwealth Financing Authority Statewide Local Share Account Grant for the Catawissa Borough Waste Water Treatment Plant Remediation Project. All Aye
- A motion was made by Roy Klinger, 2nd by Jeff Fleming to approve Kuharchik Construction Inc.'s proposal for preventative maintenance on traffic signals within the Borough. All Aye
- A motion was made by Jeff Fleming, 2nd by Roy Klinger to approve Kuharchik Construction Inc.'s proposal for response maintenance on traffic signals with in the Borough. All Aye
- A motion was made by Andrew Detwiler, 2nd by Jeff Fleming to approve ceasing the repudiation of the Collective Bargaining Agreement between the Borough and the Police Association, dated August 10, 2021. Guest Victoria Waugh spoke to Council hoping Council listened to the people that came to speak. Multiple guests spoke about Attorney Eric Brown made enough money off this case and the problems that will get worse getting rid of the police. A motion was made by Kevin Ferris, 2nd by Gary Steinruck to table ceasing the repudiation of the Collective Bargaining Agreement between the Borough and the Police Association, dated August 10, 2021. Guest Lewis Carl questioned a 2nd motion to table when there was already a motion on the table. Roll call vote was taken to table the motion. Sue Helwig, Aye, Kevin Ferris, Aye; Jeff Fleming, Nay; Roy Klinger, Nay; Gary Steinruck, Aye; AJ McKenney, Nay; Andrew Dewiler, Nay. Motion fails
Roll call vote was taken to approve the motion to cease. Sue Helwig, Nay, Kevin Ferris, Aye; Jeff Fleming, Aye; Roy Klinger, Aye; Gary Steinruck, Nay; AJ McKenney, Aye; Andrew Detwiler, Aye. Motion carries.
- A motion was made by Andrew Detwiler, 2nd by Roy Klinger to approve ceasing the collection of the vaccine status from employees. 6 – Aye, 1- Nay AJ McKenney Motion carries.
- A motion was made by Roy Klinger, 2nd by Gary Steinruck to repeal the Rental Ordinance 03-2020 and Ordinance 05-2020 amending Rental Ordinance if the landlord Association drops the lawsuit against the Borough. Councilman Andrew Detwiler stated the motion should not be on the agenda due to Council President Sue Helwig and Council Vice President Kevin Ferris should not be involved because it is a conflict of interest. Attorney Anthony McDonald reviewed the letter and suggested publicly Ms. Helwig and Mr. Ferris recuse from the vote. Council President Sue Helwig turned the meeting over to Council President Pro Tem Jeff Fleming. President Pro Tem Fleming asked for a roll call vote. Roll call vote was taken. Andrew Detwiler, Nay; AJ McKenney, Aye; Gary Steinruck, Aye; Roy Klinger, Aye; Jeff Fleming, Aye; Sue Helwig and Kevin Ferris abstained. Motion carries.

FINANCE PAYMENT OF BILLS

- A motion was made by Roy Klinger, 2nd by Andrew Detwiler to accept bills as written and any others that may arise before the next council meeting. All Aye

GUESTS TO BE HEARD

- Guest Dawn Linn requested 2-3 fifteen-minute parking spaces at 105 S. 4th Street for new hoagie and soup business. By suggestion of Attorney Anthony McDonald, the Public Safety Committee is going to look into this matter and bring it back to next month's meeting with samples of other parking for businesses in town.
- Guest Kelly Fleming asked if the subject of recycling can be discussed at another meeting. Council President Sue Helwig stated it is a cost but it can be discussed.

ADJOURNMENT:

- A motion was made by Roy Klinger, 2nd by Andrew Detwiler to adjourn. All Aye

MEETING ADJOURNED

Submitted by:

Connie M. Cole, Borough Secretary