

**BANGOR BOROUGH COUNCIL MEETING  
HELD AT 197 PENNSYLVANIA AVENUE, BANGOR, PA**

**MINUTES**

**February 26, 2018 7:00PM**

**CALL TO ORDER AND PLEDGE TO FLAG**

**ROLL CALL**

**Members Present:**

James W. Kresge  
Michael J. Bilotta  
Jane E. Gorman  
Robert W. Engle  
Robert Goffredo, Sr.

**Others Present:**

Nathaniel J. Dysard, Borough Manager  
Brooke Kerzner, Mayor  
David J. Ceraul, Esq., Solicitor

**Absent:**

Bonnie J. LaBar  
Barry G. Schweitzer  
Lisa Fogel  
Sascha Gutierrez, Junior Council Member

**PUBLIC COMMENT**

1. Leila Ross of 129 Messinger Street was present for an update on the letters sent by the Borough to the affected residents on Messinger Street concerning the Culvert Project. Manager Dysard stated that the Borough is awaiting a few letters.
2. David Houser of 575 Grand Avenue was present to question if the Turkey Hill liquor license transfer will affect the Open Container Borough Ordinance? Solicitor Ceraul stated that the Ordinance will not need to be changed.

**APPROVAL OF BILLS TO BE PAID**

A **MOTION** to approve the bills totaling \$293,477.44 to be paid was made by Engle, seconded by Bilotta. All were in favor. **MOTION** carried.

**ACTION ITEMS**

1. Council President Kresge stated that as a follow-up from the hearing and testimony held on February 12<sup>th</sup>, Turkey Hill is requesting an intermunicipal liquor license transfer. A **MOTION** was made by Engle, seconded by Goffredo to approve the liquor license transfer. Vote 4-1. Yay – Goffredo, Gorman, Bilotta, Engle. Nay-Kresge. **MOTION** carried.
2. Manager Dysard stated that Solicitor Margle sent a letter to the COG officially notifying them that they need to vacate 872 Lower South Main by February 28<sup>th</sup>. A **MOTION** was made by Goffredo, seconded by Gorman to authorize Solicitor Margle, at his discretion to take appropriate legal action to uphold the lease agreement, with the input of Manager Dysard. All were in favor. **MOTION** carried.

Manager Dysard commented that at the last Authority Board Meeting the Board made a Motion to recommend to Borough Council to have Council entertain the prospect of a sale of the 872 Lower South Main Street Building to prospective purchasers and to entertain the terms and conditions of such sale. Borough Council discussed their options. A **MOTION** was made by Engle, seconded by Goffredo to authorize exploring the sale of the building. All were in favor. **MOTION** carried.

3. After discussions with several other communities it was discovered that no one has adopted the Ordinance to approve the Intermunicipal Agreement for softball. Manager Dysard is recommending that Council authorize execution of the revised Intermunicipal Agreement without the formality of an Ordinance. This will allow more flexibility to negotiate or terminate the Agreement without having to formally take action with a new Ordinance to amend a future agreement. A **MOTION** was made by Bilotta, seconded by Gorman to authorize the execution of the agreement as amended pending approval from Upper Mount Bethel Township. All were in favor. **MOTION** carried.
4. A **MOTION** was made by Gorman, seconded by Engle to advertise for the 2018 Road Program Bid (Paving Wood Street, Erdman Avenue and New Street). All were in favor, **MOTION** carried. Most of the work will be paid for by a CDBG grant.
5. The Bangor Borough Authority Board made a Motion at their last meeting that under the stipulation that HRG continues their professional services on the outstanding items on the Chapter 94 Report and NPDES Permit renewal, if revisions are required by the PADEP, to recommend Boucher and James to Borough Council as the new Authority Engineer. A **MOTION** was made by Engle, seconded by Bilotta to approve the Authority's recommendation of Boucher & James, Inc. as the Authority Engineer. All were in favor. **MOTION** carried. The **MOTION** was amended by Engle, seconded by Bilotta to approve the Authority's recommendation of Boucher & James, Inc. and to notify HRG that they are being replaced but any work in progress should be brought to conclusion. All were in favor. **MOTION** carried.

## **COUNCIL COMMENTS**

1. Mayor Kerzner commented that the Mayor of Bangor, ME sent the whoopie and blueberry pies. Unfortunately, they did not do well in transit. Other items were also sent. Kerzner will be going to Maine this summer to meet with the Mayor and deliver four quoit boards to their main Veteran's Hospital.  
Kerzner will be attending the County Council Meeting and the Cabinet in Your Community Meeting held at East Stroudsburg University by the Wolf Administration.
2. Solicitor Ceraul thanked everyone for their patience while he was in the hospital. The Pennsylvania Human Relations Commission Complaint that was filed on the Borough has been answered. The matter involving a former Police Officer is almost resolved with one matter pending.
3. Manager Dysard stated that a brief Executive Session will be held to discuss legal matters.
4. Council President Kresge updated Borough Council on the issue of changing ward representation that was brought up in previous Borough Council Meetings. The thought being that Bangor should be a community that everyone on the Board represents the entire town not necessarily a specific section of town. An idea was mentioned about half the Council being ward representatives and the other half at large. The Borough Code allows that either everyone represents a ward, or no one represents a ward. Some municipalities have a Home Rule Charter which is an article or amendment to the state constitution granting cities, municipalities, and/or counties the ability to pass laws to govern themselves as they see fit (so long as they obey the state and federal constitutions). Kresge asked Council to discuss and think about his findings and either consider abolishing or changing ward representations.

**ADJOURNMENT**

A **MOTION** to adjourn the meeting and go into Executive Session at 8:18 P.M. to discuss legal matters, with no action to follow was made by Engle, seconded by Goffredo. All were in favor. **MOTION** carried.

Respectfully Submitted,  
Tracy Palmer, Administrative Secretary