

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

MINUTES

AUGUST 7, 2024, 7:30 PM

CALL TO ORDER AND PLEDGE TO FLAG

ROLL CALL

Members Present:

James W. Kresge
Marissa Donnelly
Rosemarie Capone
Marc Sperling
Barry Schweitzer
James Augustine
Joanna Paulson

Others Present:

Stephen Reider, Borough Manager
Mary Ellen DeFranco, Mayor
Bernadette Kearney – HRMM&L
Brenda Valletta – Tax Collector

Absent:

David J. Ceraul, Esq., Solicitor

ACTION ITEM:

1. Council President Kresge reported that Ordinance #1005 repealing the Bangor Borough per-capita tax was approved at the July 22, 2024 Council Meeting. Mayor DeFranco vetoed this Ordinance. A copy of the letter of objections submitted by Mayor DeFranco will be attached to these minutes. Re-consideration of this Ordinance was discussed. Council Member Schweitzer read a letter to Council stating his opinions/recommendations regarding the per-capita tax. Mayor DeFranco commented that she researched the per-capita tax and shared that information with Council. Council Member Paulson expressed her concerns regarding the number of rental units in the borough. Krista Ashmore from 548 Fairview Avenue was present to ask Council questions about the per-capita tax. Denise Scott was present from 223 Park Avenue to ask Brenda Valletta questions regarding the per-capita tax. Council Member Capone questioned the yearly rental application fees. Manager Reider stated that one way to recoup the money from abolishing the per-capita tax could be to increase the yearly rental license fees. Council Member Augustine is in favor of abolishing the per-capita tax and increasing the yearly rental registration fees. A **MOTION** to reconsider Ordinance #1005 after the objections and veto of the mayor, was made by Capone, seconded by Sperling. Roll call vote: Sperling-Ay, Augustine-Ay, Kresge-Ay, Donnelly-Ay, Capone-Ay, Schweitzer-Ay, Paulson-Ay, but let the record show that Ms. Paulson disagrees with the wording of the Ordinance. Ms. Paulson feels the wording is ambiguous and inaccurate. Vote: 7-0. All were in favor. **MOTION** carried. The veto was overridden, and Ordinance#1005 was passed.

COUNCIL COMMENTS:

1. Council Member Augustine mentioned the Golf Ball Drop Event at the park on 9/10/24.
2. Council Member Paulson feels that Council should focus more on the rental issue.

3. Council Member Schweitzer stated that eliminating the per-capita tax is going to help the owner-occupied properties by shifting the cost burden to the landlords.
4. Council Member Donnelly would like to be involved in the borough rental issue.
5. Manager Reider stated that one of the pumps at the pool had to be replaced.
6. Council Member Sperling complimented the local fire departments for their efforts during the recent fire on Market Street.
7. Council President Kresge complimented the local fire departments for working together.

ADJOURNMENT:

A **MOTION** to adjourn was made by Donnelly, seconded by Augustine. All were in favor. **MOTION** carried. The Bangor Borough Council Meeting adjourned at 8:23 P.M.

Respectfully Submitted,
Tracy Palmer, Administrative Secretary

Re: Bangor Borough Council and Borough Manager

As the Mayor of the Boro of Bangor,
I am compelled to Veto Ordinance No. 1005

The per capita tax is a tax based
solely on residency. This tax is not
dependent upon employment or property
ownership. This tax is due yearly.

Municipalities and school districts were
given the right to collect a \$10.00

per capita tax under ACT 511 and School
Districts an additional \$5.00 under

Act 679 - School Tax Code. The only
exemptions to this tax are children under
18 years of age or if the individual is deceased.

The Borough Council's premise for dispensing of
the per capita tax is inaccurate resulting
in the ordinance itself being severely flawed!

The Borough collects upwards of \$18,000 a
year in per capita tax income. This money is used
to improve the lives of the residents of our
Borough.

The math just does not add up.

Not only is the ordinance flawed but it may also
be illegal. Just because the Borough Tax Collector
has argued for 2 years to eliminate this tax
does not make it unlawful or unhelpful.

Maybe the tax collector should spend more time doing the job she was publicly elected to do and actually "Collect the Taxes"!

Our borough population is reported to be 5,000 people. We all know that this is not true. Our police department estimates this number to be closer to 8,000 people.

Our borough is reported to be 50% rental properties. These landlords and their residents have been side stepping the per capita tax for years, all the while taking advantage of the goods and services that our community provides. I think that it is past time to accurately count the number of people that reside in the borough.

Place the responsibility on the landlord and if they do not comply they should be fined and for a tax lien placed on their property.

If our population count is close to 8,000 people, then it is possible that we have at least 3,500 adults that are responsible to pay the \$10.00 per year per capita tax.

That would mean \$35,000 a year in income for the borough to provide goods and services.

I do not know about you, but I think \$35,000 is a lot of money. Removing the per capita tax is not a gift to your citizens. You must make up for that money somewhere. This would cause property taxes to rise again for fiscal year 2025.

In my opinion this is not a nuisance tax but a necessary tax.

Respectfully submitted,
Mary Ellen DeFranco
Mayor of the Town of Sandwich
Mary Ellen DeFranco
7-31-2024