

Excerpt...

Minutes Canton Borough Council January 4, 2010 7:00 p.m.

Canton Borough Council held the Biennial Reorganization Meeting on Monday, January 4, 2010 at 7:00 p.m. at Canton Borough Hall, 4 North Center Street, Canton. Council members in attendance were: Alfonse Ciaccio, Ken Robertson, Jason Robertson, Eric Anderson, Roger Tracey and Sheila Riggs.

Also attending were: Borough Administrator Amy C. Seeley, Frank Watson, Randy Castle, Dave DeCristo, Duane Castle, Mayor John Vineski, Judy Porter, Richard J. Segur, John E. Mays, Kurt Bastion, Craig Castle, David Ward, John Shaffer, James MacDonald, Eric Hrin, Lewis Howell, Solicitor Matthew W. Brann, Jon Groover, District Magistrate Jonathan Wilcox, J. Scott May and Edward I. Bowers.

Administrator Seeley noted that that Certificates of Election were on file in the Borough Office from Eric D. Anderson, Jason Robertson, Richard J. Segur and John G. Vineski.

Solicitor Brann opened the Council meeting, led the Pledge of Allegiance and gave the invocation.

Visitors

Dave DeCristo stated that he was here to discuss the proposed ordinance about taxes and landlords being responsible for reporting tenants for tax purposes. He asked if the Borough had two taxes: occupation tax and per capita tax. Administrator Seeley advised that the Borough has an occupation tax that is for all residents who work and an earned income tax that is for anyone that works in the Borough. She noted that the per capita tax was repealed for 2010.

Mr. DeCristo asked about the definition of residency. Solicitor Brann stated that it is where you are registered to vote, what your domicile is, where you pay federal taxes and where your drivers' license is from.

Solicitor Brann stated that Administrator Seeley addressed the proposed ordinance with him and the idea behind the ordinance is that it's intended for someone living in the Borough full time but renting.

Duane Castle asked at what point does a landlord have to register their tenants. It was stated that if the tenant doesn't take up residency they don't have to be reported.

Solicitor Brann stated that this ordinance was not proposed due to the change in the economic situation.

Administrator Seeley stated that she attends numerous Pennsylvania State Borough Association conferences and that this was an ordinance that came out of one of those conferences and that many municipalities across the Commonwealth are adopting similar ordinances, as well as in Bradford County, to help ensure the fair taxing of all Borough residents.

Frank Watson stated that their concern was the matter of timing. He stated that the members of the community want to keep the line of communication open with regard to this industry as the industry has had and will continue to have a big impact on their businesses. He said when they saw the legal ad they wondered where the Borough stood on the issue of this industry.

Anderson stated that it would be nice if some of the gas, oil and pipeline representatives would attend a meeting to discuss what they have in mind as well as what they see down the line.

Randy Castle stated that they (the business people) are willing to volunteer some of their time to have discussions/workshops to discuss what is happening as well as what is willing to be embraced.

Duane Castle stated that one of the companies he talked with stated that if they don't feel welcome in a community they won't come and when you see articles in the newspaper about boarding house ordinances and ordinances about tax payers then the gas companies won't want to move into that community. He stated that he feels this industry is a golden opportunity for a depressed area.

President Robertson stated that Borough Council wants to work with these companies and anything that is good for the community but that there are state codes to follow with regard to sprinkler systems and the Borough has no control over that. Duane Castle commented that they (the state) can't agree on things regarding that.

Dave DeCristo stated that he and Randy Castle are trying to get a company to move into the area and they don't want to be seen as a negative.

Solicitor Brann suggested that Mr. DeCristo and Mr. Castle bring this company to Borough Council themselves and let them hear it from Council that they are wanted. Solicitor Brann stated that the intent of the proposed ordinance is not to penalize non residents.

Randy Castle admitted that he read it that way and misinterpreted it.

Duane Castle stated that if there is an issue going on that affects the business people it would be nice if Council would work it out with the business people before ordinances are looked at and it becomes a bigger issue. He said it would be nice if the business community could be involved in the decision and that they are always open to suggestions and that hopefully they can give the Borough feedback and suggestions as well.

J. Scott May stated that he liked the discussion that was going on and stated that Council can control dressing up the town like obtaining grants for streetscapes.

Frank Watson stated that there are opportunities with this industry to hopefully upgrade rentals but that you have to get the jobs here first.

Randy Castle stated that Council is going to scare landlords if they are going to get fined if the taxes aren't paid. Administrator Seeley clarified that the landlords are only responsible for the unpaid taxes if the landlord fails to register the tenants as to the provisions of the ordinance, not if the tenant just doesn't pay them.

Solicitor Brann stated that the ideology behind the proposed ordinance is that if you are a permanent resident but you are renting then you ought to be participating in the municipal services that the current residents pay for. He stated in terms of equality, that's just not right.

Duane Castle stated that it's not just landlords and tenants, that it's generations of families living in a single family house.

Frank Watson asked about enforcement. Anderson replied that for the most part it will be on the honor system of the landlord. John Mays stated that in a small town there are checks and balances in the community itself.

President Robertson stated that he hoped that Council had answered all of the questions out there and he asked that those in attendance invite the companies involved to attend a future meeting.

An executive session was held from 7:54 p.m. until 8:25 p.m. for legal and personnel matters.

At 8:25 p.m. President Robertson continued the meeting until Tuesday, January 19, 2010 at 6:00 p.m.