

May 2, 2016

A special meeting of the Ligonier Borough Council was held Monday, May 2, 2016 @ 5PM in the Ligonier Town Hall with James McDonnell presiding. The purpose of the meeting was to discuss Tax Exemption application received from the Loyalhanna Watershed Association.

Members Present: James McDonnell, Robert Helterbran, Chick Cicconi, Matt Smith, Pat Scanlon, Terry Murphy. Absent was Judy Hoffer.

Others Present: Secretary-Treasurer Paul Fry, Mayor Ormond "Butch" Bellas, Solicitor George Welty, Zoning Officer Rick Schwab. Absent was Police Chief John Berger, Fire Chief Steve Barron, and Code Enforcement Officer Rick Bell.

APPROVAL OF MINUTES

A motion was made by Pat Scanlon and seconded by Robert Helterbran to approve the minutes of April 14, 2016 as presented.

NEW BUSINESS

Loyalhanna Watershed Tax Exemption Application:

Susan Hubba of Loyalhanna Watershed was present and explained that the Watershed has filed application for exemption with Westmoreland County Tax Assessment. The hearing is scheduled for Thursday of this week.

President McDonnell questioned Hubba what compelling reasons can you provide to Council that would give us cause to concur for a total tax exemption?

Susan Hubba explained that it is felt that they meet several of the criteria under the subsection 5020-204A #3, 6, 7, & 9 of the PA exemption statute. Under #9 Hubba stated that the Loyalhanna Watershed is a nonprofit 501C3 and that it is open to the public for enjoyment and use.

McDonnell questioned the budget of the Watershed.

Hubba explained that they work on a balanced budget every year. Taxes are paid from a land fund that is budgeted for. The other part of the operating budget funds staff and program needs, and utilities costs.

McDonnell questioned if income is more than expenses?

Hubba stated that the Watershed makes revenue from their memberships. The Watershed conducts several fundraisers every year; art auction, two bird seed sales, Fort Ligonier Days Parking. Watershed successfully raise about 60% of their own operating budget through those means. The remainder is from grant support.

McDonnell questioned if the other 20 properties the Watershed owns are tax exempt.

Hubba answered that some are some are not.

McDonnell asked if the Watershed expects the Borough to underwrite or subsidize the Watershed's taxes.

Hubba answered that as the Watershed is nonprofit they provide a lot of services to residents of the Borough community as well. It is not the responsibility of a nonprofit to subsidize the budget of the Borough when other nonprofits have been granted exemption status as well.

Councilman Terry Murphy questioned if the Watershed has to maintain the properties that they currently have which are tax exempt.

Hubba explained that yes they do. They have a stewardship plan that is followed to maintain the properties.

At this time President McDonnell called for a brief executive session.

A motion was made by Terry Murphy and seconded by Pat Scanlon to enter into executive session. All were in favor. Council entered into executive session @ 5:27 PM.

Council returned from executive session @ 5:39 PM.

A motion was made by Terry Murphy and seconded by Pat Scanlon to abide by the wishes of the Appeal Board of the County. All of Council was in favor.

Bunger Street Property

A motion was made by Robert Helterbran and seconded by Matt Smith for an executive session for discussion. All were in favor.

Council returned from executive session at 6:34 PM with no action taken.
It was decided to continue this topic at a later meeting.

MOTION TO ADJOURN

A motion was made by Pat Scanlon and seconded by Robert Helterbran to adjourn the meeting. All of Council was in favor. The meeting adjourned at 6:35 PM.

Respectfully submitted,

Paul A Fry
Secretary-Treasurer
Office Manager