

## **Borough Council Meeting November 15, 2012**

**Call to Order** – Mr. Farley called the meeting to order at 6:00pm and Mr. Flick offered the prayer and led the Pledge of Allegiance.

**Roll Call** – The following members of the Borough Council were present; Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley. Also Present; Mayor Denny Thomas, Attorney Jonathan Foster Sr., Elizabeth Fice, Finance Coordinator, and David Jarrett, Borough Manager.

**Approval of the Minutes** – There were no questions or comments and the minutes stand as presented.

**Citizens to be Heard** – Steve Crain, owner of 209 West Lockhart Street addressed the Borough Council regarding the proposed change in zoning designation of his properties on West Lockhart Street. Mr. Farley explained that the Administration Committee will resume their discussions on the issue in January (2013) and a revised zoning map could be adopted as soon as the March 2013 Council meeting. Mr. Farley further stated that changes to the zoning map would be presented through a public hearing.

Barbara Ault, 332 West Lockhart Street and Chairperson of the Borough's Planning Commission explained that the proposed Transitional Zoning District was presented to the Borough Council by the Planning Commission two years ago and she did not understand why nothing has been done. Mr. Farley reiterated that the Administration Committee will be discussing the issue in January and that other changes to the zoning map will be made in conjunction with the changes needed to address the development of natural gas drilling.

**Correspondence Report** – There were no questions or comments.

**Finance Report** - The finance report for October 2012 was accepted and filed for audit.

**Vote to approve the bills list. A motion was made by Mrs. Howland and seconded by Mr. Osmun to approve the bills list. Under the question: There were no questions or comments. Roll Call Vote: Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

#### **Appointed and Elected Officials Reports:**

- ❖ Borough Manager & CDBG Coordinator – Mr. Jarrett provided an update on the various projects and issues outlined in his report.
- ❖ Fire Chief – There were no questions or comments.
- ❖ Code Enforcement Officer – Mr. Cerutti reported the status of the former Newberry Building and explained that the building is in the process of being sold and that the new owner has started some exterior repairs.
- ❖ Borough Solicitor – Mr. Foster explained that he has been in contact with the PA-PUC regarding the Borough's proposed natural gas ordinance and he is waiting on their response. Mr. Foster asked for a brief executive session to discuss a litigation issue.
- ❖ Mayor - Mr. Thomas stated that he was impressed with the Borough's preparation for Hurricane Sandy and commended the Borough's staff for their efforts. Mr. Thomas also reported that he confirmed with County Commissioner Doug McLinko that the County will be purchasing the CodeRed emergency notification system and that it could be online as soon as the January 1<sup>st</sup>.
- ❖ Council President – Mr. Farley provided an update on the sewer plant construction project and reported that just over \$7.5 million has been spent to date.

**Vote to adopt the 2013 Borough Budget as recommended by the Administration Committee.** A motion was made by Mr. Cerutti and seconded by Mrs. Howland to adopt the 2013 Budget as presented. **Under the question:** Mr. Cerutti stated that a lot of effort went into developing the budget and that he is satisfied with final version of the budget. **Roll Call Vote:** Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; **YES.**

**Vote to adopt the Ordinance #894 establishing the 2013 tax rate at 10.37 mills.** A motion was made by Mr. Hickey and seconded by Mr. Flick to adopt Ordinance #894. **Under the question:** Ms. Sabatura asked if the tax rate is the same as the previous year, and Mr. Jarrett stated the tax rate has been the same for four years now. **Roll Call Vote:** Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; **YES.**

**Vote to appoint Robert Dydynski, 410 South Elmer Avenue to the Code Enforcement Agency Board as the Citizen At Large on the Agency Board.** A motion was made by Mr. Cerutti and seconded by Mr. Osmun to appoint Robert Dydynski as the Citizen At Large on Code Enforcement Agency Board. **Under the question:** Ms. Sabatura questioned the appointment because Mr. Dydynski had recently resigned from the Board. Mr. Flick stated that the resignation occurred after Mr. Dydynski's wife unexpectedly passed away. Mr. Jarrett stated that he contacted Mr. Dydynski three months ago about returning to the Board and that Mr. Dydynski was interested in returning and he attended the Agency's October and November meetings. **AYES – 6 / NAY - 1**

**Vote to advertise amendment to police pension ordinance adding regulations pursuant to Act 51 of 2009.** A motion was made by Mr. Hickey and seconded by Mr. Flick to advertise an amendment to the police pension ordinance to be compliant with Act 52 of 2009. **Under the question:** Mr. Jarrett explained the reason for the ordinance amendment. **AYES – 7 / NAY - 0**

**Vote to adopt Resolution 2012-10 adopting procedures for Act 44.** A motion was made by Mr. Hickey and seconded by Mrs. Howland to adopt Resolution 2012-10. **Under the question:** Mr. Jarrett explained the reason for the Resolution. **AYES – 7 / NAY – 0**

**Vote to adopt Resolution 2012-11 waiving 5% contribution from the Police Officers.** A motion was made by Mr. Cerutti and seconded by Mr. Osmun to adopt Resolution 2012 -11. **Under the question:** Ms. Sabatura asked if a contribution has ever been needed. Ms. Fice stated that employee contribution has not been needed in the past. **AYES – 7 / NAY – 0**

**Vote to approve the 2013 shelter agreement with the Bradford County Humane Society.** A motion was made by Mr. Flick and seconded by Mrs. Howland to approve the 2013 shelter agreement with the Bradford County Humane Society. **Under the question:** Ms. Sabatura asked if this was a continuation of an existing agreement, and Ms. Fice stated that it was a renewal of the current agreement. **AYES – 7 / NAY – 0**

**Vote to accept the resignation of Hildegard Mohr from the Sayre Borough Shade Tree Commission effective November 30, 2012.** A motion was made by Mr. Cerutti and seconded by Mr. Hickey to accept Mrs. Mohr's resignation with regret. **Under the question:** Mr. Farley stated that Mrs. Mohr was one of the original members of the Shade Commission serving as Chairperson for six years, and responsible for planting 250 trees throughout the Borough. **AYES – 7 / NAY – 0**

#### **Committee Reports:**

- ❖ **Public Works – Mr. Flick reviewed the issues discussed at the Committee's November meeting and discussed the proposed improvements at Island Pond and security cameras in Howard Elmer Park.**

 *A motion was made by Mr. Flick and by Mr. Cerutti to approve the proposal submitted by Teledair Communications to install a camera system in Howard Elmer Park in the amount of \$3,195.* **Under the question:** Funding for the project will come from the General Fund. **Roll Call Vote:** Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; **YES.**

- ❖ **Public Safety** – Mr. Osmun reviewed the issued discussed at the Committee’s November meeting and discussed the possibility of re-installing a flashing signal at the intersection of North Wilbur Avenue and Mohawk Street.

✚ *A motion was made by Mr. Osmun and seconded by Mr. Hickey to authorize the Borough Manager to send a letter to PennDot regarding the proposed signal. Under the questions: There were none.*  
**AYES – 7 / NAY – 0**

- ❖ **Administration Committee** – Mr. Cerutti asked the members of the Borough Council to develop a list of suggested uses for the Borough’s Natural Gas Impact Fee allocation, and submitted the list to Mr. Jarrett. A special meeting of the Borough Council will be scheduled in December to discuss the use of the funds.

**Recess** – Mr. Farley recessed the meeting at 6:40pm prior to beginning the executive session.

**Executive Session** – The Borough Council went into executive session at 6:50pm to discuss a personnel matter and litigation matter. The session ended at 7:50pm

**Adjourn** – A motion was made by Ms. Sabatura and seconded by Mr. Hickey to adjourn the meeting at 7:50pm. There were no objections.

Respectfully Submitted,

David M. Jarrett  
Borough Manager