

Borough Council
Regular Meeting - December 15, 2011

Call to Order - Mr. Farley called the meeting to order at 6:00pm and announced that the Borough Council met in executive session prior the meeting to discuss a real estate issue. Mr. Daly led the prayer and flag salute.

Roll Call - The following members of the Borough Council were present; Mr. Cerutti, Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, and Mr. Farley. **Also Present;** Mayor Thomas, David Jarrett, Borough Manager, Elizabeth Fice, Borough Finance Coordinator, Attorney Jonathan Foster, Borough Solicitor, Fire Chief Robert Repasky, 1st Assistant Chief Tom Yonkin, and 2nd Assistant Chief Gil Crossett. **Excused:** Mr. Dydynski.

Approval of Minutes from the November Regular Council Meeting - There were no questions or comments of the minutes, and they will stand as presented.

Citizens to be Heard - Shelly Northrup, 118 Francis Street, Sayre thanked the Borough Council for their willingness to contact Senator Yaw and Representative Pickett regarding the proposed natural gas impact fee legislation.

Finance Report - (Cash Account Balances as of November 30, 2011) There were no questions or comments and the report will be filed for audit.

Bills List - A motion was made by Mr. Daly seconded by Mr. Flick to approve the bills list. **Under the question:** There were no questions or comments.
Roll Call - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Correspondence Summary - There were no questions of comments.

Appointed & Elected Official's Report - The following reports were presented;

- ❖ Borough Manager/CDBG Coordinator - Mr. Jarrett reported that the Hoover/Bradford/Draper project has been shut down for the Winter, paving work is planned at the DPW/EOC building site, and the Police Department building project continues to proceed and that the roof trusses will be installed Tuesday, December 20th.
- ❖ Valley Joint Sewer Authority - Mr. Jarrett reported that the upgrade project is set to begin before the end of the month.
- ❖ Fire Chief - There were no questions or comments.

- ❖ Police Chief - There were no questions or comments.
- ❖ Code Enforcement - Mr. Jarrett reported that the Code Office had a busy month and that a property maintenance complaint received on December 9th was being resolved.
- ❖ Borough Solicitor - Attorney Foster reported that the ordinances authorized at the November Council meeting were advertised and ready for adoption.
- ❖ Mayor Thomas - Congratulated Mr. Jarrett on the success of the Christmas Parade and commended all of the Borough employees and fire personnel who helped with the event. Mayor Thomas also thanked Ms. Fice, Mr. Jarrett, and the Administration Committee for their hard work on the 2012 budget.
- ❖ Council President - Mr. Farley announced that the Borough has received a sub-division request for the new CVS and that the plans will be forwarded to Bradford County Planning Office for review and comment. Mr. Farley also announced that the Council's re-organization meeting will be on Tuesday, January 3, 2012 at 5:00pm.

Vote to adopt *Ordinance 883* establishing the 2012 tax rate at 10.37 mills. A motion was made by Mr. Cerutti and seconded by Mr. Daly to adopt *Ordinance 883* establishing the 2012 tax rate at 10.37 mills. **Under the question:** There were no questions or comments. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to adopt *Ordinance 884* increasing quarterly sewer rates by \$28.00 per quarter to a total quarterly bill of \$117.00 per quarter. A motion was made by Mr. Hickey and seconded by Mr. Daly to adopt *Ordinance 884* increasing quarterly sewer rates by \$28.00 per quarter to a total quarterly bill of \$117.00 per quarter. **Under the question:** There were no questions or comments. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to adopt the 2012 Borough Budget. A motion was made by Mr. Flick and seconded by Mr. Daly to adopt the 2012 Borough Budget. **Under the question:** Mayor Thomas thanked everyone for their hard work on the budget and stated that the Borough will continue to provide all of the current services in 2012 and that the Borough was able to complete the new Public Works building and currently constructing the new Police Department building without raising taxes. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to adopt *Ordinance 885* amending Chapter 3 of the Sayre Borough Code creating the Sayre Borough Code Enforcement Agency. A motion was made by Mr. Cerutti and seconded by Mr. Daly to adopt *Ordinance 885* amending Chapter 3 of the Sayre Borough Code creating the Sayre Borough Code Enforcement Agency. **Under the question:** There were no questions or comments. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to adopt *Ordinance 886* amending Chapter 117 of the Sayre Borough Code prohibiting the use of tobacco products in all Borough parks and open spaces. A motion was made by Mr. Osmun and seconded by Mr. Flick to adopt *Ordinance 886* amending Chapter 117 of the Sayre Borough Code prohibiting the use of tobacco products in the Howard Elmer Park Bandstand immediately and in all Borough parks and open spaces effective June 1, 2012. **Under the question:** There were no questions or comments. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, and Mr. Farley YES. Mr. Cerutti; NO. **Motion Carries.**

Vote to authorize the purchase of a new *John Deere*® tractor for the Department of Public Works through the Pennsylvania State Contract program in the amount of \$8,000 with funds budgeted in line item 30-454.7400. A motion was made by Mr. Cerutti and seconded by Mr. Daly to authorize the purchase of a new *John Deere*® tractor for the Department of Public Works through the Pennsylvania State Contract program in the amount of \$8,000 with funds budgeted in line item 30-454.7400. **Under the question:** There were no questions or comments. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to transfer \$17,500 from Line Item 01-413.3100 to Line Item 30-410.7400. A motion was made by Mr. Daly and seconded by Mr. Hickey to transfer \$17,500 from Line Item 01-413.3100 to Line Item 30-410.7400. **Under the question:** Mr. Osmun asked for an explanation of the transfer, and Mr. Jarrett explained that money being transferred was originally budgeted as the Borough's contribution to the Athens/Sayre Joint Code Enforcement Agency however the contribution was not made and the funds were not needed by the Code Agency. The money will be transferred into a Capital Reserve line item for the purchase of new police vehicle. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to authorize the Borough Manager to proceed with the purchase of 2012 Dodge Charger Police Vehicle through the Pennsylvania State Contract Purchasing Program. A motion was made by Mr. Hickey and seconded by Mr. Daly to authorize the Borough Manager to proceed with the purchase of 2012 Dodge Charger Police Vehicle through the Pennsylvania State Contract Purchasing Program. **Under the question:** Mr. Osmun asked if the new vehicle was replacing an existing patrol vehicle and Mr. Jarrett explained that the new vehicle will be replacing the Borough's 2007 Dodge Charger which is identified as BD 38. Mr. Jarrett stated that the Borough has in the past replaced its marked patrol vehicles which are used daily every three years

however this vehicle has been in service for nearly five years. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to authorize the Borough Manager to proceed with the purchase of 2012 Spartan® Fire Engine through the Pennsylvania State Contract Purchasing Program. A motion was made by Mr. Cerutti and seconded by Mr. Daly to authorize the Borough Manager to proceed with the purchase of 2012 Spartan® Fire Engine through the Pennsylvania State Contract Purchasing Program. **Under the question:** Mr. Hickey asked what the estimated cost of the new truck is, and Mr. Jarrett explained that the cost of the new fire engine is estimated at \$600,000 and that a portion of the expense has been allocated from the proceeds of the Blue Swan Airport sale and Capital Reserve funds, and the balance of the cost will be financed. Mr. Jarrett stated that he and Chief Crossett will be meeting with the vendor after the holidays to negotiate the final cost of the truck. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to approve Payment Application #2 for the construction of the Police Department Building submitted by G. Webster Inc. in the amount of \$73,984.73. A motion was made by Mr. Flick and seconded by Mr. Daly to approve Payment Application #2 for the construction of the Police Department Building submitted by G. Webster Inc. in the amount of \$73,984.73. **Under the question:** Mr. Flick asked if the project was on schedule, and Mr. Jarrett stated that the trusses were scheduled to be placed the week of December 12 however that work was delayed due to weather. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to approve 2012 Shelter Agreement with Bradford County Humane Society in the amount of \$1,396.75. A motion was made by Mr. Osmun and seconded by Mr. Daly to approve 2012 Shelter Agreement with Bradford County Humane Society in the amount of \$1,396.75. **Under the question:** There were no questions or comments. **Roll Call** – Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to re-classify Barbara Sudol from per diem Administrative Assistant to Temporary Full-Time Administrative Assistant effective January 3, 2012 and continuing until June 15, 2012 at the 2012 pay rate of the Administrative Assistant. A motion was made by Mr. Cerutti and seconded by Mr. Daly to re-classify Barbara Sudol from per diem Administrative Assistant to Temporary Full-Time Administrative Assistant effective January 3, 2012 and continuing until June 15, 2012 at the 2012 pay rate of the Administrative Assistant. **Under the question:** Mr. Cerutti asked Mr. Jarrett to explain the reason for the change, and Mr. Jarrett stated that when Mrs. Gillette was hired, he encouraged her to pursue teaching opportunities, and a long term substitute position became available in the Sayre Area School District which could lead to a permanent full-time position. Mr. Jarrett stated he fully supports Mrs. Gillette's efforts to become a full-time teacher and thanked Mrs. Sudol for her willingness

to accept the additional responsibilities while Mrs. Gillette is teaching. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to adopt Resolution 2011 - 16 Authorizing & Empowering its local tax collector, Berkheimer, to impose and retain costs of collection on delinquent taxes. A motion was made by Mr. Hickey and seconded by Mr. Daly to adopt Resolution 2011 - 16 Authorizing & Empowering its local tax collector, Berkheimer, to impose and retain costs of collection on delinquent taxes.

Under the question: Mr. Jarrett explained that this action is required as part of the Borough's involvement with the Bradford County Earned Income Tax Commission. Mr. Farley asked that the contact information for Berkheimer be made available at the Borough Hall and the Sayre Public Library.

Roll Call - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to approve the temporary easement between the Borough of Sayre and Keystone Consulting & Associates, T&T Construction, and Thomas J. McLane Associates to conduct development related activities. A motion was made

by Mr. Flick and seconded by Mr. Osmun to approve the temporary easement between the Borough of Sayre and Keystone Consulting & Associates, T&T Construction, and Thomas J. McLane Associates to conduct development related activities. **Under the question:** Mr. Jarrett explained that easement was for the Borough's property located on Lamoka Road in Athens Township that the Borough Council had previously approved the sale of to the Central Bradford Progress Authority. Mr. Jarrett stated that the easement is necessary to allow the survey crew hired by Senior Healthcare Solutions to complete a comprehensive survey of the property prior to the purchase of the property. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Vote to reject the bid received from Hutchinson Construction in the amount of \$209,000 for the Borough Hall Roof project. A motion was made by Mr. Cerutti and seconded by Mr. Daly to reject the bid received from Hutchinson Construction in the amount of \$209,000 for the Borough Hall Roof project.

Under the question: Mr. Jarrett stated that emergency repairs will be made to the roof this month, but that the project must be re-evaluated in 2012. There were no objections. **Motion Carries.**

Vote to designate South Elmer Avenue between Hayden Street and West Packer Avenue as One Way between 8:30am and 12:00pm on Saturday, December 17, 2011 for the WATS/WAVR Christmas is For Kids Radio Broadcast. A motion was made by Mr. Cerutti and seconded by Mr. Flick Vote to designate South Elmer Avenue between Hayden Street and West Packer Avenue as One Way between 8:30am and 12:00pm on Saturday, December 17, 2011 for the WATS/WAVR Christmas is For Kids Radio Broadcast. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to authorize the Council President and Council Vice President to approve bills for the remainder of 2011. A motion was made by Mr. Hickey and seconded by Mr. Daly to authorize the Council President and Council Vice President to approve bills for the remainder of 2011. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to approve the request received from Howard Elmer Hose Company to reserve Riverfront Park June 23 and 24, 2012 for the organization's annual car show. A motion was made by Mr. Flick and seconded by Mr. Osmun to approve the request received from Howard Elmer Hose Company to reserve Riverfront Park June 23 and 24, 2012 for the organization's annual car show. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to re-appoint William Hickey to the Healthcare Facilities Authority of Sayre for a five (5) year term effective January 1, 2012. A motion was made by Mr. Flick and seconded by Mr. Daly to re-appoint William Hickey to the Healthcare Facilities Authority of Sayre for a five (5) year term effective January 1, 2012. **Under the question:** Mr. Farley stated that Mr. Hickey has served on the Authority for thirty years. *Mr. Hickey abstained from the vote.* **Motion Carries.**

Vote to appoint Richard Ault to fulfill the unexpired term of Eric Chase on the Healthcare Facilities Authority of Sayre Board. A motion was made by Mr. Osmun and seconded by Mr. Daly to appoint Richard Ault to fulfill the unexpired term of Eric Chase on the Healthcare Facilities Authority of Sayre Board. **Under the question:** Mr. Jarrett stated that the term will expire January 1, 2016. *Mr. Hickey abstained from the vote.* **Motion Carries.**

Vote to designate 300 Block of West Lockhart Street between Brock Street and Stedman Street as Residential Parking for a 90 day trial period and advertise an amendment to Chapter 168 - Section XII Residential Parking of the Borough Code to permanently designate that section of West Lockhart Street as residential parking only. A motion was made by Mr. Osmun and seconded by Mr. Daly to designate 300 Block of West Lockhart Street between Brock Street and Stedman Street as Residential Parking for a 90 day trial period and advertise an amendment to Chapter 168 - Section XII Residential Parking of the Borough Code to permanently designate that section of West Lockhart Street as residential parking only. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to authorize the Borough Manager to prepare and submit a complaint to the Pennsylvania Public Utility Commission opposing the request from Aqua PA for a rate increase. A motion was made by Mr. Cerutti and seconded by Mr. Osmun to authorize the Borough Manager to prepare and submit a complaint to the Pennsylvania Public Utility Commission opposing the request from Aqua PA for a rate increase. **Under the question:** There were no questions or comments. *Mr. Flick abstained from the vote.* **Motion Carries.**

Vote to designate the West side of South Lehigh Avenue between Hayden Street and the Municipal Parking Lot as Parking Prohibited At All Times for a ninety (90) day trial period and advertise an amendment to § 163-63.

Schedule X: Parking Prohibited at All Times. A motion was made by Mr. Daly and seconded by Mr. Hickey to designate the West side of South Lehigh Avenue between Hayden Street and the Municipal Parking Lot as Parking Prohibited At All Times for a ninety (90) day trial period and advertise an amendment to § 163-63. Schedule X: Parking Prohibited at All Times. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to authorize Keystone Consulting & Associates to apply to the Athens Township Zoning Hearing Board for a Conditional Use Variance and driveway permit for the Borough's property on Lamoka Road in Athens Township.

A motion was made by Mr. Flick and seconded by Mr. Osmun to authorize Keystone Consulting & Associates to apply to the Athens Township Zoning Hearing Board for a Conditional Use Variance and driveway permit for the Borough's property on Lamoka Road in Athens Township. Under the question: Mr. Jarrett explained why the action was necessary. There were no questions or comments. **Motion Carries.**

Vote to hire Don Bacon Construction to complete emergency repairs to the roof of the Borough Hall for a cost of \$5,500. A motion was made by Mr. Flick and seconded by Mr. Hickey to hire Don Bacon Construction to complete emergency repairs to the roof of the Borough Hall for a cost of \$5,500.

Under the question: There were no questions or comments. **Roll Call** - Mr. Daly, Mr. Flick, Mr. Hickey, Mr. Osmun, Mr. Cerutti, and Mr. Farley YES. **Motion Carries.**

Committee Reports - The following issues were discussed;

- ✚ Public Works Committee - Mr. Osmun stated that the issues discussed by the Committee have been addressed as agenda items and in the Manager's report.
- ✚ Administration Committee - Mr. Cerutti stated that the Committee will be evaluating the benefits of going to a monthly billing cycle for sewer and refuse fees next year.
- ✚ Police Committee - Mr. Hickey stated that the Police Department's coverage of South Waverly Borough continues to go well.
- ✚ Public Safety - Mr. Daly stated that the Committee hosted a Post Incident Review of the Borough's response during the September flooding and that the meeting was productive. Mr. Daly stated that he will continue to look into a resident notification system.
- ✚ Planning & Zoning - The Committee did not meet this month.

- Library - Mr. Farley announced that the Library's state funding has been released and thanked Representative Pickett for her assistance with the issue.
- Shade Tree Commission - There was nothing to report this month.

***Special Presentation** - Prior to adjourning the meeting, Mr. Farley and Mayor Thomas presented Certificates of Recognition to Mr. Daly for his 14 years of service on the Borough Council and to Attorney Jonathan Foster Sr. for his 35 years of service to the Borough as Solicitor.*

Adjourn - A motion was made by Mr. Daly and seconded by Mr. Osmun to adjourn the Council meeting at 6:50pm. There were no objections. **Motion Carries.**

Respectfully submitted,

David M Jarrett
Borough Manager/Secretary