

**Borough Council  
Minutes – August 22, 2013**

**Call to Order** – Mr. Farley called the meeting to order at 6:00pm and asked for a moment of silence in honor of Public Works Assistant Foreman Jim Rinus who passed away on August 8, 2013 following an extended illness. Mr. Flick offered the prayer and led the Pledge of Allegiance.

**Roll Call** – The following members of the Borough Council were present; Mr. Daly, Flick, Mrs. Howland, Mr. Osmun, Mr. Ceruitti, and Mr. Farley. Also present; David Jarrett, Borough Manager, Elizabeth Fice, Borough Finance Coordinator, Gilbert Crosset, Fire Chief, and Attorney Jonathan Foster, Sr., Borough Solicitor. Excused: Ms. Sabatura

**Approval of the Minutes** – The minutes of the July Regular Meeting were approved as presented. There were no objections.

**Citizens to be Heard** – **The following individuals addressed the Borough Council;**

- Chuck Bement, Executive Director of Greater Valley EMS, 904 North Lehigh Avenue addressed the Borough Council regarding the organization's request for \$8,138 to offset the purchase of a new compressor unit to fill air packs. Mr. Osmun asked if this was a one-time request, and Mr. Flick asked if other municipalities were also being asked to contribute to the cost of the new system. Mr. Bement explained that purchase was a one-time purchase and that he had met with Athens Borough Council earlier in the month and that they had approved the request. Mr. Osmun asked if it would be possible to review the organization's most recent financial audit, and Mr. Bement stated that he had previously provided a copy of the audit to the Borough in March with the organization's annual report but he could provide another copy.

Mayor Thomas suggested that representatives from Greater Valley EMS meet with the Borough's Administration Committee. *A motion was made by Mr. Flick and seconded by Mrs. Howland to table the vote to contribute \$8,138 for the purchase of the new air system.*

- Richard Kithcart, 120 Center Street addressed the Borough Council regarding the condition of the edge of Center Street and his driveway apron that he said was damaged by the Borough's snow plows during the winter. Mr. Jarrett explained the Borough offered to repair the driveway apron that was damaged, however the property owner objected to only repairing the portion of the apron that was damaged. Mr. Farley asked Mr. Jarrett to take another look at the condition of road and driveway and meet with the Public Works Committee to discuss the issue.
- Susan Alvino, 307 North Lehigh Avenue addressed the Borough Council regarding the proposed zoning change recommended by the Planning Commission and stated that she would like to see North Lehigh Avenue remain Light Commercial and that she stated her objection to the change to the Planning Commission. Mrs. Alvino stated that a joint workshop would be beneficial to resolve any outstanding issues, but that the issue should be tabled until the new Borough Council takes office in 2014. Mrs. Alvino also suggested that the Borough hire a professional planner and that the bickering between the Borough and Planning Commission should end.
- Ruth Barber, 402 South Elmer Avenue stated that the concerns of the citizens should be kept out of the newspaper. Mrs. Barber stated that she viewed the video of the alleged eavesdropping incident involving Jan Scott and Barbara Ault and that the Borough Council should have talked to them before going to the newspaper. Mrs. Barber further stated that Mrs. Scott and Mrs. Ault did not do anything wrong and that the video speaks for itself. Mrs. Barber asked what changes have been made to ensure that someone is not accused of eavesdropping again if the Borough Council goes into executive session. Mr. Farley explained that chairs have been provided in the small office area off the lobby and that people could go outside.

- Jan Scott, 204 Hayden Street addressed the Borough Council and explained that the review of the Light Commercial District began three (3) years ago and the Planning Commission has been waiting for one (1) year to meet with the Administration Committee to discuss the proposed changes to the District. Mrs. Scott stated that she attended the Administration Committee meeting earlier this month and that the discussion was positive about holding a joint meeting.
- Barbara Ault, 332 West Lockhart Street also stated that the review of the Light Commercial District has been going on for three (3) years and that a joint meeting between the Borough Council and the Planning Commission could resolve any outstanding issues.

**Finance Report** – There were no questions or comments, and the report will be filed for audit.

Mr. Flick stated that he thought the Borough had moved forward after the completion of the recent zoning changes and that he is fed up with the Planning Commission trying to make changes to the same zoning districts that were just changed. Mr. Flick made a motion to permanently table any further discussion regarding the change of the Light Commercial District to Neighborhood Services District and the motion was seconded by Mrs. Howland. **Under the question:** Mr. Osmun stated that the Borough Council should listen to the people and that taking this action could polarize the citizens. Mrs. Howland stated that the Borough Council had made concessions and that she had agreed to participate in a joint meeting but has since changed her mind after an email was sent by Mrs. Ault following the August Administration Committee meeting. Mr. Flick stated that the Borough Council had listened to concerns of the public through the public hearing process and that concerns raised by Mrs. Alvino, Mr. Lacey, Mr. & Mrs. Setzer, and Mr. Bazillia were all considered prior to the final vote of the zoning map change.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	✓	✓	✓			✓	✓
No				√			
Excused					√		

**Bills List** – A motion was made by Mrs. Howland and seconded by Mr. Daly to approve the bills list. Under the question: There were no questions or comments.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	✓	✓	✓	✓		✓	✓
No							
Excused					√		

**Correspondence Summary** - Mr. Farley stated that the Borough Council received a letter from the Sons of Italy requesting that Hayden Street be closed on August 25, 2013 for the organization’s annual picnic. *A motion was made by Mr. Osmun and seconded by Mrs. Howland to approve the request to close Hayden Street.* Under the question: There were no questions or comments.

**Appointed and Elected Officials Reports:**

- ❖ **Fire Chief** - Chief Crossett thanked the members of the Borough Council that attended dedication ceremony for the fire engine on August 10<sup>th</sup>. There were no questions or comments.
- ❖ **Police Chief** – There were no questions or comments.
- ❖ **Code Enforcement Officer** - Mr. Cerutti reviewed the July Code Report.
- ❖ **Valley Joint Sewer Authority** – Mr. Farley stated that the upgrade project continues to move forward although there have been some recent delays.
- ❖ **Borough Manager & CDBG Coordinator** - Mr. Jarrett provided an overview of the paving project and an update of the Borough’s ongoing projects. Mr. Jarrett stated that the Borough’s 2013 Community Development Block Grant allocation was announced and that a public hearing will be scheduled to develop a list of potential projects. Mr. Jarrett explained that the Borough Council discussed using CDBG funds for installation of handicap warning devices last year and that the cost of upgrading one intersection will cost as much as \$800. Mr. Jarrett stated that the Borough Council will need to meet in executive session to discuss the non-uniform contract.

- ❖ **Borough Solicitor** – Attorney Foster stated that after reviewing the Borough’s insurance loss runs, it is evident that sidewalk trip and falls are costing the Borough a substantial amount of money. Attorney Foster updated the Borough Council on the current trend in court decisions relating to LED signs and that court rulings are siding with property owners and allowing LED signs to be installed.
- ❖ **Mayor** - Mayor Thomas commended the Borough Council for their hard work this year and also commended Glenn O. Hawbaker on the recent paving project. Mayor Thomas explained that he visited the project site and was impressed with how well the paving crew works together and quality of their work. Mayor Thomas also stated that he is concerned with the number of tractor trailers coming through the downtown from the pipe yard on the eastside. Mayor Thomas stated that he would be meeting with officials from Fort Worth Pipe to discuss the issue. Mayor Thomas also asked about the status of the crosswalk repair at the intersection of Desmond and Packer. Mr. Farley explained that the Borough’s engineer is looking into options for repairing the crosswalk. Mayor Thomas asked to meet with the Borough Council in executive session to discuss a personnel issue regarding the Police Department.
- ❖ **Council President** - Mr. Farley announced that the September Council meeting will be held on Thursday, September 26, 2013 at 6:00pm.
- ❖ **Emergency Management** - Mr. Daly reported that the Borough will receive a grant for reimbursement of expenses made in 2012 related to Emergency Management.

**Vote to approve Change Order #1 submitted by Glenn O. Hawbaker of State College, PA in the amount of \$4,488.35 for additional paving and milling work on Chacona Lane.** A motion was made by Mr. Cerutti and seconded by Daly to approve Change Order #1 in the amount of \$4,488.35. **Under the question:** Mr. Jarrett explained that the Borough provided sweeping services to the contractor and will receive \$4,825.75.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	X	X	X	X		X	X
No							
Excused					X		

**Vote to advertise the Borough's 1993 KME fire engine for sale and set the minimum bid at \$45,000 as recommended by the Public Safety Committee.** A motion was made by Mr. Flick and seconded by Mr. Osmun to advertise the sale of the fire engine. **Under the question:** Mr. Osmun explained that the minimum bid was developed after reviewing comparable sales.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	X	X	X	X		X	X
No							
Excused					X		

**Vote to approve the request from Greater Valley EMS for \$8,138 for the purchase of a new cascade system that will be utilized to fill air packs for firefighters during emergency calls as recommended by the Public Safety Committee.**

**ACTION ON THIS ISSUE WAS PREVIOUSLY TABLED PENDING FURTHER DISCUSSION**

**Vote to approve the request from Tressa Welles to reserve Howard Elmer Park on October 12, 2013 from 12:00pm to 2:00pm for the annual Public Rosary Rally.** A motion was made by Mr. Flick and seconded by Mr. Daly to approved Ms. Welles' request. **Under the question:** There were no questions or comments.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Aye	X	X	X	X		X	X
Nay							
Excused					X		

**Vote to approve Pay Request #1 in the amount of \$40,244.94 submitted by Vacri Construction for work completed on the Hopkins/Woodworth Infrastructure Project.** A motion was made by Mr. Flick and seconded by Mr. Osmun to approve Pay Request #1 in the amount of \$40,244.94. **Under the question:** Mr. Jarrett explained that the project is behind schedule but the contractor is working very hard to get done as soon as possible.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	X	X	X	X		X	X
No							
Excused					X		

**Committee Reports:** The following reports were made to the Borough Council;

- Public Works - Mr. Flick reviewed the issues discussed by the Committee that were not agenda items at the Council meeting. Mr. Flick stated that improvements will be made to the North East Street pump station that include raising the electrical panel and emergency generator to prevent damage from future high water events.
- Public Safety – Mr. Osmun reviewed the issues discussed by the Committee and stated the Borough received a letter from Guthrie in response to the Borough’s proposal to make changes to Brock Street
- Code Enforcement – Mr. Cerutti reviewed the code report.
- Administration – Mr. Cerutti reviewed the issues discussed at the Committee meeting and explained that the Committee will not recommend reducing parking lot fees for downtown tenants. Mr. Cerutti also stated that the Committee is in the process of developing guidelines for façade grants .
- Library – Mrs. Howland explained that Kim Miller was hired as the new librarian replacing Susan Robinson who retired after serving as the Librarian for the past five years. Mrs. Howland also stated that the Library’s annual fund raiser will be held on September 19<sup>th</sup> .

**Recess** - Mr. Farley recessed the meeting at 6:57pm.

**Executive Session** – The Council went into executive session at 7:02pm to discuss a personnel issue regarding the police department and the non-uniform contract negotiation. The session ended at 7:44pm.

**A motion was made b y Mr. Osmun and seconded by Mr. Flick to post the Assistant Public Works Foreman position in accordance with non-uniform contract. Under the question: There were no questions or comments.**

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Aye	X	X	X	X		X	X
Nay							
Excused					X		

A motion was made by Mr. Flick and seconded by Mrs. Howland to authorize the Borough Manager to advertise for the position of Systems Operator for the Department of Public Works. Under the question: There were no questions or comments.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Aye	X	X	X	X		X	X
Nay							
Excused					X		

A motion was made by Mr. Flick and seconded by Mrs. Howland to approve the Non-Uniform Employee Contract with the Teamster Local 529 for the period of January 1, 2014 to December 31, 2017. Under the question: There were no questions or comments.

	Daly	Flick	Howland	Osmun	Sabatura	Cerutti	Farley
Yes	X	X	X	X		X	X
No							
Excused					X		

**Adjourn** – A motion was made by Mr. Daly and seconded by Mr. Osmun to adjourn the meeting at 7:46pm. There were no objections.

Respectfully submitted,

David M Jarrett  
Borough Manager/Secretary