

# **Borough Council**

## **Minutes – November 21, 2013**

**Call to Order** – Mr. Farley called the meeting to order at 6:00pm and Ms. Sabatura offered the pray and lead the Pledge of Allegiance.

**Roll Call** – The following members of the Borough Council were present; Maureen Howland, Eugene Osmun, JoAnn Sabatura, Eugene Cerutti, and Henry Farley. **Excused;** James Daly & Robert Flick. **Also present;** Mayor Denny Thomas, Elizabeth Fice, Finance Coordinator, Jonathan Foster, Sr., Solicitor, Gil Crosset, Fire Chief, and David Jarrett, Borough Manager.

**Approval of Minutes** – The minutes of the Regular Council Meeting on October 17, 2013 and the Special Council Meeting on November 4, 2013 were approved as presented without objection.

**Citizens to be Heard** – Rachel Highlands, 603 South Elmer Avenue addressed the Borough Council regarding the request from the Animal Care Sanctuary to use Riverfront Park for a fundraising event in May 2014. Mr. Jarrett stated that the Little League has priority use of the park during their baseball season which usually begins in May. Mr. Jarrett stated that he would confirm the starting date for the 2014 season and coordinate use of the park for the fundraiser.

**Finance Report** – There were no questions or comments and the report will be placed on file for audit.

**Bills List** – A motion was made by Mrs. Howland and seconded by Mr. Osmun to approve the bills list. Under the questions: There were none. Roll Call: Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.

**Correspondence Summary** – There were no questions or comments of the correspondence summary.

**Appointed and Elected Officials Reports:** The following reports were presented to the Borough Council;

- Fire Chief – Chief Crossett explained that repairs are scheduled for 12 Truck 1 (ladder truck) which include tightening of the bolts on the ladder platform and that the repairs will be completed by the manufacturer by mid-December.
- Police Chief – There were no questions or comments.

- Emergency Management – There were no questions or comments.
- Borough Manager – Mr. Jarrett provided an update on several projects including repairs to Center Street, Stevenson Street, and Franklin Street drainage improvements.
- Borough Solicitor – Mr. Foster reviewed issues on his report and asked Mr. Farley for a brief executive session following the meeting.
- Mayor – Mayor Thomas commented on meeting held with residents to review the proposed changes to the FEMA flood maps. Mayor Thomas commended the efforts of the Administration Committee on the 2014 budget, but stated he was concerned with the impact the increase of sewer fees will have on residents. Mayor Thomas congratulated Tim Shaw on his election to the Borough Council
- Council President – Mr. Farley updated the Borough Council on the status of the sewer plant's upgrade project and explained that completion date is July 2014.

**Vote to adopt Ordinance #902 establishing the 2014 millage rate at 10.37 mills.** A motion was made by Ms. Sabatura and seconded by Mr. Osmun to adopt Ordinance #902. Under the question: There were no questions or comments. Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.

**Vote to adopt Ordinance #903 establishing the 2014 sewer fees.** A motion was made by Mrs. Howland and seconded by Ms. Sabatura to adopt Ordinance #903. **Under the question:** There were no questions or comments. **Roll Call:** Mrs. Howland, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES. Mr. Osmun; NO. Mr. Daly and Mr. Flick; Excused.

**Vote to adopt the 2014 Budget as recommended by the Administration Committee.** A motion was made by Mrs. Howland and seconded by Mr. Cerutti to adopt the 2014 Budget. **Under the question:** Mr. Osmun asked if funds have been included for the cost of the Code Red program. Ms. Fice explained that funding has been included in the 2014 budget for the expense although Bradford County has agreed to pay the service fees for the municipalities. Ms. Fice stated the expense was budgeted to ensure the program is paid for. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Vote to accept the proposal submitted by EFP Rotenberg, Elmira, NY for auditing services as recommended by the Administration Committee.** A motion was made Mrs. Howland and seconded by Mr. Cerutti to accept the proposal submitted by EFP Rotenberg, Elmira, NY for auditing services. Under the question: Mr. Cerutti clarified that the cost of the Borough's audit will be \$16,500 and the cost of the Library's audit will be \$4,000. Mr. Cerutti stated that he would like the auditor to provide a presentation to the Borough Council after the audit has been completed. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Vote to approve the proposal submitted by DataPrint LLC to process the Borough's quarterly sewer invoices and newsletter as recommended by the Administration Committee.** A motion was made by Mr. Osmun and seconded by Ms. Sabatura to approve the proposal submitted by DataPrint LLC to process the Borough's quarterly sewer invoices and newsletter. **Under the question:** Mr. Cerutti stated that the quarterly cost for the processing will be approximately \$1,499.44, and Ms. Sabatura stated that increased regulations by the Postal Service is making it more difficult for the Borough to efficiently process the quarterly bills, and Mr. Osmun stated that he thought the outsourcing of the bill processing is a good idea. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Vote to hire Stiffler, McGraw & Associates to complete a study of the roof on Borough Hall.** A motion was made by Mr. Osmun and seconded by Mrs. Howland to hire Stiffler, McGraw & Associates to complete a study of the Borough Hall roof. **Under the question:** Mr. Jarrett explained that the study is necessary to determine the scope of work for the full roof project. The cost of the study will not exceed \$4,500. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Vote to approve 2014 Shelter Agreement with Bradford County Humane Society in the amount of \$1,396.75.** A motion was made by Mr. Osmun and seconded by Mrs. Howland to approve 2014 Shelter Agreement with Bradford County Humane Society. **Under the question:** Mr. Jarrett explained that the Humane Society accepts all stray animals under the agreement. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Vote to adopt Resolution 2013 - 11 authorizing the extension of the Borough's Line of Credit with First Citizens Community Bank for a period not to exceed 12 months.** A motion was made by Mr. Osmun and seconded by Mr. Cerutti to adopt Resolution 2013 – 11. **Under the question:** Mr. Jarrett explained that extending the line of credit enables the Borough to have access to funding if necessary to fund projects. Mr. Jarrett stated that if the line of credit is not extended, and funds are needed for a future project, the cost associated with acquiring a new line of credit would be much higher than the cost of extending the current line of credit. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to adopt Resolution 2013 - 12 establishing Fair Housing Standards to be enforced in the Borough.** A motion was made by Mr. Cerutti and seconded by Mr. Osmun to adopt Resolution 2013-12. **Under the question:** Mr. Jarrett explained that the Resolution is a requirement of the Borough's 2013 CDBG application. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to extend the 90 trial period prohibiting parking on Toolan Lane, Frank Street, and South Hopkins Street for an additional 90 days effective November 21, 2013 as recommended by the Public Safety Committee.** A motion was made by Ms. Sabatura and seconded by Mrs. Howland to extend the 90 trial period prohibiting parking on Toolan Lane, Frank Street, and South Hopkins Street for an additional 90 days effective November 21, 2013. **Under the question:** Mr. Jarrett explained that the initial trial period worked well and that extending the trial period will enable the Borough to advertise and adopt one ordinance amendment. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to conduct a 90 day trial period prohibiting parking on the West side of North Hopkins Street between West Lockhart Street and Stevenson Street effective December 1, 2013 as recommended by the Public Safety Committee.** A motion was made by Mr. Osmun and seconded by Mrs. Howland to conduct a 90 day trial period prohibiting parking on the West side of North Hopkins Street between West Lockhart Street and Stevenson Street effective December 1, 2013. **Under the question:** Mr. Osmun asked if the homes on West side of the street have driveways and that parking on both sides of the street make it difficult to get down the street. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to conduct a 90 day trial period prohibiting parking on the South side of Holly Street effective December 1, 2013 as recommended by the Public Safety Committee.** A motion was made Mr. Osmun and seconded by Mrs. Howland to conduct a 90 day trial period prohibiting parking on the South side of Holly Street effective December 1, 2013. **Under the question:** Mr. Farley stated that the properties on the South side of the street have off-street parking. Mr. Osmun asked if residents will be notified of the parking change, and Mr. Jarrett stated that residents on all streets will be notified. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to designate parking around Howard Elmer Park for event participants between 7:00am and 12:00pm and authorize the closure of South Elmer Avenue between West Packer Avenue and the Athens Borough Line and Park Place in conjunction with the 9<sup>th</sup> Annual Turkey Trot on Thursday, November 28<sup>th</sup>.** A motion was made by Mrs. Howland and seconded by Mr. Cerutti to designate parking around Howard Elmer for Turkey Trot participants. **Under the question:** There were none. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to authorize the Borough Manager to solicit bids for the sale of one (1) 1999 Dodge Ram truck, one (1) 2007 Dodge Charger sedan, and one 1993 KME Fire Engine.** A motion was made by Mrs. Howland and seconded by Mr. Cerutti to authorize the Borough Manager to solicit bids for the sale of the vehicles. **Under the question:** Mr. Jarrett explained which vehicles are being sold and that the minimum bid for the fire truck will be \$45,000. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to approve the request from the Sayre Christmas Parade Committee to prohibit parking along the parade route, the closure of streets, and granting sole soliciting and vending rights to Committee.** A motion was made by Mr. Cerutti and seconded by Mrs. Howland to approve the request. **Under the question:** There were no questions or comments. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to require a non-refundable fee of \$50.00 for use of Howard Elmer Park, Howard Elmer Park Bandstand, and Riverfront Park as recommended by the Administration Committee.** A motion was made by Mr. Cerutti and seconded by Mr. Osmun to require a non-refundable fee of \$50.00 for use of Howard Elmer Park, Howard Elmer Park Bandstand, and Riverfront Park. **Under the question:** Mr. Jarrett explained that reason for the fee and that the Animal Sanctuary would be exempt from the fee for their event in May due to the fact that the organization's request was submitted and approved prior to this vote. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYE. Mr. Daly and Mr. Flick; Excused.**

**Vote to approve Pay Request #2 in the amount of \$161,436.20 submitted by Contour Construction Group of Binghamton, New York for work completed in conjunction with the Hopkins/Woodworth Infrastructure Project.** A motion was made by Mr. Osmun and seconded by Mr. Cerutti to approve Pay Request #2 submitted by Contour Construction Group. **Under the question:** Mr. Jarrett explained that one more pay request will be submitted for the value of the retainer being held on the project. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

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

- **Administration - Mr. Cerutti reviewed the issues discussed at the Committee's November meeting.**
- **Public Works – Mr. Jarrett stated that the issues discussed by the Committee at their meeting were addressed as agenda items.**
- **Public Safety – Mr. Osmun reviewed the issues discussed at the Committee's November meeting.**
- **Library – Mrs. Howland stated that the Library Board hired a Children's Librarian and that the individual will begin work on December 5<sup>th</sup>.**

**Public Comments** – Mr. Farley asked if there were any comments regarding the issues addressed during the Council meeting. There were none.

**Recess – Mr. Farley recessed the meeting at 6:52pm.**

**Executive Session-** The Borough Council went into executive session at 6:58pm to discuss a personnel issue. The executive session ended at 8:03pm.

**Employee Issue** - A motion was made Mr. Osmun and seconded by Mrs. Howland to authorize the Borough Solicitor and Borough Manager to negotiate a severance package to conclude employment or disciplinary action steps for an employee in the Public Works Department. **Under the question:** There were no questions or comments. **Roll Call: Mrs. Howland, Ms. Sabatura, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Mr. Daly and Mr. Flick; Excused.**

**Adjourn** – A motion was made by Mr. Osmun and seconded by Mrs. Howland to adjourn the meeting at 8:05pm without objection.

Respectfully submitted,

David M. Jarrett  
Borough Manager/Secretary