

Borough Council Minutes – June 19, 2014

Call to Order – Mr. Farley called the meeting to order at 6:00pm and asked anyone who is recording the meeting to identify that they are doing so. The following individuals indicated that they are taping the meeting; Ronald Cole, WATS/WAVR; Warren Howeler, The Morning Times; and Jan Scott, 204 Hayden Street.

Mr. Daly offered the meeting prayer and led the Pledge of Allegiance.

Roll Call – The following members of the Borough Council were present; James Daly, Robert Flick, Eugene Osmun, JoAnn Sabatura, Timothy Shaw, Eugene Cerutti, and Henry Farley. **Also present;** Attorney Jonathan Foster, Sr.; Elizabeth Fice, Borough Finance Coordinator; Robert Repasky, Fire Chief; Gil Crossett, 2nd Assistant Fire Chief; Christopher Kaiden, Code Enforcement Director; Blane Lathrop, DPW Foreman; Sgt. Daniel Reynolds, Police Department Administrator; and David Jarrett, Borough Manager.

Approval of Minutes – The minutes of the May Borough Council meeting were approved as presented.

Citizens To Be Heard – The following citizens addressed the Borough Council;

- ❖ David Amey, 109 Woodworth Street addressed the Borough Council regarding the number of non-resident vehicles parking on Woodworth Street which make it difficult to for residents to park on the street. Mr. Farley asked the Public Safety Committee to discuss the issue at their meeting in July.
- ❖ Clark Rodgers, 4211 Litchfield Road, Litchfield Township addressed the Borough Council regarding the hiring of the new Police Chief. Mr. Farley advised Mr. Rodgers that his comments pertained to a personnel issue and could not be discussed during the open meeting. Mr. Farley invited Mr. Rodgers to meet with the Borough Council in executive session if he wanted to discuss his issue.
- ❖ Jamie Rosenberger, 3203 Sunnyfield Drive, Athens Township addressed the Borough Council regarding the hiring of the new Police Chief. Mr. Farley also advised Mr. Rosenberger that his comments pertained to a personnel issue and could not be discussed during the open meeting. Mr. Farley invited Mr. Rosenberger to meet with the Borough Council in executive session if he wanted to discuss his issue.
- ❖ Eve Marie Gilbert addressed the Borough Council regarding the recent Pound the Ground for Ultrasound 5K and 10K event and asked for permission to host the event again in 2015. Mr. Farley explained that the Borough Council limited the number of events to four and advised Ms. Gilbert to submit a letter of interest to the Borough Council in January.

Citizens To Be Heard – continued

- ❖ Derek Watkins, 124 Cedar Street addressed the Borough Council on behalf of members of the Sayre Police Department in attendance at the meeting (Officers Eric Kier, Steven Burlingame, Bruce Hoffman, Nathan Ross) and other officers who would have liked to attend the meeting but were unable to be at the meeting due to their work schedule in support of promoting Sgt. Daniel Reynolds to the position of Police Chief. Mr. Farley thanked Officer Watkins for his comments and thanked the officers for attending the meeting.
- ❖ Sam Vandermark, 612 South Elmer Avenue introduced himself to the Borough Council and stated that he is working toward a merit badge that requires him to attend a Borough Council meeting. Mr. Farley thanked Mr. Vandermark for attending the meeting and wished him luck on his efforts to earn his merit badge.

Correspondence Report – There were no questions or comments.

Finance Report – There were no questions or comments of the April 30th or May 31st finance report and the documents will be placed on file for audit.

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

Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

Committee Reports – The following reports were presented to the Borough Council;

- ❖ Public Works Committee - Mr. Flick reviewed the issues discussed at the Committee's June meeting and explained that the scope of work for the paving project is under review.
- ❖ Public Safety Committee – Mr. Daly reviewed the issues discussed at the Committee's June meeting and explained that Sgt. Reynolds and Mr. Lake met with a sales representative for a electronic ticket writing device. Mr. Daly stated that a recommendation will be made by the Committee in July.
- ❖ Administration Committee – Mr. Cerutti reviewed the issues discussed at the Committee's June meeting including the hiring policy, social media policy, and boot policy.
- ❖ Planning Commission – Mr. Daly explained that he and other members of the Commission participated in webinar earlier this month.
- ❖ Police Chief Selection Committee – Mr. Farley explained that the Committee met last week and will discuss the Committee's recommendation in executive session.
- ❖ Library Board – Mr. Farley explained that Library will be hosting a summer reading program.

Elected & Appointed Official Reports

- ❖ Police Chief – There were no questions or comments.
- ❖ Borough Manager – Mr. Jarrett explained that the Summer Concert Series will begin on June 25 and continue through August 27th. Mr. Jarrett also reported that projects are moving forward, but an extension will be needed for the Cayuta Creek project.
- ❖ Code Enforcement – Mr. Cerutti explained that more than 250 sidewalk violation letters were sent during the month.
- ❖ Fire Chief – Chief Repasky explained that he sent a letter to Trehab regarding the fire alarm system at the Wilbur Building and the Lockhart Building. A copy of the letter was included in the meeting distribution packet. Chief Repasky also reported that the aerial truck was back in service.
- ❖ Valley Joint Sewer Authority – Mr. Farley stated that the project continues to move forward and is expected to be completed in September.
- ❖ Emergency Management – Mr. Daly explained that he asked the County EMA office to consider allowing the activation of the Code Red alert system to be done locally and stated the reasons why he made the request. Mr. Daly also stated that he participated in webinar with the National Weather Service earlier this month.
- ❖ Borough Solicitor - Attorney Foster stated that he has been working on several issues including property maintenance violations, Avery Dennison tax re-assessment; and the Amato Liquor License transfer request. Attorney Foster stated that there has not been a response to the liquor license conditional approval.
- ❖ President – Mr. Farley asked the public for letters of interest for the position of Zoning Hearing Board Alternate. The deadline to submit a letter of interest is July 7, 2014 at 5:00pm.

Vote to approve the purchase of 2,000 yard waste containers and 2,000 curbside containers from T.M. Fitzgerald of Havertown, Pennsylvania in the amount of \$43,440 as recommended by the Public Works Committee. A motion was made by Mr. Shaw and seconded by Mr. Flick to purchase the containers. **Under the question:** Ms. Sabatura asked if the containers would be the same color as the last ones purchased, and Mr. Jarrett stated that the containers would be a different color to differentiate between the new containers and the older containers. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Vote to approve the bid submitted by J&D Ward Contracting in the amount of \$5,150.00 for concrete work in the North Parking Lot as recommended by the Public Works Committee. A motion was made by Mr. Shaw and seconded by Mr. Flick to approve the bid submitted by J&D Ward Contracting. Under the question: Mr. Jarrett explained that the scope of work will be the area between the curbing and blacktop. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Vote to authorize the transfer of \$4,000 from line item 430.7200 to line item 435.5100 for the Residential Sidewalk grant program as recommended by the Administration Committee. A motion was made by Mr. Osmun and seconded by Mr. Cerutti to approve the transfer of the funds. **Under the question:** Ms. Sabatura asked what line item the funds will be taken from. Mr. Jarrett stated that the line item is for maintenance of Borough owned sidewalks and that the remaining balance is sufficient for any repairs needed this year. Ms. Sabatura also asked if the money will be distributed on a first come first serve basis, and Mr. Jarrett stated that it would. Mr. Shaw asked if property owners would be given a break since there is a lack of grant funding. Mr. Jarrett explained that several of the violations have existed for more than a year and the increase in violations is due to aggressive enforcement. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Vote to authorize the transfer of \$2,000 from line item 454.3710 to line item 435.5100 for the Residential Sidewalk grant program as recommended by the Administration Committee. A motion as made by Mr. Shaw and seconded by Mr. Cerutti to approve the transfer of the funds. **Under the question:** Ms. Sabatura asked what line item the funds were coming from. Mr. Jarrett explained it was the line item for tree maintenance. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Vote to approve the recommendation of the Administration Committee to host this year's fireworks display and purchase any additional insurance required by the Borough's insurance carrier. A motion was made by Mr. Shaw and seconded by Mr. Daly to approve the Administration Committee's recommendation. **Under the question:** Mr. Farley stated that costs associated with the fireworks display will be covered by donations but the Borough may be required to provide initial funding and will be reimbursed. Ms. Sabatura stated that she is concerned with providing a "blank check" for the event, and Mr. Osmun stated that he did not think funding the fireworks is an appropriate use of taxpayer money. Mr. Jarrett stated that he is confident that enough donations will be received to 100% fund the fireworks. ***A second motion was made by Mr. Osmun and seconded by Ms. Sabatura to require that the fireworks show be contingent upon receiving enough donations to cover the cost.*** **Roll Call: Mr. Osmun and Ms. Sabatura; YES. Mr. Daly, Mr. Flick, Mr. Shaw, Mr. Cerutti, and Mr. Farley; NO.**

Roll Call Vote on Original Motion: Mr. Daly, Mr. Flick, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES. Mr. Osmun and Ms. Sabatura; NO.

Vote to adopt Resolution 2014 – 09 establishing a Hiring Policy & Procedure for all Borough employees as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Mr. Daly to adopt Resolution 2014-09. **Under the question:** There were no questions or comments. **Ayes – 7 & Nays – 0; Motion Carries.**

Vote to adopt Resolution 2014-10 establishing a Social Media Policy for Borough employees and officials as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Mr. Daly to adopt Resolution 2014-10. **Under the question:** Ms. Sabatura asked why the policy is needed. Attorney Foster explained that the policy is necessary so that the Borough can properly manage information released to the public. Ms. Sabatura asked if the policy would prohibit someone from posting a video on the internet. Mr. Farley stated that a video can be posted on the internet if it is requested under the Freedom of Information Act. Attorney Foster also stated that the public does not have a right to privacy when they enter a public building. Mr. Jarrett stated that information was being posted on Facebook during the 2011 flood that required the Borough's EOC to respond to numerous rumors that were spread during the flood. **Ayes – 6 / Nays – 1 Motion Carries.**

Vote to authorize the Borough Manager to begin the application process for the position of Full-Time Administration Office Coordinator as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Mr. Daly to begin the application process for the Office Coordinator position. **Under the question:** Ms. Sabatura asked if the position would be advertised in the newspaper. Mr. Jarrett explained that the position would be posted in house for seven days as outlined by the policy previously approved, and if a suitable candidate is not selected, the position would then be advertised in the newspaper. **Ayes – 6 / Nays – 1 Motion Carries.**

Vote to authorize the Borough Solicitor to advertise an amendment to the vehicle and traffic ordinance permitting the Borough to tow and boot vehicles as recommended by the Administration Committee. A motion was made by Mr. Shaw and seconded by Mr. Daly to advertise the ordinance amendment. **Under the question:** Ms. Sabatura asked for a clarification of the boot process. Attorney Foster explained the process and Mr. Farley stated that chronic abusers will be booted. Attorney Foster stated that he would amend the draft ordinance to clarify when the vehicle will be ticketed and how long a violator has to pay their tickets. Mr. Shaw agreed to amend his motion and Mr. Daly seconded the amendment of the motion. **Ayes – 7 / Nays – 0 Motion Carries.**

Vote to extend the 90 day trial period prohibiting parking on Toolan Lane, Frank Street, South Hopkins Street, North Hopkins Street, and Holly Street for an additional 90 days effective June 20, 2014. A motion was made by Mr. Osmun and seconded by Mr. Daly. **Under the question:** There were no questions or comments. **Ayes – 7 / Nays – 0 Motion Carries.**

Vote to authorize the Borough Solicitor to advertise an amendment to the vehicle and traffic ordinance to prohibit parking on Toolan Lane, Frank Street, South Hopkins Street, North Hopkins Street, and Holly Street. *Mr. Jarrett asked that this agenda item be tabled until it can be reviewed further by the Public Safety Committee. There were no objections.*

Recess – Mr. Farley recessed the meeting at 7:08pm prior to going into executive session.

Executive Session – The Borough Council went into executive session at 7:13pm to discuss a personnel issue. The executive session ended at 8:19pm.

Vote to Hire Police Chief - A motion was made by Mr. Daly and seconded by Mr. Osmun to promote Sgt. Daniel Reynolds to Police Chief at a salary of \$59,000 effective July 1, 2014 as recommended by the Police Chief Selection Committee. **Under the question:** There were no questions or comments. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

David M Jarrett
Borough Manager/Secretary