

**Sayre Borough Council  
Minutes – November 18, 2014**

**Call to Order** – Mr. Farley called the meeting to order at 6:00pm and asked members of the audience who were audio recording the meeting to identify that they were doing so. Ron Cole, WATS/WAVER; Warren Howeler, Morning Times; Jan Scott of Hayden Street, and James Daly, Borough Council each indicated that they were recording the meeting.

**Pledge of Allegiance & Meeting Prayer** – Mr. Shaw 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; Elizabeth Fice, Borough Finance Coordinator, Jonathan Foster, Borough Solicitor, Christopher Kaiden, Code Enforcement Director, Robert Repasky, Fire Chief, Daniel Reynolds, Police Chief (excused at 6:30pm), and David Jarrett, Borough Manager.

**Approval of Minutes** – A motion was made by Mr. Osmun and seconded by Mr. Daly to approve the minutes of the October 16, 2014 Borough Council meeting and the November 4, 2014 with the spelling correction of Mr. Osmun's name in the minutes of the October 16<sup>th</sup> meeting.

**Citizens To Be Heard** – The following citizens addressed the Borough Council regarding parking issues and notices of violation issued by the Code Enforcement Officer;

- Karen Sykas of 508 Powell Street asked if it permissible to allow someone working in the Borough to park in her driveway during the day. Mr. Farley referred the question to Mr. Kaiden who stated that if you did it for one property, you would have to do it for all properties.
- Joseph Barry, 816 North Wilbur Avenue asked if the Borough's interpretation of the Ordinance was reviewed legally, and Attorney Foster stated that the Borough's interpretation of the Ordinance was upheld by the Zoning Hearing Board in regards to the Scott and Desisti parking cases.
- Margaret Barry, 816 North Wilbur Avenue stated that she believed that allowing individuals to park in parking lots and driveways is

beneficial because it reduces the number of vehicles parked on the street. Mrs. Barry stated that the Borough is targeting people and that the entire issue is ridiculous. Mrs. Barry went on to say that because of this issue, she will not attend the Christmas Parade, support the fireworks display, or shop in downtown Sayre.

- Dean Fauver, Deacon of First Baptist Church addressed the letter he received from the Code Enforcement Officer. Mr. Fauver stated that after he received the letter, he advised the individuals parking on the property to stop and they did so, and then he received a certified letter and did not understand why he was sent a letter after the issue was resolved. Mr. Kaiden explained that the vehicles did initially stop parking there, however on a subsequent inspection, a vehicle was parked on the property which is why the second letter was sent.
- David Romig, 659 Stevenson Street stated that area behind the Baptist church has been parking lot since the 1800's and that maybe it is time to change the ordinance.
- Joseph Barry, 816 North Wilbur Avenue asked why it was permissible for the Elks Club and the Borough to operate parking lots. Attorney Foster explained that both parking lots are located in the downtown commercial district where parking lots are a permitted use.
- Jan Scott, 204 Hayden Street stated that she has asked for the name of the person that filed the complaint against her but no one will tell her. Mrs. Scott stated that she did not appeal the Zoning Hearing Board decision regarding her issue, and that other people are being harmed by this issue and it is time to change the zoning ordinance.

Mr. Farley asked Mr. Daly to have the Planning Commission to hold meetings to review the issue and to get comments from the public.

**Correspondence Report** – Ms. Sabatura asked about the administration fees charged by Univest to manage the Borough's pension funds. Ms. Fice explained that the fees are based on a percentage of the return on investments.

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

**Approval of Bills List** - A motion was made by Mr. Shaw and seconded by Mr. Cerutti to approve the bills list. Under the question: Mr. Jarrett clarified that the Valley Energy bill was actually \$506.00 for each meter and not \$506,506.00. **Roll Call: Mr. Daly, Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES. Mr. Osmun; NO.**

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

- Public Works Committee – Mr. Flick reviewed the issues discussed by the Committee including job posting for operator position; leaf collection, container distribution, and the purchase of new refuse truck.
- Public Safety Committee – Mr. Daly reviewed the issues discussed by the Committee including the hiring of a new per diem patrol officer. Chief Reynolds introduced Thomas Zebrowski who is being recommended by him and the Public Safety Committee for the per diem patrol officer position.
- Administration Committee – Mr. Cerutti reviewed the issues discussed by the Committee including the 2015 budget, the creation of the LERTA Ordinance, proposed changes to the Light Commercial Zoning Ordinance, the façade grant program, 2013 audit, donation to the County Veteran’s Memorial Project, and the legal costs associates with numerous Right To Know Requests. Mr. Osmun asked if the proposed amendment to the Light Commercial Zoning District would impact the appeal filed by John Amato regarding seating at his sandwich restaurant. Attorney Foster explained that seating will be determined by the number of available parking spaces and stated that if Mr. Amato has five (5) parking spaces available, he would be allowed fifteen (15) seats. Mr. Osmun and Ms. Sabatura asked about the Façade Grant Program. Mr. Cerutti explained that the three businesses that would be awarded grant funds moved forward with their project because they could not wait for the Borough to move the program forward.
- Code Enforcement Agency – Mr. Cerutti stated that the Agency Board met earlier in the day and reviewed the monthly Code Officer’s report.

- Planning Commission – Mr. Daly explained that the Commission met with development representatives who provided preliminary information about the possible construction of a Dunkin Donuts at the corner of West Lockhart Street and Keystone Avenue. Mr. Daly stated that the developers will officially meet with the Commission to present their final plans. Mr. Daly also stated that he believed it was beneficial for the Commission to meet with potential developers to hear about their preliminary plans so that process could move forward when they meet to review the final plans.

Mr. Daly stated that the Commission's review of the revisions to the Act 13 ordinance continues and that Attorney Jonathan Foster Jr. is working with the Commission.

Mr. Daly stated that the Commission could meet as soon as December 9<sup>th</sup> to discuss parking issues and that it might be beneficial to meet with area churches first.

- Library Board – Maureen Howland reported that the Library's annual fund drive is currently underway and that letters have been sent to the Library's patrons. Mrs. Howland explained that patron use is increasing and that the new Children's Librarian is doing a good job. The Library's annual Wine & Cheese fundraiser will be held in the spring.

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

✚ Police Chief – There were no questions.

✚ Borough Manager – Mr. Jarrett reviewed the projects outlined in his report and provided an update on the Christmas Parade. Mr. Jarrett also commended the Borough Council for their hard work during the year and commitment to providing financial support to businesses in the Borough.

✚ Code Enforcement – Mr. Cerutti explained that the Code Agency Board is discussing revisions to the small project fees and proposed changes to the fee schedule will be forwarded to the Borough Council in December.

✚ Fire Chief – There were no questions.

- ✚ Valley Joint Sewer Authority – Mr. Farley stated that Authority will refinance the project loan which will result in a projected savings of \$1.6 million dollars and the loan will be repaid sooner than expected.
- ✚ Emergency Management – Mr. Daly explained that he participated in a mass casualty exercise at Guthrie and that the Police Department also participated in the exercise. Mr. Daly stated that he is participating in other exercises with Guthrie that address the medical response to the Ebola virus and participating in the SKYWARN weather reporting program.
- ✚ Borough Solicitor - Attorney Foster reviewed the proposed ordinance amendment to the Light Commercial District and asked for a brief executive session to discuss a personnel issue.
- ✚ Mayor's Report – Mayor Thomas did not attend the Council meeting.
- ✚ Council President's Report – Mr. Farley announced that the Borough received a subdivision application that was submitted by Dennis Zimmer for his property on Cedar Street. Mr. Farley explained that the application will be forwarded to the Bradford County Planning Development Office for review and comment because the Borough does not have its own subdivision ordinance. Mr. Farley congratulated Mr. Flick on the recent birth of his grandson.

**Vote to approve the 2015 Borough budget as recommended by the Administration Committee** - A motion was made by Mr. Daly and seconded by Mr. Flick to approve the 2015 budget. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to adopt Ordinance 911** - A motion was made by Mr. Daly and seconded by Mr. Flick to adopt Ordinance 911 establishing the Borough's 2015 tax rate. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to advertise an amendment to the Light Commercial Zoning District pertaining to the number of seats allowed in a business located within the Light Commercial Zoning District as recommended by the Planning Commission** - A motion was made by Mr. Daly and seconded by Mr. Cerutti to advertise the zoning amendment. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.**

**Vote to advertise an Ordinance to create a Local Economic Revitalization Tax Assistance Program (LERTA) in the Borough as recommended by the Administration Committee** - A motion was made by Mr. Flick and seconded by Mr. Daly to advertise the Ordinance. **Under the question:** Ms. Sabatura asked about the eligibility qualifications for the program. Mr. Foster explained that commercial and industrial properties would be eligible for tax assistance for the value of renovations to their properties. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley: AYE. Ms. Sabatura: NAY.**

**Vote to authorize the purchase of a new Mack Refuse Truck from Beam Mack of Elmira, New York through the Commonwealth of Pennsylvania's Cooperative Purchasing Program as recommended by the Public Works Committee** - A motion was made by Mr. Flick and seconded by Mr. Daly to authorize the purchase. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to reject all bids for the sale of four (4) used vehicles** – A motion was made by Mr. Osmun and seconded by Mr. Daly to reject all bids for the sale of the four (4) used vehicles and re-advertise the vehicles for sale. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to provide matching grant funds up to \$5,000 to three businesses that have completed façade improvements in accordance with program guidelines as recommended by the Administration Committee.** A motion was made by Mr. Shaw and seconded by Mr. Flick to award the grant funds. **Under the question:** Ms. Sabatura asked these properties have already completed the work. Mr. Jarrett explained that Landy & Landy constructed a new porch on their building, HL Stephens Furniture replaced a large window, and Jeff Paul rebuilt the front of their building that houses Empire Access Cable office. Mr. Jarrett stated that the delay in the implementation of the grant program forced these property owners to move forward with their projects. UDAG funds will be used to fund the grants. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to designate the 200 block of Madison Street as Residential Permit Parking for a 90 day trial period as recommended by the Public Safety Committee.** A motion was made by Mr. Daly and seconded by Ms. Sabatura to designate the 200 block of Madison Street as Residential Permit Parking for a 90 day trial period. **Under the question:** Mr. Shaw asked if the 90 day trial period was only for Madison Street and Mr. Jarrett stated that was the Committee's recommendation. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE. Mr. Shaw; NAY.**

**Vote to table the decision on donating funds to the County Veteran's Memorial Park Project until additional information regarding cooperation from other County municipalities is received as recommended by the Administration Committee.** A motion was made by Mr. Cerutti and seconded by Mr. Daly to table the decision on the donation of funds. **Under the question:** Ms. Sabatura asked what the issue was with the donation, and Mr. Cerutti explained that he had asked for additional information regarding the amount of funds donated and that only a small number of municipalities have contributed to the project. Mr. Cerutti stated that the issue will be reviewed after the additional information is provided. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to appoint a member of the Borough Council to the Futurescapes Board.** A motion was made by Mr. Shaw and seconded by Mr. Flick to appoint James Daly as the Borough's representative on the Board. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE. Ms. Sabatura; NAY.**

**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 the Committee.** A motion was made by Ms. Sabatura and seconded by Mr. Daly to approve the request. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

**Vote to designate parking around Howard Elmer Park for event participants between 8:00am and 12:00pm and authorize the closure of South Elmer Avenue between West Packer Avenue and Hayden Street, and Park Place in conjunction with the 2014 Turkey Trot on Thursday, November 27, 2014.** A motion was made by Ms. Sabatura and seconded by Mr. Daly to

designate parking and approve the closure of the streets. **Under the question:** Mr. Jarrett stated that it may be necessary to close additional streets for the event. Ms. Sabatura asked that the media be informed of the street closures. **Roll Call:** Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

**Vote to approve the request submitted by Howard Elmer Hose Company to reserve Riverfront Park for the organization's 2015 Car Show.** A motion was made by Mr. Flick and seconded by Mr. Osmun to approve the request. **Under the question:** Mr. Jarrett explained that the car show is held on the last Sunday in June. **Roll Call:** Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

**Vote to approve Change Order #1 submitted by Glenn O. Hawbaker Inc. in the amount \$19,073.36 for additional work completed as part of the 2014 Paving Project.** A motion was made by Mr. Flick and seconded by Mr. Daly to approve the change order. **Under the question:** Mr. Jarrett explained that the additional work was on West Packer Avenue by Howard Elmer Park and Desmond Street. **Roll Call:** Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

**Vote to extend an offer of employment to Thomas Zebrowski for the position of Per Diem Patrol Officer pending successful completion of all required clearances as recommended by the Public Safety Committee.** A motion was made by Mr. Flick and seconded by Mr. Daly to extend an offer of employment to Thomas Zebrowski. **Under the question:** Mr. Zebrowski attended the meeting and introduced himself to the Borough Council. **Roll Call:** Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

**Citizen Questions** – Mr. Farley asked if there were any questions about the issues that the Borough Council had taken action on.

- Janice Gardner, 103 Park Place asked Mr. Jarrett about the Cayuta Creek Project. Mr. Jarrett explained that the project has been stalled for a variety of reasons and that it may be necessary to apply for another 6 month extension to complete the project.

**Recess** – Mr. Farley recessed the meeting at 7:35pm prior to going into executive session to discuss a personnel issue.

**Executive Session** – The Borough Council went into executive session at 7:48am to discuss a personnel issue and the session ended at 8:33pm.

**Adjourn** – A motion was made by Mr. Osmun and seconded by Mr. Daly to adjourn the meeting at 8:33pm. There were no objections.

Respectfully submitted,

David M Jarrett  
Borough Manager/Secretary