

Sayre Borough Council Minutes – June 18, 2015

Call to Order – Mr. Farley called the meeting to order at 10:00am, and Mr. Flick offered the meeting prayer and led the Pledge of Allegiance.

Roll Call – The following members of the Borough Council were present; Robert Flick, JoAnn Sabatura, Timothy Shaw (10:05am), Eugene Cerutti, and Henry Farley. Also present; Gil Crossett, 1st Assistant Fire Chief; Elizabeth Fice, Finance Coordinator; Maureen Howland, Library Board; Christopher Kaiden, Code Enforcement Director, Blane Lathrop, DPW Foreman; Daniel Reynolds, Police Chief; Tracy Stroup, 2nd Assistant Fire Chief; and David Jarrett, Borough Manager. Excused: James Daly & Eugene Osmun.

Approval of the Minutes – The minutes of the Council meeting held on May 21, 2015 were approved as presented.

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

- Margaret Barry, 816 North Wilbur Avenue addressed the Borough Council regarding the Borough's parking regulations. Mrs. Barry stated that the Planning Commission discussed the issue on January 19th and that Mr. Kaiden stated at that meeting the Borough's zoning regulation pertaining to parking on private property was vague, and nothing was taken care of following that meeting. Mrs. Barry stated that she will take the issue to the State level if the Borough does not do anything to change the ordinance so that people would be allowed to park at their church. Mrs. Barry further stated that people are afraid to park at a friend's house when they go to the concert series and that she has spoken to five attorneys who all agree that the Borough is violating residents rights and that the people are going to fight the Borough if nothing is done.
- Ronald Politi, 102 Plummer Street addressed the Borough Council regarding the condition of the roadway and drainage issues on Plummer Street. Mr. Politi presented the Borough Council with a petition 21 signatures asking that the roadway and drainage issues be addressed.
- Charles Reid, 128 Hoover Street addressed the Borough regarding a citation he received for not having a sidewalk in front of his home. Mr. Reid explained that he built his home in 2009 and that he was never advised that he was required to install a sidewalk on the property until he recently received the citation.
- Barbara Ault, 332 West Lockhart Street addressed the Borough Council regarding the proposed Island Pond improvement project. Mrs. Ault stated that the dock should be kept, fishing signs should be removed, the banks of the pond need to be better maintained, and the citizens committee should be re-established. Mr. Flick explained that the dock at Island Pond is not handicap accessible and the proposed

improvements will make the area accessible to everyone and require less maintenance. Mrs. Ault also asked if the proposed new firehouse will have an on call room, and Mr. Jarrett stated that there will be an area for the on duty driver to work out of but it will not include a sleeping area because the drivers will be getting paid to be there. Mrs. Ault asked what preparations are being made for the Borough's 125 anniversary celebration and that planning should involve citizens. Mrs. Ault stated that the Borough needs to appoint a historic review committee. Mr. Farley explained that the Borough could not get qualified applicants for the review board and that is why the Planning Commission is being utilized as the Review Board. Mrs. Ault also addressed parking and stated that cars are parking in the First Citizens Bank lot during the evenings and weekends and that a joint meeting of the Borough Council, Planning Commission, Zoning Hearing, and Code Enforcement Agency was discussed but a meeting was never held.

Dawn Steible, Rosh Road addressed the Borough Council about the condition of the Borough's downtown. Mrs. Steible stated that she recently moved back to Sayre and was concerned about the blighted appearance of the downtown. Mrs. Steible stated that she has 12 years of economic development experience and asked if the Borough had any programs to help business owners. Mr. Farley stated that the downtown looks good and that there has been a lot of improvement during the past 18 years and that the Borough has a loan program, façade improvement grant program and three (3) grants were awarded this year. Mr. Flick stated that the Borough also implemented a Local Economic Revitalization Tax Assistance program that businesses can also benefit from.

Approval of Bills List – A motion was made by Mr. Flick and seconded by Mr. Shaw to approve the bills list. **Under the question:** There were none. **Roll Call:** Mr. Flick, Mr. Shaw, Mr. Cerutti, & Mr. Farley; YES. Ms. Sabatura, NO.

Correspondence Report – There were no questions or comments.

Finance Report – There were no questions or comments.

Committee Minutes & Reports – The following reports were presented;

- Administration Committee – Mr. Cerutti reviewed the issues discussed by the Committee at their meeting on June 2nd which included the Act 13 Natural Gas Ordinance Amendment, Military Banner Program, 2014 Audit, the proposed construction of a new firehouse, and amendment to the Borough's park ordinance removing the restriction on carry a weapon in the Borough's parks.
- Public Works Committee – Mr. Flick reviewed the issues discussed by the Committee on June 8th that included the Island Pond Project, Salt Shed Project, Playground Equipment, street paving, and the Chemung/Desmond storm water project.

- Public Safety – Mr. Farley explained that Mr. Daly was excused from today's meeting to attend Emergency Management training but he sent an email that stated that Governor Wolf Announced Fee Waivers for Volunteers Seeking Background Checks, but it doesn't go into effect until July 25th.
- Code Enforcement – Mr. Cerutti reviewed the issues discussed by the Agency at their meeting on June 2nd and explained that the Agency has been busy.
- Planning Commission – Mr. Farley explained that Mr. Daly was excused from today's meeting to attend Emergency Management training but he sent an email that stated that the Planning Commission started work on updating or improving definitions in the Zoning chapter (section 173-6). Mr. Daly stated in the email that this will be a slow, tedious process but necessary.
- Library Board – Mrs. Howland reported that the new librarian has been hired, and that the Library's staff will coordinate the annual Summer Reading Program with support by the Valley Kiwanis Club.

Elected & Appointed Official's Reports – The following reports were presented to the Borough Council;

- ❖ Police Chief – Chief Reynolds reported that the Department responded to 409 incidents, issued 113 traffic tickets/citations/warnings, logged 4700 miles on the patrol cars and completed 26 foot patrols. Chief Reynolds announced that the County Commissioners provided a \$62,000 grant to purchase a shared computer system for County Police Departments and Sheriff's Office and that the system will be hosted by the Department. Chief Reynolds explained that the grant will save the Borough \$4,200 on the purchase of the system server. Chief Reynolds also reported that the Borough received \$3,900 for the TASERS that were sold earlier this year, the second patrol car computer was installed earlier this week, and training on the new handheld ticket machine will be next week.

Chief Reynolds explained to the Borough Council that he would like to implement bicycle patrols and use the revenue received from the TASER sale for the purchase of two (2) bicycles fully equipped. Chief Reynolds explained the benefits of utilizing bicycles and asked the Borough Council to approve the purchase. **A motion was made by Mr. Cerutti and seconded by Mr. Flick to purchase the bicycles for approximately \$3,300.** Under the question: Mr. Shaw asked that the vote be tabled until more information can be obtained, and Ms. Sabatura stated that she is not against the purchase but would like more information before making a decision. The vote was tabled until the July meeting. Ms. Sabatura asked about the grant received from the County and Chief Reynolds explained that it will allow the Police Departments in the County and the Sheriff's Department to share information. Chief Reynolds stated that there will be an annual maintenance fee of \$7,000 that will be shared by the participating Police Departments beginning in three years.

- ❖ Borough Manager – Mr. Jarrett reviewed the street paving and parking lot paving bids and stated that Douglas Brothers of Athens was the lowest responsible bidder on the street paving project and G.O. Hawbaker of Milan was the lowest responsible bidder on the parking lot project. Mr. Jarrett also stated that Vacri Construction Corporation was the sole bidder on the Chemung/Desmond Storm Water Improvement Project and that the bid was \$30,000 below the engineer's estimate. Mr. Jarrett explained that an application is being prepared for submission to the Commonwealth Finance Authority requesting grant funds for the Cayuta Creek Bank Stabilization Project. Mr. Jarrett stated that the application was originally for \$350,000 however it has been increased to \$400,000 due to additional work that will be required including a HECRAS study. Mr. Jarrett stated that the grant program requires a 15% match from the municipality and that funds are available in the budget and a pending reimbursement of funds from the US Army Corps of Engineers. Mr. Jarrett explained that a revised Resolution has been provided for review.

Mr. Jarrett reported that the Summer Concert Series began last night with a performance by the Kirby Band that was enjoyed by more than 100 spectators, and that Gannon Associates will be announced as the primary sponsor of this year's end of summer fireworks display.

- ❖ Code Enforcement Agency - Mr. Cerutti reported that the Agency had identified five (5) blighted properties in 2014 and that only two (2) properties remain on that list.
- ❖ Fire Chief – There were no questions or comments.
- ❖ Valley Joint Sewer Authority – Mr. Farley stated that the project will be closed out soon. Ms. Sabatura asked about the status of the sale of capacity to the Village of Waverly. Mr. Farley stated that the issue was never officially on the table for consideration and that the four member municipalities would determine if the sale was approved.
- ❖ Solicitor – Attorney Foster reviewed the issues he discussed with the Council Committees and the Planning Commission which included the Act 13 Natural Gas Ordinance Amendment, Park Ordinance Amendment, and that the Amato Zoning Hearing Appeal has been withdrawn.
- ❖ Council President – Mr. Farley directed the Administration Committee, Code Agency, and Planning Commission to meet and discuss the parking issue raised by Mrs. Barry. Mr. Farley also directed Mr. Flick and Mr. Jarrett to look into the concerns raised by Mr. Politi on Plummer Street. Mr. Farley asked the Code Agency to discuss a resolution to the Mr. Reid's sidewalk issue.

Mr. Farley announced that the Borough received a land development application that will be sent to the County Planning Office for review and comment, and that the Borough Council meeting in July will be on the 23rd at 10:00am.

Vote to advertise the amendment to the Act 13 Natural Gas Ordinance as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Mr. Cerutti to advertise the ordinance amendment. **Under the question:** There were none. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to approve the recommendation from the Public Safety Committee to pay the cost of required background checks for members of the Fire Department. A motion was made by Mr. Flick and seconded by Mr. Shaw to pay the cost of the required background checks for members of the Fire Department and all Borough volunteers pending final approval of Governor Wolf's decision to waive fees.

Under the question: Ms. Sabatura asked how many active fire department volunteers there were. Chief Crossett stated that there are nearly 40 active members that are involved in the variety of programs coordinated by the Fire Department. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to approve the recommendation from the Public Safety Committee to extend the 90 day trial parking regulations on Frank Street, Toolan Lane, North Hopkins Street, and Holly Street. A motion was made by Ms. Sabatura and seconded by Mr. Flick to extend the 90 day trial parking regulations. **Under the question:** There were none. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE. Mr. Shaw; NAY.

Vote to approve the recommendation from the Public Safety Committee to install three (3) handicap parking spaces on South Elmer Avenue or Hayden Street near the handicap entrance of the of the Epiphany Church for a 90 day trial period. A motion was made by Mr. Flick and seconded by Mr. Shaw to install three (3) handicap parking spaces on South Elmer Avenue or Hayden Street near the handicap entrance of the of the Epiphany Church for a 90 day trial period. **Under the question:** Mr. Flick asked where the signs would be installed, and Mr. Farley explained that two signs would be installed on Hayden Street and one on South Elmer Avenue and that the parking is only permitted for Church related activities.

Roll Call: Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to approve the request from the Sons of Italy authorizing the closure of Hayden Street for the organization's annual picnic. A motion was made by Ms. Sabatura and seconded by Mr. Shaw to approve the request from the Sons of Italy authorizing the closure of Hayden Street for the organization's annual picnic. **Under the question:** There were none. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to approve the request submitted by the Church of the Redeemer for the Church's 2016 Street Fair. A motion was made by Ms. Sabatura and seconded by Mr. Flick to approve the request submitted by the Church of the Redeemer for the Church's 2016 Street Fair. **Under the question:** There were none. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to adopt Resolution 2015-06 requesting a Flood Mitigation grant up to \$400,000 from the Commonwealth Financing Authority of the Commonwealth of Pennsylvania to be used for the Cayuta Creek Bank Stabilization Project. A motion was made by Mr. Flick and seconded by Mr. Shaw to adopt Resolution 2015-06. Under the question: Mr. Jarrett clarified that the amount of the request is \$400,000. Roll Call: Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Vote to accept or reject the bid received from Vacri Construction Corporation in the amount of \$167,000 for Chemung / Desmond Storm Sewer Extension Project. A motion was made by Mr. Flick and seconded by Mr. Cerutti to award the bid for the Chemung / Desmond Storm Water Extension Project to Vacri Construction Corporation in the amount of \$167,000. Under the question: There were none. Roll Call: Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

BID RESULTS CHEMUNG / DESMOND STREETS STORM SEWER EXTENSION PROJECT BID OPENING: JUNE 12, 2015	
Contractor	Bid Amount
Vacri Construction Corporation One Brick Avenue Binghamton, NY 13901	\$167,000.00

Vote to accept or reject the bids for the 2015 Paving Project. A motion was made by Mr. Flick and seconded by Mr. Shaw to award the bid for the 2015 Paving Project to Douglas Brothers Paving. Under the question: Mr. Cerutti asked when the project will be completed and Mr. Jarrett explained that the contractor was asked to develop a schedule that would ensure the project is completed before the start of the school year and to also address maintaining access to the Guthrie physician parking lot on Hayden Street. Mr. Jarrett also explained that the award of the bid is for the quantity bid amount. Roll Call: Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

BID RESULTS 2015 PAVING PROJECT BID OPENING: JUNE 17, 2015			
	Douglas Brothers Paving	G.O. Hawbaker	Bishop Brothers
Roadway Milling 8,053 Square Yards	\$ 3.95	\$ 10.00	\$ 4.09
Superpave 25mm Base Course 1,935 tons	\$ 97.00	\$ 79.00	\$ 116.00 / ton
Superpave 9.5mm Wearing Course 728 Tons	\$ 117.00	\$ 117.00 / ton	\$ 117.00 / ton
TOTAL	\$ 304,680.35	\$ 317,843.00	\$ 344,571.00

Vote to accept or reject bids for the North Parking Lot. A motion was made by Mr. Flick and seconded by Mr. Shaw to award the bid for the North Parking Lot paving project to G.O. Hawbaker. **Under the question:** Mr. Jarrett explained that the project scope of work includes repairing the area where the caboose was and the northern section of the parking lot. Mr. Jarrett also explained that the award of the bid is for the quantity bid amount. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

BID RESULTS			
NORTH PARKING LOT PAVING PROJECT			
BID OPENING: JUNE 17, 2015			
	Douglas Brothers Paving	G.O. Hawbaker	Bishop Brothers
Roadway Milling 8,053 Square Yards	\$ 3.75	\$ 5.60	\$ 5.29
Class I Excavation or Milling & Subgrade Preparation – Cubic Yards	\$ 28.00	\$ 35.00	\$ 15.00
2A Sub Base - Tons	\$ 35.00	\$ 64.00	\$ 14.75
Superpave 25mm Base Course - 1,935 tons	\$ 112.00	\$ 88.00	\$ 120.00
Superpave 9.5mm Wearing Course - 728 Tons	\$ 149.00	\$ 124.00	\$ 125.00
TOTAL	\$ 51,583.95	\$ 47,866.80	\$ 50,320.00

Vote to approve Pay Request #1 submitted by RG Electric in the amount of \$11,064.00 for work completed on the Oliver Lane Pump Station Project and approved by the project engineer. A motion was made by Mr. Shaw and seconded by Mr. Flick to approve Pay Request #1 submitted by RG Electric in the amount of \$11,064.00. **Under the question:** Mr. Jarrett explained that the pay request was for work associated with the removal of the old generator. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.

Vote to authorize the advertisement of an amendment to the Borough’s Park Ordinance that will allow individuals to carry a concealed weapon in a park and public property. A motion was made by Mr. Flick and seconded by Mr. Shaw to advertise the amendment to the ordinance. **Under the question:** There were none. **Roll Call:** Mr. Flick, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.

Citizen Questions – The following citizens addressed the Borough Council;

- Barbara Ault, 332 West Lockhart Street asked for more information about the ordinance amendment pertaining to carrying a gun in a park and on public property. Attorney Foster explained that Borough’s current ordinance prohibits weapons in parks and that a possibility exists for a class action lawsuit to be filed by a group associated with the National Rifle Association against local governments that prohibit weapons on public property.

Citizen Questions - continued

- Tracy Stroup, Chief of Howard Elmer Hose Company stated that his company and Engine Company #1 were asked by the Borough to provide questions, comments, and suggestions about the proposed construction of a new firehouse, and that only Howard Elmer Hose Company responded to the Borough's request.

Recess – Mr. Farley recessed the meeting at 11:06am before going into executive session to discuss a personnel issue.

Executive Session – The Borough Council went into executive session at 11:15am to discuss a personnel issue. Chief Reynolds was asked to stay for the executive session. The executive session ended at 11:40am.

Adjourn – A motion was made by Mr. Shaw and seconded by Mr. Flick to adjourn the meeting at 11:40am. There were no objections.

Respectfully submitted,

David M. Jarrett
Borough Secretary/Manager