

Borough Council Minutes – August 20, 2015

Call to Order – Mr. Farley called the meeting to order at 10:00am, and asked members of the audience who were recording the meeting to identify that they are doing so. Warren Howeler, Morning Times; Max Bennett, The Daily Review; Jan Scott, 204 Hayden Street; and James Daly, Borough Councilman all indicated that they were audio recording the meeting. Ms. Sabatura 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; Denny Thomas, Mayor; Elizabeth Fice, Finance Coordinator; Daniel Reynolds, Police Chief; Gilbert Crossett, 1st Assistant Fire Chief; Tracy Stroup, 2nd Assistant Fire Chief; Christopher Kaiden, Code Enforcement Director; Blane Lathrop, DPW Foreman; and David Jarrett, Borough Manager.

Approval of the Minutes – The minutes of the July 23, 2015 Borough Council meeting were approved as presented.

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

- ✚ Jane Bustin of 114 Valor Street asked about the proposed Valor Street Infrastructure project and the creation of a landlord ordinance similar to the ordinance enacted by the City of Elmira. Mr. Jarrett explained that the Borough Council approved an agreement with Stiffler, McGraw & Associates for the design of the project and the project could begin next summer. Chief Reynolds stated that he was familiar with Elmira's ordinance that holds landlords responsible for the actions of their tenants and that he would look into the issue further. Mr. Farley asked the Public Safety Committee to place this issue on their agenda.
- ✚ Jan Scott of 204 Hayden Street asked when the parking issue would be addressed and explained that residents were forced to violate the ordinance during an incident on July 31st because they could not park at their homes. Attorney Foster read a prepared response regarding the parking ordinance and explained that the issue would not be discussed until a decision is rendered by the Court. Attorney Foster also stated that in light of the circumstances surrounding the July 31st incident, that it was very unlikely that parking enforcement was a priority that day.

- ✚ Daniel Polinski of 524 Stevenson Street addressed the Borough Council regarding the proposed Veteran's monument to be placed in Howard Elmer Park. Mr. Polinski explained that he does not oppose the monument but believed that a better location could be selected such as East Lockhart Street.

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

Correspondence Report – The following correspondence items were discussed;

- ❖ **Avery Dennison Testing** – Mr. Osmun asked if a report is provided by the company. Mr. Farley asked the Public Safety Committee to place this issue on their agenda.
- ❖ **Church of the Redeemer** – Mr. Farley asked that the church be contacted and advise that their request must be resubmitted in January.
- ❖ **Bradford County Democratic Party** – A motion was made by Mr. Daly and seconded by Mr. Shaw to approve the organizations request to host a voter registration event in Howard Elmer Park on September 20, 2015. **Under the question:** There were none. **Motion Carries.**
- ❖ **Colleen Lewis** – A motion was made by Mr. Daly and seconded by Mr. Shaw to approve Ms. Lewis' request to use the bandstand for her wedding on Saturday, September 12, 2015. **Under the question:** There were none. **Motion Carries.**

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

- Administration Committee – Mr. Cerutti reviewed the issues discussed by the Committee at their August meeting which included the Patriotic Banner Program, Valley Joint Sewer Authority Pre-Treatment Agreement, and the Sayre Theatre Marquee Project. Mr. Cerutti explained that the Committee has asked for additional financial information from the Arts Council. Mr. Cerutti stated that the project would be eligible for façade grant money from the Borough if the project moves forward.
- Public Works Committee – Mr. Flick reviewed the issues discussed by the Committee at their August meeting which include playground equipment for the John Stetz Memorial Park and the Veterans' Monument in Howard Elmer Park.

- Public Safety Committee – Mr. Daly reviewed the issues discussed by the Committee at their August meeting which included implementation of the bike patrol program, junior firefighter program, and the hiring process for the fire truck drivers.
- Code Enforcement Agency – Mr. Cerutti reviewed the issues discussed by the Agency at their August meeting which included seeking judgments for sidewalk violations, adding four (4) properties to the slum & blight list, and waiving the building permit fee for the replacement of windows at the Desisti property (210 West Packer Avenue).
- Planning Commission – Mr. Daly explained that the Commission was unable to meet earlier this month due to the lack of quorum.
- Library – Mr. Farley stated that a new youth librarian was hired and that the Library will be holding a sale of Christmas decorations on August 22nd.

Elected & Appointed Officials Report – The following reports were presented to the Borough Council;

- Police Chief – Chief Reynolds commended the Department for their actions during the West Packer Avenue incident on July 31st and stated the cooperation from other law enforcement agencies was phenomenal. Mr. Shaw stated that everyone did an outstanding job on handling the issue. Mr. Farley stated an recognition event will be held in the future.
- Borough Manager – Mr. Jarrett reported that the summer concert series conclude this week and that the series was very successful. Mr. Jarrett also reported that the fireworks event is scheduled for Saturday, August 22nd and he thanked the volunteers for helping with the coordination of this year's event.
- Code Enforcement Officer – Ms. Sabatura asked if a handy-man is required to apply for a contractor's permit. Mr. Kaiden explained that the Agency does not charge retire contractors a fee to register with the Agency.
- Fire Chief – Assistant Chief Crossett reported that the Department has ten (10) new junior firefighters. Chief Crossett also commended Mr. Jarrett for spearheading the fireworks event.
- Valley Joint Sewer Authority – Mr. Farley explained that approximately \$47,000 remains an outstanding on the project.
- Emergency Management – Mr. Daly reported that he attended NIMS training. Mr. Daly also updated the Borough Council on the oil spill on Delaware street and the PA-DEP investigated the issue.

- Solicitor's Report – Attorney Foster reported that he participated in a webinar about the recent Supreme Court decision regarding sign ordinances.
- Mayor's Report – Mayor Thomas stated that the West Packer Avenue incident was handled well and that the officers did an outstanding job. Mayor Thomas stated that the public must understand that public safety is the Department's number one priority during situations like what occurred on West Packer Avenue. Mayor Thomas also commended the Public Works Department for their hard work.
- Council President – Mr. Farley announced that the September Borough Council meeting will be held on Thursday, September 24th at 6:00pm. Mr. Farley presented Ms. Fice with a plaque on behalf of the Borough Council in recognition of her 25th anniversary with the Borough.

Vote to appoint Fire Chief William Wood, 2nd Assistant Fire Chief Tracy Stroup, and 1st Lieutenant Blane Lathrop as representatives of the Fire Department on the interview committee with the Public Safety Committee for the fire truck driver position as recommended by the Public Safety Committee. A motion was made by Mr. Daly and seconded by Mr. Shaw to approve the Committee's recommendation. **Under the question:** Ms. Sabatura asked if it would be a conflict of interest for Mr. Lathrop to be a member of the interview committee since he is an employee of the Borough. Attorney Foster stated that there would be no conflict of interest because Mr. Lathrop would not have supervision responsibility for the position being filled. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES.**

Vote to approve Addendum #1 submitted by Geo-Science Engineering in the amount of \$7,185 to provide additional services associated with the micro-piling work on the Oliver Lane Pump Station as recommended by the Administration Committee and the project engineer. A motion was made by Mr. Flick and seconded by Mr. Shaw to approve Addendum #1 submitted by Geo-Science Engineering in the amount of \$7,185. **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 appoint Richard Jennings, Esquire as the Solicitor of the Zoning Hearing Board at an hourly rate of \$100 per hour as recommended by the Administration Committee. A motion was made by Mr. Shaw and seconded by Mr. Daly to appoint Richard Jennings, Esquire as the Solicitor of the Zoning Hearing Board at an hourly rate of \$100. **Under the question:** Ms. Sabatura asked if letters of interest were requested from other law firms. Mr. Farley explained that the Zoning Hearing Board has the authority to select their own attorney and the Board selected Attorney Jennings. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Shaw, Mr. Cerutti, and Mr. Farley; YES. Ms. Sabatura; NO.**

Vote to approve the recommendation of the Public Works Committee to pay the cost the footer installation for the new Veteran's monument in Howard Elmer Park. A motion was made by Mr. Flick and seconded by Mr. Daly to approve the cost of the footer installation for the new Veteran's monument in Howard Elmer Park for the cost of \$800. **Under the question:** Mr. Osmun stated that he is favor of the project but not in favor of locating the monument in Howard Elmer Park. Ms. Sabatura stated that the monument should be placed in Rest Cemetary. Mr. Flick stated that Howard Elmer Park is the best location because the park is a high volume of pedestrian traffic. Mr. Flick reviewed the purpose of the monument and how it will recognize veterans of recent wars. Mr. Shaw asked if the three veteran's organization are in agreement for the project, and Mr. Flick stated that the project was approved by the Sayre American Legion, Catholic War Veterans, and the Sayre VFW will be meeting to discuss the project later tonight. Mr. Farley stated that the new monument would represent all veterans, and Mr. Flick stated that some members of the Borough Council had previously said that they wanted to do something to honor local veterans before donating money to the veteran's memorial project in Towanda Mr. Shaw stated that he would like to get more information about the project and made a motion to table the issue, and the motion was seconded by Ms. Sabatura. **Under the question:** There were none. **Roll Call: Mr. Osmun, Ms. Sabatura, and Mr. Shaw; YES. Mr. Daly, Mr. Flick, Mr. Cerutti, and Mr. Farley; NO.** The motion to table the vote on the issue failed. **Roll Call: Mr. Daly, Mr. Flick, Mr. Cerutti, and Mr. Farley; YES. Mr. Osmun, Ms. Sabatura, and Mr. Shaw; NO.** The motion to approve the recommendation of the Public Works Committee to pay the cost the footer installation for the new Veteran's monument in Howard Elmer Park for the cost of \$800 was approved.

Vote to authorize the closure of South Lehigh Avenue from the Packer Avenue Bridge and Borough Line, South Thomas Avenue from the Packer Avenue Bridge and Borough Line, 100 block of Madison Street, 100 block of Lincoln Street, 100 block of Riley, 100 block of Chemung, and 100 block of Hayden Street to non-event traffic between 4:00pm and 10:00pm on August 22, 2015 and to designate these areas as event parking only in conjunction with Borough's Second Annual End of Summer Fireworks Display. A motion was made by Mr. Shaw and seconded by Mr. Osmun to authorizing closing the streets and restricting parking for the event. **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 adopt Resolution 2015 - 07 as recommended by the Administration Committee. A motion was made by Mr. Daly and seconded by Mr. Shaw to approve Resolution 2015-07. **Under the question:** Mr. Osmun asked what the purpose of the Resolution was. Mr. Farley stated it is necessary to complete the sale of 105 Chemung Street. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to authorize sole vending rights for the Borough's Second Annual End of Summer Fireworks Display to the volunteer group coordinating the event. A motion was made by Mr. Shaw and seconded by Mr. Daly to authorize sole vending rights for the Borough's Second Annual End of Summer Fireworks Display to the volunteer group coordinating the event. **Under the question:** Ms. Sabatura asked if the group coordinating the event would then authorize the vendors. Mr. Jarrett explained that all vendors were invited to be part of the event. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to authorize the closure of Riverfront Park including the river boat launch, Riverfront Park Road and Shaw Road between 6:00pm on Friday, August 21 and 6:00am on Sunday, August 23, 2015 to all non-event traffic in conjunction with the Borough's Second Annual End of Summer Fireworks Display. A motion was made by Mr. Shaw and seconded by Mr. Flick to close Riverfront Park including the boat launch, Riverfront Park Road and Shaw Road between 6:00pm on Friday, August 21 and 6:00am on Sunday, August 23, 2015 to all non-event traffic in conjunction with the Borough's Second Annual End of Summer Fireworks Display. **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 approve Pay Requisition #1 submitted by Vacri Construction Corporation in the amount of \$29,970.00 for their work on the Oliver Lane Pump Station Project. A motion was made by Mr. Shaw and seconded by Mr. Daly to approve Pay Requisition #1 submitted by Vacri Construction Corporation in the amount of \$29,970. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Shaw, Mr. Cerutti, and Mr. Farley; AYE.**

Presentation of Paving Bids – Mr. Jarrett presented the bids for the Cayuta/Thomas Avenue Paving Project and explained that G.O. Hawbaker is the apparent low bidder for the project with their bid of \$610,174. Mr. Jarrett stated that the project estimate was \$850,000. Mr. Jarrett explained that the project scope of work includes 3,364 cubic yards of milling and approximately 7,000 tons of blacktop paving. Mr. Jarrett asked the Public Works Committee to meet next week and if the Committee recommends moving forward with the project, the Borough Council would hold a special meeting before Labor Day.

Contractor	Bid Amount
L&T Construction 145 Podpadic Road Richmondville, NY 12149	\$ 733,128
Bishop Brothers Construction PO Box 289 Ulster, PA 18850	\$ 850,255.00
G.O. Hawbaker 29293 Route 220 Milan, PA 18831	\$ 610,174.00

Citizen Questions – The following citizens addressed the Borough Council regarding action taken during the meeting;

- Jan Scott, 204 Hayden Street asked if Attorney Jennings’ appointment as the Zoning Hearing Board solicitor is a conflict of interest because he is representing an elected official in a lawsuit. Attorney Foster stated there is not a conflict of interest because the elected official is not involved in a zoning case.
- Gil Crossett, 154 Cayuta Street asked if the Borough would require trucking companies to bond Cayuta Street and Thomas Avenue after they are repaved.
- Irene Slocum, Garden Street stated that the VRC was hosting a fundraising event on Saturday, September 5, 2015 at the Sayre VFW on West Lockhart Street from 9:00am to 3:00pm.

Adjourn – A motion was made by Ms. Sabatura and seconded by Mr. Daly to adjourn the meeting at 11:30am.