



Sayre Borough Council

Minutes – October 22, 2015

Call to Order – Mr. Farley called the meeting to order at 6:00pm and asked anyone recording the meeting to indicate that they are doing so. The following individuals indicated that they were audio recording the meeting; Warren Howeler, The Morning Times; Max Bennett, The Daily Review; Ron Cole, WATS/WAVR; and Jan Scott. 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, Eugene Osmun, JoAnn Sabatura, Eugene Cerutti, and Henry Farley. **Excused:** James Daly & Timothy Shaw. **Also present;** Gilbert Crosssett, 1st Assistant Fire Chief; Elizabeth Fice, Borough Finance Coordinator; Jonathan Foster, Borough Solicitor; Christopher Kaiden, Code Enforcement Director; Daniel Reynolds, Police Chief; Tracy Stroup, 2nd Assistant Fire Chief; and David Jarrett, Borough Manager.

Approval of the Minutes – A motion was made by Mr. Flick and seconded by Mr. Osmun to approve the minutes of the September 24, 2015 Council meeting with the correction of the last name of a citizen that addressed the Borough Council. The minutes stated that person's last name as Stark but the correct name was Souva. There were no objections.

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

- ❖ Barbara Ault, 332 West Lockhart Street asked if there are any plans for the Borough's 125 anniversary in 2016 and for an explanation of the street ordinance that is to be advertised. Mr. Farley stated that celebration plans will coincide with the concert series, fireworks display, and Christmas Parade. Mr. Jarrett stated that the ordinance amendments pertain to making temporary parking regulations permanent and correcting new street names in the code book. Mrs. Ault also asked if there will be any discussion regarding parking now that a decision was granted on the Desisti case. Mr. Farley stated that there are no plans to discuss any changes to parking regulations.
- ❖ Jan Scott, 206 Hayden Street asked if the Council will vote to appoint a new member of the Shade Tree Commission. Mr. Farley stated that the appointment will be re-evaluated in November.

Approval of the Bills List – A motion was made by Mr. Cerutti and seconded by Mr. Osmun to approve the October bills list. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Correspondence Report – There were no questions.

Finance Report – There were no questions.

Committee Minutes - The following reports were presented to the Borough Council;

- ✚ Administration Committee – Mr. Cerutti reported that the Committee discussed bidding insurance coverage, investment plan options, the 2016 budget, and the patriotic banner program.
- ✚ Public Works Committee – Mr. Flick reported that the Committee discussed the ongoing projects in the Borough and the Island Pond project.
- ✚ Public Safety Committee – Mr. Farley reported that the Committee discussed Fire Truck driver position and conducted interviews.
- ✚ Code Enforcement Agency – Mr. Cerutti reported that the Agency that 185 contractors have provided their insurance verification documents to the Code Agency so far this year and twenty-two (22) building permits were issued in September one-hundred and eighty-eight (188) have been issued for through the end of September.
- ✚ Planning Commission – Mr. Farley reported that the Commission is still working on definitions.
- ✚ Library Board – Mr. Farley reported that the Library hired Daniel Scopelliti as the new Children’s Librarian.

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

- ✚ Police Chief – Chief Reynolds reported that the Visual Alert Computer has gone online and that Troy Borough, Canton Borough, Towanda Borough, Athens Borough, Athens Township, and the Bradford County Sheriff’s Department are connected to the system. Chief Reynolds also reported that the new speed detection device has been placed into service and is currently positioned on North Thomas Avenue. Chief Reynolds explained that the device will be moved to other locations around the Borough.
- ✚ Borough Manager – Mr. Jarrett reported on the projects underway in the Borough and explained that bids were opened for the fence work at the former Calvin Cole property and Archeological Study for the proposed Diahoga Trial Project. Mr. Jarrett also stated that the Borough Council will need to authorize a change order for the 2015 Liquid Fuels project. Mr. Jarrett stated that the bid specifications did not include 19mm bituminous blacktop which was used on Chacona Lane and Repasky Lane. Mr. Jarrett explained that using the 19mm material instead of the 25mm resulted in a \$5,076.00 savings for the Borough.
- ✚ Code Enforcement - Mr. Cerutti reported that the Agency received twenty-three (23) new complaints in September and eighty-four sidewalks have been repaired as of the end of September.
- ✚ Fire Chief – 1st Assistant Chief Crossett explained that the Department recently participated in training and that repairs to the electrical system on Engine 3 will be completed. Chief Crossett stated that the electrical system issues were with the pump system.
- ✚ Valley Joint Sewer Authority – Mr. Farley reported that the Authority approved the 2016 budget and that the Borough will not need to increase rates.
- ✚ Emergency Management – Mr. Farley reported for Mr. Daly and explained that Mr. Daly assisted at Greater Valley EMS’ drive thru flu shot clinic.

✚ Borough Solicitor – Attorney Foster explained that he has been working Chief Reynolds and the Administration Committee on revisions to the Borough’s Civil Service ordinance to reflect recent changes in the Civil Service law. Attorney Foster also stated that he has prepared an ordinance to abolish the Northern Bradford Authority.

✚ Council President – Mr. Farley stated that action is needed on the following items;

❖ **Vote to approve Change Order #1 on the 2015 Liquid Fuels Project** - A motion was made by Mr. Flick and seconded by Mr. Osmun to approve Change Order #1 reducing the project cost by \$5,076.00. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

❖ **Vote to award Compost Area Fence Project** – A motion was made by Mr. Osmun and seconded by Mr. Flick to award the bid for the fence project bid to Kabe’s Fencing of Elmira, NY in the amount of \$15,324. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Contractor	Site #1	Site #2 w/ alternate bid	Total
Kabes Fencing 2369 Wilawana Road Elmira, NY 14901	\$ 15,324.00	\$ 3,870.00	\$ 19,194.00
Bestway Fence LLC 1133 Front Street Athens, PA 18810	\$ 18,480.00	\$ 4,640.00 \$ 4,290.00 (Alternate Bid Amount)	\$ 23,120.00

❖ **Vote to award the Diahoga Trail Archeological Study to Binghamton University in the amount of \$4,996 pending review by the Project Committee and Attorney Foster.** A motion was made by Mr. Osmun and seconded by Mr. Cerutti to award the study to Binghamton University. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Bidder	Bid Amount
Binghamton University Nina M. Versaggi, PhD RPA Director PO Box 6000 Binghamton, NY 13902-6000	Not to exceed \$4,996.00
Gray & Pape, Inc Christina E. Kelly, Senior Principal Investigator 1318 Main Street Cincinnati, Ohio 45202	\$5,800.00

Vote to advertise the 2016 Budget for public inspection as recommended by the Administration Committee. A motion was made by Mr. Cerutti and seconded by Mr. Flick to advertise the 2016 budget for public inspection. **Under the question:** Mr. Flick stated that Ms. Fice did a great job on the budget and commended the various Department Heads for their input on the budget. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to advertise the 2016 Tax Ordinance establishing the millage rate at 10.37 mills as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Ms. Sabatura to advertise the 2016 Tax Ordinance establishing the millage

rate at 10.37 mills. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to advertise amendment to Chapter 142 – Street Naming and Addressing. A motion was made by Mr. Osmun and seconded by Mr. Flick to advertise the amendment to the ordinance. **Under the question:** Mr. Jarrett explained that the purpose of the amendment is to correct the street names that were renamed as part of the E911 process. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to advertise amendment to Chapter 163 – Vehicle and Traffic as recommended by the Public Safety Committee. A motion was made by Mr. Flick and seconded by Mr. Osmun to advertise amendment to Chapter 163 – Vehicle and Traffic. **Under the question:** Mr. Jarrett explained that the amendment addresses the temporary regulations on Frank Street, Toolan Lane, North Hopkins Street, and Holly Street. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to approve request from Karl Gehring and Sarah Ammerman to use Howard Elmer Park on June 16, 2016 for their wedding. A motion was made by Ms. Sabatura and seconded by Mr. Osmun to approve the request. **Under the question:** There were none. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to extend an offer of employment to Thomas McCutcheon Jr, of Sayre, Pennsylvania for the position of Fire Truck Driver – Probationary as recommended by the Public Safety Committee. A motion was made by Mr. Flick and seconded by Mr. Osmun to extend an offer of employment to Thomas McCutcheon Jr, of Sayre, Pennsylvania for the position of Fire Truck Driver – Probationary. **Under the question:** Ms. Sabatura asked about the salary for the position, benefit package, and who is in charge. Mr. Jarrett explained that salary for 2015 is \$17.50 per hour and \$18.00 per hour in 2016. Mr. Jarrett also stated that employee will receive the same health insurance and benefits package as all other employees covered under the collective bargaining agreement, and that the employee will be directed by the Fire Chief while on a fire call and the Borough Manager for all other time. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to extend an offer of employment to Gilbert Crossett of Sayre, Pennsylvania for the position of Fire Truck Driver – Probationary as recommended by the Public Safety Committee. A motion was made by Mr. Flick and seconded by Mr. Osmun to extend an offer of employment to Gilbert Crossett of Sayre, Pennsylvania for the position of Fire Truck Driver – Probationary. **Under the question:** Ms. Sabatura asked if the positions are equal, and Mr. Jarrett explained that both employees are classified as probationary employees during their first full year of employment. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to advertise for municipal insurance coverage quotes as recommended by the Administration Committee. A motion was made by Mr. Flick and seconded by Mr. Cerutti to advertise for municipal insurance coverage quotes. **Under the question:** Mr. Osmun asked if the vote addressed the proposed referral agreement by Landy & Kilmer Insurance. Mr. Jarrett stated that the vote is to only advertise for bids. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; AYE.**

Vote to advertise the ordinance adopting the Inter-jurisdictional Pre-Treatment Agreement between the Borough and the Valley Joint Sewer Authority as recommended by the Administration Committee. A motion was made by Mr. Osmun and seconded by Mr. Flick to

advertise the ordinance adopting the Inter-jurisdictional Pre-Treatment Agreement between the Borough and the Valley Joint Sewer Authority. **Under the question:** There were none. **Roll Call:** Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; **AYE.**

Vote to approve Pay Request #3 in the amount of \$110,770.70 submitted by Vacri Construction Corporation for work completed in conjunction with the Oliver Lane Pump Station Project. A motion was made by Mr. Flick and seconded by Mr. Osmun to approve Pay Request #3 in the amount of \$110,770.70 submitted by Vacri Construction Corporation. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to approve Pay Request #2 in the amount of \$5,778.00 submitted by R&G Electric for work completed in conjunction with the Oliver Lane Pump Station Project. A motion was made by Mr. Osmun and seconded by Mr. Cerutti to approve Pay Request #2 in the amount of \$5,778.00 submitted by R&G Electric. **Under the question:** Mr. Cerutti asked if the project was on schedule. Mr. Jarrett explained that the project is on schedule and that final completion is expected in mid-December. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to approve Pay Request #2 in the amount of \$58,974.54 submitted by Vacri Construction Corporation for work completed in conjunction with the Chemung/Desmond Stormwater Improvement Project. A motion was made by Mr. Flick and seconded by Mr. Osmun to approve Pay Request #2 in the amount of \$58,974.54 submitted by Vacri Construction Corporation. **Under the question:** Mr. Jarrett explained that the storm line was installed underneath the sidewalk on the north side of street due to the number of utilities in the roadway. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to authorize the purchase of four (4) \$25,000 Certificates of Deposit as proposed by LPL Financial and recommended by the Administration Committee. A motion was made by Mr. Cerutti and seconded by Mr. Flick to authorize the purchase of four (4) \$25,000 Certificates of Deposit as proposed by LPL Financial. **Under the question:** Mr. Cerutti explained that the benefit of the investment is that the principal amount will never be lost. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

Vote to move forward with the promotion of the Patriotic Street Banner program as recommended by the Administration Committee. A motion was made by Mr. Cerutti and seconded by Mr. Flick to move forward with the promotion of the Patriotic Street Banner program. **Under the question:** Mr. Jarrett explained that the cost of the banners will be \$125.00. **Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.**

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

✚ Margaret Shaw-Barry of 816 North Wilbur Avenue addressed the Borough Council regarding the contractor registration fee charged by the Code Agency. Mrs. Shaw-Barry stated that she contacted the Pennsylvania Attorney General's Office on behalf of four (4) contractors who would not file a complaint themselves because they were afraid of retaliation. Mrs. Shaw-Barry stated she spoke to Attorney Ryan Nelson and that he confirmed that the Borough and Code Agency are precluded from charging the fee because of the Home Improvement Consumers Protection Act. Mrs. Barry asked when the contractors would be refunded their money.

Mr. Farley stated that the issue will be discussed with the Solicitor and that there will be no further discussion until the Solicitor has had an opportunity to discuss the issue with the Attorney General's Office.

Recess – Mr. Farley recessed the meeting at 6:55pm.

Executive Session – The Borough Council went into executive session at 7:00pm to discuss a litigation issue regarding the Police Department and the Court Ruling on the Desisti Parking issue. The session ended at 7:48pm.

Vote to accept/reject the referral agreement proposal submitted by Landy & Kilmer Insurance. A motion was made by Ms. Sabatura and seconded by Mr. Osmun to reject the referral agreement. Under the question: There were none. Roll Call: Mr. Flick, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES.

Adjourn - A motion was made by Ms. Sabatura and seconded by Mr. Osmun to adjourn the meeting at 7:50pm.