

Borough Council
Minutes – July 23, 2015

Public Hearing – Zoning Map Changes – Mr. Farley called the public hearing to order at 10:00am. Mr. Daly explained the reason for the zoning map changes and why they were necessary due to the Act 13 Natural Gas regulations. Mr. Daly explained that natural gas related activities would be permitted in the Industrial Zoning District I and Industrial Zoning District II. Mr. Daly also explained that natural gas activities would be prohibited in the public space and education zoning district. Mr. Farley closed the hearing at 10:10am without objection.

Call to Order – Mr. Farley called the regular council meeting to order at 10:10 am and Mr. Osmun 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, Eugene Cerutti, and Henry Farley. The following members of the Borough Council were excused; JoAnn Sabatura and Timothy Shaw. Also present; Denny Thomas, Mayor; Elizabeth Fice, Finance Coordinator; Jonathan Foster, Borough Solicitor; 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.

Approval of Minutes – The minutes of the June 18, 2015 Borough Council meeting were approved as presented.

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

- ❖ Shelly Northrup, Francis Street suggested that future public hearings be held at a time that most people can attend.
- ❖ Jan Scott, 204 Hayden Street asked about the status of the sign ordinance amendment. Mr. Daly explained that the Planning Commission is continuing to work on the definitions of the zoning ordinance and stated that a recent court decision in Arizona could have an effect on the ordinance amendment. Attorney Foster is reviewing the court case.
- ❖ Donna Hazleton, 212 North Thomas stated that she is concerned about speeding on North Thomas Avenue and vehicles going through the stop sign at the intersection of North Thomas Avenue and

Dominic Pace Road. Chief Reynolds explained that he has increased patrols in that area and that vehicles going through the stop sign are more of an issue than speeding.

- ❖ Jane Bustin, 114 Valor Street thanked Chief Reynolds for increasing patrols on her street.

Bills List – A motion was made by Mr. Flick and seconded by Mr. Daly to approve the bills list. **Under the question:** Mr. Cerutti asked about bill 404.314. Attorney Foster explained that the bill is for services provided by the law firm of Campbell, Durant, and Beatty for their consultation of the Borough's proposed civil service ordinance amendment. Attorney Foster stated that the law firm specializes in labor law. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.**

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

- ✚ Administration – Mr. Cerutti reviewed the agenda items discussed by the Committee and explained that the Bradford County Regional Arts Council requested \$50,000 for the Sayre Theater Marquee Project.
- ✚ Public Works – Mr. Flick reviewed the agenda items discussed by the Committee and explained that Northern Tier Solid Waste Authority will begin charging the Borough \$125 for the electronics dumpster. Mr. Flick explained that the issue will be monitored for the remainder of the year and that it may become necessary to charge non-Borough residents for the service.
- ✚ Public Safety – Mr. Daly reviewed the agenda items discussed by the Committee and explained that the National Incident Management (NIMS) training will be offered by Bradford County EMA office in August. Mr. Daly stated that municipalities are required to be compliant with NIMS regulations and how compliance will affect federal grants. Mr. Osmun asked about the letter received from Guthrie regarding lighting on North Thomas Avenue. Mr. Daly stated the issue will be discussed by the Committee in August.
- ✚ Library Board – Mrs. Howland explained that children's program is going well and that a Christmas decorations sale will be held on August 22 from 10am to 2pm.
- ✚ Code Enforcement – Mr. Cerutti reported that the Agency Board voted to approve the sale of 105 Chemung Street to Jason Vorhees for \$13,001 and recommend that the Borough Council also approve the

sale. Mr. Osmun asked about high grass along the railroad tracks, and Mr. Kaiden stated that he will look into the issue. Mayor Thomas asked about the high grass and weeds on North Thomas Avenue near the Packer Avenue Bridge, and Mr. Kaiden stated that he would look into the issue. Mayor Thomas commended Mr. Kaiden for his efforts to correct sidewalk violations.

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

- ✚ Borough Manager – Mr. Jarrett reviewed the status of current and pending projects.
- ✚ Police Chief – There were no questions. Mr. Flick commended the Department on the recent drug arrests.
- ✚ Code Enforcement – Mr. Kaiden stated that he would like to meet with the Borough Council in executive session to discuss an issue with 128 Hoover Street.
- ✚ Fire Chief – There were no questions.
- ✚ Valley Joint Sewer Authority – Mr. Farley stated that the project is completed and that final payment will be made soon.
- ✚ Emergency Management – Mr. Daly reported that he attended a PEMA training course in June.
- ✚ Borough Solicitor – Attorney Foster explained that he had worked with the Planning Commission on the zoning map amendment and natural gas ordinance. Attorney Foster also asked for a brief executive session to discuss a personnel issue.
- ✚ Mayor – Mayor Thomas commended Chief Reynolds and Patrol Officers on the recent drug arrests. Mayor Thomas asked the Borough Council to send a letter to Representative Pickett and Senator Yaw asking them to support the use of radar by municipal police departments. A motion was made by Mr. Flick and seconded by Mr. Osmun to send a letter to Representative Pickett and Senator Yaw. Under the question: **There were none.** There were no objections.

Vote to approve the proposal submitted by Stiffler McGraw & Associates for the Valor Street Sanitary Sewer Improvement Project as recommended by

the Public Works Committee. A motion was made by Mr. Osmun and seconded by Mr. Flick to approve the proposal. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.

Vote to approve the purchase of two (2) bicycles from the Police Bike Store in the amount of \$3,298 for the Police Department as recommended by the Public Safety Committee. A motion was made by Mr. Daly and seconded by Mr. Cerutti to approve the purchase. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.

Vote to accept the resignation of Attorney Gerard Zeller as the Zoning Hearing Board Solicitor effective immediately. A motion was made by Mr. Osmun and seconded by Mr. Daly to accept the resignation with regret. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYES.

Vote to accept the resignation of Susan White-Alvino from the Shade Tree Commission effective immediately. A motion was made by Mr. Flick and seconded by Mr. Daly to accept the resignation with regret. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYES.

Vote to adopt Ordinance 915 – Natural Gas Regulations. A motion was made by Mr. Daly and seconded by Mr. Flick to adopt Ordinance 915. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.

Vote to adopt Ordinance 916 – Zoning Map Change. A motion was made by Mr. Daly and seconded by Mr. Flick to adopt Ordinance 916. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.

Vote to approve the request from Valley Cities Church of God to use Riverfront Park on Sunday, August 16, 2015. A motion was made by Mr. Daly and seconded by Mr. Osmun to approve the request. Under the question: There were none. Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYES.

Vote to approve the request from Amy Johnston, Sayre High School Marching Band Director requesting permission to conduct a “band hat” fundraising drive to raise funds for an upcoming band trip. A motion was made by Mr. Osmun and seconded by Mr. Daly to approve the request. **Under the question:** Mr. Farley asked which streets were included, and Mr. Jarrett stated that he would confirm locations with Ms. Johnston and advise that an adult should be with each group. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYES.**

Vote to approve the advertisement for bids for the North Thomas Avenue & Cayuta Street paving project. A motion was made by Mr. Daly and seconded by Mr. Osmun to approve the advertisement for bids. **Under the question:** Mr. Jarrett explained that the Borough applied for grant funds for the project and that the announcement could be made by the middle of August. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; AYES.**

Vote to approve the proposal submitted by Geoscience Incorporated to provide inspection services for the micro-piling work at the Oliver Lane Pump Station Project for an amount not to exceed \$12,370. A motion was made by Mr. Osmun and seconded by Mr. Flick to approve the proposal. **Under the question:** Mr. Jarrett stated that the cost of the inspection services would be covered by the project grant. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.**

Vote to adopt Resolution 2015-07 authorizing improvements to the traffic signal at the intersection of South Keystone Avenue and Lincoln Street. A motion was made by Mr. Daly and seconded by Mr. Flick to adopt Resolution 2015-07. **Under the question:** There were none. **Roll Call: Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.**

Citizen Comments – Mr. Farley asked for any citizen comments regarding action taken by the Borough Council during the meeting. Janice Gardner, 104 Park Place stated that she had relatives visit during the 4th of July holiday and that they were astonished that there was not a firework display and asked if there would be next year. Mr. Jarrett stated that the current group organizing the fireworks has no intentions to moving the event to the 4th of July. Mr. Jarrett stated that the current group of volunteers is comprised of Borough employees and members of Howard Elmer Hose Company and J.E. Wheelock Hose Company.

Recess – Mr. Farley recessed the meeting at 11:03am before going into executive session.

Executive Session – The Borough Council went into executive session at 11:14am to discuss a personnel issue and potential litigation issue. The session ended at 11:40am.

Hoover Street Sidewalk – Shannon Reid addressed the Borough Council about the requirement to install a sidewalk at her home on Hoover Street and explained that she does not understand why she has to put a sidewalk in now since the house was built five years ago. Ms. Reid stated that she was told by the previous Code Officer that she would not have to put a sidewalk on her property and if she had known then it would have been included in her mortgage.

Executive Session – The Borough Council went into executive session a second time at 11:48am to discuss the Hoover Street sidewalk issue and the potential litigation involving the issue. The session ended at 11:50am.

Hoover Street Sidewalk – Mr. Farley stated that the Borough or the Code Enforcement Agency would pay for the sidewalk at the property.

Vote to accept the bid for 105 Chemung Street. A motion was made by Mr. Flick and seconded by Mr. Osmun to accept the bid submitted by Jason Vorhees in the amount of \$13,001 and to authorize the Council President to execute the sales documents. Under the question: There were none.
Roll Call: **Mr. Daly, Mr. Flick, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES.**

Adjourn – A motion was made by Mr. Daly and seconded by Mr. Flick to adjourn the meeting at 11:55am. There were no objections.

Respectfully submitted,

David M. Jarrett
Borough Manager/Secretary