

Borough Council Meeting September 20, 2012

Call to Order – Mr. Farley called the meeting to order at 6:00pm and Mr. Flick offered the prayer and led the Pledge of Allegiance.

Roll Call – The following members of the Borough Council were present; Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley. Also Present; Mayor Denny Thomas, Attorney Jonathan Foster Sr., Elizabeth Fice, Finance Coordinator, and David Jarrett, Borough Manager.

Approval of the Minutes – The minutes of the regular August Council meeting will stand as presented.

Citizens to be Heard – Becky Fiorello, 108 Woodworth Street addressed the Borough Council regarding the status of the Dollar Store property on Desmond Street, and asked if the Borough Council is planning on making the property a park. Mr. Farley explained that the Borough is currently involved in litigation with the property owner and that the issue cannot be discussed.

Finance Report - The finance report for August 2011 was accepted and filed for audit.

Bills List – A motion was made by Mr. Cerutti and seconded by Mr. Osmun to approve the bills list as presented. **Under the question:** There were no questions or comments. **Roll Call: Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Ms. Sabatura, Mr. Cerutti, and Mr. Farley; YES. Motion Carries.**

Correspondence Report – Mr. Farley asked the Code Agency to review the letter received from the residents on Mohawk Street regarding their issue with cats in the neighborhood.

Appointed and Elected Officials Reports:

Borough Manager – Mr. Jarrett reviewed the items included on his report and discussed the open house planned for the new Police Building and Public Works Building on September 29th. Mr. Jarrett also stated that he attended a two day CDBG training course where it was reported that the announcement on the Borough's 2012 CDBG allocation is expected in October.

Fire Chief's Report – There were no questions or comments.

Police Chief's Report – There were no questions or comments.

Code Enforcement – There were no questions or comments.

Solicitor's Report – Attorney Foster asked for a brief executive session to discuss a real estate issue.

Mayor's Report – Mayor Thomas reported that one of the Borough's patrol cars is out of service due to engine issues and that the car is being repaired. Mayor Thomas announced that Trick or Treat night will be on October 31st between 6:00pm and 7:30pm.

Council President – Mr. Farley announced that the Borough's 2013 Minimum Municipal Obligations for the Police & Non-Uniform Pension Plans have been completed. Copies were included in council packets and these amounts will be in the 2013 Budget as required.

Vote to adopt Ordinance 890 amending Chapter 163 Vehicles & Traffic of the Borough Code – A motion was made by Mr. Flick and seconded by Mrs. Howland to adopt Ordinance 890. Under the question: Attorney Foster clarified that intent of the ordinance and the parking restriction in the 100 block of Madison Street. **Roll Call: Mr. Hickey, Mr. Osmun, and Ms. Sabatura; NO. Mr. Flick, Mrs. Howland, Mr. Cerutti, and Mr. Farley; YES. Motion Carries.**

Vote to adopt Ordinance 891 Public Security Camera Systems - A motion was made by Mr. Hickey and seconded by Mr. Osmun to adopt Ordinance 891. Under the question: Mr. Foster clarified the placement of signs notifying the public of the use of cameras. **Roll Call: Mr. Hickey, Mr. Osmun, and Ms. Sabatura, Mr. Flick, Mrs. Howland, Mr. Cerutti, and Mr. Farley; YES. Motion Carries.**

Vote to adopt Ordinance 892 Progressive Fines – A motion was made by Mr. Flick and seconded by Mr. Cerutti to adopt Ordinance 892. **Under the question:** Ms. Sabatura stated that that she felt the fines were high, and Mr. Osmun stated that he is concerned that the ordinance be enforced fairly. Mr. Flick stated that the enforcement of the ordinance should be evaluated and possibly increased if property owners are not compliant. Mrs. Howland stated that she has heard from residents who feel the fines should be higher. **Roll Call: Ms. Sabatura; NO. Mr. Flick, Mr. Hickey, Mrs. Howland, Mr. Osmun, Mr. Cerutti, and Mr. Farley; YES. Motion Carries.**

Vote to Adopt Resolution 2012 – 09 authorizing the Central Bradford Progress Authority Bond Sale on behalf of Guthrie Healthcare – A motion was made by Mr. Osmun and seconded by Mr. Cerutti to adopt Resolution 2012-09. Under the question: Bernard Smith, Guthrie Vice President, explained that 80% of the money would be used for the construction of the new Corning Hospital, and the remaining 20% would be used for construction projects on the Sayre Campus. **Aye – 5 Nay – 1 Abstain – 1 (Mr. Hickey abstained from voting because he is a member of the Guthrie Board of Trustees.) Motion Carries.**

Vote to advertise for bids for the paving of North Elmer Avenue between West Lockhart Street and Mohawk Street. A motion was made by Mr. Flick and seconded by Mr. Hickey to advertise for bids. Under the question: Mr. Osmun asked if the purpose of the advertisement was to get an actual cost for the project, and Mr. Jarrett stated that it was. **Aye – 6 Abstain – 1 Motion Carries.**

Committee Reports –

-  Public Works – Mr. Flick reviewed the issues discussed at the September meeting.
-  Public Safety – Mr. Osmun reviewed the issues discussed at the September meeting.
-  Administration – Mr. Cerutti reviewed the issues discussed at the September meeting.

Recess – Mr. Farley recessed the meeting at 6:40pm.

Executive Session – The Borough Council went into executive session at 6:45pm to discuss personnel and real estate issues. The session ended at 7:29.

Vote to authorize the Borough Solicitor to submit an amended Zoning Ordinance complying with Pennsylvania Act 13 pertaining to Oil and Gas Operations to the Public Utility Commission for their review and approval. A motion was made by Mr. Flick and seconded by Ms. Sabatura to authorize the Borough Solicitor to submit the amended ordinance to the Public Utility Commission. **Under the question:** There were no questions or comments. **Motion Carries.**

Vote to complete the purchase of tax parcel no. 37-020.21.019 from Calvin C. Cole, Inc. for the sum of \$6,000 including the acceptance of a non-cash contribution and the settlement of a lawsuit involving said property. A motion was made by Mr. Cerutti and second by Mr. Osmun to complete the purchase of tax parcel no. 37-020.21.019 from Calvin C. Cole, Inc. for the sum of \$6,000 including the acceptance of a non-cash contribution and the settlement of a lawsuit involving said property. **Under the question:** There were none. **Roll Call: Mr. Hickey, Mr. Osmun, and Ms. Sabatura, Mr. Flick, Mrs. Howland, Mr. Cerutti, and Mr. Farley; YES. Motion Carries.**

Vote to approve Resolution 2012 -10 authorizing the completion of the aforesaid real estate transaction and settlement of the lawsuit against Calvin C. Cole, Inc. A motion was made by Mr. Flick and seconded by Mr. Osmun to approve Resolution 2012-10. **Under the question:** There were none. **Motion Carries.**

Vote to advertise amendment to the traffic ordinance designated Cypress Street (formerly Warren Street) as one-way traffic from the Northern edge of Robert's Way to the South Waverly Borough Line. A motion was made by Ms. Sabatura and seconded by Mr. Flick to advertise amendment to the traffic ordinance designated Cypress Street (formerly Warren Street) as one-way traffic from the Northern edge of Robert's Way to the South Waverly Borough Line. **Under the question:** Mr. Flick explained that he and Mr. Osmun met with the South Waverly Council President and Warren Croft on September 18th to discuss the issue. Mr. Flick stated that South Waverly Borough agreed to snow plow Cypress Street from their Borough line to Poplar Street. **Motion Carries.**

Vote to re-schedule the October and December Council Meetings. A motion was made by Mr. Hickey and seconded by Mr. Cerutti to re-schedule the October Council meeting to WEDNESDAY, OCTOBER 18, 2012 at 6:00pm and the December Council meeting to THURSDAY, DECEMBER 13, 2012 at 6:00pm. **Under the question:** There were none. **Motion Carries.**

Adjourn – A motion was made by Mr. Hickey and seconded by Mr. Osmun to adjourn the meeting at 7:35pm without objection. **Motion Carries.**

Respectfully submitted,

David Jarrett, CGA
Borough Manager/Secretary