

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

February 3, 2016

I. WELCOME AND INTRODUCTIONS

Council President Bogan Goughler opened the meeting at 7:00 pm, welcomed everyone to the meeting and noted there will be no hurtful or harmful speech allowed.

II. PLEDGE OF ALLEGIANCE (American Flag)

Council President Goughler led the Pledge of Allegiance.

III. MOMENT OF SILENCE

A moment of silence was observed.

IV. ESTABLISHMENT OF QUORUM

Present at the meeting were Council members Bogan Goughler, Howard Barger, John McClelland, Robert Resinger, Larry Baughman and Mayor Jeff MacKenzie. Also present were Borough Solicitor Brain Spaid and Chief Carlson.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

VII. COMMISSION/COMMITTEE REPORTS

A. Planning Commission did not meet.

VIII. STAFF REPORTS

A. Maintenance Foreman:

1. No report

B. Police Chief:

1. Chief Carlson presented Council with a written report for the month of January & yearly report.

2. Motion by John McClelland, being duly seconded by Larry Baughman to authorize Chief Carlson to attend a Crisis and Management Training at LECOM, in Erie, on April 17, 2016. Motion carried unanimously.

3. Motion by John McClelland, being duly seconded by Larry Baughman to authorize Lt. Ryan Ashbaugh to attend mandatory C-NET and J-TAC training on either April 12, 2016 or April 19, 2016. Motion carried unanimously.

C. Administrator/Special Projects:

1. Mr. Sporer stated he had written a letter to Penelec in regards to the request for street lights to be installed in Sugarcreek Village. There would be no cost to put up the lights due to the fact that the poles are already in place. The monthly cost for the electricity would be around \$11.51, per month, per light. Mr. Sporer said Sugarcreek Village does not have a street light tax account like Rocky Grove and Reno and he asked Council what account do they want the payments taken from. Mr. McClelland proposed having the payments come out of the Borough's General Fund and the lights should be installed due to safety concerns. Mr. Goughler suggested tabling the motion until the next meeting.

D. Zoning Officer:

1. No report.

E. CDBG Administrator:

1. No report.

F. Solicitor:

1. Mr. Spaid said he attends a Labor Law Seminar presented by PELRAS, in State College each year. He requested the Borough split the costs with the City of Franklin; the Borough's portion would be \$375.00.

a. Motion by Larry Baughman, being duly seconded by Robert Resinger to approve Brain Spaid to attend the PELRAS Seminar in State College, PA at a cost of \$375.00. Motion carried unanimously.

2. Mr. Spaid said he researched the Sunshine Law and the Borough's "Public Participation" section on the agenda, is out of order. He stated the Borough must have a "Public Participation" section on the agenda before any items that require any action; before the "Commission/Committee Reports." Mr. Spaid also said the Borough could place a "Public Participation Pertaining to Agenda" section at the beginning of the meeting and leave the other "Public Participation" section after "Council Reports" for item(s) other than agenda items. Or the Borough could remove the 2nd "Public Participation" and all public comments could be made at the beginning of the meeting. Mr. Sporer recommended only offering one (1) "Public Participation" section, as Item VII on the agenda, as to avoid any confusion.
 - a. Motion by Larry Baughman, being duly seconded by Robert Resinger to remove the "Public Participation" section on the agenda from Item X and place it as Item VII on the Council Meeting agenda. Motion carried unanimously.

IX. COUNCIL REPORT

- A. John McClelland reintroduced his motion to install a guard rail at the Rocky Grove Avenue end of Phipps Street. Mr. Resinger suggested not only installing guard rails there, but also along the front of the former Fire Hall building property to prevent cars from driving on the property. Mr. Goughler asked Chief Carlson what his opinion was. Chief stated the Borough could not put guard rails along the front of the property because it is a State road and the Borough does not own the property. As for the guard rails along Phipps Street, Chief said he does not believe they are a necessity.
 1. Motion by John McClelland, being duly seconded by Robert Resinger to install guard rails along Phipps Street. A roll call was taken. Mr. McClelland and Mr. Resinger voted in favor of the motion. Mr. Barger, Mr. Goughler and Mr. Baughman opposed the motion. Motion failed.

X. PUBLIC PARTICIPATION (*limited to 3 minutes each*)

- A. Mike Garbacz presented Council with a letter on what Reno V.F.D.'s donation from the Borough was used for. He also stated he does not believe the street light money for Sugarcreek Village should come from the General Fund, because Rocky Grove and Reno have to pay a street light tax. Mr. Spaid stated it is an option for the Borough to impose a street light tax for Sugarcreek Village.
- B. Andrew Eckel said the Rocky Grove V.F.D.'s Chief will soon be requesting the yearly meeting between the fire department and Council. Mr. Resinger wanted to commend the fire department(s) which responded to a house fire on Warren Road.
- C. Chief Carlson, as a resident of Sugarcreek Village, is not in favor of paying a street light tax.

XI. APPROVAL OF MINUTES

- A. Motion by Larry Baughman, being duly seconded by Robert Resinger to approve the minutes of the January 20, 2016 Council Meeting. Motion carried unanimously.

XII. FINANCIAL REPORTS

- A. Motion by Robert Resinger, being duly seconded by Larry Baughman to approve the payment of bills/issuance of checks as presented by the Treasurer. Motion carried unanimously.

XIII. OLD BUSINESS

XIV. NEW BUSINESS

XV. CORRESPONDENCE

XVI. BOARD OF APPEALS

XVII. EXECUTIVE SESSION

Council recessed at 7:27 pm for an executive session to discuss personnel and legal issues which, if conducted in public, would violate a lawful privilege of information or confidentiality protected by the law and any action to follow. The meeting was reconvened at 8:07 pm.

XVIII. NEW BUSINESS (CON'T.)

A. Motion by Larry Baughman, being duly seconded by Howard Barger to approve the Settlement Agreement between the Police Union and Sugarcreek Borough concerning the Unfair Labor Charge. Motion carried unanimously.

XIX. ADJOURNMENT

A. Motion by Robert Resinger, being duly seconded by Howard Barger to adjourn the meeting at 8:12 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President