

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

January 4, 2017

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. Rev. Gary Atkinson of Grace United Methodist Church offered a prayer.

IV. ESTABLISHMENT OF QUORUM

Present at the meeting were Council members Bogan Goughler, Howard Barger, John McClelland, Robert Resinger, Larry Baughman and Mayor Jeffrey MacKenzie. Also present was Borough Solicitor Brian Spaid.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

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

- A. Linda Turner questioned what the official term was for the "Reserve Account"; was it an Operating Account or Reserve Account. Mr. Sporer stated it is a Reserve Account. Mr. Sporer said in 2004, the Council at that time made a unanimous motion to transfer unidentified non – resident wage tax funds from the Wage Tax Account to a Capital Reserve Account. In 2009, \$500,000 was taken out of that fund to balance the budget; leaving approximately \$900.00 in the account. Mr. Sporer stated the Borough is required to have a Capital Reserve Account, in the event of a major expense and/or emergency to the sewer and/or water system; not to balance a budget. Ms. Turner also questioned why the Borough has a full – time zoning officer.
- B. Faye Baughman questioned why another full – time police officer has not/cannot be hired. Mr. Goughler stated it is not in the budget.
- C. Diane Shields questioned the status of the street lights in Sugarcreek Village. Mr. Spaid stated the Borough Code does not express the legality of paying for street lights out of Borough funds, as opposed to a street light tax. Mr. Spaid said it was at the discretion of Council on how to proceed. Mr. Spaid said those residents expressing concern over the street lights are not questioning the safety issue, but questioning why the Villages of Rocky Grove and Reno have to pay a street light tax and Sugarcreek Village would not. He said it is a political issue at this point, more than a legal issue. Ms. Shields stated she will be attending the upcoming Valley Grove School board meeting. Mr. Goughler said the subject would be discussed further in executive session. Chris Rossetti, reporter for Explore Venango, questioned why it would be discussed in executive session. Mr. Spaid said there is the possibility of pending litigation; which is an executive session issue.
- D. Charlie McDaniel asked for clarification on what the 1 mill tax rate increase was going to. Mr. Sporer said the Borough has not received information of health insurance costs for the upcoming year; and any surplus would go to that cost.
- E. Mike Garbacz asked if there was any other savings account/fund for the Borough. Mr. Sporer stated there was not; only the Capital Reserve Account. Mr. Garbacz questioned where unexpected employee overtime would be paid from. Mr. Sporer said such costs are included in the budget and the Borough's General Fund does not reset to \$0 at the beginning of each year and there is a carryover from year – to – year. Mr. Garbacz asked for an explanation of the \$205,000 cost to the sewage treatment plant and asked if that comes out of the General Fund. Mr. Sporer says it does not and the Borough owns 25% of the sewage treatment plant and that money comes out of sewer funds. Mr. Garbacz also questioned if the money the fire departments are receiving from the Borough is limited as to what it can be used. Mr. Sporer said there are limitations. Mr. Spaid said those funds could only be used to purchase or aid in the purchase of capital equipment/supplies, the construction, repair and maintenance of building(s), to acquire

land and training. Or the Council can determine other uses. Mr. Sporer asked if the fire departments prepare a budget or balance sheet each year. Mr. Garbacz said Reno V.F.D. does not prepare a budget based on not knowing how much the departments will receive in donations. Mr. Spaid recommended that if Council would want to allocate the funds for other uses, then the fire departments should approach Council with what they would use the funds for, as opposed to just giving the departments the money.

VIII. COMMISSION/COMMITTEE REPORTS

A. No report.

IX. STAFF REPORTS

A. Maintenance Foreman:

1. No report.

B. Police Chief:

1. Motion by Robert Resinger, being duly seconded by John McClelland to approve Resolution No. 1 of 2017, which authorizes the Council President to sign the Automated Red Light Enforcement Program Project Funding Agreement (ARLE Grant), on behalf of the Borough. Motion carried unanimously.

C. Administrator/Special Projects:

1. Mr. Sporer updated Council on a letter the Borough received from the Venango County Department of Public Safety, which states the volunteer fire departments will no longer respond to down trees and any other debris in the roadway. 911 would notify PennDOT for state roads and the Borough Maintenance Department for Borough roads. Mr. Sporer recommended giving 911 Dick Phillips' and Paul Geer's numbers for the Borough roads, as well as notify Chief Carlson.

2. Motion by Larry Baughman, being duly seconded by Robert Resinger to authorize May and Company to perform the Borough's Annual Audit for year ended December 31, 2016, not to exceed \$3,850.00 and to be issued no later than June 30, 2017. Motion carried unanimously.

D. Zoning Officer:

1. Mr. Baughman questioned how the Zoning Hearing went for the proposed storage buildings behind Shaw Industries. Mr. Sporer said the hearing was recessed due to issues with the construction of the buildings being directly over one of the Borough's sewer line and the City's water line and that it will be continued.

E. CDBG Administrator:

1. Motion by Larry Baughman, being duly seconded by Robert Resinger to authorize the Borough to enter into a Cooperation Agreement with the County of Venango in which the County will administer the Borough's FFY 2016 CDBG Funds. Motion carried unanimously.

F. Solicitor:

1. No report.

X. COUNCIL REPORT

XI. APPROVAL OF MINUTES

A. Motion by John McClelland, being duly seconded by Howard Barger to approve the minutes of the December 21, 2016 Council Meeting. Motion carried unanimously.

XII. FINANCIAL REPORTS

A. Motion by Larry Baughman, being duly seconded by Howard Barger 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 7:51 pm.

XVIII. NEW BUSINESS (CON'T.)

A. Mr. Baughman encouraged Ms. Shields to continue to speak with the school district in regards to the three (3) street lights in Sugarcreek Village. Mr. Sporer said he will speak with Penelec the following day and send out a letter stating the location and number of street lights, so that the process of installation can begin.

XIX. ADJOURNMENT

A. Motion by Robert Resinger, being duly seconded by Howard Barger to adjourn the meeting at 7:54 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President