

**BOROUGH OF SUGARCREEK
COUNCIL MEETING MINUTES**

October 5, 2022

I. WELCOME AND INTRODUCTIONS

Council President James Speth 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 Speth 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 Larry Baughman, Alan Heller, Bogan Goughler, Matthew Carlson, James Speth and Mayor Charles McDaniel. Also, present was Police Chief Bob Wenner, Maintenance Foreman Doug Freer and Attorney Brian Spaid.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

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

A. Anastacia Askins presented Council with a request for a handicap parking sign to be placed in front of her grandmother's house, at 844 Fern Avenue. Currently, there is only parking across the street. Ms. Askins said it is difficult for her grandmother to walk across the street, especially in inclement weather. She also asked if the handicap spot was not an option, would the Council consider moving the parking to the other side of Fern Avenue. Chief Wenner said he is not in favor of placing a handicap parking sign up, since it typically leads to more requests. And he is not sure what the impact would be moving the parking to the opposite side of the street. Ms. Askins said she remembers there not being a limitation on what side of the street you could park on, until Council passed an ordinance designating which side of the street one could park on. She requested an amendment to that ordinance. Mr. Carlson suggested approving the handicap parking spot request. Mr. Goughler said it would be a temporary spot and did not have an issue with it. Chief said he is not opposed to helping her, but he is concerned with the possibility of the number of requests that could begin for handicap parking spots. Along with the expense and plowing concerns it could create and also determining who and who does not get a handicap spot. Mr. Carlson said it could be on a case – by – case basis. Mr. Baughman is not in favor of amending the ordinance and changing to both sides of the street parking. Mr. Baughman said there is a driveway and car port at this residence. He also asked Ms. Askins if her grandmother would be driving. Ms. Askins said her grandmother does not have limitations on her driving. And she said her grandmother is entitled to reasonable accommodations. Mr. Spaid said it is not an ADA – compliance issue. He also said that if a handicap parking sign is placed there, then anyone with a handicap placard is entitled to use it. Mr. Spaid also said if a handicap parking sign is installed, then an ordinance must be done so that the Police Department can enforce and write tickets to those who park there without a handicap placard. Mr. Spaid cautioned that there cannot be a "special spot" restricted for one resident. He does not recommend putting the spot in or not; but if Council chooses to approve the spot, he does recommend an ordinance be passed. Mr. Freer asked if the car would be parked there most of the winter. Ms. Askins said most likely not, but she can't say for sure. Mr. Freer expressed concerns over plowing and snow removal if the car will be parked on that side of the street. Chief Wenner said he is not opposed to helping residents, but does not recommend approving this request. Mr. Heller stated he agrees with Mr. Spaid and Chief Wenner. Mr. Sporer does not recommend allowing parking on both sides of Fern Avenue, due to plowing concerns. Mr. Spaid recommended Council table the request, go do their own research, consider the options, etc., and come back to it at a later time. Mr. Spaid also said another issue to consider would be removing parking from across the street of the handicap spot. This would be necessary to allow the plow trucks enough room to get around the handicap spot. He cautioned that this would most likely result in removing three or more parking spots on that side of the street where parking is currently allowed. Chief Wenner also said there is more to it than installing a sign; a

handicap parking spot is approximately 20 ft. in length and would also require the spot to be painted.

VIII. STAFF REPORTS

A. Maintenance Foreman:

1. Doug Freer updated Council and said a third culvert has been replaced and Shaffer Run Road is back open. They are currently hauling anti – skid and preparing for the winter.
2. Mr. Freer requested Council consider the purchase of a new truck in the 2023 budget. He has been calling around and if the Borough was to purchase a Ford truck, as they have in past, it would be almost two years before the Borough would receive it and be able to utilize it. Mr. Freer said he found a 2023 GMC truck, with a plow and lift gate, that would be available around April or May 2023. The purchase price is \$56,840.88. The Borough did not replace the water truck that was taken out of service in 2021. Mr. Carlson asked if this was included in the 2023 budget. Mr. Sporer said it was and he recommends purchasing it now due to supply chain issues and having to wait to receive it. He does not want to have an emergency and be down on equipment and having to wait several months and even years to receive the equipment. Mayor McDaniel recommended purchasing it now if one is available. Mr. Baughman asked if this was the COSTARS price. Mr. Freer said it was. Mr. Baughman asked if they were still looking for a leaf vacuum. Mr. Freer said they are but they are extremely difficult to find, especially used and in good working condition. Mr. Spaid said a motion to purchase the truck is not necessary since the purchase is already factored into the 2023 budget, if it can wait to be ordered until the 2023 budget is approved and passed. Mr. Freer said to be able to secure the purchase of the truck that is available, he would have to order it as soon as possible. Mr. Spaid said a motion would then be required.
3. Mr. Heller asked about Allenbaugh Road and one end is blocked off. Mr. Freer said the pipe is collapsing. He said the department has been trying to repair it, but will have to remove it and leave that end closed.
 - a. Motion by Matthew Carlson, being duly seconded by Bogan Goughler to approve the Maintenance Foreman to order the 2023 GMC truck, at a purchase price of \$56,840.88, as recommended by the Maintenance Foreman. Motion carried unanimously.

B. Police Chief:

1. Chief Wenner said the new cruiser is in, but they are waiting for it to be outfitted. He stated himself and Officer Corbett will be attending speed and ENRADD training, on Oct. 18, 2022, in Williamsport. The computers have been installed in the cruisers and the department is currently being trained in using them.
2. Chief also wanted Council to consider lowering the speed limit on Shaffer Run Road where it comes in to Reno, from 45 MPH to 25 MPH. He said there has been numerous accidents in that area already and with the culverts replaced, it means motorists will be driving faster. Chief said new signs will have to be installed. Mr. Spaid said he can work with Chief on getting the appropriate information and have an ordinance ready for Council.

C. Administrator/Special Projects:

1. Mr. Sporer updated Council that the Administrative Offices will be closed on Oct. 7, 2022, for Applefest.
2. Mr. Sporer said he has been in contact with Floyd Wise, the consultant from DCED, in regards to the fire department(s) study. As of the meeting time, the Borough has only received information back from the Reno V.F.D., no information from Rocky Grove V.F.D. He said Mr. Wise will contact the fire departments for information. It will take approximately 4 – 6 months to complete.
3. The Borough's trick – or – treat hours are set for Oct. 31, 2022, from 6:00 – 8:00 PM.
4. Mr. Sporer presented Council with the 2023 budget. He stated it is a balanced budget, with no tax increase recommended. Mr. Speth said he knows Mr. Sporer works hard on the budget each year and through his tenure on Council, he is very pleased with the Borough's finances. Mr. Sporer said it is a collective effort with everyone that works at the Borough. He also anticipates a surplus in the current year's budget.
5. Motion by Larry Baughman, being duly seconded by Matthew Carlson to adopt Resolution No. 1 of 2022, which agrees to create tobacco – free areas at the playgrounds within the Borough. Motion carried unanimously.

6. Motion by Bogan Goughler, being duly seconded by Alan Heller to approve Resolution No. 2 of 2022, Resolution of Approval FFY 2022 Community Development Block Grant (CDBG) Application. Motion carried unanimously.
 7. Motion by Bogan Goughler, being duly seconded by Alan Heller to approve the Cooperation Agreement between the Borough and the County regarding the administration of the FFY 2022 Community Development Block Grant. Motion carried unanimously.
- D. Zoning Officer:
1. No report.
- E. Solicitor:
1. No report.

IX. COUNCIL REPORT

- A. Alan Heller stated he received a complaint from a resident on Palmer Avenue that large trucks/semi – trucks are going up Palmer Avenue, off of Rocky Grove Avenue. Mr. Heller asked if there was anything that could be done or enforced, other than the weight limits. Chief Wenner said he will see if they can stop one and see if their GPS is directing them that way. Also, they would be over the weight limit.
- B. Matthew Carlson asked Mr. Freer if he could contact PennDOT in regards to the roadway eroding at Causeway Drive and Sugarcreek Drive.
- C. Bogan Goughler said he is pleased with the work done on Shaffer Run Road.

X. APPROVAL OF MINUTES

- A. Motion by Bogan Goughler, being duly seconded by James Speth to approve the minutes of the Sept. 7, 2022 Council Meeting. Motion carried unanimously.

XI. FINANCIAL REPORTS

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

XII. OLD BUSINESS

- A. Larry Baughman requested to have a camera system set up at the Rocky Grove Playground to help identify who is vandalizing the pavilion. He recommended setting it up away from the pavilion so the camera(s) are not damaged as well. Mr. Baughman wanted to try this route before removing the basketball hoops. Chief Wenner said there are options and he will look in to it. Mr. Sporer said there are now children standing on and damaging the swings.
- B. Mr. Speth updated Council on Richard Mulholland's request to rename the bridge along Rt. 427 in memory of his son. Mr. Speth said Mr. Mulholland has contacted R. Lee James's office and is waiting to hear back from them.

XIII. NEW BUSINESS

XIV. CORRESPONDENCE

XV. BOARD OF APPEALS

XVI. EXECUTIVE SESSION

Council recessed at 7:55 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 8:10 pm.

XVII. ADJOURNMENT

- A. Council President James Speth adjourned the meeting at 8:18 PM.

Joseph M. Sporer, Borough Manager

James Speth, Council President