

**BOROUGH OF SUGARCREEK  
COUNCIL MEETING MINUTES**

February 20, 2013

**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 hateful 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, Larry Baughman, Howard Barger and John McClelland. Mayor Charles Minnick and Robert Resinger were excused. Also present were Chief Carlson and Solicitor Brian Spaid. Officer Deeter, Barbara Manski and Dick Phillips were not present.

**V. DISTRIBUTION OF AGENDA**

**VI. COUNCIL CHANGES TO AGENDA**

**VII. COMMISSION/COMMITTEE REPORTS**

A. John Dumbleton reported the Planning Commission did not meet.

**VIII. STAFF REPORTS**

A. Maintenance Foreman:

1. No report.

B. Police Chief:

1. Chief Carlson updated Council on the NIMS (National Incident Management System) Training he attended. He said P.E.M.A. (Pennsylvania Emergency Management Agency) stated if a municipality is not NIMS compliant, then grant monies will not be awarded to those municipalities.

2. Motion by John McClelland, being duly seconded by Howard Barger to appoint Doug Carter as Deputy E.M.A. Coordinator for Sugarcreek Borough. Mr. Baughman abstained. Motion carried.

C. Administrator/Special Projects:

1. Motion by Larry Baughman, being duly seconded by John McClelland to adopt Resolution No. 1 of 2013 which authorizes the Borough to appoint Berkheimer as its Tax Hearing Officer. Motion carried unanimously.

2. Motion by Larry Baughman, being duly seconded by John McClelland to adopt Resolution No. 2 of 2013 which authorizes the Borough to appoint Berkheimer as its delinquent tax collector of its Earned Income Taxes. Motion carried unanimously.

3. Motion by Larry Baughman, being duly seconded by John McClelland to adopt Resolution No. 3 of 2013 which authorizes Berkheimer to impose and retain costs of collection on delinquent taxes. Motion carried unanimously.

4. Motion by Larry Baughman, being duly seconded by John McClelland to adopt Resolution No. 4 of 2013 which appoints the Borough Manager and/or Treasurer as the authorized representative between the Borough and Berkheimer. Motion carried unanimously.

5. Motion by John McClelland, being duly seconded by Larry Baughman to approve the purchase of vertical blinds for the administrative offices, from Ken Miller, at a cost of \$1,500.00. Motion carried unanimously.

D. Zoning Officer:

1. Motion by Howard Barger, being duly seconded by John McClelland to adopt Resolution No. 5 of 2013 which states Anchor Construction, LLC is responsible for the operation and maintenance of the Stormwater Management at the Anchor Construction Building located on Rt. 8. Motion carried unanimously.

2. Motion by Larry Baughman, being duly seconded by Howard Barger to adopt Ordinance No. 275 of 2013 which allows "Wholesale Business" as a Permitted Use in a C – 1 Commercial Zone. Motion carried unanimously.

E. CDBG Administrator:

1. Mr. Sporer stated Ms. Manski is currently working on getting equipment lists from the fire departments. An application for an extension has to be submitted and approved before any funds can be released. Mr. Sporer said there has been no correspondence from Rocky Grove V.F.D.

F. Solicitor:

1. Mr. Spaid suggested that the Zoning Ordinance needs to be updated.

**IX. COUNCIL REPORT**

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

- A. John Dumbleton stated the Planning Commission is looking for new members to fill the vacancies on their board.
- B. Mike Garbacz stated the fire department has, unfortunately, been busy the past week. He also stated the Yield Sign at the intersection of 7<sup>th</sup> Street and Walnut Street, in Reno, needs to be repaired.

**XI. APPROVAL OF MINUTES**

- A. Motion by Howard Barger, being duly seconded by Larry Baughman to approve the minutes of the February 6, 2013 Council Meeting and Public Hearing. 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**

1. Conditional Use Hearing scheduled for Wednesday, March 6, 2013, at 6:30 PM, for PSC Metals/Westmoreland Company. Mr. Spaid stated the application was a joint application between PSC Metals and Westmoreland Company. The Westmoreland Company is located out of state and Mr. Spaid has spoken with them and will allow them to send a letter of support for the application.

**XVI. BOARD OF APPEALS**

**XVII. EXECUTIVE SESSION**

Council recessed at 7:18 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.

**XVIII. NEW BUSINESS (Con't)**

1. Motion by John McClelland, being duly seconded by Howard Barger to employ Bill Walker as the part – time Zoning Officer, at a salary of \$15.00 per hour, effective March 11, 2013. Motion carried unanimously.

**XIX. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 8:11 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President