

# BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

February 7, 2024

## 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. Mr. Speth noted the meeting would be recorded by the newspaper reporter in attendance.

## 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 Alan Heller, Bogan Goughler, Howard Barger, James Speth and Mayor Matthew Carlson. Council Member Larry Baughman was excused. Also, present were Maintenance Foreman Doug Freer, Chief Bob Wenner and Attorney Brian Spaid.

## V. DISTRIBUTION OF AGENDA

## VI. COUNCIL CHANGES TO AGENDA

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

- A. Council President Jim Speth addressed the Public in regards to the on – going discussions with the City of Franklin and police coverage. Mr. Speth stated that he and Mayor Carlson met with officials from the City of Franklin one time since the previous Council meeting and continued to discuss various options. Mr. Speth said there are currently three (3) options that are being discussed; the first option is to remain status quo with the current coverage, the second option is to form a plan to increase coverage towards 24/7 and the final option is to explore talks with the City of Franklin to offer Police coverage.
- B. Jessica Monaco expressed support for the Police Department.
- C. Lori Braun expressed support for the Police Department.
- D. Mary Jane Allen asked if members of Council could meet with officials from the DEP to continue to address the Reno water situation. Mr. Spaid said the P.U.C. is currently in control of determining if the Venango Water Company will continue to own and operate the Reno water system. To Mr. Spaid's knowledge, the Venango Water Company has issued a notice to the P.U.C. stating that they intend to walk away from all the systems they own and operate, including the Reno water system. During the fall of 2023, Mr. Spaid said Aqua PA approached the General Authority requesting that the General Authority enter into a contract with Aqua PA to sell water to Aqua PA. Aqua PA would construct a line between Reno and Front Street. Mr. Spaid said they are currently in on – going negotiations. Mr. Spaid said the Borough's involvement is very limited since this involves State agencies. He also said that Aqua PA will only provide water services and Venango Water Company's letter addressed both water and sewer services.
- E. Brenda Gorley expressed support for the Police Department.
- F. Tim Whitman expressed support for the Police Department. He also questioned if Council would reexamine the Maintenance Dept.'s spending habits and number of employees. And possibly be able to reallocate funds from the Maintenance Dept. to the Police Dept., in order to increase Police coverage.
- G. John McClelland expressed support for the Police Department.
- H. Anastacia Askins expressed support for the Police Department.
- I. Eric Polito expressed support for the Police Department.
- J. Robin Braatz questioned Mr. Spaid if the Borough could use any building inspector if there is no signed agreement with the current building inspector. Mr. Spaid said the one appointed by the Council is the one to use. Mr. Sporer said there was a signed agreement, but the Zoning Officer is still trying to locate it since it was done under another Zoning Officer.
- K. Teri Lowry expressed support for the Police Department. She presented Council with numbers that she feels were inflated by the Borough Council. Chief Wenner said the average salary for a full – time officer is around \$44,000 and up to around \$60,000 with health insurance benefits. Chief also stated he has an officer he is prepared to hire full – time and will bring the name to

the Council for approval. Valerie Zitterbart, Reno Neighborhood Association, said the City of Franklin's current Police budget is around \$1,700,000. Ms. Lowry asked if that included coverage for Sugarcreek Borough. Ms. Zitterbart stated it would be an addition \$1,000,000 to provide coverage to the Borough. Ms. Lowry also said she was offended that Mr. Spaid is both the City of Franklin's and Sugarcreek Borough's Solicitor. Mr. Spaid said if it came down to contract negotiations, the Borough would have to hire another attorney to represent them. He would not subject either municipality to such a conflict of interest. Ms. Lowry said the Borough's in negotiations now. Mr. Spaid said there are no numbers, figures or any other solid negotiations being discussed at this time.

- L. Dick Rial expressed support for the Police Department. He said he realizes residents want a full – time Police Dept., but it may not be feasible. He said if it came down to a tax increase, you have approximately 40 people in attendance at the meeting and that does not represent the whole Borough. Mr. Rial said he received a plan from Chief Wenner that says the Borough could run a full – time department with 8 full – time officers and 2 part – time officers. He said he feels people are overacting at this early stage of the process, but it is Council's right to explore other options.
- M. Dee Hanna expressed support for the Police Department.
- N. Tim Lowry expressed support for the Police Department and the Maintenance Department. Mr. Lowry said he feels the Borough should be preparing for how the Country is changing with an influx of immigrants coming in and the affect it will have on crime all around. Mr. Lowry said he attended the City of Franklin Council meeting and he spoke with three (3) Council members whom he said were not aware of any talks about merging Police Departments.
- O. Jeremy Rankin expressed support for the Police Department.
- P. Bill Lux expressed support for the Police Department. He wished to keep all the in – house options. Mr. Lux also asked Mr. Spaid if such a decision could go on the ballot to allow all the taxpayers of the Borough to have a vote, especially with such a small number of taxpayers being represented by those in attendance at the meeting. Mr. Spaid said a referendum could be placed on the ballot by the Council. He also said he believes the Council will not vote to raise taxes and disband the Borough Police Department. Mr. Lux said he agrees with Mr. Spaid. Mr. Spaid said he wanted to make it clear why the Police Department's budget was lower this past year. He said the department is currently approved to run 160 hours of coverage per week. Currently, there are three (3) full – time officers, which includes the Chief, and some part – time officers working 120 hours per week. The department was budgeted for four (4) full – time officers, which would explain a large part of the savings in the budget. Mr. Spaid asked Chief Wenner what the current Police budget is for 2024. Chief Wenner stated it is \$477,000 this year and \$455,000 the previous year. The increase is due to the increase in wages, as per the contract. Mr. Spaid said to increase a force from four (4) full – time budgeted officers to eight (8) full – time officers, as Chief Wenner recommends in order to provide full – time coverage, the budget would be approximately \$1,000,000 for the department. Mr. Spaid asked Mr. Sporer how many mills would that be to increase the current Police budget by \$500,000. Mr. Sporer said it would be around a 2.5 mill increase, which equates to around \$150 - \$200/taxpayer based on the \$100,000 value. Mr. Spaid also said Chief's estimate of a full – time officer's wages, with health insurance being around \$60,000 is not fully accurate. That amount does not take into account maintaining their pension, employee costs and equipment costs. Mr. Spaid said the City of Franklin will have to consider the same costs as well and if they want to expand the department. Mr. Spaid said in regards to Mr. Lowry's comment about City Council members, he can assure those in attendance that the City is fully aware of the talks that have been going on. He said the City Council has very briefly discussed it in Executive Session, only to the point of giving the Mayor, City Manager and then Police Chief the authority to have a discussion with Borough officials. Mr. Spaid said there has been no other information presented to or discussed with City Council Members and he does not know what they will do. Ms. Zitterbart said she disagrees with that statement because she has 2 pages of information from the City of Franklin. Mr. Spaid said he is only stating what he is aware of. Mr. Speth wanted to reiterate that Council will not proceed if it will end up costing Borough residents more. But he wants to see if it would be beneficial with final, concrete numbers and figures.
- Q. Gene Winger expressed support for the Police Department. Mr. Winger expressed concern since the City of Franklin would be contracted out and would the Borough lose the ability to address any concerns or issues.

- R. Donna Bowen expressed support the Police Department, Volunteer Fire Departments and the Maintenance Department. She said the Borough is truly lucky to have the services that they have.
- S. Dan Marvin presented Council with Reno V.F.D's report. He said they have responded to 14 calls so far this year. He also expressed support for the Police Department. Mr. Marvin also asked if looking at an 18 – hour day versus 24/7 coverage could be an option. Mr. Speth said that could be an option, but he was going off of what the feedback has been so far. Mr. Marvin also wanted to commend the Maintenance Department on the job they have been doing with the snow we have received this winter. Mr. Marvin said he also agrees with the Maintenance Dept.'s manpower. He said it is a safety issue to have at least two (2) people flagging at an intersection.
- T. Jacob Saullo, Valley Grove School District Principle, expressed support for the Police Department. He also said Council needs to consider the experience which the Borough has now. Mr. Speth said we will have new officers whether they are in – house, the City or the State.
- U. Kelly Hart, Valley Grove School District Principle, expressed support for the Police Department. She said she works daily with Chief Wenner and worries that relationship and contact would not carryover if the Borough would go with the City of Franklin. She said when it was made public that Chief Wenner was retiring from Oil City PD and coming to the Borough, she received nothing but praise from members of the Oil City School District.
- V. Sam Breene, Venango County Commissioner, said he was asked to attend tonight's meeting and expressed his support for the Police Department. He said he wants to see all the streets safe in Venango County.
- W. Kyle Peasley, Venango County Assistant District Attorney, expressed support for the Police Department. He also wanted to praise Mayor Carlson and Council Member Heller for their service as both police officers and members of Council.
- X. Chip Abramovich, Venango County Commissioner, wanted to thank the Police Department for their response times when they have been needed at his family's golf course.
- Y. Valerie Zitterbart, Reno Neighborhood Association, presented Council with a survey the Association put together to give more people of the Borough a voice in the discussion. She stated they received 147 responses, 46.2% of those who responded were Borough residents and 27% were business owners or somehow involved in the Borough. She presented the survey results as follows: 87.5% (127 people) would like to continue with the Borough Police Department in its current state, 8.8% (13 people) would like the Borough to contract Police coverage to another entity, 59.2% (87 people) would agree with keeping the current Police Department even if it meant an increase in taxes, 27.2% would request more information before making a decision and 4.8% (7 people) would want the Borough to contract Police coverage out to another entity even if it meant an increase in taxes. She also informed Council that she had done some research on what all it would take to have a referendum placed on the ballot. According to her research, there only needs to be 147 people to petition for a referendum to be placed on the ballot. And it needs to be done 90 days before an election. She said they have met the number of people necessary to have a referendum placed on the ballot. She presented Council paper she stated she received anonymously which contained the City of Franklin's preliminary figures and talking points. According to the paper she received, the estimated cost totals to have the City of Franklin provide coverage to the Borough would be \$1,100,000, including vehicles. A member of the public asked if the paper she just read from was available to the public. Ms. Zitterbart said it was given to her anonymously and she would provide a copy if she wanted one.
- Z. Andrew Fish, Venango County Magistrate Judge, presented Council with fines that have been generated since Chief Wenner has become Chief.
- AA. Jeff Lemier wanted to have more financial figures before any informed decision could be made.
- BB. Ken Bryan, Venango County Commissioner, said he was happy to see people involved in community issues. He expressed his support of the Police Department.

## VIII. STAFF REPORTS

- A. Maintenance Foreman:
  - 1. Mr. Freer said the department has received another delivery of salt and have now met the minimum requirement for the Borough's salt contract. Mr. Freer also updated Council that a member of the Maintenance Department had submitted his two – week notice and his last day was Feb. 2, 2024.

B. Police Chief:

1. Chief Wenner said he was asked by Mayor Carlson to present Council with his plan for the department that they have been asked or consulted about, but did not have to be. He also stated there is an Executive Session item he has to deal with, which is updating Council on the new hire for the fourth full – time officer. Chief Wenner said the department has been running around 120 patrol hours per week, but now with Officer Wilson back from injury and Officer Deloe and Officer McMillen working, the department is running between 140 – 150 hours per week. He said once the new full – time officer is hired and working full shifts, the department will be over the 160 patrol hours per week, with the part – time officers working as well. At that time, he would recommend and ask Council to increase patrol hours to 200 hours per week. During his time in Oil City, he was able to get into a routine of replacing vehicles every two (2) years. Chief said he is aware that Franklin P.D. asks for multiple vehicles each year. According to the contract, which he reiterated is public knowledge, they have higher salaries than the Borough, for example, the Lieutenants' salaries are \$90,000 + with benefits and patrolmen begin around \$60,000 - \$65,000. Chief said the department would not require any additional equipment if they do the allotment of one officer per year. This would allow the Council and the department to evaluate each year if adding a new officer would be feasible or not. He said he does not believe adding several officers at the same time will help the situation either. Chief wanted to thank the Community once again for their support. Chief addressed Mr. Speth and told him he knows there are numbers out there and there is something different going on and Mr. Speth needs to make it right and make it open. And if he is wrong, please tell him but he does not believe he is wrong. Chief said he does not bring Police applicants to Council until they have passed all of their certifications. He also reminded Council that the department already has the appropriate equipment, other than needing to upgrade some equipment which he tried to do last year. He feels confident the Borough will qualify for the grant for the radios, which opened up January 8, 2024. He also been doing research on the COPS Grant for 2025, which is three – year funding for a full – time officer. Chief said the COPS Grant pays the officer's salary in full for the first year and percentages for the second and third years decreasing to the Borough paying the officer's full salary by the fourth year. He said he has applied for and received them before. Chief agreed that his return on budget last year was due in part to being down a full – time officer, but the current officers are giving of their time and not writing down all their time for overtime, coming before shift and staying over to wash cars and participating in the food drive at the mall, for example.

C. Administrator/Special Projects:

1. Motion by Alan Heller, being duly seconded by Bogan Goughler to issue Rocky Grove V.F.D. and Reno V.F.D. their annual donation of \$25,000 to each department. Motion carried unanimously.
2. Mr. Sporer presented Council with a request to have the taxes on 30 Lamberton Street exonerated and transfer ownership to the Borough from the Land Bank. The property is in disrepair and falling in. Mr. Sporer said First National Bank owns the mortgage on the property and they will release the mortgage. Venango County Land Bank will purchase the property and then will be able to transfer ownership of the property from the Land Bank to the Borough. Mr. Sporer recommended using CDBG funds to demolish the house.
3. Motion by Bogan Goughler, being duly seconded by James Speth to exonerate the Borough's portion of the taxes on the property located at 30 Lamberton Street and transfer ownership from the Venango County Land Bank to Sugar creek Borough. Motion carried unanimously.

D. Zoning Officer:

1. No report.

E. Solicitor:

1. Mr. Spaid presented Council with a letter from his law firm, Dale Woodard Gent McFate, stating there will be a fee increase. Mr. Spaid's current hourly rate is \$200.00 and will be increasing to \$250.00, beginning February 1, 2024.
2. Motion by Bogan Goughler, being duly seconded by Alan Heller to accept the increase in the Borough Solicitor's hourly rate from \$200.00 to \$250.00, effective February 1, 2024. Motion carried unanimously.

**IX. COUNCIL REPORT**

- A. Alan Heller wanted to thank the residents for attending the Council meetings and voicing their opinions.
- B. Mayor Carlson wanted to make the Council and public aware of a dedication ceremony Rep. R. Lee James will be holding on March 21, 2024, at 11:00 AM to rename the bridge on St. Rt. 427 over Sugarcreek, the Richard James Mullholland Memorial Bridge. The ceremony will be held at the Cooperstown Community Church. Mayor Carlson directed anyone interested in additional information or attending the ceremony to contact Rep. R. Lee James's office.

**X. APPROVAL OF MINUTES**

- A. Motion by Bogan Goughler, being duly seconded by Howard Barger to approve the minutes of the January 3, 2024 meeting. Motion carried unanimously.

**XI. FINANCIAL REPORTS**

- A. Motion by Bogan Goughler, being duly seconded by James Speth to approve the payment of bills/issuance of checks as presented by the Treasurer. Motion carried unanimously.

**XII. OLD BUSINESS**

**XIII. NEW BUSINESS**

**XIV. CORRESPONDENCE**

**XV. BOARD OF APPEALS**

**XVI. EXECUTIVE SESSION**

Council recessed at 8:19 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 9:37 pm.

**XVII. NEW BUSINESS CON'T.**

- A. Motion by Alan Heller, being duly seconded by Bogan Goughler to hire Lori Braun as the Police Department Police Clerk, at an hourly rate of \$13.00/hour, effective February 26, 2024. Motion carried unanimously.

**XVIII. ADJOURNMENT**

- A. Motion by Alan Heller, being duly seconded by James Speth to adjourn the meeting at 9:38 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

James Speth, Council President