

BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

March 5, 2025

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, James Speth, Bogan Goughler, Larry Baughman, Howard Barger, and Mayor Matthew Carlson. Also present were Chief Robert Wenner, Attorneys Brian Spaid.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

- A. Mayor Carlson said he has one person to swear in for the Fire Police. Mr. Speth said it can be done during Council Reports.

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

- A. Dan Marvin, Reno V.F.D., updated Council that the department has responded to 26 calls since the last meeting; 13 fire calls and 13 ambulance calls.
- B. John Holden said he lives on Takitezy Road and does not want to see the ATV's being allowed to use Takitezy since it is a dead – end road. He asked Council to have Takitezy Road removed from the approved list of roads.
- C. David Hartnett said he also lives on Takitezy Road and suffers from COPD. He feels the dust created by the ATV's would aggravate his medical condition and requested to have Takitezy Rd. removed from the approved roads list.
- D. George Blair requested Council to remove McCleery Road from the approved list of roads regarding the proposed ATV ordinance.
- E. Chuck Minnick questioned what the liability would be if there were accidents and he does not understand the interconnected trail. He said he feels there is too much of a liability.
- F. Jeff Coxson said he does not support the proposed ATV ordinance on McCleery or Takitezy Roads. Mr. Coxson said he has had a DEP permit approved for the past three (3) years to restore the bank along Sugarcreek, along his property on Rt. 427. He said there is a plan in place and it has been approved. He asked if there were any grants available for the Borough to apply for, to help defer some costs. Mr. Coxson said there has been another resident that is applying for grants as well. He said any help would be appreciated. He also asked if the Maintenance Dept. could help remove the silt that he has cleared from the ditches along his property.
- G. Robert O'Polka said he was there to support his neighbors on Takitezy Road. He said he does not oppose ATV's or UTV's, but just not on Takitezy Rd.
- H. Lori Datz has expressed concerns they are currently having with ATV's speeding and turning around at the end of Takitezy Rd., where their house is located. She also requested to have Takitezy Road removed from the ATV ordinance. Mr. Freer said the Maintenance Department is working on getting speed limit signs placed along Takitezy Road.

VIII. STAFF REPORTS

- A. Maintenance Foreman:
 - 1. Mr. Freer said the boomer mower that was ordered over a year ago is now in. He said they are hoping to begin sweeping the streets in a few weeks, once the weather breaks.
 - 2. Motion by Bogan Goughler, being duly seconded by James Speth to approve the Spring Clean – Up Day for Saturday, May 3, 2025, from 7:00 AM – 3:00 PM. Motion carried unanimously.

B. Police Chief:

1. Chief Wenner asked Mr. Spaid what the status was of the ORA agreement. Mr. Spaid said it is not completed yet. Chief said with the agreement, he anticipates being put on the list to apply for two (2) vehicles using the LSA grant. He said in the event the grant is not awarded; he would like to budget for one (1) vehicle in the 2026 budget. Chief said he is sending an officer to training and the cost is different than what was originally figured. He said the cost is \$225.00 and not \$200.00. Chief updated Council on the computer issue that was brought up at the February meeting. He said he found out in January that the department's desktop computers will no longer be compatible with Windows 11. He said he knows of his computer and possibly one (1) other computer that can be upgraded. He said he has located a company that fundraises and sells items by bid and then donates the money to an organization they pick. He said the company has not had their meeting yet, but he wanted to inform Council since this was not a budgeted item. Chief said this company would handle the whole process. Mr. Baughman asked if it was a local company. Chief said they were near Butler. He said the department is working with their computer support on updating the ones that can be updated. He said he anticipates needing two (2) computers. Chief also wanted to inform Council on five (5) of his officers who will be going to Harrisburg to receive an award for a recent drug bust related to a drug ring operating out of Detroit. Chief said himself, Officer Johnson, Officer Corbett, Officer Montgomery and Officer Wilson are the officers who were involved in the bust. And this was done in connection with the Attorney General's office. Mr. Baughman asked when the training Chief spoke of will be. Chief said Officer Montgomery will be attending ENRAD and Stopwatch training in April. He said it was a one – day training. Mr. Baughman requested that it be noted of who is attending the training since travel is included, so they can be covered.

C. Administrator/Special Projects:

1. Ken Bryan, Venango County Commissioner, said he was there to answer any questions people had regarding the ATV ordinance. Mr. Bryan also wanted to discuss an influx in calls the County has been receiving about people wanting to develop and lease natural gas wells. He said if you receive such calls, to consult with an attorney, contact the County and speak with as many experts as possible. He said, unfortunately, there are dishonest companies out there. Mr. Bryan also spoke about concerns being brought to the County regarding homeless encampments. He said the County will be working with the local municipalities and address the issues in an ethical manner.
2. Motion by Larry Baughman, being duly seconded by Bogan Goughler to approve the Cooperation Agreement for Administration of 2025 Community Development Block Grant Funds (CDBG) with Venango County. Motion carried unanimously.

D. Zoning Officer:

1. No report.

E. Solicitor:

1. Mr. Spaid asked Council to review the resolution he sent to them regarding public meetings. He said it is similar to what the Council is doing now, but puts it in writing. He said this item will go under "Old Business" on next month's agenda. Mr. Spaid he will be discussing the tax appeals in Executive Session.

IX. COUNCIL REPORT

- A. Alan Heller thanked those who attended tonight's meeting and/or contacted him.
- B. Bogan Goughler thanked the residents from Takitezy Road for their phone calls and attendance.
- C. Howard Barger also thanked those residents from Takitezy Road for their calls.
- D. James Speth also thanked the residents as well.
- E. Mayor Carlson swore in Richard Wilson to the Fire Police from Reno Fire Department.

X. APPROVAL OF MINUTES

- A. Motion by Alan Heller, being duly seconded by Larry Baughman to approve the minutes of the February 5, 2025 Public Hearing and February 5, 2025 meeting. Motion carried unanimously.

XI. FINANCIAL REPORTS

- A. Motion by Larry Baughman, 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

- A. Mr. Spaid said there can be amendments made to the advertised ATV ordinance and the amendments must be advertised 10 days after the amendments are made. Mr. Spaid said he also consulted with the County's Solicitor, Rich Winkler. Mr. Winkler informed Mr. Spaid of some amendments other municipalities had requested, such as a curfew and an increase in the size and weight of the vehicles. Any changes or amendments made; Mr. Spaid said he can make those changes and adjust the motion. Mr. Baughman asked Mr. Bryan for clarification of the increase in size and weight amendment. Mr. Bryan explained a local municipality had a concern on farm equipment and they explained that farm equipment is not included in this ordinance. Mr. Spaid said he removed snowmobiles from the ordinance, on the recommendation of Council and Mr. Freer. Mr. Heller requested to have Takitezy Road being removed from the approved roads list. Mr. Goughler said Johnny Martin should be removed as well. Mr. Spaid asked if McCleery Road should be removed since it was discussed tonight. Mr. Spaid asked Council if there was anyone opposed to removing McCleery Road from the approved list. He said roads could be added back at any time and reminded the public that the list of approved roads was developed by the Maintenance Foreman and Police Chief. These roads were provided as roads that could have ATVs on them. Mr. Spaid wanted to stress that the Borough will not have any liability in the event of an accident. Mr. Baughman asked if any other municipalities have consulted with the PA State Police. Mr. Bryan said the County got involved with this initiative as a way to have a uniform approach to police ATV and UTV riding. He said this will set an age limit, speed limit, insurance requirement, etc. Mr. Bryan said all law enforcement agencies and State agencies, such as the PA Game Commission will be able to pull over ATVs. The County and State's goals are to create a safe, legal way for people to access their ATVs and possibly bring in a new revenue source. Mr. Spaid presented the proposed amendments to the ordinance. He will update the speed limit to not exceed the posted speed limit of the road, but in no event to exceed 35 m.p.h. He will add a curfew to the ordinance that ATVs and UTVs can only be operated between 30 minutes after dawn and 30 minutes before dusk. As far as removing the roads, he had Takitezy Road removed and Council directed him to remove McCleery Road from the approved roads list. Mr. Speth expressed concerns over the projected revenue and he feels it will not generate the revenue anticipated. He also said the Council voted against electric golf carts in Reno and this is larger than that. And then there will be a policing issue, especially when the State Police are covering the Borough. He also thinks the requests presented tonight will now encourage people to come each month requesting their road(s) to be removed. Mr. Baughman said he was originally opposed to the ordinance, but feels the Council should give this ordinance a try and if it causes too many issues, then it can be repealed. Mr. Heller said he agrees with Mr. Baughman.
- B. Motion by Larry Baughman, being duly seconded by Alan Heller to adopt Ordinance No. 303 of 2025, which designates certain roadways within the Borough as ATV and UTV roads with certain rules and regulation, as amended by the change to the speed limit, by the addition of the hours of operation and the removal of Takitezy Road and McCleery Road. A roll call was taken. Mr. Barger, Mr. Heller and Mr. Baughman voted in favor of the motion. Mr. Goughler and Mr. Speth opposed the motion. Motion carried.

XIII. NEW BUSINESS

XIV. CORRESPONDENCE

XV. BOARD OF APPEALS

XVI. EXECUTIVE SESSION

Council recessed at 7:46 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 8:39 pm.

XVII. ADJOURNMENT

- A. Motion by Bogan Goughler being duly seconded by James Speth to adjourn the meeting at 8:40 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

James Speth, Council President