

**BOROUGH OF SUGARCREEK
PUBLIC HEARING MINUTES**

March 6, 2013

I. WELCOME AND INTRODUCTIONS

Council President Bogan Goughler opened the meeting at 6:30 pm, welcomed everyone to the meeting and noted there will be no hurtful or hateful speech allowed.

Subject of the hearing is to consider an appeal from PSC Metals and The Westmoreland Company who are seeking approval for a Conditional Use in the form of a scrap yard for the property located at 156 Mong Way, Reno, PA, Map #: 28 – 020 – 016E.

II. ESTABLISHMENT OF QUORUM

Present at the meeting were Council Members Bogan Goughler, Robert Resinger, Larry Baughman, Howard Barger and John McClelland. Mayor Charles Minnick was excused. Also present were Officer Deeter and Walter Himmelman, a representative for PSC Metals.

III. PRESENTATION OF TESTIMONY

Officer Deeter stated the public hearing was to discuss an appeal from PSC Metals. PSC Metals will be leasing the building and land from The Westmoreland Company. Officer Deeter stated the property is located 775 feet from a state right – of – way and 85 feet from the Borough right – of – way. The Borough Planning Commission was in agreement to allow the scrap yard as a Conditional Use. The hearing was advertised in the local newspaper on Feb 20 and 27, 2013.

Walter Himmelman stated PSC Metals has entered into a lease agreement with The Westmoreland Company for five (5) years with an extension option for 20 years. Mr. Himmelman stated PSC Metals has 49 facilities throughout the country and is a publicly traded, Fortune 500 Company. PSC Metals is concerned with the employees' and environmental safety.

Mr. Himmelman stated the site is approximately 3.3 acres and PSC Metals will invest about \$200,000 for improvements to the buildings such as new doors, fencing and equipment to process the scrap. At first, they will employ 5 – 6 employees and operate 8 hours per day, 5 days per week. If needed, they will operate on Saturdays as well.

Mr. Himmelman stated the site will be fenced in and there will be a security system. The only ones who would be able to view the site would be the neighbors. The turnover of materials will be 3 – 5 days, therefore, materials should not exceed the height of the fencing.

Mr. Resinger stated he originally thought the entire site would be fenced in. Mr. Himmelman stated the hillside in the back is very steep and fencing would not serve a purpose. Mr. Himmelman stated he will do what the Council requests. Mr. Goughler recommended that they fence in what they can due to the amount of hunters and those riding 4 – wheelers. A representative from PSC Metals stated they can offer different types of security if there are issues with trespassers, including an electrified fence around the site which notifies the security company of any trespassers.

Mr. Baughman asked when they expect to be open. A representative from PSC Metals stated they are hoping to be open within 45 to 60 days.

Council President Bogan Goughler stated Council will discuss the appeal during the Council Meeting and will render a decision.

IV. ADJOURNMENT

Council President Bogan Goughler adjourned the meeting at 6:57 PM.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President

BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

March 6, 2013

NOTE: Council conducted a public hearing at 6:30 PM today to consider an appeal from PSC Metals and The Westmoreland Company who were seeking approval for a Conditional Use in the form of a scrap yard for the property located at 156 Mong Way, Reno, PA, Map #: 28 – 020 – 016E.

I. WELCOME AND INTRODUCTIONS

Council President Bogan Goughler opened the meeting at 7:02 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, Robert Resinger, Larry Baughman, Howard Barger and John McClelland. Mayor Charles Minnick was excused. Also present were Chief Carlson, Officer Deeter and Solicitor Brian Spaid. 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 presented Council with a written report.

2. Motion by Larry Baughman, being duly seconded by Robert Resinger to purchase three (3) additional frequencies in U.H.F. Band, at a cost of \$730.00. Motion carried unanimously.

C. Administrator/Special Projects:

1. Motion by Robert Resinger, being duly seconded by Larry Baughman to approve the Borough's Spring Clean – Up Day for Saturday, April 27, 2013, from 7:00 AM – 3:00 PM. Motion carried unanimously.

D. Zoning Officer:

1. Officer Deeter stated Franklin Bronze submitted a LERTA application on February 27, 2013. It would be for the new addition to the building on Rt. 322. Solicitor Spaid suggested tabling the issue.

2. Motion by Larry Baughman, being duly seconded by Robert Resinger to table the discussion of the LERTA application submitted by Franklin Bronze until the March 20, 2013 Council Meeting. Motion carried unanimously.

E. CDBG Administrator:

1. No report.

F. Solicitor:

1. No report.

IX. COUNCIL REPORT

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

A. Mike Garbacz stated there is a large hole on the shoulder of Front Street and Rt. 8. Mr. Goughler stated PennDOT will have to be contacted.

B. Chuck Martin of 36 Prospect Avenue stated since there is no longer parking allowed on Park Avenue to Hazel Street, cars are now parking in front of his house and his neighbors. Mr. Martin asked if there could be a few spots allowed for parking. Chief

Carlson stated, with Council's approval, he will look at the situation again. Mr. Goughler also suggested making Park Avenue a one – way street.

XI. APPROVAL OF MINUTES

- A. Motion by John McClelland, being duly seconded by Howard Barger to approve the minutes of the February 20, 2013 Council Meeting. Motion carried unanimously.

XII. FINANCIAL REPORTS

- A. Motion by John McClelland, 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 7:16 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 8:00 pm.

XVIII. NEW BUSINESS (Con't)

1. Motion by Larry Baughman, being duly seconded by Robert Resinger to approve the Conditional Use for PSC Metals and to direct Solicitor Brian Spaid to draft the appropriate decision. Motion carried unanimously.

XIX. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 8:02 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President