

BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

June 21, 2017

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 harmful 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, Howard Barger, John McClelland, Larry Baughman and Mayor Jeffrey MacKenzie. Council Member Robert Resinger was excused. Also present were Borough Solicitor Brian Spaid, Barbara Manski, Larry Moyer and Chief Carlson.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

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

- A. Linda Turner wanted to thank the Police Department for watching her mother's house. Ms. Turner also stated she was told that Mr. Resinger would not vote for anything for the Police Department because she is their Spokeswoman. She said she only speaks for herself, but does want to keep the Police Department.
- B. Jeremy Rankin stated the Rocky Grove V.F.D. had a Board of Directors Meeting Monday, June 19, 2017. At that meeting, Mr. Rankin said his boss was approached by DEP and was given a 60 – day notice to have the street millings removed from the former Amalie property on Rt. 322 due to the fact that oil and biodiesel fuel is leaking into the ground. Mr. Rankin said the Board of Directors are giving the Borough until July 1, 2017 to have the two (2) piles of millings removed from the V.F.D's property. He also stated if the millings are not removed by July 1, 2017, then the Rocky Grove V.F.D. will take over possession and use the millings to maintain the driveway to their property and sell the remaining to either IA Construction or Glenn O. Hawbaker. Mr. Rankin said the Board is upset and disgusted that the property is being used as a stockyard. The Board said they want the property cleaned up and they do not want to be responsible for any fines DEP would issue. Mr. Baughman questioned who gave the Borough permission to put the millings on the property. Mr. Rankin said Fire Chief Simcheck gave the Borough permission for short – term dumping and not to be used as a stockyard. Mr. Rankin said he knows IA buys the millings for base material. The Board also requested the Borough repair the property where the trucks were driving. Mr. Baughman questioned if the Board was making these requests or someone else. Mr. Rankin said it is in the Board's minutes and was a unanimous decision. He also stated the Board members included Bill Knox, Dale Green, Jim Renninger, Jeremy Simcheck, himself, Luke Behe and Judy Braymer. Mr. Baughman said Jeremy Simcheck and Judy Braymer are not Board Members. Mr. Rankin said they were in attendance when this issue was discussed and he questioned Mr. Baughman if there was an issue with the decision. Mr. Spaid interjected and said a July 1, 2017 deadline was unrealistic, especially with the Fireman's Fair occurring for a week within the timeframe. Mr. Rankin said it only took five (5) Borough trucks two (2) days to dump the millings. Mr. Spaid said the fair creates an interference with the removal of the millings within the given timeframe and that was not given much thought. Mr. Spaid said he will not comment on the legal right to seize someone else's property simply because it's there; he does not believe the V.F.D. has a legal right to that. He also recommended the V.F.D. consult their attorney in regards to such a matter. Mr. Rankin said the Board meetings are the third Monday of each month, at 7:00 PM.

- C. Mike Garbacz wanted to thank Chief Carlson for his work on the Andrew White Bridge renaming and dedication ceremony. Mr. Garbacz questioned if the Rt. 417 and Rt. 8 water systems could handle the demand of a fire. Mr. Sporer said this matter is also being addressed during the Rt. 417 water tank inspection and the hydrants are being tested as well. Mr. Garbacz then questioned when a Maintenance truck was purchased in 2014, was COSTARS pricing used and were other trucks looked at. Mr. Sporer said the Borough purchased using a COSTARS company and pricing. Mr. Garbacz said other trucks should have been priced and a Peterbilt is the Cadillac of trucks. Mr. Sporer said he knows Mr. Phillips did he research on the truck, spoke with other municipalities and consulted COSTARS before he brought his recommendation to Council.

VIII. COMMISSION/COMMITTEE REPORTS

- A. Planning Commission
 - 1. The Planning Commission met on June 14, 2017 to discuss the upcoming zoning hearing board hearings.

IX. STAFF REPORTS

- A. Maintenance Foreman:
 - 1. No report.
- B. Police Chief:
 - 1. Chief Carlson presented Council with written reports. Chief stated the next set of dates for Aggressive Driving is scheduled for July 6 – August 27, 2017. Mr. Baughman questioned if the Buckle Up program is different from the Aggressive Driving Program. Chief said the programs are different; Aggressive Driving focuses on aggressive drivers and Buckle Up focuses on buckle up. Mr. Baughman then asked if the 121 citations listed on the Chief's monthly report under Buckle Up are strictly for seatbelt violations. Chief said they are not; there were six (6) seatbelt violations. Chief also presented Council with a proposed Narcan Policy; he had Mr. Spaid review it. Chief also reported on the status of the ARLE Grant. Bids were opened and the lowest bid was Bruce and Merrilees at \$49,756.92. Not included in his written report, but Chief said the PBT (Breath Alcohol Testing Equipment) is no longer able to be calibrated and they are currently searching for any grants to purchase a new one. Also, the 2006 Yamaha Motorcycle that was forfeited to the Borough has been signed over to the Borough. Chief recommended bidding out the motorcycle and setting the minimum bid at \$1,200.00.
 - 2. Motion by Larry Baughman, being duly seconded by John McClelland to approve the Narcan Policy as presented by the Chief of Police. Motion carried unanimously.
 - 3. Motion by John McClelland, being duly seconded by Howard Barger to award the ARLE Grant Project of the removal and installation of new school zone lights to Bruce and Merilees, in the amount of \$49,756.92, as presented by the Chief of Police. Motion carried unanimously.
 - 4. Motion by John McClelland, being duly seconded by Larry Baughman to approve the Chief of Police to bid out the 2006 Yamaha Motorcycle and setting the minimum bid at \$1,200.00. Motion carried unanimously.
- C. Administrator/Special Projects:
 - 1. Mr. Sporer updated Council on the bid process for the Borough building roof. He stated the Borough received three (3) bids; American Roofing at \$34,000.00, Strongland Roofing at \$32,350.00 and Homan Roofing at \$28,200.00. Mr. Sporer recommended awarding the bid to Homan Roofing. Mr. McClelland questioned if any company bid a textured roof. Mr. Sporer said Homan Roofing discouraged installing a white roof because the dirt would show and it would be discolored within six (6) months and no other company bid any other type of textured roof.
 - a. Motion by Larry Baughman, being duly seconded by Howard Barger to accept Homan Roofing's bid of \$28,200.00 for the replacement of the Borough building roof. Motion carried unanimously.
 - 2. Ms. Manski presented Council with three (3) different software applications and costs. Ms. Manski said the Borough's current financial software will become obsolete as of December 31, 2017. Currently, the Borough's finance software and billing software are not integrated; therefore she is data entering everything

the billing clerk enters. Based on the three (3) applications and their capabilities, Ms. Manski recommends Edmunds Associates for the new accounting and billing software, at a cost of \$37,054.00. Mr. McClelland questioned if it is available in the budget. Mr. Sporer said the costs are spread out over all the accounts, not just the General Fund and funds are available. Ms. Manski said the annual support for the first year is included in the start – up cost and would not be due until next year. Mayor MacKenzie stated the Borough would save almost \$12,000.00 over a span of 14 years (the approximate life of the current software) in the cost of the annual support. Mr. Baughman asked if there are additional costs for training and transferring data. Ms. Manski said all training is included in the start – up cost and they are the only company that will transfer three (3) years of data; as opposed to one (1) year of data the other companies offered.

a. Motion by Larry Baughman, being duly seconded by John McClelland to approve the purchase of Accounting and Billing software from Edmunds Associates at a start – up cost of \$37,054.00 and annual support cost of \$7,945.00. Motion carried unanimously.

D. Zoning Officer:

1. Larry Moyer updated Council on the upcoming Zoning Hearing Board Hearings scheduled for Thursday, June 29, 2017 at 6:00 and 6:30 PM. The first is for A. Crivelli Subaru requesting a variance for a setback on Gibb Road. The second Hearing is for the VNA seeking a Special Exception to build a hospice facility at the former Rocky Grove Elementary School property.

E. CDBG Administrator:

1. No report.

F. Solicitor:

1. No report.

X. COUNCIL REPORT

A. Larry Baughman asked Council to consider making both sides of Front Street “no parking.” Mr. Baughman stated there is a residence located at the corner of Front Street and Egbert Street with vehicles parked along Front Street. He stated the vehicles make it very difficult to see and there was an accident at the intersection over the weekend of June 17, 2017. Mayor MacKenzie said there should be little impact of the residents if it were made a “no parking” street on both sides. Mr. McClelland asked if Mr. Baughman would want to make that effective for the whole length of Front Street. Mr. Baughman said he would prefer it. Chief Carlson said he will contact PennDOT since it is a state road about doing a traffic study and he can speak with the homeowners at the house on the corner. Mr. Sporer also requested to see if PennDOT permitted the driveway of the residence in question at the corner.

XI. APPROVAL OF MINUTES

A. Motion by Larry Baughman, being duly seconded by John McClelland to approve the minutes of the May 17, May 24 and May 30, 2017 Council and Special Meetings. 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

A. Mr. Spaid said he has been made aware of a possible PennDOT proposal to eliminate the 4 lanes of Rt. 8 between Franklin and Barkeyville and making it a 2 – lane highway. Mr. Spaid stated he is speaking in interest of the Borough due to the potential negative economic impact and decrease in potential economic development. He said he would recommend the Council take an active role outside of the Council meetings.

1. Motion by John McClelland, being duly seconded by Larry Baughman to have Mr. Spaid draft and send letters of opposition for reducing Rt. 8 from Franklin to Barkeyville from 4 – lanes to 2 – lanes to Sen. Hutchinson, Rep. R. Lee James,

Rep. Glenn Thompson and the Venango County Planning Commission. Motion carried unanimously.

XV. CORRESPONDENCE

XVI. BOARD OF APPEALS

XVII. EXECUTIVE SESSION

Council recessed at 7:38 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 8:04 pm.

XVIII. NEW BUSINESS CON'T.

A. Motion by Larry Baughman, being duly seconded by Howard Barger to offer the Billing Clerk position to Dustin Vincent, at a beginning wage of \$10.00/hour and a review following a 90 – day probation. Motion carried unanimously.

XIX. ADJOURNMENT

A. Motion by Larry Baughman, being duly seconded by Howard Barger to adjourn the meeting at 8:05 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President