

# BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

August 20, 2014

NOTE: The Property Maintenance Board of Appeals held a hearing today at 6:00 PM to hear the appeal of Shahidul Islam and Tufiqul Islam, property located at 310 Rocky Grove Avenue.

## I. WELCOME AND INTRODUCTIONS

Council President Bogan Goughler opened the meeting at 7:05 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, Robert Resinger, John McClelland, Larry Baughman and Mayor Charles Minnick. Also present was Chief Carlson, Solicitor Brian Spaid, Bill Walker and Barbara Manski. Dick Phillips was absent.

## V. DISTRIBUTION OF AGENDA

## VI. COUNCIL CHANGES TO AGENDA

## VII. COMMISSION/COMMITTEE REPORTS

A. No report.

## VIII. STAFF REPORTS

A. Maintenance Foreman:

1. Mr. Sporer stated the Maintenance garage roof and the salt shed roof are leaking and need to be replaced. Mr. Sporer received two (2) estimates for metal roofs on both buildings. Ray's Construction estimate was \$13,400.00 and Whalen Contracting's estimate was \$39,564.00.
2. Motion by Robert Resinger, being duly seconded by Larry Baughman to hire Ray's Construction to replace the Maintenance garage and salt shed roofs with metal roofs, at a cost of \$13,400.00. Motion carried unanimously.

B. Police Chief:

1. No report.

C. Administrator/Special Projects:

1. Mr. Sporer updated Council on the repairs to the water tank on Rt. 417. Mr. Sporer said the Borough's Engineer had applied for an Emergency permit through DEP and has yet to receive the permit. Mr. Sporer stated he had contacted Senator Hutchinson's office in regards to status of the permit. Utility Service Company, Inc. will install the PAX Submersible Active Mixing System for free if installed by the end of September. Mr. Sporer also updated Council on the Seal Coat project on Shaffer Run Road. Due to the weather this summer, the project would need to be moved to the spring of 2015. Mr. Sporer has been in contacting with Josh Montgomery of PennDOT and Martuccio Asphalt and they are in agreement with the proposed change.
2. Motion by Robert Resinger, being duly seconded by Larry Baughman to approve the purchase and installation of one (1) NSF Approved PAX Submersible Active Mixer System from Utility Service Company, Inc., at a price of \$22,778.00. Motion carried unanimously.
3. Motion by Larry Baughman, being duly seconded by Robert Resinger to amend the project date of Shaffer Run Road Seal Coat from 2014 to spring of 2015. Motion carried unanimously.

D. Zoning Officer:

1. Mr. Walker stated the Borough has received plans for the former KFC building. A physical therapy rehab facility will now be located at that property. The UPMC Urgent Care is now open. Mr. Walker said there has been cooperation and compliance with high grass notifications.

E. CDBG Administrator:

1. Ms. Manski updated Council on the demolition process for the William Mohr property. The Borough received bids for the demolition; Whalen Contracting's bid was \$24,000, Shingledecker's Welding's bid was \$20,470, Landscaping Connection's bid was \$18,080 and Klapec's (BKI) bid was \$7,715.00. Clarion Environmental went out to the property and tested for asbestos and it was determined there was asbestos in the building. The cost for Clarion Environmental to remove the asbestos would be \$1,750.00. Clarion Environmental would have to give DEP a 10 – day notice before the removal can begin and then the contractor would be able to begin the demolition. Mr. Baughman asked if Clarion Environmental was the only local company who removes asbestos. Ms. Manski stated Clarion Environmental was the lowest price for testing. Mr. Baughman questioned if there could be the possibility of a conflict of interest with Clarion Environmental testing and removing the asbestos. Ms. Manski stated she only received two (2) bids on the asbestos testing. Since Clarion Environmental had identified the locations of the asbestos, she thought it would be best to have them remove it as well. Also, Ms. Manski said the companies/contractors which test for and remove asbestos, must file reports with the State and she has the locations of where the testing identified asbestos. And she did not believe there would be a conflict of interest.
2. Motion by Robert Resinger, being duly seconded by John McClelland to award the demolition bid for 940 Halyday Run Road to BKI (Klapec), as recommended by the CDBG Administrator. Motion carried unanimously.
3. Motion by Robert Resinger, being duly seconded by Howard Barger to approve Clarion Environmental to remove the asbestos at 940 Halyday Run Road, at a cost of \$1,750.00. A roll call was taken. Mr. Barger, Mr. McClelland, Mr. Goughler and Mr. Resinger voted in favor of the motion. Mr. Baughman opposed the motion. Motion carried.

F. Solicitor:

1. No report.

**IX. COUNCIL REPORT**

- A. Mr. Resinger stated there is a ditch along Warren Road that is flooding and there is water that pools and lies on the roadway. Mr. Sporer said he will inform Mr. Phillips.
- B. Mr. Baughman said there is water laying on Front Street across from J & A Tools. Mr. Sporer said he will contact PennDOT.

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

- A. Mike Garbacz questioned if another income survey could be done for Rocky Grove. Ms. Manski stated she has spoken with DCED and for the 2014 CDBG Application, 2010 Census information is to be used. Another income survey cannot be done for Rocky Grove. Ms. Manski stated she is still waiting for confirmation from DCED in regards to where Rocky Grove and Reno are for Low – to – Moderate Income percentages. Mr. Garbacz stated he read that the City of Franklin was going to do another income survey for the Miller – Sibley Pool, in Rocky Grove. Mr. Spaid said since that article, the City has been advised not to do another income survey because the 2010 Census data stated that area is 43% low – to – moderate income. Mr. Spaid said the 2010 Census data will limit the use(s) of CDBG Funds; the fire departments may not be allotted funds on the 2014 application.

**XI. APPROVAL OF MINUTES**

- A. Motion by Larry Baughman, being duly seconded by Robert Resinger to approve the minutes of the July 16, 2014 Council Meeting. Motion carried unanimously.

**XII. FINANCIAL REPORTS**

- A. Motion by Howard Barger, being duly seconded by John McClelland 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 7:33 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 8:15 pm.

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

A. Motion by Larry Baughman, being duly seconded by John McClelland to engage special counsel, Robert Varsak to handle any legal issues with the City of Franklin and the General Authority. Motion carried unanimously.

**XIX. ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 8:16 pm.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President