

BOROUGH OF SUGARCREEK COUNCIL MEETING MINUTES

September 20, 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, Robert Resinger and Mayor Jeffrey MacKenzie. Council Member Larry Baughman was excused. Also present were Borough Solicitor Brian Spaid, Maintenance Foreman Richard Phillips and Chief Carlson.

V. DISTRIBUTION OF AGENDA

VI. COUNCIL CHANGES TO AGENDA

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

- A. Linda Turner questioned if anyone has looked into the Tax Collector's return check fee. Mr. Spaid said she only charges what the bank charges her for NSF checks. Mr. Spaid also said as for the Borough's Administrative NSF fee, a motion was made in 2008 to approve a \$10.00 administrative fee. The motion was made by Mr. Goughler and seconded by Ms. Turner when she was on Council. Ms. Turner questioned if Mr. Spaid spoke with Ms. Rial. Mr. Spaid said he did not directly talk to her, but Mr. Sporer spoke to her Sept. 7, 2017 once she was made aware of her NSF fee being questioned at the previous meeting.
- B. Mike Garbacz wanted to thank the Maintenance Department for the tarring and chipping that they have been working on. Mr. Garbacz also wanted to congratulate Chief Carlson on his 28 years of service. He also wanted to inform Council of a house along Rt. 8 which has a tree on it and has not been maintained or lived in for several years. Mr. Garbacz suggested using CDBG funds to demolish the house, as was done with the former fire hall building on Rocky Grove Avenue/Rt. 417. Mr. Spaid said as the house currently is, there is no legal action the Borough can take since the owners of the house are deceased and there is no estate. For the Borough to take action, they would have to give notice to someone. The Borough could spend thousands of dollars to set up an estate for this property, but then the Borough assumes all liability that would come along with it. Mr. Garbacz said the grass has been maintained. Mr. Spaid said to his knowledge either a relative or neighbor has been mowing it. Mr. Spaid also said he does not see this being resolved within the near future and he has spoken with Larry Moyer, Zoning Officer in regards to this.
- C. Charlie McDaniel wanted to thank Chief Carlson for his 28 years of service. He also wanted to discuss his displeasure with PennDOT in regards to the tarring and chipping of Sugarcreek Drive. He said he is very dissatisfied with the way the job turned out.

VIII. COMMISSION/COMMITTEE REPORTS

- A. Planning Commission
 1. No report.

IX. STAFF REPORTS

- A. Maintenance Foreman:
 1. Richard Phillips updated Council on the seal coating that has been done; Walnut Street, Oak Street and Chestnut Street in Reno are completed. McCalmont Street in Rocky Grove has been paved and the residents up there have been patient and cooperative through the process. There has also been patching done on Kistler Street and North Front Street. Mr. Phillips also wanted to make

Council and the public aware of an issue with a portion of Shaffer Run Road washing out near the edge. The Borough is currently applying for an emergency permit from DEP to fix the creek bank. The Conservation District has been notified, as well as an engineer and a contractor. Mr. Phillips anticipates it will take one day to repair. Mr. Goughler asked if the road will need to be closed. Mr. Phillips said they should be able to keep one lane open and will have flaggers. Mr. McClelland questioned when the new truck would be in. Mr. Phillips said he has not heard any updates since the truck was in the body shop about six weeks ago and he will look into the status of the truck.

B. Police Chief:

1. Chief Carlson presented Council with a written report. Chief said the new school lights along Rt. 417 are up and operational. Chief also brought to Council a request he received from the Venango Vipers Traveling Softball and Baseball Organization to use the Front Street Playground on Tuesdays and Thursdays from September 19 – November 9, 2017 from 5:00 – 8:00 PM and Saturday, October 14, 2017 from 10:00 AM – noon and 4:00 – 7:00 PM. Mr. Goughler said the playground is open to the public and is on a first – come, first – serve basis. Mr. Barger told Chief he received a call from a resident(s) whose driveway is located next to the pole for the new school lights and they have issues seeing to pull out of the driveway now because of the pole. Chief said he contacted Bruce and Merrilees in regards to this and they said it is in compliance. Chief said the complainant never contacted him about the issue.
2. Motion by John McClelland, being duly seconded by Howard Barger to approve the Venango Vipers Traveling Softball and Baseball Organization request to use the Front Street Playground as submitted to the Police Chief. Motion carried unanimously.

C. Administrator/Special Projects:

1. No report.

D. Zoning Officer:

1. Motion by Robert Resinger, being duly seconded by Howard Barger to approve the appointment of Harvey Nelson and Bob Richards to the Zoning Hearing Board, as recommended by the Zoning Officer. Motion carried unanimously.

E. CDBG Administrator:

1. Mr. Sporer presented Council with the proposed activities for the CDBG allocations for the 2017 application; \$58,346 for the milling, paving, and drainage work on Shuffstall Street, \$24,900 for demolition and \$9,249 for Administrative costs that go to the County. The 2017 CDBG allocation totals \$92,495.00.
2. Motion by Robert Resinger, being duly seconded by John McClelland to approve Resolution No. 5 of 2017, Resolution of Approval FFY 2017 Community Development Block Grant (CDBG) Program. Motion carried unanimously.

F. Solicitor:

1. Mr. Spaid said he had to cancel his meeting with Mr. Sporer in regards to discussing the tax credit for active volunteer members of volunteer fire companies (Act 172 of 2016). They have rescheduled to meet on October 5, 2017.

X. COUNCIL REPORT

- A. Robert Resinger wanted to congratulate Chief Carlson on his 28 years of service. He also wanted to thank Mr. Phillips on the job the Maintenance Department did on Warren Road but there are still dips in the road. Mr. Resinger asked who he would need to contact to make Grimm Street a one – way street going up or see if PennDOT could cut the bank back. Mr. Phillips said PennDOT would need to be contacted about the bank and as for making it one – way, he said he would need to talk to Chief Carlson. Mr. Sporer asked what the benefit would be to making Grimm Street one – way. Mr. Resinger said it would be so people would not be stopping at the bottom if the road would be icy in the winter. Mr. Sporer asked Chief Carlson if there have been a number of reportable accidents on Grimm Street and do a number of people use it. Chief said he does not know and there is a lot of time, work and money associated with cutting the bank and meeting PennDOT specifications, as well as conducting a traffic study. Mr. Resinger also said he received a request from a resident on Warren Road to have the

ditch cleaned out in front of the property. Mr. Phillips said now that the paving season is over, the Maintenance Department will begin to work on cleaning out ditches between now and winter. Mr. Resinger asked Mr. Phillips if the Borough could pick up a dead deer along Warren Road. Mr. Phillips said they do not have the means necessary to do it.

- B. Jeff MacKenzie questioned if the "No Parking" sign at the intersection of Fox Street and Elm Street could be moved back further from the corner. He said cars are parking right up to the sign and it makes it difficult approaching the stop sign. He also said the hedges along that intersection are very high and also add to the sight issues. Mr. Goughler said the Borough should look into it. Chief said he will have to do a traffic study.

XI. APPROVAL OF MINUTES

- A. Motion by Robert Resinger, being duly seconded by Howard Barger to approve the minutes of the September 6, 2017 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

No Executive Session was held.

XVIII. ADJOURNMENT

- A. Motion by Robert Resinger, being duly seconded by John McClelland to adjourn the meeting at 7:27 PM. Motion carried unanimously.

Joseph M. Sporer, Borough Manager

Bogan Goughler, Council President