

MINUTES
UNION CITY BOROUGH COUNCIL
MARCH 11TH, 2008

Vision Statement: “ The Union City area is a thriving rural community of families, businesses and organizations dedicated to encouraging growth while maintaining small town values.”

The meeting of the Union City Borough Council was called to order at 7:00 P.M. by President Brumagin. The meeting was held at the Union City Area High School Large Group Instruction Room.

Councillors present were Brumagin, Bowes, Hoban, Tubbs, Steadman and Junior Council Carley Gilson.

Officials present were Borough Manager Cheryl Capela, Mayor Paul Capela, Police Chief Kevin Jones, Street Supervisor Paul Maynard and Solicitor Timothy Wachter.

Visitors present were Russell Lasher, George Ainsworth, Joanne Ainsworth, Leo Pfister, Alice Jane Ross, Steve Sears, Shawn Tharp, Rose Mitchell and Ronald Culver.

APPROVAL OF AGENDA: It was moved by Councillor Tubbs and seconded by Councillor Bowes to adopt the agenda as amended. Motion carried.

EXECUTIVE SESSION: President Brumagin said that an Executive Session was held on February 26th, 2008 to discuss personnel matters with no official action taken.

MOTION ON MINUTES: It was moved by Councillor Tubbs and seconded by Councillor Hoban that all Councillors having read the minutes of the Council Meeting held February 12th, 2008 and the Work Session held February 26th, 2008, be approved. Motion carried.

MOTION ON SECRETARY'S REPORT: It was moved by Councillor Bowes and seconded by Councillor Steadman that the Secretary's Report be accepted and made a part of the minutes of this meeting. Motion carried.

MOTION ON BILLS: It was moved by Councillor Bowes and seconded by Councillor Hoban that the unpaid bills be ordered paid and those paid be approved. Motion carried.

ROSE MITCHELL COMPLAINS ABOUT RECEIVING PARKING TICKET: Rose Mitchell said she resides at 15 Parade Street and is here tonight to dispute a parking ticket that she received from Chief Jones.

She said that she had put a note on the window of her vehicle stating that her vehicle is snowed in and is unable to move her vehicle to the other side of the street.

Chief Jones said the streets do need to be plowed and it is her responsibility to move her vehicle to the other side of the street.

Ron Culver said he lives at 24 Putnam Street and how the streets are being plowed, no one should be getting a parking ticket.

He said he feels the snow plows should not be using rubber blades.

Street Supervisor Paul Maynard said if rubber blades were not used, we would be hitting the manhole covers.

COG MEETING: Mayor Paul Capela said at the last COG Meeting, discussion was held that in 2012 all new construction will be required to install a sprinkler system.

FIREMEN'S BANQUET: Mayor Paul Capela said that he and Councillor Steadman had attended the Firemen's Banquet. He said that he and Councillor

Steadman had an enjoyable evening.

He said that John Fielding received the "Firemen of the Year" award.

He said the Fire Department also presented Borough Council with an "Certificate of Appreciation".

Mayor Paul Capela wished everyone a Happy Easter.

MOTION TO APPROVE THE POLICE CHIEF AND THE BOROUGH MANAGER, ATTEND A CIVIL SERVICE SEMINAR TO BE HELD APRIL 10TH, 2008 AT THE BEL-AIRE HOTEL IN ERIE AT A COST OF \$60.00 PER PERSON: It was moved by Councillor Tubbs and seconded by Councillor Steadman to approve the Police Chief and the Borough Manager, attend a Civil Service Seminar to be held April 10th, 2008 at the Bel-Aire Hotel in Erie at a cost of \$60.00 per person. Motion carried.

COUNCIL TO APPROVE A RESOLUTION AUTHORIZING THE DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED JULY 16TH, 1993: The Resolution authorizing the disposition of records as set forth in the Municipal Records Manual approved July 16th, 1993, was read by the Borough Manager.

MOTION TO APPROVE A RESOLUTION AUTHORIZING THE DISPOSITION OF RECORDS AS SET FORTH IN THE MUNICIPAL RECORDS MANUAL APPROVED JULY 16TH, 1993: It was moved by Councillor Bowes and seconded by Councillor Hoban to approve the Resolution authorizing the disposition of records as set forth in the Municipal Records Manual approved July 16th, 1993. A roll call vote was taken. All Councillors voted yea. Motion carried.

DAVES HIMES SUBDIVISION: The Borough Manager said she received a subdivision from Dave Himes that requires approval from Borough Council.

She said that Dave Himes is purchasing a small piece of property next to his from Jim Shreve.

MOTION TO APPROVE DAVE HIMES SUBDIVISION: It was moved by Councillor Bowes and seconded by Councillor Hoban to approve the subdivision submitted by Dave Himes. Motion carried.

AMERICAN LEGION ANNUAL LAW AND ORDER BANQUET: The Borough Manager said she received a letter from the American Legion inviting members of Borough Council and their guest to their annual Law and Order Banquet to be held Saturday, March 15th, 2008.

She said the social hour will begin at 6:00 P.M. with dinner being served at 7:00 P.M.

She said the speaker for the evening is Erie County Coroner Lyle Cook.

She said if anyone from Borough Council is interested in attending, please let her know as soon as possible, so reservations can be made.

PROPERTY MAINTENANCE CODE: Solicitor Timothy Wachter said he did some research on the proposed Property Maintenance Code and it will require an Appeals Board.

He said the membership of the Appeals Board must consist of a minimum of three members who are qualified by experience and training, and who are not employees of the Borough.

He said the three alternatives could be 1) Council as a whole to serve as the Appeals Board 2) Council appoint three Council members, plus two alternates 3) Council require that appeals be heard by the District Justice.

He said he will put this information in writing, and have it ready by Council's Work Session.

COUNCIL TO APPROVE A RESOLUTION APPOINTING AN INDIVIDUAL AS COUNCILLOR FOR THE FIRST WARD TO SERVE UNTIL THE FIRST MONDAY IN

JANUARY, 2010: President Brumagin said Borough Council to approve a Resolution appointing an individual as Councillor for the First Ward to serve until the first Monday in January, 2010.

Councillor Tubbs said he feels this should be tabled until Borough Council has had a chance to interview these candidates.

MOTION TO TABLE A RESOLUTION APPOINTING AN INDIVIDUAL AS COUNCILLOR FOR THE FIRST WARD TO SERVE UNTIL THE FIRST MONDAY IN

JANUARY, 2010: It was moved by Councillor Tubbs and seconded by Councillors Bowes to have the Borough Manager set up the interviews with the candidates for Tuesday, March 18th, 2008 to begin at 7:00 P.M. at the City Building and approve the appointment at a Special Meeting to be held Tuesday, March 25th, 2008 at 7:00 P.M. at the City Building. Motion carried.

COUNCIL TO APPROVE HIRING JASON RUSSELL AS THE FULL-TIME POLICE OFFICER WITH THE BOROUGH OF UNION CITY:

Councillor Tubbs said Borough Council to approve hiring Jason Russell as the full-time Police Officer with the Borough of Union City.

He said he would like to table this appointment until he has had a chance to meet with the representative of the Union City Police Labor Union to discuss the Memorandum of Agreement.

MOTION TO TABLE HIRING JASON RUSSELL AS THE FULL-TIME POLICE OFFICER WITH THE BOROUGH OF UNION CITY: It was moved by Councillor Tubbs and

seconded by Councillor Hoban to table hiring Jason Russell as the full-time Police Officer with the Borough of Union City until Councillor Tubbs has had a chance to present the Memorandum of Agreement for approval to the Police Bargaining representative and then to place on the Special Meeting agenda to be held Tuesday, March 25h, 2008 the approval to hire Jason Russell as the full-time Police Officer with the Borough of Union City. Motion carried.

MEMORANDUM OF AGREEMENT: Councillor Tubbs said he has asked the Solicitor to provide him with a Memorandum of Agreement which he will present for approval to the Police Bargaining Unit.

The Borough Manager said she had made a copy of the Memorandum of Agreement for all members of Borough Council and the copy is in each of their folders.

Councillor Tubbs said he would like the Memorandum of Agreement to be placed on the agenda for approval at the Special Meeting to be held Tuesday, March 25th, 2008.

PARKING TICKET: Councillor Tubbs said in regards to the parking ticket issue that was presented to us by Rose Mitchell. He said Borough Council does not have the authority to void a parking ticket. He said it is up to the Chief of Police to enforce the parking.

He said if Rose Mitchell does not want to pay the parking tickets, then the Chief needs to enforce the ordinance and pursue charges against Ms. Mitchell with the District Justice.

He said when it goes before the District Justice, that is when Ms. Mitchell needs to appeal her case, not before Borough Council.

He said he would like the Borough Manager to send Ms. Mitchell

a letter explaining the procedures to her.

MOTION TO APPROVE THE STREET SUPERVISOR TO ATTEND THE CDL SUPERVISOR TRAINING SEMINAR TO BE HELD APRIL 15TH, 2008 IN MEADVILLE AT A COST OF \$60 PER PERSON: It was moved by Councillor Steadman and seconded by Councillor Tubbs to approve the Street Supervisor attend the CDL Supervisor Training Seminar to be held April 15th, 2008 in Meadville at a cost of \$60.00 per person. Motion carried.

MOTION TO APPROVE THE STREET SUPERVISOR TO ATTEND A CONFINED SPACE SEMINAR TO BE HELD ON APRIL 9TH, 2008 AT THE HOLIDAY INN IN PITTSBURGH AT A COST OF \$90.00 PER PERSON: It was moved by Councillor Steadman and seconded by Councillor Bowes to approve the Street Supervisor attend a Confined Space Seminar to be held on April 9th, 2008 at the Holiday Inn in Pittsburgh at a cost of \$90.00 per person. Motion carried.

MOTION TO APPROVE THE SALE OF ITEMS LOCATED AT THE BOROUGH GARAGE: It was moved by Councillor Tubbs and seconded by Councillor Bowes to approve the sale of the following items located at the Borough Garage;

- a.) Cement mixer
- b.) Zero Turn Mower
- c.) Roller-Walk Behind
- d.) 5 ft. Scraper Box
- e.) 5 ft. Sickle Mower
- f.) 6 ft. 3 point hitch mower
- g.) Light Bar (old police vehicle)

with the exception of the roller-walk behind. Motion carried.

MOTION TO APPROVE THE BOROUGH MANAGER, STREET SUPERVISOR AND COUNCILLOR STEADMAN TO WORK TOGETHER ON ESTABLISHING THE BEST WAY TO SELL THESE ITEMS: It was moved by Councillor Tubbs and seconded by Councillor Bowes to approve the Borough Manager, Street Supervisor

and Councillor Steadman to work together on establishing the best way to sell these items. Motion carried.

MOTION TO APPROVE THE REQUEST FROM THE CHURCH OF THE NAZARENE TO RELIEF THEM FROM PAYING ANY LATE CHARGES FOR THE 2007 BOROUGH REAL ESTATE TAX:

It was moved by Councillor Hoban and seconded by Councillor Bowes to approve the request from the Church of the Nazarene to relieve them from paying any late charges for the 2007 Borough Real Estate Tax. Motion carried.

MOTION TO ADOPT AN REALTY TRANSFER TAX ORDINANCE PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF TAX FOR GENERAL REVENUE PURPOSES UPON A TRANSFER OF AN INTEREST IN REAL PROPERTY TO THE EXTENT THAT THE TRANSFERS ARE SUBJECT TO TAX IMPOSED BY THE COMMONWEALTH OF PENNSYLVANIA:

It was moved by Councillor Tubbs and seconded by Councillor Steadman to adopt a Realty Transfer Tax Ordinance providing for the levying, assessment and collection of tax for general revenue purposes upon a transfer of an interest in Real Property to the extent that the transfers are subject to tax imposed by the Commonwealth of Pennsylvania. A roll call vote was taken. All Councillors voted yea. Motion carried.

MOTION TO APPROVE THE WEBSITE BEING TURNED OVER TO UNION CITY PRIDE INCORPORATED:

It was moved by Councillor Tubbs and seconded by Councillor Steadman to approve the website be turned over to Union City Pride Incorporated. Motion carried.

ROUTE 6 HERITAGE PLAN: Councillor Bowes said the Route 6 Heritage Plan meeting has been scheduled for March 27th at 7:00 P.M. at the Corry Higher Ed Building.

INFORMATIONAL SUMMARY: There being no objection, the Informational Summary will stand approved and be made a part of the minutes of

this meeting.

ADJOURNMENT: It was moved by Councillor Tubbs and seconded by Councillor Hoban that the meeting be adjourned. Motion carried.

The meeting adjourned at 7:52 P.M.

ATTEST: _____
Borough Manager