

**MINUTES
UNION CITY BOROUGH**

July 12, 2016

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 McCrillis. The meeting was held at the Union City Area High School Large Group Instruction Room.

Councilors present were Brumagin, Conklin, McCrillis and Steadman. Councilor Kolaja came in after the moment of silence. Councilor Hoban was absent.

Officials present were Mayor Bob King, Police Chief David Pernice, Street Supervisor Paul Maynard, and Solicitor Timothy Wachter.

Cindy Wells was present to take meeting minutes.

There were approximately 29 visitors. The sign-in sheet is attached.

APPROVAL OF AGENDA: It was moved by Councilor Brumagin and seconded
by Councilor Steadman to adopt the agenda as amended.

MOTION ON MINUTES: It was moved by Councilor Brumagin and seconded
by
Councilor Conklin that all Councilors having read the Council Meeting minutes
held June 16, 2016 be approved. Motion carried.

HEARING OF THE VISITORS: Earnest Sell from Raccoon Refuse stated he wanted to
bid on the garbage contract. Mary Hoffman stated she was there to support the Fire Department concerning their funding problems.

EXECUTIVE SESSION: President McCrillis called for an Executive Session at 7:04 to
discuss legal and personnel matters. Council reconvened at 7:23 P.M.

MAYOR: No comment.

BOROUGH SOLICITOR: Solicitor Wachter reserved comment for later.

MOTION TO TERMINATE THE EMPLOYMENT OF CHERYL CAPELA AS BOROUGH SECRETARY/TREASURER/MANAGER OF UNION CITY: A

motion was made by

Councilor Steadman and seconded by Councilor Conklin, to terminate the

employment of Cheryl Capela Borough Secretary/Treasurer/Manager of Union City effective immediately. Motion carried. President McCrillis abstained.

BOROUGH SOLICITOR: A statement was read by Solicitor Wachter of which is

attached. An opportunity for questions was given. Larry Miller wanted to know if this was going to affect Public Safety or Streets Department. Councilor McCrillis stated it will not affect the daily operations of the Borough. Patrick Zacherl wanted to know if Council would be breaking up the Manager/Secretary/Treasurer into three positions. Solicitor Wachter stated this is all relatively fresh and that is an item that needs to be discussed by Council.

COUNCIL RECESS: Council went in to recess at 7:28 P.M

COUNCIL RECONVENED: Council reconvened at 7:43

APPOINTMENT OF COMMITTEE FOR HIRING OF A NEW BOROUGH MANAGER:

President McCrillis appointed Councilor Hoban, head of Personnel to form a committee for the hiring of a new Borough Manager. Councilor Hoban will choose who is on the committee.

DISTRIBUTION OF SURPLUS FROM THE BENECON HEALTH INSURANCE PLAN:

Councilor Brumagin stated that with our insurance plan the Borough is in a plan with the Municipal Authority we're both in conjunction. What we're able to do is purchase through an insurance co-operative and we needed 15 or more employees and by merging our Borough entities we were able to save the Borough and Municipal Authority a substantial amount of money on our health insurance. Also, with doing that it is part of a co-operative plan and at the end of each year if there is savings within the co-operative, and we are in a Municipal Government Co-operative in Harrisburg, and there is 1,000's of employees, and if there is a surplus within that plan then they redistribute part of that surplus back to the communities that are members of the plan. For the last two years since we've been in it and they distributed a surplus in 2014 that was \$12,084, for 2015 it was \$4071.00. That money needs

to be distributed. He believes that in all fairness it should be distributed based on the employee numbers to make it more fair to both.

MOTION TO APPROVE THAT THE SURPLUS DISTRIBUTION FROM BENECON HEALTH INSURANCE FOR THE YEARS 2014, 2015, AND GOING FORWARD IS TO BE DISTRIBUTED ON A PER EMPLOYEE BASIS TO THE APPROPRIATE ENTITIES: It was moved by Councilor Conklin and seconded by Councilor Kolaja that the surplus distribution from Benecon Health Insurance for the years 2014, 2015, and going forward is to be distributed on a per employee basis to the appropriate entities. Councilor Brumagin abstained because he the Manager of the Municipal Authority. Motion carried.

COUNCIL TO REVIEW THE PROPOSED CIVIL SERVICE RULES AND REGULATIONS: Solicitor

Watcher stated it was his understanding that the Civil Service Rules and Regulations that have been proposed, have briefly been reviewed by the Police Department. I'm not aware that the Civil Service Commission has had a chance yet to review them and I would ask that the Borough Council not take action until such time that they receive written comment from Civil Service and the Police Department and then at that point the Council should review them with the benefit of those comments.

MOTION TO TABLE THE REVIEW OF THE PROPOSED CIVIL SERVICE RULES AND REGULATIONS: Councilor Brumagin and seconded by Councilor Conklin made the motion to table the review of the proposed Civil Service Rules and Regulations. Motion carried.

Mayor King questioned who was to notify the Civil Service and President McCrillis stated that he would.

President McCrillis also stated that he has asked for the resignation of Bret Smith from the Civil Service Commission as he has moved out of state. There will be a vacancy on the Civil Service Commission.

NATIONAL NIGHT OUT: President McCrillis stated that Union City Police Department

has asked any Councilors that would be available to help out at National Night Out. They are looking for assistance. President McCrillis and Councilor Steadman said they would be available. It will be on August 2, 2016 from 6:00 P.M. to 8:00 P.M. Councilor Kolaja stated the Fireman's Auxiliary would be willing to help.

DISCUSSION ON GARBAGE COLLECTION CONTRACT: A proposal needs to be put

together to be published in September for bids. The contract expires December 31, 2016. It needs to be determined if it will include recycling. This will be discussed at the next Work Session.

PARKS AND RECREATION: Councilor Conklin stated that they had the Festival last

week with fireworks; it was spread out a little more this year and there was more going on. Thank you to everyone for their participation. Hoping it will turn into something bigger.

DISCUSSION ON THE AMBULANCE SERVICE FUNDING: There was some conversation of the ambulance board struggling financially and they have

approached Borough Council in helping them out.

MOTION TO APPROPRIATE \$3500.00 TO THE AMBULANCE SERVICE TO BRIDGE A GAP FOR A MONTH UNTIL WE CAN SIT DOWN WITH THE TOWNSHIP AND COME UP WITH A PLAN TO ADDRESS THIS ISSUE: It

was moved by Councilor Conklin and seconded by Dan Brumagin to issue \$3,500 to the ambulance service to bridge a gap for a month until we can sit down with the township and come up with a plan to address the issue. Motion carried. Councilor Kolaja abstained because he is a member of the Union City Fire Department.

PUBLIC WORKS: Councilor Steadman noted that several of the roads were transformed from

dirt to tar and chip today. There are still more to go. Patching will start next week. The paving timeline is uncertain.

MOTION TO TABLE COUNCILS DISCUSSION ON A CHANGE TO REGULATIONS WHEN WORK REQUIRES A STREET OPENING: It was moved by Councilor Steadman and seconded by Councilor Brumagin to table Councils discussion on a change to regulations when work requires a street opening. Motion Carried

MOTION ON TRANSFER OF FUNDS: It was moved by Councilor Conklin and

seconded by Councilor Steadman to transfer \$55,000 from the Income Tax Fund and \$25,000 from the Capital Operations Fund into the General fund to pay the bills. It is the intent of the motion that the monies shall be paid back to the Capital Operations Fund at the end of the year, should extra funds be available. Motion Carried

MOTION ON BILLS: It was moved by Councilor Kolaja and seconded by Councilor

Conklin that the unpaid bills be ordered paid. Motion carried.

MOTION TO SUSPEND THE RULES: It was moved by Councilor Brumagin and

seconded by Councilor Steadman to suspend the rules. Motion Carried.

AGENDA ITEM TO BE ADDED: Solicitor Wachter added an agenda item regarding

Cheryl Capela being the LST Tax Collector. With the termination of Cheryl Capela, the Borough has no tax collector for LST tax. He had information from Bernheimer that they would charge 1.8% plus postage on all moneys disbursed to the Borough.

MOTION TO ADD AN AGENDA ITEM TO BE ADDED AND APPROVE BERKEHIMER TO BE APPOINTED FOR A ONE YEAR CONTRACT TO COLLECT LST: It was moved by Councilor Kolaja and seconded by Councilor Conklin that an agenda item be added and approve Berkheimer be appointed for one year to collect the LST.

MOTION TO AUTHORIZE THE EXECUTION OF A CONTRACT WITH BERKHEIMER FOR A PERIOD OF ONE YEAR BASED ON SOLICITOR WATCHTER'S REVIEW AND RECOMMENDATION TO THE PRESIDENT OF BOROUGH COUNCIL: It was moved by Councilor Brumagin and seconded by

Councilor Steadman to Authorize the execution of a contract with Berkheimer for a period of one year based on Solicitor Wachter's review and recommendation to the President of Borough Council. Motion Carried.

ZONING ISSUE: Solicitor Wachter stated that the Borough had a zoning enforcement

action that he had been working with the Zoning Officer on and they had a court hearing yesterday at District Justice Nichols office in Corry regarding the placement of a garage. The property owner didn't show and this was the third hearing and there should be a ruling in favor of the Borough.

INFORMATIONAL SUMMARY: There being no objection, the Informational Summary

will stand approved and be made a part of the minutes of this meeting.

EXECUTIVE SESSION: Chief Pernice requested an Executive Session to discuss personnel. Council went into Executive Session with no action to be taken.

MOTION TO ADJOURN: It was moved by Councilor Brumagin and seconded by Councilor Steadman that the meeting be adjourned at 8:14 P.M. Motion carried.

ATTEST: _____