

**MINUTES**  
**UNION CITY BOROUGH COUNCIL**  
**December 13, 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 7:01 P.M. by Councilor Brumagin. The meeting was held at the Union City Area High School Large Group Instruction Room.

Councilors present were Brumagin, Hoban, Steadman, Kolaja, and Conklin. President McCrillis was absent.

Officials present were Borough Secretary Cindy Wells, Mayor Bob King, Solicitor Timothy Wachter, Streets Supervisor/Treasurer Paul Maynard, Code Enforcement Officer Shawn Tharp.

Visitors present see attached sign-in sheet.

**APPROVAL OF AGENDA:** Solicitor Wachter requested to amend the Agenda to include a brief

Executive Session to update on an item of legal importance and a brief item of personnel with suggested action to be taken. It was moved by Councilor Kolaja and seconded by Councilor Steadman that the agenda be approved as amended. Motion carried.

**MOTION ON MINUTES:** It was moved by Councilor Hoban and seconded by Councilor Conklin that all Councilors having read the minutes from Council Meeting November 8, 2016, Work Session November 22, 2016, and Special Meeting December 6, 2016, be approved. Motion carried.

**MOTION ON SECRETARY’S REPORT:** It was moved by Councilor Hoban and seconded by Councilor Conklin 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 Councilor Hoban and seconded by Councilor Kolaja that  
the unpaid bills be ordered paid and those paid be approved. Motion carried.

**HEARING OF THE VISITORS:** No comments from visitors.

**PROCLAMATION REQUEST:** Mayor King requested Council to approve a Proclamation request  
for the week of January 22 – 28, 2017 commemorating School Choice Week. It was determined by Solicitor Wachter that this is pro Charter School. A motion was made by Councilor Conklin to approve the Proclamation. Because of lack of a second, motion died. Motion failed.

**COUNCIL TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR, COUNCIL VICE PRESIDENT AND THE BOROUGH SECRETARY TO SIGN ANY UNSIGNED ORDINANCES.** The Resolution will  
authorize Mayor King, Councilor Brumagin, and Borough Secretary Cindy Wells to sign the unsigned copies of Ordinances adopted between May 2012 to July 2016 because signed copies were unable to be located.

**MOTION TO APPROVE A RESOLUTION AUTHORIZING THE MAYOR, COUNCIL VICE PRESIDENT AND THE BOROUGH SECRETARY TO SIGN ANY UNSIGNED ORDINANCES (Resolution # 2016-16).** It was moved by Councilor Conklin and seconded by Councilor Hoban to adopt a  
Resolution authorizing Mayor King, Council Vice President Brumagin, and Borough Secretary Cindy Wells to sign the unsigned Ordinances adopted between May 2012 to July 2016. Motion carried.

**EXECUTIVE SESSION:** Council went into Executive Session at 7:15 P.M. and resumed the regular  
Council Meeting at 7:27 P.M.

**CABLE FRANCHISE AGREEMENT:** Solicitor Wachter has given a copy of the Cable Franchise  
Agreement to Councilor Brumagin to review. It includes all the same services as before but also a request for free internet service at the Borough Garage. At this time, Solicitor Wachter is waiting for Council to determine the next step. Councilor Brumagin has tried to make contact with Time Warner.

**COUNCIL TO PUBLICLY OPEN AND READ ALOUD THE BIDS FOR THE COLLECTION, TRANSPORT, AND DISPOSAL OF RESIDENTIAL AND MUNICIPAL SOLID WASTE AND RECYCLING SERVICES WITHIN THE BOUROUGH OF UNION CITY.** Two bids were received. The first bid is from Waste

Management, 625 Cherrington Parkway, Moon, PA 15108

Their bid is as follows:

- a.) Municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month:

2017	\$15.75 per month
2018	\$16.07 per month
2019	\$16.47 per month
2020	\$16.96 per month

- b.) Elderly reduced rate for municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month:

2017	\$14.18 per month
2018	\$14.46 per month
2019	\$14.82 per month
2020	\$15.26 per month

- c.) Rental of bulk containers set on base supplied by other collected once per week, including transportation and disposal, located at the Borough of Union City Municipal Garage:

2017	\$118.45 per month
2018	\$122.00 per month
2019	\$125.66 per month
2020	\$129.43 per month

- d.) Dumping bulk container of the Borough of Union City in excess of once per week:

2017	\$ 92.70 per month
2018	\$ 95.48 per month

2019	\$ 98.34 per month
2020	\$101.29 per month

e.) Commingled recycling bid:

2017	\$6.55 per month
2018	\$6.68 per month
2019	\$6.85 per month
2020	\$7.06 per month

f.) Elderly reduced rate for commingled recycling bid:

2017	\$5.90 per month
2018	\$6.02 per month
2019	\$6.17 per month
2020	\$6.36 per month

g.) Municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month AND commingled recycling:

2017	\$22.30 per month
2018	\$22.75 per month
2019	\$23.32 per month
2020	\$24.02 per month

h.) Elderly reduced rate for municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month AND commingled recycling:

2017	\$20.08 per month
2018	\$20.48 per month
2019	\$20.99 per month
2020	\$21.62 per month

i.) Bag or sticker service:

2017	\$5.50 per month
2018	\$5.50 per month
2019	\$5.75 per month
2020	\$5.75 per month

The second bid is from Racoon Refuse Garbage Service Inc., 7295 Route 6, Union City, PA 16438.

Their bid is as follows:

a.) Municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month:

2017	\$18.33 per month
2018	\$18.83 per month
2019	\$19.33 per month
2020	\$19.58 per month

b.) Elderly reduced rate for municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month:

2017	\$17.33 per month
2018	\$17.66 per month
2019	\$17.83 per month
2020	\$17.83 per month

c.) Rental of bulk containers set on base supplied by other collected once per week, including transportation and disposal, located at the Borough of Union City Municipal Garage:

2017	\$70.00 per month
2018	\$70.00 per month
2019	\$72.00 per month
2020	\$72.00 per month

d.) Dumping bulk container of the Borough of Union City in excess of once per week:

No rates given

e.) Commingled recycling bid:

2017	\$12.00 per month
2018	\$12.50 per month
2019	\$12.75 per month
2020	\$13.00 per month

f.) Elderly reduced rate for commingled recycling bid:

2017	\$10.00 per month
2018	\$10.00 per month
2019	\$10.00 per month
2020	\$10.00 per month

g.) Municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month AND commingled recycling:

2017	\$21.31 per month
2018	\$21.40 per month
2019	\$21.50 per month
2020	\$21.63 per month

h.) Elderly reduced rate for municipal solid waste transportation, disposal, and collection in unlimited containers per week and unlimited pounds per month AND commingled recycling:

2017	\$19.18 per month
2018	\$19.26 per month
2019	\$19.35 per month
2020	\$19.47 per month

i.) Bag or sticker service:

2017	\$4.25 per month
2018	\$4.25 per month
2019	\$4.25 per month
2020	\$4.25 per month

**MOTION TO APPROVE THE BID FROM RACOON REFUSE:** It was moved by Councilor Kolaja and

Councilor Conklin to approve the bid from Raccoon Refuse contingent upon the Borough Secretary and Solicitor reviewing all documents.

Motion carried.

Information will be mailed by Raccoon Refuse notifying the residents of the Borough that they will be collecting garbage effective January 1,

2017. The Borough will also be checking into other options on notifying the residents.

**COUNCIL TO APPROVE THE LAND USE AGREEMENT WITH THE UNION CITY LIONS CLUB**

**REGARDING THE BOROUGH PROPERTY LOCATED OFF HOGAN'S ALLEY IDENTIFIED AS ERIE COUNTY TAX ASSESSMENT PARCEL NUMBER 41-01-003-800-64.00 FOR THE PLACEMENT OF A PICNIC SHELTER.**

This agreement was started in 2014 and was discussed and agreed to but never completed. The Lions Club will be responsible for the maintenance of the Picnic Shelter. The Borough shall be responsible for the maintenance of the grounds. There are no garbage cans, restrooms, or electric at this location. The Borough still owns the property.

**MOTION TO APPROVE THE LAND USE AGREEMENT WITH THE UNION CITY LIONS CLUB**

**REGARDING THE BOROUGH PROPERTY LOCATED OFF HOGAN'S ALLEY IDENTIFIED AS ERIE COUNTY TAX ASSESSMENT PARCEL NUMBER 41-01-003-800-64.00 FOR THE PLACEMENT OF A PICNIC SHELTER.**

It was moved by Councilor Conklin and seconded by Councilor Hoban to approve the Land Use Agreement with the Union City Lions Club regarding the Borough property located off Hogan's Alley identified as Erie County tax assessment parcel number 41-01-003-800-64.00 for the placement of a picnic shelter. Motion carried.

**COUNCIL TO APPROVE ADVERTISING FOR THE 2017 COUNCIL MEETINGS.**

The meetings would be held the second Tuesday of each month at 7:00 PM and the Fourth Tuesday at 6:00 PM at the Union City Fire Department Social Hall. There would no longer be Work Sessions. This enables Council to vote at both meetings if necessary.

**MOTION TO APPROVE ADVERTISING FOR THE 2017 COUNCIL MEETINGS.**

It was moved by Councilor Hoban and seconded by Councilor Conklin that a legal ad will be run advertising Borough Council meetings to be held the second

Tuesday of each month at 7:00 PM and the Fourth Tuesday at 6:00 PM at the Union City Fire Department Social Hall. Motion carried.

Information about the meetings will also be put on the local radio station, Corry Journal, and the Corry radio station.

**COUNCIL TO APPROVE A RESOLUTION APPOINTING MONAHAN AND MONAHAN AUDITORS FOR THE YEAR 2017.** The Resolution appointing Monahan and Monahan auditors for the year 2017 was read.

**MOTION TO APPROVE A RESOLUTION APPOINTING MONAHAN AND MONAHAN AUDITORS FOR THE YEAR 2017 (Resolution #2016-14).** It was moved by Councilor Hoban and seconded by Councilor Conklin to approve the Resolution appointing Monahan and Monahan Auditors for the year 2017. Motion carried.

**COUNCIL TO APPROVE A RESOLUTION ELIMINATING THE POLICE OFFICER'S CONTRIBUTIONS TO THE POLICE PENSION FUND FOR THE YEAR 2017.** The Resolution eliminating the Police Officer's contributions to the Police Pension Fund for the year 2017 was read.

**MOTION TO APPROVE A RESOLUTION ELIMINATING THE POLICE OFFICER'S CONTRIBUTIONS TO THE POLICE PENSION FUND FOR THE YEAR 2017 (Resolution #2016-15).** It was moved by Councilor Steadman and seconded by Councilor Hoban to approve the Resolution eliminating the Police Officer's contributions to the Police Pension Fund for the year 2017. Motion carried.

**COUNCIL TO MAKE AN APPOINTMENT TO THE VACANCY BOARD TO SERVE UNTIL DECEMBER 31, 2017.** Mike Wienczkowski is the current appointment until December 31, 2016.

**MOTION TO MAKE AN APPOINTMENT TO THE VACANCY BOARD TO SERVE UNTIL DECEMBER 31, 2017.** It was moved by Councilor Conklin and seconded by Councilor Hoban to appoint Mike Wienczkowski to the Vacancy Board to serve until December 31, 2017.



**COUNCIL TO APPROVE A RESOLUTION AUTHORIZING A TAX AND REVENUE ANTICIPATION NOTE IN THE AMOUNT OF \$50,000.** This note would be the same terms as the previous notes at 2.34% interest per year. It will be due May 31, 2017.

**MOTION TO APPROVE A RESOLUTION AUTHORIZING A TAX AND REVENUE ANTICIPATION NOTE IN THE AMOUNT OF \$50,000 (Resolution 2016-17).** It was moved by Councilor Kolaja and seconded by Councilor Steadman to approve a Resolution Authorizing a Tax and Revenue Anticipation Note in the amount of \$50,000. Motion carried.

**COUNCIL TO APPROVE A RESOLUTION APPOINTING CINDY WELLS AS PRIMARY VOTING DELEGATE TO THE ERIE COUNTY TAX COLLECTION COMMITTEE.** This committee is for collection of Income Taxes.

**MOTION TO APPROVE A RESOLUTION APPOINTING CINDY WELLS AS PRIMARY VOTING DELEGATE TO THE ERIE COUNTY TAX COLLECTION COMMITTEE (Resolution 2016-13).** It was moved by Councilor Conklin and seconded by Councilor Hoban to approve a Resolution Appointing Cindy Wells as Primary Voting Delegate to the Erie County Tax Collection Committee. Motion carried.

**2017 BUDGET:** Council discussed the 2017 Budget.

Grant for Fireworks for Gathering at French Creek. In 2014 a request was made for \$11,600 from the Union City Community Foundation and \$5,000 was approved for fireworks only. 2015 the application was late and it was declined. In 2016, \$5,000 was paid for the kid's zone. New application deadline is January 2, 2017. After a discussion about a grant for 2017, it was requested that the Borough Secretary send an application requesting a grant to assist with the fireworks for 2017.

It was mentioned changing the payments to the Library and Fire Department to a flat amount instead of millage amount. Solicitor Wachter said they must be paid based on a millage amount.

The current proposed budget reflects a 2% wage increase for the Streets Department employees.

Councilor Steadman requested that all City Building improvements be removed from the budget except the electrical, air conditioning, and heating. Councilor Brumagin stated the original budget had a \$245,986.76 deficit. In order to balance the budget reductions were made along with a 1.0 mill tax increase. All the City Building improvements were removed with the exception to the electrical, air conditioning, heating, and the paint and flooring for the Borough office. We will wait until we get into the next year and see where we stand financially before making any improvements. If there is any deficit for 2017 a transfer up to \$15,000 will be made from the Capital funds. Councilor Brumagin asked that if the Borough is in good financial standing in a year, Council should consider reducing the tax rate.

**MOTION TO APPROVE ADVERTISING COUNCILS INTENT TO ADOPT THE 2017 BUDGET AND TAX ORDINANCE AT A SPECIAL MEETING ON DECEMBER 27, 2016.** It was moved by Councilor

Conklin and seconded by Councilor Hoban to advertise the intent to adopt the 2017 Budget and 2017 Tax Ordinance at a Special Meeting on December 27, 2016. Motion carried.

**MOTION TO SUSPEND THE RULES:** It was moved by Councilor Steadman and seconded by

Councilor Conklin to Suspend the Rules. Motion carried.

**EXECUTIVE SESSION TO DISCUSS PERSONNEL.** Council went into Executive session from 8:28 PM – 8:34 PM.

**MOTION TO APPROVE THE HIRING OF CINDY WELLS FOR THE VACANCY OF THE BOROUGH SECRETARY/ASSISTANT TREASURE WHICH INCLUDES PREVIOUS DISCUSSION OF BENEFITS.** It

was moved by Councilor Conklin and seconded by Councilor Kolaja to hire Cindy Wells to fill the position of Borough Secretary/Assistant Treasure to include previous discussed benefits. Motion carried.

**MOTION TO APPROVE THE HIRING OF AMANDA TAPPER-MUSGRAVE THROUGH ADECCO FOR THE POSITION OF POLICE SECRETARY WITH A STARTING DATE RETRO-ACTIVE TO DECEMBER 12, 2016.** It was moved by Councilor Kolaja and seconded by Councilor Conklin to hire Amanda

Tapper-Musgrave through Adecco for the position of Police Secretary with a starting date retro-active to December 12, 2016. Motion carried.

**COUNCIL TO APPROVE ADOPTING AN ORDINANCE PROVIDING A SHORT TITLE; PROVIDING FOR THE OPENING OF STREETS; PROVIDING FOR THE ISSUANCE OF APPLICATIONS AND PERMITS FOR THE OPENING AND CUTTING OF STREETS; PROVIDING FOR THE PAYMENT OF FEES FOR THE OPENING AND CUTTING OF ROADS; AND PROVIDING FOR THE PENALTIES FOR THE VIOLATION OF THE ORDINANCE WITHIN THE BOROUGH OF UNION CITY.** This Ordinance regards preservation of the streets and has been discussed for several months. A permit would be needed prior to cutting into the street and the Ordinance gives detail as to how the streets would need to be repaired.

**MOTION TO APPROVE ADOPTING AN ORDINANCE PROVIDING A SHORT TITLE; PROVIDING FOR THE OPENING OF STREETS; PROVIDING FOR THE ISSUANCE OF APPLICATIONS AND PERMITS FOR THE OPENING AND CUTTING OF STREETS; PROVIDING FOR THE PAYMENT OF FEES FOR THE OPENING AND CUTTING OF ROADS; AND PROVIDING FOR THE PENALTIES FOR THE VIOLATION OF THE ORDINANCE WITHIN THE BOROUGH OF UNION CITY.** It was moved by

Councilor Conklin and seconded by Councilor Steadman that Council adopt the Ordinance providing a short title; providing for the opening of streets; providing for the issuance of applications and permits for the opening and cutting of streets; providing for the payment of fees for the opening and cutting of roads; and providing for the penalties for the violation of the ordinance within the Borough of Union City. A roll call vote was taken. All Councilors voted yea. Motion carried.

**MOTION TO APPROVE ADVERTISING AN ORDINANCE TO TERMINATE THE MEMBERSHIP OF THE BOROUGH OF UNION CITY IN THE NORTHWEST TRI-COUNTY COUNCIL OF GOVERNMENTS (“COG”).** It was moved by Councilor Steadman and seconded by Councilor Kolaja that Council

approve the advertising of an Ordinance to terminate the membership of the Borough

of Union City in the Northwest Tri-County Council of Governments (“COG”). Motion carried.

In the past, the Borough paid the membership fee to the COG but never utilized any of its services.

**COUNCIL TO DISCUSS THE PLOWING OF THE AMERICAN LEGION PARKING LOT FOR BOROUGH EMPLOYEES.** The American Legion was contacted about leasing the lot to the Borough and in turn the Borough would keep it plowed. It will be brought before the Board tomorrow night and they will get back to us. Councilor Brumagin had a map that shows Borough property lines. Solicitor Wachter stated that if the American Legion would agree to this then it wouldn’t be a problem.

**STREETS DEPARTMENT:** Street Supervisor Paul Maynard questioned that if a tree falls across a state route within the Borough who was responsible to remove it. No definitive answer was given.

**MOTION TO APPROVE ADOPTING AN ORDINANCE FOR THE HIRING OF PART-TIME AND EXTRA POLICE OFFICERS FOR THE PROVISION OF REGULAR POLICE DEPARTMENT SERVICES FOR THE BOROUGH OF UNION CITY.** It was moved by Councilor Conklin and seconded by Councilor Kolaja to adopt the Ordinance for the hiring of part-time and extra police officers for the provision of regular Police Department services for the Borough of Union City. A roll-call vote was taken. All Councilors voted yea. Motion carried.

**CIVIL SERVICE APPOINTMENTS:** Robert Wolf and Amy Wunch agreed to being a member of the Civil Service Commission for the Borough of Union City.

**MOTION TO SUSPEND THE RULES:** It was moved by Councilor Kolaja and seconded by Councilor Steadman to Suspend the Rules. Motion carried.

**MOTION TO APPROVE THE APPOINTMENT OF ROBERT WOLF TO THE CIVIL SERVICE COMMISSION OF THE BOROUGH OF UNION CITY.** It was moved by Councilor Kolaja and

seconded by Councilor Steadman to appoint Robert Wolf to the Civil Service Commission of the Borough of Union City. Motion carried.

**MOTION TO APPROVE THE APPOINTMENT OF AMY WUNCH TO THE CIVIL SERVICE COMMISSION OF THE BOROUGH OF UNION CITY.** It was moved by Councilor Kolaja and seconded by Councilor Steadman to appoint Amy Wunch to the Civil Service Commission of the Borough of Union City. Motion carried

**PARKS AND RECREATION:** Nothing to report.

**INFORMATIONAL SUMMARY:** Council approved the Informational Summary to be made a part of the minutes of the meeting.

**ADJOURNMENT:** It was moved by Councilor Kolaja and seconded by Councilor Conklin that the meeting be adjourned.

The meeting adjourned at 8:56 P.M.

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Attest