

**MINUTES
UNION CITY BOROUGH
SEPTEMBER 27, 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, Hoban, Kolaja, McCrillis, and Steadman.

Officials present were Mayor Bob King, Solicitor Timothy Wachter, Streets Department Supervisor Paul Maynard, Police Chief David Pernice and Borough Secretary Cindy Wells.

Visitors present, see attached sign -in sheet.

APPROVAL OF AGENDA: It was moved by Councilor Brumagin and seconded by Councilor Hoban to adopt the agenda 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 held August 9, 2016 and the Work Session held August 23, 2016, be approved. Motion carried.

MOTION ON SECRETARY'S REPORT: It was moved by Councilor Hoban and seconded by Councilor Brumagin that the Secretary's Report be accepted and made a part of the minutes of this meeting.

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.

BRIAN GREGOR, UNION TOWNSHIP RESIDENT, SPOKE ABOUT THE APPEARANCE OF THE BOROUGH, CONTRACTORS WORKING WITH NO LIABILITY INSURANCE, HAVING RENTAL PROPERTIES INSPECTED, AND PEDDLER LICENSE REQUIREMENTS.

Brian stated that Union City is falling apart. He stated that an Ordinance should be passed that requires all contractors to have liability insurance. He wanted to know if there was a Code Enforcement Officer. He was advised that we do not have a rental inspector. He said there are several "slumlords" in town.

He wanted to know if Peddler's Permits are required. There had been a local farmer that wasn't permitted to sell sweet corn. However, today there was an Amish farmer selling cider. He feels that the Peddler's Permits need to be enforced.

President McCrillis stated Council will take more of a look at it.

DAN PROPER DISCUSSED THE BURNING ORDINANCE. The Ordinance states there is no

burning. His neighbor was burning brush and he called the police. Nothing was done about it. Dan Brumagin stated that Council does permit wood to be burned in a contained fire pit for recreational purposes and should not impose a hazard to their neighbors. He said if there was a problem to contact the Chief of Police. Chief Pernice explained the Ordinance the same as Councilor Brumagin. The Police Department can shut down a fire. He also stated that if they ever call in and are not satisfied with the results of the call to contact him.

MAYOR: Mayor King asked if any of the Council members were going to ride in the

Homecoming Parade. Councilor Conklin stated that he would be riding with the Police Department.

He asked about the rubbish that was dumped in the lot on Bridge Street. Street Supervisor Paul Maynard stated that the Streets Department put it there but it has been chipped and disposed of.

COUNCIL TO APPROVE RESOLUTION THAT WILL APPOINT SOMEONE TO SERVE AS THE CONFIDENTIAL CONTACT FOR THE EARNED INCOME TAX. The Confidential Contacts for the LST Tax are Paul Maynard and Cindy Wells.

MOTION TO APPROVE RESOLUTION TO APPOINT BOROUGH SECRETARY, CINDY WELLS, AND BOROUGH TREASURER, PAUL MAYNARD, TO SERVE AS THE CONFIDENTIAL CONTACTS FOR THE EARNED INCOME TAX. (Resolution #2016-11) It was moved by Councilor Brumagin and
 seconded by Councilor Steadman to appoint Borough Secretary, Cindy Wells, and Borough Treasurer, Paul Maynard, to serve as the confidential contacts for the earned income tax. Motion Carried.

COUNCIL TO ACCEPT THE RESIGNATION OF WILLIAM FLYNN FROM THE CIVIL SERVICE COMMISSION. This will leave two vacancies on the Commission.

MOTION TO ACCEPT THE RESIGNATION OF WILLIAM FLYNN FROM THE CIVIL SERVICE COMMISSION. It was moved by Councilor Brumagin and seconded by Councilor Hoban to
 accept the resignation of William Flynn from the Civil Service Commission. Motion Carried. Councilor Brumagin stated he sent information to Chris Wilmouth to consider being appointed to the Commission.

COUNCIL TO REVIEW THE PROPOSED CIVIL SERVICE RULES AND REGULATIONS. The Police Chief will provide any recommendations for changes. Council will make final approval. President McCrillis asked Chief Pernice if he had reviewed the proposed changes. He stated he has.

MOTION TO REVIEW THE PROPOSED CIVIL SERVICE RULES AND REGULATIONS AT THE NEXT WORK SESSION. A motion was made by Councilor Brumagin and seconded by
 Councilor Hoban to table and review the suggested changes at the next Work Session and then approve them at the next Council meeting. Motion Carried.

COUNCIL TO MAKE A MOTION FOR THE USE OF COUNTY AID IN THE AMOUNT OF \$16,293 FOR THE 2016 MILLING & PAVING PROJECT.

A motion was made by Councilor Kolaja and

seconded by Councilor Steadman for the use of County Aid in the amount of \$16,293 for the 2016 milling & paving project. Motion carried.

COUNCIL TO APPROVE THE BID SPECIFICATIONS FOR THE MUNICIPAL SOLID WASTE AND RECYCLING SERVICES FOR THE BOROUGH.

Solicitor Wachter provided the bid requesting for

trash/recycling/trash and recycling combined. There are somethings in it that are

historic. In the Bid form historically we have asked for low-income and elderly reduced rate but there is no mention of it in the bid documents otherwise. He wanted to know if this a rate that we currently have.

Councilor Brumagin stated that Waste Management has a green bag service and then they also offer a Senior Citizen Discount. It was discussed that instead of residents purchasing bags they could purchase stickers to be applied to the individual bags instead of paying for weekly pickup. Solicitor Wachter stated that Council needs to review the bid specs. He will add bag or sticker service as an option and also the Elderly Reduced Rate. Council needs to read through the bid to determine if it is in the form that you want it and let him know. It will be approved to advertise at the next Council Meeting on October 11, 2016.

COUNCIL TO APPROVE A TRANSFER FROM THE LIQUID FUELS FUND OF APPROXIMATELY \$106,200 FOR THE 2015/2016 PAVING PROJECTS.

Another transfer will need to be made at

the next Council Meeting for the final invoice.

MOTION TO BE MADE FOR A TRANSFER FROM THE LIQUID FUELS FUND OF APPROXIMATELY \$106,200 FOR THE 2015/2016 PAVING PROJECTS.

A motion was made by Councilor Brumagin and seconded by Councilor Conklin to transfer \$106,200 from the Liquid Fuels account to the General Fund to cover the 2015/2016 paving projects. Motion Carried.

COUNCIL TO REVIEW AND APPROVE THE TASER POLICY FOR THE POLICE DEPARTMENT.

Solicitor Wachter stated that Chief Pernice put together a Taser Policy and sent it to Solicitor Wachter for review. It was reviewed and recommended that the "Prohibited Use of Taser" be added. It has been added and he found it to be legally sufficient for the purpose of having a Taser Policy for the Union City Police Department. Police Policies are items that Borough Council should approve pursuant to the Borough Code.

MOTION TO APPROVE THE TASER POLICY FOR THE POLICE DEPARTMENT.

A motion was

made by Councilor Conklin and seconded by Councilor Brumagin to table until the next

the next Council Meeting on October 13, 2016 to give Council time to review the policy.

Motion carried.

BRIAN GREGOR QUESTIONED WHAT THE POLICY IS FOR THE USE OF NARCAN.

Chief Pernice

stated that it is a county wide initiative through the District Attorney's office and our Police Department does have it available to use.

EXECUTIVE SESSION: President McCrillis called for an Executive Session at 7:49 PM to discuss

personnel, and current and pending litigation. Council reconvened at 8:34 PM.

ADVERTISEMENT FOR THREE POSITIONS, POLICE SECRETARY,

BOROUGH SECRETARY AND BOROUGH TREASURE: A motion was made by Councilor Steadman and seconded by Councilor Kolaja to table placing an advertisement for Police Secretary, Borough Secretary and Borough Treasure, and discuss at the next work session what to advertise. Motion carried.

ZONING VIOLATION OF GERALD MERCER: A shed/garage was placed on the Mercer's property

violating the Zoning Ordinance. They complied and moved it. The Mercer's have

requested the Borough to forgive the fines. President McCrillis asked if there was a motion to forgive the fine issued to Gerald Mercer for a zoning violation. There was no motion. Died for lack of motion.

Councilor Brumagin abstained. The fine of \$343.74 is still owed to the

Borough. President McCrillis still agrees to a one year payment option. Gerald Mercer signed a 12 month payment option and questioned if this would be the end of this situation. It started in January 2014 and they have had 2 court hearings. Solicitor Wachter stated with the signed agreement everything is complete.

COUNCIL TO APPROVE THE PARK RENTAL AGREEMENT WITH A \$50 PARK RENTAL AND \$20 SECURITY DEPOSIT.

MOTION TO APPROVE THE PARK RENTAL AGREEMENT CHARGING A \$50 PARK RENTAL AND \$20 SECURITY DEPOSIT. A motion was made by Councilor Conklin and seconded by Councilor

Hoban to approve the Park Rental Agreement charging a \$50 fee for park rental and \$20 security deposit. Motion carried.

COUNCIL TO APPROVE THE APPOINTMENT OF TESS HOPSON-JONES TO THE PARKS & RECREATION COMMISSION.

MOTION TO APPROVE THE APPOINTMENT OF TESS HOPSON-JONES TO THE PARKS & RECREATION COMMISSION. A motion was made by Councilor Steadman and seconded by

Councilor Kolaja to approve the appointment of Tess Hopson-Jones to the parks & recreation commission. Motion carried.

COUNCIL TO DETERMINE THE AMOUNT TO BE CHARGED FOR RENTAL AT CAFLISCH

PARK ON WEEK-DAYS. In the past it has only been \$20 in comparison to the \$40 charged

for week-ends. Council determined it will be the same as weekends.

PUBLIC SAFETY: Nothing to report.

PUBLIC WORKS: Councilor Steadman said that he and the Street Supervisor Paul Maynard

reviewed the Edinboro Ordinance addressing the opening of Borough Streets. Paul will contact Solicitor Wachter to discuss it and Solicitor Wachter will put something together and give to Council for review.

Street Supervisor Paul Maynard stated that he will save the following to discuss at the next Work Session on October 5, 2016.

The PUC won't release funding for the railroad closings because the signs are not correct. He is working with the railroad to have the signs corrected.

There are four other grants that he would like to apply for.

He would also like to discuss the Storm Water Management. Solicitor Wachter stated there is a grant originally funded by the DEP that will match up to \$50,000 to fund the study and do the back ground work to get set up to put the program in place. There is only one grant left.

He would like to discuss with council to have selective cutting done at the Borough Dump Property. Not to open it up to the public.

Paul was talking to Steve Jones of the Union City Community Foundation. The Park at the Corner of North Main Street and West High Street has a sign that can't be seen because of a tree. An Information Board/programmable sign with time/temp, would be a good way to get information out to the public. It is eligible through Costars. The Union City Community Foundation may be willing to help out financially also.

COUNCIL TO APPROVE THE TRANSFER OF MONEY TO THE SIDEWALK ACCOUNT. Current

balance is \$26.54. We have approved two payments totaling \$332.50.

MOTION TO APPROVE THE TRANSFER OF \$1,000.00 TO THE SIDEWALK ACCOUNT. A motion

was made by Councilor Steadman and seconded by Councilor Brumagin to transfer \$1,000 to the sidewalk account. Motion carried.

MOTION TO CERTIFY THE 2017 MINIMUM MUNICIPAL OBLIGATIONS FOR THE NON-UNIFORMED EMPLOYEE PENSION PLAN AND THE POLICE PENSION PLAN OF THE BOROUGH OF UNION CITY. A motion

was made by Councilor Hoban and seconded by Councilor Kolaja to certify the 2017 Minimum Municipal obligations for the Non-uniformed Employee Pension Plan and the Police Pension Plan of the Borough of Union City.

PERSONNEL AND PLANNING: Nothing to report.

INFORMATIONAL SUMMARY: A motion by Councilor Brumagin and seconded by Councilor Hoban that the Informational Summary will stand approved and made a part of the minutes of this meeting. Motion carried.

ADJOURNMENT: It was moved by Councilor Brumagin and seconded by Councilor Hoban that the meeting be adjourned.

The meeting adjourned at 9:06 P.M.

ATTEST: _____
Borough Secretary