

**MINUTES**  
**UNION CITY BOROUGH COUNCIL**  
**AUGUST 12<sup>TH</sup>, 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 7:07 P.M. by President Brumagin. The meeting was held at the Union City Area High School Large Group Instruction Room.

Councillors present were Brumagin, Hoban, Tubbs and Steadman. Councillor Bowes was absent.

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

Visitors present – see attached list.

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

**MOTION ON MINUTES:** It was moved by Councillor Hoban and seconded by Councillor Steadman that all Councillors having read the minutes of the Council Meeting held July 8<sup>th</sup>, 2008 and the Work Session held July 22<sup>nd</sup>, 2008, be approved. Motion carried.

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

**CITIZENS SPEAK ABOUT PROPOSED ORDINANCE AUTHORIZING THE RECOVERY OF COSTS INCURRED BY PAID OR VOLUNTEER EMERGENCY SERVICE ORGANIZATIONS:**

Scio Boyce said he is here tonight to discuss the ordinance on the recovery of costs incurred by paid or volunteer emergency services. He said his concern is that there is no cap on what the Fire Department can charge for going to an accident.

He said he has a problem with not being able to vote on this ordinance.

He said he is asking Borough Council to say no to this ordinance.

Roy Hanks asked “does this ordinance include the Fire Department being able to charge for structure fires?”

The Borough Manager said the ordinance does not include structure fires.

Adam Ignasia from Lake City said if he is crossing the street and gets hit and the way the ordinance is written, he would be billed for their services.

President Brumagin said Roy Hanks made a very good point that the way the ordinance was written, was for emergency vehicles only and the Fire Department is asking to bill for structure fires.

He said Borough Council needs to rethink this in regards to what they are actually looking for versus to what has been proposed.

**CITIZEN COMPLAINS ABOUT POLHOLES:** John Scott said he lives at 29 South

Main Street and the potholes on Bank and Stranahan Streets need to be taken care of.

**RENTAL PROPERTIES:** Roy Hanks said he would like to know if Borough Council has ever considered licensing rental properties. He said he has entered some apartment buildings that are really in bad shape.

Scott Stull said he lives at South Main Arms Apartments and there is no fire escape on the top floor of the building.

President Brumagin said when the new law came out, old buildings were grandfathered in. He said he doesn't believe they can go back to a previous landlord to do something.

Timothy Wachter said he knows that the City of Erie is putting into place certain guidelines for their licensing and if Borough Council is interested, he can look into this further.

**CITIZEN COMPLAINS ABOUT PROPOSED ORDINANCE AUTHORIZING THE RECOVERY OF COSTS INCURRED BY PAID OR VOLUNTEER EMERGENCY SERVICE**

**ORGANIZATIONS:** Burt Taylor from 8240 West High Street, Union City, said his concern about the ordinance is how generally it is written. He said the ordinance should include a cap on what the Fire Department can charge.

President Brumagin said he wants to address the gentleman's comment on the community not having a voice. He said a true democracy is that every single individual has a voice. He said we are a representative of government. He said when you elected us, that is your voice. He said if you disagree with us, then you vote us out of office.

**TIME WARNER CABLE:** Mayor Paul Capela read a letter from Time Warner Cable in regards to the Outdoor Station Channel being canceled.

**OPEN RECORDS LAW SEMINAR:** Solicitor Timothy Wachter said he would like to thank Borough Council for allowing the Borough Manager and Councillor Tubbs attend the Open Records Law Seminar.

**COUNCIL TO APPROVE A RESOLUTION APPOINTING BILL HINKLE AS COUNCILLOR FOR THE FIRST WARD OF THE BOROUGH OF UNION CITY TO SERVE UNTIL THE FIRST MONDAY IN JANUARY, 2010:** The Resolution appointing Bill Hinkle as Councillor for the first ward of the Borough of Union City to serve until the first Monday in January, 2010 was read by the Borough Manager.

**MOTION TO APPROVE A RESOLUTION APPOINTING BILL HINKLE AS COUNCILLOR FOR THE FIRST WARD OF THE BOROUGH OF UNION CITY TO SERVE UNTIL THE FIRST MONDAY IN JANUARY, 2010:** It was moved by Councillor Steadman and seconded by Councillor Tubbs to approve Bill Hinkle as Councillor for the first ward of the Borough of Union City to serve until the first Monday in January, 2010. A roll call vote was taken. All Councillors voted yea. Motion carried.

**MAYOR SWEARS IN BILL HINKLE:** At this time, Mayor Paul Capela swears in Bill Hinkle as Councillor for the first ward.

**PRESIDENT APPOINTS DIRECTORSHIP:** President Brumagin said he would like to appoint Bill Hinkle Director of Parks and Recreation.

**MOTION TO TABLE APPOINTMENT TO THE PARKS AND RECREATION COMMISSION:** It was moved by Councillor Tubbs and seconded by Councillor Hoban to table appointing two individuals to the Park and Recreation Commission to fill unexpired terms. Motion carried.

**MOTION TO TABLE APPROVING THE PARKS AND RECREATION COMMISSION BY-LAWS:** It was moved by Councillor Tubbs and seconded by Councillor Steadman to table approving the Parks and Recreation By-Laws.

Motion Carried.

**MOTION TO TABLE ADOPTING AN ORDINANCE AUTHORIZING THE RECOVERY OF COSTS INCURRED BY PAID OR VOLUNTEER EMERGENCY SERVICE ORGANIZATIONS WHEN RESPONDING TO AUTOMOBILE ACCIDENT SCENES AND TO OTHER HAZARDOUS INCIDENTS WHICH TAKE PLACE ON THE STREETS OR ROADWAYS LOCATED WITHIN THE BOROUGH OF UNION CITY:**

It was moved by Councillor Steadman and seconded by Councillor Tubbs to table adopting an Ordinance authorizing the recovery of costs incurred by paid or volunteer emergency service organizations when responding to automobile accident scenes and to other hazardous incidents which take place on the streets or roadways located within the Borough of Union City until he and the President of Borough Council has had a chance to meet with the Fire Department. Motion carried.

**COUNCILLOR TUBBS SAID BOROUGH COUNCIL TO APPROVE BIDS ON THE SALE OF THE 1993 CHEVROLET POLICE VEHICLE:**

The Borough Manager said she received two bids. She said the first bid is from Jay's Auto Wrecking and their bid is \$308.00. She said the second bid is from Shawn Anthony and his bid is \$255.00.

**MOTION TO APPROVE THE BID FROM JAY'S AUTO WRECKING AT A COST OF \$308.00:**

It was moved by Councillor Tubbs and seconded by Councillor Steadman to accept the bid from Jay's Auto Wrecking at a bid cost of \$308.00. Motion carried.

**BUDGET ACCOUNTS:** Councillor Tubbs said he noticed that the Police Department's overtime account is over and he wants to know what is the procedure when an account is over budget.

The Borough Manager said that is not the only account that is over budget. She said the proper procedure is to transfer monies from another account. She said she was going to be bringing this

up at the next Work Session.

**MOTION TO ADOPT AN ORDINANCE AMENDING NUMBER 1049, ENTITLED AN ORDINANCE OF THE BOROUGH OF UNION CITY REGULATING THE PARKING OF VEHICLES UPON THE PUBLIC STREETS AND IN THE MUNICIPAL PARKING LOTS OF THE BOROUGH OF UNION CITY UNDER THE AUTHORITY OF THE PENNSYLVANIA LEGISLATURE, ACT OF APRIL 29<sup>TH</sup>, 1959, P.L. 58, AS AMENDED, AND PROVIDING PENALTIES FOR THE VIOLATION OF SAID REGULATIONS; AMENDING SAID ORDINANCE BY ADDING NEW REGULATIONS PERTAINING TO WINTER PARKING AND PARKING GENERALLY; PROVIDING FOR ADDITIONAL PENALTIES; PROVIDING FOR SEVERABILITY AND FOR AN EFFECTIVE DATE:** It was moved by

Councillor Tubbs and seconded by Councillor Steadman to adopt an Ordinance amending number 1049, entitled an Ordinance of the Borough of Union City regulating the parking of vehicles upon the public streets and in the Municipal Parking Lots of the Borough of Union City under the authority of the Pennsylvania Legislature, Act of April 29, 1959, P.L. 58, as amended, and providing penalties for the violation of said regulations; amending said Ordinance by adding new regulations pertaining to winter parking and parking generally, providing for additional penalties; providing for severability and for an effective date. A roll call vote was taken. Councillor Tubbs, Steadman, Hoban and Brumagin voted yea. Councillor Hinkle abstained. Motion carried.

**STREETS DEPARTMENT:** Councillor Steadman said there are a pile of projects that are currently going on. He said the streets department is in the process of installing sluice pipes on O'Dell Street.

Street Supervisor Paul Maynard said Market Street will be getting paved.

He said he has spoken with Russell Standard about milling the end of Union Street.

**ZONING:** Councillor Tubbs said in the monthly Zoning Report, the Zoning Officer is referencing an Attorney Kuhn. He said he would like to know who is Attorney Kuhn.

The Borough Manager said he is the Zoning Hearing Board's Attorney. She said the Zoning Hearing Board is required to have a separate attorney from the Borough.

**CODE ENFORCEMENT:** Councillor Tubbs said on the other report we have, at the last Work Session discussion was held on getting a letter proposed and having a meeting.

The Borough Manager said she spoke with Councillor Bowes about this and he was out of town and now is involved with negotiations. She said he is hoping to have something by the next Work Session.

**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:** President Brumagin said there will be an Executive Session after the meeting to discuss personnel with no action taken.

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

The meeting adjourned at 7:55 P.M.