

MINUTES
UNION CITY BOROUGH COUNCIL
OCTOBER 14TH, 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, Hinkle, Hoban, Steadman and Tubbs.

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

Visitors present were Alice Jane Ross, George Ainsworth, Joanne Ainsworth, Leo Pfister, Dave Pfister, Louis Boyce, Roy Hanks, John Scott, Dustin Kolaja, John Lowther, Sue Lowther, Mary Lou Ward, Brian Maynard and Code Enforcement Officer Shawn Tharp.

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

MOTION ON MINUTES: it was moved by Councillor Steadman and seconded by Councillor Hoban that all Councillors having read the Council Meeting held September 9th, 2008 and the Work Session held September 23rd, 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 Secretary's Report be accepted and made a part of the minutes of this meeting. Motion carried.

SPEED LIMIT SIGNS ON MURRAY STREET: Alice Jane Ross said there are no speed signs on Murray Street. She said she would like to know if signs could be placed on this street.

Street Supervisor Paul Maynard said he will put up the signs.

EMERGENCY SERVICE ORDINANCE: Louis Boyce said he would like to know if Borough Council is going to act on the Ordinance establishing the recovery of costs incurred by paid or volunteer emergency service organizations.

Councillor Tubbs said that this issue will be talked about when Borough Council gets to this item on the agenda.

CITIZENS COMPLAIN ABOUT THE WINTER PARKING ORDINANCE: John Lowther said that he is here tonight to once again try to convince members of Borough Council not to enforce the winter parking ordinance.

Councillor Bowes said he wants to move forward with this ordinance and at least give it one winter season.

Sue Lowther said she has a shared driveway with her neighbor who is here this evening. She said she feels this is terrible that Borough Council is not allowing her or her family to park on the street. She said she does not agree with this ordinance.

Mary Lou Ward said she has a shared driveway and she does not like the fact that she is not allowed to park on the street.

Sue Lowther said she does have renters and this is going to be very inconvenient for her renters. She said she might lose her renters due to the parking issue.

NO PARKING SIGNS: John Scott said there is “No Parking” signs on Bank and Sranahan Street. He said he believes they were removed and he would like to have these signs put back up.

TIME WARNER CABLE: Mayor Paul Capela read a letter from Time Warner Cable on the proposed price increase.

MOTION TO APPROVE ADVERTISING FOR BIDS FOR GARBAGE AND RECYCLING SERVICE: It was moved by Councillor Tubbs and seconded by Councillor Hoban to approve advertising for bids for garbage and recycling service. Motion carried.

RENTAL PROPERTY INSPECTION PROGRAM: Solicitor Timothy Wachter said he attended the Rental Property Inspection Program. He said the first thing Borough Council would need to do is to take an inventory of all rental properties and the condition of these properties.

He said another consideration Borough Council would need to look at, who will administer the program.

He said there are a number of municipalities who have hired their own personnel to administer the program.

SOLICITOR REPORTS ON NEW BILLS THAT WERE SIGNED INTO LAW: Solicitor Timothy Wachter said there are three bills that were signed into law in the last couple of weeks.

He said the first one is Act 40 which limits the time period for challenges to ordinances to thirty days.

He said the second one is Act 39 which affects land use decision and land use ordinances providing for additional publishing.

He said the third one is Act 124 which affects how long diesel trucks can idle.

He said there was a total of 41 new laws that were signed last week. He said he is sure there are ten more of these laws that will affect municipalities.

He said he will go over the laws and make sure that the Borough gets a copy of all that apply.

MOTION TO APPROVE TRICK-OR-TREAT TO BE HELD ON FRIDAY, OCTOBER 31ST, 2008 FROM 6:30 P.M. TO 8:00 P.M.: It was moved by Councillor Bowes and seconded by Councillor Tubbs to approve Trick-or-Treat to be held on Friday, October 31st, 2008 from 6:30 P.M. to 8:00 P.M. Motion carried.

MOTION TO APPROVE TABLING THE TWO APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION: It was moved by Councillor Hinkle and seconded by Councillor Bowes to table the two appointments to the Parks and Recreation Commission to serve until December 31st, 2009. Motion carried.

MOTION TO APPROVE THE PARKS AND RECREATION COMMISSION BY-LAWS: It was moved by Councillor Hinkle and seconded by Councillor Tubbs to approve the Parks and Recreation Commission By-laws. Motion

carried.

COUNCIL TO TABLE THE ORDINANCE ESTABLISHING THE RECOVERY OF COSTS INCURRED BY THE PAID OR VOLUNTEER EMERGENCY SERVICE ORGANIZATIONS:

The Borough Manager said if Borough Council does not want to act on the ordinance establishing the recovery of costs incurred by the paid or volunteer emergency service organizations, then Borough Council needs to ignore it and it will be removed from the Agenda.

Councillor Tubbs said that he and President Brumagin met with the Fire Chief and this is not what they are looking for. He said Borough Council will be looking to consider adopting an ordinance that will benefit the Fire Department.

MOTION TO RESCIND THEIR MOTION APPROVING THE PURCHASE OF A COMPUTER FOR THE EMERGENCY MANAGEMENT COORDINATOR AND OTHER BOROUGH OFFICIALS:

It was moved by Councillor Tubbs and seconded by Councillor Bowes to rescind their motion approving the purchase of a computer for the Emergency Management Coordinator and other Borough officials at a cost not to exceed \$500.00. Motion carried.

MOTION TO APPROVE PURCHASING A COMPUTER FOR THE EMERGENCY MANAGEMENT COORDINATOR AND OTHER BOROUGH OFFICIALS:

It was moved by Councillor Tubbs and seconded by Councillor Bowes to approve purchasing a computer for the Emergency Management Coordinator and other Borough officials at a cost not to exceed \$1000.00. Motion carried.

COUNCIL TO APPROVE BIDS ON THE SALE OF A 1996 CHEVROLET POLICE VEHICLE:

Councillor Tubbs said Borough Council to approve bids on the sale of a 1996 Chevrolet Police Vehicle.

The Borough manager said she received two bids. She said the

first bid is from Peterson's Auto Repair, 5 Titusville Road, Union City, Pa . 16438 and their bid is \$360.00. She said the second bid is from Jay's Auto Wrecking, 11610 Hamilton Road, Edinboro, PA 16412 and their bid is \$409.00.

MOTION TO APPROVE BID FROM JAY'S AUTO WRECKING AT A BID PRICE OF \$409.00: It was moved by Councillor Tubbs and seconded by Councillor Hoban to accept the bid from Jay's Auto Wrecking at a bid price of \$409.00. Motion carried.

COUNCIL TO APPROVE PURCHASING FIVE NORTON ANTI-VIRUS LICENSES AT A COST OF \$120.00: Councillor Tubbs said he spoke with Chris from Union City Computer Works on purchasing an anti-virus program for the computers at the Borough Building.

He said Chris gave him a quote of \$120.00 for five licenses. He said this is a good price and he would like to make a motion to purchase the five Norton Anti-Virus Licenses.

MOTION TO APPROVE PURCHASING FIVE NORTON ANTI-VIRUS LICENSES AT A COST OF \$120.00: It was moved by Councillor Tubbs and seconded by Councillor Bowes to approve purchasing five Norton Anti-Virus Licenses at a cost of \$120.00. Motion carried.

MOTION TO APPROVE THE PHASE 1 AND PHASE 11 OF THE DIRT AND GRAVEL ROAD MAINTENANCE PROJECT AGREEMENT BETWEEN THE ERIE COUNTY CONSERVATION DISTRICT AND THE BOROUGH OF UNION CITY: It was moved by Councillor Steadman and seconded by Councillor Bowes to approve the Phase 1 and Phase 11 of the Dirt and Gravel Road Maintenance Project Agreement between the Erie County Conservation District and the Borough of Union City. Motion carried.

MOTION TO APPROVE ADVERTISING FOR BIDS FOR APPROXIMATELY 600 TONS OF 3A ANTI-SKID: It was moved by Councillor Steadman and seconded by Councillor Hoban to approve advertising for bids for approximately 600 tons of 3A Anti-Skid. Motion carried.

COUNCIL TO ADVERTISE THEIR INTENT TO ADOPT AN ORDINANCE AMENDING ORDINANCE NO: 832 PROHIBITING THE USE OF CERTAIN BOROUGH STREETS BY MOTOR VEHICLES WHOSE WEIGHT EXCEEDS ESTABLISHED LIMITS: The Ordinance amending Ordinance No: 832 prohibiting the use of certain Borough streets by motor vehicles whose weight exceeds established limits was read by the Borough Manager.

MOTION TO APPROVE ADVERTISING THEIR INTENT TO ADOPT AN ORDINANCE AMENDING ORDINANCE NO: 832 PROHIBITING THE USE OF CERTAIN BOROUGH STREETS BY MOTOR VEHICLES WHOSE WEIGHT EXCEEDS ESTABLISHED LIMITS: It was moved by Councillor Steadman and seconded by Councillor Hoban to approve advertising their intent to adopt an Ordinance amending Ordinance No: 832 prohibiting the use of certain Borough streets by motor vehicles whose weight exceeds established limits. Motion carried.

PUBLIC WORKS DEPARTMENT: Councillor Steadman said the street crew accomplished a lot this past summer. He said Waterford, North and Brown Streets have been paved. He said he would like to thank the streets department for a job well done.

COUNCIL TO APPROVE THE GENERAL MUNICIPAL PENSION SYSTEM STATE-AID BE DEPOSITED INTO THE NON-UNIFORM PENSION FUND: Councillor Hoban said the Minimum Municipal Obligation for the 2008 Borough of Union City Non-Uniform Fund is \$15,269.00. He said the amount of the General Municipal Pension System State-Aid received from the Commonwealth of Pennsylvania for the year 2008 is \$15,971.12.

He said he would like Borough Council to approve the General Municipal Pension System State-Aid in the amount of \$15,971.12 be deposited into the Non-Uniform Pension Fund.

MOTION TO APPROVE THE GENERAL MUNICIPAL PENSION SYSTEM STATE-AID IN THE AMOUNT OF \$15,971.12 BE DEPOSITED INTO THE NON-UNIFORM

PENSION FUND: It was moved by Councillor Hoban and seconded by Councillor Bowes to approve the General Municipal Pension System State-Aid in the amount of \$15,971.12 be deposited into the Non-Uniform Pension Fund. Motion carried.

MAIN STREET MANAGER MEETING: Councillor Bowes said that he, Dan, Charlie and Cheryl attended a meeting on a Main Street Manager.

He said discussion was held on the cost which would be about \$375,000 over five-years. He said each municipality would have to come up with \$125,000 over five-years. He said the municipalities share could come from other sources.

EXECUTIVE SESSION: President Brumagin said an Executive Session will be held immediately after the Council Meeting to discuss personnel. He said no action will be taken.

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

MAIN STREET MANAGER: Councillor Tubbs said he would like to know why Union City Pride is not undertaking the paperwork for this program.

Councillor Bowes said a lot of the information needed can only be answered by the Borough.

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

The meeting adjourned at 7:41 P.M.

ATTEST: _____

Borough Manager