

**WARREN CITY COUNCIL
REGULAR MEETING
JANUARY 16, 2017 – 7:30 PM**

OPENING OF MEETING

Mayor Cashman presided over the January 16, 2017 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance. Mayor Cashman announced that Council met in Executive Session regarding a personnel matter immediately prior to this meeting.

PROCLAMATION: MARTIN LUTHER KING, JR. DAY

Mayor Cashman presented a proclamation honoring Dr. Martin Luther King, Jr. and encouraged all citizens to share in reflecting on Dr. King's legacy.

PRESENTATION OF "GREAT PLACE IN PENNSYLVANIA" AWARD

On behalf of the Pennsylvania Chapter of the American Planning Association, Dan Glotz of the Warren County Planning and Zoning Office and Farley Wright presented the City with a plaque in honor of Walkable Warren's designation as a "Great Place in Pennsylvania." Mr. Glotz noted that he and Mr. Wright first made a presentation to City Council regarding their concept for "Walkable Warren" approximately three years ago and thanked the City for its cooperation in bringing the concept to fruition.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Philip Gilbert, Richard Kolcharno, John Lewis, James A. Zavinski, Sr., and Josh Chimenti, Junior Council Member. Members of City Staff present were Mrs. Freenock, Mr. Holtz, Mrs. Leary, Ms. Nau, Chief Pascuzzi, Mrs. Risinger, Chief Zydonik, and Attorney Stapleford as well as Sgt. B. Deppen.

APPROVAL OF MINUTES

Upon motion by Mr. Lewis and second by Mr. Fraser, the minutes of the December 19, 2016 Regular Meeting were unanimously approved.

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Farley Wright: Presentation to City – Great Places Award
- Dan Glotz, County Planning Office: Presentation to City – Great Places Award
- Christian Zavinski: Resident observing
- Pauline Steinmeyer: Address to Council
- Austin Ribbeck: School assignment
- Josh Cotton: Times Observer Reporter

Mrs. Pauline Steinmeyer addressed Council and expressed her concerns regarding the City's web site.

CORRESPONDENCE

There was no correspondence to come before Council.

MAYOR'S ANNUAL REPORT TO COUNCIL

Mayor Cashman noted that his Annual Report was distributed to Council members.

PROPOSED ORDINANCE: BOARD OF HEALTH

Ms. Nau reported that in accordance with changes in the Third Class City Code as it pertains to Boards of Health, it is necessary to establish regulations which reflect the current requirements. Therefore, it was recommended that Ordinance No. 1841 pertaining to the Board of Health be repealed in its entirety and replaced with the proposed ordinance establishing a Board of Health.

In response to questions from Council members, Ms. Nau indicated that Council may opt to appoint an independent Board of Health. Following discussion, Mayor Cashman requested that the ordinance be rewritten to provide for a Council-appointed Board of Health.

PROPOSED ORDINANCE: INSTALLATION, MAINTENANCE AND REPAIR OF SIDEWALKS

Ms. Nau stated that the Codes Department is in the process of reviewing sidewalks throughout the City. Therefore, it is necessary to establish standardized criteria by which sidewalks are to be evaluated. An ordinance establishing the criteria by which a sidewalk may be adjudged deficient and providing standards for the installation, repair, and maintenance of sidewalks was provided for Council's consideration.

There was considerable discussion regarding the specifications for new sidewalks and the manner in which notice is given for sidewalks that are in need of repair or replacement and the timeframe in which such repair or replacement must occur. Mr. Holtz suggested that it may be advantageous for a Council sub-committee to discuss the draft ordinance with City Staff. Mayor Cashman and Mr. Lewis volunteered to participate in such a discussion. Mayor Cashman indicated that an ordinance would be brought before Council at a later date.

RESOLUTION NO. 3028: ESTABLISHING FEE SCHEDULE

Mrs. Freenock indicated that, as noted at the December 19 meeting, it becomes necessary from time to time to amend the City's Fee Resolution. Such changes are necessary due to the rising costs to the City in association with the issuance of permits, provision of services, and the maintenance of facilities. Fees charged by the City offset the associated costs and do not generate revenue.

Mrs. Freenock noted the following in response to discussion items at the December 19 meeting:

1. Sidewalk Permits: The base sidewalk permit fee includes the performance of paperwork associated with issuance of the permit as well as the performance of two required inspections. This fee has not increased since 2010 when it was raised from \$15 to \$25. The "Failed Inspection Fee" offsets the associated personnel and travel costs which are incurred when additional inspections are required as the result of improper construction.
2. Health Licenses: The State requires that a transfer of ownership be treated as if the business were a new establishment and, therefore, a full inspection is to be conducted. As such, it is appropriate to charge the same fee as that required for an annual license renewal.

The proposed "Late Fee" would be imposed if payment is not received within thirty (30) days of the initial license renewal notice/invoice. The renewal notice will contain a statement that a late fee will be imposed if payment is not received within thirty (30) days and a second notice needs to be sent. The "Late Fee" will serve to offset City costs associated with sending a second notice.

3. Street opening permits: Previously, permits for streets of any type of construction were captioned as "Street Opening Permits." The proposed resolution provides for separate street opening categories for asphalt, concrete, and brick streets. The fees included in the proposed resolution do not provide for an increase in the permit fees for asphalt streets. However, the costs incurred in restoring concrete and brick streets is significantly higher and, therefore, it was recommended that fees for openings in these streets be reflective of the increased restoration costs.

Mr. Fraser made the motion to approve the resolution establishing fees. The motion was seconded by Miss Davis and carried with five votes in the affirmative and two nay votes cast by Mr. Lewis and Mr. Kolcharno.

RESOLUTION NO. 3029: APPOINTING COUNCIL AS PENSION TRUSTEE

Mrs. Risinger noted the December 19, 2016 Council vote to appoint Vanguard Advisors, Inc. and its affiliates as the Investment Manager for all City pension plans with Northwest Bank to remain in its role as Administrator of the Plans.

Northwest Bank requested that the appointment of City Council as the successor trustee be formalized and also asked that there be a clear statement as to the continuation of Northwest Bank's role in paying pension benefits and expenses. A resolution reflecting these items was prepared by Atty. Randall Rhoades, Special Counsel. The resolution also provides that the Mayor, City Manager, and City Finance Officer are the authorized signatories for related documents.

Upon motion by Mr. Fraser and second by Mr. Lewis, the resolution appointing City Council as the successor trustee for the City's Pension Plans, stating Northwest Bank's role in paying pension benefits and expenses, and appointing authorized signers was unanimously approved.

PURCHASE OF PROPERTY FOR COMPOST SITE

Mrs. Freenock noted that the City is mandated by the State to compost certain organic matter including leaves and branches collected during the spring and fall cleanup programs as well as specified compostable matter collected at the designated City drop off location. In January of 2016, the owner of the site previously utilized by the City for composting notified the City that effective January 31, 2016, the site would be closed. Since that time, the City has investigated numerous site options for the operation of a compost site with each proving to be cost prohibitive, not fully meeting the requirements for a composting site, and/or being offered for lease rather than sale.

Waste Treatment Corp. owns an 8.8 ± acre parcel located in Glade Township and which Waste Treatment Corp. wishes to sell. Waste Treatment Corp. also owns two adjacent and contiguous parcels which front Hemlock Road (Hemlock Road parcels). Waste Treatment Corp. informed City Staff that all three parcels must be sold together. Therefore, the City entered into an Option to Purchase with Waste Treatment Corp. for the purchase of those parcels (OGM's to be severed and sold separately). City Staff and Waste Treatment Corp. would now like to enter into an Agreement of Sale for the 8.8 ± acre parcel located in Glade Township only.

During negotiations with Waste Treatment Corp., it was learned that Pennsylvania American Water Company (PAWC) wishes to purchase the Hemlock Road parcels. Due to the bidding requirements with which the City must comply, it was determined to be in the best interests of PAWC to purchase the Hemlock Road parcels outright from Waste Treatment Corp. However, this purchase must be approved by the Pennsylvania Public Utilities Commission, which could take several months. Waste Treatment Corp. agreed to sell the Glade Township parcel to the City provided that the City agrees to purchase the Hemlock Road parcels should PAWC not execute an Agreement of Sale by May 30, 2017.

After a careful review of the options available, it was recommended that Council authorize an Agreement of Sale between the City and Waste Treatment Corp. for the parcel comprised of 8.8 ± acres which are required for the composting site at a price of \$75,000. The Agreement would contain a contingency that, should PAWC fail to execute an Agreement of Sale for the two remaining parcels by May 30, 2017, the City would proceed to purchase those parcels at a price of \$50,000. It is anticipated that the purchase of the 8.8 ± acres would close on, or before, February 28, 2017.

Mrs. Freenock indicated that the City communicated with the Department of Environmental Protection and DEP representatives visited the site along with the DPW Director and City Engineer to confirm that it conforms to DEP requirements for composting sites. Through these communications and site visits, all concerns were addressed. City Staff also met with two Glade Township Supervisors and they have no concerns regarding the use of these properties for a composting site.

Mr. Lewis made the motion to authorize the Mayor and appropriate City Staff members to enter into and execute an Agreement of Sale for the purchase of 8.8± acres from Waste Treatment Corp. in the amount of \$75,000 with the Agreement to contain a contingency that, should Pennsylvania American Water Company not execute an Agreement of Sale by May 30, 2017 for the remaining two parcels offered by Waste Treatment Corp., such parcels shall be purchased by the City for an amount not to exceed \$50,000. The motion was seconded by Mr. Zavinski and carried unanimously.

ELECTRICITY PROCUREMENT

Mr. Holtz stated that due to the deregulation of electric supply rates, the City is able to “shop” for the best available rate. Early in 2016, the City worked with BidUREnergy, an energy supply consulting firm from Buffalo, NY, in partnership with the Pennsylvania Municipal League to lock in a rate of \$0.05651/kWh with Constellation NewEnergy for a 36-month period commencing December, 2016.

Upon motion by Mr. Lewis and second by Mr. Fraser, Council members voted unanimously to ratify the 36-month agreement with Constellation NewEnergy for provision of the electric supply for City accounts.

APPOINTMENT TO WARREN COUNTY TAX COLLECTION COMMITTEE

Mrs. Freenock stated that under Act 32, municipalities levying an Earned Income Tax are required to appoint a delegate and an alternate to the County Tax Collection Committee. The prior alternate retired from the City and, therefore, a new appointment is necessary. Donna Risinger, Finance Officer, will continue to serve as the City’s delegate to the Committee

Mr. Zavinski made the motion to appoint Michelle Tremblay, Tax Collection Clerk, as the City's alternate delegate to the Warren County Tax Collection Committee. The motion was seconded by Mr. Lewis and carried unanimously.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Upon motion by Mr. Lewis and second by Mr. Zavinski, Council members voted unanimously to make the following appointments:

<u>Member</u>	<u>Board/Commission</u>	<u>Term Expiration</u>
Michael Suppa	Parks and Recreation Commission	12/31/2020
Fran Hanlin	Zoning Hearing Board	12/31/2020
Thomas R. Eaton, Sr.	UCC Joint Board of Appeals	12/31/2021
Angela Dart	Planning Commission	12/31/2020

DEPARTMENT REPORTS – DECEMBER, 2016

The following reports were presented for Council's review:

- Police Department
- Fire Department
- Department of Public Works
- Building Codes Department

Mayor Cashman suggested that consideration be given to a restructuring of the monthly reports with a decrease in report segments which are not utilized in the management of the respective departments. Mr. Fraser suggested that quarterly reports be considered.

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Due to the timing of meetings, there were no approved minutes to be presented to Council this month.

ADJOURNMENT

There being no further business to come before Council, Mayor Cashman declared the meeting adjourned.