

**WARREN CITY COUNCIL
PUBLIC HEARING AND REGULAR MEETING
FEBRUARY 19, 2018 – 7:30 PM**

PUBLIC HEARING: ECONOMIC DEVELOPMENT LIQUOR LICENSE APPLICATION

(Secretary's Note: The Public Hearing was recorded by Jackie Sherwood, Stenographer)

Mayor Cashman opened the Public Hearing. Mrs. Freenock stated that the City is in receipt of application materials from Tom Pellegrino regarding his request for a City resolution in support of an application to the Pennsylvania Liquor Control Board (PLCB) for an Economic Development Liquor License. If approved by the PLCB, this license would be for Pellegrino Italian Foods and Market located at 449 Conewango Avenue.

Mrs. Freenock noted that the purpose of the Public Hearing was for City Council to hear comments and concerns from the public regarding Mr. Pellegrino's request for a resolution.

Pauline Steinmeyer addressed Council and noted her concerns regarding the establishment of a new outlet for liquor sales within a residential neighborhood. She further noted the location's proximity to a church along with her concern regarding the hazards of potentially impaired drivers exiting the establishment on to Conewango Avenue.

There being no other citizens wishing to provide comment, Mayor Cashman declared the hearing closed.

OPENING OF MEETING

Mayor Cashman presided over the February 19, 2018 regular meeting of Warren City Council in Council Chambers of the Municipal Building and opened the meeting with the Pledge of Allegiance.

ROLL CALL

Members present and responding to roll call were: Mayor Maurice Cashman, Elissa Davis, Gregory Fraser, Paul Giannini, Philip Gilbert, Richard Kolcharno, and James A. Zavinski, Sr. Members of City Staff present were Mrs. Freenock, Chief Deppen, Mr. Hildebrand, Mr. Holtz, Mrs. Leary, Mrs. Risinger, Mrs. Williams, and Attorney Stapleford.

PRESIDENTS' DAY PROCLAMATION

Mayor Cashman presented a proclamation in honor of Presidents' Day and encouraged all citizens to share in reflecting on George Washington's contribution to our freedom and the founding of our nation and Abraham Lincoln's commitment to the preservation of the United States.

APPROVAL OF MINUTES

Upon motion by Mr. Zavinski and second by Mr. Kolcharno, the minutes of the January 15, 2018 Regular Meeting were unanimously approved.

Upon motion by Mr. Zavinski and second by Mr. Kolcharno, the minutes of the January 22, 2018 Special Meeting were unanimously approved

RECOGNITION OF VISITORS

Mayor Cashman welcomed all visitors. Present were:

- Pauline Steinmeyer: Observing
- Karen Davis, Indivisible Warren: Redistricting Resolution
- Mark Davis: Redistricting Resolution
- Jane Dunshie, Indivisible Warren: Redistricting Resolution
- Tom Pellegrino: Economic Development Liquor License Application

- Josh Cotton: Times Observer Reporter
- Boy Scout Troop 13 Members and Chaperones: Citizenship Badge

Dan Glotz	Jeremiah Hanks
Hunter Smith	Matt Klenck
Amy Kellogg	Don Welker
Owen Welker	Dan Klenck
Judd Demers	Larry Miller
Kim Smith	Dean Berry

CORRESPONDENCE

Council members acknowledged receipt of correspondence from Paws Along the River thanking the City for its 2018 contribution.

RESOLUTION NO. 3056: APPLICATION FOR ECONOMIC DEVELOPMENT LIQUOR LICENSE

(See Public Hearing above)

Mrs. Freenock noted that in April of 2011, the then seated Council established guidelines pertaining to Council’s consideration of an Economic Development Liquor License and enumerated the items to be considered. She further stated that Council’s decision either approving or disapproving the filing of an Economic Development Liquor License must be stated in a resolution.

Mrs. Freenock noted that the Pennsylvania Liquor Control Board (PLCB) no longer uses paper applications and it appears that it is not possible to print a hard copy of an electronic application prior to its submission to the PLCB. Therefore, it was not possible for Mr. Pellegrino to submit a copy of his application to the PLCB as called for in the City’s application procedure.

Tom Pellegrino addressed Council and stated that many of his patrons have indicated that they would like to be able to have a glass of wine or beer while dining at the restaurant. He also indicated that he would like to expand options for weddings and other special events at which wine and/or beer are often served.

Mr. Fraser noted that Mr. Pellegrino’s business is referred to in documents provided to Council as “Pellegrino’s Italian Foods and Market” and also as “Pellegrino’s Italian Deli.” Mr. Pellegrino requested that the business name be stated in the resolution as “Pellegrino’s Italian Deli.”

Mr. Fraser made the motion to approve the filing of an application for an Economic Development Liquor License and authorization for the Mayor and City Clerk to execute the resolution with the applicant name to be stated as Pellegrino’s Italian Deli. The motion was seconded by Mr. Zavinski and carried with six votes in the affirmative and one nay vote cast by Mr. Kolcharno.

PLACEMENT OF SCULPTOR PLAQUE ON GEN. JOSEPH WARREN STATUE

Mrs. Williams stated that Judith Wilson, Regent of the General Joseph Warren Chapter of the Daughters of the American Revolution (DAR), presented a request to the City Parks and Recreation Commission regarding the placement of a plaque on the base of the statue of General Joseph Warren (located in General Joseph Warren Park). The proposed bronze plaque would identify the sculptor of the statue. The DAR request is only for permission to place a plaque and the City was not asked to contribute monetarily to the project.

Mrs. Williams noted that the DAR spearheaded the cleaning and refurbishment of the statue some years back. At that time, the DAR was advised that the statue was crafted by Richard W. Bock, a prominent sculptor of the day who created many historical monuments throughout the United States and worked with renowned architects such as Louis Sullivan and Frank Lloyd Wright.

The Parks and Recreation Commission, at its regular meeting on February 6, 2018, voted to recommend City Council's approval of the placement of a plaque recognizing Richard W. Bock as the sculptor of the General Joseph Warren Statue.

Mr. Kolcharno made the motion to approve the placement of a bronze plaque on the base of the General Joseph Warren Statue recognizing Richard W. Bock as the sculptor with the plaque to be struck in accord with the rendering provided by the Daughters of the American Revolution and any variance from the rendering is to be approved by the City. The motion was seconded by Mr. Zavinski and carried unanimously.

RESOLUTION NO. 3057: SUPPORT FOR A CITIZENS COMMISSION FOR REDISTRICTING

Mrs. Freenock stated that members of Indivisible Warren drafted a resolution in support of the formation of a Citizens Commission for Legislative and Congressional Redistricting. The group requests that Council consider adoption of the resolution and the submission of copies to Representative Rapp, Senator Hutchinson, and the Pennsylvania Municipal League.

Miss Davis made the motion to approve the resolution stating Council's support for the formation of a Citizens Commission on Legislative and Congressional Redistricting. The motion was seconded by Mr. Gilbert and carried with six votes in the affirmative and one abstention by Mr. Fraser who cited his association with Indivisible Warren.

RESOLUTION NO. 3058: PA SMALL WATER & SEWER PROGRAM GRANT APPLICATION

Mr. Holtz stated that there are four (4) permitted Combined Sewer Overflow (CSO) outfalls in the City's sanitary sewer system, including the Clark Street Pump Station. Under the present system there are certain conditions which result in the potential for the discharge of untreated sewage onto the ground. This creates a potential public health and environmental hazard.

The proposed project provides for the construction of a pressure force main that will replace the current gravity outfall. This will allow for the handling of excess capacity at the Clark Street Pump Station in accord with NPDES permits during high river levels. The proposed Pennsylvania Small Water and Sewer Program funding application will be for \$84,745 of the estimated \$99,700 project cost.

Mr. Fraser made the motion to approve the resolution authorizing a funding application to the Pennsylvania Small Water and Sewer Program in the amount of \$84,745 for the Clark Street Pump Station Project. The motion was seconded by Miss Davis and carried unanimously.

SETTLEMENT AGREEMENT: RELEASE FROM LOAN REPLENISHMENT AGREEMENT

Mrs. Freenock noted that the City previously entered into a Revolving Loan Fund Replenishment Agreement with the Department of Community and Economic Development (DCED) under which the City agreed to make monthly payments in the amount of \$3,029.00 with interest at the rate of four percent (4%). The payments were to be deposited into the Revolving Loan Fund and were to be made for a period of twenty (20) years. As of January 31, 2018, payments totaling \$187,853.80 had been made to the Revolving Loan Fund.

At the January 15, 2018 regular meeting, Council voted to accept settlement of the GRO-Warren litigation in the amount of \$140,000. Following that action, the City notified DCED of the settlement and stated that the settlement funds will be deposited into the Revolving Loan Fund. The City requested that DCED accept the \$187,853.80 paid to date by the City plus the \$140,000 in settlement funds as full satisfaction of the City's obligations under the Replenishment Agreement.

DCED granted the request and provided a Revolving Loan Fund Settlement Agreement memorializing the release.

Miss Davis made the motion to approve the Revolving Loan Fund Settlement Agreement between the City and the Pennsylvania Department of Community and Economic Development. The motion was seconded by Mr. Fraser and carried unanimously.

AGREEMENT: APPEAL REGARDING PROPERTY TAX EXEMPTION STATUS

Ms. Stapleford stated that the Children’s Home of Bradford and Ramsbottom Center, Inc. filed a Petition for appeal from Decisions of the Warren County Board of Assessment Appeals in the Court of Common Pleas seeking property tax exemptions for several properties owned by the entities.

The Taxing Districts were in disagreement with the Children’s Home and Ramsbottom as to the real estate tax exempt status of several properties located in Warren County, including two properties located within the City of Warren. The parties have reached a settlement under which the two properties located in the City shall remain as Taxable Properties.

Ms. Stapleford noted that on page 2 of the Settlement Agreement, the property located at 514 West Third Avenue is erroneously identified as being in Mead Township rather than the City. The correction has been notated and will be initialed prior to submission of the Agreement.

Mr. Fraser made the motion to authorize the Mayor and City Manager to sign the Settlement Agreement regarding the tax exempt status of properties held by the Children’s Home of Bradford and Ramsbottom Center, Inc. The motion was seconded by Miss Davis.

Mayor Cashman indicated that he would abstain from the vote as he is the Chair of the Children’s Home of Bradford. Mr. Fraser then stated that he is a board member of a subsidiary organization and, therefore, would abstain from the vote. Mr. Fraser then withdrew his motion.

Miss Davis made the motion to authorize the Mayor and City Manager to sign the Settlement Agreement regarding the tax exempt status of properties held by the Children’s Home of Bradford and Ramsbottom Center, Inc. The motion was seconded by Mr. Zavinski and carried with five votes in the affirmative and two abstentions by Mr. Fraser and Mayor Cashman.

APPOINTMENT TO JOINT UNIFORM CONSTRUCTION CODE BOARD OF APPEALS

Mrs. Williams indicated that Steven Sigmund stated his interest in serving as an alternate member of the Joint Uniform Construction Code Board of Appeals. Mr. Sigmund submitted a professional resume and it was determined that he meets the required qualifications for service on the Board.

Upon motion by Mr. Fraser and second by Mr. Giannini, Council members voted unanimously to appoint Steven Sigmund as an alternate member of the Joint Uniform Construction Code Board of Appeals.

APPOINTMENT TO ZONING HEARING BOARD

Mr. Hildebrand indicated that the City received an application from Mark Eberl to fill one of two vacant seats on the Zoning Hearing Board.

Mr. Fraser made the motion to appoint Mark Eberl to a four-year term as a member of the Zoning Hearing Board. The motion was seconded by Mr. Giannini and carried unanimously.

RESOLUTION NO. 3059: AUTHORIZING SUBMISSION OF RACP FUNDING APPLICATION

Mrs. Freenock stated that the City was notified that it has been awarded \$1,000,000 in Redevelopment Assistance Capital Project (RACP) funding subject to submission of a final application and business plan.

Mr. Fraser made the motion to adopt the resolution authorizing submission of the final application and business plan for \$1,000,000 in Redevelopment Assistance Capital Project funding and authorizing the Mayor and City Manager to execute all documents required as part of the grant award. The motion was seconded by Miss Davis and carried unanimously.

RESOLUTION NO. 3060: APPROVAL OF RACP SUB-GRANTEE AGREEMENTS (2)

(See Resolution No. 3059 above)

Mrs. Freenock noted that pursuant to Council action, HIY, Inc. is to utilize \$360,000 of the Redevelopment Assistance Capital Project (RACP) funding award for rehabilitation of the vacant industrial building commonly known as the Loranger Building and the Warren County Development Association (WCDA) is to utilize \$640,000 of the amount awarded for acquisition and rehabilitation of that portion of the PNC Building which will house the Northern Pennsylvania Regional College.

Miss Davis made the motion to approve the resolution authorizing the execution of Sub-Grantee Agreements with HIY, Inc. and the Warren County Development Association regarding use of Redevelopment Assistance Capital Project grant funds. The motion was seconded by Mr. Fraser and carried unanimously.

DEPARTMENT REPORTS – JANUARY, 2018

The following reports were presented for Council’s review:

Police Department

Fire Department

Department of Public Works

Building Codes Department

The annual report of Bruce Robinson, City Arborist, was also acknowledged.

APPROVED MINUTES OF BOARDS AND COMMISSIONS

Council acknowledged receipt of the following approved minutes:

Blighted Property Review Committee	–	November 30, 2017	Regular Meeting
Parks and Recreation Commission	–	October 3, 2017	Regular Meeting
Redevelopment Authority	–	December 20, 2017	Regular Meeting
Street Landscape Committee	–	November 28, 2017	Regular Meeting

ADJOURNMENT

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