

## **Borough Council Meeting Minutes – May 17, 2023**

**PUBLIC HEARING** – Liquor License Transfer Request - Mr. Gillette opened the public hearing at 5:30pm for public comment on the proposed transfer of Pennsylvania Liquor License Number R 18554 by Dandy Mini Marts Inc. to facilities within Sayre Borough to be located at 244 Spring Street, Sayre Borough, Bradford County, Pennsylvania from Canton Township, Bradford County Pennsylvania.

Mr. Gillette explained that pursuant to Act 141 of 2000 which amends the Commonwealth of Pennsylvania's Liquor Code which authorizes the Pennsylvania Liquor Control Council to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county, regardless of the quota limitations provided for in Section 461 of the Liquor Code if, as in Sayre Borough, sales of liquor and malt or brewed beverages are legal in the municipality receiving the license.

Mayor Farley asked how the store's staff will address after hour sales, and Duane Phillips, General Manager for Dandy Mini Marts explained that the area of the store where the alcoholic beverages will be displayed will be locked and the store's cash registers will not be able to process alcohol sales.

Mrs. Dekar asked about staff training to identify intoxicated customers, and Mr. Phillips explained that store employees are trained to identify intoxicated individuals and refuse the sale to a person who is intoxicated.

Mr. Phillips explained that the regulations for the sale of alcoholic beverages is strictly regulated by the Commonwealth of Pennsylvania and locations like this one are limited to 192 ounces of beverages it can sell in one transaction. Regulations also require a thirty (30) seat restaurant area for customers to consume food products purchased at the location.

Mr. Gillette asked if there were any other questions or comments and then asked for a motion to adopt Resolution 2023-06. A motion was made by Mrs. Slocum and seconded by Mr. Daly to adopt Resolution 2023-06 - Transfer of Liquor License Number R 18554 requested by Dandy Mini Mart Inc. – 244 Spring Street, Sayre Pennsylvania. **Under the question:** There were none. **Roll Call: Mrs. Dekar, NO; Mr. Felt, ABSTAIN; Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.** Mr. Gillette closed the Public Hearing at 5:35pm.

**Call to Order** – Mr. Gillette called the regular meeting to order at 5:36pm, and Mrs. Dekar offered the meeting prayer and led the Pledge of Allegiance.

**Roll Call** – The following members of the Borough Council were present; Jessie Dekar, Gabriel Felt, Irene Slocum, James Daly, and Patrick Gillette. **Excused:** Cori Belles and Jessica Meyer. **Also present;** Henry Farley, Mayor; Gil Crossett, Assistant Fire Chief; Attorney Jonathan Foster, Jr., Borough Solicitor, Christopher Kaiden, Code Enforcement Director; Blane Lathrop, DPW Foreman; Robert Repasky, Fire Chief, and David Jarrett Borough Manager.

**Citizens to be Heard** – John Amato, owner of Original Italian Pizza on South Keystone Avenue addressed the Borough Council regarding PennDOT’s final decision regarding the construction of a sidewalk in front of his business. Mr. Amato explained that he will lose twelve (12) parking spaces as a result of the road project and he is concerned that losing that many parking spaces will hurt his business. Mr. Jarrett explained that the Planning Commission had previously proposed changing the zoning designation of the properties located on the eastside of South Hopkins Street between Hayden Street and the School District property and the north side of Hayden Street between South Hopkins Street and Brock Street from Single Family Residential to Education and Public Use. The proposed change would allow for parking lots to be constructed and Mr. Amato stated that he currently owns a property on Hayden Street that he would like to develop into a parking lot. Mr. Jarrett stated that Attorney Foster prepared a timeline that would need to be followed to ensure that the process to make the zoning change is completed in accordance with law beginning with the Planning Commission holding a public hearing to get feedback from the affected property owners.

**Approval of Minutes** - The minutes of the Borough Council meeting held on April 26, 2023 and Borough Council Workshop meeting held on May 10, 2023 were placed on file.

**Approval of Bills List** – A motion was made by Mrs. Dekar and seconded by Mr. Daly to approve the bills list and supplemental bills list. **Under the question:** There were none. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

**Correspondence Summary** – There were no questions or comments.

**Finance Report – April 30, 2023** – There were no questions or comments.

**Consent Agenda** – Mr. Gillette explained that items of business and matters listed under the Consent Agenda are considered to be routine and non-controversial and will be enacted by one motion and one roll call vote. There will be no separate discussion of these items. If discussion is desired by a Council Member, that item is to be identified and removed from the Consent Agenda, and will be considered separately at the appropriate place on the Agenda.

- a. Park Use Request – Sayre American Legion – Howard Elmer Park May 29, 2023
- b. Park Use Request - Foundations Early Learning Center – Howard Elmer Park – Thursday, June 1, 2023 – Graduation Ceremony
- c. Street Closure Request – Sayre School District – West Lockhart St. & South Hopkins St. Friday, June 2, 2023 Graduation Ceremony
- d. Conference Attendance Request – PAMA Annual Conference – July 30 – August 2, 2023
- e. Bradford County Humane Society Donation - \$1,640.00
- f. Electricity Provider Agreement with Constellation Energy – 55 Months

A motion was made by Mrs. Slocum and seconded by Mrs. Dekar to approve the consent agenda. **Under the question:** There were none. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

**Vote to Adopt Ordinance #972 Historic District Review Board** – A motion was made by Mrs. Slocum and seconded by Mr. Daly to adopt Ordinance #972. **Under the question:** Mr. Jarrett explained that the ordinance amendment designates the Borough Council as the review board for demolition requests. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

**Vote to award the West Lockhart Street Paving Project in the amount of \$84,295.00 to Glenn O. Hawbaker Inc. of State College, Pennsylvania.** A motion was made by Mrs. Dekar and seconded by Mr. Daly to award the West Lockhart Street Paving Project to Glenn O. Hawbaker Inc. **Under the question:** There were no questions or comments. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

<b>Bidder</b>	<b>Milling Square Yard</b>	<b>Paving - 19mm Ton</b>	<b>Total</b>
Glenn O. Hawbaker 1952 Waddle Road Suite 203 State College, PA 16803	\$5.80 (\$20,642.20)	\$ 119.20 (\$63,652.80)	<b>\$ 84,295.00</b>
Bishop Brothers 1376 Leisure Drive Towanda, Pa 18848	\$ 6.80 (\$24,201.20)	\$ 161.85 (\$86,427.90)	<b>\$ 110,629.10</b>

**Vote to approve Pay Request #2 for the Downtown Streetscape Project – Lockhart Street Phase in the amount of \$144,047.00 as recommended by the project engineer.** A motion was made by Mrs. Dekar and seconded by Mr. Daly to approve Pay Request #2 for the Downtown Streetscape Project. **Under the question:** There were no questions or comments. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

**Vote to authorize the Borough Manager to fill two (2) per diem positions in the Public Works Department.** A motion was made by Mrs. Slocum and seconded by Mr. Felt to authorize the Borough Manager to fill two (2) per diem positions in the Public Works Department. **Under the question:** Mr. Jarrett explained that one DPW employee is out on medical leave and previously scheduled vacations will reduce available manpower. Mr. Jarrett stated that the new per diem employees will allow the schedules of the other per diem employees to be adjusted to fill in when needed. **Roll Call: Mrs. Dekar, Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; YES.**

**Elected and Appointed Officials** - Mr. Gillette asked for a motion to request the Planning Commission to begin the process to rezone the properties on South Hopkins Street and Hayden Street from single family residential to Education and Public Use. A motion was made by Mr. Daly and seconded by Mrs. Slocum to request the Planning Commission to begin the process to rezone the properties on South Hopkins Street and Hayden Street from single family residential to Education and Public Use. **Under the question:** There were none. **Roll Call: Mr. Felt, Mrs. Slocum, Mr. Daly, and Mr. Gillette; AYE. Mrs. Dekar; NAY.**

**Adjourn** – A motion was made by Mr. Gillette and seconded by Mrs. Dekar to adjourn the meeting at 5:55pm.