

## **Regular Meeting of California Borough Council, March 9, 2017**

Vice President Difilippo called the meeting to order at 6:30 pm

**ATTENDANCE:** Mr. Bittner, Mr. Difilippo, Mr. Encapera, Mr. Glab, Mrs. Gutosky and Mr. Mariscotti

**ABSENCE** President Alfano

### **MOMENT OF SILENCE**

### **PLEDGE OF ALLEGIANCE**

### **ADDITIONS OR CHANGES TO AGENDA**

Mrs. Gutosky added Solicitor's bill

Mr. Encapera added TEAM Program Renewal

Mr. Agrafiotis added executive session on personnel

Motion by Bittner/Glab to approve the revised agenda carried with all members present stating aye.

### **SPEAKERS**

#### **JUDITH TAYLOR WITH REACH MISSIONS**

Ms. Taylor introduced herself and explained that they will be holding a work camp for church youth groups of many denominations. Brownsville Middle School will be a host site for the work camp. They have over 700 campers registered to come to Brownsville over a two week period in June. They will be going out in crews each day with at least two adults to work on people's homes. This program is aimed to help those who need help making their homes safe, warm, and dry and that is main focus. They do not do electrical or plumbing because those must be done by licensed professionals. There is an application process if anyone wishes to have work done on their house. We will leave the applications here at the borough building and they need to be sent in very soon. When she receives the completed application forms she visits those people's house and the people from REACH will be here in April to make the final decisions as to which houses receive the work. She expects to work on anywhere from 5 to 7 homes.

#### **ASHELY ROTH – RECREATION AUTHORITY**

Ms. Roth introduced herself as the President of the Recreation Authority and thanked council for allowing her to speak today. The reason she is here the Recreation authority would like council's permission to create and install a community coloring board to be placed on the corner of Wood and Third Street. It will be a 6' x 6' board and the purpose behind it is to basically color your stresses away. They have spoken to Dr. Martin, Jeff Tuday and Irene is heading it and thinks she has spoken to all council members. She asked council if they have any questions and to please permit the Recreation Authority to move forward with this project. Mr. Difilippo stated we can address this under new business.

### **PUBLIC COMMENT**

No public comment

### **MINUTES -**

Motion by Encapera/Glab to approve the February 9, 2017 minutes carried with all members present voting yes.

### **SECRETARY'S REPORT –MS. EVANS**

Ms. Evans read the accounts payable and account balances as of February 28, 2017

Motion by Mariscotti/Gutosky to approve the secretary/treasurer's report carried with all members present stating aye.

## **PRESIDENT'S REPORT – MR. DIFILIPPO**

### **REPORT ON EXECUTIVE SESSION – MARCH 2, 2017**

Mr. Difilippo stated the executive session held on March 2<sup>nd</sup> had to do with legal matters.

### **TRI COUNCY BOROUGH ASSOCIATION MONTHLY MEETING**

Mr. Difilippo announced the Tri county Borough meeting will be held at Finleyville VFD on March 16, 2017 at 7:00 pm.

### **ARMSTRONG RATE INCREASE**

Mr. Difilippo announced that Armstrong will be mailing out letters notifying their customers of a rate increase effective April 1, 2017.

## **BOROUGH ADMINISTRATOR'S REPORT – DR. MARTIN**

### **INFORMATION UPDATES**

Dr. Martin stated he would like to publicly thank our Public Works crew for the extraordinary job they've done in cleaning up the flood damage to the bottoms in the Rotary Park area.

### **SAFETY TRAINING – STREET DEPT.**

Dr. Martin stated he is reporting to council that the Street Dept. completed some safety training on Feb. 20, 2017. They attend a first aid seminar and they completed that training in a day.

### **GEOKINETICS – SEISMIC TESTING**

Dr. Martin stated that Chief Encapera has asked him to announce that a firm called Geokinetics has obtained a permit to go door to door for seismic testing that is taking place in the borough. He wanted the public to know that this is a legitimate activity and has been approved by the Chief and they have the appropriate permits for their door to door solicitations.

### **CALIFORNIA UNIVERSITY**

Dr. Martin stated late today the University has advised us that the annual Harry Potter festival was scheduled for April 1<sup>st</sup> is being moved to Saturday October 21<sup>st</sup> because the response to the festival was overwhelming they felt they needed more time to do it justice.

### **FORMERLY ACCEPT TECHNOLOGY DRIVE**

Dr. Martin stated he is going to ask council to formerly accept Technology Drive so that we can include it on our highway aid list. He stated Mr. Agrafiotis can speak to the form we need to follow to do this. Mr. Agrafiotis stated he thinks he was authorized one time to do the road takeover ordinance and he requested from PennDOT and/or Redevelopment their engineer provide us with the most recent centerline description so that our engineer could review it and then he can put it in to the ordinance. He stated that was never done. So last month he emailed the Redevelopment Authority and PennDOT on Feb. 22<sup>nd</sup> and Bob Griffin called him in the 23<sup>rd</sup> and asked if the borough is still taking over the road and he stated yes council has committed to it but we still need the centerline description. He stated he emailed them again today and they said they contacted their engineer about providing us that and he was going to contact him again because he hasn't received a response yet. He stated once we get that description he can do the ordinance. In the small chance council hasn't authorized him to prepare the ordinance maybe they can do that tonight so if the description comes in the next week or two he can get it prepared and advertise to be adopted at next month's meeting.

Motion by Bittner/Mariscotti to authorize the Solicitor to prepare and advertise the Ordinance to take over Technology Drive as a formal borough road duly carried on a roll call vote with all members present voting yes except Mr. Glab who voted no.

### **JUNIOR COUNCIL MEMBER**

Dr. Martin stated he had previously spoken to council about the junior council person program and distributed flyer to them at the planning meeting. He stated the Borough's association sponsors a program by which a high school junior or senior would actually be empowered to sit and speak, but not vote, members of council. All of the details of this program are detailed in that flyer. He stated we had this program in place before and it has worked with some success but we've not had one for a couple of years so he's asking council to authorize him to reach out to

the school district and ask them to send us a junior council person to become a speaking member of the council.

Motion by Encapera/Mariscotti to authorize the Borough Administrator to reach out to the School District to reinstate the junior council member program to take effect with the 2017-2018 school year duly carried on a roll call vote with all members present voting yes.

#### **PURCHASE OF 50 PARKING METERS**

Dr. Martin stated at the budget meetings this year we set aside money to meet another 50 parking meters in our five year plan to replace and upgrade the meters in the borough with the highest priority to replace the crank meters in the 2 hours business district followed by the crank meters in the 10 hour districts. We have purchased the first 50 in last year's budget and we did budget the money this year to purchase an additional 50 meters. He stated you will find in your packet a bid from POM Meters in the amount of \$7,120.00 which would cover purchasing 34 of the two hour meters and 16 of the ten hour meters.

Motion by Mariscotti/Bittner to authorize the purchase of 34 two hour meters and 16 of the ten hour meters at a cost of \$7, 120.00 duly carried on a roll call vote with all members present voting yes.

#### **QUOTE FROM A1 ELECTRIC TO REPLACE 11 METERED STREETLIGHTS**

Dr. Martin stated at the direction of council Mr. Taday and I have been in touch with some people about replacing the 11 metered lights on aluminum poles on Malden Drive with more efficient LED bulbs and Jeff was able to talk to a gentleman and have him send us a formal quote. Dr. Martin stated he subsequently talked with him to find out how much longer these bulbs should last and things like that. The LED are much more efficient lights and should operate at about 60% of the cost than the lights that are up there now and they last twice as long.

Motion by Encapera/Mariscotti to replace the 11 metered lights on aluminum poles along Malden Road at a cost of \$8,300.00 duly carried on a roll call vote with all members present voting yes.

#### **PUBLIC HOUSING – MR. GLAB**

##### **ZONING DEPT. UPDATE**

Mr. Glab stated the code office has been normal patrols of the borough and working to bring these houses into compliance.

##### **APPOINT MIKE GARLOWICH AS CENSUS CONTACT**

Mr. Glab stated we need to appoint Mike Garlowich as the point of contact for the census for the census program. Dr. Martin stated that would be with no additional compensation.

Motion by Glab/Mariscotti to appoint Mike Garlowich as our census contact person duly carried on a roll call vote with all members present voting yes.

##### **PERRYMAN SITE PLAN**

Mr. Glab stated there has been a request from the Perryman Company to construct a 4,000 sq. foot additional to their building #3. The site plan was reviewed by the Planning Commission on Feb. 28<sup>th</sup> and they recommended the approval. The building was included in Phase III of the multiphase development project. The storm water management plan for Phase III of the project was reviewed as part of construction of building #6 by Fayette Engineering on Dec. 27, 2013. In a letter dated March 6, 2014 Fayette Engineering recommended that the Storm Water Management plan be conditionally approved based on 4 conditions of which council conditionally approved the storm water management plan on March 13, 2014 with those same conditions which have not been fully satisfied.

Motion by Glab/Mariscotti to approve the Perryman Site Plan with the following conditions:

1. The 4 conditions in Fayette Eng. March 6, 2014 letter be completed.
2. The Post Construction Storm Water Management (PCSM) site Plan for Phase III of the project dated Feb. 20, 2014 to be revised to include the property owners sin off block as required by the ordinance.

3. The post construction storm water (PCSM) Site plan and the duly executed operations and maintenance agreement between Perryman and the Borough of California be duly recorded.
  4. Perryman company reimburse the Borough of California for review fees assessed by the Borough Engineer for the review of the Storm water management plan.
- duly carried on a roll call vote with all members present voting yes.

## **PUBLIC WORKS – MR. MARISCOTTI**

### **2017 PAVING PROJECT (HIGHWAY AID PLAN)**

Mr. Mariscotti stated we put together a 2017 Highway aid plan project and tentatively right now the paving will be from North California Drive to Elco hill and Kaukonen from Elco Hill to the gravel and Seal Coating from 88 to Blaine and Blaine from 88 to Highland, Chalfont from California Drive to gravel , North California Drive from California Drive to the gravel, Cross Ridge from Chalfont to gravel, Ash Street from Fifth Street to Pennsylvania, and Union Street from Fifth Street to Pennsylvania Ave. Stephanie Whitlach estimated the cost to be Sealing coating at \$98,000.00 and Paving to be \$94,000.00. Mr. Glab asked if we could put a condition in here to be completed between specific dates because we did that last year and it seemed to work out well instead of waiting to the end. He stated Dr. Martin worked something out with the company last year. Mr. Tудay stated you are not going to get seal coating done during the summer they only do it during the fall. Mr. Glab stated Sept. 15<sup>th</sup> is the date that seal coating ends. Dr. Martin stated he will ask Stephanie when we bid it to write it in to get it done as early as possible and Jeff is absolutely right in that seal coating takes place after the paving season.

Motion by Mariscotti to approve the 2017 paving and seal coating projects duly carried on a roll call vote with all members present voting yes.

## **PUBLIC SAFETY – MR. BITTNER**

### **VEHICLE BIDS**

Mr. Bittner stated we would like to release for bid the old K9 vehicle and the Dodge Charger. He asked if anyone has any suggestions. Mr. Tудay stated he looked them up on We buy any cars.com and he got a validation, if not you're going to have to take them there, but they gave him validation of two prices but he doesn't want to say them out loud. Mr. Bittner stated well we need to set a minimum bid on these. Mr. Tудay stated he suggests a minimum bid of \$5,000.00 on each of them.

Motion by Bittner/Glab to release for bids the old K9 vehicle with a minimum bid of \$5,000.00 to be sold as is with council reserving the right to reject all bids and a 10% payment down and bids must be received by the next committee meeting duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Glab to release for bids the Dodge Charger with a minimum bid of \$5,000.00 to be sold as is with council reserving the right to reject all bids and a 10% payment down and bids must be received by the next committee meeting duly carried on a roll call vote with all members present voting yes.

### **TRI COUNTY BOROUGH BANQUET ADVERTISEMENT**

Motion by Bittner/ Mariscotti to place a \$100.00 advertisement in the Tri County Borough Banquet pamphlet which is an approved expenditure under the borough code duly carried on a roll call vote with all members present voting yes.

### **CHIEF ENCAPERA – SEMINAR ON MANAGING A PROFESSIONAL POLICE DEPT.**

Motion by Bittner/Mariscotti to send Chief Encapera to attend a PSAB seminar on managing a professional police department on April 11<sup>th</sup> from 9:00 am to 4:00 pm at a fee of \$150.00 duly carried on a roll call vote with all members present voting yes.

## **FINANCE – MRS. GUTOSKY**

### **MOTION TO PAY MONTHLY BILLS**

Motion by Gutosky/Mariscotti to pay the monthly bills as presented duly carried on a roll call vote with all members present voting yes.

### **SOLICITOR'S BILL - \$4,775.00**

Motion by Gutosky/Mariscotti to pay the Solicitor's bill in the amount of \$4,775.00 with Administration being \$1,638.00, Zoning - \$1,692.00, and Sewer - \$1,445.00 duly carried on a roll call vote with all members present voting yes

### **MMVT AUTHORITY RESOLUTION**

Motion by Gutosky/Encapera to adopt the Mid Mon Valley Transit Authority Resolution #17-001 agreeing to our local match of \$4,500 for the 2017-2018 fiscal year duly carried on a roll call vote with all members present voting yes.

### **PUBLIC HEALTH – MR. DIFILIPPO**

#### **BAKER TRAINING – 4 TRAININGS FOR UPDATES**

Motion by Bittner/Mariscotti to send Doug Baker to NPDES Lab procedures and solids on April 11<sup>th</sup> at a cost of \$95.00 duly carried on a roll call vote with all members present voting yes.

Motion by Glab/Mariscotti to send Doug Baker NPDES Lab Procedures on April 18<sup>th</sup> at a cost of \$95.00 duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Mariscotti to send Doug Baker to NPDES Lab Procedures BOD5 on April 25<sup>th</sup> at a cost of \$95.00 duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Mariscotti to send Doug Baker to Wastewater Collection Systems on May 9<sup>th</sup> at a cost of \$170.00 duly carried on a roll call vote with all members present voting yes except Mr. Mariscotti who voted no.

### **PERSONNEL – MR. ENCAPERA AND MR. ENCAPERA**

#### **TEAM MEMBERSHIP**

Motion by Encapera/Mariscotti to renew the TEAM Program membership through the PSAB at a cost of \$300.00 for 2017 duly carried on a roll call vote with all members present voting yes.

### **MAYOR'S REPORT – MAYOR WELD**

Nothing at this time

### **ENGINEERS REPORT- MR. EBY**

#### **HIGHLAND DRIVE & BLAINE ROAD DESIGN PROPOSAL**

Mr. Eby stated he has previously submitted Widmer's proposal for the Highland Dr. and Blaine Road Design project so we are ready to apply for the LSA monies in the fall.

Motion by Mariscotti/Bittner to accept Widmer Engineering's Design proposal for the sewer project on Highland Drive and Blaine Road at a cost of \$45,500.00 duly carried on a roll call vote with all members present voting yes.

Mr. Eby stated we had some issues with the rain fall last week and this project ties directly into that which has the issues so we will have to resolve those issues prior to beginning this project.

### **SOLICITOR'S REPORT – MR. AGRAFIOTIS**

#### **CAT ORDINANCE**

Mr. Agrafiotis stated at last month's meeting we had discussed the Feral cat ordinance and Dr. Martin was kind enough to get a few samples from neighboring communities. He stated he has a draft of the ordinance with him now and all of council has had a chance to review it so he wants to know if council wants him to go ahead and advertise it for adoption at next month's meeting.

Motion by Mariscotti /Glab to authorize the advertising of the Cat Ordinance to be adopted at April's meeting duly carried on a roll call vote with all members present voting yes.

## **EXECUTIVE SESSION**

Mr. Agrafiotis asked for an executive session at the adjournment of the meeting for litigation and personnel matters.

## **OLD BUSINESS**

No old business at this time

## **NEW BUSINESS**

### **COLORING WALL**

Motion by Mariscotti/Encapera to approve the Recreation Authority to install a community coloring board on the lot on the corner of Third and Wood Streets duly carried on a roll call vote with all members present voting yes.

## **RECOGNITION OF CITIZENS**

### **NORMA RILEY**

Ms. Riley stated she is one of the crazy cat ladies. She lives on Peach Street and three of the six houses are empty and she asked council to guess how many stray cats she has spayed and neutered in the last year. She stated it is 30, 30 cats she has trapped and had spayed or neutered. She stated now imagine how many cats would be running around up there had she not spayed or neutered those 30 cats. She hopes that any ordinance council is adopting that they get in contact with some cat rescue group and start trapping, neutering, and releasing these animals. She stated she pays \$50.00 per cat and she now has two more up there that someone has dropped off and they look like they are pregnant females. She stated there are stray cats all over this town and once the college kids leave this semester there is going to be 100 more stray cats running around town. She watches cars drive up to the David Szalley park and open up their trunks take out a carrier full of cats open it up and let them go and then drive away. She stated she wants to ensure council adopts an ordinance that fixes the issue in a humane way and that it includes everybody. She has a whole list of organizations that help with the spaying and neutering of cats. She stated that Animal Friends in Pittsburgh has a spaying and neutering RV so if someone would bring it to town they could neuter anywhere from 25 to 50 animals a day. They will set up in a parking lot and people will bring their animals to them in a carrier and they will spend an entire day spaying and neutering those animals for \$45.00 or \$50.00.

### **DREW KERR AND LAINA VERES**

She stated they are legally a corporation and are filing for their 501C which means they are recognized as a charity. He is working on setting up a website and we currently have a Facebook page to start an ad campaign for the college students because as Norma pointed out it is not the community or the borough but the students of the college that are leaving these cats. She stated it is not the animals faults it is the humans fault and hopes that council recognizes that. She stated we do want to help the animals. She stated we need to begin working with the University. She thanked council. She stated she's been monitoring other communities and Monessen went after their cat problems and now their problem is rats. Mr. stated he understands that everyone has individual personal issues with these cats and he understands the frustration but we have to put our personal issues aside and work as an entire community because the issue is bigger than what you see.

### **MR. WOODS**

Mr. Woods asked council for clarification on the hotdog stand because he's not sure whether council has given him a place to open up because they'd like to get started. Mr. Difilippo stated where we ended up the last time you were here you said you had 2 or 3 places where you could go. He stated he never said three or four places but there were people in the audience that offered them places but that was not his intent. His intent was to go on the lot at the corner of Third and Wood Street. Mr. Agrafiotis stated he doesn't think the borough is interested in having a business on that lot on a regular basis. Mr. Woods asked what the definition is of a regular basis. Mr. Agrafiotis stated you'd be there every week probably right? Mr. Woods stated he was thinking every weekend. Mr. Mariscotti stated his concern is where you want to go is there is no where for anyone to park or pull off the road and it is the main intersection in town. So our concern is that liability issue so council does not want to cause a traffic issue or someone being hit by a car or an accident there because it is the main intersection in town. Mr. Woods stated he understands that. Mr. Agrafiotis stated there was some insurance information provided but even

with that if you guys get sued the borough's going to get sued whether we are insured or not. You'd also have to provide a hold harmless agreement to us. Mr. Difilippo stated he doesn't believe council is interested on Mr. Woods using the borough lot but he can go elsewhere in town.

**ANTHONY D'AGOSTINO**

Mr. D'Agostino stated he is the stage manager for WCAL the radio station on California University Campus and our broadcast radio goes about 40 miles into the surrounding area. He stated he is here to announce that next month on the 9<sup>th</sup> our station will be doing a lock in for a charity event where we lock 6 of our Deejays in the radio station from April 7<sup>th</sup> to the 9<sup>th</sup>. The charity event will raise money for the epilepsy foundation of Western and Central Pennsylvania. He stated they've raised some funds but are asking the public and any business to please donate to the charity. He stated 100% of the proceeds raised go to that foundation. If the locked in DJ's raise a certain amount of money they can get out of jail early. He stated if you would like to learn about the lock in itself or donate you can email our business director at [sof4381@calu.edu](mailto:sof4381@calu.edu) and he will be happy to speak to you.

**JIM MADDIEX**

Mr. Maddiex stated the planning commission will meet April 4<sup>th</sup> at 6:30 in this building. The second thing is the California Volunteer Fire Dept. is holding fish fries every Friday through Lent.

**MR. AGRAFIOTIS**

Mr. Agrafiotis stated at 5:30 this evening we did have a public meeting on the zoning ordinance amendments and there were some comments made that will have to be run through the planning commission then come back to council.

**ADJOURNMENT**

Motion by Glab/Mariscotti to adjourn into executive session.