

Regular Meeting of California Borough Council, December 13, 2018, 6:30 pm

President Alfano called the meeting to order at 6:30 pm.

ATTENDANCE: Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Encapera, Mr. Glab, Mrs. Gutosky, Mr. Mariscotti, Junior Councilmember Mr. Kotchman and Mayor Stetar

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Agrafiotis – added Public Meeting Zoning

Dr. Martin – remove all bids

Mr. Alfano stated the agenda stands as presented and amended.

PUBLIC COMMENT – Agenda Items

No public comment at this time.

MINUTES

Motion by Mariscotti/Difilippo to approve the minutes of the Regular Meeting of November 8, 2018, carried with all members present stating aye.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances as of November 30, 2018.

Motion by Difilippo/Mariscotti to accept the Secretary/Treasurer's report carried with all members present stating aye.

PRESIDENTS'S REPORT – MR. ALFANO

Report on Executive Session – December 6, 2018

Mr. Alfano stated the Executive Session from December 6, 2018 dealt with personnel matters and Victor Paying.

REAPPOINTMENT REQUEST – WIDMER ENGINEERING

Motion by Difilippo/Gutosky to reappoint Widmer Engineering as the Borough's engineer for 2019. On a roll call vote motion carried with all members present voting yes.

McMILLEN ENGINEERING INVOICE #18-3149 – INSPECTION

Motion by Mariscotti/Encapera to pay McMillen Engineering invoice #18-3149 –for inspection services on Pennsylvania Avenue in the amount of \$2,100.00. Under discussion, Dr. Martin stated that the he has yet to receive the final inspection and tonnage reports. Motion by Mariscotti/Encapera to withdraw their motion to pay McMillen Engineering invoice #18-3149 for inspection services on Pennsylvania Avenue.

MOTION TO TABLE

Encapera/Glab motion to table McMillen Engineering service payment until the next meeting with all members present voting aye.

ADOPT 2019 TAX ORDINANCE

Motion by Difilippo/Gutosky to adopt the 2019 Tax Ordinance remaining at 4.33 mils. On a roll call vote motion duly carried with all members present voting yes.

LETTER FROM MON VALLEY COG

Dr. Martin stated they have done nothing for us thus far. Ms. Evans stated we have not ordered equipment through them in quite some time. Motion by Gutosky/Bittner to opt out of the Mon Valley COG. On a roll call vote motion duly carried with all members present voting yes.

HUNTER'S EXCAVATION INVOICE #352 IN THE AMOUNT OF \$6,075.84 FOR THE SIDEWALK FOR THE VETERANS MONUMENT

Motion by Glab/Mariscotti to pay Hunter's Excavation Invoice #352 for the sidewalk for the Veterans Monument. Under discussion Dr. Martin asked if this payment is included in the \$10,000 the Borough already donated. Ms. Evans stated the payment if an addition to the donation. Mr. Encapera stated this project should be completed. Council has done everything that was asked of them. On a roll call vote motion duly carried all members present voting yes.

**BOROUGH ADMINISTRATOR – DR. MARTIN
TRUCKS CONSTENTLY COMING DOWN WOOD ST.**

Dr. Martin stated he has had an ongoing conversation with PennDOT concerning their signage concerning the trucks coming down Wood Street. The District Court says the signage is not adequate for the tickets our officers are writing, PennDOT says they are. He has reached out both to District Representative Bud Cook and Senator Camera Bartolotta for assistance. He has asked PennDOT to come to the next committee or council meeting to explain why their signage is adequate. PennDOT is receptive to his request and he will let council know. Mr. Glab requested Dr. Martin have a representative from the police department be present at the meeting.

BILL FROM VICTOR PAYING

Dr. Martin stated he has received a bill from Victor Paying for work done on Pennsylvania and Hickory St. He requested Shirley to hold the bill and refer the matter to Attorney Agrafiotis.

BUS SHELTER AT LIBERTY TOWERS

Dr. Martin stated he continually gets calls from Liberty Towers' residents complaining the bus run has been changed and thus have to go out into the elements to catch their bus. It's not council's fault, it's not the Borough's fault, it's the Transit Authority's fault for arbitrarily moving the bus shelter. He will be asking for a motion from council if The Mon Valley Transit Authority does not respond to the needs of these residents. Mr. Encapera stated they are aware of the situation.

RENEW BOROUGH'S HALF, \$250.00, FOR THE WEATHER ALERT SYSTEM SHARED WITH CALIFORNIA AREA HIGH SCHOOL

Dr. Martin called for a motion to renew the Alert System with California Area High School for the street department. The school district will bill the borough. Bittner/Difilippo motion to renew duly carried on a roll call vote with all members present voting yes.

QUOTE FROM AG MAURO COMPANY – NEW LOCKS – MUNICIPAL BUILDING \$3,409.00

Dr. Martin stated that when the new addition was done the locks to the offices are not the same. AG Mauro Company would install new locks so that one master key could be used for all locks. The money possibly coming from the Municipal Building Fund. No action was taken by council.

PUBLIC HOUSING – MR. GLAB

ZONING/CODE ENFORCEMENT UPDATE

Mr. Glab gave an update on the day to day operations of the Zoning/Code Enforcement Office.

REAPPOINT GENE KNIGHT TO A THREE YEAR TERM ON THE ZONING HEARING BOARD

Motion by Glab/Difilippo to reappoint Gene Knight, whose term expires January 2, 2019, to a new three year term on the Zoning Hearing Board to expire January 3, 2022. On a roll call vote motion duly carried with all members present voting yes.

PLANNING COMMISSION – POSSIBLE DISBANDING

Possible disbanding of the Planning Commission was put on hold and the Planning Commission would be kept open so that Mr. Agrafiotis could investigate options.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPARTMENT UPDATE

Mr. Mariscotti gave an update on the ongoing operations of the Street Department.

WIDMER ENGINEERING INVOICE #21811441 - \$675.00 INSPECTION SERVICES ON FOURTH AND LIBERTY STREETS

Motion by Mariscotti/Difilippo to pay Widmer Engineering invoice #21811441 in the amount of \$675.00 for inspection services on Fourth and Liberty Streets. On a roll call vote motion duly carried with all members present voting yes.

**PUBLIC WORKS – MR. BITTNER
RENEW AGREEMENT WITH SIANA BELLWOAR**

Motion by Bittner/Difilippo to renew agreement with Siana BellWoar in the amount of \$235.00 per hour. On a roll call vote motion duly carried with all members present voting yes.

**FINANCE – MRS. GUTOSKY
PAYMENT OF MONTHLY BILLS**

Motion by Gutosky/Mariscotti to approve payment of the monthly bills. On a roll call vote motion duly carried with all members present voting yes.

ADOPT THE 2019 GENERAL FUND BUDGET – BALANCED AT \$1,909,109.00

Motion by Gutosky/Mariscotti to adopt the 2019 General Fund budget – balanced at \$1,909,109.00. On a roll call vote motion duly carried with all members present voting yes.

ADOPT THE 2019 SEWER FUND BUDGET – INCOME \$1,978,600.00 EXPENSES AND \$2,185,890.64

Motion by Bittner/Difilippo motion to adopt the 2019 Sewer Fund budget, income \$1,988,600.00 and expenses of \$2,185,890.64. On a roll call vote motion carried with all members present voting yes.

ADOPT THE 2019 HIGHWAY AID FUND BUDGET – BALANCED AT \$305,822.41

Motion by Gutosky/Mariscotti to adopt the 2019 Highway Aid Fund budget balanced at \$305,822.41. On a roll call vote motion carried with all members present voting yes.

**PUBLIC HEALTH – MR. DIFILIPPO
REQUEST FROM AMY & RALPH TODD – WAIVE CHARGES FROM TIME OF CLOSING**

Mr. Difilippo received a request from Amy and Ralph Todd to waive sewage charges from the time of closing on the property. Motion by Difilippo/Mariscotti to waive sewage charges from the time of closing of 86 Third Street in the amount of \$124.00 duly carried on a roll call vote with all members voting yes.

LETTERS FROM PROPERTY OWNERS

LETTER FROM OWNER OF 214 Third St., A & B THIRD ST.

A letter was received from Mr. Reich requesting that his sewage be reduced to \$22.00 as he has no tenants. It was discussed that many properties have several units and one meter. Mrs. Gutosky voiced her concerns of setting a precedent.

LETTER FROM OWNER OF 233 UNION ST.

A letter was received from Chris Lombardo requesting that her sewage be reduced to \$22.00 for her vacant units. She has five units and would like two waived.

Mr. Vitchoff stated he has been paying the full amount for two years on several of his properties.

Mr. Difilippo suggested to table this matter for further research.

HUNTER'S EXCAVATING INVOICE #353 - \$4,100.00 – MALDEN SEWER LINE REPAIR

Motion by Difilippo/Mariscotti to pay Hunter's Excavating invoice #353 in the amount of \$4,100.00 for sewer line repairs on Malden Drive duly carried on a roll call vote with all members voting yes.

WIDMER ENGINEERING INVOICE #21811438 - \$1,155.00 – MALDEN PUMP STATION

Motion by Difilippo/Mariscotti to pay Widmer Engineering Invoice #28188438 in the amount of \$1,155.00 for the Malden Pump Station duly carried on a roll call vote with all members voting yes.

WIDMER ENGINEERING INVOICE #21811439 – UNION ST. INSPECTION SERVICES

Motion by Difilippo/Mariscotti to pay Widmer Engineering Invoice #28188439 in the amount of \$8,715.00 for inspection services on Union St. duly carried on a roll call vote with all members voting yes.

WIDMER ENGINEERING INVOICE #21811410 – HIGHLAND DRIVE REDESIGN

Motion by Difilippo/Mariscotti to pay Widmer Engineering Invoice #28188440 in the amount of \$615.00 for the Highland Drive Redesign duly carried on a roll call vote with all members voting yes.

MOTION TO PAY AN ADDITIONAL \$170.00 FOR HIGHLAND DRIVE OCCUPANCY PERMIT

Motion by Difilippo/Mariscotti to pay an additional \$170.00 for the Highland Drive Occupancy Permit for the Highland Drive Sewage Project duly carried on a roll call vote with all members voting yes.

PERSONNEL – MR. ENCAPERA & MR. MARISCOTTI

There was nothing to report at this time.

JUNIOR COUNCIL MEMBER – MR. KOTCHMAN

Mr. Kotchman gave an update on school activities, primarily sports and the holiday activities.

**MAYOR'S REPORT – DR. STETAR
UPDATE ON CHIEF SEARCH**

Motion by Mariscotti/Difilippo to approve IISG, LLC to conduct background searches on the two candidates for the Chief of Police position, not to exceed \$250.00 on a roll call vote motion duly carried with all members voting yes.

ENGINEER'S REPORT – MR. EBY

Mr. Eby reported on the various ongoing projects in the Borough.

HAND RAILING

Motion by Mariscotti/Encapera to purchase aluminum hand rails for the municipal building at a cost of \$8,940.00 from the municipal building fund on a roll call vote motion duly carried with all members present voting yes.

CHANGE ORDER #1 –SECOND STREET & HIGHLAND DRIVE – A. FOLINO CONSTRUCTION, INC.

Motion by Difilippo/Mariscotti to the increase of \$330,521.92 to the existing contract on Second St. The changes being for the addition of an 8 inch sewer replacement and changes for the Highland Drive sewer extension. On a roll call vote motion duly carried with all members present voting yes

PAYMENT APPLICATION #2 – A. FOLINO CONSTRUCTION, INC. - \$432,560.46

Motion by Difilippo/Mariscotti to approve application #2 – A. Folino for \$432,560.46. On a roll call vote motion duly carried with all members present voting yes.

PAYMENT APPLICATION #3 – HUNTER'S EXCAVATING & ELECTRICAL

Motion by Mariscotti/Difilippo to approve payment of Hunter – Payment Application #3 in the amount of \$31,044.35, for the Fourth St. concrete work and concrete work at the municipal building on a roll call vote motion duly carried with all members present voting yes.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

ADVERTISE FOR PUBLIC HEARING FOR ZONING ORDINANCE

Motion by Difilippo/Mariscotti to set the public hearing date and properly advertise as required by the Municipal Planning Code for the proposed December 2018 draft zoning ordinance for Thursday, February 7, 2019 at 5:30 pm. This will allow for the 45 day review period by the Washington County Planning Commission in accordance with the Municipal Planning Code. On a roll call vote motion duly carried with all members present voting yes.

CHANGES TO ZONING ORDINANCE DRAFT

Mr. Agrafiotis stated that after council review on December 6, 2018 of the July draft zoning ordinance, it was agreed that the following changes would be made.

A-1 DISTRICT TO R-1

The previous rezoned A-1 district surrounding the California School District will be kept in the R-1 district with the exception of the school district property and the land bordering the south side of their boundary which will remain A-1. Also, additional language will be inserted in the ordinance for A-1 zoning districts, which will allow any established parcels of ground, less than 1 acre, shall meet the front, side rear set back requirements established for the R-1 zoning district.

R-2 TO A-1

The Kulikowski property located between Malden Rd. on the east side, W. Malden Dr. on the south side and Pike Run Dr. on the east side, which is presently zoned R-2, will be rezoned A-1.

R-1 TO C-1

Changing a parcel located on the southeast corner of Wood St. and Wilkins Ave., located adjacent to the C-1 zoning district from R-1 to C-1.

OTHER CHANGES

Properly renumber Section 320 of the zoning ordinance dealing with the I-3 zoning district changing home occupancies from special exceptions to conditional uses to coincide with the language continued in Section 423.

OLD BUSINESS

No old business at this time

NEW BUSINESS

No new business at this time.

RECOGNITION OF CITIZENS

CHRISTINE KENDELL

Christine Kendell from the university stated that the holiday gathering between the community and the university went well. She announced that commencement would be held Friday and Saturday. Ms. Kindell spoke about the commencement speaker Timothy P. Camus, California University.

ADJOURNMENT

Motion by Difilippo/Bittner to adjourn at 8:10 pm with all members stating aye.