

Continued Meeting of California Borough Council, February 19, 2015, 6:30 pm

President Alfano called the meeting to order at 6:45 pm.

ATTENDANCE: Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Encapera, Mr. Glab, and Mrs. Gutosky, and Mr. Mariscotti and Mayor Weld

ABSENT

PUBLIC COMMENT:

PRESIDENTS REPORT – MR. ALFANO

EXECUTIVE SESSION

Mr. Alfano stated that it was brought to his attention that council may want an executive session first thing tonight. Mr. Glab stated yes for personnel. President Alfano called the executive session on hiring personnel at 6:45 pm

Council reconvened at 7:40 and President Alfano stated they talked about a Borough Manager and Police.

BOROUGH MANAGER

Mr. Alfano stated as far as borough manager he thinks council is ready to make an offer to one of the candidates so they will do that collectively and will report back and vote on it.

PURCHASE POLICE DOG VIA PITTSBURGH FOUNDATION

Mr. Alfano stated from what Shirley told him a foundation has advanced the Borough the money to purchase the dog. They will send us a check and we will in turn write a check for the purchase of the dog. Chief Encapera stated it will be to Battle Ridge K9. Mr. Mariscotti asked if this is one of those things that we have to be a non-profit organization. Ms. Evans stated she doesn't know much about it you should probably ask Chief. Chief Encapera stated he talked to the lady today and the actual donor wants to remain anonymous until they get their things in order and they will then do a press release. Ms. Evans asked Chief if this is like the Roethlisberger Grant where you have to be registered as a non-profit. Chief Encapera stated not that he is aware of. They've purchased dogs for different counties and he just put in for one to come here. Mr. Agrafiotis stated she had called him and he referred her to Shirley and she was talking about some kind of tax exemption.

ZONING/CODE ENFORCEMENT CANDIDATES

Mr. Alfano stated council did interview some zoning/code enforcement candidates but council needs to talk about that a little more and then we'll be ready to make someone an offer soon.

PUBLIC HOUSING – MR. GLAB

Nothing to report

PUBLIC WORKS – MR. MARISCOTTI

STREET PROJECT

Mr. Mariscotti stated we want to pick a street to put out for bid. Jeff gave us a priority list which he feels needs the most attention. Mr. Mariscotti stated he would like to take the first street on the list and get it to Stephanie so she can get some numbers and we can get it out for bid. Mr. Mariscotti stated he believes it was Liberty but he doesn't have the list with him. Mr. Glab went and got the list. Mr. Mariscotti stated he would like to make a motion that we ask Jeff to put out bids for Liberty Street from Fourth St. to Seventh St. and Third Street from Wood St. to East Street. That way he can get the ball rolling and have the prices ready. Ms. Evans asked if they have a cost on those yet. Mr. Alfano stated no Stephanie Whitlach will work up what the bids should come in around. Ms. Evans stated so your motion is to send them to Stephanie Whitlach to provide bid specs and estimated cost. Mr. Mariscotti stated exactly she will get the estimates.

Motion by Mariscotti/Difilippo to have Stephanie Whitlach work up bid specs and cost estimates for Liberty St. from Fourth to Seventh Street and Third Street from Wood St. to East Alley duly carried on a roll call vote with all members present voting yes.

Mr. Glab asked how long will they be working on the Student Union and having that equipment going up Third St. Mr. Bittner stated we have some bonds up there that we should be collecting on too but we can't seem to get it together. Mr. Difilippo stated yes those bonds have been brought up every month for about the last six months and no one can figure out how to get it whatever. Mr. Mariscotti stated he and Pat talked this afternoon and he said lets go back and look through the building permits and see who got the last building permit or the biggest building permit down at the University and they would have had to post a bond. Ms. Evans stated the last one she remembers is Nello Construction that got a bond through there. Mr. Mariscotti stated he will talk to Petro first thing tomorrow and ask him to go back through the permits and find out who we have to go after to see about their bond. Mr. Mariscotti stated hopefully there will be some money there that can be put toward Third Street from Wood St. to East Alley.

PURCHASE EQUIPMENT

Mr. Difilippo stated we're going to have to spend \$80,000 to \$90,000 do we keep ourselves to one brand or do we try to get prices from others also. Mr. Alfano stated he doesn't know of any other costar vendors that have other brands of equipment or not. Mr. Mariscotti stated if you are dealing with caterpillars. Mr. Agrafiotis stated Costars is the best deal you can get. Ms. Evans stated but there are other costar vendors that may bid it lower. Mr. Agrafiotis stated yes there are. Ms. Evans stated costar vendors will still try and outbid each other but costars simply means you will get a lower price as opposed to non-costar vendors. Mr. Alfano says it just means you don't have to put it out for bid. Mr. Alfano stated so the costar vendors is giving you their lowest price. Ms. Evans stated yes and another company may also be a costar vendor and offer you a lower price. Mr. Mariscotti stated he is passing on the purchase of equipment. Mr. Alfano stated look at the budget and see if you can make it happen.

PUBLIC SAFETY – MR. BITTNER

Mr. Bittner stated Shirley got a copy of the contract for the mats in the borough building and what they've been giving us is absolutely horrendous and furthermore we don't have a contract anymore we signed a two year contract with two automatic two year term renewals so we've been going monthly since 2010.

Motion by Bittner/Difilippo to go after prices for a new mat service for here in the Borough Bldg. duly carried with all members present stating aye.

Mr. Alfano asked Mr. Bittner to take care of that. Mr. Alfano stated as soon as you get someone acceptable we can tell the current people to come and get their mats. Mr. Weld suggested to get a quote from Model Cleaners. Mr. Bittner stated he will check around.

FINANCE – MRS. GUTOSKY

Nothing to report

PUBLIC HEALTH – MR. DIFILIPPO

Nothing to report

PERSONNEL – MR. MARISCOTTI & MR. ENCAPERA

Motion by Encapera/Glab to change the status of Garret Kurilko from Part time to Full time per the collective bargaining unit agreement duly carried on a roll call vote with all members present voting yes.

Motion by Encapera/Bittner to hire Anthony Andronis as part time officer per collective bargaining unit contract pending physical and back ground check and 180 day probationary period duly carried with all members present voting yes.

MAYOR'S REPORT – MR. WELD

Nothing to report

ENGINEER'S REPORT – MR. LEER

Mr. Leer stated Bella submitted a payment application #6 in the amount of \$87,745.45 for consideration by council. There is a condition on it that list a final quantity adjustment and we'd like a final review by the borough engineer and acceptance by Borough council. Mr. Leer stated

the amount of \$34,916.06 would still be held for retainage. Mr. Alfano asked if anyone wants to put that in the form of a motion.

Motion by Mariscotti/Bittner to pay Bella Enterprise payment request #6 in the amount of \$87,745.45 duly carried with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Bittner, and Mr. Difilippo voting yes and Mr. Encapera and Mr. Glab voting no.

Mr. Leer stated he spoke to Kari from Bella who indicated that she submitted this application to council as far back as October of last year. He stated that he does not recollect that. Mr. Leer stated he got handed this during the January meeting he believes. Ms. Evans stated she has one dated Nov. 6, 2014 but is for \$120,961.51 and signed by her on Dec. 18, 2014 and is payment requisition #6. Mr. Leer stated yes and that has been revised like 10 times. Ms. Evans stated that is the only one she has. Mr. Leer stated the one he has is dated with yesterday's date and like the Solicitor said the work has been completed and they are due the money as much as we may not want to say that or agree with it they have completed the work and you are utilizing the system. Mr. Glab asked on the retainage that we have left is it enough to cover the outstanding punch list. Mr. Leer stated it is more than enough to cover the outstanding punch list. Mr. Difilippo asked if it is enough to cover the outstanding punch list plus all the damages they haven't repaired yet specifically to borough residents. Mr. Leer stated those items are not on the punch list they estimated the punch list to be approximately \$12,000.00. Mr. Leer stated please understand if you were to pay this application tonight you still have the retainage and we're going to talk about the punch list next and more than likely next month she will come back with a final payment request for the release of the retainage and per the contract terms you will still be able to withhold monies from the contract for the punch list value items at 1 ½ times the value. Mr. Alfano asked if the \$34,000.00 is already deducted. Mr. Leer stated yes it is already deducted. Mr. Difilippo stated and the \$34,000.00 is retainage. Mr. Leer stated at this point their work is done and you are still retaining 5% because that is what the terms of the contract say. Typically with projects after 90% completion retainage drops to 2 ½ %.

BELLA CORRESPONDENCE

Mr. Leer stated we have two additional pieces of correspondence from Bella Enterprise. The first one is they are requesting that the borough issue the standard completion certificate. Mr. Leer stated from a technical perspective there is nothing standing in the way of council authorizing Widmer to issue the certificate of substantial completion. Mr. Leer stated she is also requesting that it be back dated to November 29, 2014. Mr. Alfano asked what that means and does it give them anymore rights. Mr. Leer stated he thinks they are kind of protecting themselves from the liquidate damages issue and they're trying to protect themselves during this period of time which is two months. Mr. Alfano asked council what their pleasure is on this. Mr. Agrafiotis asked what date council would want to use. Mr. Leer stated he believes it was actually around November 29th when they completed the Type #7 inlet work and the work down on First Street. Mr. Mariscotti asked Von when was the last time they worked. Mr. Leer stated he doesn't know when they finished the work we were not called to come out and do anything. He thinks Ron would hopefully have some type of record of when they completed it because he was watching that scope of work. Mr. Agrafiotis asked if there is any way it was this year. Mr. Leer stated no. Mr. Agrafiotis stated could we use December 31, 2014. Mr. Leer stated you could use whatever date you choose but he's sure the work was completed before Thanksgiving. Mr. Alfano stated it was a good bit before Thanksgiving. Mr. Agrafiotis stated they never called you to come and inspect it they just left in the night. Mr. Leer stated he was out here the day the Type 7 inlet arrived and he was pulling out of town Jeff called him on his cell phone and told him to come back because there was an issue because the holes where the pipe penetration didn't match up once they were in the field and they were supposedly checked and double checked before the order was placed. Jeff, Ronny and I talked and set up certain guidelines they could use that inlet under certain conditions and he asked Ronny to give him a call before it was backfilled and that call never came. The next thing he knows he was back in town a few weeks later and the work was reported to have been completed. Mr. Agrafiotis stated we can contingently make it that date until tomorrow when someone talks to Ron but if you are not sure he would suggest using Dec. 31, 2014. Mr. Leer stated he has no problem with that date. Mr. Leer stated their motivation is to back date it to cover themselves for that time period for liquidated damages. Mr. Glab asked Mr. Agrafiotis stated if we agree to this how does that affect our posturing on the potential litigation we are coming up on. Mr. Agrafiotis stated it doesn't. Von is going to issue them a liquidated damages total and an additional engineering total and we're going to assess those and they will probably want to meet with council again and potential settle this. Mr. Glab

asked if the date would be an issue because they may have over extended themselves on bonding. Mr. Leer stated he doesn't believe that he thinks it is more of a liquidated damage issue. It is council's decision you can choose their date, Dec. 31st or tomorrows date that is entirely up to council. Mr. Glab asked when he received the request for the letter of substantial completion. Mr. Leer stated he received it yesterday. Mr. Mariscotti stated after they finish their punch list items they are completed is that correct. Mr. Leer stated technically yes but there may still be potential outstanding claim litigation issues. Ms. Evans asked if change order #2 through #6 were on the payment request. Mr. Leer stated on one of the variations they were that is why it didn't come to last week's meeting. Mr. Glab asked if we have the proper paperwork Shirley can file with the payment because it seems like she has different version of the payment request. Mr. Leer stated he has the paperwork and it is signed and then Shirley will have the official copy. Mr. Difilippo asked if that was inspected when they were done down there. Mr. Leer asked when what specifically was done, the Type 7 inlet near Strawberry. Mr. Leer stated not by him or anybody from Fayette Engineering.

Motion by Mariscotti/Glab to authorize Widmer to issue the Certificate of Substantial Completion to Bella Enterprises as of November 29, 2014 duly carried with Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, and Mr. Bittner voting yes, and Mr. Difilippo, Mr. Glab and Mr. Encapera voting no.

Mr. Leer stated the punch list had been revised to reflect council's language firming up when the Strawberry Alley basement issue to basically says that council is requiring Bella to investigate the issue and present their findings to council with any remedial action proposed. At this point Mr. Leer asked if any member of council has any additional items that need to go on the punch list because if not we are going to issue it to them tomorrow. Mr. Bittner stated they are going to replace the castings that we had but do we want them replaced what the heck are going to do with them. Mr. Bittner stated we had them left over from another project, did we not. Mr. Leer stated he doesn't know how the borough acquired them. Mr. Bitter stated but if we don't need them why would we want them back just to store them. Mr. Leer stated that was a potential compromise with Bella because Bella is offering somewhere between \$200.00 -\$250.00 per casting. Mr. Bittner asked Ms. Evans if she could come up with what we paid for those. Mr. Leer stated the best Shirley could come up with is she found something that seemed to indicate that the borough paid \$750.00 for those castings. Mr. Agrafiotis stated that can all be decided in negotiations at a later date.

CHANGE ORDER A1 ELECTRIC

Mr. Leer stated he had received change order # 4 from A1 Electric the net change of the contract price for items #1 through #9 is \$7,459.80. He asked council if there are any questions on the specifics of this change order. Mr. Alfano asked if we voted on this at the last meeting. Mr. Leer stated no you voted on another one and I wasn't aware Steve had these out there. He stated this change order will be the final on the electrical contractor.

Motion by Bittner/Glab to pay A1 Electric for Change order #4 in the amount of \$11,459.00 duly carried on a roll call vote with Mr. Glab, Mrs. Gutosky, Mr. Mariscotti, Mr. Alfano, Mr. Bittner, and Mr. Difilippo voting yes and Mr. Encapera voting no.

TRAFFIC STUDY

Mr. Leer stated the Solicitor had asked them to look into a traffic study and we presented a proposal to council for your consideration. Mr. Agrafiotis stated we looked and no one can find anything that Mr. Diecas had done. He had prepared some but the final signed one was no-where to be found. He stated Betty looked and it was sometime back in 2000. After seeing some of the files that Fayette had prepared before Von was there, when Mr. Brower was there, it appears there are some T's that need crossed and I's that need dotted on the road bond issues. Mr. Agrafiotis stated they will have to do some more after this but these three seem to be of the most importance. Mr. Difilippo stated so the study will be what is in here as the lump sum fee. Mr. Leer stated yes. Mr. Alfano stated plus the \$150.00 per core is that correct. Mr. Leer stated no if we have to do more cores. Mr. Agrafiotis asked Mr. Leer if he has the other roads too. Mr. Leer stated yes they are listed in the Ordinance. Mr. Glab asked what the time frame is to complete this. Mr. Leer stated they're hoping but because of the boring required uses water we have to say it will be weather dependent. Mr. Leer stated that is why the proposal isn't specific in stating a 60 day or 90 day time limit. Mr. Glab stated assuming the Gods are with you how many days would this take. Mr. Leer stated to be honest we will have a sub that will do the core drilling so

we'll have to coordinate with their schedule but weather dependent we should be able to complete it between 45 to 60 days.

Motion by Bittner/Difilippo to pay Widmer Engineering's Service Agreement at a cost of \$4,850.00 plus expenses for traffic study for weight limits duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated just for clarification there is going to be another one later on some other roads this isn't the full list that need done.

Mr. Leer turned the floor over to Mr. Tamairo

MAIN PUMP STATION UPDATE

Mr. Tamairo stated he hasn't been here for a few months but he is here tonight to go over some issues they've found. He stated the plant has started up and is running well. There is still an outstanding issue and we've been in discussions about the heat building up in the blower room and as the weather gets warmer it is going to be a problem. In talking with them they are now concurring what we had suspected and they are going to give us some ideas, and we have our own, but we want to hear it from due to the warranty. We don't want to do something haphazard knowing it will work and then have them come back and say well you should have passed it by us because you may have voided your warranty. He was on the phone with Sanitaire at 4:45 this afternoon and they are working with us. Other than that things look pretty good down there. He stated he is here tonight primarily to discuss two other major tasks that they have been working on and have spent many many hours on and those are the two pump stations that deliver 100% of the flow to the new plant. From day one when he first came down one of our concerns was the main pump station. His fear was how good of a job it will do looking at some of the designs and things constructed in the field didn't actually match the design and those things even though they sound minor cause a lot of deficiencies. The main pump station we have spent so much time on that and are convinced now that our original beliefs are true in that you have a plant capable of permeating five million gallons a day and expected to do five million gallons a day and your pumping system which was built two years prior to the sewage plant the best they tell with all the calculations that they've done and we're doing a last verification on Monday and with two pumps running that should be capable of delivering five million gallons right now it appears with two pumps running you are lucky to get between three million and three point two million gallons. They originally thought a couple of weeks ago that Von may have eluded to you before we knew what we know now but with three pumps running they were hoping to possibly get the design flow up but that doesn't comply with the state statutes which says with pump stations you always have to have a stand by. So basically this station is running to provide 5 million gallons at peak flow with that third pump in the back running and it is only supposed to be used for peak flow. Now your average day flows are fine there is no problem on days like today but when you get the storm water occurrences, even though you spent a lot of money to separate the two, there is a situation that if the pump station is not capable of delivering 5 million gallons and if something happens to where it possibly trips or has an overflow into the river or whatever that creates a lot of problems legally for California. To make a long story short they looked at everything from replacing impellers to discussing with the manufacturer's representative over five hours going over every possible scenario to changing the motors, but it appears and will be their recommendation which Widmer will put in a letter form soon that the original pumps be replaced. We will try to use the same pump manufacturer for pumps because we still want to salvage the slides the pumps ride down on and other components that when you change manufacturers may not be interchangeable. He's hoping they will give them a good price. He stated you have a beautiful plant that you spent a lot of money on and when you look at these flow issues if they are not corrected then you have wasted a lot of money. Mr. Tamairo stated even though Coal Center pump station also pumps to the plant it is only a small percentage of what the main pump station pumps so they primarily concentrated on the main pump station for flow issues and that is when they found there is about 5' elevation difference in the design. They will put all of these issues and contributors to the flow in a report. Right now it is fine because we are having normal flows but we aren't into our wet part of the year. Widmer will be submitting to council a report and in that report we are going to tell you that they've ran all the numbers their process of eliminating the problems and corrective actions. He stated rest assured they have looked at everything. Mr. Alfano asked if we got to high horse power pumps is the piping adequate. Mr. Tamairo stated yes we will be good with what is in place and it will be less expensive also. There was a bore done under the creek to allow flow from the main pump station

to the new sewage plant and when they did the bore they specified certain kind pipe and we will use the same kind of pipe. The pipe that was specified was HDP, High Density Polyethylene. The unique thing about High Density Polyethylene when you specify the diameter when you say 18" in pvc for instance you are getting 18" inside line but with HDP when you specify 18" you talking about outside diameter and the inside diameter is only 16" so in reality instead of getting an 18" force main from the origin of where the bore starts to the other side of the creek is actually 16". Then what happened is a field change was made not to install 18" from there to the plant they just carried on the 16" pipe to the plant. So basically approximately 1000 feet of force main isn't 18" it is 16". Then you have the business of being four feet off in the design elevation. Quite frankly the pump station was designed before the plant and maybe they didn't have the elevations of where the plant was going but by the same token the same person was doing the plant and the most important part of the main design is to make sure you can get the flow there. The change could have been made then but it wasn't. The other things adding to it are the three locations where the force main goes from 18" to 12" now that we are eliminating and council passed a motion on that a few meetings ago. We still have two more to change out. Quite honestly if those weren't already ordered being that we have the information that we have now we may have skipped them and work with what we have. Mr. Eby stated they were \$9,000.00 each. He stated this is not a cheap fix but doesn't want to throw out a number until they have everything in order. There is no maintenance bond since it has been three years since that was completed. So we could put it out for bid or entertain a price from our General Contractor, Mele & Mele and do it through a change order which would be quicker and possibly cheaper. He asked council if they have any questions before he gets into the Coal Center Pump Station. Mr. Bittner asked if we would replace all three pumps at the main pump station or only two. Mr. Tamairo stated it appears right now that if we only replace two what happens is you have two that will give you your peak flow but if one of them goes out then we're right back to where we are now. Mr. Bittner asked if there would be any market for the pumps that we are replacing. Mr. Tamairo stated we can ask but very few people are interested in it unless you can find someone who has the same manufacturer and the same horse power. There is a good possibility we may be able to reuse them if we do Coal Center Pump Station. Mr. Glab asked if these issues all fall under the category of flawed engineering. Mr. Tamairo stated at this point clearly the reason we are not getting flow up there is because the pumps up there are not capable of doing it and so design is an issue. Mr. Glab stated the short of it is it is all flawed engineering and it looks like we need to go back and do some litigation here to recoup some of our monies because he's got us out for a couple million bucks here and gave us a piece of crap. He stated he's glad that Mr. Tamairo is bringing this to council's attention but had you not brought it to our attention tonight then six months or year from now we would have found out about it haphazardly. Mr. Glab stated he thinks we're going to have to send our solicitor to do what he has to do. Mr. Tamairo stated he can offer ballpark numbers but don't hold him to these but three pumps you are probably looking at maybe \$80,000.00 the drive probably another \$20,000.00 and the labor etc. Mr. Mariscotti stated he has a question he knows we are permitted for 5 million gallons a day at the new plant but what is our peak usage are we okay with 3.2 million. Mr. Tamairo stated you spent a lot of money on separation but we still don't know if anyone has done any post marking in the system since then. Mr. Mariscotti asked if we have to spend the \$100,000.00 just so we have the capability of processing 5 million gallons per day when we may only ever have to process 2 million gallons a day or 3.2 gallons. Mr. Tamairo stated let's say an overflow does occur or somebody's basement backs up and they call DEP and you get investigated they are going to say geeze you got a 5 million gallon per day plant here why are you only processing 3.2 gallons a day and you have overflow you are in trouble but that's the way it works. Ms. Evans asked is that why Alex Pounds mentioned that a few meetings ago that Widmer has to certify that it is a 5 million gallon a day plant because that's what our DEP permitting was for. Mr. Tamairo stated yes. Mr. Leer stated back in June or July of 2010 you had a high flow and processed almost 7 million gallons with the new plant if that would occur you would have to show the DEP that you processed at least 5 million gallons before an overflow occurred otherwise their lawyers are going to knocking on Tom's door and want to talk. Mr. Mariscotti stated so if we get 7 million gallons did we process 7 million or did 2 million go in the river unprocessed. Mr. Leer stated you processed 7 million. Mr. Leer stated if your plant is operating correctly you can process more than you are permitted for there are safety precautions built in. Mr. Tamairo stated when you get that much flow over your normal peak flow your waste water is already so diluted that you meet the requirement for BOD's. He said your plant is expected to process 5 million gallons a day but it can do more than that. Mr. Tamairo stated it would be nice to have a flow meter and chart recorder down there it would monitor each pump individually and add the flows together and

send that information to the Scadis system at the plant. If it is council's wishes he can add that to the cost along with the pumps.

Mr. Encapera left the meeting at 8:50 pm

Mr. Alfano asked about the demolition of the old plant. Mr. Tomairo stated they discussed that also with the current contractor and possibly get a price and go with a change order. Mr. Tomairo stated they will cut the sides down some fold them inward and punch some holes down through it so it doesn't hold water and then backfill it and then haul away the scrap. Then you'll need material to fill it in. Mr. Eby stated the price would be just to demo the plant because Jeff Taday stated he will take care of the backfill with all the construction going on in the area he'll have people just bring the fill in rather than paying Mele & Mele to go out and find dirt and bring it in. Mr. Eby stated it is fenced in and protected so it may take some time. Mr. Leer stated Jeff's plan is to use the dirt from the borough building expansion project and truck it over there. Mr. Eby stated then we'll be ready to start our sewer separation and take that excess material over there too. Mr. Alfano stated then the building will have to be gutted and all that equipment has to get out of there. Mr. Eby stated they don't have anything concerning the building. Mr. Leer stated the demo cost they are requesting from Mele & Mele is just for the process tanks but if council wants Mele to quote on demoing the building.

WIDMER AGREEMENT – COAL CENTER PUMP STATION

Mr. Tomairo stated the Coal Center Pump Station is an old existing station. It is connected to the new plant, however part of your original plans was to have that station replaced and upsized for future growth. Mr. Tomairo stated they submitted a proposal to council to do this pump station back in November. They received all the information from Fayette Engineering on what they have done concerning the Coal Center Pump Station. Quite frankly there isn't much there we can use. We will pretty much start from scratch. Mr. Tamairo stated that if council wants to move forward with this they would have to sign that agreement which would authorize Widmer Engineering to begin that process. We don't want these issues lingering on and it takes a while to get a permit. Ms. Evans stated she has that proposed agreement.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

REDEVELOPMENT AUTHORITY CHANGE ORDER

Mr. Agrafiotis asked if we notified the Redevelopment Authority that council did not approve their change order. Mr. Alfano stated he told them.

ORDINANCE # 549

Mr. Agrafiotis stated he dropped off Ordinance 549 at the last meeting and asked council if they have any comments on that.

RESOLUTIONS 15-001 & 15-002

Mr. Agrafiotis stated he and Mr. Bittner have been working on Resolutions 15-001 and 15-002 dealing with the time clock and the accident procedure. He will leave those on the back table for council to review.

EIGHTY FOUR LUMBER

Mr. Agrafiotis stated they did threaten Eighty Four/Pierce Hardy and they have agreed to take out that language so you guys can sign that and we'll get that done. That is for the right of way for the sewage treatment plant. We still have to go through First Energy but at least we are half way there now.

OLD BUSINESS

WIDMER PROFESSIONAL AGREEMENT – COAL CENTER PUMP STATION

Motion by Difilippo/Bittner to enter into professional agreement with Widmer Engineering concerning the Coal Center Pump Station at a cost of \$29,500.00 plus time and expense basis for the construction part duly carried on a roll call vote with all members present voting yes.

NEW BUSINESS

No new business at this time

RECOGNITION OF CITIZENS

Mr. Maddiex stated you may not like this but if you want to come up with the money for you got \$35,000.00 in General fund and \$35,000.00 in Sewer fund for the borough manager and if you do away with that you'll already have the money. Mr. Alfano stated for what? Mr. Maddiex stated for the loader. Mr. Alfano stated \$70,000.00 wouldn't even pay for the loader.

President Alfano adjourned the meeting at 9:10 pm.