

Continued Meeting of California Borough Council, June4, 2015, 6:00 pm

President Alfano called the meeting to order at 6:00 pm.

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

ABSENCE: Mr. Encapera and Mr. Mariscotti

PRESIDENTS REPORT

NON RENEWAL OF WORKER'S COMP INSURANCE EFF. – 8-1-15

Mr. Alfano stated we've been denied renewal of our workers comp. policy effective August 1, 2015. Mr. Sulkosky stated he spoke to the broker, Higbee, and he will be shopping around and he stated that he has requested a 3 to 5 year loss history so we know the loss the history. Mr. Alfano stated he can't imagine the state doesn't have a plan to cover municipalities when this happens. Mr. Sulkosky stated they do it is SWIFT and the fire department is under that now but it is very costly.

WORK SESSION

Mr. Alfano stated we just had a work session prior to this meeting to discuss a cooperative police agreement between the University's Public Safety Department and our Borough that would allow them if agreed upon to enforce the law on the streets that they travel to get to their other properties off of main campus like the college farm.

Mr. Alfano stated he would like to have a work session on Monday at 6:00 to discuss a personnel issue of a former employee who was relieved of his duties a few years ago and we need to get this settled up because it's been going on for a while now. He stated if you have anything else to discuss bring it and he hopes everyone will try to make this work session.

PUBLIC HOUSING – MR. GLAB

Mr. Glab had nothing to report

PUBLIC WORKS – MR. MARISCOTTI

Mr. Alfano stated he is absence and there is nothing on his agenda.

PUBLIC SAFETY – MR. BITTNER

DODGE CHARGER

Mr. Bittner stated we had previously made a motion to sell the dodge charger and the brakes and rotors need fixed and it needs inspected. Mr. Weld stated the A frame is needs fixed too. Mr. Alfano stated really and asked why. Mr. Weld stated it has been bent for a long time. Mr. Alfano stated whether we keep the car or sell the car we need to get it fixed. Mr. Bittner stated yes they need fixed. Mr. Weld stated his problem is if you get rid of it after you fix it you need to ask for more. Mr. Weld stated put tires on it, repair A frame, inspect it, fix brakes and rotors you are talking \$1,200.00. Mr. Alfano asked Chief in the event that we don't sell it can he use it for something. Chief Encapera stated yes it can be used strictly for traffic and he drives it during the day to go to meetings and such. Mr. Sulkosky stated the minimum bid required by council was for \$10,000.00. Mr. Difilippo stated so let's fix it up and see if we can get \$14,000.00 for it. Mr. Encapera stated the insurance adjuster paid us for getting it fixed. Ms. Evans stated she doesn't recall it ever being reported much less getting paid for a claim. Ms. Evans asked Chief if this was the incident that was talked about around the time of homecoming last year. Chief stated yes that is. Ms. Evans stated nothing was ever turned into the administrative office on it. Mr. Bittner stated Shirley is correct and we as council were lead to believe there was nothing wrong with that vehicle. Mr. Bittner we were informed that something happened and told that there was no damage and it would have been more than deductible anyways. Mr. Sulkosky stated he suggests council approves getting it fixed and then if they choose they can still sell it. Chief Encapera stated he wanted to get rid of the car because he can't use it in the winter months it just sits out there and we just waste gas warming it up all winter but we want to get our moneys worth out of the vehicle and not just give it away. Mr. Glab stated since we built a new borough garage we have substantial room in the old garage to store it in the winter months or at least the bad days in the winter months. He stated so if we decide to take it off the road from Dec. 1st through April 1st

we'll at least have a place to store it. It won't be in anyone's way. Mr. Difilippo stated he thinks we should get it fixed and then put it out for a price that we want to get for it and if we get it we get it or reject all bids. Mr. Sulkosky stated there is currently a motion on the books to advertise it with a minimum bid of \$10,000.00. Mr. Bittner stated but we can reject all bids. Ms. Evans stated it hasn't been advertised yet so why don't you just rescind that motion and make new one. Mr. Bittner asked who made that motion. Ms. Evans stated it was a Bittner/ Difilippo motion.

Motion by Bittner/Difilippo to rescind the motion of May 14, 2015 authorizing advertising the charger for sale duly carried on a roll call vote with all members present voting yes.

Motion by Bittner/Difilippo to get the charger fixed, brakes, rotors, and A frame and anything else that needs fixed at a cost not to exceed \$2,000.00 duly carried on a roll call vote with all members present voting yes.

K9 HEALTH AND MORTALITY INSURANCE

Mr. Bittner stated there is information in your packets about insurance for the K9 and he spoke with Shirley yesterday and if you go to page 2 he feels we should purchase the Mortality insurance at a cost of \$618.00 per year. Ms. Evans stated we received the quote via our current insurance carrier HA Thomson. Mr. Bittner stated the coverage 10,300.00 which covers the cost for the dog and training. Mr. Sulkosky asked if we are paying this through the K9 fund. Mr. Bittner asked Chief Encapera what we envisioned this K9 fund for. Mr. Weld stated the vision of it was is to buy incidental supplies for the dog. Mr. Encapera stated because we bought the dog without a budget line item we thought it would be nice to create a fund to use for incidentals. Mr. Bittner asked if they envisioned the insurance payments to come out of that fund or will it be used just for supplemental things for the dog. Chief Encapera stated yes we will probably need supplemental things for the dog. Mr. Bittner stated then why don't we pay the insurance out of the general fund and see what happens next year and possibly set up some guidelines for the K9 fund. Mr. Sulkosky stated since there is no budget item for these expenses he will have to do a budget change as needed to cover these items. Mr. Bittner stated whatever we have to do to get it in there we have to do. Mr. Sulkosky stated he's just letting him know.

Motion by Bittner/ Difilippo to purchase K9 Mortality insurance at a cost of \$618.00 per year to be paid out of the police budget in the general fund for the first year duly carried on a roll call vote with all members present voting yes.

Mr. Bittner stated he understands the vet is going to do the check-ups so on and so forth and how far he will go is still unclear and Shirley and I discussed this yesterday and just to make sure we are covered we think getting both the wellness and health would be good to keep the borough covered then once we find out exactly what the vet is going to give for free we can adjust it the following years. If that dog has a catastrophic occurrence and we have to take it to Castle Shannon in the event of an emergency we need to be covered.

Motion by Bittner/Difilippo to purchase K9 Health and Wellness Insurance through VPI Insurance at a cost of \$519.48 to be paid from the general fund duly carried on a roll call vote with all members present voting yes.

RESIGNATION OF PART TIME OFFICER JAMES JEFFREY

Motion by Bittner/Gutosky to accept the resignation of Part time officer of James Jeffrey who has accepted full time employment elsewhere carried with all members present stating aye.

Mr. Bittner asked that a letter be sent thanking him for his tremendous service to the borough. Mr. Bittner asked Chief Encapera if we have a copy of his resignation letter and stated yes he will provide a copy to Shirley. Mr. Glab asked if he has possession of any borough property. Chief Encapera stated he hasn't turned anything in yet but he knows he has to give it back. Mr. Glab stated we should make the resignation effective when he turns everything in.

AUTHORIZE S. EVANS TO ATTEND BOX LUNCH DEALING WITH FINANCING

Mr. Bittner stated the Mon Valley Intergovernmental Cooperative is holding a box lunch seminar dealing with Financing and Shirley has asked to attend that. It is June 12th and 12:00 and is free but she will be paid her regular wage while she is there.

Motion by Bittner/Difilippo to attend the Box Lunch Builder on Friday, June 12th at no cost to the borough other than her regular wage duly carried on a roll call vote with all members present voting yes.

FINANCE – MRS. GUTOSKY

Nothing to report

PUBLIC HEALTH – MR. DIFILIPPO

Nothing to report

PERSONNEL – MR. ENCAPERA /MR. MARISCOTTI

Both are absent and have nothing under their agenda

MAYOR’S REPORT – MR. WELD

Nothing to report

ENGINEER’S REPORT – VAUGHN LEER

R& B QUOTE

Mr. Leer stated council requested that they solicit a price from R & B who is doing the Peach Alley project to do more paving than what is in the contract. He stated basically it boils down to they will do limited milling with a 3” overlay in all the areas affected by the Peach Alley project at a cost of \$29.50 a sq. yd. The net effect in raising the contract price is \$17,968.61. Mr. Agrafiotis stated this would be a change order. Mr. Leer stated originally their quote was \$29.50 for a 3” overlay in addition to \$14.50 to mill it. Mr. Leer stated there is such a negligible amount of milling with the exception of Peach Alley from Second to Strawberry because there is a curb there but everywhere else it is just keyways to tie into the existing pavement. He stated they agreed due to the minimal amount of milling that would be done to forget that \$14.50 and everything can be done for \$29.50 per sq. yd. Mr. Alfano asked council what their wishes are. Mr. Glab asked if this was the entire length of the project from Water Street to Seventh Street. Mr. Leer stated this is R & B’s portion of the project. Basically the affected streets would be Temperance from Liberty to Peach, Peach from Temperance to Second, Peach from Second to Strawberry from Strawberry to Third and Third to Monroe and Monroe to Fourth St., and then Monroe from Peach to Wood. Nothing above Fourth Street.

Motion by Difilippo/Bittner to authorize a change order , (#2)for R & B to mill and overlay Peach Alley at net increase to their contract of \$17,968.61 duly carried on a roll call vote with all members present voting yes.

MELE & MELE

Mr. Leer stated that Mele and Mele were in town to address their punch list items and they didn’t call us and let us know that they were out there and Steve noted that four of the eight items haven’t been addressed and it is his understanding that they didn’t want to leave without someone acknowledging that they addressed the punch list and a member of the staff signed that punch list letter indicating that it is satisfied. He stated two of the four items remaining are an issue. Covered area of concrete where the sludge dumpster sits there is a ½” elevation difference between the top of the concrete slab and the sewer and we wanted it flush and they didn’t do that and it is his understanding, as reported to him , that the staff told them not to correct that. The landscaping issues don’t have a whole lot of importance. The other item is UV meter appears to be leaking and should be sealed and the sidewalk up on the process tank do have signs of shrinkage cracks in them and over time they will only get worse. It is up to council to accept it as complete or we can possibly have a meeting to discuss getting these fixed. He suggested that we put Mele on Notice that on these two items before their maintenance bond expires we will go back out take more photos documenting these two conditions and if it worsens they will be called in on the maintenance bond prior to it expiring to address these issues. Mr. Difilippo stated we want those fixed because they were supposed to be fixed. Mrs. Gutosky stated she remembers there were cracks in the concrete and wanted to know if those were taken care of. Mrs. Gutosky stated they were on that far side. Mr. Leer stated under the one step there was a slab that was broken and cracked and they repair that. Mr. Leer stated over by the UV chamber there was some cracks, near the 84 lumber corner of it, and they will put Mele on notice because under the contract the Borough’s authorized representative is the Engineers. Mr. Alfano stated we think Mele & Mele did a great job but these are miniscule items and they need fixed.

REDEVELOPMENT AUTHORITY

Mr. Alfano stated he received a call from Jim Hott and he is pretty hot under the collar feeling that we just turned our backs on them so we need to address his concerns. Mr. Leer stated consistent with council's direction at last month's meeting they did issue a letter to Bella giving them thirty (30) days to come out and get these punch list items taken care of or we're hiring our own contractor and get it done and keep their retainage. Mr. Sulkosky asked when the thirty days expire. Mr. Leer stated he doesn't recall off the top of his head probably the week after next their thirty days will be up. Ms. Evans told Mr. Leer that the payment request that council agreed to pay 1/2 of and send that letter that the check was mailed however, Mrs. Sitarek requested a copy of the signed payment request. Mr. Leer stated he will get that to her. Ms. Evans stated yes but we didn't pay the full amount requested in the payment request. Mr. Leer stated she needs to address her punch list items if she wants paid in full. Mr. Sulkosky stated you can't sign the payment request if the amounts are incorrect. Mr. Leer stated he will have it modified to the amount that council approved and get it signed by all parties. Mr. Leer stated one of the issues that has some contention is the sealcoating of the parking lot up at Liberty Towers. Mr. Leer stated Mr. Hott probably mentioned that to Patsy. Mr. Leer stated he can't hold them to that it was not in the contract but was an amendment to the contract or change in design so how does council want to handle that. Mr. Alfano asked how much would it be worth a couple thousand dollars. Mr. Alfano stated they have been very cooperative and work well with the borough and for that amount of money he can't see jeopardizing the current relationship. Mr. Leer stated he just wants to make it clear to council that this is not something we can withhold from Bella. Mr. Alfano stated he thinks it's coincidental they had it seal coated right before the construction started up there. Mr. Leer stated he checked the preconstruction photographs and it was reasonably recently seal coated and he thinks it was Jim's contention that it was their intention to have it written into the right of way agreement but he doesn't believe it was in there. Mr. Bittner asked if it all needs sealed or just a portion of it. Mr. Alfano stated it should just be where the work was. Mr. Leer stated Jim wants it all sealed because during construction they were knocking stone all over it and things. Mrs. Gutosky asked if they expect us to strip it also. Mr. Leer stated yes they do and that was in the contract and can be withheld from Bella.

SEWER PLANT CALL OUTS- SATURDAY AND/OR SUNDAY

Mr. Bittner stated even with our old sewer plant we have never had to have an employee come out on Saturday and Sundays so why do we have this issue now. Mr. Leer stated he'll look at the permit because the DEP may be requiring these because of the UV they want a measurement of the transvisity of the UV to determine the functionality and effectiveness of the bacteria kill and he doesn't know if that is an active requirement yet and if it is current and active that may be one reason they are having to go out there to take that reading. Mr. Bittner stated all this technology and updating and we still have to have a man manually go out and do that on a Saturday and Sunday there has to be some way to incorporate this into the technology. Mr. Leer stated he's looking into that because this is a new requirement that the DEP is putting in permits and these were done after the fact and used a retro fit so what they can do is get a control unit that you have to pay \$1,800.00 for the unit and a 50.00 per month charge to take the readings and hold them in the cloud and then anyone that has access can retrieve those reads. Mr. Leer stated he believes we may be able to do this with the current scada system and avoid the control unit system. He and Steve are looking into that and get it addressed.

Mr. Leer stated last month Sam had asked him to look into the issue on the sludge pump and the pit and it appears that we can pull that motor and mount it vertically but we have to verify a couple of things on the engineering calculations to make sure the suction head and vacuum is sufficient and don't exceed the required 18'. He asked if council wants the staff to take care of this and have Steve there to guide and assist them to ensure its correct but we can discuss this next week and he will provide a final report.

SOICITOR'S REPORT – MR. AGRAFIOTIS

Mr. Agrafiotis stated he will handle his under new business

BOROUGH MANAGER'S REPORT – SAM SULKOSKY

Mr. Sulkosky stated he has a couple of things to discuss.

FLOOD INSURANCE – OLD SEWER PLANT

Mr. Sulkosky stated we recently renewed this policy and since we are in the process of demolishing that plant he thinks we may want to cancel that and get a refund. Mr. Alfano stated there is still stuff in there that can be damaged. Mr. Leer's recommendation is that until you clear and completely gut any mechanical on the interior of the building you should consider carrying the coverage. Whether or not that stuff has any salvage value is unclear but you still have electric service along with other utilities there. Mr. Sulkosky stated he just wanted to throw it out there for discussion.

PURCHASING POLICY

Mr. Sulkosky asked council if they want to discuss this. Mr. Alfano stated he thinks before you can hold the departments to a purchasing procedure you first have to have a policy. Mrs. Gutosky asked to discuss this at the work session on the 8th. Mr. Alfano stated we need to act on it one way or another so let's take a look at it and if it needs tweaked lets tweak it but we have to have a policy in place to for the departments to follow. Mr. Sulkosky stated he has been working on the purchase orders for each department and needs to do a couple more changes and then they should be good to go.

OLD STREET LIGHTS BEING REMOVED

Mr. Sulkosky stated he suggests the old lights be advertised once a value is established. Mr. Alfano stated we'll never get the replacement value on them. Mr. Alfano stated he knows a couple people interested in buying them and if they lay around we'll end up scrapping them. Mr. Sulkosky stated can we advertise them and see if there is any interest for them. Mr. Bittner stated we need some kind of value for them even if it is scrap value. Mr. Bittner stated some of those poles are nice and can be moved and we can handle that work ourselves as far as digging trenches and things and he thinks we can enhance different parts of the borough with a couple of the old lights. Mr. Sulkosky asked if council wants it on the agenda for the next meeting. Mr. Alfano asked him to find out the value of them and bring the information back to council.

STREET LIGHT ON MALDEN AND LAMP POLE AT THIRD AND ASH

Mr. Bittner stated we have that street light on Malden at the end of Third St. extension and it's been over six month and is not fixed and we have a street light right down here on Third Street that's been gone probably 18 months to 2 years which was another insurance claim. Ms. Evans stated the claim for the pole on Third Street has been paid, but the one on Malden Sam spoke to the insurance company and they had to reopen the claim because we just received the quote on replacing/installing that light. Mr. Sulkosky stated he received a quote earlier this week and submitted it to the insurance company and they informed him that claim had been closed so they will have to reopen it and as of now they couldn't give him a time line of how long that will take. Mr. Bittner stated Jeff was supposed to have A1 look into replacing both of these lights. Ms. Evans stated they have provided the estimate for the light on Malden. Mr. Bittner asked Sam to get with Jeff on the Third Street light and see where A1 is on this one.

OLD BUSINESS

No old business

NEW BUSINESS

WATER COMPANY'S CONSTRUCTION IN TOWN

Mr. Difilippo asked Sam to get a hold of the water company and see how much longer they will be destroying our town. No one seems to know that answer and its' going to be August, September, October and Penndot is not going to be able to pave again. Mr. Sulkosky stated he will do that because he knows Penndot is anxiously waiting to get in here and pave. Mr. Difilippo stated there are a lot of other people anxiously waiting for it to be paved also. Mr. Sulkosky stated he will double check with the water company early next week.

SINK HOLES ON ELLSWORTH STREET NEAR WELD'S GARAGE.

Mr. Bittner stated there was a PA one call and there are cones around it. Ms. Evans stated the one call indicated that Jeff Taday was the contact person on that so he probably was the initiator of that one call. Mr. Difilippo asked Mr. Bittner if that was the same are he instructed them to investigate and fix prior to the paving of that road last year. Mr. Glab stated Jeff told him he made that one call to investigate the sinking in that area so he needs to go in there and see what is there.

RESOLUTION – SETTING FEES FOR REVIEWS

Mr. Agrafiotis stated he was talking to Vaughn and Mr. Petro today who indicated that we need a resolution to set a fee schedule for subdivisions. We have a fee schedule for simple subdivisions and we need a resolution indicating the review fees are paid by the developer and not the burden of the borough. Mr. Agrafiotis stated if council authorizes him to draw up this resolution we can get it adopted at the regular meeting. Mr. Leer stated he thinks it should stipulate that every year when Widmer submits their annual rate schedule that it be based on time and materials based on that rate schedule.

Motion by Glab/Bittner to authorize the Solicitor to do a resolution setting the fees for subdivision reviews and other reviews duly carried on a roll call vote with all members present voting yes.

CHANGE ORDER R & B

Mr. Leer stated since he gave Sam the change order number for the paving we have to address R & B's Change Order #1 this evening. It is in the amount of \$2,950.00 and what that was for was the new catch basin installed on Peach Alley at Strawberry.

Motion by Difilippo/Glab to approve R & B's Change order #1 in the amount of \$2,950.00 for a catch basin duly carried on a roll call vote with all members present voting yes.

RECOGNITION OF CITIZENS

JAME MADDIEX

Mr. Maddiex stated the Planning commission met on June 2nd and reviewed two site plans.

ROSE CAPANNA

Ms. Capanna stated she, Lynne Langley, and Mary Rhoads are here on behalf of the California Watch Group. They currently have yard signs that were purchased to raise money to get sturdier and lasting signs to install at different places throughout the borough. She provided a sign design to council members. She stated they have the funds and would like council permissions to install the signs. She stated she spoke with Mr. Garlowich who indicated there are two sign ordinances that say these signs would be permitted. Ms. Capanna stated she is looking for council's direction on placement of signs and perhaps manpower to permanently install the signs. She hopes that once these signs are installed then people outside California proper will purchase the yard signs raising funds and purchasing more signs for all of California Borough. There was more discussion on placement and council directed Ms. Capanna to work with Chief Encapera, Zoning Officer Mike Garlowich and Street Commissioner Tудay on placement and installation and then bring it back to council for a final vote.

Meeting was adjourned at 6:40 pm