

Regular Meeting of California Borough Council, April 10, 2014, 6:30 pm

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

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

ABSENT: Mr. Glab, Mr. Difilippo who arrived at 6:50 pm

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Bittner added changing May's committee meeting

Mr. Bittner added parking Second & East Alley

Solicitor added begin demolition procedure for 694 High St.

Solicitor added Resolution 14-003 pertaining to Ms. Vitale

Mr. Alfano asked everyone to say aye or nay to approve the agenda as amended and everyone stated aye.

GUEST SPEAKERS

COBBLESTONE HOTELS – MS. TATA

Ms. Janice TaTa introduced stated that she is with a firm that constructs hotels. She stated they are made up of three companies. She spoke a bit about the companies from their conception. She stated there is a need for a cobblestone hotel and size would depend on the results of a feasibility study performed by the borough. Typically smaller cities or towns feel the need for a hotel and they contact her and she comes in to see if there is a true need for a hotel. She stated that California is truly a booming small town. Mr. Encapera asked if she has chosen a specific area to locate a hotel yet. Ms. Tata responded since the Hampton is located at the Technology park she feels a cobblestone hotel would be best located in town. Mr. Taday asked what the average square feet needed for a 31 bedroom. Ms. Tata stated 31 is comfortable but does not have a pool and stated approximately 15,500. Mr. Encapera asked how long from the first dig would it take to complete. Ms. Tata stated after permitting is complete and we begin to dig typically less than six months. Mr. Alfano thanked her for speaking to council and showing interest in California.

KEYTEX

Mr. Buchanan stated because we ran behind in time she rescheduled because he didn't want it to interfere with the meeting.

PUBLIC COMMENT

Mr. Maddiex stated on the sale of the crown Victoria he would like the proceeds to be used for the purchase of a new vehicle or equipment for the vehicles and if you put it in a motion that would lock it up.

MINUTES

Motion by Gutosky/Encapera to approve the minutes of the regular meeting of March 13, 2014 duly carried with all members present stating aye.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances for March 2014.

JUNIOR COUNCIL MEMBER – ANGEL FUNK

PRESCRIPTION DRUG SEMINAR

Ms. Funk stated that there was prescription drug seminar held on April 2nd and sponsored by Dr. Ghandi and Gosai and there were members of the Washington County District Attorney's office and they showed that a lot of kids around her age are overdosing from prescription drugs and the other problems that are arising.

PRESIDENT'S REPORT – MR. ALFANO

TRI COUNTY BOROUGH ASSOCIATION MONTHLY MEETING

Mr. Alfano announced that the Tri County Borough Association's monthly meeting will be held on April 17, 2014 at 7:00 at the Donora Borough Building.

TRI COUNTY BOROUGH ASSOCIATION ANNUAL MEETING

Mr. Alfano asked council if they would like to place an ad in the program and a half page is \$50.00 and a full page is \$75.00 dollars.

Motion by Bittner/Mariscotti to place a full page ad at a cost of \$75.00 in the Tri county borough association program duly carried on a roll call vote with all members present voting yes.

TRANSFER FUNDS – CM SERVICE INVOICE

Mr. Alfano stated we need to transfer money from the Bond Proceeds account to the General fund to pay CM Service invoice #14-029 in the amount of \$6,992.50. Mr. Alfano stated it is for the design portion of the building renovation.

Motion by Mariscotti/Bittner to transfer \$6,992.50 from the Bond Proceeds account to the General fund to pay CM Services invoice #14-029 duly carried on a roll call vote with all members present voting yes.

LETTER FROM PLANNING COMMISSION

Mr. Alfano stated we received a letter from the Planning Commission indicating that they are going to be very involved in the upgrade to the comprehensive plan.

MINI GRANT – PENNSYLVANIA ENVIRONMENTAL COUNSEL

Mr. Alfano stated they applied for a mini grant and was initially awarded a \$40,000.00 grant from the Benedum foundation and they only spent \$30,000.00 so there is \$10,000.00 left so we will be receiving a check for \$10,000.00 to be used towards the wharf project as matching funds.

PAYMENT REQUEST – FAYETTE ENGINEERING

Mr. Alfano stated we have an invoice from Fayette Engineering #22861 which was for the property survey at the Olympic spa building so we could get the demo project going.

Motion by Gutosky/Encapera to pay Fayette Engineering's invoice #22861 in the amount of \$1,493.50 duly carried on a roll call vote with all members present voting yes.

Mr. Alfano asked if anyone has the code enforcement update since Mr. Glab isn't here if not he can do it at the next meeting.

CODE /ZONING REPORT – MR. GLAB

In Mr. Glab's absence President Alfano gave his report

MACKIN ENGINEERING PROPOSAL -

Mr. Alfano asked council if they have had time to review Mackin Engineering proposal for the Zoning and Comprehensive Plan updates. The cost for the Comprehensive plan is \$35,472.00 and to redo the zoning ordinance the cost of \$24,500.00. If we do both of the projects at the same time we will get a slight discount from Mackin because they will already be here on site. They have agreed to do an overlay at no additional cost.

Motion by Bittner/Encapera to enter into an agreement with Mackin Engineering to have them update our comprehensive plan at a cost of \$35,472.00 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo arrived at the meeting

Motion by Gutosky/Bittner to hire Mackin Engineering to do the zoning update for a cost of \$24,500.00 along with that will be included an overlay that they will start working on immediately in the business district duly carried on a roll call vote with all members present voting yes.

UPDATE INTERNATIONAL PROPERTY MAINTENANCE CODE

Mr. Alfano asked council if they would like the Solicitor to update the International Property Maintenance Code which will allow us to enforce under the latest version of the code.

Motion by Bittner/Mariscotti to have the Solicitor draw up an ordinance updating the International Property Maintenance Code duly carried on a roll call vote with all members present voting yes.

ADVERTISE DEMOLITION OF 72 SECOND ST.

Motion by Difilippo/Mariscotti to advertise the demolition of 72 Second Street duly carried on a roll call vote with all members present voting yes.

CONDITIONAL USE HEARING

Mr. Alfano stated council held a conditional use hearing this evening for Ian Finn for his property on Second Street in which he is asking to increase the occupancy from 3 students to 4 students. Mr. Alfano asked council if they want to discuss this further or make a motion tonight. Mrs. Gutosky stated she feels they need to discuss it further and set some conditions.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPT. UPDATE

Mr. Mariscotti stated they have been patching pot holes, fixed the fence at Rotary Park, they’ve been running the street sweeper.

PREPARE BIDS FOR ROAD PROJECT

Mr. Mariscotti stated he would like to make a motion to have Stephanie Whitlach from Penndot prepare the bids specs to have Skyline Drive and Ellsworth Street paved as part of our street project. Upon discussion it was decided that no motion is needed.

PEACH ALLEY RESTORATION

Mr. Mariscotti asked Mr. Today if the gentleman was here to present a bid on paving after the Peach Alley restoration which would continue the paving curb to curb after the remediation portion is paved by the contractor. Mr. Tудay stated no he is not here.

WASHINGTON COUNTY JOINT PURCHASING SUMMER BIDS.

Mr. Mariscotti read the following.

Summer Bids: 2014 Washington County Joint Municipal Purchasing

<u>ITEM</u>	<u>VENDOR</u>	<u>EST. QTY.</u>	<u>AMT</u>	<u>TOTAL</u>
1. SUPERPAVE 9.5MM FINE GRADED	Hanson Aggregates BMC, Inc. 2200 Springfield Pike Connellsville, PA 15425 Phone: (724) 626-0080	200 TONS	\$61.00/Ton FOB PLANT	\$ 12,200.00
2. SUPERPAVE 9.5MM WEARING COURSE	Hanson Aggregates BMC, Inc.	200 TONS	\$60.00/Ton FOB PLANT	\$ 12,000.00
3. NO BID SUPERPAVE 12.5MM WEAR COURSE	Hanson Aggregates BMC, Inc.	50 TONS		NO BID
4. SUPERPAVE 19.0MM WEARING COURSE	Hanson Aggregates BMC, Inc.	100 TONS	\$54.00/TON FOB PLANT	\$ 5,400.00
5. SUPERPAVE 19.0MM BINDER COURSE	Hanson Aggregates BMC, Inc.	100 TONS	\$54.00/TON FOB PLANT	\$ 5,400.00

6. SUPERPAVE 25.0MM BINDER COURSE	Hanson Aggregates BMC, Inc.	50 Ton	\$53.00/TON FOB PLANT	\$ 2,650.00
7. AASHTO #8	Laurel Aggregates 250 Lakewood Center Morgantown, WV 26508	100 Ton	\$27.15/T DELIVERED	\$ 2,715.00
8. #2 A	Laurel Aggregates	600 Ton	\$18.05/T DELIVERED	\$ 10,830.00
9. AASHTO #57	Hanson Aggregates BMC, Inc.	200 Ton	\$20.91/T DELIVERED	\$ 4,182.00
10. AASHTO #67	Hanson Aggregates BMC, Inc.	100 Ton	\$23.00/T DELIVERED	\$ 2,300.00
11. AASHTO #4	Laurel Aggregates	100 Ton	\$20.05/T DELIVERED	\$ 2,005.00
12. R4 ROCK LINING Rip Rap	Laurel Aggregates	100 Ton	\$21.10/T DELIVERED	\$ 2,110.00
13. R5 ROCK LINING Rip Rap	Laurel Aggregates	100 Ton	\$21.60/T DELIVERED	\$ 2,160.00
14. 15" PLASTIC PIPE	Advanced Drainage Systems 58 Wyoming Street Ludlow, MA 01056 866-691-2715 2 listed vendors as authorized vendors: Chemung Supply & Culverts Inc.	300 Feet	\$6.57/Ft. DELIVERED	\$ 1,971.00
15. 18" PLASTIC PIPE	Advanced Drainage Systems	200 Feet	\$8.93/Ft. DELIVERED	\$ 1,786.00
16. DIESEL	NO BIDS	5000 Gal.		\$ -
			Total cost.....	\$ 67,709.00

Mr. Mariscotti stated this is an increase overall from last year of \$4,381.50.

Motion by Mariscotti/Bittner to approve the Washington County Joint Purchasing bids for 2014 for Hanson Aggregates, Laurel Aggregates, and Advanced Drainage duly carried on a roll call vote with all members present voting yes.

INTERMUNICIPAL COOPERATIVE AGREEMENT – CENTERVILLE Mr. Mariscotti asked the Solicitor if he drew up an Ordinance for Inter-municipal cooperative agreements yet. Mr. Agrafiotis stated he was provided with a generic form that could be used for several different applications but not one that was specific to this circumstance. He thinks a more formal agreement would be better. Mr. Melenyzer stated a generalized statement that we are interested in doing this but to actually enter into an agreement you need specifics as to costs, liability insurance, operators, who's responsible for damage, etc. So they will need the specifics. Mr. Melenyzer stated you need to make a motion to enter into an agreement with Centerville and then another one which is the actual agreement. He stated he will draw up anything but he needs the details to do so. Mr. Mariscotti stated we have an agreement with Long Branch for Police services so is that specific to Long Branch. Mr. Agrafiotis stated yes that one is specific. Once this ordinance is done then you can enter into specific agreements with any municipality.

Motion by Mariscotti/Difilippo to authorize the Solicitor to draw up an Ordinance and advertise it authorizing entering into co-operative agreements with other municipalities duly carried on a roll call vote with all members present voting yes.

CABLE FRANCHISE AGREEMENT

Mr. Mariscotti stated that Tim met with Phil Fraga this week and they added the places that we feel should have free services and that will be sent back to Armstrong and then they will agree or we will negotiate those and then that will get done.

Motion by Glab/Encapera to accept Mr. Mariscotti's report duly carried with all members present stating aye.

PUBLIC SAFETY REPORT – MR. BITTNER

VACANCY ON CIVIL SERVICE COMMISSION

Mr. Bittner stated he spoke with the chair on the board and the term for the new appointee is six years. Mr. Bittner stated that we still need two alternate members on the board since the rules changed this year. So any member of council if they choose can sit on that board as an alternate.

Motion by Bittner/ Difilippo to appoint Casey Durdines to the six year term on the Civil Service Board duly carried on a roll call vote with all members present voting yes.

CIVIL SERVICE TESTING – SATURDAY, APRIL 12TH

Mr. Bittner announced that the civil service tests will be administered this Saturday beginning at 9:00 am. There are 14 applicants and all arrangements have been made with the proper people.

WEST PIKE RUN SEWERAGE

Mr. Bittner stated that West Pike Run is still interested in a sewer agreement. So he would like us, along with our engineer, to go there and meet with them to discuss this further.

Motion by Bittner/Difilippo to arrange a meeting with West Pike Run and authorize our engineer to attend duly carried on a roll call vote with all members present voting yes.

STORM WATER GRATES

Mr. Bittner stated the storm water grates on Wood and Third Streets need to be looked at and brought up closer to street level.

MAY COMMITTEE MEETING

Motion by Bittner/Mariscotti to change the committee meeting from May 1, 2014 to April 30, 2014 still beginning at 6:30 pm duly carried on a roll call vote with all members present voting yes.

MID MON VALLEY COOPERATIVE

Mr. Bittner announced that the Mid Mon Valley Cooperative will meet here on the last Tuesday in May and we will host that meeting. He will keep council informed of the specifics.

PARKING ENFORCEMENT

Mr. Alfano stated this came in late today but we've been having issues with the last parking space at the corner of East Alley and Second Street that when cars are coming out of East Alley and entering Second Street they are unable to see if traffic is coming on Second St. He asked Mr. Tудay to look into it further.

Motion by Gutosky/Mariscotti to approve the Public Safety report duly carried with all members present stating aye.

FINANCE – MRS. GUTOSKY

PAYMENT OF MONTHLY BILLS

Motion by Gutosky/Mariscotti to authorize the payment of the monthly bills duly carried with Mr. Difilippo, Mr. Encapera, Mrs. Gutosky, Mr. Mariscotti, and Mr. Alfano voting yes and Mr. Bittner voting no.

QUARTERLY BUDGET REPORT

Mrs. Gutosky stated that she and Mr. Buchanan are working on budgeting and they are using an active life cycle budgeting so they can get a better picture of what is happening. By the end of the year the budget will have done itself. Mr. Alfano stated and all the department heads are responsible fiscally for their departments as well. Mr. Alfano asked how we are doing after the first quarter is complete. Mrs. Gutosky stated snow removal is up a little and we saved some

money by doing the problem on Powerhouse Road in house. Mr. Alfano stated he thinks it is a definite advantage for department heads to know their budgets as well.

Motion by Mariscotti/Bittner to accept the Finance report duly carried with all members present stating aye.

PUBLIC HEALTH – MR. DIFILIPPO

SEPESKY'S SEWER BILL

Mr. Difilippo stated we've reviewed the account and he is due a refund.

Motion by Difilippo/Mariscotti to authorize to pay Sepesky's a refund of \$13,489.00 for overpayment of their sewer account duly carried on a roll call vote with Mr. Difilippo, Mr. Encapera, Mr. Mariscotti, Mr. Alfano, and Mr. Bittner voting yes and Mrs. Gutosky voting no.

PAYMENT REQUESTS – FAYETTE ENGINEERING

Mr. Difilippo stated the first one is for the East alley smoke testing and this job is complete.

Motion by Difilippo/Bittner to pay Fayette Engineering's invoice #22827 in the amount of \$9,358.00 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo stated the next one is for Peach alley inspections.

Motion by Difilippo/Bittner to pay Fayette Engineering's invoice #22859 in the amount of \$8,876.18 duly carried on a roll call vote with all members present voting yes.

Mr. Difilippo stated the last one is for the GIS project

Motion by Difilippo/Bittner to pay Fayette Engineering's invoice #22860 in the amount of \$12,110.50 duly carried on a roll call vote with all members present voting yes.

DELIQUENT TAP IN PAYMENTS

Mr. Difilippo handed the solicitor a list of people who have gone delinquent on their tap in payments and made the following motion.

Motion by Difilippo/Bittner to authorize the Solicitor to collect the delinquent tap in payments duly carried on a roll call vote with all members present voting yes.

HIGHPOINT SEWAGE

Mr. Difilippo stated that Mr. Glab is in a meeting with the water company and the gentleman who was working on the highpoint sewer with us is no longer in that position but there was a new person assigned to his position and he will work with their engineers and see where they are at with this.

Motion by Mariscotti/Bittner to accept the Public health report duly carried with all members present stating aye.

PERSONNEL- MR. ENCAPERA & MR. MARISCOTTI

Nothing to Report

Mr. Alfano stated he would like to personally give our borough manager a slap on the back for working so diligently and getting things on track so far.

MAYOR'S REPORT – MR. WELD

Mr. Weld stated he would like to advertise for sale the 2005 Crown Victoria along with the 1994 Chevy truck from the sewer department. Mr. Alfano asked if we could put them both out for bid. Motion was made by Mariscotti/Difilippo to advertise the 2005 Crown Victoria for sale. Ms. Evans asked if there is a minimum bid. Mr. Alfano stated he doesn't think so just sell it as is. Mr. Alfano asked if we want to specify where the money from the sale should be used. Mr. Weld stated as long as it's the police dept. Ms. Evans asked if we would get over a \$1,000.00 for that vehicle. Mr. Bittner stated if you can't get over a \$1,000.00 you can just sell it without advertising it. Mr. Melenyzer asked how you would get the notice out there. Mr. Buchanan stated we could put it on the web page. Ms. Evans stated we put it out for bid once with a minimum bid of \$1,000.00 and received no bids. Mr. Bittner stated we can sell it without advertising if it is

under \$1,000.00. Mr. Bittner stated he doesn't remember the mechanics but we've done it before. Mr. Vitchoff stated yes there is a process but it has been done. Mr. Melenyzer asked how would you get the word out there. Mr. Buchanan stated put it on Facebook. Mr. Alfano stated there are a lot of public constables or people that do security work that may want it. Mrs. Gutosky asked if we could put it in the auto trailer and Mr. Alfano stated that is not free. Mr. Alfano stated so there will be no advertising costs involved. Mr. Alfano stated we'll advertise them in whatever means we can. Mr. Weld stated and then the highest bid gets it. Mr. Difilippo stated that green truck is worth more than that right Jeff. Mr. Tудay stated we didn't get the minimum bid last time. Mr. Difilippo stated we got no bids last time. Mr. Bittner stated there is a way you can find out the fair market value but he's not sure how it works. Mr. Weld stated he will check on the values.

LETTER FROM MPF MANAGEMENT, LLC

Mr. Weld stated he has received a letter from MPF concerning oil & gas leases on property. Mr. Melenyzer stated he's never heard of them but some sure you can talk to them. Mr. Weld stated so we'll set up a meeting and talk with them. Mr. Alfano stated it is two parcels both are under an acre. Mr. Melenyzer stated the royalties are worth the money not what they pay per acre. Mr. Melenyzer asked about the Project 70 property and do we have the right to lease that or get permission to lease that because that is a bid tract of ground. Mr. Alfano stated how much would that bring in. Mr. Melenyzer guessed at \$20,000.00 per month. Mr. Weld stated he would discuss that piece of property also. Mr. Melenyzer stated first you better find out if you can do that. Mr. Melenyzer stated you want to make sure the same company is buying property in large tracts say 40 to 60 acres because they are the ones who will be drilling. But there are others who buy a piece here and a piece there but they won't ever drill because they don't have the acreage but then swap them later on. You can check with the DEP on the status of this company.

LETTER FROM DEP- MEETING INVITATION

Mr. Weld stated he has received an invitation from the DEP inviting officials from municipalities to a meeting on Thursday, April 17th at 10:00- 11:00 am at their headquarters at the Waterfront. He stated he thought that Tim could attend that. It is free of cost and you must rsvp. Mr. Alfano asked Tim to attend and make his reservation.

CONCERN FROM CITIZEN

Mr. Weld stated he received a phone call today from a citizen who wanted to know if California Borough brings in a k9 dog from another department and he would hurt somebody who would be liable. Mr. Melenyzer stated our insurance company isn't going to cover that because they want limited coverage something they could do risk management on. Mr. Melenyzer stated he can call the insurance company and get answers if council wants him to. Mr. Difilippo stated if he's a police officer and a human police officer comes in to assist he's covered so why not the dog. Mr. Melenyzer stated it needs to be checked on. Mr. Alfano asked who is going to check on that.

ENGINEER'S REPORT – VAUGHN LEER

TREATMENT PLANT UPDATE

Mr. Leer stated there are two issues relating to the Right of Way. The first one is First Energy Agreement and he believes it is just about finalized and there is a fee of \$1,000.00. The PAWC agreement is still being drafted by their headquarters in McMurray and that fee is not expected to exceed \$4,000.00.

As for construction the SBR wall construction is complete and the UV structure construction is underway. The SBR concrete sidewalks are 50% in place and the yard piping is underway. Mr. Leer stated that they have not received approval of the foundation slab yet so we will have to store the building on 84's property.

PAYMENT REQUESTS

Mr. Leer stated we have Estimate #8 from Mele & Mele & Sons in the amount of \$392,385.30.

Motion by Difilippo/Gutosky to pay Mele & Mele & Son's estimate #8 in the amount of \$392,385.30 duly carried on a roll call vote with all members present voting yes.

Mr. Leer stated we have invoice # DEP10052 from Centrisys which represents the 65% completion in the amount of \$254,426.90.

Motion by Gutosky/Difilippo to pay Centrisys's invoice # DEP-10052 in the amount of \$254,426.90 duly carried on a roll call vote with all members present voting yes.

H2O REIMBURSEMENT – 4TH AND FINAL

Mr. Leer stated H2O reimbursement #4 is ready for submittal in the amount of \$1,710,210.00. Once council president signs it then it will be mailed out tomorrow.

Mr. Alfano started since the weather is warming up we'd like to do a walk around to see the site so far. Mr. Leers stated just let him know when and he'll arrange it.

PEACH ALLEY REMDIATION PROJECT

Mr. Leer stated that work continues weather permits and the sanitary sewer is completed Seventh St. to Manhole #2, the right of way for Liberty Towers was approved and signed by the Redevelopment Authority. He stated that PAWC service at Peach & Fifth St. is to be removed and replaced and it is his understanding that initially there would be cost to the borough but since then Bella has withdrawn their claims to the water company and the water company stated this will be at no cost to the borough as long as it's no longer than one day. Mr. Mariscotti stated he went by there at 5:30 and the water company was still there.

PAYMENT REQUEST

Mr. Alfano stated we'll need a motion to pay Estimate #3 to Bella Enterprise in the amount of \$16,672.34.

Motion by Difilippo/Mariscotti to pay Bella Enterprise's Estimate #3 in the amount of \$16,672.34 duly carried on a roll call vote with all members present voting yes.

Mr. Leer stated he believes a work session is needed to work out the issues that occurred on the project today. It was agreed that the work session would take place following tonight's meeting.

GIS PROJECT

Mr. Leer stated we covered that earlier.

EAST ALLEY SMOKE TESTING PROJECT

Mr. Leers stated this project has been completed and they will present the borough with a written report of the findings. In summary they found 5 inlets, 21 downspouts, 12 sewer main issues, and 18 other issues such as driveway cleanouts and drains. Once council reviews the written report they will sit down with council and discuss those issues and how to resolve them.

BLIGHTED PROPERTY INSPECTIONS

Mr. Leer stated five inspections have been completed and the report has been delivered to the borough for 694 High Street. The four other field inspection reports will be completed shortly and submitted to the borough.

Mr. Difilippo asked how many more months is the peach alley project going to take this town has been ripped up for three or four months now especially down Second St. Mark stated they are still working on Second & Liberty. Mr. Difilippo asked if there is any way to get that straightened up so people aren't busting up their cars and stuff. Mr. Leer stated there were issues with the project and while they were resolving the issues the contractor had to move his crew around to keep them working. Mr. Difilippo stated he hasn't been down on Second St. for a month. Mr. Leer stated keep in mind for future projects but you'll pay for it is to have temporary paving filled in and then when they come in for final restoration they take that temporary out and put the final pavement in.

SOLICITOR'S REPORT – MR. MELENYZER & MR. AGRAFIOTIS

Mr. Melenyzer was looking over PAWC agreement and asked Mr. Leer to clarify what the California Borough Sewer of Lots means in the agreement. Mr. Leer stated he's not sure but will get that clarified.

FIRST ENERGY RIGHT OF WAY

Mr. Agrafiotis stated the agreement proposed by First Energy for a cost of \$1,000.00 is to give us two easements, a utility easement and use of their right of way to access the sewage treatment plant. He recommends accepting the first energy easement for a cost of \$1,000.00

Motion by Mariscotti/Gutosky to enter into a right of way agreement with First Energy at a cost of \$1,000.00 duly carried on a roll call vote with all members present voting yes.

AUTHORIZE CONDEMNATION PROCESS FOR 694 HIGH ST.

Motion by Difilippo/Mariscotti to authorize the process of condemnation for 694 High Street duly carried on a roll call vote with all members present voting yes.

RESOLUTION 14-003

Mr. Agrafiotis stated this was put together today because we are involved in litigation with Ms. Vitale and we have a hearing tomorrow to issue a written seizure which is kind of like the case will not be concluded but we're asking for possession typically when it comes to the bond the court will give the property while it is still under contention of whose property it actually is but in lieu of the bond we're asking that the borough pledge its' tax revenue and that will show the court that we will pledge our entire tax base. Mr. Agrafiotis stated the tax base is strictly symbolic.

Motion by Mariscotti/Bittner to approve Resolution 14-003 duly carried on a roll call vote with all members present voting yes.

OUTSTANDING GRIEVANCES

Mr. Agrafiotis stated we have a couple of outstanding grievances from former officers Childs and Shultz, two of which deal with 4862 and 4863 are disputes over lost overtime. They along with the Union agreed to settle each for \$500.00. One motion would be to pay former Officer Shultz \$500.00 to resolve his pending overtime grievance.

Motion by Bittner/Mariscotti to pay former Officer Shultz \$500.00 to resolve his pending overtime grievance duly carried on a roll call vote with Mr. Bittner, Mr. Encapera, and Mr. Mariscotti, and Mr. Alfano voting yes and Mr. Difilippo and Mrs. Gutosky voting no.

Ms. Evans asked if it is \$500.00 gross or net. Mr. Agrafiotis stated it is his understanding that it is gross. Mr. Mariscotti stated former Officer Childs was here today and stated that John Bedillion told him to come down here and sign the release. Mr. Agrafiotis stated he just spoke to John Bedillion today and he knew hit had to come before council.

Mr. Agrafiotis stated the next one is for Officer Childs to pay the same amount to Officer Childs to resolve his overtime grievance contingent upon him signing a unilateral release releasing the borough of any further claims.

Motion by Mariscotti/Difilippo to pay former Officer Childs \$500.00 for his overtime grievance with the contingency that he signs a unilateral agreement to release the borough from any further claims duly carried on a roll call vote with all members present voting yes.

Mr. Agrafiotis stated originally Officer Childs wanted paid for 23 unused sick days and he came down to 20 days at \$30.00 per day so that would be \$600.00 and that would also be contingent upon him signing the same unilateral agreement as previously mentioned.

Motion by Bittner/Mariscotti to pay former Officer Childs \$600.00 for 20 unused sick days at \$30.00 per day contingent upon his signing a unilateral agreement releasing the borough from future claims duly carried on a roll call vote with all members present voting yes.

HEALTH CARE BENEFITS

Mr. Agrafiotis stated at last month's meeting council authorized two employees to be placed on the health insurance after 90 days from their hire date due to the Affordable Care Act of the Obama Care Law. He stated the Western Teamsters Employee Welfare fund which provides the insurance for all uniform, non-uniform, union and non-union employees is taking the position you don't have to do that but you can if you want to. They are taking the position that you can have a reasonable probationary period in front of the 90 day period for insurance but no longer than 10 months. If you want to put someone on shorter than the standard 180 day probationary period they will need a letter stating that. He stated that once you do it for one person you have to do it for everybody whether they are union or non-union. Mr. Alfano stated who says. Mr. Agrafiotis stated Mr. Bill Parry of the Teamsters fund. One thing that was discussed was doing a

memorandum of understanding with the union stating that we will do now for 90 days until there is clarification from Obama Care. Mr. Melenyzer stated he would bet that once you do it you will be locked in no matter what is signed because it has become past practice at that point. Mr. Melenyzer stated first of all they are saying they don't think they need to be added and secondly if you add the early then you do it for everybody. Mr. Mariscotti suggested waiting until we get clarification of the interpretation of the ACA. Mr. Melenyzer stated he thinks it is a problem but it is up to council on what they want to do but he doesn't feel with all the confusion about the law that we would get sanctioned for not adding them until after their 180 days. Mr. Agrafiotis stated so the memorandum of understanding with the union should state that if the ACA states that it is 90 days after a reasonable probationary period then we can go back to the 180 days probationary time for benefits but that won't affect the non-contractual employees. Ms. Funk stated according the Affordable Health Care Act everyone hired has to be given health care. Mr. Alfano stated they would get it after 180 days anyhow. Mr. Agrafiotis stated our insurance people are stating the ACA states you must offer insurance 90 days after a reasonable probationary period but not further than 10 months from date of hire. As long as the probationary period and 90 days is less than 10 months then we're okay. Mr. Alfano asked council what they want to do. Mr. Difilippo asked what the options are. Ms. Evans stated you already made the motions at a prior meeting so you either rescind those motions and make them wait the 180 days or let the motions stand. Mr. Difilippo stated so there is the borough manager and the female officer and we don't want to have to offer health care in 90 days in the future if we don't have to. Mr. Mariscotti stated he realizes that it is past practice to wait 180 days to give them insurance but question is way. Mr. Alfano stated he thinks it is a bunch of crap that they can't pay for their own insurance. Mrs. Gutosky stated during his interview this was discussed and we did not pay him the amount he was asking for because we told him we would give him health insurance in March. He may not have taken the position otherwise. Mr. Mariscotti stated with Mr. Buchanan put aside he understands the 180 probationary period but he doesn't understand the 180 day probationary period on the health insurance. Mr. Encapera stated isn't that something to do with the insurance company. Mr. Bittner stated we had tried in the past to put on a non-contractual employee 15 days early and insurance carrier refused and made him wait. Mr. Bittner stated we called the insurance company and said we are paying the bill and we want to get him added and they still refused. Mr. Encapera asked if we could amend the motion to state this is the only time this will happen. Mr. Agrafiotis stated they told him if we do it now then we have to continue doing it in the future. Mr. Alfano asked then why are they letting us do it now. Mr. Agrafiotis stated because of the ACA and their not clearly stated. Mr. Alfano stated we have trouble hiring top notch employee and top notch police officers how are you going to attract good employees without giving them health care. Mr. Difilippo stated let's just leave it as it is. Mr. Agrafiotis stated the insurance carrier is not going to put them on unless they receive a letter from council. Mr. Melenyzer asked if the police officer is also getting insurance before her 180 days expire and Mr. Alfano stated yes.

Motion by Difilippo/Mariscotti to authorize the Solicitor to prepare a memorandum of understanding with the uniform and non-uniform unions concerning this health care issue duly carried on a roll call vote with all members present voting yes.

BOROUGH MANAGER'S REPORT – MR. BUCHANAN

THE BIG EVENT

Mr. Buchanan stated the Big Event is coming up and there are over 400 students involved and our primary focus for one of the big projects which is going to involve over 200 people down at Pike Run. We've been working with Mr. Taday to go down and take a look and see what the different things that can be done are as well as having the crew come in. None of the students will be involved with equipment and things like chain saws or anything like that they will just be doing clearing.

SAFETY COMMITTEE

Mr. Buchanan stated the Safety Committee meetings have been going very well and we are in the process of doing a safety policy for the employees which is also required by law.

DEPARTMENT HEAD MEETINGS

Mr. Buchanan stated that Department Head meetings have been going great and everyone has their processes for the finances in extremely well.

BOROUGH POLICE APPLICATION

Mr. Buchanan stated Chief Encapera and himself have been working on the borough police app. And they've attended a webinar and done some investigation and downloaded some samples that they reviewed and found one that is Apparest at Apparest.com and were able to negotiate a 25% discount as well but it has everything that they were looking for and more. There is an active 911 button a gps, community calendar and everything else.

FLOODPLAIN ADMINISTRATORS GUIDANCE TOOLS

Mr. Buchanan stated that the Floodplain Administrators Best Practices Guidance Tool for meeting Day to Day Challenges is having their local government training which we've been asked to look into and he'd like a motion to send Mr. Tудay, Ms. Clancy, and Mr. Kratzer, it is a one day course and the class is \$25.00 per person which includes tuition, materials, and lunch, they would use the borough vehicle and receive their regular pay and not be authorized any overtime. Mr. Alfano asked what the date of this is. Mr. Buchanan stated it is tomorrow in Uniontown. Mr. Buchanan it is for public officials who are providing work in flood plains like we are and it provides all the information needed for zoning ordinance and street commissioners. Mr. Alfano asked if anyone wants to make a motion.

Motion by Mariscotti/Difilippo to send Mr. Tудay, Ms. Clancy, and Mr. Kratzer to the floodplain administrators class which is a one day course and the class is \$25.00 per person which includes tuition, materials, and lunch, they would use the borough vehicle and receive their regular pay and not be authorized any overtime duly carried on a roll call vote with all members present voting yes.

E-GOV GROUP

Mr. Buchanan stated he has been working with Allan Kugler at councilman Bittner's request and they are from the e-gov group that he met through the Mid Mon Valley Regional Cooperative and the project that he asked me to look into is the E-gov which is a program that eliminates all of this paper and so after several phone calls, some conference calls and things they would like the opportunity to come on May 8th and create for us at no cost to us a share point that all the materials for next month would be uploaded to and be viewed. They would come in earlier in the day to set up the equipment so everything would be ready to go then at 6:00 pm we would have a half hour training session with the borough council and at 6:30 at the meeting with the E-gov people here and the share point up you would all be able to sit down with a sample tablet or ipad and take a crack at running the entire meeting without any physical paper. Everything would be able to be viewed in advanced and you'd be able to pull up everything in front of you. So if that is something you'd been interested in doing he's already made the complete arrangements. They would sending a team of three people here from Erie also t no cost to the borough. Mr. Alfano asked if we need to authorize this. Mr. Buchanan stated if you would please because he has to send a letter to them requesting them because they will be spending money at the state level to send them here for the day. There is absolutely no cost to the borough either for the share point or for them to come down and work with us to launch this.

Motion by Bittner/Mariscotti to authorize Tim to set up the E-gov experiment on May 8th at 6:00 pm at no cost to the borough duly carried with all members present stating aye.

Mr. Buchanan stated all of your emails will be entered into the shared point over the course of the month and then when he, Shirley, or anyone else adds an agenda item you will automatically be notified by email and you will be then be able to go directly to the share point and view those documents. Mr. Melenyzer asked how will you keep track of all the documents in the future. Mr. Buchanan stated when they are here and after they do the demonstration we expressed interest in Document E-gov has a document administrative management service where you are loading things in then you are able to track them view them or search them based upon different criteria. Mr. Melenyzer stated there has to be a cost to that. Mr. Alfano stated we talked about the fact where all these things will be plugged in and be downloaded by one person and then be distributed to all these tablets and then we grab a tablet and come into the meeting. Mr. Buchannan stated the other thing for example might have something he is going to talk about he will be able to tap on the screen and it will be able to project whatever that map or document was and anyone at the tale will be able to do that.

SEWER PLANT CAMERA

Mr. Buchanan stated this was brought to his attention by Doug Baker that we have been asked to do a lot of camera work during this sewer project t however the camera we have is dysfunctional Mr. Alfano asked how long it has been broke. Mr. Baker stated about 3 weeks. Mr. Buchanan stated that is the one they had to lug the television around with it. Mr. Buchanan stated they've gone out did some investigations and checked into Costars and got a couple of different quotes and has identified a piece of equipment that wasn't the least expensive or the most expensive, however it is the one that they are interested in. Mr. Baker stated there were a couple of issues requiring a push camera which is it is much smaller and can travel through more easily and it has a locater so when they have the camera in a sewer line it will locate where the camera is and they'll know where to dig at. This particular camera has an Ipad with it which attaches right to the camera which is videoed and downloaded to the Ipad allows them to bring the Ipad to a meeting to show council any issues they may have. The old camera they had was \$6,000.00 and lasted about 20 years. Mr. Buchanan stated the one they have identified is \$7,495.00 and he would like some discussion from council on what he needs to do next. Mr. Alfano stated the resolution should be much better too. Ms. Evans asked if this is the camera they take to other communities to assist them. Mr. Baker stated not really that is the track camera but this one is from smaller lines, laterals. Mr. Melenyzer stated that is something other communities may need to use. Mr. Mariscotti asked what account would this be paid out of. Mr. Baker stated we have a minor equipment budget that would cover it.

Motion by Mariscotti/Difilippo to purchase the camera at a cost of \$7,495.00 and pay it out of the minor equipment account duly carried on a roll call vote with all members present voting yes.

Mr. Buchanan stated he would like to compliment the sewer department and the street department for collaborating on any number of projects over the last month and have saved us significant amounts of money and tremendous headaches. He also thanked Mrs. Gutosky and Ms. Evans the process of bringing all of this organization of our accounts has required significant extra effort particularly from Ms. Evan's part. Mr. Buchanan stated we are currently renegotiating some of our monthly expenses and look to save about \$32,000.00 a year.

OLD BUSINESS

Mr. Bittner stated last month we discussed the parking issues down at the Legion and we thought we had a solution but after some consideration from Chief Encapera we don't think that 30 minute parking will work so we're going to keep thinking about it to hopefully come up with some other solution. Mr. Encapera stated there needs to be designated places for people to park and that is not the case down there.

NEW BUSINESS

Mr. Alfano stated they had a pre bid meeting for the demolition of the Nautilus building today and he wants to give a quick rundown. He stated they have anticipated a start date for the asbestos removal and that will take place after May 5th and will be able to remediate only half of the asbestos due to the severity of the structure. So there will have to be some means to get water there perhaps from the fire department or some other source. The building will take three days to take down and it will be a weekend or a long weekend and it was even suggested to wait until Memorial Day to not affect the Doctor's office. All the students should be gone but that will need to be verified before any demolition starts. There will be a 45 day time frame to complete. There will be a pre bid meeting up at 10: 00 am on April 21st up at the site if anyone is interested. We need to hire Miller Pipe Tech to camera the lines under the Nautilus building because there is questions concerning other building tied into that line. Mr. Mariscotti stated can we do it with the new camera we just bought. Mr. Buchanan is to check on how long it would take to receive the camera once he orders it. Mr. Leer stated that is certainly a viable option. Mr. Mariscotti stated can we make the motion and make it contingent on whether or not we can perform it in house. Mr. Alfano stated that they are anticipating a bid opening day of April 25th.

Motion by Mariscotti/Bittner to authorize the Borough Engineer to hire Miller Pipe Tech to camera the lines under the Nautilus building at a cost not to exceed \$1,000.00 contingent on our new camera being delivered and capable to do it duly carried on a roll call vote with all members present voting yes.

CALIFORNIA VOLUNTEER FIRE DEPARTMENT

Mr. Alfano stated he received a letter late this afternoon from our local volunteer fire company and it states that they are in need of purchasing a new pumper truck and it could cost anywhere from \$ 500,000.00 to \$700,000.00 and are asking several local organization and borough council to contribute to the down payment costs to help them get favorable financing so that will be about \$100,000.00. So he would like council to think about it and decide where we might get the money from.

NAUTILUS BUILDING SURVEY

Mr. Melenyzer asked if a survey has been redone showing how much the neighboring properties are encroaching. Mr. Agrafiotis stated we have the survey and a follow up email. Mr. Melenyzer stated you have to notify Veto and you're going to need to show him if he is encroaching by 6 inches, 8 inches or a foot and where you are heading is depending on the size of that you will have to consider deeding him that amount but you need a survey. Mr. Mariscotti stated when they met with Kerry Fox last week he mentioned doing a long term easement and not deeding it over to them. Mr. Tудay stated that the contractor will be responsible for replacing that adjoining wall. Mr. Leer stated whatever that encroachment is does the borough want to deed it over. Mr. Alfano stated no we just want to notify him that there is an encroachment and a specific legal description of the encroachment.

RECOGNITION OF CITIZENS

JAMES MADDIEX

Mr. Maddiex stated there on the fire truck you can use community development block grants for fire truck and if his chronological order is right one for streets, the next one Rotary Park and the next year would be free so that would be for 2015 and you could designate those funds for a fire truck. Mr. Bittner stated if we use the community development block grant then they would have to put it out for bid and take the lowest bid and there are things that need to be on the truck and certain equipment that sometimes the lowest bid wouldn't be the best for the fire department. Mr. Maddiex stated the drilling for the Marcellus some years back a coal company wanted to mine the daisytown area and some residents didn't want it so it was turned down. He thinks in our zoning ordinance that gas is covered but would be a special exception and he thinks he is correct in saying that.

MR. TURTURICE

Mr. Turturice stated his mother had a sewer problem which is now his sewer problem and it started back in November. His mother use to rent out the other half of her house and he spoke to several council members and attended a couple of meetings. He spoke to Mr. Difilippo in length and also Mr. Mariscotti recently and he's talked to Mr. Buchanan. This has been going on for a long time. Originally he was told by Mr. Difilippo that council made the decision that if he turned the water off they would no longer receive a bill so she did that and she still got bills. She passed away a month ago and she is still getting bills. He was told at a committee meeting that he has to remove the meter from the ptt and he wouldn't have to pay the bill but the bills keep coming. Mr. Turturice stated he has talked to Mr. Buchanan at length at least three times, and by the way Mr. Buchanan has still not called him back and he's been waiting a long time to hear from here. He stated that he doesn't know what the ordinance says but he thinks it is unfair for someone to pay for service that they're not getting. Mr. Alfano stated he doesn't think you have to pay for the treatment of the sewage but you still have to pay the debt fee and line fee. Mr. Turturice and you're not using it. Mr. Alfano stated that he's not getting charged for the treatment of it but the line is still there. Mr. Turturice stated the point is I'm paying for a service that I'm not getting. Mr. Alfano stated he doesn't know exactly what Mr. Turturice was promised. Mr. Turturice stated he was told at the committee meeting that he would no longer be getting a bill but he is still getting a bill for \$22.00. Mr. Alfano asked who made that promise to him. Mr. Turturice stated several people in this room. Mr. Alfano stated was it by motion. Mr. Melenyzer stated when they borrowed money for the new sewer plant they had to divide it up by how many houses are billed for sewage and that is how they came up with the payments to repay the loan. Mr. Turturice stated thank you at least now I have answer.

FISHING FESTIVALS

A University student came to the microphone to announce the Fishing Festival next weekend and confirmed that the dumpster and port a johns would be there a couple days prior. Mr. Buchanan and Mr. Alfano confirmed that they will be. He asked for possible extra police patrols from 8:00

to 3:00 pm. Chief Encapera stated he will instruct his officer to patrol through there. The Cal-U gentleman asked for specific controls. Mr. Bittner stated he has no problem with one officer sitting in the car at on Third Street at the intersection of Highpoint Rd. and Third St. and having flares set up and another one at the festival walking and having a presence. He thinks it is very reasonable. Council agreed with him. Mr. Mariscotti stated let's do two extra that days for the festival and Curtis will be the regular duty officer.

MR. TUDAY

Mr. Taday stated that he and Tim went to the outreach for Penndot today and they said they are going to release July 1st for 88 to paved from red light by the fire hall to Finleyville, but the red light to Malden is a separate project. Mr. Alfano stated so we have to find out what Columbia Gas, PAWC, and the Electric company are planning on doing so if they are coming down through there it is prior to paving Penndot paving it. Mr. Bittner stated he believes there is something in writing that once you notify everyone that you are paving a road and they come in in a five year period after you pave it then they have to repave it curb to curb. Mr. Bittner stated we need to check into that and make sure for when we pave our streets that if we have all our ducks in a row that that rule applies to our roads.

ADJOURNMENT

Mr. Alfano adjourned the meeting at 9:30