

Regular Meeting of California Borough Council, August, 2016

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

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

ABSENCE: Mr. Encapera & Mr. Mariscotti

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mrs. Gutosky added the Solicitor's bill in the amount of \$3,328.50 broke down as zoning - \$385.00, General fund - \$1,857.50, Sewer fund - \$1,086.00

Mr. Bittner – hire part time officer

President Alfano stated the agenda stands as printed and amended.

PUBLIC COMMENT

KALA KUVINKA

Ms. Kuvinka introduced herself and her mother Terri and stated they have resided on the corner of Fourth and Ash Streets for 26 years and have never had a problem with off street parking until recently when they received a notice on their cars that there will be no parking on Fourth Street from 3:00 am to 7:00 am, seven days a week. She stated they do not have a driveway and recently obtained a quote to install a driveway and it costs \$10,000.00, however water lays on the borough road right where the driveway would go in a pool about 6' long and deep and it last for about 2 or 3 days before it dries up so the borough would need to fix that before we could put in our driveway. My mom is a widow and can't really afford the cost of this driveway. Mr. Alfano stated he believes council is aware of this and Mr. Bittner will address this later on in the meeting and thanked her for bringing it to council's attention.

MINUTES – REGULAR MEETING JULY 14, 2016

Mr. Alfano asked for a motion to approve the minutes

Motion by Difilippo/Gutosky to approve the minutes of the regular meeting of July 14, 2016 carried with all members present stating aye.

SECRETARY/ TREASURER'S REPORT – MS. EVANS

Ms. Evans read the accounts payable to date and the account balances as of June 30, 2016

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

PRESIDENT'S REPORT – MR. ALFANO

REPORT ON EXECUTIVE SESSION

Mr. Alfano stated the executive session on August 4th and prior to this meeting on personnel and litigation issues.

BOND COUNSEL

Mr. Alfano stated we met with Wayne Gerhold, our former bond counsel, at the agenda setting meeting and may have potential to refinance the bond monies and get some proceeds from it. We've had conflicting stories as to the amounts so he would entertain a motion from counsel to officially hire Wayne Gerhold as our bond counsel on this possible refinancing of our bonds and is typically paid through the company that does the refinance and doesn't usually cost the borough.

Motion by Difilippo/Bittner to hire Wayne Gerhold as their bond counsel duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated we will have both refinancing companies come in and do presentations on the refinancing of our bonds on Sept. 1, 2016 at 5:30 pm.

PUBLIC HEARING – COMPREHENSIVE PLAN

Mr. Alfano stated we need a motion to advertise for a public hearing for the Comprehensive plan and would like it to be Sept. 8 at 5:30 prior to our regular monthly council meeting.

Motion by Difilippo/Gutosky to advertise the public hearing for the comprehensive plan duly carried on a roll call vote with all members present voting yes.

MACKING ENGINEERING INVOICE - #43724

Mr. Alfano stated he has an invoice from Mackin Engineering in the amount of \$308.61 for work on the Comprehensive plan and zoning ordinance update.

Motion by Bittner/Difilippo to pay Mackin Engineering's invoice #43724 in the amount of \$308.61 duly carried on a roll call vote with all members present voting yes.

SHELTER BOX

Mr. Alfano stated he received a request form Beth Baxter as a representative of the Rotary to have a display at the corner of Wood and Third Street on September 16th and 17th to make people aware of Shelter boxes. These are emergency temporary shelters for disaster victims and wanted to display it for informational purposes for the public. They will provide a certificate of insurance to the borough while the box is there.

Motion by Glab/Gutosky to permit the Rotary to place a Shelter box on the Borough's property located on the corner of Wood and Third Street providing they provide a certificate of liability listing the borough as an additional insured carried with all members present stating aye.

INFORMATIONAL REMARKS

RIVERFEST

Mr. Alfano stated the Riverfest is coming up on the 27th and 28th of this month. It has grown by leaps and bounds with 38 vendors scheduled to be there. Musical acts lined up for both days, activities for the kids, and a huge fireworks display on Sunday at dusk.

MEETING

Mr. Alfano reminded council that there will be a meeting tomorrow with Tracy Elza, FNB Bank, here at the borough building at 2:00 pm to discuss our sewer fund currently at PNC Bank and if FNB has any offers for us.

BOROUGH ADMINISTRATOR REPORT – DR. RICHARD MARTIN

STORM WATER LINE REPAIR

Dr. Martin stated we have a storm water line collapse down on Union Street near the wharf and was a significant break and involved two 20' sections of 24" line and it was down 13' and was necessary to engage an outside contractor to effect the excavation. Our street department and sewer department employees have been working diligently to address the problem. The line has been replaced and the backfilling took place today. Since this was an unbudgeted expense that involved the storm sewer he will need direction from council when the bills start to come in as to how they want to handle the financing on this.

SIGNAGE AT THE MUNICIPAL BUILDING

Dr. Martin stated the Architect Ken Kulak was in today to review some signage needs. He also reported to him that the contractor's plumber reports that the sewer line in the police locker room has been installed correctly according to their plumber. We dispute that statement. Mr. Kulak suggested that we engage our own plumber to come in and look at it, assess it, and offer us a second opinion. The best solution the contractor has given us at this point is to dump a bucket of water in there once a week. Mr. Alfano stated we need to get someone with a camera service to camera those lines and get an impartial review of what is actually going on there. It may cost us a

\$100.00 - \$200.00 but that would be the way to go. Dr. Martin stated that is his recommendation to council is to have this done and go from there. Mr. Alfano stated the cost is insignificant so get it done.

BOROUGH PROPERITES AND DEEDS

Mr. Newcomer continues to research the title to Wyatt Park and several other properties around the borough for which we do not seem to have a clear and unsettled title. Our records quite frankly are incomplete and he is establishing the facts of ownership so the proper deeds can be recorded. He will draft the proper documents and file them as he secures the necessary pieces of information to make a complete chain of ownership.

RESOLUTION TO DESTROY DOCUMENTS

Dr. Martin stated in accordance with the Municipal Records handbook he is seeking a resolution authorizing the destruction of a dozen or so boxes of old police reports from 1982 to 2002 and several more boxes of old sewage receipts from 2003 to 2010 that are presently moldering in the basement of this building and we'd like to get rid of them. Chief has gone through the old police records and Shirley and I have discussed the sewage receipts. There is a company that will shred them for us at .11 a pound which is a bargain and it is called Document Destruction of Greensburg. He is recommending authorizing a resolution to destroy those old records in accordance with the Municipal Records Handbook. Mr. Alfano asked an approximate weight of those boxes so we can do a not to exceed box. Mr. Tудay stated he doesn't have a clue. Mr. Alfano stated those boxes probably weigh.. . Mr. Tудay stated 1 ton is 2000 lbs. and 2000 lbs. times .11 cents would be approximately \$120.00. Mr. Martin stated even if the cost is insignificant he is instructed by the Municipal Records handbook that this has to be done by Resolution. Mrs. Gutosky asked if this will be a truck that will come into town. Dr. Martin stated Mr. Tудay and his crew will load them onto a truck and take them to that company for destruction. Mr. Alfano stated that is why it's so cheap. Mr. Tудay stated they will come here for an additional charge. Mrs. Gutosky stated at one time we considered to have a truck come and open it up to the public. Ms. Evans stated that motion was passed just prior to Mr. Buchanan leaving. Mrs. Gutosky stated she thinks that would be a good thing to have them come here and open it up to the residents. Mr. Bittner asked if they provide a certificate that records were actually destroyed. Mr. Tудay stated he's sure, yes because they do Doctor's offices and other boroughs who I've talked to but Dr. Martin can call and verify that but they are not a fly by night company. Ms. Evans asked Mr. Agrafiotis if we can do that since technically records are not to leave borough property. Dr. Martin stated if they are on our truck under the supervision of our employees then he thinks we're alright.

Motion by Difilippo/Gutosky to instruct the Solicitor to draw up a resolution to authorize the destruction of the named documents duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated Mr. Bittner brought it to his attention that we did not assign a dollar value to the shredding of documents motion.

Motion by Bittner/ Motion to instruct the Solicitor to draw up a resolution to authorize the destruction of the named documents at a cost not to exceed \$500.00 duly carried on a roll call vote with all members present voting yes.

BUDGETARY TRANSFERS

Dr. Martin stated as discussed in the committee meeting he is proposing the following budgetary transfers. He's asking for a motion to transfer \$1,000.00 from account 414.460 and \$2,000.00 from account 405.119 to account 414.123. This is as we discussed in the agenda meeting.

Motion by Bittner/Difilippo to transfer \$1,000.00 from account 414.460 and \$2,000.00 from account 405.119 to account 414.123 duly carried on a roll call vote with all members voting yes.

CHAMPION ENERGY

Dr. Martin stated to council you will find at your stations two documents that look like this and he held up two documents. Marla Cipko of Keytex, our energy consultant, has completed a yearlong review of our sewage and pump station and electricity use. These facilities are not presently covered under any long time contract that we have because they had to study the usage over a year in order to negotiate a contract. Our current contract with Champion for street

lighting and all of our other consumption the rate is 5929. Marla is requesting two things; the first that we execute what is called a bridge contract with Champion that would take us from now to the end of our major contract, she can negotiate a rate for us of 5597 for that bridge period between now and November of 2017 and this is the first motion is requesting; the second motion is recommending that since the markets are at a historic low in the present contract that we adopt a 30 month extension of our existing contract with Champion starting in November 2017 for all of our needs. If the bridge contract will expire at the same time as our major contract we can extend that contract at a rate of 525 which would represent a considerable savings to the borough based on our estimated usage. He is therefore asking for motion to approve the budget contract with Champion as per the recommendation of Keytex to establish a bridge contract as described for the period between Sept. 15, 2016 through Nov. 1017. Mr. Alfano stated this has to be done tomorrow because the rates change daily. Dr. Martin stated she has sent him sample contracts if Mr. Agrafiotis wants to review them during the meeting, but the numbers on there were today's numbers and they may not be tomorrow's numbers. He stated this is the best deal she is able to get us at this time and she thinks this is the time to extend because the rates are very favorable as you can see on these sheets. We're paying up over 7 at the sewer plant now and she's taking us down to 5 and that is significant.

Motion by Bittner/Difilippo to approve the bridge contract from Sept. 2016 to November 2017 to be included in the current energy contract per recommendation of Keytex duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Glab to approve a (30) thirty month extension of our contract with Champion for all of the borough's electricity needs which will begin after the current expiration in November 2017 duly carried on a roll call vote with all members present voting yes.

LSA PROJECT – TECHNOLOGY DRIVE

Dr. Martin stated he had an unexpected walk in meeting the other day with Robert Griffin of the Washington County Redevelopment Authority and he delivered two documents that he requested be approved and signed. Dr. Martin stated all it is an authorization for the President of Council to sign the cooperative agreements between the Borough and the County Redevelopment Authority so that they can actually begin the work up on Technology Drive. Dr. Martin stated Mr. Griffin stated the project can commence within a month once these two cooperative agreements are finalized. There are two motions needed the first authorizing the President of Council to sign the 2014 LSA money Cooperative Agreement and another motion to authorize the President to sign the 2016 LSA Cooperative agreement. Mr. Alfano asked the Solicitor if he's reviewed these. The solicitor responded that he hasn't seen them yet. Mr. Alfano asked if we can postpone this until later in the meeting once the solicitor reviews them.

Under the Solicitor's report he stated he did review both of these agreements and he can't say he's crazy about it because we have all the responsibility and none of the say but if we want the road fixed we don't have any negotiating power. They are identical except for the funding amounts. He stated if council wishes to approve them tonight that is up to them but time is of the essence.

Motion by Difilippo/Bittner to authorize the President of council to sign the 2014 LSA money cooperative agreement for the Technology Drive project duly carried on a roll call vote with all members present voting yes except Mr. Glab who voted no.

Motion by Bittner/Difilippo to authorize the President of council to sign the 2016 LSA money cooperative agreement for the Technology Drive project carried on a roll call vote with all members present voting yes except Mr. Glab who voted no.

PUBLIC HOUSING – MR. GLAB

WASHINGTON COUNTY PLANNING COMMISSION REQUEST

Mr. Glab stated he received correspondence shortly before the July meeting from the Washington County Planning Commission and they listed some corrections and comments, and suggestions, and recommendations. Mr. Glab stated the only ones that he sees council needs to contend with is they requested that a portion that is adjacent to the Highpoint Restaurant which is a hillside be considered a wooded area because the slope is greater than 40% and the slope is so severe that it cannot be developed. Mr. Glab stated he thinks it is a moot point but they are

requesting that we do that. He therefore suggests that council accepts the recommendation of the Washington County Planning Commission and as long as the Borough's planning commission reviews and agrees to that as well. Mr. Alfano stated we have to pretty much comply because their zoning supersedes ours.

Motion by Glab/Bittner that council accepts the recommendation of the Washington County Planning Commission and as long as the Borough's planning commission reviews and agrees to that as well duly carried on a roll call vote with all members present voting yes.

STREET DEPT. – MR. MARISCOTTI

STREET DEPARTMENT UPDATE

Mr. Taday stated they have been doing a lot of base repair and fixing sink holes. Mr. Alfano stated sometime soon we should be seeing the seal coat buggy. Mr. Taday stated the second week of September for the crack seal.

PUBLIC SAFETY – MR. BITTNER

CIVIL SERVICE COMMISSION MEMBER

Motion by Bittner/ Difilippo to appoint Tram Folmer to the Civil Service Commission as a regular member duly carried with all members present voting yes.

Mr. Bittner stated we still need 2 alternates and 2 regular members yet. A council member can serve as a member.

CIVIL SERVICE UPDATE

Stated it is in the works and we should have the final document by the next meeting.

PARKING BAN FROM 3:00 AM TO 7:00 AM

Mr. Bittner stated the parking ban is not supposed to be in effect on Fourth Street, the Ordinance called for it to be on Second St. and a portion of Green Street so those signs will be removed and the parking ban will not be an issue on Fourth Street. Mrs. Kuvinka thanked him. Mr. Bittner stated it was discussed at committee meeting that we wanted to review some hardships to residents on Second Street.

Motion by Bittner/Glab to do away with parking ban on Green Street between 3:00 am and 7:00 am from Third to Second Street and have the Solicitor amend the ordinance to that effect duly carried on a roll call vote with all members present voting yes.

HIRE PART TIME OFFICER – JOHNATHAN MILLER

Motion by Bittner/Glab to hire Johnathan Miller as a part time police officer pending background check and a physical according to the collective bargaining unit duly carried on a roll call vote with all members present voting yes.

FINANCE – MRS. GUTOSKY

Motion by Gutosky/Difilippo to pay the monthly bills and including the solicitor bills duly carried on a roll call vote with all members present voting yes.

PUBLIC HEALTH – MR. DIFILIPPO

WIDMER ENGINEERING INVOICE - #21607252 (A-F)

Mr. Difilippo stated he has Widmer Engineering bills totaling \$ 5,835.00. Mr. Difilippo read the breakdown of this invoice.

Motion by Difilippo/Glab to approve payment of Widmer Invoice #21607252 (A-F) in the amount of \$5,835.00 duly carried on a roll call vote with all members present voting yes.

PUMP FOR DIGESTER

Mr. Difilippo stated he'd like us to purchase a pump for the digester system at the sewer plant and right now they are using a pump that can't drain it entirely and they are having to double pump it. He stated there are two options; the first is for used at \$6,556.00, or new equipment \$7,584.000 plus \$910.00 for control box plus. Mr. Difilippo asked if there is an installation

charge. Mr. Eby stated we can install it. Mr. Difilippo stated Mr. Eby stated we could rent the new equipment for one month for \$1,377.00 and if we like it and want to purchase it that first month rental will come off of the purchase price. Mr. Eby stated that price is \$1,677.00. Delivery charge is \$125.00 and pick up charge is \$125.00. Mrs. Gutosky asked if there is a warranty. Mr. Eby stated there is a one year warranty. Mr. Glab asked how often Doug has to do this. Mr. Baker stated about once a week.

Motion by Difilippo/Bittner to rental a new pump for the digester at a cost of \$1,677.00 which if the engineer and sewer supervisor like the pump they can purchase it at a cost of \$8,494.00 minus the first months' rent duly carried on a roll call vote with all members present voting yes.

DOUG BAKER – TRAINING

Mr. Difilippo stated Doug wants to go to the Treatment plant maintenance training on Sept. 22nd. It is 4 hrs. long and begins at 8:00 am and the cost is \$100.00 Mr. Baker stated that is part of his credits for his license.

Motion by Difilippo/Glab to permit Doug Baker to attend the treatment plant maintenance training on Sept. 22nd at a cost of \$100.00 duly carried on a roll call vote with all members present voting yes.

UV BULBS

Mr. Baker stated he was asked by Dr. Martin to research the UV bulbs and he's not sure if everyone received the memo about the price of the bulbs and right now he's gotten the price down to \$110.00 and he wants to order a couple, the tank holds 96 bulbs, and make sure they fit and they work and if they do he will order the rest.

PERSONNEL – MR. MARISCOTTI AND MR. ENCAPERA

Nothing to report

MAYOR'S REPORT- MR. WELD

Mr. Weld had left the meeting

ENGINEER'S REPORT – MR. EBY

SEWER PLANT UPDATE

Mr. Eby stated the electrician came back today and finished up the alarm that was purchased for the sludge pump pit so everything is good there. The flow meter that was ordered last month for the effluent sampler came in yesterday and is scheduled to be installed next week and then we will hook up the flow sampler to that. The sludge flowmeter is not working so we're going to send it back and see what is exactly wrong with it. He will report to council the cost to repair and it and the cost to replace it.

KNOB ROAD BORE

Mr. Eby stated the Knob Road bore paperwork has been submitted to Penndot and he's just waiting on the permit. He has a contractor lined up already to do the bore a week from tomorrow. He talked to Doug Baker about a hiring a contractor to actually dig up and do the connected on the main sewer line and he feels that he and Ron can do that. Mr. Eby stated we will coordinate the bore contractor with Doug and Ron and get the bore and the connection done and then the homeowner can get their contractor to take it from there.

SEWER MODULE FOR COOVER HALL

Mr. Eby asked council for a motion to authorize the President of council to sign the sewer module for the renovations at Coover Hall. Mr. Eby stated we have that other issue that still needs addressed but this needs to get done. Mr. Agrafiotis stated we can set up a time to meet with them.

Motion by Difilippo/Gutosky to authorize the Council President to sign the sewer module for the Coover Hall renovations duly carried with all members present voting yes.

LSA APPLICATION

Mr. Eby stated the LSA application deadline is coming up on October 5th and he'll need direction from council as to how much to request.

KNOW ROAD BORE

Mr. Eby stated we need a motion to hire Odyssey Contracting to do the bore in Knob Road.

Motion by Glab/Difilippo to hire Odyssey Contracting to do the bore on Knob Road at a cost of \$3,500.00 duly carried on a roll call vote with all members present voting yes.

COAL CENTER PUMP STATION

Mr. Eby stated he has submitted a drawing to Phil and Doug to review the pump station design and if any wants a copy let him know and he will get that to them.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

EXECUTIVE SESSION

Mr. Agrafiotis stated he'd like an executive session following this meeting to discuss status updates threatened litigation and possible litigation.

ZONING ORDINANCE– MACKIN ENGINEERING

Mr. Agrafiotis stated he has met up with Brandi of Mackin Engineering but he would like to meet up with her to discuss oil and gas well uses and telecommunication uses in the new zoning ordinance that Mackin is working on.

LIGNELLI – APPRAISAL (potential Hayes property)

Mr. Agrafiotis stated he spoke to Mr. Lignelli today and twisted his arm to do the appraisal of the potential Hayes property for \$500.00.

Motion by Bittner/Difilippo to authorize Rick Lignelli to do the appraisal on the potential Hayes property at a cost not to exceed \$500.00 duly carried on a roll call vote with all members present voting yes.

MMO WITH CALIFORNIA AREA SCHOOL DISTRICT

Mr. Agrafiotis stated the school board meets on the 18th and we discussed at the committee meeting the memorandum of understanding and he discussed with their attorney the couple things council had discussed so he would like a motion to authorizing him to send his proposed agreement to the School Districts solicitor prior to the meeting on the 18th and if they have any objections that council permits him to modify the agreement, if he is in agreement, prior to the Sept. 18th meeting.

Motion by Difilippo/Bittner to approve the Memorandum of Understanding with the California Area School district contingent upon the Solicitor's approval duly carried on a roll call vote with all members present voting yes.

SCHOOL RESOURCE OFFICER CONTRACT

Mr. Agrafiotis stated he would like the same consideration on the SRO contract and there were a few minor changes requested by Mr. Bittner and Dr. Martin and so he'd like to send them the updated SRO contract with those modifications and see if they will be willing to sign it.

Motion by Difilippo/Bittner to authorize the Solicitor to submit the updated SRO contract to the School district attorney and approve it contingent upon the Solicitors review duly carried on a roll call vote with all members present voting yes.

POLICE TRAINING

OFFICER KURILKO

Mr. Bittner stated since this was under the Mayor's report and he left the meeting he would like a motion;

Motion by Bittner/Difilippo to authorize Officer Kurilko to attend a two day training on the Breathalyzer operation class at straight wages duly carried on a roll call vote with all members present voting yes.

OFFICER SHEEHAN

Motion by Bittner/Glab to authorize Sheehan to attend a one day training on Breathalyzer supervisor training at straight wages duly carried on a roll call vote with all members present voting yes.

OLD BUSINESS

No old business at this time

NEW BUSINESS

BUD GREBB BASKETBALL LEAGUE

Mr. Alfano stated he would to announce that there will be an All Star game take place this Saturday.

BARBERO SUBDIVISION

Mr. Agrafiotis stated he did talk to Attorney Mudrick today and we required last month that the Barbero subdivision needs an independent agreement between Barbero's and SAI and Mr. Mudrick stated that agreement is ready to go so at next month's meeting we should have that agreement and the subdivision will be ready for approval. Mr. Petro stated it was approved. Mr. Agrafiotis stated yes contingent upon this agreement being recorded.

RECOGNITION OF CITIZENS

JIM MADDIEX

Mr. Maddiex stated just as a reminder that the Planning Commission will meet August 30th at 6:00 pm here at the borough building and the meetings are open to the public. We are going over the zoning ordinance.

President Alfano stated that council will adjourn to an executive session and will report back out the next meeting. Meeting ended at 7:45 pm