

Regular Meeting of California Borough Council, December 10, 2015, 6:30 pm

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

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

ABSENCE:

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Agrafiotis added Ordinance approving Center West Joint Sewer Authority amendment and to also ratify the first one.

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

PUBLIC COMMENT

MINUTES

Motion by Gutosky/Difilippo to approve the minutes of the Regular Meeting of November 12, 2015 carried with all members present stating aye.

SECRETARY'S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances as of November, 2015.

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

PRESIDENTS'S REPORT – MR. ALFANO

MACKIN ENGINEERING INVOICE

Motion by Difilippo/Gutosky to pay Mackin Engineering's invoice #43229 in the amount of \$822.96 duly carried on a roll call vote with all members present voting yes.

SET & ADVERTISE 2016 MEETING DATES

Mr. Alfano asked council if the second Thursday's are still good days for meetings. Council agreed that the 2016 Meeting Dates will remain on the first and second Thursday's of each month.

Motion by Encapera/Difilippo to authorize the Secretary to advertise the 2016 Meeting dates duly carried on a roll call vote with all members present voting yes.

INVOICES FROM RALPH ANDERSON

Mr. Alfano stated we have a bill from Ralph Anderson for \$4,550.00 and a second invoice for \$780.00 for work that he did to repair the lighting on Wood Street and Third Streets.

Motion by Mariscotti/Difilippo to pay Ralph Andersons invoices totaling \$5,330.00 duly carried on a roll call vote with all members present voting yes except Mr. Bittner who voted no.

RECREATION AUTHORITY

Mr. Alfano stated at the recreation meeting this past week we received a letter from Jennifer Yeardie resigning from the Authority as of December 31, 2015 so we need to accept her resignation and appoint a new member.

Motion by Difilippo/Encapera to accept the resignation of Jennifer Yeardie from the Recreation Authority effective December 31, 2015 carried with all members present stating aye.

Mr. Alfano stated we can advertise for applicants but we have already received a letter of interest from Michelle Huba who is interested in serving on the Recreation Authority Board.

Motion by Mariscotti/Encapera to appoint Michele Huba to fill Jennifer Yeardie's term on the Recreation Authority Board duly carried on a roll call vote with all members present voting yes.

AUTHORIZE THE RECREATION AUTHORITY TO ADVERTISE 2016 MEETINGS

Mr. Alfano stated the Recreation Authority voted to move their meetings to the Second Tuesday of every month at 5:30 pm. So they will need to advertise those.

Motion by Glab/Gutosky to authorize the Recreation Authority to advertise their 2016 meeting schedule duly carried on a roll call vote with all members present voting yes.

CM SERVICE INVOICE

Mr. Alfano stated we have an invoice from CM Service it is invoice #15-099 in the amount of \$1,428.05.

Motion by Mariscotti/Difilippo to pay CM Services invoice #15-099 in the amount of \$1,428.05 duly carried on a roll call vote with all members present voting yes.

PHOTO CELLS

Mr. Alfano stated the Electrical Contractor who did the installation of the new lighting and they have resealed and re-secured every connection for every street lamp as far as he knows, they shrunk wrapped them and made them as waterproof as possible, they've checked all the lights for bad ballasts and replaced them, and they checked for bad bulbs and replaced those and they still had some lights that would not come on. Apparently there is a master photo cell on the borough building that controls this lighting and it is not working so we need to replace the photo cell. Mr. Taday stated the one at the borough building runs the street lights from Union to Liberty St. The one at the Kwik Fill runs the lights from Liberty Street around and down to Second Street. Mr. Alfano stated he got a call from Kerry Fox that stated that we need to replace a photo cell and it is going to cost us \$200.00. Mr. Taday stated then that must be the one at Kwik Fill.

Motion by Bittner/Difilippo to approve a cost of \$200.00 to Bright Light to have the photo cell replaced and the bill be paid upon receipt of the invoice duly carried on a roll call vote with all members present voting yes.

ARMSTRONG FEES

Mr. Alfano stated just to let everyone know we had a meeting a month or so ago with Armstrong who informed us of an FCC ruling that governs their franchise fees and their ability to collect from Municipal Entities who have been receiving complimentary services in the past. He stated we discussed this at the last meeting and there was a lot of confusion about this so Mr. Mariscotti and I met with Mike Burns and his Associate who takes care of the Franchises for governmental entities for Armstrong. Mr. Alfano stated they have arranged for a governmental services cost comparison and there are some options. The five entities we decided to keep on the complimentary services, and by that I mean the borough will pay the franchise fee, would be the Borough Building, School District, Public Library, Sewer and Street facility, and the Fire Company. So basically we can have these monthly fees subtracted from our quarterly franchise fees that we receive and there is an accounting cost to us to have that done and they have presented three options for the borough to consider as far as one, two, or three year contract and of course you get the biggest discount on the three year contract it is about a \$3,900.00 savings per year. It is roughly \$9,500.00 per year for these five locations for tv and internet. Mr. Bittner asked if Armstrong is going to work with the School District and the Library on that E-Grant plan. The Armstrong representative that was at the meeting stated if they are successful on getting the funding then they of course would be removed from these contracts. Mr. Alfano stated if they get those grants then their checks would come right to the borough. The Armstrong representative stated if you want it set up that way sure. Mr. Bittner asked how much the school district is. Mr. Alfano stated it is \$237.40 per month or \$2,848.80 per year and that is for zoom internet pro and tv's and their static IP addresses. The Armstrong representative stated he understands that the E-Grant programs no longer covers Tv's but only internet. Mr. Alfano asked who the borough doesn't have any static IP addresses. Mr. Bittner stated so in two years that amounts to the amount of money they graciously would not give us on tax relief on the building on the corner. Mr. Alfano stated as he's looking through the bills the Library and the Fire Dept. do not have a bundle package through Armstrong and he's not sure why but is hoping they will look into that. Mrs. Gutosky stated if we are paying it she doesn't see that they would have any motivation to apply. Mr. Mariscotti stated they are flying blind as of now and they may

know about it but have had no reason to go after it because it's been covered under our franchise agreement. Ms. Evans stated so can we do a year contract for the district and that gives them time to after that funding. Mr. Alfano stated yes we could do a one year contract for the school and a three year contract for the rest. Mr. Bittner stated the libraries are struggling enough. Mr. Mariscotti stated that someone need to notify he library that they could probably save money by bundling with Armstrong since their phones are through another carrier. Mr. Bittner stated we need to give the school district a one year notice and keep everyone else on a three year contract. Mr. Mariscotti asked Mr. Bittner what phone service the fire department has now and could they look into bundling it through Armstrong.

Motion by Bittner/Glab to enter in to a three year agreement with Armstrong for the Street/Sewer facility, the Municipal Bldg., the Fire Department, and the Library and the a one year agreement for the School District at a cost not to exceed \$9,800.00 and to include phone service, with no more than two lines for each, the Fire Dept. and the Library duly carried on a roll call vote with Mr. Alfano, Mr. Bittner, Mr. Glab, and Mr. Mariscotti voting yes and Mr. Difilippo, Mr. Encapera, and Mrs. Gutosky voting no.

Mr. Alfano asked if we could just pay for the whole year instead of paying monthly or having it deducted in the Franchise fees quarterly. The Armstrong representative stated he will check on that and get back to council. Mr. Bittner stated to clear up the confusion he meant one calendar year for the school district so it will be from Jan. 1, 2016 to Dec. 31, 2016.

BOROUGH ADMINISTRATOR – DR. MARTIN

Dr. Martin stated that he is asking for a motion to buy back sick days in excess of 120 maximum from three borough employees as indicated on the agenda.

Motion by Difilippo/Encapera to purchase back 15.25 sick days at \$35.00 per day from Doug Baker for a total of \$533.75 duly carried on a roll call vote with all members present voting yes.

Motion by Encapera/Difilippo to purchase back 9.75 sick days at \$35.00 per day for a total of \$341.25 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Encapera to purchase back 6 sick days at \$35.00 each for a total of \$210.00 duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky asked why Baker has a quarter day where does that quarter come from don't they take full days off. Ms. Evans stated in most cases it is a full day and we earn one and a quarter day each month worked.

CLEANING SERVICE

Dr. Martin stated he is asking for a motion to employee Service Master for Custodial services in the police department and the borough building at a cost of \$507.00 per month for the upcoming calendar year.

Motion by Difilippo/Gutosky to hire Service Master for Custodial Services in the police Department and Municipal Building at a cost of \$507.00 a month for the upcoming year duly carried on a roll call vote with all members present voting yes.

Mrs. Gutosky asked if they supply all of the supplies. Dr. Martin stated they will supply everything that use but will not include toilet paper, paper towels and things like that.

Dr. Martin stated the request that council made for him to contact the Department of Transportation and have the opening on Wood Street addressed he is pleased to report that has been handled and they patched that opening this morning.

PUBLIC HOUSING – MR. GLAB

ZONING/CODE ENFORCEMENT UPDATE

No update

ICC MEMBERSHIP

Motion by Glab/Bittner to renew the membership for the ICC for the zoning/code enforcement officer at a cost of \$135.00 for the year duly carried on a roll call vote with all members present voting yes.

ZONING HEARING BOARD MEMBER BUTCH KNIGHT

Motion by Glab/Bittner to renew the term of Butch Knight on the Zoning Hearing Board for a three year term expiring Jan. 2, 2019 duly carried on a roll call vote with all members present voting yes.

PLANNING COMMISSION MEMBER – MIKE SEARS

Motion by Glab/Bittner to reappoint Mike Sears to another four year term to the Planning Commission duly carried on a roll call vote with all members present voting yes.

Mr. Petro stated his term will expire Dec. 31st of 2019.

ADVERTISE PLANNING COMMISSION AND ZONING HEARING BOARD MEETINGS

Motion by Glab/Bittner to authorize the advertising the 2016 Meeting dates for the planning commission and the zoning hearing board duly carried on a roll call vote with all members present voting yes.

Mr. Petro stated the Zoning Hearing Board will be the third Thursday and the Planning commission will be the Tuesday preceding the agenda setting meeting.

NEVALA'S SUBDIVISION

Motion by Glab/Bittner to table the Nevala's subdivision until January carried on a roll call vote with all members present voting yes.

MCFANN CONDITIONAL USE AND SITE PLAN -825 SIXTH ST.

Mr. Glab stated on the McFann Conditional Use hearing this evening does anyone have any objections on approving this.

Motion by Glab/Bittner to approve Conditional Use for 825 Sixth Street, LLC at 825 sixth Street with the following conditions; 1. Approval as suggested by the Planning Commission to have Street opening permits obtained, and 2. To bring the project into compliance with the zoning ordinance which would require two additional taps one for each unit duly carried on a roll call vote with all members present voting yes except Mr. Alfano who abstained.

Motion by Glab/Bittner to approve the Site Plan for 825 Sixth Street, LLC project at 825 Sixth Street duly carried on a roll call vote with all members present voting yes except Mr. Alfano who abstained.

PUBLIC WORKS – MR. MARISCOTTI

STREET DEPT. UPDATE

Mr. Mariscotti stated ongoing operations in the street department consist of Christmas Decorations, installed GPS systems in the cars; they've been working on the camera systems at the borough building

Mr. Mariscotti stated we need a repair on the Street Sweeper that is going to cost \$2, 101.01 for a pulley.

VICTOR PAVING INVOICE

Mr. Mariscotti stated we have received Victor Paving's invoice and we need to approve the change order requested on the borough's behalf.

Mr. Leer stated contractually and he doesn't know if this is how it works with the Liquid Fuels paving projects or now but in corresponding with the Borough Administrator we had decided to prepare a change order because the original value of the contract has changed somewhat.

Motion by Mariscotti/Glab to approve Change Order #1 on the 2015 Street Project reflecting an increase of \$22,103.68 duly carried on a roll call vote with all members present voting yes.

Motion by Mariscotti/Glab to approve Victor Paving invoice in the amount of \$124,108.68 which incorporates the change order pending approval of Stephanie Whitlach duly carried on a roll call vote with all members present voting yes.

Ms. Evans stated once Vaughn emails her the tonnage slips she will call Stephanie Whitlach to come down and review the project and paperwork and sign off on it and then we can pay them.

Mr. Bittner asked about the area not compacted correctly by Moridges. Mr. Leer stated it is too close to the curb to get a big compactor that close but it is probably compacted enough for PennDOT standards. Mr. Bittner stated the curb is built up with asphalt also and he doesn't think it is compacted to standard. Mr. Taday stated he will look at it tomorrow. Ms. Evans asked if Widmer is the Municipal Representative to sign the paperwork. Mr. Leer stated he will be addressing that.

Mr. Mariscotti asked if we received the bill from Maund Industries on the Cal-de sac repair near the Anderson's residence. Ms. Evans stated no.

BID OUT 1986 TIGER MOWER

Motion by Mariscotti/Bittner for a resolution to bid out 1986 Tiger Mower with a minimum bid of \$2,500.00, sold as is and the Borough reserves the right to reject all bids duly carried on a roll call vote with all members present voting yes.

LINE PAINTING QUOTES

Mr. Mariscotti stated he received two bids for the line painting on Third Street and the first one is from M & A Line Striping out of Allison Park and it is for \$905.00 and the second one is from Casmac Line Striping and their cost is \$1,061.32.

Motion by Mariscotti/Gutosky to contract M & A Line Painting for painting and striping of Third Street from Green to Wood in the amount of \$905.00 duly carried on a roll call vote with all members present voting yes.

MANHOLES ON WOOD STREET

Mr. Mariscotti asked Mr. Baker if we have risers to raise those manholes. Mr. Baker stated they are in the back of his truck.

PUBLIC SAFETY – MR. BITTNER

VERDIN CLOCK MAINTENANCE RENEWAL - \$580.00 BY Dec. 31, 2015

Motion by Bittner/Difilippo to pay Verdin \$580.00 for maintenance renewal duly carried on a roll call vote with all members present voting yes.

OFFICER MCCARTHY – K9 EXPENSES

Mr. Bittner stated we have invoices totally \$846.00 for miscellaneous items for the K9 officer.

Motion by Bittner/Glab to pay Officer McCarthy expenses in the amount of \$846.25 from the K9 fund duly carried on a roll call vote with all members present voting yes

Mr. Bittner stated we added in the budget an amount to purchase new meters and we'll have to sit down and discuss what time limit we want on those meters along with some other questions.

WELD TOWING INVOICE - \$751.68

Motion by Bittner/Encapera to pay Weld Towing invoice for the repair of the K9 vehicle at a cost of \$751.68 duly carried on a roll call vote with all members present voting yes.

Mr. Bittner noted that this price is 50% less what was quoted by the dealer.

Mr. Bittner stated we are still paying West Penn Power for lights that we have requested that they take down and move and not have yet done. Mr. Mariscotti stated don't pay the bill. Mr. Taday stated he gave them the ones that needed to be taken down and he gave them the spots where he wanted them relocated to. They have all the information. Dr. Martin stated he will follow up on this.

FINANCE – MRS. GUTOSKY

PAYMENT OF BILLS

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

GENERAL FUND BUDGET

Motion by Gutosky/Bittner to adopt the 2016 General Fund Budget which is balanced at \$2,224,759.26 duly carried on a roll call vote with all members present voting yes.

SEWER FUND BUDGET

Motion by Gutosky/Difilippo to adopt the 2016 Sewer Fund Budget with income at \$1,933,375.00 and expenses 1,438,887.34 duly carried on a roll call vote with all members voting yes.

HIGHWAY FUND BUDGET

Motion by Gutosky/Bittner to adopt the 2016 Highway Aid Fund Budget which is balanced at \$185,754.82 duly carried on a roll call vote with all members present voting yes.

2016 TAX ORDINANCE

Motion by Gutosky/Mariscotti to adopt the 2016 Tax Ordinance duly carried on a roll call vote with all members present voting yes.

The 35 mills break out to 28 mills general purpose, 3 mills for the Fire dept., 2 mills for Street improvements, and 2 mills for recreation.

PUBLIC HEALTH – MR. DIFILIPPO

LENON,SMITH,SOULERET ENGINEERING INVOICE#201504927

Motion by Difilippo/Mariscotti to pay Lenon, Smith, Souleret Engineering's invoice in the amount of \$675.0 which is for the dispute resolution duly carried on a roll call vote with all members present voting yes.

WIDMER ENGINEERIG BILLS

Motion by Difilippo to pay the Widmer Engineering bills for October in the amount of \$4875.00 duly carried on a roll call vote with all members present voting yes.

DELINQUENT TAP IN FEES

Mr. Difilippo stated we have some people who never paid their tap in fees from years ago for different reasons and some want to make payment arrangements at \$128.75 per month. Mrs. Evans stated that is the tap in fee with 3% interest over a year. Mr. Bittner asked what happens if they default. Mr. Petro stated to notify him and he will issue a citation. Mr. Petro stated the letter he sent out indicating they should be paid in full by Dec. 15, 2015 so anybody that submits a letter by that date indicating a payment plan we'll let them do a payment plan. If they default or does not submit a letter we will cite immediately.

Motion by Difilippo/Gutosky to collect delinquent tap in fees if they enter into a payment plan of \$128.75 per month and must do so in writing by Dec. 15, 2015 duly carried on a roll call vote with all members present voting yes.

PERSONNEL – MR. ENCAPERA AND MR. MARISCOTTI

COLD WEATHER GEAR

Motion by Mariscotti/Difilippo to purchase insulated overalls, hooded coat, & knit beanie from Unifirst at a cost of \$99.00 for all three items per person for the Street department and Sewer department at a cost not to exceed \$700.00 duly carried on a roll call vote with all members present voting yes.

VITCHOFF SETTLEMENT

Motion by Mariscotti/Encapera to pay Pat Vitchoff \$38,265.00 contingent upon an executed release and him withdrawing his lawsuit in Washington County against the Borough duly carried on a roll call vote with all members present voting yes except Mr. Difilippo who abstained.

MAYOR'S REPORT – MR. WELD

Mr. Weld stated they are going to be being the departmental ranking and hopefully by the first of the year we'll come back and report and let you know how we did. Mr. Sheehan stated and as far as the civil service we've gotten it all taken care of as how it is going to be done. Mr. Bittner stated the only ranks in the contract right now are Sargent and Chief.

ENGINEER'S REPORT – MR. LEER

PUMP STATION UPDATE

Mr. Leer stated they are continuing to review the shop drawings and the contractor submits them and he's corresponding with him to try and ascertain his schedule and when he plans to begin work and also get an idea based on the review of the pumps and material as to when we can expect delivery of those pumps because there is a substantial lead time of 12 to 16 weeks from date of order.

PEACH ALLEY

Mr. Leer stated the As Built drawings of the R & B's portion of the Peach alley project have been delivered to Doug Baker here this evening. Mr. Leer stated he will email to Doug and Ron the construction photographs that are organized to correspond with the as built.

Mr. Alfano stated can we put these is our GIS program. Mr. Leer stated at some point they can come down and do the coordinates of this project and input them into the GIS System.

Mr. Mariscotti asked if this is also something we can enter our parking meters and things into. Mr. Leer stated yes GIS is a powerful tool. Mr. Martin stated the borough was approached by a student who is a GIS major and she had expressed an interest in wanting to mapping our signs and things. Well she didn't show up for the first meeting scheduled and I didn't hear form her so I contacted her again and she said her semester was more complicated than she anticipated but maybe she could do it on the winter term and get back to him but she hasn't yet.

KEYTEX UPDATE

Mr. Leer stated he's been working with Jeff and Shirley on the things that Keytex has requested from him.

MELE & MELE PAYMENT REQUEST

Mr. Leer asked what this was. Ms. Evans stated this is what she had emailed him. He stated that is the remaining balance on their retainage because they haven't fully addressed the punch list items. He stated he doesn't know what they are doing or why they are taking this approach because they haven't addressed the punch list items in its entirety. Mr. Alfano stated he thinks Vaughn should let them know that. Mr. Leer stated he has. Mr. Glab stated are they trying to run. Mr. Leer stated that is his opinion. Mr. Leer stated there was a site visit where they met with staff and it was signed off that the punch list was completed. Mr. Alfano stated who signed it. Mr. Leer stated a borough staff member. Mr. Leer stated he's written them and Steve has sent an email and I've tried to contact Mr. Backo on the phone and we got no response so now they are trying to proceed through Shirley's office and telling her they can't get any answers from Widmer. Mr. Leer stated he will call him tomorrow and remind him of these punch list items.

SOLICITOR'S REPORT – MR. AGRAFIOTIS

Mr. Agrafiotis stated he will have to amend the Cable franchise agreement to coincide with what council voted on tonight.

CALIFORNIA AREA SCHOOL DISTRICT – MOU

Mr. Agrafiotis stated he spoke with their attorney and if council wants him to look at the Safe Schools Act and it confirms what he thought the language should be so he'll send them a revised agreement probably tomorrow.

CABLE FRANCHISE AGREEMENT

Mr. Alfano stated he thinks the letter informing the school that they have a year to prepare and or file for E-grant money for the services covered under our franchise agreement.

SCHOOL RESOURCE OFFICER AGREEMENT

Mr. Agrafiotis asked Ms. Evans if they have signed and sent back the SRO Agreement. She stated no they have not. Mr. Martin stated he spoke with the Superintendent and asked about that and he advised him that it was still being reviewed by their solicitor.

K9 AGREEMENT

Mr. Agrafiotis stated back in July council by motion had approved the policies and procedures and Shirley wasn't here that night so I've never given her the policies and procedures for signatures so he has that for tonight and he's worked out the memorandum of understanding with John Bedillion and the Union and the police are all on board and he asked if council has any questions on this. He will get paid 40 hours a week and work only 36 hours and the other 4 of the 40 are for the in home and training of the dog. Both the union and the Officer are agreeing that those 4 hours will take care of any kind of overtime, fair standards claim, United States Supreme Court Garcia case and each and everything like that. Also any kind of additional out of pocket expenses must be presented to the borough in advance. This was approved at a prior meeting so he can get it sent to Mr. Bedillion.

Ms. Evans asked anything over 36 hours a week will be paid overtime. Mr. Agrafiotis stated he'd have to get approval in advance. Mr. Sheehan stated yea he'd have to put it on his time card and everything. Ms. Evans stated so he's physically working 36 hours and we're paying him as if he's physically working 40 hours so does the overtime kick in when he physically works over 36 hours or physically works over 40 hours. Mr. Agrafiotis stated that is correct but it has to be approved by Chief in advance. Mr. Sheehan stated his over time is anything over 8 hours but if he has overtime he submits an overtime card to Chief and he approves it.

CAL U'S POLICE AGREEMENT

Mr. Agrafiotis stated he sent that to them and hasn't heard back yet.

CENTER WEST JOINT AUTHORITY AGREEMENT

Mr. Agrafiotis stated he will have the CO 2 Ordinance for January's meeting and he needs council to authorize him to prepare an ordinance for Center West to approve the amendment to the Center West Joint agreement.

Motion by Difilippo/Bittner to authorize the Solicitor to prepare the Ordinance amending the Center West Joint Agreement duly carried on a roll call vote with all members present voting ye.

EXECUTIVE SESSION

Mr. Agrafiotis stated he will need an executive session to discuss litigation update and personnel issues.

OLD BUSINESS

No old business at this time

NEW BUSINESS

BOROUGH BUILDING RENOVATION

Mr. Alfano stated he received a couple of things from Mr. Kulak and one is the fencing behind the borough building. He is giving us two options and one is a vertical aluminum, picket type fence, and would cost \$9,177.30. The other option is the Black chain link and that cost is \$5,778.30.

Mr. Bittner asked Mr. Tудay to get a bid from All Around Fencing on this. Mr. Tудay stated he will get them to come over here and look at it.

CHANGE ORDERS TBI CONTRACTING

Motion by Mariscotti/Difilippo to approve Change Order #2 for underground wiring at a cost of \$12,500.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to approve Change Order #3 for electrical work that the borough council requested in the amount of \$5,110.00 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Mariscotti to approve Change Order #4 for moving the sewer tap in from Third Street to Union Street duly carried on a roll call vote with all members present voting yes.

Change Order #5 is for staining in lieu of painting doors. Council did not act on this change order.

Change Order # 6 is for council's consideration to remove and replace the sidewalk at the terraced area in front of the existing borough building including drains and resetting the railing at a cost of \$27,716.18. Council did not act on this change order.

Motion by Difilippo/Mariscotti to approve Change Order #7 for the pass through locker in the amount of \$5,457.52 duly carried on a roll call vote with all members present voting yes.

Motion by Difilippo/Gutosky to approve Change Order #8 for Electrical receptacles in the amount of \$6,905.66 duly carried on a roll call vote with all members present voting yes.

RECOGNITION OF CITIZENS

MR. FOWLER

Mr. Fowler asked who he has to talk to to get this subdivision through. They were called once this week and asked a question and gave the answer and haven't heard anything else. Mr. Agrafiotis stated other than some technical issues that Mr. Petro has you have an easement going through a leach field. Mr. Fowler stated it does not. Mr. Agrafiotis stated then you'll have to get it moved and provide a new drawing. Mr. Fowler asked why weren't they told that prior to this meeting. Mr. Fowler and council discussed actions that needed taken and Mr. Fowler will have those changes made.

JIM MADDIEX

Mr. Maddiex questioned the terms and specifically his term on the planning commission. Mr. Agrafiotis and Mr. Petro explained the terms to Mr. Maddiex.

Motion by Difilippo/Gutosky to adjourn in to executive session at 8:50 pm duly carried with all members present stating aye.