

## **Regular Meeting of California Borough Council, December 11, 2014, 6:30 pm**

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

**ATTENDANCE:** Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Mariscotti, and Mayor Weld

**ABSENT:** Mr. Encapera, Mr. Glab, and Mrs. Gutosky

### **MOMENT OF SILENCE**

### **PLEDGE OF ALLEGIANCE**

### **ADDITIONS OR CHANGES TO AGENDA**

Mr. Alfano added Planning Commission meeting advertisement

Mr. Alfano added Zoning Hearing Board meeting advertisements

Motion by Difilippo/Bittner to accept the agenda with changes duly carried with all members present stating aye.

### **PUBLIC COMMENT**

No public comment

### **MINUTES**

Motion by Difilippo/Mariscotti to accept the minutes of the regular meeting of November 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 November 30, 2014.

Motion by Difilippo/Mariscotti to accept the treasurer's report duly carried with all members present stating aye.

### **JUNIOR COUNCIL MEMBER'S REPORT – ANGEL FUNK**

Nothing to report

### **PRESIDENT'S REPORT –MR. ALFANO**

### **EXECUTIVE SESSIONS**

Mr. Alfano stated that the executive session on Nov. 13<sup>th</sup> concerned personnel matters and will be continued at an executive session tonight. The executive session on Dec. 4<sup>th</sup> concerned ongoing litigation.

### **CONTINUE MEETING**

Mr. Alfano stated we will continue this meeting until Dec. 18<sup>th</sup> to adopt the budgets.

Motion by Difilippo/Mariscotti to continue this meeting until December 18, 2014 at 6:00 pm duly carried with all members present stating aye.

### **POWER SWITCH OVER – BLDG RENOVATION**

Mr. Alfano stated there will be a power outage here to switch the lines from one pole to another and will take place on December 16<sup>th</sup>. At first we thought we were going to have to close the entire day but instead they will bring in a generator that runs the building so we will only lose power for a brief time in the morning and again in the afternoon.

### **2015 MEETING DATES**

Mr. Alfano stated we have to advertise the 2015 meeting dates.

Motion by Bittner/Difilippo to advertise the 2015 meeting schedule duly carried on a roll call vote with all members present voting yes.

### **TRANSFER FROM BOND PROCEEDS TO GENERAL FUND**

Mr. Alfano stated we need to transfer money from the bond proceeds account to the general fund to pay CM Services invoice #14-134 in the amount of \$2,739.53.

Motion by Difilippo/Mariscotti to transfer from the Bond Proceeds Account to the General fund account \$2,739.53 to pay CM Services invoice #14-134 duly carried on a roll call vote with all members present voting yes.

#### **PLANNING COMMISSION LETTER – OVERLIDAY DISTRICT**

Mr. Alfano stated hopefully everyone had time to read the planning commission letter about the overlay district in the downtown area and we have mailing ready to go out to inform all the residents and businesses that will be affected by this . We can propose a meeting date for the public hearing 30 days from when these letters go out. Mr. Alfano asked if we want to have the public meeting on our meeting night or a different night. Mr. Melenyzer stated there is no ordinance done yet and council is still making changes to it. Mr. Agrafiotis stated Chip had questions about message signs and we'll need a boundary description also. Mr. Melenyzer stated somebody on this council has to instruct us to draft it that way. We can't just draft an ordinance and then have all these changes come through. Mr. Alfano stated well what Chip wants isn't the planning commission's wishes. Mr. Melenyzer stated the Planning commission is only an advisory board to the council so council can change anything that they want. Mr. Melenyzer stated you can't go into a public hearing until you have all your ducks in a row otherwise you are going to have all the costs incurred and have another public hearing. Mr. Bittner asked during the public hearing if good suggestions are made can we change it after that. Mr. Melenyzer stated basically if there is any change that is a material change then you have to have a second meeting a second advertisement and go through all that before you adopt it. Mr. Bittner stated it has to be a substantial change. Mr. Melenyzer stated that is right. Mr. Bittner stated so changing the particular kind of signage would be a substantial change. Mr. Melenyzer stated yes it would. Ms. Evans asked if this was just for the downtown area. Mr. Alfano stated basically it is almost the entire C2 zoned area. Mr. Bittner stated he has a small problem with the parking lots that they want so many shade trees in there to provide shade for the cars and he thinks that is ridiculous rule to impose on somebody putting in a parking lot. Mr. Alfano stated so we should schedule one public hearing for January and anticipate a possible second public hearing in February. Mr. Melenyzer stated the only thing he and Tom are asking council is to give them what council thinks they want to have adopted. We can't send out the notification and advertising and then turn around and change it before the meeting. You can't do that. Mr. Bittner stated council needs to sit down read it thoroughly and then give input on it before it goes any further. Mr. Alfano asked if we could advertise the ordinance when we have the public hearing. Mr. Melenyzer stated no it needs to be advertised before the public hearing. Mr. Melenyzer stated amendments to zoning ordinances are expensive to begin with so you really need to try and avoid having a second hearing but sometimes you have to. Mr. Agrafiotis asked everyone to look at before the continued meeting next Thursday and then authorize it then. Mr. Melenyzer asked who all got notices. Mr. Alfano stated we haven't mailed them yet but anyone that would be affected within the 200' would get one. Mr. Petro stated all the property owners inside that district. Mr. Melenyzer stated you have to notify the people abutting that district also. Mr. Petro stated he doesn't think it reads that way. Mr. Difilippo stated he thinks we should read it and talk about it and then address it again next week. Mr. Alfano stated so you don't want to set the public hearing or anything. Mr. Difilippo stated that is correct. Mr. Petro stated you can authorize the solicitor to start drafting the ordinance.

Motion by Difilippo/Mariscotti to authorize the Solicitor to draft the Ordinance for the Downtown Overlay District duly carried on a roll call vote with all members present voting yes.

#### **EP & D INVOICE**

Mr. Alfano stated we have an invoice from EP & D for the work that they've completed on the wharf project thus far.

Motion by Mariscotti/Bittner to pay EP & D invoice dated Dec. 5, 2014 in the amount of \$6,821.18 to be paid from the grant funds duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated just to update council he had received an email from EP & D yesterday that we are called to a DeP meeting at Washington Landing for approvals on this. All the preliminary design and planning they've been doing is figuring out what the DEP is going to like and what they're not going to like. So he will be going January 8<sup>th</sup> to a DEP hearing.

### **TABLET (IPAD) STANDS**

Mr. Alfano stated he can't see the tablets when they are lying flat on table so he was wondering if the IT person can look into holders to have the set upright.

Motion by Mariscotti/Bittner to purchase stands to hold the tablets at a cost not to exceed \$200.00 duly carried on a roll call vote with all members present voting yes.

### **UPGRADES FOR TABLETS**

Motion by Bittner/Difilippo to approve purchasing upgrades for tablets at a cost of \$18.00 per tablet for a total cost not to exceed \$300.00 duly carried on a roll call vote with all members present voting yes.

Ms. Evans explained that right now with this version we can only put 10 documents in each folder so you are having to hop around to view the documents for the meeting but if we buy the full version all documents can go into one folder to be viewed.

### **PUBLIC HOUSING – MR. GLAB**

In the absence of Mr. Glab Mr. Alfano did the public housing report

### **CODE ENFORCEMENT UPDATE**

Mr. Alfano read the code enforcement update including a total income to date of \$120,982.40.

### **GAS COMPANY PATCH WORK**

Mr. Alfano asked Mr. Tудay if spoke with the gas company. Mr. Tудay stated yes he did and they have ceased all patch work until after the 1<sup>st</sup> of the New Year.

### **PLANNING COMMISSION MEETING ADVERTISEMENT**

Motion by Bittner/Difilippo to authorize advertising of the 2015 Planning Commission Meeting duly carried on a roll call vote with all members present voting yes.

### **ZONING HEARING BOARD MEETING ADVERTISEMENT**

Motion by Difilippo/Mariscotti to authorize advertising of the 2015 Zoning Hearing Board Meetings duly carried.

### **PUBLIC WORKS – MR. MARISCOTTI**

#### **STREET DEPARMTENT UPDATE**

Mr. Mariscotti stated the guys are getting the equipment ready for the first snow. They were instrumental in the Bright Night activities in town and helped them get set up at the Mechanic Street playground.

### **PUBLIC SAFETY – MR. BITTNER**

#### **PSAB SEMINAR**

Mr. Bittner PSAB is hosting a class on the Open Records Act and Records management disaster plan on January 21<sup>st</sup> and the cost is \$75.00 for each member that would like to go. He doesn't know how many we'll send but if employees or council members would like to attend we can send them. Mr. Alfano stated the Open Records officer should go along with her Assistant.

Motion by Bittner/Difilippo to approve any employee or council member that wants to go to the PSAB Open Records & Records Management Disaster Class attend at a cost of \$75.00 each duly carried on a roll call vote with all members present voting yes.

### **SHRED IT – DESTROYING DOCUMENTS**

Mr. Bittner stated he got this from the former Borough Manager and asked Mr. Tудay if he had checked into this any further for dates and such. Mr. Bittner stated Chief Encapera provided his list of documents they are destroying. Mr. Bittner asked Tom what we need to do next. Mr. Agrafiotis stated we need to do a resolution. Mr. Bittner stated sounds good then once Jeff gets back to him and we have all the lists we can schedule something next month.

## **RESPONSE COMPUTER YEARLY SERVICE AGREEMENT**

Motion by Bittner/Mariscotti to enter into an agreement with Response computer for our 2015 yearly service agreement at a cost of \$2,988.00 which reflects no increase from 2014 duly carried on a roll call vote with all members present voting yes.

## **HVAC – NEW BUILDING**

Mr. Bittner stated this is just to remind us to discuss whether we are going with geo thermal or not. Mr. Weld stated he thinks we need to speak to Hollowood Heating and other heating and cooling people on this before we do it. Council discussed the pros and cons of having a geo thermal unit. Mr. Melenyzer suggested they bring three of the bigger companies in and get their suggestions.

## **FINANCE – MRS. GUTOSKY**

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

## **PUBLIC HEALTH- MR. DIFILIPPO**

### **PEER REVIEW**

Mr. Difilippo stated everyone has in the packet a proposal from Wade Trim to conduct peer reviews on our sewer projects.

Motion by Difilippo/Mariscotti to hire Wade Trim to get a second opinion on all sewer projects in town especially Peach alley and the waste water treatment plant and adopt their rate schedule duly carried on a roll call vote with all members present voting yes.

## **WIDMER ENGINEERING INVOICE**

Motion by Difilippo/Mariscotti to pay Widmer Engineering's invoice #21410249 in the amount of \$2,805.00 duly carried on a roll call vote with all members present voting yes.

## **PERSONNEL – MR. ENCAPERA & MR. MARISCOTTI**

Mr. Mariscotti stated he will leave the item on TEAM for Mr. Encapera

## **ANNOUNCEMENT – CARE PACKS**

Mr. Mariscotti stated there is a group call the Foster Friends of Washington County and they are putting together a care packet for Foster Kids of Washington County. Locally it is being spear headed by Lindsey Hull and they are taking donations. We just want to let everyone know that they are looking for gift card donations, money donations and you can go to [www.gofunding.com/fosterfriends](http://www.gofunding.com/fosterfriends).

## **MAYOR'S REPORT – MR. WELD**

Mayor Weld stepped out of the meeting

## **ENGINEERING'S REPORT – MR. LEER**

### **TREATMENT PLANT UPDATE**

Mr. Leer stated the progress report is in your packets and there are some start up activities, overhead garage heating is installed, drywall is complete, pressure reducing valve has been installed in the water meter vault, the fire hydrant that was damaged will be repaired by the contractor, blower startup was successful and the facility is ready to start accepting sewage, and we are scheduling other startups with the manufactures and will advise council when those dates are set.

## **PAYMENT REQUEST – MELE & MELE**

Motion by Difilippo/Mariscotti to pay Mele & Mele payment request #16 in the amount of \$81,040.22 duly carried on a roll call vote with all members present voting yes

## **PAYMENT REQUEST – A1 ELECTRIC**

Motion by Bittner/Difilippo to pay A1 Electric's payment request #5 in the amount of \$49,950.00 duly carried on a roll call vote with all members present voting yes.

### **PEACH ALLEY UPDATE**

Mr. Leer stated that Mr. Dentino had contacted him with issues on his easement and they have addressed his concerns and revised the documents and delivered those documents to him on December 11, 2014 for his review and signature.

### **MILLER PIPE TECH INVOICE**

Mr. Leer stated this came to his attention today that back in the spring or early summer we contacted a pipe televising company to ascertain the locations of the missing connections and apparently the invoice slipped through the cracks. He thought it had been paid previously. He asked council to authorize payment of Miller Pipe Tech invoice in the amount of \$750.00 providing it has not previously been paid.

Motion by Mariscotti/Bittner to pay Miller Pip Tech's invoice in the amount of \$750.00 contingent it upon it not being paid before duly carried on a roll call vote with all members present voting yes.

### **PUMP STATION REVIEW**

Mr. Leer stated Widmer has begun their review. We have a field investigation scheduled for December 7<sup>th</sup>. The Coal Center Pump station has not begun because they have yet to receive the information regarding this but they have received information on a flash drive from the previous engineer that they are reviewing to see if that information is on there.

### **CONTRACTOR MEETING**

Mr. Leer stated they discussed with the contractor the means of the interconnection and how it is going to occur. We need to get some sketches or drawings to them to depict it so they can get it built and installed. The thought process is that that will be the first pump station that is going to the new plant.

Mr. Alfano asked if Armstrong has been there to drop the line in yet. Mr. Leer stated not yet. Mr. Tудay stated he contacted them and were supposed to be out this week. Mr. Alfano asked about the phone lines and Mr. Tудay stated no they are not done yet either.

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

Mr. Agrafiotis stated we need to have an executive session on threatening litigation and grievances. Mr. Agrafiotis stated he talked to Mr. Bittner about this today that the Chief had sent around a memorandum of understanding with the University asking if they could possibly patrol some more areas of the borough. Mr. Alfano stated he never saw it was it given to all of council. Mr. Agrafiotis stated certain members received it but we need to discuss this in executive session also. Mr. Melenyzer stated that can be discussed outside of executive session. Mr. Bittner stated Rick had brought it up and he thinks council and the solicitor should have some input on it.

Mr. Agrafiotis stated we had all received a model sewage ordinance that no building permits can be issued if there is sewage owed so council may want to take a look at that.

Mr. Agrafiotis stated he is working on the accident regarding US Foods that hit the wires causing the transformers and things to fall down. He talked with Jeff and Mr. Anderson and the person who hit the wires did go down the wrong way and he plead guilty to the offense so someone should pay other than us.

Mr. Alfano thanked everyone that was involved in the Light Up Night festivities last Friday and even though it was terrible weather it was pretty well attended and Santa Clause still made it and the kids were happy.

### **OLD BUSINESS**

Nothing under old business

### **NEW BUSINESS**

Nothing under new business

## **RECOGNITION OF CITIZENS**

### **MR. MADDIEX**

Mr. Maddiex asked if there will be free parking this year. Mr. Alfano stated we may not even have meters up so that will be free parking. Mr. Alfano stated he thinks the meter man is willing to take a lay off for a few weeks. Mr. Alfano stated since Jim brought this up the contractor should be here Monday to do the light poles. Mr. Maddiex stated you usually have free parking for two weeks or so but at least until Russian Christmas. Mr. Alfano stated unless there is a snow storm we should have a target to get the meters in before the new semester starts in late January. Mr. Maddiex stated the resident halls at the university have geo thermals so you may want to speak to them. Mr. Alfano stated we have already done that. Mr. Maddiex wished everyone a Merry Christmas.

Mr. Alfano stated that council is going into an executive session and this meeting is continued until December 18<sup>th</sup> at 6:00 pm.