

Regular Meeting of California Borough Council, December 12, 2013, 6:30 pm

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

ATTENDANCE: Mr. Alfano, Mr. Bittner, Mr. Difilippo, Mr. Encapera, Mr. Glab, Mr. Mariscotti, and Mayor Casey Durdines

ABSENT: Mrs. Gutosky

MOMENT OF SILENCE PLEDGE OF ALLEGIANCE

ADDITIONS OR CHANGES TO AGENDA

Mr. Alfano added – Sepesky’s consolidation plan
Conditional Use Hearing Eytcheson -4th & Wood
Site Plan Review – Perryman
DCNR Grant

Mr. Mariscotti added – Stop sign – Promise land Drive
Ice Rink at Hollywood Theatre site

PUBLIC COMMENT

Mr. Maddiex stated he is for the ice rink to be placed at the Hollywood Theatre site. He asked about the General Fund budget figure for Salary Officials and he believes the amount is off by \$4,500. Mr. Melenyzer stated that the Ordinance hasn’t been passed yet increasing their salary and once the ordinance is passed anytime within the following year of 2014 the budget can be amended as to that line item. Mr. Maddiex asked if they were going to amend it tonight. Mr. Melenyzer stated no there is no ordinance passed why would we amend it. Mr. Maddiex asked if after the ordinance is passed if they will amend it. Mr. Melenyzer stated we will amend it sometime in 2014. Mr. Maddiex asked them to list all the choices for designating the gas well monies to. Under the Community Development Block Grant monies he thinks there should be some sort of hearing on this but he thinks a part of it should go to the volunteer fire department.

MINUTES

Motion by Difilippo/Mariscotti to accept the minutes of the regular meeting of November 14, 2013 duly carried with all members present stating aye.

Motion by Difilippo/Glab to accept the minutes of the special meeting of November 19, 2013 duly carried with all members present stating aye.

SECRETARY’S REPORT – MS. EVANS

Ms. Evans read the accounts payable and account balances for November 2013.

Motion by Glab/Alfano to approve the secretary/treasury report duly carried on a roll call vote with all members present voting yes.

PRESIDENT’S REPORT – MR. BITTNER

REPORT ON EXECUTIVE SESSION- DEC. 5TH

Mr. Bittner stated the executive session was on Zoning Office personnel.

REORGANIZATION MEETING 2014

Mr. Bittner announced that the reorganization meeting will be January 6, 2013 at 6:30 followed by the committee meeting.

2014 GENERAL FUND BUDGET

Mr. Bittner stated this is a balance budget of \$1,595,757.23.

Motion by Glab/Difilippo to adopt the 2014 General fund budget of \$1,595,757.23 duly carried on a roll call vote with all members present voting yes.

2014 SEWER FUND BUDGET

Mr. Bittner stated that the income is \$1,865,500.00 and expenditures are \$1,474,847.40 and this budget does not have to be balanced.

Motion by Difilippo/Glab to adopt the 2014 Sewer Fund Budget duly carried on a roll call vote with all members present voting yes.

HIGHWAY AID FUND BUDGET

Mr. Bittner stated this is balanced budget of \$249,058.51.

Motion by Glab/Difilippo to adopt the 2014 Highway Aid Fund Budget duly carried on a roll call vote with all members present voting yes.

2014 TAX ORDINANCE

Mr. Bittner stated the tax ordinance for 2014 is General purposes 28 mils, Fire Service is 3 mils, Street Improvement 2 mils, and Recreation 2 mils and this represents no tax increase for the year 2014.

Motion by Difilippo/Mariscotti to approve the 2014 Tax Ordinance duly carried on a roll call vote with all members present voting yes.

DESIGNATE USE OF GAS WELL MONEY (ACT 13)

Mr. Bittner stated we have to designate how we are going to use the gas well money in the amount of \$79,987.24. Last year we deposited into the municipalities capital reserve fund and the funds are used solely for the purpose set forth in Act 13 of 2012.

Motion by Alfano/Glab to designate the Act 13 Gas well money into the Capital Reserve fund to be used solely for the purposes set forth in Act 13 of 2012 duly carried on a roll call vote with all members present voting yes.

VERDIN MAINTENANCE RENEWAL

Mr. Bittner stated next is the Verdin Maintenance renewal for 2014 and that is the clock outside of the borough building in the amount of \$550.00 and that is for one visit. This is a maintenance agreement we do every year. When that clock was bought it was between \$60,000.00 and \$70,000 and he thinks it is well worth the maintenance fee.

Motion by Difilippo/Glab to approve the 2014 Verdin Maintenance Agreement at a cost of \$550.00 duly carried on a roll call vote with all members present voting yes.

RESPONSE COMPUTER 2014 SERVICE AGREEMENT

Mr. Bittner stated Response computer service maintenance agreement is for \$2,988.00 and he would like a motion to approve this.

Motion by Glab/Difilippo to approve the 2014 Response Computer Service Agreement in the amount of \$2,988.00 duly carried on a roll call vote with all members present voting yes.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) MONIES

Mr. Bittner stated we need to designate how to use the 2014 CDBG money and he believes it is in the vicinity of \$118,000.00. He asked Mr. Alfano to speak about this. Mr. Alfano stated that our engineer has looked at a project that we have considered dedicating the money to and that is rebuilding the track and putting a hard surface such as asphalt and paving the parking lot. Just for the parking lot and the track surface, drainage, etc. we have an estimated figure of \$92,000.00. He would like to dedicate the 2014 CDBG monies to the Rotary Park track resurfacing and parking lot area paving. Mr. Bittner stated if there is any money left after this project we can do another resolution distributing that portion to another project. Mr. Bittner stated if we don't spend it all it is carried over by the Redevelopment Authority for us to use next year.

Motion by Alfano/Encapera to dedicate the CDBG money for 2014 to Rotary Park improvements duly carried on a roll call vote with all members present voting yes.

PUBLIC HOUSING – MR. ALFANO

ZONING/CODE ENFORCEMENT UPDATE

Mr. Alfano stated of course we have pages and pages of complaints that the code officer has been following up on over the past few months. The income for the month of November is \$4,099.37 bringing our total for the year to \$236,228.61.

PAYMENT REQUEST – MACLAUGHLIN, CORNELIUS & FILONI

Mr. Alfano stated he would like to make the following motions to pay MacLaughlin, Cornelius, & Filoni for their work on the Master Plan.

Motion by Alfano/Mariscotti to pay MacLaughlin, Cornelius, & Filoni for their invoice in the amount of \$1,987.48 out of the gaming revenue funds duly carried on a roll call vote with all members present voting yes.

Motion by Alfano/Mariscotti to pay MacLaughlin, Cornelius, Filoni for their invoice in the amount of \$9,381.84 out of the gaming revenue funds duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated that Tuesday night they had a presentation from MCF and they really pulled it all together and gave a great presentation and we have it available on cd if anyone would want one. They have suggestions on designing an overlay district to consolidate design and construction in the future to try and get some consistency throughout our downtown area. Many recommendations on changes to be made to our zoning ordinance as well so we're going to be looking at getting someone in there to help us with us for more consulting to get the zoning ordinance straightened out. It has been a terrific experience working with these folks.

ADVERTISE 2014 PLANNING COMMISSION MEETINGS

Motion by Alfano/Difilippo to advertise the 2014 Planning Commission meeting dates duly carried on a roll call vote with all members present voting yes.

Mr. Alfano stated the meeting dates will be Jan. 7, Feb. 4, March 4, Apr. 1, Apr. 29, June 3, July 1, Aug. 5, Sept. 2, Sept. 30, Nov. 3, and Dec. 2.

SEPESKY CONSOLIDATION PLAN

Mr. Alfano stated the planning commission met recently to review the Sepesky consolidation plan and that was approved by them.

Motion by Alfano/Mariscotti to re-affirm the approval of the Sepesky consolidation plan which was previously approved by Council on Sept. 12, 2013 contingent upon the change noted in Fayette Engineering's letter dated August 29, 2013 duly carried on a roll vote with all members present voting yes.

CONDITIONAL USE HEARING – EYTCHESON

Mr. Alfano stated there was a conditional use hearing that took place this evening prior to this meeting and it was for a conditional use on property owned by Mark & Tracy Eytcheson with the address of 400 Fourth Street. It is currently a student rental and they have applied to increase their occupancy to 4 students.

Motion by Alfano/Difilippo to approve the conditional use for the Eytcheson's at 400 Fourth St. conditioned upon them providing proof that they have a long term parking lease for the three spaces they are required provide as well as the one space they rent from the borough duly carried on a roll call vote with Mr. Alfano, Mr. Bittner, Mr. Difilippo, and Mr. Encapera voting yes, Mr. Glab voting no and Mr. Mariscotti recused himself because they are renting parking spots from him.

DCNR GRANT

Mr. Alfano stated he is happy to announce that we were successful in our application to the DCNR, Department of Conservation and Natural Resources, for a recreation grant. He read a letter sent to Mr. Bittner stating the borough had been awarded the \$75,000.00 grant from the Keystone Recreation Park and Conservation fund and the Environmental Stewardship fund and federal funding sources.

SITE PLAN – PERRYMAN PROJECT

Mr. Alfano stated there was a brief meeting of the Planning Commission prior to tonight's meeting and they did a site plan review for the Perryman construction project and they are recommending approval.

Motion by Alfano/Mariscotti to approve the site plan for the Perryman construction project conditioned upon the approval of their storm water management plan review by Fayette Engineering and they receive all necessary permits to proceed with the project duly carried on a roll call vote with all members present voting yes.

RECREATION AUTHORITY BUDGET

Mr. Alfano stated the California Borough Recreation Authority met this week as well and has approved their Budget for 2014 and it is a balanced budget of \$35,000.00. Two mils of tax money fund this budget and out of the projects they have completed they have managed to save \$30,000.00 apply towards the DCNR grant that was just awarded to the Borough.

PUBLIC WORKS – MR. MARISCOTTI

NEW TRUCK

Mr. Mariscotti stated he is happy to report the new truck is here and in service. The guys are ready to go with plows and salt.

STOP SIGN – PROMISE LAND DRIVE

Mr. Mariscotti stated a few months ago we received a request from one of our local citizens who requested a stop sign at an intersection. Mr. Mariscotti stated Jeff and Rick went up and looked at it and they did place a stop sign there. She's still not satisfied so he is going to ask Jeff & Rick to go back up and look at it and see if there is another solution. So maybe we can look at placing an additional stop sign to slow the traffic down.

ICE RINK

Mr. Mariscotti stated he would like to pursue Redevelopment Authority to get permission to place an ice rink at the Hollywood Theatre site since it is in the center of town and would be a nice attraction. Mr. Mariscotti stated we'll have to look at the insurance ramification to do this also but would like to get this underway.

Motion by Mariscotti/Alfano to start the procedure to install the ice rink at the former Hollywood Theatre site providing we get permission from the Redevelopment Authority and are able to get it covered under our insurance duly carried on a roll call vote with all members present voting yes.

PUBLIC SAFETY – MR. GLAB & MR. ENCAPERA

MED RETURN COLLECTIONS

Mr. Glab asked Chief Encapera to speak about the Med-Return collection box in the lobby. Chief Encapera stated he had the opportunity engaging the borough into a prescription drug take back program sponsored by the District Attorney's Association of Pennsylvania. The program has been made available to us through the Washington County District Attorney Gene Vittone. The receptacle is in the lobby of the borough building and will provide an environmentally safe place for people to dispose of their unused or expired medicines. It will also avoid some medicines getting into the hands of unauthorized people through accidents and thefts. He urges all citizens of California to participate and place their unused, expired, or unwanted medicines in the receptacle.

HANDICAP PARKING REQUEST

Mr. Glab stated we have a request for a handicap parking stall at 745 Park Street and he believes it is for the Wallace residence. It was reviewed by Chief Encapera and is recommended for approval.

Motion by Glab/Difilippo to approve the handicap parking stall be placed at 745 Park Street duly carried with all members present stating aye.

FINANCE – MRS. GUTOSKY

Mr. Bittner stated he will accept a motion to approve payment of the bills.

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

PUBLIC HEALTH – MR. DIFILIPPO

DELINQUENT SEWER ACCOUNT

Mr. Difilippo stated there was a delinquent sewer bill and the property is changing hands and the closing company asked if we could take a look at possibly waiving some late fees. Ms. Evans stated that as discussed in the committee meeting she asked for a HUD 1 report which they did not provide and they said they would forward the sewer bill to the bank as it is. She stated if the bank wants to come back and discuss it then we can do it next month. Mr. Difilippo stated we'll just drop it for now.

HIGHPOINT SEWER LINE

Mr. Difilippo stated we are still waiting on the Water Company to get us figures on the Highpoint area sewer lines and we've been at this for two years

PERSONNEL – MR. ENCAPERA & MR. GLAB

Nothing to report

MAYOR'S REPORT – MR. DURDINES

Mayor Durdines stated since this is likely to be his last meeting as Mayor he just wanted to take a few minutes to thank the voters in California for putting their faith in him for the past 8 years to serve them. He also thanked the members of council and the employees of the borough for making it an enjoyable experience. He stated he has built some good relationships here and hopes he can continue those after he is out of office.

ENGINEER'S REPORT – MR. JOHNSON

WASTE WATER TREATMENT PLANT UPDATE

Mr. Johnson stated he gave council progress report #4 and the general contractor has completed the placement of the West sequencing back reactor wall as well as the digester slab and we are in the process now of forming the SBR slabs and the Northern wall of the Digester. The SBR slab will be placed this Tuesday. The aeration equipment for the SBR will be delivered on Monday.

PAYMENT REQUEST – MELE & MELE

Mr. Johnson stated we have one request this month for the general contractor, Mele & Mele & Sons. It is estimate #4 in the amount of \$329,221.68.

Motion by Glab/Difilippo to pay Mele & Mele & Sons their Estimate #4 in the amount of \$329,221.68 duly carried on a roll call vote with all members present voting yes.

Mr. Johnson stated we expect to receive reimbursement # 4 from the H2O monies in January of 2014.

PEACH ALLEY SANITARY SEWER PROJECT

Mr. Johnson stated the preconstruction briefing for that project will be held here at 11:00 am tomorrow morning. We expect the contractor to mobilize Monday morning as the notice to proceed is Monday morning, December 16th. We'll start at Second & Strawberry with some test pits and the project will proceed from Liberty & First up Liberty, the section of Third Street that needs done, and then up to Fourth St. and then eventually up to Seventh Street as the new year arrives.

VULCAN VILLAGE PUMP STATION GENERATOR

Mr. Johnson stated that rebuilt generator was actually installed today and the digital board for the transfer switch did not come in yet and will probably come in the first part of next week. We did however return the standby generator to Bridgeway Cummins. The rebuilt generator is similar to the standby because the transfer switch is not hooked up. If there is an event the red light comes on and one of the employees will physically have to go down there and turn the generator on. That is only for the next 4 or 5 days. It is his understanding the dialer is up and has been tested and is ready to go.

GIS PROJECT

Mr. Johnson stated the date acquisition surveyors started yesterday morning and he expects that portion of it to be completed by end of January or first of February. They are dividing the borough into four quadrants and will do one quadrant at a time with their subsurface information.

EAST ALLEY SMOKE TEST

Mr. Johnson stated it is his intent to conduct over the Christmas break to lessen the inconvenience to the residents along that drainage corridor.

Mr. Glab asked if we were on schedule with the sewer plant project. Mr. Johnson stated so far yes but we're always cautious of the weather and temperatures.

SOLICITOR'S REPORT – MR. MELENYZER & AGRAFIOTIS

ORDINANCE 540-

Mr. Agrafiotis stated the first ordinance for consideration is Ordinance 540 which was duly advertised and allows council to enter into a second agreement with Long Branch Borough police. We previously had an agreement with them and it expires at the end of 2013. Both parties have negotiated a successor police service agreement for 2014, 2015, & 2016 which is attached to the ordinance.

Motion by Alfano/Glab to adopt Ordinance 540 duly carried on a roll call vote with all members present voting yes.

ORDINANCE 541

Mr. Agrafiotis stated this was also duly advertised. This is amending ordinance 325 which was adopted in November of 1996 establishing Council's and Mayor's salary at \$75.00. As nearly 40 years has elapsed council believes the salaries should be updated and increased in accordance with those salaries that are authorized by the borough code, specifically Sec. 53PS 46001. The maximum rate is established by that statute. Section of the borough code 53PS 46004A establishes the maximum rate for the Mayor. The proposed ordinance will have the same salary for both the mayor and council members. Mr. Agrafiotis stated the statute mandates that the changes in salary only become effective for the next term of council members so the four council members voted back in will receive this next year however the three council members who still have two years to serve will not receive the compensation until they run again and are re-elected. So basically Ordinance 325 is amended and any person who gets elected to a new term gets \$150.00 per month or \$1,800.00 a year and also the Mayor who gets elected to a new office gets \$150.00 per month.

Motion by Encapera/Alfano to adopt Ordinance 541 duly carried on a roll call vote with all members present voting yes.

WASTE CONTRACT

Mr. Melenyzer opened the waste contract bid, only one bid was received, and stated the bid was submitted by Advanced Disposal Services Solid Waste of Pennsylvania and their bid bond is included and it is and appears to meet the requirements. Their bid for residential waste & recycling is for 2014 - \$29.91, for 2015- \$29.91, and for 2016 - \$30.51 per quarter. Mr. Melenyzer stated it will need to be looked over before council decides to award or reject. Mr. Melenyzer stated he will review it and council can act on it at the continued meeting before the end of the month. Someone from the audience stated they were from Advanced Disposal and stated the contract begins Jan. 1st and asked at what point would they know if they were awarded the bid or not. Mr. Bittner stated next Thursday at the continued meeting of council.

Motion by Glab/Difilippo to table awarding the waste contract until the continued meeting duly carried with all members present stating aye.

OLD BUSINESS

No old business at this time

NEW BUSINESS

Mr. Bittner stated we want to continue this meeting until next Thursday at 6:00 pm
And one of the items will be a Lauderhill Hearing and the waste contract and any other business that comes before council at that time.

Mr. Bittner asked council if they have anyone they would like to come and swear them into office and if not a notary public can do and he asked them to let Shirley know.

RECOGNITION OF CITIZENS

Mr. Maddiex stated he has three things; the first thing was if there was going to be free parking this year and you can take that up at the continued meeting, the second thing is the planning commission's first meeting will be Jan. 7th and will be the reorganization meeting, and the third thing he wished everyone a Merry Christmas.

Mr. Bittner announced this meeting will be continued until Thursday, Dec. 19, 2013 at 6:00 pm.